

**Submission  
No 21**

## **INQUIRY INTO CHILDREN AFFECTED BY PARENTAL INCARCERATION**

**Organisation:** Public Health Association of Australia

**Date Received:** 29 April 2022



The Secretary  
Legislative Council, Legal and Social Issues Committee  
Parliament House, Spring Street  
EAST MELBOURNE VIC 3002

29 April 2022

***Inquiry into children affected by parental incarceration***

**About the Public Health Association of Australia (PHAA)**

The PHAA is Australia's peak body on public health. We advocate for the health and wellbeing of all individuals in Australia. We believe that health is a human right, a vital resource for everyday life, and a key factor in sustainability. The health status of all people is impacted by the social, commercial, cultural, political, environmental, and economic determinants of health. Specific focus on these determinants is necessary to reduce the root causes of poor health and disease. These determinants underpin the strategic direction of PHAA. Our focus is not just on Australian residents and citizens but extends to our regional neighbours. We see our wellbeing as connected to the global community, including those people fleeing violence and poverty, and seeking refuge and asylum in Australia.

**Legislative Council, Legal and Social Issues Committee for an inquiry into children affected by parental incarceration**

PHAA welcomes the opportunity to provide input to the Legislative Council, Legal and Social Issues Committee for an inquiry into children affected by parental incarceration.

**PHAA proposal**

We propose three core themes that are derived from our policy priority action areas<sup>1</sup> which should be considered under the Terms of Reference:

- a) health impacts of affected children,
- b) what policies exist, services available and challenges in reaching target groups,
- c) identifying areas for improvement including identification of, and engaging the key stakeholders in the process

We would like to highlight investment in health prevention, Aboriginal and Torres Strait Islander health, and in the national public health workforce, to support efforts in protecting the health and wellbeing of children affected by parental incarceration.

### **Children affected by parental incarceration**

Imprisonment rates are increasing in Australia, rising by 5% from 2020 to 2021<sup>2</sup>. It is estimated that at least 100,000 Australian children have a parent incarcerated each year<sup>3</sup>, and approximately 38% of Australian adults in jail have children that depend on them for their basic needs<sup>4</sup>.

The reporting of parental status is not mandatory across jurisdictions, limiting the ability to target needed services to support the health and wellbeing of affected children<sup>5,6</sup>.

### **Investment in health prevention**

**Investment in health prevention** is needed to protect the health and wellbeing of children affected by parental incarceration. They are vulnerable to greater socio-economic disadvantage, and increased risk of developmental and education delays<sup>7</sup>. Further social and emotional impacts occur from being separated from their parents, displaced from their home and into foster care, and being socially isolated from peers leading to poorer mental health outcomes<sup>8,9</sup>. Children affected by parental incarceration are also at greater risk of drug or substance abuse and violent behaviour and criminal offending in adolescence and adulthood<sup>6,10</sup>.

Providing child-centred services is needed to help protect and build resilience in this vulnerable population group. Evidence shows maintaining child-parent contact is beneficial for their health and wellbeing, including through mother-child prison facilities<sup>8,11</sup>. Video calls have been successful increasing children's access to connect with parents during the COVID-19 pandemic, however, these should be complementary to, rather than replace, in-person visits<sup>8</sup>.

### **Aboriginal and Torres Strait Islander health**

Commitment to Aboriginal and Torres Strait Islander Health includes breaking the intergenerational cycle of imprisonment. One in five Australians in custody report that they had a parent or guardian incarcerated in their childhood<sup>4</sup>. This accounts for 31% of Aboriginal and Torres Strait Islander peoples in jail, compared to 11% in non-Indigenous Australians.

Reducing the overrepresentation of incarcerated Aboriginal and Torres Strait Islander peoples is necessary to achieve the Closing the Gap targets<sup>12</sup>. Addressing the root causes of imprisonment, such as unstable housing, unhealed trauma, and lack of access to appropriate rehabilitation, education and vocational training, family and community engagement, spiritual and healing services, is needed<sup>9</sup>. Custodian parental services run by elders have been effective in educating parents to help break the cycle of imprisonment<sup>13</sup>.

Culturally sensitive and child-focused services led by Aboriginal and Torres Strait Islander peoples will provide needed support for children affected by parental incarceration<sup>11</sup>. Involvement with affected children is essential for an initial needs assessment, and for providing optimal support through partnership and collaboration, with respect and fair justice.

### **Investment in the public health workforce**

Investment in the public health workforce involves public health training across non-medical interagency and government sectors. There are some non-government organisations available to support families impacted by the justice system, such as Shine for Kids<sup>14</sup> and VACRO<sup>15</sup>. However, there is a lack of government-led support services, orientated towards supporting impacted children's health and wellbeing<sup>8</sup>. There is an opportunity to develop clear protocols and guidelines to engage multiple sectors to cohesively work together to support affected children<sup>5</sup>. Support services must be available and accessible in a timely manner without causing financial hardships and gender bias.

The evidence is clear that greater support is needed to protect the health and wellbeing of children affected by parental incarceration. Acknowledging these health impacts and addressing their relative social disadvantage will help improve the health and wellbeing of vulnerable children.

The PHAA appreciates the opportunity to make this submission and contribute to improving the health and wellbeing of children affected by parental incarceration.

Please do not hesitate to contact PHAA should you require additional information or have any queries in relation to this submission.

Yours Sincerely,

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