

STAYING INVOLVED!

A Guide for Incarcerated Fathers



A Collaboration of
Pro Bono Queen's University
and
Canadian Families and Corrections Network

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INTRODUCTION

This pamphlet is a joint initiative of Pro Bono Students Canada at Queen's University and the Canadian Families and Corrections Network (CFCN). It is intended to provide practical and important information to fathers who have been dislocated from their children due to incarceration, but who wish to maintain a positive relationship. This booklet covers both the legal rights of fathers and what they should realistically expect.



WHY ARE FATHERS IMPORTANT?

IMPORTANCE OF A FATHER IN A CHILD'S DEVELOPMENT

The importance of a father figure in a child's life cannot be underestimated. In fact, research has shown that positive father interaction is a key factor in the development of a child (Hoffman, 2001). Children with positive father influences are happier and healthier and are less likely to abuse drugs or alcohol or get involved in criminal behaviour (Allen & Daly, 2002).

The benefits of being an involved father go beyond the positive outcomes for children. Involved fathers are also happier and more self-confident (Allen & Daly, 2002).

Take the necessary steps to Staying Involved, even if your child is a teenager, even if you think that it's been way to long!



“ It's almost never too late to get involved with you kids... later is absolutely better than never... you can become a more involved father starting at just about any age.”
(Hoffman, 2001, p. 38)

Step One: Get legal representation!



This pamphlet is only your first step to securing your future with your child. As soon as you enter the justice system, try to secure legal representation. The lawyer will be able to assist you with your specific needs. Lawyers work within correctional facilities to secure your rights as a parent and will be able to aid you in establishing your right to see your child upon release. Legal representation is available through Legal Aid and Duty Counsel within the facility. Each facility has these services available to

inmates, however its delivery varies by institution. Therefore, you may have to take the initiative to secure this representation!

“Being a father by definition requires sacrifice. But any seasoned father can tell you that no matter how much sacrifice is required, the rewards are always greater.”
(Glennon, 1995, p. 184)

Step Two: Stay involved!

Why stay involved? The reasons are quite simple. If you want to play a role in your child’s life upon release, you must stay involved as much as possible while serving your time. Staying Involved! has a three-fold benefit:

First, your child has the benefit of having a father figure in their life, an important role that needs to be filled during their development.

Second, your child won’t feel like they’ve lost their father when you enter into the system. You want to make sure that your child realizes that you want to continue to be part of their life.

“And whether we live in the same house or thousands of miles away, the key ingredient is time. Not physical presence, but real, focused, emotionally present time...It can take place in their physical presence, while talking to them on the telephone, or when writing them a letter.”
Glennon (1995, p. 195)

Third, maintaining contact with your family members now is something that will be regarded as a positive step when you try to secure visitation and parental rights in the future. If you maintain contact, your child will feel more comfortable visiting you upon release. The courts will also view you maintaining a consistent connection with your child favourably when you try to gain custody or exercise parental rights upon release.

How can I maintain contact with my child while I am incarcerated?

Law has been established to allow inmates reasonable contact with their families while incarcerated (Canadian Corrections and Conditional Release Act). Eligibility in all cases is subject to the discretion of the Warden and other facility officers. The best interests of your child are always a priority! They may decide that visitation rights while you're incarcerated would be harmful to your child (Children's Law Reform Act RSO. 1990, s.23).

If you are able to establish visitation, try to do so! If possible, arrange a visitation schedule with the guardian of your child. In federal correctional institutions, the Private Family Visiting (PFV) program may be available to you. Under this program, private family visits are available to inmates for periods of up to 72 hours per visit. How often you can have a PFV is subject to availability.

There are few opportunities if security or personal reasons don't allow for visits with your child without supervision. For example, if you are a non-custodial parent, your minor child cannot visit without a guardian accompanying the child. If the parent in the community is supportive of the visit but does not wish to bring the child to visit, it may be possible for you to arrange to have a temporary guardian to accompany your child to the visit. The institution will require a signed, dated and notarized document stating who the legal guardian is and that the legal guardian allows another person, such as a grandparent or other family member, to bring the child to the institution to visit.

If visits are too uncomfortable for your child, contact can still be maintained. Children go through many phases during their development. A child may initially reject seeing you, but later during your incarceration, they might want to re-establish the connection. As a father, you must put your child's needs and wishes before your own. Be flexible to your child's needs! Always make your decisions on what you think is best for your child.

Writing Letters

Letters can be used as an alternative in this situation. These letters are also great proof of your commitment to stay involved in your child's life.

1. Write as frequently as possible! Don't forget birthdays and other important events in your child's life. Find out this important information by maintaining contact with other family members, so you can stay involved.

"The issue is not absence, for no matter how painful, that is something we can all adjust to. The real issue is presence: how to be, consistently and meaningfully, a presence in our children's lives...One way of creating that presence is reminding them, in whatever way works, just how important they are." Glennon (1995, p. 183)

2. Try to establish common areas of interest between you and your child. For example, Lloyd Withers, in *Time Together*, makes these suggestions: if your child likes to draw, then exchange drawings with your child. Suggest watching the same TV show and then write letters discussing what you liked about it. Write stories for your child. Read a bedtime story to your child over the phone. Read a story onto audiotape and send the tape and book to your child. Be a positive role model!

3. Copies of your letters should be made and forwarded to another family member and your legal counsel. If you are worried that your child is not receiving the letters, forwarding a copy to another family member, such as a grandparent is a good idea. These letters can be used later as proof of your commitment to be involved in your child's life.

Step Three: What can I expect as an incarcerated father?

The answer is you have to work at it! You will have to use the resources that are available to you. You must have modest expectations. Your child

may not initially want contact with you, you might be deemed a security risk to your child, and family members might make it difficult to maintain contact. It is up to you to do everything in your power to show you want to stay in your child's life. It is imperative that you use every opportunity that is offered to you.

"Our children should be constantly reminded of how important to us our connection to them is. And the different ways available to us to do this are unlimited."

Glennon (1995, p. 193)

Letters of Support

Letters of support from a parole officer, correctional officer, chaplain or psychologist are a great way to show that you have made positive changes in your life and are ready to made the commitment to your child upon release. Make your goals and objectives to see your child known to these people, and they will likely guide and support you through this process.

FINAL THOUGHTS

"I love you unconditionally because you are my child, and at the very depth of my soul I need to be as good a father to you as I possibly can because I need you in my life."

Glennon (1995, p. 183)

There may be many legal or practical obstacles to being actively involved with your child. It may take time and work, but the time to start is now.

COMMUNITY RESOURCES

Canadian Families and Corrections
Network (CFCN)
Box 35040 Kingston ON K7L 5S5
Telephone: (613) 541-0743
Email: cfcn@sympatico.ca
Website: <http://www3.sympatico.ca/cfcn>

John Howard Society of Canada
809 Blackburn Mews
Kingston, Ontario K7P 2N6
Telephone: (613) 384-6272
Email: info@johnhoward.ca
Website: <http://www.johnhoward.ca>

Salvation Army
2 Overlea Blvd
Toronto ON M4H 1P4
Telephone: (416) 425-2111
Email: public_relations@can.salvationarmy.org
Website: www.salvationarmy.ca

Canadian Association of Elizabeth Fry
Societies
701-151 Slater Street
Ottawa, Ontario K1P 5H3
Telephone: (613) 238-2422
Email: caefs@web.ca
Website: <http://www.elizabethfry.ca>

Big Brothers Big Sisters
113E-3228 South Service Road
Burlington ON L7N 3H8
Telephone: 905-639-0461
Website: <http://www.bbbsc.ca>

Boys and Girls Clubs of Canada
7100 Woodbine Avenue
Suite 405
Markham ON L3R 5J2
Telephone: (905) 477-7272
Website: <http://www.bgccan.com>

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CFCN P.O. Box 35040 Kingston ON K7L 5S5
Telephone: (613) 541-0743 E-mail: cfcn@sympatico.ca Web: www3.sympatico.ca/cfcn

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