

Impacts of imprisonment on the mother-child relationship



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Critically discuss the effects of imprisonment on mother-child relationships and critically consider the impact both on the women who are imprisoned and their children.

Imprisoned women constitute a small minority of the United Kingdom's prisons populations. In 2018 there were 3869 women incarcerated, making up only 4.6% of the whole of the UK's prison populations (Prison Population Figures, 2018). According to Minson, Nadin & Earle (2015, p. 4) Two-thirds of imprisoned women are mothers of children under the age of 18. A third of these women have children under the age of five, and a further 40% have children aged between five and ten. Baring these figures in mind, this essay will endeavour to explore the impact prison has on mothers and their children and what effects it has on the mother-child relationships. Once the adverse effects of imprisonment have been identified, they will then be critically discussed for evaluation.

In spite of the fact that there is an absence of routine information accumulation in the UK about mothers and children who are affected by the criminal equity framework, there is a developing assemblage of research evidence about the damage caused to children by the detainment of their mother, who is quite often the essential carer (Minson, Nadin & Earle (2015). Women are often reluctant to disclose they have children for fear of state intervention, which is problematic for estimates. However, it was estimated that 17,240 children in England and Wales were separated from their mother in 2010 due to incarceration (Wilks-Wiffen, 2011). Whereas approximately 3,000 infants aged two years and under have their mother incarcerated each year (Galloway, Haynes & Cuthbert, 2014).

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The imprisonment of a mother can have dire effects on a child's life.

Research shows only five per cent of children with a mother in prison stay in their family home during their mothers prison sentence, with fathers only caring for nine per cent of these children (Caddle and Crisp, 1997).

Furthermore, approximately a fifth of mothers are single parents during time of incarceration (Social Exclusion Unit, 2002). This leaves around 6, 000 children being cared for other family members or friends of the family (Hamlyn & Lewis, 2000) and an estimate of twelve per cent going into the care system (Corston, 2007). A survey conducted in Holloway prison stated that 42 women out of 1, 400 serving a first time sentence, did not know who was looking after their children (Cabinet Office Social Exclusion Taskforce, 2009). When a mother is imprisoned a vast amount of children could be described as parentless and these children are often secluded from support networks. This results in a major lack of security and stability in their lives, when it is needed the most. The loss of their mother due to imprisonment can result in; moving home and school, diminished social support, disrupted relationships, reduced income, bullying, stigma and shame, as well as feeling of guilt and loss in the child (Action for Prisoners Families, 2002). In addition, the mental health of children with parents in prison is well documented in research to be greatly affected. Dolana, Birmingham, Mullee & Gregoire (2013) state that the occurrence of mental disorders, anti-social behaviour, school failure and involvement with the criminal justice system amongst children whose parents are prisoners is considerably higher than amongst other children. Additional research states that division from the mother through detainment causes long-term emotional, social, material and mental harm. Moreover, children can possibly mourn the parting from their mother

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in the same manner as grieving a death, Murray and Farrington (2005) claimed it was more damaging to a child to be separated from their parent through imprisonment than separation through divorce or death, with the children not receiving the emotional support they would obtain if they were grieving a death. With this lack of support it is foreseeable that these children are suffering with mental and emotional issues. Although there are a number of local authorities whom are recognising these children are in need of assistance and are providing support by using the Children and Young People's Plans (CYPPs), it is not being widely used across the country. (Morgan, Leeson & Dillon, 2013).

Children are not the only ones to suffer when a mother is imprisoned, babies are also in danger of enduring the effects of their mothers being incarcerated. It is estimated that approximately 600 pregnant women are imprisoned each year in England and Wales, with 100 babies being born to women prisoners (Birth Charter for women in prisons in England and Wales, 2016). However, across England and Wales there are only five Mother and Baby Unit's (MBU) with designated living accommodations within women's prisons. Within these five MBU's there is only a capacity for fifty-two mothers, with an additional five places available to allow for twins. Women are entitled to submit applications to obtain a place within these units, though they are not guaranteed to be accepted. In 2016/2017 a total of ninety-six applications were made by expectant incarcerated mothers, of these twelve (13%) were refused and sixty-seven (70%) were approved, the remaining seventeen applications were withdrawals due to the mothers being released from custody, those who are not accepted are separated from

their newborn in the hospital after giving birth (NOMS, 2017). The stressful environment of prison can be harmful for expectant mothers. The Birth Charter for women in Prisons in England and Wales (2016) states that Antenatal stress is found to increase levels of the hormone cortisol in the mother's body, which, when it crosses the placenta, can affect the health of the baby, brain development, emotional attachment and early parenting interactions. Furthermore There is also a growing body of evidence (Bergman et al, 2007; Glover and O'Connor, 2002; Glover et al, 2010; Capron et al, 2015) to show that the children of mothers who were stressed during the antenatal period are more likely to develop childhood emotional and behavioural difficulties, autism and ADHD. The anxiety of not knowing if an expectant mother is going to be accepted onto a MBU is inevitably going to cause stress for mother and baby. Further research documents the emotional distress that mothers who are unsure of their place on MBU have, resulting in them to switch off emotionally or enter a state of anticipatory grieving (Kitzinger, 2005). Moreover, the separation of mother and baby on birth can have lasting effects for their relationship as they are unable to form a loving bond. The Distress and anxiety can be detrimental to the baby / young child and cause problems in later life with issues such as separation anxiety for the baby and mental distress for the mother (Grille, 2015).

It is well documented that there is a high percentage of women in prisons whom have existing mental health issues and during pregnancy these existing mental illnesses can be heightened. Research conducted by the NSPCC and Barnados (2014) found that almost two thirds of mothers in prison reported that they were depressed and that over half were lonely.

Further research states that the separation from their children is the hardest aspect for a mother whilst imprisoned (Celinska & Siegel, 2010). Another factor aiding to the mental health of these prisoners is that many of these women have suffered traumatic upbringings, experiencing neglect, sexual abuse, physical abuse, drug and alcohol addictions, homelessness and debts. Fazel & Baillargeon (2010) state that women in prison have disproportionate levels of substance abuse and depression, which are both strongly related to dysfunctional parent and child relations (Beckwith, Howard, Espinosa, & Tyler, 1999). Mental disorders cause enduring, as well as lead to higher rates of reoffending and considerable social disadvantage and exclusion. These women are especially hindered, as a result of poor acknowledgment of their needs, the poor consideration they get, and a propensity to avoid statutory services. In the UK, the NHS is in charge of providing the same healthcare standards to prisoners as they do for the general public. Where there are improvements in services outside prisons for mothers whom are suffering with mental health problems during pregnancy which are guided by the National Institute for Health and Care Excellence (2007) and the Confidential Enquiry into Maternal Deaths (2007), little or no mental health care is provided for this minority of disadvantaged group of mothers within the prisons (Dolana, Birmingham, Mullee & Gregoire, 2013). With negligible mental health care available to these individuals, suicide and self-harm rates are inclining in prisons. A study conducted by (Hawton et al., 2013) compared self-harm rates in prisons in England and Wales between 2004 and 2009. This study concluded that only 5-6% of all male inmates self-harmed each year, compared to 20-24% female reported self-harm incidents, with the female inmates being ten times more likely to self-harm

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in comparison to the male inmates. The Ministry of Justice (Safety in Custody Self-Harm Report, 2016) reported 7, 657 self-harm incidents for female prisoners with 1. 8% of them requiring hospital treatments. With the population of female prisoners being relatively low, these figures demonstrate a large quantity of prisoners whom are evidently experiencing feelings of depression and hopelessness.

The breakdown in family contact is yet another problem these women incarcerated are facing. The majority of women's prisons in the UK are very remote and are often a substantial distance from the prisoner's home area. On average, one in five women are imprisoned over one-hundred miles away from their home area, which is very problematic when it comes to their children visiting them as they are reliant on their carers to transport them to these prisons (The Howard League for Penal Reform, 2011). The visits prisoners receive are infrequent and vary according to if they are sentenced or on remand and their status on the incentive and earned privilege scheme. The Social Exclusion Unit, (2002) states that over half of women in prisons do not receive visits from their children. The timings of these visits are a further intensified problem, evening and weekend visits are rare within the prisons, with most visiting slots set for mainly mornings or afternoons, which is when their children are in school and their careers in work. Not only are the visiting times extremely inconvenient, it was reported that in thirty-six cases (including all six women's prisons inspected) there was criticism of the recurrent severe delays to visits of up to forty-five minutes (The Howard League for Penal Reform, 2011). When visits are made they are most often not long enough for the mother and child to have meaningful contact, with

the mother having to remain seated and not be permitted to hold or cuddle the child during the visit. However, some mothers opt for their children not to visit them as they feel prison is an unsuitable environment for a child to visit (Krisberg and Temin, 2001; Slavin, 2000). The prison environment can be a frightening and intimidating place for an adult to visit let alone a child, with them having to undergo searches by adults in uniforms, which can be a very unsettling experience for a child (Murray, 2003). In the 1990's Holloway prison had the facility for children visits to last the entire day, these days were focused on mothers and their children to have the time and space to spend quality time doing normal, everyday things together. However, these visits are very limited in availability these days due to budget cuts and staff shortages. The Chief Inspector of Prisons (Annual Report 2008-2009) reported 40 prisons providing children and family days compared with 27 the previous year. The report also noted that "...we have learnt with concern that family days in some prisons (including women's prisons) may be among the victims of the budget cuts." The Assisted Prison Visit Scheme which helps pay for low-income families to visit prisoners may be another casualty from the cuts (Assisted Prison Visit Survey Report, 2010). The insufficient visits being made by children to their mothers in prisons is a immense obstacle for family contact, contact for mothers and their children is an important dynamic in reducing the risks of reoffending upon release, which needs to be taken in to consideration by the criminal justice system (Minson, Nadin & Earle, 2015).

The social and Intergenerational costs of sending a mother to prison is a further issue to comprehend. Not only do the prisoners families experience

financial, housing, emotional and physical concerns as a result of the incarceration, one third of these women lose their possessions and homes due to imprisonment. With imprisonment impacting their ability to gain employment on release. In a report by The Ministry of Justice, (2012) it states that in 2011-2012 less than one in ten women (8. 7%) had gained successful employment on their release from prison, in comparison to (27. 3%) of men released from prison. While the New Economics Foundation (2008) states that Parental imprisonment trebles the risk of antisocial behaviour in children, with the cost to tax payers of imprisoning mothers for non-violent crimes is approximately over £17million in the last ten years, mainly because the children are not being sufficiently educated, employed or having inadequate training. Furthermore, the Prison Reform Trust, (2018) states the average annual overall cost of a prison place in England and Wales is now £38, 042. 28, yet there are over six-hundred women each year receiving antenatal care whilst in prison and over a hundred giving birth during their prison terms, which is undoubtedly going to impact the tax payers money. The social cost is far more for a pregnant women or mothers (The Independent, 2012). There are many indispensable costs involved with pregnant prisoners; the prisons have to provide midwives whom spend either half a day or the full day at the prison, seeing to a minute amount of women in comparison to being in a public hospital where they see numerous women per day. The staffing costs within the prisons are also amplified due to officers needing the correct training so they can provide appropriate care when transporting women prisoners to hospitals or when they are on ‘bedwatch’. It is also a requirement for two officers to transport women prisoners to the hospitals, to ensure the prisoner is in secure custody whilst

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off site from the prison, leaving less staff to supervise the other inmates in the prisons. Hospitals do not generally provide nappies, baby grows and essential items needed for babies after birth, which is another cost which needed to be addressed (Birth Companions, 2016). Additionally, The National Security Framework (2015) specifies that; the security arrangements for a mother and baby must account for a mother's need to look after her baby during transportation, a suitable vehicle must be used and have a secure child or baby seat fitted, the use of restraints should be only used in exceptional circumstances, therefore risk assessments need to be carried out prior to hospitalisation and for long journeys between the hospital and prisons, comfort breaks must be arranged to enable the mother to feed and change her baby. These are all additional costs the state needs to consider when sentencing a pregnant woman.

Section 152 of the Criminal Justice Act 2003 states that the law requires that prison be used as a sanction only when the offence is so serious that neither a fine alone nor a community sentence can be justified. Whereas the vast majority of female prisoners are imprisoned for non-violent crimes which are usually property related crimes, with 41% of all women's custodial sentences given for theft or handling offences, and nearly 60% of all sentenced women in 2014 serving sentences for six months or less (Ministry Of Justice, 2015). Furthermore, in 2009 over one-thousand women were imprisoned for breaching a court order, with the average sentence for these offences being two months or less (Ministry Of Justice, 2014). The dispute is often made that prison is essential for repeat offenders, however 28% of all females sentenced were for a first time offence in comparison to 12% of men

(Ministry Of Justice, 2015). Regardless of the court's power to suspend sentences, these figures show that there is an excess of short custodial sentences used for women. Hedderman & Jolliffe (2015) specify that the outcomes for women who are sent to prison are significantly worse than for those given community orders, with 55.8% of women released from prison reoffending within a year, compared to 26% of those commencing a community order. Women released from custody are also more likely to reoffend, and reoffend quicker than those serving community sentences.

There is by all accounts a typical view among many working within the Criminal Justice System that men and women should be treated the same, as individuals not genders. However, the consequences of sentencing for women and their children must be given meticulous deliberation by the Criminal Justice System as it needs to recognise that these women are often the primary carers of their children and the impact of prison and the separation of the two can have long lasting effects (Sheehan, Mcivor & Trotter, 2007).

Minson, Nadin & Earle, (2015) quoted Rashida Manjoo the UN Special Rapporteur on Violence Against Women and her mission for the UK in April 2014: *"It is crucial to develop gender-specific sentencing alternatives and to recognize women's histories of victimization when making decisions about incarceration. Most women in prison do not present a threat to society and the consequence of their incarceration includes enormous personal, economic and social costs. Creativity in sentencing decisions could lead to more orders of a non-custodial nature"*.

To conclude, there are without a doubt many impediments that mothers and their children face when a prison term is enforced. Baring the above recommendation in mind and all the issues which have been addressed within this essay regarding the sentencing of mothers and the impacts of imprisonment has on them and their children; non-custodial sentences should be used where necessary as a punishment as an alternative to a prison sentence, which will enable mothers to maintain their family unit whilst dealing with their offending behaviours outside of a prison sentence. Prison is not always the best outcome when dealing with offenders, getting to the route of the problem and managing reoffending behaviours should be the main priority within the Criminal Justice System. The government needs to review sentencing guidelines to ensure suitable acknowledgment for a female offenders primary care responsibilities, in regards to both custodial and non-custodial sentences. Furthermore, if an immediate custodial sentence is imposed, the courts need to take in to account if the offender has primary caring responsibilities and investigate these responsibilities when determining their sentencing outcomes, ensuring that the child's needs are always the main priority.

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