



The Treatment of Mothers with Babies in Prison

HMP Eastwood Park Mother and Baby Unit (MBU): A case study from England

Introduction

Mothers with babies in prison present a special challenge to the criminal justice system generally and for the management of prisons specifically. While the mother is or has been alleged to be in conflict with the law, the baby accompanying the mother is completely innocent. Two issues therefore need to be confronted:

- First, ensuring the baby has access to the mother (and father) to the fullest extent possible;
- Second, ensuring that the reality of a prison environment does not in any way interfere with or influence the early growth and development of the child.

Penal Reform International (PRI) is currently documenting good practice with regards to the treatment of mothers with babies in prison and is using the information gathered to promote changes in policy and practice in different countries and regions around the world.

This short note is based on a visit carried out by PRI on 25 February 2010 to HMP Eastwood Park MBU. PRI would like to thank the Director and staff of the institution for their cooperation and support in hosting PRI's visit and for sharing information with PRI regarding the range of issues outlined in this note.

HMP Eastwood Park

Eastwood Park women's prison is located in Gloucestershire. There is one prison housing 320 women, some serving life sentences; there is a young offender's institution holding girls aged 17 years; a MBU that can take up to 12 women and 13 babies (there were 5 women and 5 babies on the day of PRI's visit); and a new building that will be used for rehabilitation and de-toxing.

Other MBUs in England

Eastwood Park is one of 7 prisons with MBUs in women's prisons across England. The others are:

- New Hall (West Yorkshire)
- Styal (Cheshire)

- Askam Grange (Yorkshire – open prison with a nursery that takes children from outside of the prison)
- Peterborough (Cambridgeshire)
- Holloway (London)
- Bronzefield (Middlesex)

There are approximately 100 babies in prisons with their mothers in the 7 MBUs in women's prisons across England. There are no female prisons in Wales so all women prisoners and their babies are held in England. The age to which a baby can stay with his/her mother in prison varies between 9 months and 18 months. In England it is deemed that 9 months is the best time to separate a baby from its mother.

Admission procedure to Eastwood Park MBU

When women are taken into the prison they are asked if they are pregnant or if they have children. Pregnant women or mothers can apply for a place on the MBU but they are not guaranteed a place. There is a thorough vetting process carried out by the MBU, respective prison staff and social services to determine whether the applicant is suitable for the MBU.

A detailed dossier on the background of the mother is compiled, taking into account behaviour, any history of mental illnesses or drug abuse and if she has other children in care. An informal meeting is held between MBU staff, social services and probation services (who may or may not attend) and the mother, to go through the information and put forward a recommendation for a place on the MBU to the prison governor. However, the meeting may also come to the conclusion that the mother is not suitable for the MBU for a variety of different reasons, which can be related to previous behaviour, poor mental state or drug dependencies. At Eastwood Park there is a 40% rejection rate of applications for places to the MBU.

If the MBU at Eastwood Park is full they may be referred to another MBU in England. It is also important to note that not all women who are pregnant or have young babies apply to have a space on the MBU. Some women prefer to hand over the child to a relative or to social services.

Every mother on the MBU must have two approved emergency carers who are checked out by the prison service and social services, such as the father or a grandparent.

The MBU allows children to stay up until 18 months but this can be extended in the event the mother's release date is not too long after the child reaches 18 months.

Facilities

The MBU is surrounded by a small garden area with toys for young children. There are no bars on the windows. The lower floor has some small rooms for health visitors to see the mother and child, a large sitting area for family visits and a large nursery/play room with toys and paraphernalia for young children. There is a kitchen area where the prisoners are encouraged to learn to prepare food for their babies. There is a phone in the hall area that prisoners can use as they wish with a phone card they top up.

On the next floor there is a corridor of rooms. Each inmate has their own room, which they share with the child and both the mother's and child's personal belongings are kept here. There is also a sitting area upstairs, a baby-changing room and a staff room. The rooms are not locked. Prisoners can lock the rooms themselves (staff can override this if necessary). They are asked to retire to their rooms between 21.30 and 22.00 until the following morning.

If mothers have to leave the prison for a hospital appointment or to give birth they go in open transport i.e. a car or taxi rather than a police car and no hand-cuffs are used.

MBU Personnel

There are 8 non-uniformed prison officers on the MBU. There are 6 female prison officers and 2 male, which is good practice in that it is important for the children to have male as well as female

company. There are 3 nursery staff who are directly employed by the prison. National children's homes usually run prison nurseries but this is not the case here. There are no specific qualifications needed to apply to work on the MBU but the prison services provide a course for those who begin working on the MBU. The training is conducted by a central pool of trainees from the prison service. The head of the unit (line manager) needs child protection training with social services. They are developing training programmes at the moment to be held in the MBU rather than outside.

Mothers have complete parental responsibility over their child. There are health visitors and ante-natal visitors. They have access to a medical helpline 24 hours a day if they are worried about the child. There is a lot of peer support between the mothers on the MBU.

Daily Routine

Each morning mothers drop the babies off at the nursery in the MBU where the children do different activities. The MBU is also visited by the charity Babies in Prison who sometimes provide the children with toys and clothes and a children's entertainer, Jo Jingles. The nursery workers take the children outside of the prison grounds so that they can experience the "outside world".

While the children are at nursery mothers are obliged to do some educational or vocational training in the main women's prison. The mothers tend to be below the average standard of education for their age so they can continue with schooling or train in areas, such as cookery or nail art.

Visiting Permissions

There is a possibility of all-day visits to the MBU once or twice a month and shorter visits can be arranged up to 5 times per month.

Role and rights of fathers

Fathers can participate in the ante-natal classes carried out in the MBU. Fathers go through a risk-assessment carried out by the prison service for security reasons and social services for general well-being. It has been proposed to allow fathers to attend ante-natal classes outside of the MBU but this depends on the behaviour of the man. There have been cases where the father has come to the MBU intoxicated or some men are not mentally able to handle the situation.

Types of offences committed

Crimes that have been committed range from violent crimes to drug crimes. The average length of sentence for those in the MBU is approximately three years.

Babies leaving MBU

The majority of women who come to the MBU leave with their children however if a child is removed while the mother continues her sentence regular contact is maintained. This is carried out either by the relative that has taken in the child or by social services. Each baby has a development book with a record of their time at the MBU but nothing that indicates prison, such as photos and hand prints.

Conclusion

This short note describes practice in the HMP Eastwood Park MBU as observed by PRI. The issue of mothers with babies in prison raises a number of complex questions to which there are no easy answers. A key requirement is constant monitoring of conditions and vigilance on the side of staff and civil society, together with a commitment from all stakeholders within the criminal justice system to always ensure the best interests of the child in both policy pronouncements, and in practice.