

Prisoners abused as children



Peter Garsden, a solicitor

specialising in the effects of child abuse, on how prisons deal with prisoners who have been victims

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Communicating with prisoners

Prisons tend to vary a lot in the way in which they treat prisoners with psychological problems. Prisons are designed to deal with a prisoner who is going through a criminal prosecution, where the needs of his solicitor are different to ours. We often need to investigate the first 40 years of the survivor's life, and investigate what symptoms the childhood abuse has caused.

The abuse is often a shameful secret. Prisoners do not want to meet us in an open area where what they can be overheard by those around. A private room is vital but not always available. We often try to arrange the visit in the medical area where support is on hand should the client break down. Seldom is this facility acceptable, for security reasons. And medical facilities vary a lot anyway, depending on the prison budget, the type of prison and the length of sentence.

Because we have clients at prisons all over the country, it is not always possible to make personal visits. In any case, we often need a visit of two or three hours, whereas personal visits are restricted to say one and half hours. Some prisons have installed video conferencing, but by no means all. Sometimes video conferencing is denied to lawyers but permitted to the probation services, which is frustrating. Sometimes a video conference will automatically cut off after an hour, with no warning. This is very frustrating and insensitive to the subject matter of our communications.

Rule 39 correspondence (privacy accorded to legal correspondence) is a blessing, but prisoners often do not trust it. Some prisons have experienced abuse of Rule 39 by prisoners using it to receive pornographic mail, so at some prisons a double enveloping system is insisted upon, which is inconvenient, but necessary.

We have a freephone number which prisoners can use to call our office. But freephone numbers have been banned in some prisons, because of occasional abuses of the system. So prisoners may be denied communication with our office. Often they do not have enough money on their pin credit account. We then have to write a letter of complaint to the prison,

which is sometimes referred to headquarters, eventually leading to the freephone number being put onto the prisoner's allowable numbers. Once again the process is frustrating, and hinders an already difficult process.

If our clients have to use public prison phones, it may be difficult for them to have a sensitive conversation away from over-hearing and there may be a tenminute time limit on anyone call, so there are sudden interruptions.

How an abused child becomes

a criminal How does abuse make victims feel? Angry, depressed, unloved, abandoned, betrayed, neglected, undeserving of attention to name a few of the typical feelings. Generally speaking the child does not realise how wrong the abuse is at the time. Indeed they may have enjoyed it physically. It does not take long, however, to start feeling angry. Unfortunately the anger has nowhere to go and turns inwards. Obviously the hurt child has no one to tell. Usually they have been blackmailed into silence by their abuser or have complained and been ignored. So the child does not care any more, and wants to kick out at the establishment for letting it happen in the first place, even more so if they were in care at the time.

By the age of 17 drink and drugs may be used to numb the hurt feelings, nightmares, and daytime flashbacks. Drink and drugs are well known to lead to crime, not only because benefits do not pay for heroin and burglary does.

The inner anger most child abuse survivors feel towards their abuser, who as likely as not has never been caught, can surface when triggered, and result in a crime of violence. The victim can be anyone who challenges the survivor, and attempts to render them powerless. The reason is that this experience is a repetition of the powerless feelings of domination by an abuser. Tragically, survivors often do not even realise what is motivating them. So they do not inform their solicitor and the crime appears to be motiveless. Thus the sentence is more severe. Even if they do realise the problem, they are often too embarrassed or afraid to make a disclosure.

Survivors of abuse may further complicate their lives by seeking out the abuser and handing out primitive justice. In prison, also, they may attack sex offenders. And so the cycle goes on. www.abneys.co.uk

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An estimated 30% of prisoners suffered domestic violence as children; one in female prisoners and one in twenty male report childhood sexual abuse. If a victim of abuse is in prison, how well are their needs and feelings attended to? About 80% of our clients are in prison, so we are able to compare different prisons, and how well they deal with the outpourings of anger typical of a survivor of abuse.

Typically we get letters from prisoners who decide for one reason or another that they want to face abuse that happened many years ago in childhood. They may have heard about a compensation claim another prisoner has made, or realised during treatment programmes that they have to deal with their past before they can move on, in terms of addiction, anger, personal relationships etc. Even claiming compensation is usually more part of the healing process than financial.

Obviously prisoners have a lot of time on their hands to think about their life more deeply than when the pressure of outsidelife imposes itself. Oftendrug and alcohol free, they may spend a year wondering whether or not to approach us, so painful is the process of disclosure. Thus when they finally pluck up the courage to come forward, we have to be able to offer them an empathetic attitude, and a willingness to listen.