Children and Youth Services Review 35 (2013) 213–217

Contents lists available at SciVerse ScienceDirect

Children and Youth Services Review

journal homepage: www.elsevier.com/locate/childyouth

Understanding the risk of offending for the children of imprisoned parents: A review of the evidence

Catherine Flynn *

Department of Social Work, Monash University, PO Box 197 Caulfield East, Vic, 3145, Australia

ARTICLE INFO

Article history:
Received 21 September 2012
Received in revised form 15 November 2012
Accepted 15 November 2012
Available online 23 November 2012

Keywords:
Offenders
Prisoners
Children
Intergenerational offending

ABSTRACT

The view that children of imprisoned parents are more likely to end up as offenders or in prison themselves has gathered pace in recent years and is afforded considerable legitimacy. This paper is a critical review of the studies of parental and maternal imprisonments conducted since the 1960s. The review examines how patterns of family offending have been measured and portrayed, explores to what extent claims of an intergenerational association are well-founded, and questions the real risks posed to the children of prisoners.

Contents

1. Introduction

> "There is no doubt that offending runs in families. Criminal parents tend to have criminal children" (Farrington & Welsh, 2007, cited in Farrington, Coid, & Murray, 2009:119).

Intergenerational offending has been a topic of considerable research and discussion, and as indicated above, the drawing of firm, and at times, morally laden conclusions. Perhaps unsurprisingly the children of prisoners as a specific sub-group have been singled out for particular attention. The perceived increased likelihood of them as young adults becoming involved in the criminal justice system has influenced the public policy responses of some jurisdictions. Some eight years ago in England, it was proposed by the government of the day that the children of parents involved in offending should be monitored, targeted and tracked from an early age. The British Policing Minister at the time, Hazel Blears, supported this approach, citing unsourced statistical predictions that 65% of the children with a father in prison in England would themselves subsequently be incarcerated (Orr, 2004).

This acceptance that children of imprisoned parents are more likely to end up as offenders or in prison themselves has gathered pace in recent years and is afforded considerable legitimacy. A figure of 'six times more likely' is regularly cited in both the scholarly literature (e.g. see Tomaino, Ryan, Markotić, & Gladwell, 2005) and by organisations supporting prisoners and their families. But what is the evidence for this? And if they are more likely to offend, what creates this increased risk: genetics, environment, learned behaviour, labelling, or perhaps the very act of incarcerating their parent?

This paper presents a critical review of the studies of parental and maternal imprisonment conducted since the 1960s. The review

* Tel.: +61 3 9903 2731.
E-mail address: Catherine.Flynn@monash.edu.

0190-7409/$ – see front matter © 2012 Elsevier Ltd. All rights reserved.
http://dx.doi.org/10.1016/j.childyouth.2012.11.007

examines how patterns of family offending have been measured and portrayed, explores to what extent claims of an intergenerational association are well-founded and questions the real risks posed to the children of prisoners.

2. Intergenerational offending

Most recently, Goodwin and Davis' (2011:2) findings of broad research into intergenerational offending have been summarised thus:

> "[The] existent international literature reveals evidence of an intergenerational transfer effect between parents with criminal histories and their offspring, with the criminality of the father being particularly influential. The intergenerational transfer of criminality can be mediated by parenting practices and mothers may play a key role in this regard, potentially having a protective influence on the transfer of criminality from fathers to their children".

We should heed Hagan's (1996) earlier caution, however, that although research may have suggested some linking of criminal behaviour between generations, as yet we have not disentangled the complex processes or causes of this. Even though more recent work has focused on advances in genetics (De Lisi, Beaver, Vaughan & Wright, cited in Goodwin & Davis, 2011), there remains a clear understanding that this occurs in interaction with the environment. Much of this research has had a broad focus on criminal, or sometimes anti-social, behaviour across the generations. However, attention has been focused at times on the children of prisoners specifically, as they can be seen to be at the extreme end of exposure to parental offending, where that behaviour has either been so serious or so persistent that it has resulted in imprisonment.

The children who have a parent/s in prison are growing in number globally, influenced largely by the increasing use of incarceration as punishment for offending behaviour. Yet they remain a relatively uncharted group (Johnson, 2012), with little formal data gathered; researchers and policy makers still rely heavily on estimates of the extent of the problem. The most recent Australian survey (Quilty, 2005) calculated that on any given day, around 38,000 children have a parent in prison. In other jurisdictions annual estimates are provided: in England and Wales this is some 127,000 children, in Europe, 700,000, whilst in the US, which has one of the highest rates of imprisonment per capita, the annual figure suggests that more than 1.5 million children experience parental incarceration (Sheehan & Flynn, 2007). Despite these figures such children remain largely invisible and do not feature as a priority for government policy and statutory welfare bodies, except in the concern expressed that they will one day themselves engage in anti-social behaviour and be a further drain on the justice and penal systems.

A frequently cited and respected review (Woodward, 2003) of international research and data published between 1993 and 2003, draws on both the Florida House of Representatives Justice Council (FHRJC, 1998) and Barnhill and Dressel (1991) to support the claim that in the US, imprisoning a parent increases the likelihood of their children themselves experiencing incarceration by up to six times. The FHRJC report, however, reports on an investigation of how inmates in Florida and their families maintained contact during imprisonment. They examined relevant policies with regard to visitation, telephone contact etc. and surveyed family members and prison officers about visitation/contact. Family offending patterns were not a feature of their inquiry. That report comments tangentially on this issue in their discussion of the background to the inquiry, stating only that "One study estimated that children with incarcerated parents may be almost six times more likely to become incarcerated themselves" (FHRJC, 1998:15). The source of this information is a report by the National Institute of Justice (1995), whose authors subsequently cite as their evidence the same paper by Barnhill and Dressel (1991) noted above (more commonly cited as Dressel & Barnhill, 1992), which merely outlines a small programme evaluation conducted by a not-for-profit organisation in Atlanta, Georgia.

The latter research, whilst important in examining how to alleviate the specific impact of maternal incarceration across generations on both imprisoned women's children and their mothers (as the children's carers), does not specifically address the question of the risk of intergenerational offending. It describes and evaluates a small Intergenerational Project, providing counselling, group-work and advocacy to eight African-American grandmothers and their 21 grandchildren. Whilst the study is grounded in an understanding that particular social groups have experienced generations of imprisonment, this is seen to be the result of a justice system which punishes the economically marginalised, in how and what is defined as crime, who is arrested and who receives long sentences. Offending within the study's participant families is not measured or discussed.

Miller's (2006) later literature review from the US claims somewhat similarly that children of prisoners are five to six times more likely to be involved in the criminal justice system. The source of this figure is given as earlier work by Springer, Lynch, and Rubin (2000). That article provides no primary data, however, to support this figure; those authors simply state this estimation and provide a 1995 publication by Johnston as the source. The latter author in that chapter outlines the effects of parental incarceration, and synthesises and reviews a range of existing research, but does not make such a claim. She discusses two of her own earlier studies (Jailed mothers, 1991; Children of Offenders, 1992/1993, cited in Johnston, 1995), providing data on offending by children of these offenders/prisoners as part of the overall discussion. Johnston's 1991 study of 100 'jailed mothers' (cited in Johnston, 1995) saw 11.4% of their children arrested and 10% of them incarcerated; she does not give an indication of any overlap between these two groups. Commonsense would suggest that this may be considerable, with arrest sometimes leading to imprisonment. It is also not made clear why the children were arrested; this may have included arrest for protective reasons. Without any comparison to the broader group of children of prisoners (not just imprisoned mothers) or the general population, the generalisability of this figure is difficult to confirm. Her second study (Johnston, 1992/1993, cited in Johnston, 1995) considered the children of offenders more broadly and was a somewhat larger study (with 56 participants in 1992 and 202 in 1993). Frightening figures are presented, with some 29% of the 11–14 year old children having been arrested. If general community arrest rates were compared to the arrest rates noted here, one could perhaps generously draw the conclusion that this was 5–6 times the 'expected' rate. This is problematic, however, for two reasons. Firstly, reliance on arrest rates as reliable indicators of criminal behaviour is questionable. Arrest rates are the consequence of more than a young person's behaviour. Police behaviour, racial stereotyping and family notoriety all play a part (e.g. see White & Alder, 1994); also as noted above, it is also possible that children may have been apprehended due to protective concerns. Secondly, and importantly, methodologically, given that the study population is described by that author as having a focus on 'children of offenders whose school behavioral and disciplinary problems appeared to be leading them toward delinquency and second generation incarceration' (Johnston, 1995:64) it would seem to be a particularly skewed sample, with limited generalisability of the findings.

Interestingly, a few years later, Johnston is quoted again; this time she herself is questioning the measurement of intergenerational offending, stating: 'a frequently cited figure is that children of incarcerated parents are six times as likely as their peers to be incarcerated themselves, although no published account exists of the origin of this estimate'(Myers, Smarsh, Amlund-Hagen, & Kennon, 1999:19). On reviewing the evidence, it appears that the basis of this figure 'six times more likely' is spurious, or at best ill-founded and poorly established.