

# The Rights of Children of Incarcerated Parents: Replicating good practice from Italy.

## Recommendations

In addition to the recommendations of the Committee on the Rights of the Child's Day of General Discussion on Children of Incarcerated Parents we would like to emphasise the following measures:

### Domestic policy and practice

- Recognise that this is a **child rights** issue.
- Recognise the **impact** that parental incarceration has on children, including children detained with their parent and those who are separated as a result of parental incarceration.
- Ensure that the **best interests** of the child are taken into account as a primary consideration at all stages of the criminal justice process involving a parent (including arrest, sentencing, imprisonment and release).
- **Training** to those whose work brings them into direct contact with children of incarcerated parents, both those for whom this is clear (e.g. police, court and prison staff) and those for whom the issue may be hidden (e.g. school staff, health care professionals).
- Training to those whose work brings them into contact with incarcerated parents, with a view to improving parenting skills and fostering the **child-parent bond**.
- Ensure holistic, cross sectoral **communication and coordination** within government and between government, national human rights institutions and civil society.
- Ensure that **children are heard** in decisions affected them individually (including the sentencing of their parent) and that children are consulted in the formulation of policy on children of incarcerated parents.
- Work with civil society and national human rights institutions to adopt a formal agreement replicating **the Italian Memorandum of Understanding**.
- Ensure that children are kept **informed** in a timely and age appropriate way.
- Collect **information on the number of children affected and other data** in order to ensure adequate provision of support.

### Raising awareness and supporting implementation through the UN human rights system

- Include information on the number of children affected and the provisions in place to mitigate harm in reports to the Committee on the Rights of the Child and other relevant Treaty Bodies.
- Use questions in advance and recommendations in the Universal Periodic Review process.
- Include in this group of children in relevant Human Right Council resolutions.
- Submit information on number of children affected and provisions in place for them to relevant OHCHR reports and studies.
- Support the Global Study on Children Deprived of their Liberty (which is set to include specific attention to children detained in prison with a parent).