



# Children of Imprisoned Fathers

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Author's note: roughly equal numbers of girls and boys are affected by

the imprisonment of their father. Rather than use the clumsy 'he/she' when referring to these children, I have used the masculine pronoun throughout. This usage is not to imply that the female children of imprisoned fathers are not included in our concerns.

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# Introduction

Every year in this country the fathers of thousands of children are sent to prison, for terms ranging from a few days to life. It is surprising that with such a large, and increasing number of children affected in this way, very little research has been made into the impact imprisonment of a father has on his sons and daughters. The sparsity of interest shown in this subject is in marked contrast to the efforts being made on behalf of children of separated or divorcing parents. With the well-being of these children in mind, inquiries have been set up, research conducted and divorce experience courses mounted. Conciliation schemes are blossoming throughout the country. Books such as *Saturday Parent*, Peter Rowlands (1980), have been written for the benefit of parents who do not have day-to-day custody of their children. In the divorce courts the interests of the child are paramount and Court Welfare Officers (probation officers working in the divorce court) frequently describe access as 'the right of the child to maintain a relationship with the parent who does not have custody', as distinct from the right of the parent to see his or her child. In contrast with the increasing recognition of the plight of children whose families are broken by separation or divorce, children of imprisoned fathers have been ignored; seldom if ever do prison staff refer to a visit as 'the right of a child to maintain a relationship with the father' but rather as 'the right (or privilege) of an inmate to have a visit.'

Since the study of prisoners' families by Pauline Morris (1965), authors in different parts of the world have commented on the subject and almost two decades later Matthews (1983) again drew attention to the plight of prisoners' families in the NACRO publication *Forgotten Victims*. Despite this, there has been no examination of the impact of paternal imprisonment on the great number of children who experience it, and the effects, both harmful and beneficial, can only be surmised. Indeed there *can* be beneficial effects, as when a violent, aggressive man, or a selfish excessive spender, is shut away from his family. Jill Monger (1970) in her small but illuminating study demonstrated clearly the need for extensive work; that work has not been forthcoming. Why has there been so little research on this subject? Certainly the necessary information is not easy to acquire, but Davis (1983), writing in *Social Work Today* about a report of one of the few overseas studies which examined

the children of imprisoned parents in a state in Australia, suggested there may be other, more sinister reasons. He commented, 'As the report says, public information about the children of prisoners is scarce. It further suggests that such a dearth of information is not accidental but "both convenient and necessary" because those who uphold the prevailing legal and penal ideology cannot afford to consider what happens to prisoners' children, as any recognition of their plight strikes at the very notions of "justice", "innocence" and "guilt" upon which this ideology is founded. As soon as the children of prisoners come into focus the major contradictions in the criminal system become glaringly obvious. When the legally-sanctioned punishment takes the form of incarceration the concept of individual punishment for individual law breaking collapses. Children become caught up in a web of punishment.'

It may well be the case that governments in some parts of the world would not welcome publicity of this nature but such an assessment is beyond the scope of this study. Suffice it to say that so far as the work described in this book is concerned no obstacles were placed in the way of the research by any official of central government, although bureaucracy at a lower level did rear its head occasionally.

This book is not only for probation officers, social workers and prison staff. It is intended for all those who have—or, because of their work and responsibilities, should have—a concern for children whose fathers are imprisoned. So great are the numbers of affected children that it would be unlikely that many experienced teachers, health visitors, school and community nurses—especially in inner city areas—have not encountered the problem. Whether they recognise it or consider it their responsibility is another matter altogether. Teachers and health professionals have contributed much to this research: to them much of this book is addressed.

*Children of Imprisoned Fathers* has also been written in the belief that the public at large should be and would wish to be better informed about this aspect of crime. Can one reasonably blame politicians for inaction when their constituents are silent on the subject? An effort has been made to present the material as briefly and concisely as possible, though there are extensive references for those who wish to consider some points in greater detail. For this reason there is a comparatively large number of footnotes, given the length of the text and a considerable bibliography.

The real test for a civilised and caring society, of our penal legislators and of the integrity of those who work in our criminal justice system will be measured by what happens now. To ignore this dark area would be to 'write off' every year tens of thousands of British children because of the sins of their fathers. Not so long ago we 'wrote off' illegitimate children because of the sins of their parents. How far have we come since then?



# Hidden Victims

## The Cinderella of penology

Although many years have elapsed since the publication of *Prisoners and their Families* by Pauline Morris,<sup>1</sup> little fresh information has been added to our knowledge on the specific subject of prisoners' children. This is despite the plethora of books and papers on the effects of imprisonment on a man's family emanating from Europe and the English-speaking world.<sup>2</sup> The few authors who have considered children have tended to support Morris's findings, despite the changes in attitudes and prison regimes which passing time has brought.<sup>3</sup> The fact that there is so little new information is surprising, considering the attention which has been paid to both civil and prisoners' rights over the past decade, and the awareness of other areas of concern about children involved in the criminal justice process. The importance of the emotional atmosphere in the home has been demonstrated in relation to delinquency.<sup>4</sup> Appreciation of the trauma of divorce and its impact on children of the family has led to conciliation schemes to help children and their parents through the processes of family breakdown or separation.<sup>5</sup>

The effect of bereavement on a family has been extensively studied, and support has been made available.<sup>6</sup> Machinery has been set up to try to prevent and detect child abuse and neglect; this currently occupies much of the time of health and social work professionals in many agencies. In this matter, circulars and directives from the Home Office and DHSS are issued from time to time.<sup>7</sup> Those inside and outside education who have sought to abolish corporal punishment in schools have been in full cry with pressure groups and literature.<sup>8</sup> Concern about child labour in the United Kingdom has given rise to a pamphlet from the Low Pay Unit.<sup>9</sup>

Bearing in mind these developments, the almost universal lack of attention to children whose fathers have been sent to prison is hard to explain. Certainly the relevant information is difficult to acquire; this may be why postgraduate students and academics have largely ignored it. The lack of governmental concern is more disquieting. This latter

point will be explored in greater detail in Chapter 7. However, some research in Australia is of particular interest. *Children of Imprisoned Parents*<sup>10</sup> describes a study of prisoners' children which took place in New South Wales. It is one of the few pieces of work to be focused entirely on the children of adults in custody and to examine a sizeable number of cases. In the foreword to the report the authors write:

It is with a sense of deep despair that we present this report. The despair comes from six months' of investigation in NSW Jails uncovering the desperate struggles of prisoner-parents to maintain viable relationships with their children. It comes from hundreds of hours listening to prisoners, their families and children as they speak of isolation, fear, anger and deprivation. It comes most of all from the realization that government departments and public policy seem hell bent on withholding the material resources and support that are vital to ensuring the rights of prisoners' children to adequate care and parenting.

Government announcements in the last two months substantiate this pessimism. The freeze on public service positions means there will be no increase in the personnel necessary to provide support services. The possible cuts in foster allowances means there is little chance of extending assistance to relatives and friends of prisoners who are willing but financially unable to care for the dislocated children. The 'get tough' policy on prisons throws doubt on any hopes of humanizing the prison environment so that all personal relationships are not destroyed in the process of doing time.

Unless this report contributes to building support for a redirection in public policy, a redistribution of public resources and a change in departmental practices, the despair seems justified. Hundreds of children will continue to suffer—not because their parents are all inherently incapable of providing nurturance or support, but because they are systematically prevented from doing so.

It is interesting to note that these sentiments, although expressed some years ago and on the other side of the world, are relevant to Britain today—except that the number of children involved in the United Kingdom is far greater. It is a sobering thought that the UK government has no way of ascertaining through official channels how many children are affected by the imprisonment of their father, let alone what their needs are or how these needs should be met.<sup>11</sup> In a parliamentary answer of 27 July 1981, it was stated that 4000 one-parent families on supplementary benefit in Britain were headed by a prisoner's wife and that there were 9000 children in these families.<sup>12</sup> Taken at face value that statement would indicate that the number of affected children is not very great. However, one has to distinguish between the number of the prison population on any particular day and the number of actual receptions into prisons. These are very different statistics—a fact which has given

rise to considerable distortion and misunderstanding when prison statistics have been interpreted. The actual number of children whose fathers are sent to prison in England and Wales would, on the basis of this study, appear to be more than one hundred thousand each year.<sup>13</sup> This is a vast figure by any standards. We should consider too that these children are predominately from the lower socio-economic groups with poor support and are frequently from educationally disadvantaged families. The overall picture can therefore only be viewed as grave, not only for the individuals involved but also for the nation as a whole.<sup>14</sup>

Reference has already been made to divorce and bereavement. Changes in legislation and social attitudes have meant that in many quarters divorce is no longer seen as unacceptable, although it is only recently that schools have been encouraged to discuss it and allow children to talk about their experiences.<sup>15</sup> Workers on divorce experience courses which are partly intended to free children to talk about their situation, frequently report that it is the first time that some children have been given that permission and have felt able to discuss their feelings.<sup>16</sup>

The steady increase in the divorce rate has removed much of the stigma attached to the children of broken families. Imprisonment on the other hand involves a considerable degree of stigma.<sup>17</sup> It is possible that in due course the proliferation of laws, an increasing opportunity for crime, and penal policies which have led to an increase in the number of offenders sent to prison, may result in a reduction in the stigmatising effect of imprisonment by dint of it becoming 'normal' for a majority of males in poorer districts to have prison experience but whether this is desirable is another matter altogether.

The prevalence of criminal convictions in the population of England and Wales is very high.<sup>18</sup> Criminal convictions are not the sole preserve of a small minority of people who prey on the mass of law-abiding citizens. The range of children affected by their father's incarceration, although predominantly from the working classes, is increasing. Both the number of men received into prisons each year, and the total prison population on a given date, continue to rise; it seems reasonable to suggest that the number of children thus affected rises also.<sup>19</sup> The proportion of the male population who go to prison at some time in their lives is not known; when it is established it may well turn out to be surprisingly high. Similarly the number of children who experience their father being sent to prison at some stage during their childhood—say birth to sixteen—is also unknown but on the basis of the figures discussed in Chapter 6, half a million would appear to be the lowest likely number. It could be considerably greater.

Although most prisoners can be classified as belonging to the lower socio-economic groups they cannot be classified as being the most serious offenders. For instance, 25 per cent of all prison receptions in

England and Wales are fine defaulters and more than 50 per cent of men sentenced to prison are given six months or less.<sup>20</sup>

Recorded crime is mainly a working class, urban phenomenon with a tendency for it to be concentrated in the poorest areas. In these 'problem' areas there is also financial hardship, poor educational attainment, low employment skills and bad housing.<sup>21</sup> It would not be surprising, therefore, if the majority of prisoners' children reside in the decaying inner cities and in the poorer council estates. Parenting in areas of deprivation and a high crime rate is fraught with particular difficulties.<sup>22</sup> Schools with a catchment area containing a high proportion of delinquents have special problems, and insufficient of the right resources to pay adequate attention to the children of problem families.<sup>23</sup> Nevertheless, in most prisons men can be identified who do not come from low socio-economic groups; a number emanate from the middle classes. The children of these men tend to experience different problems—which are discussed in Chapters 4 and 5.

Occasionally groups of people who would not normally do so come into conflict with the law. The suffragettes are one example; conscientious objectors and pacifists another. Such people may display different characteristics to the rest of the prison population. One of the samples from the author's survey at Leicester Prison, to be examined later, included prisoners convicted of offences arising from the coal strike of 1984-5. So different were these men in so many respects that they 'warped' the figures and it was only after they were removed that the samples on which part of this work is based showed a high degree of similarity.<sup>24</sup>

A factor which should not be ignored in any consideration of prisoners' children is the question of inheritance. Although during the past few decades it has been fashionable to seek an explanation of all crime in sociological terms, work on twin and adoption studies has demonstrated the possibility of genetic factors in at least some types of criminality.<sup>25</sup> It is not within the scope of this study to comment on this. However, to pretend that the evidence pointing to a possible genetic link does not exist would seem to be as unreasonable as it would be to take no account of environmental and political influences on a child's behaviour before his father was imprisoned.

Children of imprisoned fathers form a large group of victims; victims of the crime perpetrated by their parent and victims of the system which dispenses justice. In contrast with some other groups of deprived, neglected and children 'at risk', the offspring of prisoners have received very little attention from researchers and as discussed in Chapter 7, still less from the agencies considered by the public to have some responsibility for them. They are without doubt the Cinderella of penology—unrecognised, abused by the system and neglected by those with power and influence. It is because of this that *Children of Imprisoned Fathers* came to be written.

## An attempt to rectify neglect

This study had a number of objectives: first, to gain some indication of the size and severity of the problem, in other words the number of children in England and Wales, who, in a single year, experience their father being sent to prison; second, to identify key issues in the parenting of children whose father is in custody; third, to investigate the attitudes and actions of agencies and individuals with a significant role in the child's life, such as teachers; fourth, the study was to consider the philosophical and criminal justice issues raised by the imprisonment of fathers. Lastly, it was to identify any major areas of need and make observations as to how these could best be met, bearing in mind currently available provision. These objectives have together one main aim, to draw attention to the subject and thereby stimulate interest, action and research into this area about which so little is known.

It should be borne in mind that the study was directed solely at the children of imprisoned fathers. Imprisoned mothers present different problems, some of a more acute nature but not within the scope of this research. Numerically far more children lose a father to prison than a mother.<sup>26</sup>

Research into the effects of a man's imprisonment on his children poses many ethical and methodological problems, for example the use of personal and confidential information held by social work agencies, counselling organisations and in medical records. What rights does a man in prison have in respect of giving his agreement for a researcher to speak with his child's teacher, doctor or health visitor? Should that decision be solely the prerogative of the child's mother? Suspicion of authority, which is common in some sub-cultures, and doubts about confidentiality, make some women reluctant to discuss their circumstances. How, if at all, can observed behavioural characteristics of a child whose father is sent to prison, be recognised as uninfluenced by the emotional atmosphere in the home before his conviction or the nature of his offence? A thorough look at the subject also requires the co-operation of many groups and individuals both inside and outside the criminal justice and penal systems, particularly schools. It also demands an adequate sample of men to be interviewed and to complete a questionnaire from inside prison if their attitudes towards their children are to be discovered and in order to gain some idea of the total number of children involved, since no official figures exist. Unfortunately, although the prison department has some information on the home circumstances of inmates, gleaned chiefly from reception interviews in prisons, this is not sufficiently reliable to be of use in the study of prisoners' children. There are a number of reasons. In many cases no outside report is available, and data obtained from reception interviews is based on what the man tells the prison officer without the officer having the opportunity (or the need) to substantiate it. This is particu-

larly so in the case of short-term prisoners. Inmates may not wish to divulge the true situation at home for fear of information going to the DHSS which might affect social security benefit payments to their wife/cohabitee or to themselves after release. This is the case not only in instances where false claims have been made in the past and men are fearful of now being found out, but also because of a deep-rooted distrust of the system and a belief that it has a vested interest in paying the minimum. In other cases information is withheld because of, not to put too fine a point on it, the man's complex relationships. Whilst some men will boast of women that do not exist, others will be very wary of divulging any information about their womenfolk; the prison grapevine has many branches into the outside world and a woman whose man is inside may receive considerable attention.<sup>27</sup> The different rates of discharge grant lead some men to recognise the financial advantage of not telling the truth about their home situation; by saying that they will not be returning home to their family on release they render themselves technically homeless.<sup>28</sup>

## The initial research

A number of methods were used in this research.

During two separate three-month periods in 1984, prison probation officers administered a questionnaire to men received into Leicester Prison who had been sentenced to six months or less.<sup>29</sup> The questions were chiefly about the prisoners' outside circumstances and family situation since this was the subject of the study.

In the period from April to June, 202 sentenced men (sample A) received into the prison agreed to be interviewed and complete a questionnaire. A further 26 declined, 12 fine defaulters were paid out, two men were transferred to other establishments before they could be interviewed and one was incoherent. During the three-month period from September to November, 246 sentenced men (sample B) received into the prison also agreed to be interviewed and complete a questionnaire. Another 15 declined to co-operate, 14 were transferred to another prison before they could be asked, and 13 fine defaulters were paid out. Another 24 men were omitted either because they were ill or incoherent, or on account of pressure of work in the prison probation department. Included in the 246 men constituting sample B were 33 known to have been sentenced for coal strike related offences, mostly occurring on picket lines. As explained earlier, these offenders displayed characteristics so different from those of the rest of the prison population that they have been removed from the sample and examined as a separate group.<sup>24</sup> Other sub-groups of inmates, namely fine defaulters, did not display significant differences from the rest of the sample. Additionally, a

small sample of 47 men received into Bedford Prison during February, March and April 1985 was examined and found to have similar characteristics to the Leicester men.

Table 1 shows the marital status of men in the two samples, all of whom were over 21 because of the nature of Leicester Prison. It is apparent that more than half stated that they had no current cohabiting relationship with a woman.

**Table 1** *Marital status of men at time of sentence*

| <i>Marital situation</i>   | <i>Sample A<br/>n=202<br/>%</i> | <i>Sample B<br/>n=213<br/>%</i> |
|--|---------------------------------|---------------------------------|
| Married, living with wife  | 22.2                            | 28                              |
| Living with cohabitee  | 22.5                            | 19.8                            |
| Married, not living with wife or cohabitee, or unmarried and not living with cohabitee | 55.3                            | 52.1                            |

This fact markedly reduced the number with responsibility for children at the time of their prison sentences. Nevertheless, a considerable number of children were involved. Additionally, three men in the two samples were known to be single parents.

Men were asked to record the number of children living with their wives/cohabitees and for whom they had responsibility. If the number of such children exceeded four it was recorded as '5 or more'. The total number of children with prisoners' wives or cohabitees amounted to more than 177 in sample A, and more than 201 in sample B. The figures appear in Table 2.

**Table 2** *Responsibility for children at time of prison sentence by men with wives or cohabitees*

| <i>Number of children</i> | <i>Sample A<br/>n=92<br/>%</i> | <i>Sample B<br/>n=102<br/>%</i> |
|---------------------------|--------------------------------|---------------------------------|
| 0                         | 23.9                           | 19.6                            |
| 1                         | 22.8                           | 19.6                            |
| 2                         | 20.7                           | 25.5                            |
| 3                         | 10.9                           | 18.6                            |
| 4                         | 13.0                           | 12.7                            |
| 5 or more                 | 8.7                            | 3.9                             |

The wives or cohabitees of six men in sample A and 18 men in sample B were said to be pregnant at the time of sentence. Five in sample A and one in sample B were unsure. There were no answers from 25 in sample A and 19 in sample B.

Interviews later with some of the wives or cohabitees disclosed that some thought to be pregnant were not, and some thought not to be, were. It is possible that pregnancy was sometimes claimed before the court case in the hope that it might lead to a lesser sentence. It is also possible that a woman may hide her suspected pregnancy from her husband at a time when his liberty is in some doubt. Either way, the establishment of early pregnancy in a woman whose man is likely to be imprisoned for an offence is a very inexact and problematic matter! The pregnancy factor should, therefore, be treated with caution.

In addition to children for whom the prisoners in both samples acknowledged responsibility, a further group of children appear in answer to the question 'Number of own children not living with wife/cohabitee.' In this instance, men were asked to record the number up to five, more than five being recorded as '6 or more'. The men in sample A indicated that they had fathered a further 109 children who were elsewhere following divorce, separation care proceedings, the result of previous periods of imprisonment or simply the man's lifestyle. Sample B acknowledged 101 such children.

**Table 3** *Children fathered by prisoners but who were not living with the wife or cohabitee at the time of sentence*

| <i>Number of children</i> | <i>Sample A<br/>n=202<br/>%</i> | <i>Sample B<br/>n=213<br/>%</i> |
|---------------------------|---------------------------------|---------------------------------|
| 0                         | 58.4                            | 52.6                            |
| 1                         | 13.9                            | 5.2                             |
| 2                         | 6.9                             | 9.9                             |
| 3                         | 4.5                             | 2.3                             |
| 4                         | 1.0                             | 2.8                             |
| 5                         | nil                             | 0.5                             |
| 6 or more                 | 1.5                             | nil                             |
| no answer                 | 13.9                            | 26.8                            |

The wives or cohabitees of men residing in the Greater Leicester area were visited in connection with investigation into the effects of the fathers' imprisonment on their children. This also allowed a proportion of the inmates' questionnaires to be compared with those completed by their womenfolk and for answers to be verified. Permission was sought from these women to approach the school, GP and Health Visitor, according to the age of the children. Where permission was granted the woman was asked to sign a letter to this effect for the professional concerned and confidentiality was guaranteed. A decision had previously been taken to ask permission only from the mother since she was the



person with day to day responsibility for the children.<sup>30</sup> The ages of men in the samples ranged from 21 (the lower limit for the prison concerned), to the middle sixties, with more than half under thirty.<sup>31</sup>

The catchment area of Leicester Prison consists of Leicestershire, Derbyshire and part of Staffordshire.<sup>32</sup>

Samples A and B combined produced 22 families resident in Leicester, where there were children for whom the prisoner had responsibility. These families accounted for 60 children.

Some limitations of this study should be borne in mind. It refers to one part of the country only and the sample is relatively small. It is possible that some men convicted of coal strike related offences were not recognised as such and therefore 'lost' in the total number of prison receptions but if this has happened the number would be very small. Also, the samples exclude men sentenced to more than six months. Bearing in mind these reservations, some interesting findings emerged and are discussed later.

Whilst this data was being collected, letters were sent to many social work journals inviting case studies and information, likewise to publications read by professionals whose work might involve them in some way with mothers whose husbands were in prison, for instance community nurses, probation officers, health visitors, ministers of religion, social workers and the staff of residential homes such as Dr Barnardo's. A considerable amount of correspondence was received including some from prisoners' wives unconnected with the Leicester or Bedford samples who had come to hear of the project from other sources. A letter was sent to prison chaplains of male adult and young prisoner establishments inviting observations based on their involvement with prisoners' families.<sup>33</sup>

The author has also drawn on his experience as a probation officer, as head of the probation team in a local prison for two and a half years and as chairman of Leicester Prison Visits Centre Trust for three years. This account is therefore both descriptive and empirical, considering the findings of the research along with the work of other authors, in the context of the criminal justice system.

## Notes

1 Morris, P. (1965).

2 In addition to literature quoted elsewhere in this book, the following are of interest: Bakker *et al.* (1978), Brodsky (1975), de Crayencour (1976), Howard League (1979), Schneller (1978), Vercoe (1968), West Glamorgan Probation Service (1979), Wilson, G. (1984). Older considerations of the subject include Anderson (1966), Blackwell (1959), Fenton (1959).

3 Copley, C. (1981), Monger, M. and Pendleton, J. (1981) Wilmer (quoted by Monger and Pendleton *op. cit.*).