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Incarcerated Fathers: A Descriptive Analysis

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Incarcerated Fathers: A Descriptive Analysis

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EXECUTIVE SUMMARY

Paternal incarceration and reintegration can have significant collateral consequences on the family and on the community. There is very little Canadian information on incarcerated fathers and their children and this lack of demographic information hampers intervention, policy and program development. Incarceration may provide an opportunity for anti-criminal interventions with the entire family that may reduce the risk of the child becoming involved in crime.

The purpose of this study was to provide an analysis of the parenting status of a sample of federally incarcerated men in Canada and to examine the pre-incarceration lifestyle of the fathers and extent of their contact with their children following incarceration. Participants were 534 federally sentenced male offenders who were undergoing orientation to the federal correctional system at the Millhaven Assessment Unit between August 2003 and January 2004. Participants completed a 52-item self-report questionnaire on family demographics, criminal activity, drug and/or alcohol use, financial and educational status, and parent-child contact during incarceration. There was also a question asking about criminal activity by their children in order to examine the issue of intergenerational criminal activity.

The study found that 31.6% of the participants were custodial fathers, (i.e., fathers who were living with their children at the time of their arrest), while 21.2% were non-custodial fathers (i.e., had children with whom they were not living). Of the custodial fathers, 8.0% also had other children who did not live with them. The remainder of the participants (47.2%) were not fathers or did not have children under the age of 18.

Results showed that in the majority of cases, the mother was the caregiver of the children, regardless of whether the father was custodial or not. Approximately one quarter of all fathers reported they had no telephone or mail contact with their children since their incarceration. Further, 38.7% of all fathers reported that they had no visits from their children. In terms of characteristics of incarcerated fathers, the findings showed that the non-custodial fathers had significantly more problems with drug use, engaging in criminal activity while under the influence of substances, and overall more involvement in criminal activity than the custodial fathers and the non-fathers. Interestingly, the custodial fathers did not differ from the non-fathers on those variables.

In total, the incarcerated fathers had 595 children. Extrapolating from this data, we estimate that there are 357,604 Canadian children affected by paternal incarceration, or 4.6% of the total Canadian population who are 19 years of age or younger. As well, 9% of the fathers had at least one child under the age of 18 who was in conflict with the law. Extrapolating from this data, we estimate that the children of federally sentenced fathers are 2 to 4 times more likely to be in conflict with the law than Canadian children in general.

Paternal incarceration is only one in a series of negative life events that impact on the life of the child of an incarcerated father. Interventions aimed at family factors such as parent training may have important crime prevention aspects not only for the incarcerated father but also for the child.

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INTRODUCTION

Paternal incarceration has significant collateral consequences on the family and the community. This includes the potential for intergenerational criminal behaviour. While the risks of the child of an incarcerated parent engaging in future criminal behaviour has been discussed in the Canadian literature (Crabbe, 2003; Léonard & Trevethan, 2003; Withers, 1999; Withers, 2000; Withers, 2003), there is limited data about parents who are incarcerated. Further information on the parental status of Canadian offenders is required in order to address this issue through policy and program development. Incarceration may then serve as an opportunity for crime prevention interventions with the entire family.

Mumola (2000) provides a statistical analysis of American federal and state offenders. His analysis includes the characteristics of the incarcerated mothers and fathers, family demographics, family structure and the frequency of parent-child contact. Among his findings were that 63.0% of federal offenders and 55.4% of state offenders were parents. Mumola (2000) estimates that 2.1% of minor American children ($n = 1,498,800$) had an incarcerated parent in 1999. Eljdupovic-Guzina (1999) studied the parenting roles of a sample of 426 federally sentenced women who were admitted to one of Canada's federal women's institutions between January 1, 1996 and March 31, 1998. She found that 81.2% of these women were mothers of minor children and that 52.1% of the mothers had primary responsibility for at least one of their children at the time of their offence and incarceration. With respect to the children's residence during the mother's incarceration, she found that the children lived with a grandparent (30.8%), with their father (26.9%), with other relatives (15.4%) or were in foster care or with the Children's Aid Society (16.9%). Of the other children, 12.2 % were adult children who resided on their own and 15% were in other arrangements such as living with friends or with a step-father, or had been adopted at an early age. Eljdupovic-Guzina (1999) also examined the mothers' contact with their children during incarceration, finding that the majority of the mothers had contact with their children during incarceration, usually through visits and/or telephone calls. The frequency of contact ranged from daily phone calls to an "occasional" phone call or visit every one to two months. It appeared that most mothers, whether their children lived with them or not prior to incarceration, maintained contact with their children during incarceration.

To date, an analysis of the parental status of Canadian male offenders has not been conducted. There is also no Canadian data on the issue of intergenerational criminal behaviour. The purpose of the present study is to provide information on the parenting status of a sample of male federal offenders. Aspects of the pre-incarceration life of the fathers such as the extent of their involvement in crime, alcohol and drug use, and educational and financial factors as well as the frequency of contact between the fathers and their children during incarceration are also examined. These factors were considered as important because of their potential influence on the lives of the children. Also of interest was intergenerational criminal activity among the children of the offenders.

METHOD

Setting

The study took place in the Millhaven Assessment Unit (MAU) at Millhaven Institution in Ontario, Canada. All federally sentenced male offenders in the Ontario Region of the Correctional Service of Canada (CSC) are initially placed at MAU for assessment and assignment to an appropriate institution.

Participants

Between August 2003 and January 2004, under a Contributions Agreement with the Chaplaincy Branch of CSC, the Canadian Families and Corrections Network (CFCN) provided a "Restorative Justice Approach to Families" orientation to all male federal offenders entering MAU. The orientation consisted of a 2-hour presentation on families, restorative justice and the correctional process. Offenders attending this orientation session were approached to participate in this study. Of the 1026 offenders who attended the orientation presentations, 534 of them took part in the study, yielding a participation rate of 52%.

Measures

Participants were asked to complete an anonymous 52-item self-report questionnaire on their family. The questionnaire was developed by the first author in order to examine the quality of family life experienced by offenders. It was designed to determine family demographics, the amount of criminal activity, drug or alcohol use, and the financial and educational situation of the offenders. Some of these items were chosen because they have been found to be associated with future criminal behaviour (Andrews & Bonta, 2006). There were also questions related to parent-child contact during incarceration. All participants agreed to take part in the study without reward. As no identifying information appeared on the questionnaire, participants were assured that the information collected for this study would not be put into their official files or included in release decision-making.

Procedure

The participants were provided with the questionnaire, a pen and a sealable envelope. Following the orientation session, they completed the questionnaire in their cells and returned the

completed questionnaire to the first author. This provided privacy to complete the questionnaire outside of the group setting and ensured confidentiality of the information.

RESULTS

Parental status at time of arrest

For the purposes of the present study, an offender was considered a father if he had at least one child under the age of 18. A *custodial father* is defined as a father who was living with his children at the time of his arrest. A *non-custodial father* is defined as a father who was not living with his children at the time of his arrest. Finally, we refer to offenders who had both custodial and non-custodial children as *concurrent custodial and non-custodial fathers*.

The parental status of the participants at the time of arrest can be seen in Table 1. More than half were fathers of children under 18 years of age. A total of 31.6% of the participants were custodial fathers. Of the custodial fathers, 8.0% also had children who did not live with them. Almost one quarter of the participants were non-custodial fathers.

Table 1: Parental status of fathers at time of arrest

Demographic variable	Number of participants (N)	Percentage of participants (%)
Custodial father, only	126	23.6
Concurrent custodial and non-custodial father	43	8.0
Non-custodial fathers	113	21.2
Total number of fathers	282	52.8
Not a father or did not have children under 18 years of age	252	47.2

Number of children

The number of children per parent ranged from one to five. The 282 fathers had a total of 595 children under the age of 18, for an average of 2.1 children per father. Of the 595 children, 324 children were living with their father at the time of his arrest, an average of 2.6 children per

custodial father. There were 271 children who were not living with their father at the time of his arrest, an average of 2.4 children per non-custodial father.

Age and residence of the children

The age distribution and residency of the children are presented in Table 2. Note that 65.3% of the children were under age 10. The average age of children who lived with their father at the time of the father's arrest was 7 years of age, whereas that of children who did not live with their father was 8 years of age. This was not a significant difference ($t(237) = 1.6, n.s.$).

Table 2: Age and residence of children of participants

Age	Percentage of all Children (%)	Number of Custodial Children (N)	Number of Non-custodial Children (N)
Less than 1 year of age	4.0	18	6
1-4 years of age	25.3	87	63
5-9 years of age	36.0	115	100
10-14 years of age	23.8	77	64
15-17 years of age	10.9	27	38
Total	100.0	324	271

Current caregiver of the children

The current caregiver of the children can be seen in Table 3. Due to rounding, the total is slightly higher than 100%. In the vast majority of cases, the child's mother is the current caregiver whether or not the father was a custodial parent. Other caregivers are relatives, friends or the Children's Aid Society. A small proportion of fathers were unaware of who was caring for their children while they were incarcerated.

Table 3: Current caregiver of the children

Current Caregiver	Percentage of custodial children (%)	Percentage of non-custodial children (%)
Child's mother	80	76
Child's grandparent	8	11
Other relative	4	3
Children's Aid, foster care or other care	4	1
Friends/ other	3	6
Offender does not know	2	4

Parental contact during incarceration

Table 4 shows the type and frequency of contact between fathers and their children. Due to rounding error, the cells do not always add up to exactly 100%. Note that the fathers reported frequent telephone contact with their children (i.e., 33.6% - 69.0% on a daily to almost weekly basis). They also reported a relatively high frequency of mail contact (i.e., 20.4% - 50.0% on a daily or almost weekly basis). They reported, however, receiving a much smaller number of visits from their children (i.e., 5.3% - 16.3% on a daily or almost weekly basis).

Table 4: Type and frequency of contact between fathers and their children

Type and frequency of contact	All fathers (%)	Custodial fathers (%)	Concurrent custodial and non-custodial fathers (%)	Non-custodial fathers (%)
Telephone				
Daily or almost daily	14.9	22.2	18.6	5.3
Weekly or almost weekly	38.7	46.8	41.9	28.3
Monthly or almost monthly	17.7	12.7	18.6	23.0
Once a year or less	3.9	0.0	0.0	9.7
Never	22.3	16.7	18.6	30.1
Child “too young to talk on the phone”	3.2	2.4	2.3	4.4
Mail				
Daily or almost daily	6.0	8.7	7.0	2.7
Weekly or almost weekly	30.5	41.3	32.6	17.7
Monthly or almost monthly	23.0	16.7	32.6	26.5
Once a year or less	2.8	2.4	0.0	4.4
Never	26.2	19.8	29.9	35.4
Child “too young to write”	10.3	9.5	7.0	12.4
Visits				
Daily or almost daily	1.1	0.8	0.0	1.8
Weekly or almost weekly	7.4	7.9	16.3	3.5
Monthly or almost monthly	12.4	16.7	11.6	7.1
Once a year or less	2.1	1.6	4.7	1.8
Never	38.7	30.2	25.6	53.1
Not yet	37.6	41.3	41.9	31.9

Characteristics of the incarcerated father

The average age of the fathers was 34, which is identical to that of the non-fathers (34). The average age of the custodial fathers at time of their arrest was 35 years, whereas the average

age of the non-custodial fathers at the time of their arrest was 33 years. This difference is not significant ($t(218) = 1.5, p = .14$).

Criminal History

A comparison of several of the participants' criminal history variables is presented in Table 5. Not unexpectedly, a sizeable majority of all offenders in this study (63% to 78%) reported a conviction before age 16, with no differences among the groups. A higher frequency of non-custodial fathers and concurrent custodial and non-custodial fathers reported having had 2 or more prior offences than custodial fathers and non-fathers. Interestingly, the non-custodial fathers reported a much higher frequency of institutional charges as well as charges while on conditional release in contrast to the other groups. Finally, custodial fathers tended to have less violent offences than the other groups. Overall, across all criminal history variables, the non-custodial fathers tended to score the worst.

Table 5: Comparison of the criminal history between incarcerated fathers and non-fathers

Criminal History Variable	Custodial fathers (%) (n = 126)	Concurrent custodial and non-custodial fathers (%) (n = 43)	Non-custodial fathers (%) (n = 113)	Non-fathers (%) (n = 252)	χ^2 $df = 3$
Convicted before 16 yr.	63.5	74.4	78.8	63.1	7.2
Two or more prior convictions	58.7	72.1	77.0	57.5	15.2**
Escaped custody	11.1	11.6	15.0	12.7	.89
Convicted of an institutional charge	25.4	23.3	40.7	28.6	8.6*
Current charges laid while on parole or probation	24.6	27.9	46.9	32.9	14.2**
Charged with assault or robbery with violence	40.5	51.2	59.3	46.4	9.0*

* $p < .05$. ** $p < .01$.

Substance Abuse History

The participants' history of substance abuse was also examined (see Table 6). There were no overall differences among the groups as to whether alcohol had been a problem for them or whether drugs or alcohol caused family or marital problems. Differences were found, however, in the areas of drug use being a problem and whether or not they had broken the law while under the influence of substances. Non-custodial fathers reported more problems in these areas than the other groups.

Table 6: Comparison of substance abuse between incarcerated fathers and non-fathers

Substance Abuse Variables	Custodial fathers (%) (n = 126)	Concurrent custodial and non-custodial (%) (n = 43)	Non-custodial fathers (%) (n = 113)	Non-fathers (%) (n = 252)	χ^2 <i>df</i> = 3
Alcohol has been a problem	25.4	30.2	34.5	32.1	2.7
Drug use has been a problem	35.7	34.9	49.6	32.5	10.0*
Broke the law while under the influence of alcohol or drugs	41.3	44.2	63.7	52.8	13.1**
Drugs or alcohol use caused marital or family problems	36.5	39.5	53.1	41.7	7.3

* $p < .05$. ** $p < .01$.

Socio-economic Factors

Variables related to the offender's education, employment status, and financial status were also examined. As can be seen in Table 7, fathers who had children living with them at the time of their arrest were more likely to have been working at the time of their arrest and to have ever worked for at least one full year. Further, custodial fathers were less likely to have relied on social assistance in contrast to non-custodial fathers and non-fathers. Finally, offenders who did not have children living with them were much more likely to have been homeless at the time of

their offences. Interestingly, 7% of custodial fathers also reported being homeless at the time of their offences.

Table 7: Comparison of education, employment and financial factors between incarcerated fathers and non-parents

Education, employment, financial variable	Custodial fathers (%) (n = 126)	Concurrent custodial and non-custodial (%) (n = 43)	Non-custodial fathers (%) (n = 113)	Non-fathers (%) (n = 252)	χ^2 <i>df</i> = 3
Less than Grade 12 education	46.8	67.4	66.4	58.3	11.3*
Was working at time of arrest	58.7	72.1	44.2	43.7	17.8**
Financial situation was good before arrest	46.5	48.4	44.2	42.9	1.1
Was unemployed for more than 6 months in the year before arrest	34.9	37.2	48.7	42.5	5.1
Ever employed for a full year	87.0	88.0	74.0	69.0	2.7**
Relied on social assistance such as Ontario Works or welfare	16.7	27.9	36.3	31.7	13.2**
Was homeless at time of offence or admission	7.1	2.3	14.2	16.3	11.0*

* $p < .05$. ** $p < .01$.

Family Factors

Two family variables were examined: whether or not a family member had been convicted of a crime; and whether or not a family member was a victim of the crime. As seen in Table 8, there were no significant differences among the groups on those variables. Regardless, custodial fathers reported a higher frequency of having victimised a family member in contrast to the other groups. While there was no significant differences among the groups on whether or

not they have a child in conflict with the law, 9.2% of the fathers (custodial or not) reported having at least one child in conflict with the law. The greater the number of children, the greater the likelihood that one of them would have been in conflict with the law ($r = .15, p < .01$).

Table 8: Comparison of family issues between incarcerated fathers and non-fathers

Family issues variable	Custodial fathers (%) (n = 126)	Concurrent custodial and non-custodial (%) (n = 43)	Non-custodial fathers (%) (n = 113)	Non-fathers (%) (n = 252)	χ^2
Partner, intimate or other member of the family convicted of a crime	32.5	27.9	37.2	29.8	2.3 (df = 3)
Family member a victim of the current offence	19.0	16.3	10.6	13.9	3.6 (df = 3)
Child in conflict with the law	8.7*	18.6*	6.2*	-	5.8 (df = 2)

* Cumulative average among these 3 groups = 9.2%

DISCUSSION

Care-giver issues

In the majority of cases, the child's mother is the caregiver of the father's children during incarceration. This provides a continuity of care for the children. While the removal of a custodial father from the home is a major life experience, non-custodial children are affected by paternal incarceration with respect to parental support, supervision and the effects of visiting their father in prison. Financial support may also be affected with the cessation of child support and spousal support due to change in financial circumstance brought on by incarceration.

As well, the present study shows that grandparents, other family members or friends are the caregivers of 15% of the children of custodial fathers and 20% of the children of non-custodial fathers. These caregivers may have difficulty accessing support that would normally be provided to a parent, placing an extra financial burden on these families. Visitation may also be difficult because the grandparent, other family member or friend may not be the legal guardian and only a legal guardian can bring a minor child to visit at a federal institution.

For similar reasons, visitation may be a problem for a non-custodial father if the custodial parent does not wish to come to the institution. Visitation may be limited or non-existent if the custodial parent does not authorize someone else to bring the child into the institution to visit.

Father-child contact issues

Intake into the prison system is a period when contact may be very important for family stability and resiliency, including the ability of the child to cope with the stress of the loss of the father. The present study shows that the telephone is the preferred means for maintaining contact with children and family. All telephone calls are placed collect from the institution to the family and this can place a financial burden on the family. While cell phones are becoming increasingly popular and are sometimes the only phone owned by members of the general public, they are not allowed in prison. Collect calls cannot be made to a cell phone and therefore family members must have a 'land line' in order to receive calls from offenders. Some internet-based phone services may also not be able to accept collect calls, further hindering the offender's ability to maintain contact with his family.

Upcoming changes to the telephone system within CSC may serve to alleviate some of the financial burden on the family. The introduction of a phone card system, whereby the offender can purchase time for calls home will shift the onus to the incarcerated father to personally budget in order to have funds to place direct phone calls home.

Also of note in the present study is the low visiting rate. This can be expected during the period of intake and assessment into the federal correctional system. All visits at MAU are “closed” visits that occur through a glass barrier and therefore there is no physical contact between father and child. Some offenders may refrain from having their children visit under these circumstances. As such, it is likely that the visiting rate of children will increase after the offender is placed to a regular institution and can have “open” visits with his family where physical contact is allowed.

Criminal history of the fathers

Interestingly, the non-custodial fathers appear to differ from custodial fathers and non-fathers in the extent of their involvement in crime and in illicit drug use. Note that they do not differ from the other groups in their use of alcohol – a legal substance. It may be that the non-custodial fathers, as a group, are more prone to irresponsibility, sensation seeking, risk-taking and a disregard for societal rules. The circumstances under which they became a non-custodial father or having children outside of a committed relationship may be a consequence of their lifestyle. It is also possible that the mother of their children does not want to be involved or have the children involved with such a father. This may also explain the lack of visits between some fathers and their children.

Whether the father was custodial or non-custodial, it appears that paternal incarceration is only one in a series of negative life events that impact on the life of the child. The present study shows that the pre-incarceration lifestyle of the father included a significant criminal history, drug and alcohol abuse, financial difficulties, a family member being a victim of the index offence, and other family members being involved in criminal activity. In some cases, it also included the child being the victim of the index offence. Negative life events may also have included homelessness, as 7.1% of the custodial fathers and 2.3% of the fathers who were concurrent custodial and non-custodial fathers indicated that they were homeless at the time of offence or admission. Of the non-custodial fathers, 14.2% were homeless. This may cause

challenges to meaningful visitation if the non-custodial father had access rights prior to their arrest.

Family member a victim of the offence

Although there were no significant differences among participant groups as to whether a family member was the victim of the offence, a family member was a victim in over 15% of the offences for which the father was incarcerated. This has repercussions for the entire family. When the family is the primary victim of the offence, as in homicide, sexual offences, domestic violence, assault and robbery, some family members may choose to continue in a supportive relationship with the offender, while others may not. There may also be conflict within the family over whether or not to maintain contact or provide support to the offender when a family member is a victim. This includes decisions as to whether or not to maintain the parent-child bond during incarceration and upon reintegration of an offender.

Number of children affected by paternal incarceration

The results of this study indicate that there are a large number of Canadian children affected by the incarceration of a father. More than half of the participants had children under the age of 18. When one examines the overall number of men incarcerated in Canada, one can draw some conclusions about the overall number of children that are affected by paternal incarceration. This information is critical for family-based crime prevention.

The average count of federally incarcerated men in Canada in 2003-2004 was 12,034 (Correctional Service of Canada, 2005). If one extrapolates from the present study, where 52.8% of the offenders had an average of 2.1 children, there would be 13,343 children under the age of 18 years who are affected by paternal incarceration due to a federal sentence at a given point in time. Of these children, 7,986 were living with their father at the time of his arrest, and 5,357 were not. This underestimates the total number of children per year who are affected each year by paternal incarceration in the federal system, as the average count is taken at one moment in time and does not take into consideration the constant flow through the federal correctional system over the course of the year.

According to Statistics Canada (2005b), there were 358,350 admissions to the federal, provincial and territorial adult correctional system in 2003-2004. Approximately 10% of these

admissions were women, thereby leaving 322,515 adult male admissions. If, as in the present study, 52.8% of these men are fathers and have an average of 2.1 children, then there are 357,604 children affected by paternal incarceration in Canada. This represents 4.6% of the total population of 7,854,200 Canadian children who are 19 years of age or younger (Statistics Canada, 2004).

Intergenerational Criminal Behaviour

The present study found that 33% of the fathers indicated that their partner, girlfriend, same-sex partner or some other family member had been convicted of a crime. It also found that 9.2% (n = 26) of fathers had at least one child under the age of 18 who had been in conflict with the law. Thus, at least 26 of the 595 children or 4% of the children had been in conflict with the law. This phenomenon has been known for some time, i.e., that persons who are incarcerated tend to come from families where criminal behaviour is common (Farrington, 2004).

In 2004, 78,000 youth aged 12 to 17 were charged with a Criminal Code offence, and an additional 101,000 youth aged 12 to 17 came into conflict with the law but the offence was disposed of without laying a formal charge (Statistics Canada, 2005a). In the general population, there were 7,854,200 youth aged 19 or younger (Statistics Canada, 2004). Thus, 1% of the youth were charged with a Criminal Code offence, and 2% of the youth were either charged with a Criminal Code offence or had their offence handled by some other means. This figure is well below the 4% of youth that were in conflict with the law in the present study. It can thus be stated that the children of the federally sentenced fathers may be 2 to 4 times more likely than their peers to have been in conflict with the law. In the United States, it is estimated that the children of incarcerated parents may be five times more likely to serve time in prison (Petersilia, 2004).

Incarceration can provide a service point for interventions with the entire family that may be preventative of future criminal behaviour. Tolan (2004) stated that the strongest and most consistent effective interventions to prevent youth crime are programs that focus on family and parenting processes. He reported that there is evidence of a reduction in risk of offending where there are family interventions aimed at changing parenting style (i.e. increasing parental monitoring, etc.) and improving intrafamilial relations such as closeness, positive feedback and communication. Farrington (2003) identified other family factors such as poor parental

supervision, harsh discipline and physical abuse, inconsistent discipline, a cold parental attitude and child neglect, low involvement of the parent with the children and parental conflict. It is not surprising therefore that Andrews and Bonta (2006) found that family intervention programs significantly reduce delinquency, particularly those programs that teach basic parenting and family relationship skills.

Limitations to the study

All of the information collected in this study was self-reported. The self-report format of this study may be a limitation in that more accurate information may have been obtained from corroborating information available in files. However, recent evidence supports the validity of self-report questionnaires in the prediction of recidivism for male offenders (Kroner & Loza, 2001; Mills, Loza, & Kroner, 2003). It is reasonable to expect that self-reports would be equally valid for the present study.

Conclusion

In order to better understand the impact of incarceration on the children of offenders, further research is needed. For example, it would be useful to examine the age and the extent to which the children of incarcerated parents become involved in criminal activities. Further study of the non-custodial fathers would also be helpful to understand why they appear more involved in illegal activities than custodial fathers, and the reasons as to why they do not live with their children. Engaging the family, and particularly the incarcerated parent, may be an effective method of addressing the risk factors of the child: regardless of their own pattern of offending, it is safe to assume most federal male offenders do not want their children to end up being incarcerated.

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