

Lothian and Borders Community Justice Authority

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

# DRAFT FOR CONSULTATION

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For further information please contact:

Adelle Gardiner  
Freelance Research and Evaluation  
[Adelle.gardiner@gmail.com](mailto:Adelle.gardiner@gmail.com)  
07739 798176  
<http://uk.linkedin.com/in/adellegardiner>

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# Contents

<b>Introduction</b> .....	<b>3</b>
Reading the framework .....	3
Guiding Principles .....	7
<b>1 Informed practice</b> .....	<b>8</b>
1.1 Training and accreditation .....	8
<i>Staff have received appropriate training and qualifications</i>	
1.2 Policy and practice guidance .....	9
<i>Law, policy and practice guidance documents are developed with consideration for the needs, rights and impact on families</i>	
1.3 Understanding need and impact.....	10
<i>Agencies understand the support needs of individual families and consider the potential impact of all decisions on family members</i>	
1.4 Information sharing.....	11
<i>Protocols and organisational culture support the appropriate and timely sharing of information between agencies</i>	
1.5 Improving practice .....	12
<i>Policies and practice are reviewed regularly with consideration for the needs, rights and impact on families</i>	
<b>2 Families are included and engaged</b> .....	<b>14</b>
2.1 Understanding the process .....	14
<i>Families understand what is happening at every stage of the criminal justice process</i>	
2.2 Families are aware of support available .....	16
<i>Families are aware of the full range of information and support available to them and how to access this</i>	
2.3 Consulted at every stage .....	17
<i>Families are meaningfully involved in decisions that will affect them</i>	
<b>3 Families are connected</b> .....	<b>19</b>
3.1 Visiting and physical contact .....	19
<i>Positive family relationships are encouraged through physical access to the family member involved with the criminal justice system</i>	
3.2 Remote communications .....	21
<i>Positive family relationships are encouraged through various mediums of communication</i>	
3.3 Family learning .....	22
<i>Positive family relationships are supported through access to relationship support and learning programmes.</i>	
<b>4 Families are safe and well</b> .....	<b>23</b>
4.1 Preventing harm.....	23
<i>Agencies ensure their practices support the physical safety and emotional wellbeing of families</i>	
4.2 Supporting wellbeing .....	24
<i>Agencies offer services to support the physical and emotional wellbeing of families</i>	

## Introduction

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The *Framework for the support of families affected by the criminal justice system (the Framework)* aims to improve the life chances of families affected by the criminal justice system. It works to achieve this by ensuring the rights and needs of families are considered at every stage of the criminal justice process, by all agencies directly or indirectly involved in the support of families. It is designed to have application to any setting and circumstance where agencies are working with families affected by the criminal justice system.

The Framework's thirteen outcomes present an ideal minimum standard of support that should be consistently available to families. Activities are listed within each outcome, outlining the practices that will contribute to attaining the minimum standard of support (see Figure 1, below, for a summary of the Framework).

There are many examples throughout Scotland of good practice in the support of families affected by the criminal justice system, and many of the activities listed by the Framework are already achieved by some agencies. Other activities will be aspirational and agencies should take steps towards achieving these in the long term.

## Reading the framework

### Framework structure

The Framework is organised into five levels of information: guiding principles, topics, outcomes and activities.

The three guiding principles are the backbone of this framework and should inform all practice relating to families affected by the criminal justice system.

Four topics subdivide the remainder of the framework:

- Informed practice;
- Families are included and engaged;
- Families are connected; and
- Families are safe and well.

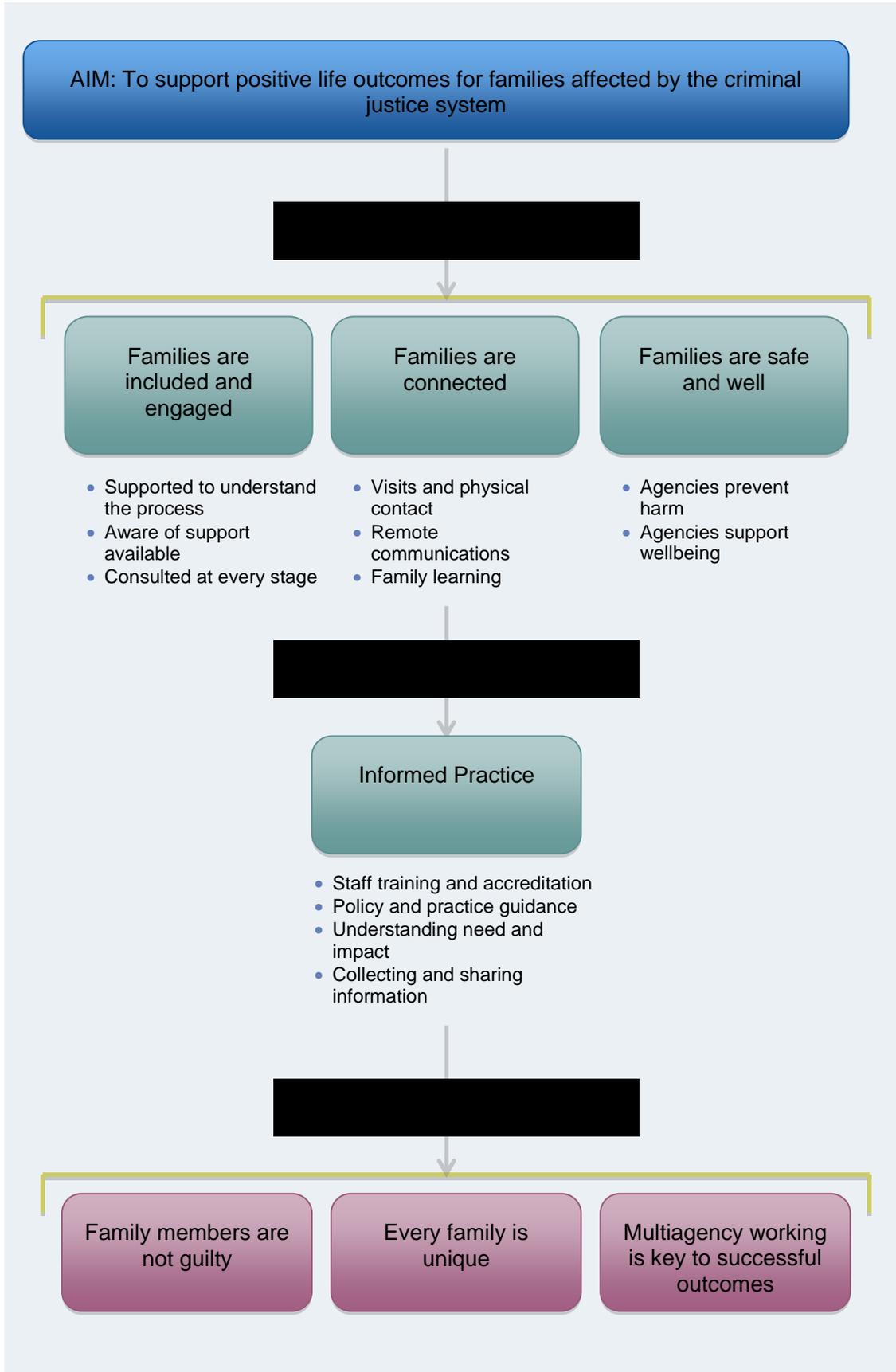
Each topic contains outcomes. These are the outcomes considered necessary to optimise the support for families affected by the criminal justice system.

Within each outcome are listed a number of activities. These activities are guidance for how the outcome may be achieved. For ease of reference, the activities are organised according to which stage of the criminal justice process they are most relevant to (see Table 1).

### Supporting document (*in production*)

Further information about each outcome is available in the supporting document (forthcoming). This document details background information and literature supporting the outcome and the activities listed in the outcome. It lists relevant legislation, key policy documents, and other relevant guidance notes. Where available, case studies and examples of good practice are also included.

Figure 1: Summary diagram of the Framework for the support of families affected by the Criminal Justice System



**Table 1: 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 including the detention or arrest of an accused until the Procurator Fiscal's decision on appropriate action.
<b>COURT AND SENTENCING</b>	Specific relevance to a defendant's appearance in court and their sentencing.
<b>CUSTODIAL MEASURES</b>	Specific relevance to periods of time when an accused/offender is held in custody whether as pre-trial detention or a custodial sentence.
<b>NON-CUSTODIAL MEASURES</b>	Specific relevance to periods when an accused/offender is under, or transitioning to, supervision in the community whether pre- or post-conviction.

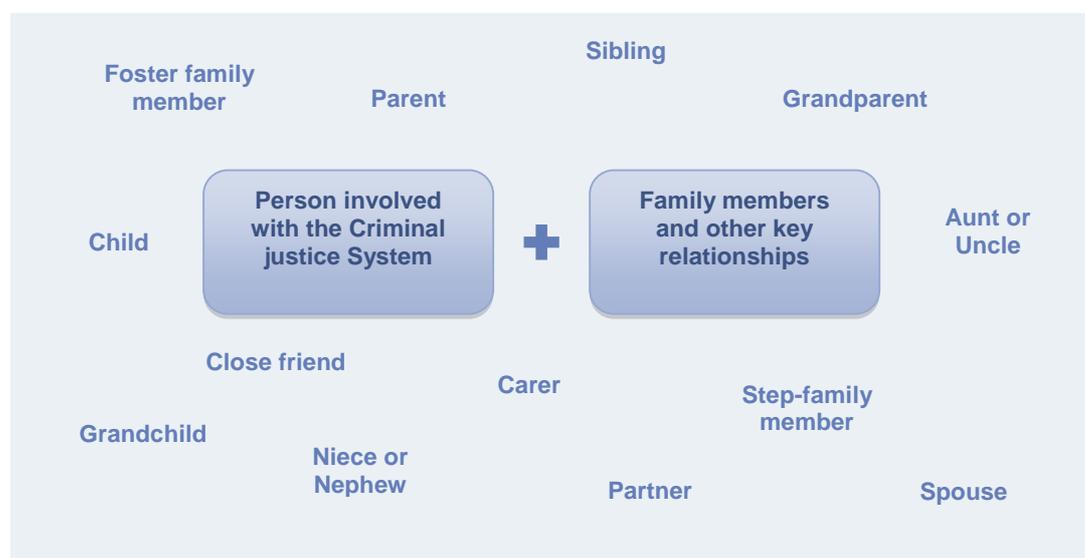
## Key terminology

### Families affected by the criminal justice system

The Framework considers 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 likely have a significant impact on that person's family and other key relationships.

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. Family members may include, for example, spouses, siblings, parents, grandparents, children, extended family, step-family relationships or close friends (see Figure 2). Exactly who family members are should be considered on a case-by-case basis.

**Figure 2: Family affected by the criminal justice system**



Where an activity 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 an activity has particular relevance for the family of those involved with the criminal justice system, the framework refers to ‘family members’.

Some activities are only relevant to family members under the age of 18. These activities refer to ‘children and young people’.

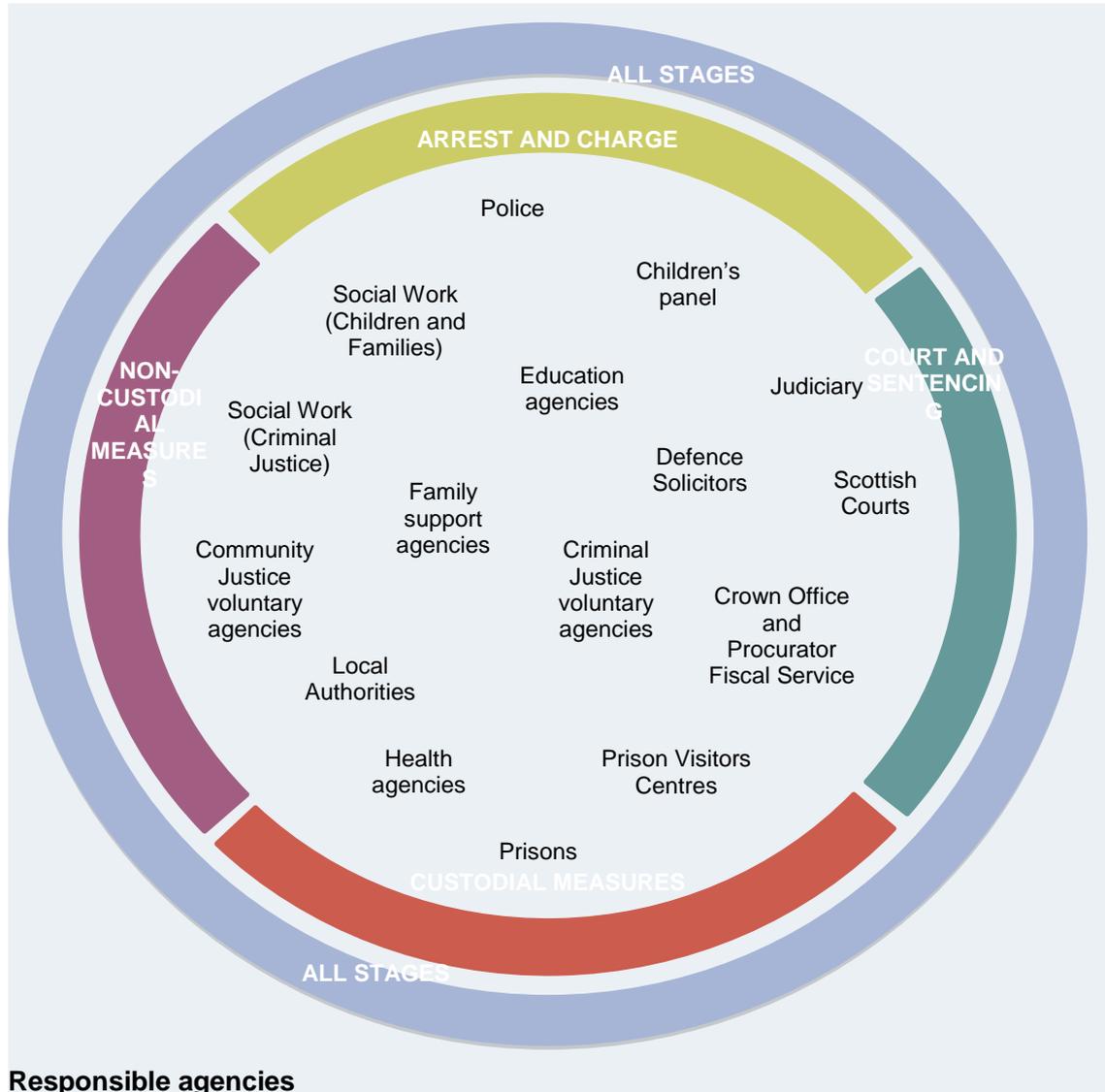
The person involved with the criminal justice system is referred to variously as the ‘accused’, ‘defendant’, ‘prisoner’ or ‘offender’ as appropriate to each stage of the criminal justice process.

**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 (see Figure 3). 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’.

**Figure 3: Agencies directly or indirectly involved in the support of families affected by the criminal justice system**



The ways in which the Framework's outcomes are achieved or supported will vary between agencies. It will not be practical or appropriate for some agencies to be involved in certain activities. There are some activities with relevance to one particular agency, and others that may be achieved in various ways by every agency. Suggestions for which agency or agencies should take lead responsibility are listed alongside the activities, in the right hand columns.

## **Guiding Principles**

Three guiding principles underpin every outcome and activity listed in the Framework.

**i. Family members are not guilty.**

**ii. Every family is unique.**

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

# 1 Informed practice

## 1.1 Training and accreditation

*Staff have received appropriate training and qualifications*

ALL STAGES		
1.1.1	<p>Staff training programmes raise awareness of:</p> <ul style="list-style-type: none"> <li>■ The particular needs and key issues faced by the 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>■ 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
1.1.2	<p>Staff training programmes provide practical learning on:</p> <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; and</li> <li>■ Child and adult protection measures.</li> </ul>	All
1.1.3	<p>Child protection training highlights the particular needs of children who have a key relationship with an offender.</p>	All
1.1.4	<p>Staff delivering training or programmes are themselves appropriately accredited and trained.</p>	All

## 1.2 Policy and practice guidance

*Law, policy and practice guidance documents are developed with consideration for the needs, rights and impact on families*

<b>ALL STAGES</b>		
1.2.1	Agencies have a clear guidance outlining how they will work with families.	<i>All</i>
1.2.2	Policy and practice guidance relating to individuals or families affected by the criminal justice system: <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>
1.2.3	Guidance relating to looked-after children makes explicit reference to children who have a key relationship with an offender.	
1.2.4	Children's Rights Impact Assessments are used to inform the development of policy and practice guidance relating to families affected by the criminal justice system.	
1.2.5	GIRFEC is used to inform the development of policy and practice guidance relating to families affected by the CJS.	
1.2.6	Agencies have a proactive child protection policy that acknowledges the particular issues and needs of children who have a key relationship with an offender.	
1.2.7	The allocation of resources to and within agencies is informed by the needs and rights of the families affected by the criminal justice system.	<i>Local authorities;</i>
1.2.8	Guidance is available regarding how to address an offender's concerns about revealing the existence of family members, particularly children.	
<b>ARREST AND CHARGE</b>		
1.2.9	Guidance is available on how to conduct an arrest if a child or other vulnerable person is likely to be present.	<i>Police;</i>
1.2.10	Guidance is available on how to support children and families post-arrest.	<i>Police; social work</i>

### 1.3 Understanding need and impact

*Agencies understand the support needs of individual families and consider 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; Prisons; Procurator Fiscal; Social Work; Local authorities</i>
1.3.2	<p>Information about family members is collected as soon as possible to allow identification and implementation of appropriate support or protection measures.</p>	
1.3.3	<p>All key decisions regarding an accused, defendant 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; Prisons; Procurator Fiscal; Local authorities</i>
1.3.4	<p>Child and Family Impact Assessments are conducted even where this has no bearing on decisions relating to the offender.</p>	
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 dependents or caring responsibilities;</li> <li>■ Whether the offender is a sole or primary carer; and</li> <li>■ The age, level of maturity and developmental needs of individual family members.</li> </ul>	
<b>ARREST AND CHARGE</b>		
1.3.6	<p>Prior to arrest, agencies are aware of any dependents and whether family members may be present at the arrest and how to handle this sensitively.</p>	<i>Police; Social Work;</i>
<b>COURT AND SENTENCING</b>		
1.3.7	<p>Criminal Justice Social Work Reports include reference to family situation and the potential impact of sentencing on family members</p>	<i>Social Work;</i>
1.3.8	<p>Defendants are encouraged and supported to provide sufficient information about their family situation.</p>	<i>Social Work</i>

**NON-CUSTODIAL MEASURES**

- 1.3.9 Non-custodial sentences take account of an offender's caring responsibilities and the best interests of family members:
- Reporting requirements uphold the dignity of family members and respect their right to privacy;
  - Reporting requirements and conditions take account of, and do not negatively affect an offender's caring responsibilities; and
  - Offenders can access expenses to cover childcare to enable them to meet conditions of non-custodial orders.

**1.4 Information sharing**

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

**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 to share information, agencies provide families with all the information necessary for families to make an informed decision.  | All |

## 1.5 Improving practice

*Policies and practice are reviewed regularly with consideration for the needs, rights and impact on families*

<b>ALL STAGES</b>		
1.5.1	All policies and practice guidelines related to families affected by the criminal justice system are subject to regular internal monitoring and external evaluation to ensure adequate consideration of the needs and rights of families.	<i>All</i>
1.5.2	Monitoring, review and evaluation processes are designed to identify gaps in the systems of support offered to families.	
1.5.3	Agencies work to improve their collection of data about the number of children in Scotland affected by imprisonment.	
1.5.4	The views of families are sought and meaningfully considered in the design of services for families affected by the criminal justice system.	
1.5.5	Child and Family Impact Assessments are used to inform the review of policy and practice guidance.	
1.5.6	Family members are supported to share their views in a manner appropriate to their age and needs.	
<b>ARREST AND CHARGE</b>		
1.5.7	Children are involved in the development of guidelines regarding the arrest of a family member.	<i>Police</i>
<b>CUSTODIAL MEASURES</b>		
1.5.8	Visiting procedures are regularly reviewed by collecting the views, suggestions, and satisfaction ratings of family members.	<i>Prisons</i>
1.5.9	The views of families are sought and considered in the design and improvement of prison facilities where these may have an impact on families.	<i>Prisons; Prison Visitor Centres</i>



## 2 Families are included and engaged

### 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	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>
2.1.2	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.	<i>Police; prisons; defence solicitors; Social Work</i>
2.1.3	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; prisons; defence solicitors; Social Work</i>
2.1.4	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; Prisons; voluntary agencies; social work; education agencies; local authorities</i>
<b>ARREST AND CHARGE</b>		
2.1.5	Family members who were not present at an arrest are told what has happened.	<i>Police;</i>
2.1.6	Protocols clarify who is responsible for informing family members of an arrest.	<i>Police</i>
<b>COURT AND SENTENCING</b>		
2.1.7	Families are supported to attend the trial of a family member where this is considered in their best interest.	<i>Courts;</i>
2.1.8	Children and young people are supported to attend the trial of a family member where this is necessary. Consider: <ul style="list-style-type: none"> <li>The nature of the offence and evidence being presented;</li> <li>Whether the child or young person is a victim; and</li> <li>Whether the trial can be made child-friendly where appropriate;</li> <li>Who will accompany the child or young person to the trial; and</li> <li>The child or young person's views about attending the trial.</li> </ul>	

<b>CUSTODIAL MEASURES</b>		
2.1.9	Regular family induction sessions ensure families understand prison life. In particular families understand: <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>■ The Integrated Case Management process; and</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>	<i>Prisons;</i>
2.1.10	Family members are encouraged and supported to attend family induction sessions.	<i>Prisons; social work;</i>
<b>NON-CUSTODIAL MEASURES</b>		
2.1.11	Families understand the conditions imposed by non-custodial measures such as bail and home detention curfew, Community Payback Orders, as relevant.	

## 2.2 Families are aware of support available

*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	Families have access to information on a range of issues including, but not limited to: <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	Information about support services for families is: <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>
2.2.3	Local partnerships and protocols ensure that families can access timely and accurate advice, support, and signposting to specialist services.	<i>All</i>
<b>CUSTODIAL MEASURES</b>		
2.2.4	Families are aware of their entitlement to Assisted Prison Visits Scheme.	<i>Prisons; voluntary agencies</i>
2.2.5	Families are aware of the Families Outside Support and Information Helpline.	<i>Voluntary agencies; prisons</i>
2.2.6	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>NON-CUSTODIAL MEASURES</b>		
2.2.7	Families are aware of their entitlement to voluntary throughcare services.	

## 2.3 Consulted at every stage

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

<b>ALL STAGES</b>		
2.3.1	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: <ul style="list-style-type: none"> <li>▫ Medication and health care; and</li> <li>▫ Care arrangements for dependents.</li> </ul>	
2.3.2	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.	
2.3.3	Families feel their opinions are taken into account. Reasons why information provided by families could not be used is clearly communicated to the family.	
2.3.4	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>		
2.3.5	Where appropriate, families (including children and young people) are allowed to present or submit evidence on how a sentencing decision may affect them.	
<b>CUSTODIAL MEASURES</b>		
2.3.6	The views of family are considered in deciding where to locate a prisoner.	
2.3.7	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>
2.3.8	The ways in which an imprisoned parent or carer can exercise caring responsibilities are made clear to the family.	<i>Prisons</i>
2.3.9	Families are involved in relevant case conferences and supported to understand the process.	
2.3.10	Involvement in case conferences is facilitated even when family members cannot or should not be physically present. Family members can make verbal or written submissions, can participate via video link, and can access conference minutes as appropriate.	<i>Prisons</i>
<b>NON-CUSTODIAL MEASURES</b>		
2.3.11	Families are meaningfully and voluntarily	

involved in the planning of an offender's release and resettlement.

2.3.12

Agencies work collaboratively with families to ensure a smooth transition from custody to the community.

## 3 Families are connected

### 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.	<i>Police; Prisons; Local Authorities</i>
<b>ARREST AND CHARGE</b>		
3.1.2	Families can visit shortly after arrest.	<i>Police</i>
<b>COURT AND SENTENCING</b>		
3.1.3	Family members have access to the defendant pre-trial unless this is not in their best interests.	<i>Courts;</i>
3.1.4	Families have adequate opportunity to say goodbye post-trial.	
<b>CUSTODIAL MEASURES</b>		
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; prisons;</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>Prisons;</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>Prisons;</i>
3.1.8	Visiting procedures are efficient to maximise the time families spend together during visits.	<i>Prisons;</i>
3.1.9	Family members and prisoners are aware of their full entitlement to visits.	<i>Prisons;</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>Prisons; prison visitors centres;</i>
3.1.11	The visiting environment is family and child friendly with provision for interaction that will help to strengthen	<i>Prisons; education agencies;</i>

<p>family relationships:</p> <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 arranged with the needs of children and young people in mind;</li> <li>■ Regular family events are arranged throughout the year, for example children and family days, child sports days, homework clubs and Christmas 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 offered 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><i>Prisons</i></p> <p><i>Prisons; Local authorities; voluntary agencies;</i></p>
<b>NON-CUSTODIAL MEASURES</b>	
<p>3.1.14 Services work together to develop protocols to ensure successful reuniting of families, where this is in their best interests.</p>	
<p>3.1.15 Home Leave arrangements are maximised where appropriate to build or re-establish community and family links.</p>	
<p>3.1.16 Families are supported to prepare for the release of their family member.</p>	<p><i>Voluntary agencies; Social work;</i></p>

## 3.2 Remote communications

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

<b>ALL STAGES</b>		
3.2.1	In addition to visits, agencies facilitate family access using communication tools such as letters, phone calls and emails throughout their involvement with the criminal justice system.	<i>Police; Prisons; Social Work; Education agencies; Local Authorities</i>
<b>ARREST AND CHARGE</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>Police;</i>
<b>CUSTODIAL MEASURES</b>		
3.2.3	Family members can access practical support to facilitate communication with a prisoner, including: <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 write letters.</li> </ul>	<i>Social Work; voluntary agencies</i>
3.2.4	Prisoners are supported to read and write letters to their family as required.	<i>Prisons; voluntary agencies</i>
3.2.5	Prisoners' access to telephones supports regular and meaningful family contact. <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>Prisons;</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>Prisons;</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>Prisons;</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>

### 3.3 Family learning

*Positive family relationships are supported through access to relationship support and learning programmes.*

<b>ALL STAGES</b>		
3.3.1	Families have access to support and learning about parenting, child development, and life and relationship skills as required and across all stages of the criminal justice process.	<i>Voluntary agencies; prisons; Social Work</i>
3.3.2	Family members and the person involved with the criminal justice system can access the same learning programmes where appropriate.	<i>Voluntary agencies; prisons; Social work</i>
<b>CUSTODIAL MEASURES</b>		
3.3.3	Learning is used creatively to encourage learning and build family relationships.	<i>Prisons; voluntary agencies; social work</i>
<b>NON-CUSTODIAL MEASURES</b>		
3.3.4	Community integration plans take account of, and provide support for family issues.	<i>Prisons;</i>
3.3.5	Families can access programmes that extend family contact and increase family involvement in preparation for release.	<i>Prisons; voluntary agencies</i>

## 4 Families are safe and well

### 4.1 Preventing harm

*Agencies ensure their practices support 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; social work</i>
4.1.3	Families receive information about and financial support for kinship care arrangements.	<i>Social work</i>
4.1.4	Child and Family Impact Assessment are conducted at key stages in the criminal justice process.	<i>Police; Prisons; Procurator Fiscal</i>
<b>ARREST AND CHARGE</b>		
4.1.5	Where family members are present, arrests are conducted with consideration for the best interests of these family members. A dedicated member of staff has responsibility for children or other vulnerable people present at the arrest.	<i>Police</i>
4.1.6	The care and immediate needs of children or other vulnerable dependents are identified and met as part of the arrest process.	<i>Police; 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 dependents.	<i>Social Work</i>
<b>CUSTODIAL MEASURES</b>		
4.1.8	Prisoners are supported to resolve urgent family or childcare issues on reception.	<i>Police; Prisons</i>
4.1.9	Search procedures are explained to families and conducted in an age-appropriate manner.	<i>Prisons</i>
4.1.10	Search procedures are designed so as not to frighten family members, particularly children and young people. Families are not deterred from visiting by search procedures.	<i>Prisons</i>

## 4.2 Supporting wellbeing

*Agencies offer services to support the physical and emotional wellbeing of families*

<b>ALL STAGES</b>		
4.2.1	Families can access emotional and psychological support as required across all stages of the criminal justice process. 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>Voluntary agencies; health agencies; education agencies; prison visitors 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 welfare 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 are easily able to find out about the welfare of their family member inside the criminal justice system.	<i>Police; Prisons; Defence solicitors; Social Work</i>
<b>ARREST AND CHARGE</b>		
4.2.5	Family members who have witnessed an arrest can access trauma support.	<i>Police; Social work;</i>
<b>CUSTODIAL MEASURES</b>		
4.2.6	Support for families is considerate of the emotional and physical reactions related to the loss of a family member to imprisonment.	<i>Prisons; Social Work; Voluntary agencies</i>
4.2.7	Families can access additional support during visits if required. In particular, families are supported before, during and after their first visit.	
4.2.8	Prisoners are kept informed about the situation and well-being of their family members, and are supported to help manage family concerns as appropriate.	
<b>NON-CUSTODIAL MEASURES</b>		
4.2.9	Families are supported to access services that will contribute positively to their wellbeing.	<i>Voluntary agencies; education agencies; Social Work;</i>