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Socio-Legal and Educational Determinants of the Well-Being of Children Experienced by Parents' Imprisonment

*Społeczno-prawne i wychowawcze uwarunkowania
dobrostanu dzieci doświadczających uwięzienia rodziców*

Abstract: Considering the context of this study, the provisions of Polish and international law, and the multifaceted nature of the issues addressed in this article, it is important to emphasize the importance of restoring broken bonds between children and their imprisoned parents. It is also worth pointing out the importance of supporting the improvement of children's situations through specific systemic solutions with a high awareness of children's rights, strengthening the knowledge, skills, and parenting competencies of inmates, enhancing the valuable predispositions and abilities of prison staff, reducing risk, and preventing crime. These elements constitute essential pillars for creating an institutional and non-institutional model of educational, social, and legal interventions.

Keywords: family; child; imprisoned parent; imprisonment; social inclusion

Abstrakt: Uwzględniając kontekst opracowania, przepisy prawa polskiego i międzynarodowego, wielopłaszczyznowość poruszanej w artykule problematyki, należy podkreślić znaczenie przywrócenia zerwanych więzi między dziećmi a ich uwięzionymi rodzicami. Warto także wskazać na wspieranie poprawy sytuacji dziecka poprzez konkretne rozwiązania systemowe z dużą świadomością w kontekście praw dziecka, wzmacnianie wiedzy, umiejętności i kompetencji rodzicielskich osadzonych, zwiększanie cennych predyspozycji i umiejętności personelu więziennego, ograniczanie ryzyka i zapobieganie przestępczości. Te elementy stanowią istotne filary tworzenia instytucjonalnego i pozainstytucjonalnego modelu oddziaływań wychowawczych, społecznych i prawnych.

Słowa kluczowe: rodzina; dziecko; uwięziony rodzic; kara pozbawienia wolności; inkluzja społeczna

Every child has their own dignity. Therefore, in legal reality, a child should be perceived as a separate person, not as a small adult who has not yet reached their final size. To this end, we must stop treating children as miniature versions of their parents and dispel the stereotype that life decisions of such children are determined by their parents' choices.

Justice Albie Sachs, Case S vs. M.,

Constitutional Court of the Republic of South Africa, 2007

(Children of Prisoners Europe, 2019, p. 3)

INTRODUCTION

The situation of imprisonment is a matter requiring constant exploration, serving as a litmus test for motivation to change, find meaning in life, and maintain hope. Part of this issue is the key issue of family and its value in the process of social inclusion. The family fosters emotionally beneficial relationships necessary for every individual. Henryk Machel, a distinguished educator and penologist, highlighted the therapeutic and rehabilitative potential of the family. He defined this significant area from the perspective of the process of readaptation and social reintegration, as well as in the context of protective factors that reduce the risk of recidivism. He emphasized the importance for incarcerated individuals, both personally and socially, of maintaining family bonds during imprisonment. Families of imprisoned individuals can be classified as these with increased social risk, facing a higher threat of disintegration than other families (Machel, 2003, p. 54). The uniqueness of this issue, from the perspective of creating an optimal model of penitentiary interventions, is encapsulated in the concept of "justice for children". This term was first used by Jones in a paper of the same title presented at a conference in March 2017 in Rotorua, New Zealand, organized by the International Coalition of Children with Incarcerated Parents (INCCIP).

It is important to recognize that from the moment a parent is arrested, children must cope with social isolation, stigmatization, feelings of guilt, and shame. Therefore, securing the best interests of the child through the practical application of local and international child rights standards is crucial to making the justice system more child-friendly for those whose parents are imprisoned. The child's unique situation, marked by the absence of a parent, carries the risk of stigmatization, a wounded identity, and, for imprisoned parents, the risk of rejection (Children of Prisoners Europe, 2019, p. 5). As Rzepliński (1981) rightly notes, punishment should not deprive individuals of hope and a real chance for freedom. It should not strip a person of the need to be loved, the closeness of family, and children. These are values that form the foundation of human existence, defining the essence of humanity and the meaning of life (Badowska-Hodyr, 2019, p. 85). The manner in which inmates serve

their sentences is crucial to the kind of people they become. If they are humiliated, degraded, and treated cruelly, they will treat others similarly. If they do not maintain bonds with loved ones and fail to acquire social competencies, they will become lonely and desperate upon release (Jadeszko, 2021).

Parental imprisonment is not only defined by its stigmatizing potential but also determines the child's entanglement in experiences of shame, suffering, loneliness, fear, longing, and loss. Notably, it primarily involves the pain of broken bonds and existential emptiness. It is particularly noteworthy that parental imprisonment has been listed among the ten most adverse childhood experiences, alongside physical, emotional, and sexual abuse, physical and emotional neglect, mental illness, domestic violence, divorce, and substance abuse (Badowska-Hodyr, 2022, p. 193). The quality of the bond between an imprisoned parent and their child determines a broader context of relationships marked by difficulties and limitations associated with imprisonment. It is important to highlight that contact with family is an inalienable right of every inmate. The family serves as the primary link to the outside world, aiding in achieving the goals of penitentiary rehabilitation during imprisonment. Family contact satisfies the emotional needs of the prisoner and is a key factor supporting the process of readaptation and social reintegration (Cieślukowska-Ryczko, 2023, pp. 15–24). The family, in itself, is an irreplaceable value, a strong link in authentic change from the perspective of social inclusion. It gives life meaning, preserves hope, motivates responsible and socially valuable choices, and strengthens the individual's motivation, responsibility, and need to compensate for the losses resulting from imprisonment, especially for children and loved ones. The functioning of every family is determined more by decisions of the heart, which is spontaneous, anxious, and uncertain, rather than by reason – decisive, calm, and balanced. A strong family is defined by love, mutual respect, a sense of security, providing support and care in difficult situations, patience, responsibility, and, in times of suffering, seeking solutions and keys to prevent the experienced pain from harming loved ones (Badowska-Hodyr, 2022, p. 14). Children's moral judgments are noteworthy, as they straightforwardly link actions to their perpetrators. Adults' logic, considering circumstances, causes, and consequences, sometimes loses this simplicity, leading to a diminished recognition of guilt and the harm caused by certain actions (Łopatkowa, 1992, p. 6).

The mission of the Prison Service is to implement restorative justice tasks aimed at the social readaptation of imprisoned individuals. Restorative justice, considered within the context of the criminal justice system, is a fundamental issue concerning human nature and social life. Its essence encompasses a broad range of problems in philosophy, ethics, morality, education, social policy, law, and sociology. Therefore, to fully grasp the implementation of restorative justice in the discussed context, reference will be made to the concept of social inclusion (Szczepaniak, 2016, pp. 10–11).

Continuity, dynamism, and permanence are variables that strongly define the situation of a child whose parent is serving a prison sentence. The child is subjected

to separation and, at every stage of the parent's imprisonment – at the time of arrest, imprisonment, and the parent's return home – experiences various emotional states, often suffering, fear, and humiliation (Badowska-Hodyr, 2019, p. 102). The emotional and social sphere constantly requires exploration. The focus should be on the following issues: how separation from a parent serving a prison sentence affects a child's emotional development and identity; what adaptive mechanisms do children activate in situations of prolonged parental absence; and how does social stigma impact a child's relationships with peers and adults? "Listen to what your children want to tell you, no matter what. If you don't listen about the little things when they're little, they won't tell you about the big things when they're big, because to them, everything has always been big" (Morris, 2021, p. 169). Listening skills not only generate valuable outcomes in the resocialization process – it is a fundamental experience of reaching out to another person and a canon of specific behavior that yields significant results in the socio-legal sphere.

THE EDUCATIONAL SIGNIFICANCE OF THE BOND BETWEEN CHILD AND PARENT AND THE ISSUE OF SEPARATION CAUSED BY IMPRISONMENT

In this section, considering the designated topic: "Socio-legal and educational determinants of the well-being of children experiencing parents' imprisonment", it is necessary to point out the conditions or rather educational possibilities.

Therefore, the real question to raise is whose educational tasks will be at stake. The educational responsibilities of parents remaining at liberty or parents serving a sentence are not the subject of this article, but rather the educational awareness of professionals – "educators" working in penal institutions. It is about properly preparing the imprisoned parent for a meeting with the child or children. Hence, knowledge regarding child upbringing (Michalak, 2003, p. 21), knowledge of the child's world (Bałandynowicz, 2011, pp. 29–30), emotions, and developmental possibilities (Grzybek, 2010, p. 192) is necessary.

The educator should also take into account the age of the children (Błasiak, 2014, pp. 448–449), the duration of the parent's sentence in two aspects: the time already served and the time remaining until completion. Above all, however, the educator must recognize the significance of the parent-child educational relationship for the social reintegration of the imprisoned parent.

Parental imprisonment has painful consequences for the child – for their mental health, financial situation, and social life. The child experiences drastic changes in the foundational pillars that constitute the concept of "home": as a physical place (house, apartment), legal security (documents regulating legal status), and psychosocial relationships (family). If any of these three pillars are shaken, the person becomes lost in

a space filled with shame, humiliation, suffering, longing, a sense of loneliness, meaninglessness, isolation, fear, depression, post-traumatic syndrome, constant uncertainty, and the risk of criminality. As Sztuka emphasizes, the social costs of imprisonment, in the context of the family, particularly affect children. They are described as “orphans of justice, forgotten victims of crime, penological Cinderellas” (p. 22). In the case of a parent’s imprisonment, the child experiences their absence as comparable to mourning the death of a close person. They feel a strong need for support from adults – the parent remaining at liberty or another important person – in order to understand the experienced situation (Pilarska-Jakubczyk & Szłęzak-Kawa, 2017, pp. 22–23).

The essence of the pedagogical relationship in this context is understanding the nature of the educational situation. It is therefore about the state of responsibility assumed by an entity capable of acting to further the development of another person (Grzybek, 2013, p. 104). This person is primarily the educator. Contributing to the development of an inmate impacts both the child’s educational and upbringing situation. Another important area that organizes these issues is the educational sphere, defined by the following issues: how does the school recognize and respond to the needs of children whose parents are imprisoned? Are teachers prepared to work with students experiencing trauma and family separation? And what educational activities can compensate for the emotional and social deficits of these children.

LEGAL SOLUTIONS AND RECOMMENDATIONS FOR STRENGTHENING FAMILY BONDS IN THE CONTEXT OF PARENTAL IMPRISONMENT

The provisions of the Executive Penal Code, the Act of June 6, 1997, No. 90, item 557 (consolidated text: Journal of Laws 2024, items 706, 1907), state that the purpose of executing a custodial sentence is to arouse in the inmate the will to cooperate in shaping socially desirable attitudes, in particular the sense of responsibility, the need to observe legal order, and thereby to refrain from reoffending (Art. 67 § 1). In order to achieve this objective, while respecting the rights of those experiencing imprisonment and requiring them to fulfill their obligations, individualized interventions are conducted, including work, education, cultural-educational and sports activities, therapy, and above all, maintaining contact with family and the outside world (Art. 67 § 3). Furthermore, the Resolution of the European Parliament of March 13, 2008, on the specific situation of women in prisons and the impact of the imprisonment of parents on social and family life, strongly emphasizes that maintaining family ties is an important way to prevent recidivism and to support social reintegration. It is a right of all prisoners, their children, and other family members. The best interests of the child should always be considered when making decisions about separation from or placement with the imprisoned parent, while guaranteeing the exercise of parental rights by the other parent. Imprisonment may lead to a serious disruption of family life, especially in cases where parents are

raising children alone or when the children are very young. It is also emphasized that the consequences for the health of pregnant women in prison, resulting from isolation and suffering, may be negative or even dangerous for the child. Therefore, in the case of children residing/living with parents in penal institution, it is important to ensure that the provisions of the Convention on the Rights of the Child of November 20, 1989, are respected, and that imprisoned men who have direct custody of minor children or other family members are allowed to benefit from solutions similar to those designed for mothers. A valuable supplement would be the introduction of psychosocial support measures to better prepare children for separation from an imprisoned parent and to mitigate the negative effects of social exclusion (2007/2116(INI); Official Journal of the EU C.09.66E.49, pp. 49–56).

Regulations concerning the family situation of children with imprisoned parents can also be found in Instruction No. 2/2018 of the Director General of the Prison Service of November 21, 2018, on procedures for dealing with imprisoned women. From the perspective of such an important socio-legal and educational issue, attention should be paid to:

- diagnosing the family situation and supporting the preservation of family ties, especially with minor children – activities in the field of psychological care (§ 3);
- conducting regular educational conversations in order to recognize the personal, family, and living situation, deepening knowledge about the family situation regarding maintaining bonds with close persons, diagnosing for referral to appropriate rehabilitation programs that include, among other things, shaping proper parental attitudes and caring for children – activities in the field of educational care (§ 4);
- ensuring optimal conditions for maintaining contact between inmates, especially mothers, and their loved ones, particularly with children; in penitentiary units, visits should be primarily granted to visitors with small children, waiting rooms should be adapted for children, play corners should be created and regularly equipped in visitation rooms, and separate rooms for visits with small children should be provided if possible (§ 11).

The Convention on the Rights of the Child, adopted by the United Nations General Assembly on November 20, 1989, states that a child has the right to live with their parents, except in cases where separation is necessary for the child's welfare, especially in cases of abuse or neglect by the parents. A child separated from one or both parents has the right to maintain regular and direct contact with them (Art. 9). In situations where the child's welfare or best interests are at risk, the state has the obligation to provide protection and care (Art. 20). Also of significance are: Recommendation 1469(2000) of the Parliamentary Assembly of the Council of Europe on mothers and babies in prison; Recommendation Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules; and the United Nations Standard Minimum Rules for the Treatment of Prisoners, known as the Nelson Mandela Rules (2015).

Bearing in mind the cited legal solutions and recommendations, and the psychological, existential, and social perspective of a child functioning in the situation of parental imprisonment, and the suffering, loneliness, separation, and stigmatization experienced by the child, the Committee of Ministers to member states prepared Recommendation CM/Rec(2018)5 concerning children of imprisoned parents, adopted on April 4, 2018. This is a precise and detailed directive that considers the broad spectrum of implications of growing up in the absence of one or both parents, such as broken family ties, “enforced silence”, inability to cope with socio-legal expectations, and repression of traumatic experiences. In this situation, the design of specific models of action is a priority of intersectoral, multidisciplinary national strategies for the protection and well-being of the child, both before, during, and after the period of imprisonment. Special attention must be given to the emotional and continuous contact between children and their imprisoned parents in conditions that are friendly and not emotionally burdensome for the child, as well as to supporting and motivating imprisoned parents in responsibly fulfilling their parental roles. In each of these areas, we build the future of both the child and the parent based on the past. By providing the opportunity for natural closeness and bonds, we prevent the creation of stereotypes and the stigmatization of children and their imprisoned parents (Badowska-Hodyr, 2019, pp. 88–89).

FAMILY INTEGRATION PROGRAMS AND PROJECTS – INNOVATIVE PRACTICES DEFINING THE PENITENTIARY SPACE AND THE PROCESS OF SOCIAL INCLUSION

This section of the article presents family integration programs and projects that determine the process of social inclusion of imprisoned individuals. This task is regulated by the Instruction of the Director General of the Prison Service of April 14, 2016, on detailed rules for conducting and organizing penitentiary work and the scope of duties of officers and employees of penitentiary and therapeutic departments as well as penitentiary units. According to § 4(1)(1), Chapter 2: Conducting and organizing penitentiary interventions, the penal institution conducts rehabilitation programs in the following areas: counteracting aggression and violence, addiction and substance abuse, criminal attitudes, vocational intervention and promotion of employment, development of social and cognitive skills, prevention of the negative effects of isolation – especially among inmates serving long-term prison sentences – and family integration. The implementation of specific re-adaptive interventions for parents serving a custodial sentence is essential for shaping and strengthening parental competences. It also provides concrete support to children, for whom the imprisonment of a parent often means a space filled with longing, shame, constant uncertainty, and risk of delinquency. Children feel a strong need for support from the parent remaining at liberty to understand the experienced situation (Pilarska-Jakubczyk & Szlęzak-Kawa,

2017, pp. 22–23). In the area of penitentiary and family services, the following issues should be strongly emphasized: what role do Prison Service officers play in maintaining family bonds? To what extent do family integration programs implemented in prisons contribute to the reconstruction of parental roles? What factors determine the effectiveness of reintegration efforts for parent-prisoners from a child welfare perspective? And what competencies Prison Service officers should possess in working with the family and children of inmates. A significant complement to this discussion will be a presentation of family integration programs, indicating the authors, the prison in which they are implemented, and the edition of the National Competition for a Resocialization Program Facilitating the Social Reintegration of Persons Deprived of Liberty under the Patronage of the Director General of the Prison Service.

Ważnym uzupełnieniem prowadzonych rozważań jest zestawienie programów integracji rodzin realizowanych w jednostkach penitencjarnych, które ukazują praktyczny wymiar działań podejmowanych na rzecz podtrzymywania więzi rodzinnych oraz odbudowy ról rodzicielskich osób pozbawionych wolności. Poniższa tabela prezentuje nazwy programów z odniesieniem do ich autorów, jednostek penitencjarnych, w których są realizowane oraz edycję Ogólnopolskiego Konkursu na Program Resocjalizacji Sprzyjający Readaptacji Społecznej Osób Pozbawionych Wolności, na którą zostały zgłoszone.

Cool Dad¹

Dad's ABC²

Family Tree³

Home Is Where the Family Is⁴

Rebuilding and Sustaining Family Ties During Imprisonment⁵

Time for Change: My Role in the Family⁶

¹ Program Authors: 2Lt. Justyna Kirszkowska, Lt. Marta Mazurska, Lt. Daniel Piasecki, Prison No. 2 in Grudziądz, [in:] Penitentiary Bureau, Central Board of the Prison Service, 2nd National Competition for a Rehabilitation Program Supporting Social Readaptation of Persons Deprived of Liberty under the Patronage of the Director General of the Prison Service, 2015.

² Program Authors: 2Lt. Dorota Dudek, Pvt. Konrad Waniółek, Prison in Tarnów, [in:] *ibid.*

³ Program Authors: Maj. Anita Kosarska-Kulpa, Prison No. 2 in Strzelce Opolskie; Spr. Elżbieta Barczyk, Remand Centre in Prudnik, [in:] Penitentiary Bureau, Central Board of the Prison Service, 2nd & 3rd National Competition for a Rehabilitation Program Supporting Social Readaptation of Persons Deprived of Liberty under the Patronage of the Director General of the Prison Service, 2015/2016.

⁴ Program Author: Lt. Marzena Chlebicka, Prison No. 1 in Grudziądz, [in:] Penitentiary Bureau, Central Board of the Prison Service, 2nd National Competition for a Rehabilitation Program Supporting Social Readaptation of Persons Deprived of Liberty under the Patronage of the Director General of the Prison Service, 2015.

⁵ Program Authors: Edyta Chmielnicka, Maj. Jarosław Kaftan, Prison in Głogów, [in:] *ibid.*

⁶ Program Authors: 2Lt. Jolanta Jerzok, JWO Grzegorz Korzeniowski, Remand Centre in Szczytno, [in:] *ibid.*

Breaking Walls, Building Love: How to Be a Good Father⁷

Theater, Mom, and Me⁸

The Fatherhood School⁹

I Want to Be a Parent¹⁰

Father – A Title to Be Proud Of?¹¹

Dad of the Year¹²

Father and Child¹³

Dad for All Seasons¹⁴

The Family System¹⁵

To Be a Father¹⁶

Me, Dad¹⁷

Love, Don't Reject.

Disability and Its Psychosocial Aspects – a Path to Conscious Parenting¹⁸

⁷ Program Author: Spr. Magdalena Matuszek, Remand Centre in Bielsko-Biała, [in:] *ibid.*

⁸ Program Authors: Maj. Andrzej Chrobot, Capt. Michał Głowacki, 2Lt. Aneta Sroka-Bednarska, Remand Centre in Kielce, [in:] *ibid.*

⁹ Program Author: Agnieszka Kowalewska-Śwircz, Remand Centre in Wejherowo, [in:] *ibid.*

¹⁰ Program Authors: Pvt. Andżelika Augustyniak, Pvt. Maria Rożynek-Dąbrowska, External Branch in Turawa, Remand Centre in Opole, [in:] *ibid.*

¹¹ Program Author: Maj. Andrzej Lewiński, Prison in Stare Borne, [in:] *ibid.*

¹² Program Author: Pvt. Marta Młodzianowska, Prison in Stare Borne, [in:] Penitentiary Bureau, Central Board of the Prison Service, 3rd National Competition for a Rehabilitation Program Supporting Social Readaptation of Persons Deprived of Liberty under the Patronage of the Director General of the Prison Service, 2016.

¹³ Program Authors: Pvt. Małgorzata Bradtke, Capt. Natasza Kłos, Remand Centre in Starogard Gdański, [in:] Penitentiary Bureau, Central Board of the Prison Service, 2nd & 3rd National Competition for a Rehabilitation Program Supporting Social Readaptation of Persons Deprived of Liberty under the Patronage of the Director General of the Prison Service, 2015/2016.

¹⁴ Program Authors: Lt. Weronika Pawlak-Ziomko, Spr. Tomasz Gajda, Prison in Nowogard, [in:] Penitentiary Bureau, Central Board of the Prison Service, 2nd National Competition for a Rehabilitation Program Supporting Social Readaptation of Persons Deprived of Liberty under the Patronage of the Director General of the Prison Service, 2015.

¹⁵ Program Authors: 2Lt. Krzysztof Gołębiowski, Spr. Magdalena Tkacz, Prison in Nowogard, [in:] Penitentiary Bureau, Central Board of the Prison Service, 3rd National Competition for a Rehabilitation Program Supporting Social Readaptation of Persons Deprived of Liberty under the Patronage of the Director General of the Prison Service, 2016.

¹⁶ Program Author: Capt. Ewa Łukasik, External Branch in Kikity, Prison in Barczewo, [in:] Penitentiary Bureau, Central Board of the Prison Service, 2nd National Competition for a Rehabilitation Program Supporting Social Readaptation of Persons Deprived of Liberty under the Patronage of the Director General of the Prison Service, 2015.

¹⁷ Program Author: Pvt. Małgorzata Cwalina, Prison in Przytuły Stare, [in:] Penitentiary Bureau, Central Board of the Prison Service, 3rd National Competition for a Rehabilitation Program Supporting Social Readaptation of Persons Deprived of Liberty under the Patronage of the Director General of the Prison Service, 2016.

¹⁸ Program Authors: Capt. Joanna Bijok, Lt. Agnieszka Wazowska, Prison in Jastrzębie-Zdrój, [in:] *ibid.*

Dad, Raised Right¹⁹
This Is Dad Speaking²⁰
Read to Me, Dad
A Journey into the World of Fairy Tales²¹
Stay with Dad – Cherish Everyday Moments, Not Just Holidays²²
Father and Child²³
Family Holidays²⁴
The Father's Role in the Family²⁵
Together Again²⁶
Mom, Dad, and Me²⁷
For Better or Worse²⁸
Mission: Family²⁹
Family First³⁰
The Responsible Parent³¹
The Light Side of the Force³²
Dad from Afar³³
I Will Be a Good Father³⁴
Family Comes First³⁵
Fatherhood's Bright Side³⁶

¹⁹ Program Team: JWO Grzegorz Kocik, JWO Jowita Szymocha, Lt. Magdalena Janik, Spr. Katarzyna Mazan-Jacko, JWO Robert Krawczyk, Remand Centre in Częstochowa, [in:] *ibid.*

²⁰ Program Author: Lt. Robert Jureko, Prison in Braniewo, [in:] *ibid.*

²¹ Program Author: Pvt. Agnieszka Czaja, Remand Centre in Opole, [in:] *ibid.*

²² Program Authors: 2Lt. Katarzyna Iwanowska, WO Tomasz Piotrkowski, Remand Centre in Elbląg, [in:] *ibid.*

²³ Program Author: Pvt. Joanna Kupczak, Prison in Strzelin, [in:] *ibid.*

²⁴ Program Authors: Pvt. Michał Pietrasik, Maj. Michał Falkowski; co-authors for individual sessions: Lt. Katarzyna Ledzion, Pvt. Daria Sadowska, Chap. Stanisław Marczak, Remand Centre in Łódź, [in:] *ibid.*

²⁵ Program Authors: Maj. Marta Bartczak-Praczkowska, Capt. Renata Tybura, Prison in Garbalin, [in:] *ibid.*

²⁶ Program Author: Spr. Katarzyna Niemczycka, Prison in Głubczyce, [in:] *ibid.*

²⁷ Program Author: Lt. Mariusz Sawlewicz, Prison No. 1 in Strzelce Opolskie, [in:] *ibid.*

²⁸ Program Author: Marcin Gawior, Prison in Jasło, [in:] *ibid.*

²⁹ Program Author: Spr. Patrycja Malchrzyk, Prison in Zabrze, [in:] *ibid.*

³⁰ Program Authors: Pvt. Monika Parandyk, Pvt. Martyna Wawrzak, Prison in Kamińsk, [in:] *ibid.*

³¹ Program Authors: Capt. Edyta Król, Lt. Aneta Pietrzyk-Śliwa, Prison in Pińczów, [in:] *ibid.*

³² Program Author: Capt. Katarzyna Brzezińska, Prison in Pińczów, [in:] *ibid.*

³³ Program Authors: Spr. Joanna Bukowska, Lt. Aneta Zapaśnik, Prison in Dębica, [in:] *ibid.*

³⁴ Program Authors: 2Lt. Katarzyna Szostak, JWO Ewelina Seferynowicz, Lt. Dorota Kot, Prison in Łupków, 2Lt. Magdalena Bloch External Branch of the Prison in Łupków, [in:] *ibid.*

³⁵ Program Authors: Maj. Paweł Szajner, Maj. Eliza Miłkowska, Prison in Koszalin, [in:] *ibid.*

³⁶ Program Author: Lt. Dariusz Łakomski, Remand Centre in Sosnowiec, [in:] *ibid.*

Family³⁷

Strength in Family³⁸

Dad, Take My Hand...³⁹

The strongest and most comprehensive support an individual typically receives comes from immediate family members. Therefore, this form of support holds significant importance in the context of social readaptation and reintegration processes (Kędzierski, 2018, p. 49). The potential that lies in family integration programmes is an essential part of an optimal model for creating penitentiary interventions that are so innovative in the context of the social inclusion process. This necessitates specific recommendations and guidelines: the need for a more comprehensive evaluation of the effectiveness of existing penitentiary intervention models aimed at imprisoned parents, the creation of a database of programs dedicated to this group of beneficiaries, and a review of international research to exchange best practices and promote changes at the European level (Badowska-Hodyr, 2024, p. 165). Seizing the full potential that the family has at its disposal, even though in prison isolation it involves developing essential interpersonal skills with a particularly strong emotional charge, helps individuals cope with stress, fosters openness, empathy, rational decision-making, strengthens a positive self-image, enhances self-worth, helps to relieve tensions and frustrations, build one's relations with others, solve conflicts constructively. It also enables one to understand that a previous lifestyle may pose a threat to current family life and relationships with children, potentially leading to extreme destruction (Badowska-Hodyr, 2012, pp. 419–420).

Implementing specific family integration programs, aimed at both mothers and fathers serving prison sentences, is crucial for developing parenting skills. It provides parents with the opportunity to develop a natural closeness with their children and fosters a sense of responsibility. This is a strong and significant incentive, in the context of non-reoffending, and forms the basis for further research in this area. Imprisonment strongly impacts a child's emotional, social, and educational functioning. Therefore, systemic measures to minimize the negative effects of this experience in the emotional, social, educational, penitentiary, re-adaptation, systemic, and inclusive areas are crucial.

³⁷ Program Author: Pvt. Kamila Lacka-Majewska, Prison in Gębarzewo, [in:] *ibid.*

³⁸ Program Author: Lt. Anna Orzechowska-Winnicka, Prison in Kwidzyn, [in:] *ibid.*

³⁹ Program Author: JWO Magdalena Woźny-Baran, Remand Centre in Sanok, [in:] *ibid.*

CONCLUSIONS

To summarise the issue of “Socio-legal and educational determinants of the well-being of children experiencing parents’ imprisonment”, it is essential to highlight the educational efforts carried out in penal institutions, which consider the well-being of children whose parents are serving prison sentences. Even if the primary recipients of these educational interventions are the imprisoned parents, their pedagogical development significantly impacts both social reintegration and the well-being of their children. The reviewed documents confirm this understanding.

Children of incarcerated individuals constitute a particularly high-risk group, both emotionally and educationally. The experience of separation from a parent triggers a range of difficult emotions – anxiety, shame, guilt, and rejection – that impact the child’s identity, social relationships, and functioning in the school environment. Education, understood more broadly than just the teaching process, becomes a space for compensating for emotional and social deficits and a tool for strengthening a sense of security and agency. When analyzing a child’s situation, it is crucial to consider the systemic nature of the problem. Parental absence due to prison isolation is not only a family event but also an educational and social factor requiring multi-sectoral intervention.

The effectiveness of support depends on the cooperation between schools, social services, and penitentiary institutions, which should create a cohesive network of support and assistance focused on protecting the child’s well-being and maintaining family ties. In this context, Prison Service officers play a special role, not only fulfilling safety-related responsibilities but also co-creating a reintegration environment. By implementing family integration programs, educational activities, and initiatives supporting parent-child contact, they fulfill an educational and preventative role. Their actions can strengthen the process of rebuilding parental roles, counteract incarceration, and limit the effects of social stigmatization. At the same time, there is a need to reflect on the competencies of penitentiary staff in working with families in crisis. Their attitude, empathy, and understanding are crucial in strengthening family relationships, determining the quality of the social inclusion process. The essence of a prison professional’s educational activities is to impart their skills and understanding of developmental realities to the inmate so that he or she can develop on their own. This is, therefore, about self-education.

From the perspective of educational and resocialization policy, it is therefore essential to develop models of institutional cooperation that will engage the Prison Service in educational and caregiving activities. This would include creating conditions for constructive family visits, joint learning programs for parents and children, and systematic evaluation of the effects of implementing these activities. Analysis indicates that emotional bonds, love, and a sense of belonging – though difficult to measure – remain key values in the process of social inclusion. For education, resocialization, and penitentiary policy, they

serve as a reference point around which strategies for family integration and support for children affected by a parent's imprisonment should be built.

Exploring the problem of children of prisoners demonstrates the need to view prisons not only as an institution for isolation, but also as a space for educational, upbringing, and social interaction. A responsible penitentiary policy should combine safety goals with the need to protect family ties and the well-being of children. Prison Service officers play a key role in this process, whose tasks today include not only supervision but also supporting parent-child relationships and collaborating with educational and social institutions. The process of social inclusion therefore requires an interdisciplinary approach based on the collaboration of the penitentiary system, education, and social services. The well-being of the child, as the weakest link in the system, should remain the overarching criterion for all actions undertaken at the intersection of education and resocialization.

REFERENCES

- Badowska-Hodyr, M. (2012). Więzienne dzieciństwo. In J. Krukowski (Ed.), *Rzeczywistość dziecka* (pp. 411–421). Wyd. Małopolskiej Wyższej Szkoły Ekonomicznej w Tarnowie.
- Badowska-Hodyr, M. (2019). Penologiczne Kopciuszkі – sytuacja dziecka w rodzinie naznaczonej piętnem uwięzienia z perspektywy rodziców odbywających kary długoterminowe. *Dziecko Krzywdzone. Teoria, Badania, Praktyka*, 18(4), 84–106.
- Badowska-Hodyr, M. (2022). *Uwięzione rodzicielstwo*. Wyd. UR.
- Bałandynowicz, A. (2011). Świat dziecka w zmieniającej się przestrzeni życia z perspektywy tożsamości osobowej, społecznej i kulturowo-cywilizacyjnej. In T. Sakowicz, K. Gąsior, B. Zawadzka (Eds.), *Dziecko w rodzinie, nadzieje i zagrożenia* (pp. 29–50). Zakład Profilaktyki Społecznej i Resocjalizacji UJK, Świętokrzyskie Centrum Profilaktyki i Edukacji.
- Błasiak, A. (2014). Rozwój i kształtowanie emocji dzieci. Wychowanie. In J. Augustyn (Ed.), *Sztuka relacji międzyludzkich. Miłość. Małżeństwo. Rodzina* (pp. 447–455). Wyd. WAM, Księża Jezuici.
- Children of Prisoners Europe. (COPE). (2019). *Przewodnik: Dostrzeżmy dzieci. Przejście z podejścia wymiaru sprawiedliwości „ślepego na dziecko” do wymiaru sprawiedliwości „przyjaznego dziecku” w sytuacji skazywania rodzica*.
- Cieślukowska-Ryczko, A. (2023). *Dorosłe dzieci więźniów. Analiza doświadczeń biograficznych*. Wyd. UŁ.
- Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989 (Journal of Laws of 1991, No. 120, item 526).
- European Parliament Resolution of 13 March 2008 on the specific situation of women in prisons and the impact of parental imprisonment on social and family life (2007/2116(INI)) (Official Journal of the EU C 66E of 20 March 2009).
- Grzybek, G. (2010). Wychowanie społeczne i moralne w rodzinie. In A. Błasiak, E. Dybowska (Eds.), *Wybrane zagadnienia pedagogiki rodziny* (pp. 187–199). Wyższa Szkoła Filozoficzno-Pedagogiczna IGNATIANUM, Wyd. WAM.

- Grzybek, G. (2013). *Etyka rozwoju a pedagogika opiekuńcza*. Wyd. UR.
- Instruction No. 2/2018 of the Director General of the Prison Service of 21 November 2018 on the treatment of imprisoned women.
- Jadeszko, M. (2021). *Droga do wolności z poszanowaniem godności*. <https://www.sw.gov.pl/aktualnosc/zaklad-karny-w-przytulach-starych-droga-do-wolnosc-i-z-poszanowaniem-godnosc-i>
- Kędzierski, W. (2021). *Penitencjarystyka z resocjalizacją instytucjonalną. Historia – stan obecny*. Difin.
- Kodeks karny wykonawczy, ustawy z dnia 6 czerwca 1997 r. Nr 90 poz. 557 (t.j. Dz.U. z 2024 r. poz. 706, 1907).
- Łopatkowa, M. (1992). *Pedagogika serca*. WSiP.
- Machel, H. (2003). *Więzienie jako instytucja karna i resocjalizacyjna*. ARCHE.
- Michalak, J.M. (2003). Odpowiedzialność rodziców i dziecka w wychowaniu. In J. Wilk (Ed.), *W służbie dziecku. Tom II. Rodzina XX wieku wobec dobra dziecka* (pp. 21–30). Zakład Profilaktyki Społecznej i Resocjalizacji UJK, Świętokrzyskie Centrum Profilaktyki i Edukacji.
- Morris, H. (2021). *Opowieści o nadziei*. Wyd. Marginesy.
- Order of the Director General of the Prison Service of 14 April 2016 on detailed rules for conducting and organizing penitentiary work and the scope of duties of officers and employees of penitentiary and therapeutic departments and prison units.
- Pilarska-Jakubczyk, A., & Szlęzak-Kawa, E. (2017). Dzieci skazane na... rozłąkę. *Forum Penitencjarne*, 8(231), 22–23.
- Rzepliński, A. (1981). *Rodziny więźniów długoterminowych*. Wyd. Ossolineum.
- Recommendation 1469(2000) of the Parliamentary Assembly of the Council of Europe on mothers and babies in prison.
- Recommendation CM/Rec(2018)5 of the Committee of Ministers to member states concerning children of imprisoned parents, adopted by the Committee of Ministers on 4 April 2018 at the 1312th meeting of the Ministers' Deputies. Translation provided on a voluntary basis by Joanna McCoy, sworn translator of the English language; Małopolskie Stowarzyszenie Probacja, www.probacja.org
- Recommendation Rec(2006)2 of the Committee of Ministers to the Member States of the Council of Europe, European Prison Rules, adopted by the Committee of Ministers on 11 January 2006.
- Regulation of the Minister of Justice of 17 September 2003 on the procedure for admitting children of imprisoned mothers to mother-and-child homes located at designated penal institutions, and on the specific rules for organizing and operating these facilities (Journal of Laws 2003, No. 175, items 1708, 1709).
- Resolution 1663(2009) of the Parliamentary Assembly of the Council of Europe: Women in Prison.
- Szczepaniak, P. (2016). *Sprawiedliwość naprawcza w resocjalizacji więźniów*. Wyd. UW.