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## **Mothers and Babies in Prison Project: 3 Year Report**

**Written for the Department of Corrections by Family Help Trust**

**July 2011**



*Breaking the cycle for New Zealand children*  
Te Roopu Awhi Whanau - [www.familyhelptrust.org.nz](http://www.familyhelptrust.org.nz)

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## **Report of the Family Help Trust (FHT) Service – Mothers and Babies in Prison: Three Year's Work**

Contained in this report is significant information obtained from international sources, as a result of extensive searching for relevant research and associated documentation that would inform both Christchurch Women's Prison (CCWMPP) and FHT.

It is the second of two reports produced for interested parties in order to describe the outcomes of a small pilot study conducted with mothers and babies at Christchurch Women's Prison (CWP) that includes both pre and post release work.

**Introduction:** The Corrections (Mother with Babies) Amendment Bill 2008 signaled New Zealand's intention to allow infants up to the age of two years to remain with their mothers in prison.

As a result of this legislation and a desire to prepare for these changes, late in 2008 CCWMPP approached FHT and asked them to pilot a parenting service to suitable inmates that would support them inside the wire and through into the community. FHT saw this as an opportunity to support highly vulnerable women retain care of their infants, adequately achieve and maintain an effective relationship with them on release and hopefully interrupt the future criminal trajectory.

The first report dated December 2009 described the development of the service and the work and current outcomes of the first four women. This report was distributed to Managers of Christchurch and Auckland Women's Prisons and other interested parties.

The essence of this information, contained in the report was also presented at the Department of Corrections Womens Offending Conference in November 2009 held in Auckland.

**Travel Scholarship:** During 2010, as a result of FHT's developing interest in women inmates and their infants, Director Libby Robins made a successful application to the Winston Churchill Memorial Trust to gain a travel scholarship to visit mother and baby prison units in the United States and the United Kingdom. This scholarship has been financially supported by both the Chief Executives of the Department of Corrections (Ray Smith) and Child Youth and Family (Bernadine McKenzie).

This investigative study will be conducted between July and September 2011 and will involve visits to:

### **United States of America**

**New York**      Taconic and Bedford Hills NY State Correctional Facilities for women

Reikers Island Jail. Rose Singer Nursery (New York City Department of Corrections)

Residential facilities operated by NGO Hour Children

Correctional Association of New York, Women in Prison Project Director  
(Tamar Kraft-Stolar)

Women's Prison Association and their residential facilities

Researcher, Dr. Mary Bryne (Columbia University School of Nursing)

**Maryland** Baltimore: Associate Professor of Paediatrics Anne Duggan  
Johns Hopkins University School of Medicine

**Indiana** Indiana Women's Prison, Indianapolis: Wee Ones Nursery

**Nebraska** Researcher, Joseph Carlson, Kearney University  
Nebraska State Correctional Center for Women

**Oregon** Portland Coffee Creek Correctional Facility for Women

**Washington** Seattle, Gig Harbour Correctional Facility for Women

**Hawaii** Hawaii Women's Prison

In some cases prison nurseries are run by the facility itself, under the auspices of the state or city facility. In others, the service is contracted from the NGO sector.

### **United Kingdom**

**Scotland** HMP Cornton Vale Womens Prison

**London** Anna Freud Centre

**Ashford, Mddx** HMP Bronzefield

**Rugby** Rainsbrook Secure training centre (Youth Justice Board)

**Wilmslow** HMP & YOI Styal

**International Mother and Baby Prison Units:** Mothers and Babies Prison Units have been operating in the United States since 1901 (Bedford Hills Nursery New York) and up until the 1950's prison based nursery programs for children born in custody were common in correctional facilities across the country. Since this time, many have fallen to the vagaries of the political will of the day and by the early 1970's all but Bedford Hills had closed their nursery programs.<sup>1</sup> However, with the increase of women being incarcerated and the growing understanding of the importance of the mother/infant relationship in determining positive child outcomes prison nursery units in the United States are once more on the increase.

<sup>1</sup> Mothers, Infants and Imprisonment May 2009 – [www.wpaonline.org](http://www.wpaonline.org)

Research being carried out by Dr. Joseph Carlson (Nebraska University) and Dr. Mary Bryne (Columbia University) respectively at Nebraska State Correctional Facility for Women and Bedford Hills Correctional Facility on both reoffending rates and infant/mother attachment levels are highly promising and deserve a mention in this report. As part of my fellowship study I am delighted to have meetings organized with both of these researchers.

In the United Kingdom, there are nine Mother and Baby Units, some of which are in youth facilities for young women under the age of eighteen years.

Holloway Prison in north London, has the longest standing nursery unit established as a purpose built unit in 1992. Babies have been able to stay with their mothers prior to this time but the provisions made for them were only basic. Unfortunately I have been unable to gain consent to access Holloway as part of my investigative research and speculate that recent negative publicity might be the reason. Reasons given for the access refusal were security and the need to protect highly vulnerable women.

In 2007 the Home Office, as a result of a call for a public enquiry into the deaths of six women at HMP Styal within a 13-month period, instead commissioned a report conducted by Baroness Jean Corston which recommended sweeping changes for the sentencing of women and in particular women who were mothers.<sup>2</sup> Corston concluded that there were far too many women serving sentences for minor, non-violent offending that were either disproportionate or inappropriate. Because women were generally the primary caretaker of children, their imprisonment caused significant and lasting trauma for their children. Corston recommended a radically different approach needed to be implemented for female offenders and that existing women's prisons should be dismantled and replaced with small, multi-functional custodial centres for the minority of women for whom the public requires protection. Of particular interest is the recommendation that because women were generally the primary caregiver of children that alternative community solutions should be found that would be less likely to disrupt the lives of their children. While not excusing women's offending, Corston also pointed out that their offending was usually the result of being victimized through male behaviours. The rates of self harming within prison facilities, mental and physical health problems that are significantly worse in women's facilities than men's also reinforces the need for more appropriate options where treatment can take place. "It is clear to me that prison cannot be the right place for managing these types of behaviours, which stem from deep-rooted long-term complex life experiences .....These are problems created within the community, which is where they should be addressed". *Baroness Jean Corston March 2007.*

In January 2008 The Children's Commissioner for England, who leads a national organization call 11 MILLION, wrote a discussion paper concerning Prison Mother and Baby Units aimed at policy makers, politicians and members of the judiciary. This discussion builds on the Corston Report and in particular reinforces that - "further consideration should be given to the needs of babies born to mothers in prison or whose mothers are imprisoned when their children are very young."<sup>3</sup> 11 MILLION proposes that 'there should be an end to the routine use of custody for women who are pregnant, or

<sup>2</sup> The Corston Report: Home Office March 2007

<sup>3</sup> 11 MILLION Prison Mother and Baby Units – do they meet the best interests of the child? January 2008

mothers of very young children, other than in exceptional circumstances where they represent a danger to society”.

It would appear that while government made a ‘commitment’ to fulfilling the Corston Report recommendations there was no commitment to additional funding in order to carry out the recommendations.

In the seven *adult* Mother and Baby Units in the United Kingdom, there are 75 places though they have rarely been fully occupied. One of the major reasons for this low occupancy is that women are obliged to make decisions based on the needs of their other children at home. Occupying a place in a Mother and Baby Unit inevitably removes them from their home area. This an important point that New Zealand needs to take account of in their own planning, though at this stage only Christchurch and Auckland will accept mothers with children older than 9 months.

11 MILLION ascertains that there are 18,000 children separated from their mothers by imprisonment each year. In 2009 (6<sup>th</sup> November) there were 4,274 women in prison.<sup>4</sup> Since the HMP Styal tragedies, it does appear that conditions in Mothers and Baby Units have improved considerably but there is widespread support for the move towards the “Prison without Walls” concept envisaged by Baroness Cortson.

**New Zealand scene:** A TVNZ news item (March 11th 2010) reported on the Offenders Volumes Report that was released this same week highlighted that between 1986 and 2009 female sentence prisoners had increased from 98 to 389 - a growth of 397%. This is almost twice the rate of male prisoners during the same period. As at 9th March (email communication from Judy Roughan, Social Worker CCWMPP), who informed me that on that date there were 538 female inmates in custody - a further jump of 72%. This suggests that if the female prisoners are increasing at this level, numbers of mothers with infants are also likely to increase.

The Department of Corrections web site facts sheet states the following:

*Mothers and Babies:*

Purpose:

- To ensure the baby has an opportunity to bond with its primary caregiver in a safe and supportive environment and that a functional relationship can be established pending the mother’s release
- To reduce the likelihood of the mother re-offending
- To lower the risk of “intergenerational transmission of criminality”

Eligibility: Self Care Unit option is only available to sentenced women who meet security requirements. It must be in the best interests of the child for a woman to be placed in the unit under the mother and baby placement option. Feeding and Bonding Facilities are available to remand and high security women. It must be in the best interests of the child for a woman to use the Feeding and Bonding Facilities. A small number of women give birth while serving a sentence of imprisonment.

<sup>4</sup> Bromley Briefings November 2009

The Self Care Units are also available to some other prisoners who have young children at the time of sentencing.

The Parole Act 2002 allows the New Zealand Parole Board to grant early release on compassionate grounds to a prisoner who has given birth during her sentence. This is carefully assessed by prison management taking into account security classification, welfare of the offender and the child and also the views of CYF. Mothers with babies less than nine months who are being cared for in the community are permitted daily visits in the feeding and bonding unit. This can mean that the mother can be with her baby for up to 12 hours a day. The sentence of home detention can also be an option for mothers whose sentence length would be problematic.

While it has been a relatively slow and drawn out process, new mother and baby self care units have now been built at the new Auckland Womens Prison in Wiri and two of the existing Christchurch Units are now being 'toddler proofed', due for completion July 2011. While the details are not yet entirely clear, CWP are expecting to be able to facilitate children attending pre-school outside prison while their mothers complete programme and employment opportunities and efforts are being made to normalize their environment as much as possible, given they will be living within the prison. Other parenting support services to be available for the mothers are still under discussion.

Training in child development for those Corrections Officers who will be working within the units that are housing mothers and babies is being conducted by Great Potentials in Auckland.

Babies living within the prison walls is still very new for New Zealand and the Department which is charged with the overall responsibility. There are obviously a number of issues still to be worked through, the most important of which is that Corrections is responsible for the female prisoner but the mother is responsible for the infant. This is already creating an abnormal situation whereby only the mother is allowed to pick up the infant, officers are not. At the same time it is important for these children to have male input as well as other adult women. Hopefully in time such issues will resolve in a way that works for the children as well as the prison.

Inevitably there will be a clash of interests from time to time e.g. if the mother is on a discipline report and is sent back to the main wing, and the separation of an infant from its mother particularly if it is still being totally breastfed.

Children being taken on outings and accessing pre-school outside the wire will also assist with normalisation. In some international prisons, all facilities and services are inside the wire and when the mother is released from the facility and the child is exposed to other noises and experiences, there have been incidences where the child has been significantly traumatized. The Department of Correction's decision to take the children outside the wire for such normal experiences is a sensible one and probably highly cost effective.

**FHT Programme Implementation:** Since it was agreed that the parties would pursue this relationship, there have been nine referrals from the prison social worker to FHT of women

who are pregnant or have a baby/infant with them in prison and are expected to be released into the Christchurch area.

Of the nine women that have engaged with the FHT Mothers and Babies Project to date:

**3** have exited the Christchurch area but current indications are they are continuing to do well, with no evidence of further offending. The FHT keeps some contact up by phone.

**1** client's baby died shortly after birth and we disengaged after a suitable period with her.

**1** has been returned to CHWMPP with her second child then 3mths and now 12 months. The Prison Manager Wayne McKnight has been suitably impressed with the significant and visible changes in her behavior as compared to her previous prison terms. She is still well engaged with the service, albeit a breach of rules resulting in disciplinary action has complicated matters.

**1** new inmate client of some six weeks is still in the process of engaging with our service within the prison system.

**3** clients are still receiving our service within the community. **Client R.** approx. 2.5 yrs with the service. This client has had significant challenges and a lot of bumps along the way, particularly with her relationship. However, relatively recent some changes appear to be highly significant and her relationship has stabilized. Her partner has a chronic offending history himself. Neither have reoffended within the period of having been receiving our service post release.

**Client T** has only just been released from prison and is currently undertaking a residential parenting programme, alongside our service. She will be discharged from there in approximately six weeks. We will continue working with her.

**Client J** has been in the community 2-3 months. We had only just met this client once within the prison before she was released as a result of her ambivalence concerning whether she would terminate her pregnancy or have the child adopted out. Our inability to properly engage with this client while she was in prison has not given us a good enough foundation on which to be able to work effectively with her. She is still pregnant, back taking large quantities of drugs and working on the streets. We believe it is highly likely that she will lose this infant as a result. Not a good outcome for either the client or our service with the likelihood that the infant will have significant problems as a result of her current excessive drug taking.

In sum, only one released client has reoffended (to our knowledge) and sadly this resulted in a return to prison though even then there has been clear evidence of behavioural changes that will bode well for her potential release later this year.

No clients have had their children removed from their care, though one is highly likely to have such a result once the infant is born.

No clients have refused to continue to work with us, once released. This is the greatest challenge to a pre and post release service.

**Child Youth and Family:** There have been several meetings about the FHT project with CYF local senior staff members and one meeting that has involved the prison manager Wayne McKnight and Programmes Manager, Chris O'Brien. The big question has been, who funds essential services for these mothers once they are released from prison into the community? This has been a crucial question for FHT and CCWMPP as both have a strong belief that the 'through service' being provided in the community post release is absolutely critical to the long term habilitation success of these women with their infants and will inevitably strongly influence whether or not they are re-imprisoned at a later date.

An assumption has been made by FHT that Corrections would see their responsibility ceasing at the prison gate, albeit the issue of when a mother is on parole or probation has yet to be discussed. There are already several post release programmes that Corrections financially contributes to. FHT has managed to successfully negotiate with CYF that these mothers will qualify for a funded place within one of our three existing CYF contracts. It is my opinion that this is stateintersectoral collaboration at its finest. The contribution of both CEO's to my travel scholarship is another example.

### **Surveys from clients and CCWMPP staff held in February 2011**

3 clients surveyed. Two were in prison and one was in the community. The questions were:

1. *How helpful has the information in the Child Development Workbook Been to you in understand your baby/child? And in what ways?*
2. *How helpful are the visits from the FHT social worker in assisting you and your family to reach the goals you have set?*
3. *What things do you like best about the Family Help Trust service?*
4. *Is there anything else different about the Family Help Trust service, from other agencies that you may have been involved with, that is keeping you engaged with this service?*
5. *Are there any behaviours that you believe you have significantly changed during your time in our service to date? If so, what are some of these and what led you to make these changes?*

All clients answered these questions with responses of 'quite helpful' or 'very helpful'. Things of particular mention were: 'dealing with infant health issues such as reflux; that tantrums are normal; where you need to put boundaries and limitations around your child's behaviour. A useful barometer, seeing both sides of the situation over couple conflicts. The relationship that had been formed with the Social Worker was consistently cited as the major reason to staying in the service; the regular and constancy of the visits; that the Social Worker doesn't offer advice and doesn't dictate; more mindful of other people's opinions now where previously would always see a hidden agenda; was very paranoid; had finally learned to trust.'

The following questions were administered to three senior staff members, two of whom were in management.

1. *What is your opinion of the content and delivery of this programme to women prisoners and what evidence do you have that supports this view?*

FHT Social Worker really down to earth, not opinionated, well like by prison staff. Only one mother has returned to prison so far though with clear evidence of behavioural changes. No prisoner has ever said they were not happy about FHT worker. Nothing negative from staff. Great liaison skills.

2. *Once the infants up to the age of 2 years are allowed to stay with their mothers in prison, what other services do you believe are critical to ensure maximum attachment and parenting abilities.*

Wants lots of other social experiences for the children eg. Pre-school. They need to normalize their existence. Good playground facilities, well resourced. The Prison Social Worker needs to be attached to the Mother and Babies Unit. Currently infants are looked after 24/7 by the mother – this is not normal. Staff training will be essential. Public perception will be important to take account of – have to be careful that they are getting the same as if they were in the community – eg. not more. Access to the father needs to be looked at and how that will occur. How will this happen if the father is in the men's prison? Facilities need to be child friendly.

3. *What other facilities, not necessarily yet planned by the Department of Corrections, do you believe are necessary with the prison environment to ensure maximum parenting effectiveness and mother-infant attachment?*

Pre-school off site. Mothers and families going out to programmes.

4. *What concerns do you have with the activation of the new legislation allowing children up to the age of two years?*

Infants sleeping with mothers should be discouraged. Strip searching of mothers in front of toddlers. No cot death yet but what if there is? What happens if there is a waiting list? Self cares are only staffed 7-9pm – there are alarm buttons after this time. Baby has a calming effect on staff and other women, this is a good thing. Disputes among women might increase with the extra numbers.

5. *What else you would like to say? What is being offered is better than these children would be getting on the outside.*

### **Survey Summaries:**

It is clear from these surveys that both clients and staff are highly satisfied with the service that is being provided by FHT to women and their children in CCWMPP. It is however,

fair to say that there have been some issues from time to time that have needed resolving but I believe that this has been conducted by both CCWMPP and FHT in a timely and constructive manner. I further believe that this has only been made possible by the strength of the relationship that has been developed by all parties over time and that we both want exactly the same outcome for this programme.

### **Closing Remarks:**

This is the second of two reports on the development and implementation of the Mothers and Babies in Prison Programme by FHT in collaboration with CCWMPP. The reports have not been required by any contractual obligation but have served as a useful mechanism in order to demonstrate the outcomes for the clients together with illustrating the journey of the service for both key parties. The journey originally began in 2008 with an invitation from CCWMPP to FHT to develop a service that would prepare the prison for the new legislation that required incarcerated mothers to receive parenting services. For the first two years FHT received no funds from any source for this service, although the prison contributed towards our travel expenses. In the 2010/11 financial year, FHT successfully acquired a half salary for the service from the Community Response Fund, operated by FACS within MSD. These funds ran out on the 30<sup>th</sup> June 2011. FHT is not in a position to continue to provide this service with the prison without the financial support of the Department of Corrections and in this regard put a proposal to them at the end of May, strongly supported by the prison manager. To date we have received no response to this proposal although we have had one meeting with Dave East, Manager Interventions and Programmes Rehabilitation and Reintegration Services in mid June. We are hopeful that this situation can be rectified speedily.



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