

Alternative approaches to prison for mothers of young children

Dr Rachel Dolan (PhD)

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Contents

Acknowledgements	5
About me	6
Executive summary	7
1. Introduction	10
2. Background	10
2.1. Women in prison in England	10
2.2. Pregnant women and mothers in prison	12
2.3. Impact of parental imprisonment and separation	13
2.4. Outcomes for children of prisoners	13
2.5. Release and reoffending	13
2.6. Rationale for the current research	14
3. Aims	14
4. Methods	15
4.1. Data collection	15
4.2. Settings	15
5. Countries visited	15
5.1. Denmark	15
5.2. Germany	16
5.3. The Netherlands	16
5.4. New York (USA)	16
6. Findings	17
6.1. Provision for mothers and children within prisons	17
6.1.1. Ringe Fængsel (Denmark)	17
6.1.2. Helsingör prison (Denmark)	18
6.1.3. Ter Peel prison (The Netherlands)	19
6.1.4. Vechta prison (Germany)	20
6.1.5. Frankfurt Preungsheim prison (Germany)	23
6.1.6. Berlin Neustrelitz prison (Germany)	24
6.1.7. Day release for mothers - 'Hausfrau' programme (Germany)	24
6.2. Provision for mothers in halfway houses	25
6.2.1. Pension Hammer Bakker	25
6.3. Post-release programmes	27
6.3.1. Exodus (The Netherlands)	27

6.3.2. Greenhope Services (New York, USA)	28
6.3.3. Providence House (New York, USA)	29
6.3.4. Hour Children (New York, USA)	31
6.4. Alternative to incarceration programmes	32
6.4.1. Drew House (New York, USA)	32
6.4.2. Greenhope Services (New York, USA)	33
6.4.3. JusticeHome (New York, USA)	33
7. Conclusions	35
8. Recommendations	38
9. References	39

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About me

I have been doing research with mothers in prison since 2007 and recently completed work on a project researching what happens to pregnant women and new mothers in prison in England, and those who give birth whilst in custody. The year I began working with mothers in prison was the same year the Corston Report (Corston, 2007) was published, a landmark review of the care and treatment of women in the criminal justice system, and there were great hopes that this would bring about much needed reform. Little progress has been made in the years since the publication of the Corston report, and women and children continue to suffer because of parental contact with the Criminal Justice System (CJS). I have interviewed around 200 women and mothers in prison since 2007 and have had conversations with many more in the wings and landings of women's prisons throughout England. The stories I heard in 2017 differed very little from the stories I heard 10 years previously. I continue to be shocked every single day I enter an English prison. It was during my most recent research that I realised that the answers to what we can do differently may well lie elsewhere, and that in some countries the approach to the treatment of women and mothers in the CJS is very different. There is much we can learn and implement based on policy and practice in other countries. Hence the reason I applied for and was fortunate enough to be awarded a Churchill Fellowship. I hope that this report does not only make a contribution to the debate on women and mothers in the CJS, but that it contributes to the implementation of much needed change.

Executive Summary

Background

England and Wales has the highest incarceration rate in Europe and approximately 11,000 women receive a custodial sentence each year. Sixty-six per cent of women in prison are mothers of children under 18, and most women are separated from their children whilst in prison (Caddle & Crisp, 1997). This negatively impacts the mental health of women and children, contributes to future re-offending, and has significant social costs. Mothers and pregnant women in prison experience high levels of mental disorder, and separation can exacerbate this (Gregoire et al., 2010; Dolan, 2018). The current system damages vulnerable women and children, and perpetuates the cycle of crime and mental disorder. Other countries have different approaches to pregnant women and mothers involved in the criminal justice system (CJS), in both sentencing and treatment, and this Fellowship explored some of these alternatives.

Aims

The aims of the current study were:

- 1) to identify best practice for mothers and children in prison mother and baby units (MBUs; or similar) in other countries, and the impacts on mothers and children;
- 2) to identify successful community alternatives to prison for mothers and children in other countries, and the impacts on mothers and children;
- 3) to propose viable alternatives to the current provision for mothers in the CJS in England and Wales;
- 4) to identify additional support and services that could be implemented for mothers in prison in England to improve outcomes.

Method

Seven prisons in Denmark, Germany, The Netherlands and the US that allow mothers and children to live together during their sentence were visited. One halfway house in Denmark, two residential release programmes in the Netherlands and the US, and four *alternative to incarceration* (ATI) programmes in the US for mothers were also visited. Interviews with residents and staff were carried out to collect information on provision for mothers and children, the impacts of the different programmes on residents and recidivism, and programme costs, funding and outcomes. Meetings with academics were also held to gather additional information, as well as a review of the available research on the programmes and prisons visited.

Findings

Denmark, Germany and the Netherlands have a much lower incarceration rate than England and Wales, and consider a woman's caring responsibilities during sentencing. They have provision for deferred and community sentences. All three countries allow children to stay with their mothers in prison for longer than England and Wales. Denmark has provision for older children to spend part of their time with their mothers and fathers in prison. Denmark and the Netherlands have residential community alternatives for the final part of custodial sentences, which allow children to live with parents, and this is also available to fathers in Denmark. In New York, there are a number of post-release and ATI programmes, which allow mothers and children to live together and access a variety of support services. Recidivism rates are lower for women in ATI programmes than for those who serve custodial sentences, and for mothers and children who stay together during their sentence.

Conclusions

ATI programmes, deferred and flexible sentences should be the default provision for mothers, and prison should be a last resort. The options available in other countries could be implemented in England and Wales. Pregnancy and caring responsibilities should be a consideration during sentencing, and increased age limits for prison MBUs in England are feasible and supported by attachment theory. Accommodation, social and family support, mental health care and substance misuse treatment are an essential part of all programmes. More work should be done to support the relationship between imprisoned fathers and their children, including overnight visits. Reduced incarceration limits separations, and the negative social, emotional, psychological and financial costs, to women, their children and wider society.

Recommendations

- Reduce the incarceration rate and ensure that pregnancy and caring responsibilities are considered during sentencing.
- Establish residential ATI programmes for women and mothers
- Consider the individual needs of women and their families when identifying the most appropriate ATI programme.
- Support women to change, rather than focus on punishment.
- Where prison is the only option available, defer sentencing where possible to allow women to organise alternative care for their children.

- If imprisonment is necessary for a pregnant woman, recognise their additional vulnerability and needs and provide for these.
- If prison MBUs are used, these should be outside of the prison walls, and age limits should be increased.
- Make prison visits more child friendly and increase provision for overnight visits.
- Appropriate post-release supported housing for mothers and children should be available.

1. Introduction

In mid-2009 I began tracing and interviewing women in the community, who had taken part in previous research, that I was involved in, while they were in prison. Some had spent time in prison mother and baby units (MBUs) in England, some had not, but all were mothers. Tracing these women was difficult, and many of the women could not be found, or understandably did not wish to speak of the trauma of their imprisonment and loss. One of the women I did not manage to speak to was someone I had met and interviewed in prison, two years previously. I remember Sarah* very clearly. Her story was shocking, because of the physical, emotional and sexual abuse she had experienced since childhood, and her continued victimisation in adulthood, which had led to her criminalisation. She had experienced serious substance misuse problems, had self-harmed, and had served a number of previous prison sentences. Her crimes were non-violent, and she was not dangerous to anybody. She was also a funny, witty, intelligent, articulate, and interesting woman. And she was a mother of three children. When I met her, she did not have custody of any of her children, but like many of the women I have met, hoped that one day, she would be able to have a relationship with them. In the autumn of 2009, I found out that she had died, alone in her room in a hostel, from an accidental drugs overdose shortly after leaving prison. She was 29 years old.

It is, and continues to be my belief that women who have already been let down so badly, and so consistently, as children and as adults, deserve the best care and support that we as a society can give them. They deserve a real opportunity for a fresh start, and a second chance. Unfortunately, the criminal justice system (CJS) and prison system as they currently function are rarely able to provide this. My hope, along with many others, is that this can be changed, to give women affected by the CJS and their children a better future.

2. Background

2.1. Women in prison in England

The incarceration rate in England and Wales is one of the highest in Western Europe (141 per 100,000 May 2018; World Prison Brief, 2018). Women constitute less than 5% of the total prison population in England and Wales, and in the week ending December 28th 2018, of the 82,384 adults in prison, 3781 (4.6%) were women (Ministry of Justice, 2018). There are 12 female adult prisons in England, and Welsh women are housed within the English prison estate, because there are no women's prisons in Wales. Prison is expensive, and the average cost per prisoner per year is £38,042 (Ministry of Justice, 2017). Because of the relatively small number of women in prison, they are more likely to be held further from home than men (Prison Reform Trust, 2010) with an average distance from home of approximately 55 miles.

These distances between mothers and children, can make visits and maintaining regular contact difficult, if not impossible.

Women have often experienced extensive trauma and hardship prior to arriving in prison. Almost a third (31%) of women in prison were taken into Children's Services care as children (compared with 2% in the general population), over half (53%) experienced physical, emotional or sexual abuse as children, and 50% witnessed violence in their home (Ministry of Justice, 2012). This trauma contributes to the high levels of mental disorder and substance misuse in women in prison. The prison service and community alternatives should incorporate trauma-informed models (Jordan, 2013), as women's centres already do (Ministry of Justice, 2013), and there is evidence to support the positive impacts of such programmes in reducing reoffending (Roberts, 2002). In the four weeks prior to custody 81% of female prisoners reported that they were unemployed with 15% of all prisoners (male and female) being homeless (Ministry of Justice, 2012d). The physical, psychological and social health of women in prison is poorer than that of those women in the community with the poorest health (Plugge, Douglas & Fitzpatrick, 2006).

The majority (83%) of crime committed by women in England and Wales is non-violent or 'minor' (Ministry of Justice, 2018). Women tend to receive relatively short sentences, with an average sentence length of just 42 days (Penal Reform International, 2008) with 57% receiving sentences of three months or less (Ministry of Justice, 2018), yet many will lose their homes, contact with and custody of their children (Epstein, 2012; Penal Reform International, 2008). Whilst sentences may be relatively short, sentencing judges do not appear to consider the consequences of a custodial sentence for mothers of dependent children (Epstein, 2012). The United Nations (UN) Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (2010), recommend the use of alternative approaches to custody wherever possible, taking into consideration women's prior victimisation and their caring responsibilities, and avoiding separation from family. Maintaining family ties is also an important aspect of rehabilitation and reduces recidivism (Jamieson, McIvor & Murray., 1999; Bales & Mears, 2008; Berg & Hueber, 2011), but for many women in prison, the sentence length, distance from home, and visiting rules severely limit, and often prevent regular meaningful contact.

Around two thirds of women in prison in England (66%) are mothers of children under 18 years; with almost one third under the age of 5 and 8% younger than 18 months (Caddle & Crisp, 1997). For the majority of these women, imprisonment will be the first time they are separated from their children. In England, prison mother and baby units (MBUs) are the only

current option for mothers to maintain custody of children, and have an age limit of 18 months. They are located in six different prisons, with places for 64 women and 69 children. Those who are given a place will experience a brief separation if their children were born before imprisonment, whilst the application process takes place. There is no provision for mothers to take care of children over the age of 18 months, and no alternatives to imprisonment for mothers of dependent children or pregnant women. Whilst there is residential provision for mothers with drug or alcohol dependency and their children in the community (Trevi House), there is no similar provision specifically for women in the criminal justice system. Despite 65% of women leaving Trevi House free of drugs and alcohol (Trevi House, 2016), there are no similar units elsewhere in the country. This may be due to financial costs (£1760 for one mother and one child per week; Trevi House, 2019), but the intensive therapy and a range of support services help reduce future costs to the state.

2.2. Pregnant women and mothers in prison

Mothers in prison have high levels of mental disorder (60-90%, Birmingham et al., 2006; Gregoire et al., 2010), and similar levels have been reported in pregnant women in prison with depression and anxiety particularly prevalent (Dolan, 2018). For some women, the extended wait to find out whether or not they would be given a place in a prison MBU contributed to this (Dolan, 2018). High levels of depression and anxiety may have negative impacts on both the mother and child (Glover, 2014), and MBU placement may contribute to a reduction in perinatal depression (Dolan et al., 2019; Gregoire, 2010).

Pregnant women in prison in England report being hungry, and not being given the basic provisions necessary, such as extra pillows, mattresses and breast pads (Abbott, 2018; Dolan, 2018). In most prisons women are required to return to work six weeks after they have given birth, although one prison does allow women up to 12 weeks maternity leave. Women separated from children report little support and increased levels of mental disorder (Dolan, 2018; Gregoire et al., 2010).

2.3. Impact of parental imprisonment and separation

An estimated 200,000 children in England and Wales experience the imprisonment of a parent every year (Ministry of Justice, 2012), and in 2010, 17,240 children were separated from their mother because of her imprisonment (Wilks-Wiffen, 2011). Ninety-five per cent of these children will not only experience separation from their mother but will be moved to a new 'home', with only 5% remaining in their family homes (Home Office, 2008). The impact of a mother's imprisonment on her children should not be underestimated, particularly in the case

of lone parents. The loss and instability is very significant for the child, and many will have an important attachment broken at a critical period in their development. If the attachment between mother and child is broken between the age of 6 months and four years, this can cause major psychological damage (Bowlby, 1969; Ainsworth, 1982). If the separation is sudden, or repeated, as will often be the case with imprisoned mothers, then the risk of developing a mental or personality disorder or learning difficulties is increased (Rutter, 1981). A strong attachment is a protective factor against other negative influences, many of which will be present in children of imprisoned mothers (Schore, 2001).

At least a third of imprisoned women with dependent children are lone parents (Home Office, 1997), although more recent figures suggest this may be higher (43%, Birmingham et al., 2006; 59%, Gregoire et al., 2010). Many children will be placed in the care of family or Children's Services. National studies of mothers in prison suggest that over half (55%-59%) have children in the community (Birmingham et al., 2006; Gregoire et al., 2010). Up to a third of these (17-30%) were in the care of their father during their imprisonment, with the remainder being cared for by another immediate family member, in foster care or had been adopted. In addition to the social and emotional costs of separation, there are also the financial costs of Children's Services placements (minimum of £60,000 per year for a foster care placement; Reed, 2014) when there is nobody else to care for the children.

2.4. Outcomes for children of prisoners

Children of prisoners tend to already be disadvantaged, and are more likely to have parents who are unemployed, with mental health problems, with marital difficulties and experience a higher incidence of abuse and neglect (Murray, 2005). Children whose mothers are in prison are even more likely to have families where there has been abuse or mental health problems, than when the father is in prison (Taylor, 2004). This may also contribute to an increased risk that the children themselves will later develop antisocial or criminal behaviours (Murray, 2005; Murray & Farrington, 2005), and mental health problems (Social Exclusion Unit, 2002). Adults whose mothers have been imprisoned are more likely to have been convicted of an offence than adults whose father had been in prison (Ministry of Justice, 2012). Children of prisoners may experience a range of other psychological and social issues, including; drug and alcohol misuse, hostility and aggression, bedwetting, problems at school, problems with discipline, nightmares and problems in relationships with others (Stanley & Byrne, 2000).

2.5. Release and reoffending

Sixty per cent of women lack appropriate accommodation when they leave prison, including women with children (Hansard, 2017; Ministry of Justice, 2018), and less than 10% find work

in the 12 months post-release. Women who are imprisoned have significantly worse outcomes than women who receive community orders in England. Over half (55.8%) of women who are released from prison will reoffend within 12 months, compared with just over a quarter (26%) of those who are sentenced to community orders (Hedderman & Joliffe, 2015).

Women who are in prison who do not maintain close family relationships during their period of imprisonment are more likely to recidivate and less likely to complete parole successfully than those women who do (Goshin, 2013). Mothers released from prison who are separated from infants are significantly more likely to reoffend (32%) than those given an MBU place and therefore not separated (14%; Dolan et al., 2013).

2.6. Rationale for the current research

Prison does not 'rehabilitate' women, solve the problems that lead them there in the first place, or prepare them for a different life when they leave (Prison Reform Trust, 2014), and is expensive. It increases the risk of developing mental disorder and exacerbates pre-existing conditions. In England and Wales, there are few alternatives to imprisonment, and community sentences are underused, despite the much lower economic costs (approximately £2800 per year; Ministry of Justice, 2012). For any child over the age of 18 months whose mother is sent to prison the only possibility is separation for the duration of the mother's sentence, and pregnancy and motherhood do not appear to be considered during sentencing. Women often lose custody of their children and their homes. Loss of custody or contact with children, loss of accommodation, as well as unemployment increase the risks of reoffending.

Other countries have lower levels of incarceration, and offer a different approach to women in the criminal justice system, and also consider the vulnerability of pregnant women and the role of mothers during sentencing and in custody. In Germany, Denmark and the Netherlands, the incarceration rate is lower and mothers and children stay together in prison for a longer period. Some countries offer greater flexibility for prisoners who are parents, alternative to incarceration (ATI) programmes, and the possibility of staying with children. The purpose of this Fellowship was to explore some of these alternative approaches, and consider their application in England and Wales.

3. Aims

1. to identify best practice for mothers and children in prison MBUs (or similar) in other countries, and the impacts on mothers and children

2. to identify successful community alternatives to prison for mothers and children in other countries, and the impacts on mothers and children
3. to propose viable alternatives to the current provision for mothers in the criminal justice system in England and Wales
4. to identify additional support and services that could be implemented for mothers in prison in England to improve outcomes.

4. Methods

4.1. Data collection

Residents and staff in each prison or programme were interviewed, in order to collect information on the provision for mothers and children, the impacts of the different programmes, and information on programme costs, funding and outcomes. Permission was granted to record the majority of interviews with residents and staff in all settings except for Rikers Island. Information was extracted and collated from these interviews.

4.2. Settings

Seven prisons in Denmark, Germany, The Netherlands and the USA that provide facilities for mothers and children to live together during their sentence were visited. One halfway house in Denmark and two residential release programmes in the Netherlands and the USA, two ATI programmes, and three post-release programmes in the USA for mothers of young children were also visited.

5. Countries visited

5.1. Denmark

Incarceration rate 59 per 100,000 (female prisoners 4.0% of total prison population)

Age limit children can reside with parents in prison:

- 3 years old in closed conditions (full-time)
- 10 years old in open conditions (part-time)
- no age limit - half way houses (full or part-time)

Denmark has a relatively low incarceration rate, and at any one time, there are less than 4000 people in prison and only around 100-150 of these are women. Both mothers and fathers can have their children with them in prison. The Danish Prison Service also provides halfway houses, where partners and children can live, as part of a family unit. All the institutions visited were state run and state funded.

5.2. Germany

Incarceration rate: 78 per 100,000 (female prisoners 5.8% of total prison population)

Age limit that children can reside with mother in prison:

- 3 years in closed conditions
- 6 years in open conditions

In Germany, many mothers with children live in open prison conditions in mother-child houses. They also have a relatively low incarceration rate. They have a 'Hausfrau' programme, where a mother can go home each day to care for her children. Prison places are funded by the prison service, Youth Services funds placements for children.

5.3. The Netherlands

Incarceration rate: 59 per 100,000 (female prisoners 5.4%)

Age limit that children can reside with mother in prison in the Netherlands:

- 9 months in closed prisons
- 4 years in open conditions
- 12 years Exodus halfway house

The lower incarceration rate in the Netherlands is similar to that of Denmark and Germany. There is a halfway house, where mothers who are serving the final part of their sentence and who have been released can be housed with their children. It is part government funded and partly reliant on donations.

5.4. New York (USA)

Incarceration rate: 655 per 100,000 (female prisoners 9.8%)

Age limit that children reside with mother in prison in the US

- 12 months in closed prisons
- Alternative to incarceration and post-release programmes 10 – 14 years
- JusticeHome – no age limit

In the USA, there are a few prisons which allow women to keep their children with them, in a prison nursery, similar to MBUs in English prisons. There are a number of ATI programmes, as well as residential post-release programmes for mothers of dependent children. These are funded by a range of government grants and donations.

6. Findings

6.1. Provision for mothers and children within prison

Many countries allow women the opportunity to have their children live with them in prison, and the age limit varies from country to country. In Denmark, Germany and the Netherlands, the age limit is linked to the age children start school, and in Denmark young children can live with their father or their mother in prison.

6.1.1. Ringe Fængsel Prison (Denmark)

The most surprising thing for somebody familiar with the English and Welsh prison system was that all three prisons I visited in Denmark were mixed male/female. This is in part due to the low total number of women in prison at any one time, and their geographical spread throughout the country. In the Danish prisons I visited, life in the community is replicated as far as possible, and as men and women are not segregated in the community, this is not the norm in prison either.

Ringe Fængsel is a closed prison located in central Denmark, and has a maximum capacity of 86 prisoners. There is a dedicated female section with capacity for 16 female inmates. The age limit for children in this prison is three years, it is possible to have more than one child, and there are social workers and family therapists based in the prison. What came across was the more relaxed approach towards mothers and children in prison, and the general good relations between staff and inmates. Officers and inmates call each other by their first names, and there seems a genuine belief in rehabilitation. Inmates cook in shared kitchens and often eat together, fostering a sense of normality and community, which is different to many prisons in England.

Mothers receive extra money to cover additional costs, and all pregnant women are provided with additional mattresses and extra pillows, and are entitled to eight months maternity leave (equivalent to the community). The two women I spoke to who had their babies with them in prison (and staff) were surprised that this was not the norm in England, and were as interested in the experiences of women in England as I was in their experience. Children living with their mother leave the prison each day and go to day care, once maternity leave is over, limiting the developmental impacts of being in a prison environment

One of the issues that causes a great deal of stress and anxiety to pregnant women in prison in England is the long wait for confirmation of whether or not they will be given a place in an MBU, and therefore keep their child. The application process in Denmark appears to be less

complex and much quicker. One of the women that I interviewed knew when she was around three months pregnant that she would be allowed to keep her baby, for the first three years of her sentence at least, and this meant she could prepare for the arrival of her child without the additional stress of not knowing what would happen after the birth.

The other aspect of the prisons in Denmark that I felt we could learn from was the approach to visits. Normal visits are four hours in length and are in private rooms, and if children are visiting, there will be a large space, with toys, a kitchen, and an outside area where they can play. This is a much more family friendly approach than sitting across from family members in a prison visiting room being watched over by officers, and one that introduces some level of normality and intimacy for the children. Fathers of children who are in prison with their mothers can have overnight visits, so that they can also spend time with their partner and child, supporting and promoting family bonds, and allowing the child to spend time with both parents together.

Case study 1

Hanna* felt she had been very well-supported during her time in prison during her pregnancy and as a mother, particularly in terms of practical support. Because inmates cook their own food, this meant that she could eat as much as she needed during her pregnancy and postnatally. She was still on maternity leave when I met her, and was in the process of choosing from a number of day care providers in the community for her daughter. She was serving a relatively long sentence, and was not due for release until 2023, when her daughter would be seven, and was hoping to be moved to a prison with a Family House, so that she would still be able to have custody of her daughter part-time.

This really contrasted with the experiences of women I have met in prison in England, who often felt alone and isolated, and frequently cite lack of support and lack of food as some of the major difficulties they face.

6.1.2. Helsingör Prison (Denmark)

Helsingör is an open prison with a Family House, separate to the rest of the prison. Similar to Ringe, there are private visiting rooms, with TVs, toys, and outside space. For those who will serve their sentence in open conditions, they will generally receive a letter post-sentencing telling them when to report to prison. This allows those with caring responsibilities to organise alternative care for children, reducing the stress, pain and suddenness of separation, and also means there is time to apply for a Family House Place if appropriate. Similar to Ringe there are onsite social workers and family therapists. Whilst there is some support for parents in

prison in England, there are no onsite family therapists or social workers. There is the provision of psychological support in England and Wales, but this is patchy and inconsistent, and difficult to access.

In the Family House both mothers and fathers of children under the age of 10 can stay with their parents, and there are places for 14 adults and their children. At the time of my visit there was one mother living in the house, and several fathers. Children can visit at the weekends and stay in the house, which is large and welcoming, with an outside play area and lots of space to run around. There were a lot of children there when I visited, and it felt like a safe and happy place, where the children could spend time with their parents in a relatively 'normal' environment.

Case Study 2

Daniela* was living in the family house, and had been in prison for nine months when we met, and it was her first time in prison. She had a nine year old daughter and three year old son staying with her at the weekends, and living with their father during the week. For her daughter, it had been really important to see where her mother lived, and that she was okay, and that the people there were 'normal'.

Although Daniela's children had been affected by her imprisonment, being able to spend regular quality time together really made a difference to all of them, and allowed them to still be a family.

The general attitude of staff in the prisons I visited in Denmark was one of compassion and caring, and really doing their best to support the women. Having support staff in place to offer social and psychological care made a real difference to the women's lives.

6.1.3. Ter Peel Prison (The Netherlands)

If women are pregnant when they go before a sentencing judge in the Netherlands, they normally receive a deferred or community sentence. Pregnant women who are sent to prison will normally be sent outside to a special unit prior to giving birth, and will return there post-birth until they are fit to return to prison. Similar to the prisons in Denmark, women can cook for themselves.

I visited one prison in the Netherlands, Ter Peel which has the only mother-child house in the prison system. Children can live with their mothers up to the age of four (the age at which children start school), and it is an 'open' unit, separate from the main prison. Rooms are large

and there is a garden and lots of space for the children to run around and play. The prison itself has a maximum capacity of 230, but there were only approximately 150 women there at the time of my visit, a reflection of the falling incarceration rate in the Netherlands. The mother-child unit can house a maximum of five mothers and their children. All the women who live in the unit have a case worker, who deals with their sentence plan, post-release accommodation and family contact, and also works with them post-release if requested/necessary. This continuity of care is important, and something that we could learn from in England. There is not a member of staff on the unit full-time, which gives the women a certain level of autonomy, and means the environment is more like that of community housing than a prison. Similar to Denmark, all the children go out of the prison each day to a crèche.

Women who go to court with a baby, and receive a custodial sentence, are transported directly to the prison with their child, avoiding separation (which is currently inevitable in England). This is based on the logical assumption that if a woman is already caring for her baby in the community, there would usually be no reason to separate them in the event of a custodial sentence, and seems common sense. However, because of the low numbers of women sent to prison in the Netherlands, and sentencing policy for pregnant women, very few women with young babies are sent to prison, and Ter Peel usually only gets one or two per year in the closed part of the prison, a real difference to England and Wales where many pregnant women and new mothers will spend time in prison.

One of the women I spoke to in Ter Peel was from the UK, and had spent time in prison in both countries. She felt her experience in Dutch prisons was better, 'because they really care here'. Having talked to staff and inmates at the prison, this was what came across. There was a genuine focus on rehabilitation and change, and of caring for the women, and not just locking them up. The relatively low use of custody as an option in the Netherlands seems to support this.

6.1.4. Vechta prison (Germany)

As in the Netherlands, judges in Germany must consider mothers' caring roles and pregnancy when sentencing, and will usually give mothers a community sentence/probation, rather than a custodial sentence. The judge I met at Vechta prison was surprised this was not the case in England and that judges were not involved in supporting mothers and children to stay together. Pregnancy is considered 'special circumstances' in Germany, and the prison will try and release women to mother-child houses in the community if possible prior to the birth. Being in prison with children also counts as 'special circumstances', and women can receive sentence

reductions (i.e. they may be released after serving half of their sentence, instead of the usual two thirds).

Similar to Denmark most women given a custodial sentence receive a letter telling them the date they need to report to the prison, (usually two weeks post-sentencing), which gives them time to organise care of their children and apply to a mother-child house if they wish. There is also flexibility in this, and women can request additional time if necessary, and this would clearly make the experience less stressful, but is also in the best interests of the children, which seemed to be the overriding consideration in Germany for all women involved in the CJS.

The mother-child houses at Vechta prison have accommodation for mothers and young children in both open and closed conditions. The open mother-child house has capacity for a total of 13 women and their children. The age limit for children is six (the age at which children start school) and women can have all children under the age of 6 with them in the house. Those deemed to be an escape risk, or who are on remand, may be housed in the closed mother-child house initially, where there is capacity for 5 women and an age limit of 3, but there were no women in the closed house when I visited. The main consideration for admission is whether it is in the child's best interest. Women are entitled to between 6 and 9 months maternity leave, and although there is a kindergarten in the house, children over the age of three tend to go to one outside. Women can go out of the prison to work, and have access to therapy and a social worker from the State Youth Department who is based at the prison. Going out to work for the duration of their sentence prepares women for release, and many will continue in the same employment post-prison.

Staff do not wear uniforms, and all staff in the mother-child houses, including prison officers have background studies in a relevant caring profession, often in childcare, and this was reflected in the way the staff worked, in the dual role of officer and support. Whilst this may seem a conflicting role, it is reflected in the way staff and residents interact, and the relationships they develop.

Case Study 3

Liza* was a mother of a 2.5 year old child, serving a sentence of 23 months. She decided to apply for the mother-child house when she was sentenced, but asked for her sentence to be postponed so that she could organise everything. She phoned the prison first to see if there was a place, and then applied to the State Youth Department.

Like other mothers I met in the house, Liza was surprised that deferred sentencing was not the normal approach for mothers in prison in England, as this would not allow them time to prepare their children, or find alternative care if necessary.

Applications for places are made through the State Youth Department, and both child benefit and unemployment benefit go towards covering the cost of the placement, which makes sense in terms of reducing the financial burden on the Prison Service. Whilst admission has to be supported by the State Youth Department, there has to be a very good reason to refuse a mother a place, and the importance of attachment is a key factor in the decision-making process.

Case Study 4

Michele* was pregnant when we met, and due to give birth post-release. She had her 21 month old son with her in the mother-child house. Both she and her lawyer contacted the manager of the mother-child house post-sentencing, and the lawyer requested a postponement of the sentence, so that they could arrange for her child to go with her and avoid any separation. She gets plenty of food, and can also go out and buy groceries with her own money, and they can receive unlimited food packages from family and friends outside prison.

This is very different to the experience of pregnant women I have met in prison in England who are often hungry and restricted to prison food, and stressed about whether or not they will keep their child.

Social workers have meetings with the women every six months prior to release, and try and help the women to find work, as well as accommodation (sometimes in community mother-child houses). Support plans take into consideration the individual needs of each woman, with the main goal that the mother and child will stay together post-release. In the six months prior to the mother's release, social workers from the area where the mother will live will also attend the meetings in the prison. Because they are involved pre-release, this ensures continuity of care for the women and children, which is really important in supporting them in the community and understanding their specific needs.

Case Study 5

Josephine* was a mother of a 2.5 year old, and had been in Vechta for two years. When she got the invitation to serve her sentence, she was supposed to come by herself, but her lawyer and probation worker let the state attorney know she had a child that nobody else could care for, so they made sure she could bring her child with her. She was sentenced when she was 9 months pregnant, but her child was five months old by the time she came to prison. This time outside made the first few months as a mother much easier.

The manager of the open mother-child house estimates that in the 23 years she has worked there, of the almost 600 women who have resided there in that time, only 36 have returned to the prison. Whilst there were no official figures available, this suggests a high 'success rate'.

6.1.5. Frankfurt Preungsheim prison (Germany)

The mother-child houses at the women's prison at Frankfurt Preungsheim are similar to those in Vechta, with a closed mother-child house (for five women and their child/children), and an open mother-child house (for 18 women and their child/children. Women with longer sentences can access therapy, if this will also benefit their children. The size of the accommodation is generous, and women live in either one large room, or two smaller rooms and have access to a shared kitchen and shared bathrooms, this extra space means children up to the age of 14 can have overnight and weekend visits.

In order to be given a place, women have to be drug and alcohol free. In those cases where women are not given a place, they can instead go to the open house (non-mother-child), and after two weeks residence there, they will be allowed out to see their children. There are similar concessions for pregnant women and mothers as well as support within prison and post-release support as in Vechta.

Managers of both mother-child houses had been in their position for an extended period. At Frankfurt mother-child house, this was eight years, and Vechta 23 years, and both had over 30 years experience working in the prison service. This meant they had experience of and expertise in working with mothers over an extended period and both had an academic background in social care. This is very different to prisons in England, where MBU managers are frequently moved, and replaced by new managers with no previous experience of the MBU, or of working with mothers and children.

6.1.6. Berlin Neustrelitz Prison (Germany)

Neustrelitz mother-child house was different to the others I visited in Germany, as it is for young offenders aged 18-25. It is not a purpose-built unit and is part of the main prison building, and cells have been converted into apartments for a mother and child. It is also smaller, with just two places for mothers with a maximum of two children each. Requests for places usually come from judges or from State Youth Services, and women themselves do not make the request in this prison. The age limit is three years old, and so sentence length would be a condition of admission.

There is a social worker based in the unit full-time (eight hours a day, Monday to Friday) who works with the women, and has been at the prison five and a half years. She normally visits the women at home in the community prior to the beginning of their prison term, in order to establish a relationship, and so that the women have an idea of what to expect. Rather than telling the women what to do, she works alongside them, so that it is a collaborative process. Three to four months pre-release they start planning post-release support for the women. This could include parenting support, or admission to a community mother-child house, but is individualised and tailored to the needs of the mother and child.

Case Study 6

Julia's* baby was 4 months old when she arrived. She was sentenced while she was pregnant and made a request to go to prison later, as there were no mother-child spaces when she was sentenced, and the judge and her lawyer helped her find a place. She felt that working with the social worker had been very supportive and nurturing, and she had a very strong attachment with her child. Going to prison felt like a step back in some ways, because she had been independent and living alone in the community. However, she had chosen to stay longer so that she could finish school before release.

Post-release support is provided by Youth Services and the Youth Justice System, and the women will have a Youth Services worker who will support them at home, post-release (subject to the individual woman's agreement). I was really impressed by the level of support at Neustrelitz and the focus on teaching by example rather than telling women what to do. The day-to-day support was consistent because it was provided by one person, and the pre- and post-support were also important aspects, that I had not come across before.

6.1.7. Day release for mothers - 'Hausfrau' programme (Germany)

In Germany, there is a special programme called the 'Hausfrau' programme. Women in this programme are resident in prison (open conditions), but are allowed to leave each day to travel

home to be with their children. They leave the prison early in the morning and return each night. The programme does not appear to be widely used and is only appropriate for some women because: women need to spend a certain amount of time in prison and demonstrate good behaviour prior to being able to apply for the programme; women with very young children are more likely to be granted a place in a mother-child house initially; and the programme requires children to be living in a home with another adult present, as children cannot be left unsupervised. Geographical distance is also a factor, as the woman must be able to travel home and back to prison every day.

Although I visited three prisons in Germany, I only met one woman who was in this programme.

Case Study 7

Bernadette* had initially been resident in the mother-child house in Vechta, with her children. She was still living there when we met, but her children were living at home with their father. She had two children under the age of six, and two older children. Initially the younger children were living with her in the mother-child house, and her older children had some overnight visits. Having the children separated was difficult and one of the children who was in prison with her was approaching the age limit for the house and so the manager suggested the Hausfrau programme.

She leaves the prison every day at 6am, helps her children get ready for kindergarten and school and then drops them off. She works from 8.30-12.30 each day and then picks them up for lunch. She does the housework, and then prepares dinner with her husband, before returning to the prison. While she is outside of prison and with her family regular checks are made, to ensure she is abiding by the rules of the programme. She felt that this programme was the best solution for her family, because of her older children, who still needed her. It was not the perfect solution, but the best one for her particular circumstances, and demonstrates a level of flexibility not possible in England.

6.2. Provision for mothers in halfway houses

6.2.1. Pension Hammer Bakker (Denmark)

Pension Hammer Bakker is a 'halfway house', which is a final step, prior to release into the community, for those on probation, or for those convicted of a minor offence with a relatively short sentence. It is a large house surrounded by grass and trees, and a children's play area. There is a maximum capacity of 27 residents and it accepts both men and women. Six of the

27 places are in the Family House, for men or women who have children. The aim is to prepare prisoners for a return to the community as they come towards the end of their prison sentence. Prisoners are still subject to some prison rules, but have their own room and have access to computers and telephones, usually in their rooms, and can also have visitors, including overnight. They can go out to work or education in the community and are supported in their preparations for a return to the community by different professionals, including social workers and family therapists as well as prison officers. There are no uniforms, and similar to the prisons I visited in Denmark, the ethos is one of support rather than punishment.

All residents pay for the rental of their room and for their food, either from their wages if they are working or social security payments if they are not. This reduces costs for the Prison Service, but also helps residents learn to budget and take care of their own finances, which is particularly useful for those who may have been in prison for an extended period.

Whilst residents are required to stay there until their sentence is complete, they do not have to leave at the end of their sentence, if they need additional help and support in order to reintegrate into the community. The flexibility of this approach means that people do not have to leave until they are ready, and was something that really impressed me. Whilst the financial costs of keeping prisoners housed post-sentence may seem an expensive approach, the long term financial savings in terms of reducing recidivism and the need for professional support for individuals and their families post-release is reduced. Ensuring people are 'ready' to leave can make a real difference in terms of outcomes.

In the Family House fathers and mothers can live, and their children and/or partners can also live there with them, either full-time or part-time. The age of the children who can live there is not restricted, nor is the number of children who can reside with their parent or parents. There were three men living in the family house when I visited, and their children were living there part-time. I was unable to speak to the men themselves, but I was able to speak with staff and other residents of the house. The best interests of the child are always the deciding factor. Families can learn to live together again, and can take advantage of the family therapy that is available for all residents. Relationships may have changed and been damaged during the parent's imprisonment, and trust may have been lost. A 'Social Educator' also works with residents on re-establishing contact and relationships prior to release. Equal importance is placed on the reunification with fathers as well as mothers with their children. The intensive support for families and for reunification really impressed me and the importance based on this is supported by research, and can make a real difference to long-term outcomes.

Family House Social Worker

‘..... if you want to do something else if you want to change (your life) you need to be shown what to change and what we do mostly is talk about all the good things they are doing, and we want to make that stronger, so we give people a lot of the positive.’

6.3. Post-release programmes

6.3.1 Exodus (The Netherlands)

Exodus is a post-release programme in the Netherlands, not far from Ter Peel prison, where prisoners can serve the last part of their custodial sentence in the community. Whilst completing their sentence in the Exodus house, residents are required to comply with specific rules, including being in the house between 11pm and 6am, working for a minimum of 26 hours a week in either paid or voluntary work, and no illicit drugs. Women can have two or three children living with them, up to the age of 12, although there is some flexibility in this, particularly if the children are female. Mentors support women and accompany them to appointments, child contact and court hearings if needed, and there is also financial support to attend appointments.

Once their sentence is complete, residents can stay for a further nine to 12 months in the house. When they do leave, Exodus rents a house for the resident (usually from the local council). The house is in the name of Exodus, but the ex-resident is responsible for paying the rent. At the end of the 12 months, if everything is going well, the rental contract will be changed into the name of the woman, but Exodus will continue to be a guarantor. This offers some security for the council, and allows women who would often not be able to rent accommodation an opportunity to do this. They will also receive ongoing support in the community for the first 12 months after releases. Women will often stay on in the area post-release, and because they are supported in finding housing, it gives them a chance to build a future in a new community.

Case Study 8

Sanne*: “They told me about Exodus and I write a letter, like I want to come here and then 3 weeks later they told me ‘yes’. I was really happy ... you are still in prison but it’s different because you can go out, I can buy my own dinner, I can work, I can go to school, I can do everything. I have two kids but they are not living with me here.”

In the house at the time of my visit there were 12 women and nine children. Women who do not have custody of their children can still live in the house, with the intention of being reunited with their children, and Exodus will support them in this. This is really important, as often

women and children cannot be reunited post-release in England and Wales until the mother has suitable accommodation, which can be very difficult.

Exodus Manager

“..... we don't want to give them the idea of 'you're coming in and it's all fantastic'. It's hard work. We want to walk beside you and help you, but you have to do it. We don't have houses, we don't have money, we don't have everything for you, you have to do it. And if you are willing to do it, we walk next to you”

The house is staffed 24 hours a day, and there are social workers available from 9am till 11pm. In addition to the services offered within the house, Exodus also offers a 'Parent-Child Attention Programme', where volunteers take children to prison to visit their mothers and fathers, in order to maintain contact during their imprisonment. Staff are incredibly dedicated and committed to supporting the women in changing their lives. This came across in the conversations I had with staff and residents, as did the commitment to working together to achieve this.

The house is financed in the same way that the other Exodus houses in the Netherlands are funded. In practice, this means there is no funding for the children who live in the house. In order to pay for the professionals who work with the children, it is necessary to raise money elsewhere, via charitable and other donations.

Eighty-five per cent of residents do not recidivate within two years of leaving the programme, and very few women are required to leave the programme or return to prison during their time in the house. The national rate of recidivism is 43%.

6.3.2. Greenhope Services (New York, USA)

Greenhope was established in 1975, initially to support women on parole (later incorporating an ATI programme), and offers gender specific, trauma-informed services. Women who arrive in the both programmes will generally have a history of drug misuse, and their crimes are usually related to this. Their Community Based Residential Program (CBRP) is for women released from prison on parole, over the age of 18, living in New York State who have a history of substance misuse. The programme is usually 6 months long, and offers different support services, including substance misuse, counselling, vocational and educational groups, as well as parenting and domestic violence workshops and empowerment groups. Residents are also encouraged to attend six months of aftercare services once they complete the programme, again demonstrating the possibilities and importance of ongoing support. They also offer

HIV/AIDs counselling, nutrition advice, medical and legal support as well as help with finances and accommodation, and employment. The same services are available to women on parole in the community who already have stable accommodation and to women in the residential programme.

The residential programme allows women who have children under the age of five to live with them (they were hoping to increase the age limit to 9) and can accommodate up to 28 women with children as well as women without (a total of 72 residents), they accept pregnant women onto the programme, and offer free childcare. Greenhope House is designed specifically so that it is not reminiscent of a prison, hospital or other institution, and instead aims for a warm, open feeling, and is more like an apartment building than a programme, both inside and out.

They also arrange meetings with family members, mothers, grandmothers and children, and hold family groups. Part of their overall mission is to re-establish family links and relationships, but they also support women who may decide not to reunite with family members. The women make these decisions for themselves, but are encouraged to do what is in their own best interests, through what they learn via the programme.

Greenhope Manager

“.....A lot of times, especially women of colour, they felt that their voices haven't been heard, but they have been mother, father, sister, brother, everything to everyone else but they haven't been their own women. So, they have listened to other family members..... And so, what we say is, 'make sure that you have a voice in the decisions that you are making and make sure if you have a concern that you voice them, you talk about them'.”

The programme emphasises the importance of a safe space, not just in terms of security, but also a place where women feel that that whatever they say is protected information, and that they can speak their mind without fear of retaliation. The range of services available to women in the programmes was really impressive, as was the focus on empowerment, all of which really address the issues that lead to involvement in the CJS. Public services fund the places, and 75% of women complete the programme, with 65% securing employment.

6.3.3. Providence House (New York, USA)

Providence House has two residential houses in Brooklyn. One supports homeless women involved in the CJS (housing up to 16 women) and the second is for women who have been released on parole in New York (housing 9 women), including those with children. They aim to help residents reach the goal of independent living and they offer a range of services to

support this, including education and job training programmes, finding employment, accessing medical care and finding permanent accommodation. It is a gender responsive programme, based on research that suggests that relationships are the most effective factor in helping women to change.

There is also self-sufficiency skills training, in order to prepare women for independent living once they leave the programme, and reduce the risks of a return to homelessness or prison. Substance misuse and mental health treatment services are also available, as well as budget and financial management. Residents may also need to meet court ordered requirements during their residency, and they are supported by on-site case managers to access all the services they need, both on and off-site.

Once a woman has found employment, they then focus on finding suitable, long-term affordable accommodation. Once all of this has been put in place, and women are no longer resident in the programme, they receive ongoing support in the community for up to a year, and this post-release support is an important part of the success of the programme. Whilst the official time limit for aftercare once women have left the programme is 12 months, women can still contact the programme after this, if they need further help or support. Similar to other programmes I was impressed with the flexibility and compassion of staff.

Case Study 9

For the women themselves, this is a different experience to what many may have previously had, and much of this is related to feeling that people care about them.

Naomi* "I have been other places where you were just a number making money for them. The counsellors did what they did because they had to. They were paid. Here they do it because they care.....it lets us know that it's ok, that they are by your side, you don't have to do this alone."

Similar to Greenhope, there is importance placed on providing a nice place to live, contributing to the women feeling valued, as well as emotionally and physically safe. All staff are trained in the Sanctuary Model based on emotional and physical safety, non-violence and understanding, and everyone from the executive director to the maintenance person is trained in trauma, which is incredibly important.

What I also really think is important to highlight is that success is not just measured in terms of programme completion, or reduced recidivism, but in the progress that is made, and having realistic expectations, which is really important when working with women with complex issues

and a long history of offending. They look not at what is 'wrong' with a person, but how they can help, and understand what is going on.

Case Worker

"And the women that I am working with.... Some of them have been incarcerated four times, five times, and so while our hope is that they will be able to completely change everything we want after this programme, sometimes it's unlikely. We are asking them to change 40 to 50 years of behaviour in such a short amount of time. So even if they don't succeed in the ways that we are hoping for them we are still going to be with them all the way".

Despite not only gauging success on whether or not women reoffend, the programme does impact this, and one year recidivism rates for women who complete the programme are 5% compared to 15% for all women released on parole in New York State.

6.3.4. Hour Children (New York, USA)

Hour Children offer a number of different programmes, for women and mothers involved in the CJS, and provide safe supported accommodation for women with and without children released from prison. I was really impressed by the range and scope of what they offer. They can house up to 70 families, with temporary and permanent supportive housing, and a mix of independent and communal living, depending on the needs of families and availability. They also support women who are separated from their children to re-establish contact and rebuild relationships, and in some cases reunite mothers and children. There is a focus on improving the lives of children and mothers and breaking the cycle of offending.

The Working Women Re-entry Program offers employment training, a personalised programme and one-to-one attention, working at a pace which is appropriate for each individual, and includes assessment and skills development, job placement, as well as mentoring and support to stay in work, for the first six to nine months of employment, even offering care for sick children, to enable the mothers to continue working. Whilst most women will complete the programme within 12 months, there are no deadlines by which it must be completed, offering much needed flexibility to women who may have been unemployed for a long time, or who may never have worked.

Hour Children also run an in-reach programme for pregnant women and mothers at Rikers Island women's jail (Rose M Singer Center). Workers for the programme travel to the prison and identify and contact pregnant women and new mothers (both in the prison nursery and those with children outside). They offer different support services, including one to one

counselling, parenting and post-natal classes, and support when transferred to prison post-sentencing, or upon release. They also locate children in the community whose mothers are in prison, and organise communication and visits to their mothers, as well as supporting those who care for them in their mother's absence. This level of care for the children and carers, and support in maintaining contact with incarcerated mothers helps maintain contact and family ties and attachment in a situation where this might otherwise be lost, and supports later reunification.

Because of the services that they offer in the community, at women's prison facilities in New York State, as well as postnatal support, they are able to offer the kind of wrap around care and consistency that can really make a difference to mothers in prison and their children in contact with the CJS, and this was reflected in the conversations with women who I met who supported by Hour Children, who had real hopes and ambition for the future, many of whom had secure accommodation and had found employment.

Whilst reconviction statistics for women supported by Hour Children (3.5%) are impressive, compared to the overall rates for New York state of (39%), the other impacts on women's lives such as renewed hope and better family relationships, whilst more difficult to measure, were also apparent.

6.4. Alternative to incarceration (ATI) programmes

6.4.1. Drew House (New York, USA)

Drew house is a residential ATI programme for women with children, and has apartments for five families. The apartments are nice and relatively spacious and there is also a garden where the families can spend time. It accepts women on felony charges, who are homeless, and have mental disorder, substance misuse issues or a disability, and women can have a up to three children living with them. Staff advocate for women to be accepted on the programme when they go before a judge, so are there from early in the CJS process, offering support and building trust early on. Avoiding a prison sentence completely and being accepted to a residential support programme instead demonstrates the real alternatives to imprisonment that exist and can change lives. I was impressed to hear that charges are dismissed on completion of the programme, removing the stigma of a criminal record, and increasing future employment and housing prospects. In addition to housing they provide case managers, and refer women to additional services in the community if necessary. The average length of stay is over 12 months. In addition to having younger children living with them, they can spend time with other children in the community (as they are not confined to the house), and also have them for overnight visits. One of the problems for women on completion of the programme is

finding suitable and affordable long-term accommodation, so those unable to secure accommodation can stay at Drew House until they do. Like other programmes this flexibility is essential to supporting women long-term. There are full time staff in the house, so support is available 24 hours a day. There is a focus not only on maintaining a stable family, but also providing counselling (including for substance misuse) and employment training. It is funded by public and private grants and residents contribute to housing and electricity costs after six months, meaning not only that programme costs are reduced, but women also have to budget and contribute to the programme, giving them a sense of responsibility.

An independent evaluation of Drew House found that of 9 women who participated in the programme between 2008 and 2011, six had successfully completed the court mandates, two were progressing towards completion, and one had been discharged from the programme prior to completion (Goshin & Byrne, 2011). Those who had completed the programme had not reoffended, and had maintained custody of, or been reunited with their youngest children, suggesting the programme is successful not only in reducing recidivism but also keeping families together. Housing women and children outside of the prison system and addressing the issues that led them into the CJS is the focus of the programme, and gives women a 'second chance' in a truly supportive environment.

6.4.2. Greenhope Services (New York, USA)

Greenhope's ATI programme, offers women the same access to support and services as the post release programme (see 6.2.2), and they advocate for women when they first go to court in the same way that Drew House staff do. All women accepted on the programme would otherwise receive a custodial prison sentence. They also have an outreach programme at Rikers Island, and staff visit and assess women for the programmes they offer, meaning some women can then be transferred out of prison and into the ATI programme. The women are also monitored by the court system whilst resident in the programme, which means regular court appearances, and progress reports being sent to court once a month. As with Drew House, those who successfully complete the programme may have their original charges reduced from felony to a misdemeanour, or dismissed altogether, thereby reducing or removing the stigma of a criminal record, and allowing the women to move forward from the CJS.

6.4.3. JusticeHome - Women's Prison Association (New York, USA)

JusticeHome is a relatively recently developed ATI programme, established by the Women's Prison Association (WPA). The main difference between JusticeHome and other ATI programmes is that not only can women remain in the community instead of serving a prison

or jail sentence, they can also remain in their own homes, meaning little to no disruption to their home life and that of their children, and is the only programme I visited that can achieve this. The programme is available for anyone who identifies as female, facing a minimum prison sentence of six months for felony or misdemeanour charges or both, and who lives in New York City. The programme offers individual gender-specific, trauma-informed support, personalised change plans, developed in collaboration with the programme participant, and tailored to the specific needs of the individual. They consider risk factors such as substance misuse history, mental illness, housing safety, family conflict, anti-social peers and parental stress. Initially clients are visited two or three times a week, depending on the level of need. Case workers help them connect with the services they need based on their assessment and other issues that may present during the course of the programme. There are also weekly group sessions in the WPA offices, with staff and peers, which allow the women to share their experiences, and support each other. The programme does not just aim to reduce the risk of crime, but also aims for women to be stronger and have more control, and not always have somebody else make decisions for them. Creating a place of safety, which the programme does, is essential to allowing women the space and confidence to express what they want to change about their lives. What I also thought was important and often forgotten is that they also encourage women to dream about what they want in life and work on how to move towards those dreams.

They try and get people into the programme when they are first arrested, before they go before a judge, so that they can advocate for them earlier in the process, and support them prior to beginning the programme. This means avoiding unnecessary jail time, separation from children, and the disruption and damage this causes. It also means a woman will not lose her job if she has one, or her home because she has been unable to pay the rent.

Programme Director

“.....often parental stress is a risk that is a primary risk for women, and we don't help women become more competent, confident and understanding of what's normal development, and things like that by sending them to prison.”

The time that women remain in the programme is usually six to nine months, but can be shorter or longer, and there is no specified end date. Progression depends on the individual and whether or not they accomplish the goals that have been developed based on the risks that they presented with. At the time of my visit there were 15 women in the programme, and the aim is that 40-45 women complete the programme each year. Only women that are medium to high risk of committing another crime are accepted on the programme. Because women

are not supervised all day or overnight, and there is no tagging or curfews, it may not be suitable for all potential clients as some may need greater supervision.

In 2016 data collected by the WPA found that of the 48 women that had come through the programme 70% had completed the programme successfully meaning they had completed the criminal justice mandates. Longer term and other measures were unavailable, but the emphasis on not just staying out of prison, but remaining at home, of intensive support and supporting women in their dreams was unique and many other impacts will be measurable in the future.

7. Conclusions

Imprisoning women and mothers for minor non-violent crime causes significant hardship as well as emotional damage. It separates families and leaves vulnerable children without their main or only carer. Limiting mothers in prison to only keeping children with them up to the age of 18 months leads to difficult and painful choices. Prison does not 'rehabilitate' women, solve the problems that lead them there, or prepare them for life when they leave. It does not and cannot treat the mental disorder and substance misuse so prevalent in prisons, and often increases the risks or exacerbates pre-existing conditions. Provision is limited, prison budgets are stretched, and many women are not there long enough to put any intervention or support programmes in place, even if they are available. Prison stigmatises and criminalises women, may lead to the loss of their home and disrupts the family. It is not a compassionate, or economical approach and is expensive. The money spent on imprisoning women and caring for children in the community would be better invested in ATI programmes, and prison should only ever be a last resort. If we want to see real change, then we need to make real change in how we work with women in the CJS. ATIs should be the default, and would avoid additional stress during pregnancy and separation from children, and sentencing policy should explicitly state this, as it does in other countries.

ATI programmes, such as those in New York offer a flexible, less stigmatising approach, and also allow for older children to remain with their mothers. They do not all offer the same support, and not all women caught up in the CJS have the same needs. The one size fits all approach cannot work, and there has to be flexibility within the system. Residential ATI programmes prevent women being sent to prison and the separation of families. They address the issues that led them into the CJS, as well as help finding accommodation and employment. Offering flexible end dates, and adjusting expectations allows women the time and space they need to change their lives. Establishing programmes similar to Drew House and Greenhope

would be unlikely to be more expensive than the combined costs of sending women to prison and placing their children in care, and would contribute to reducing the future social costs and offending, and the impacts of untreated substance misuse and mental disorder. For women with substance misuse issues, or mental health problems, living in a supportive environment with personalised programmes and support is preferable to imprisonment and separation. Non-residential ATIs, similar to JusticeHome would be appropriate for many women who require additional support, but can stay in their own homes. The work is intensive and has additional costs, but again, is likely no more expensive than the cost of a prison place, Children's Services, and ongoing mental, emotional and social support. ATIs address the reasons women offended in the first place, rather than simply punishing them, and they also reduce recidivism and keep families together reducing the costs to the state.

Although the evidence both from the current and previous research overwhelmingly supports the avoidance of custodial sentences, if a mother is sent to prison and is already caring for her child in the community, then she should automatically be admitted to an MBU with her child. The option to defer sentencing by one or two weeks or more, (as in Denmark, Germany and the Netherlands) would allow women to organise their children's care, reduce the negative impacts on children of sudden separation from their main caregiver, and reduce the pressure on, and cost to Children's Services. In cases where pregnant women are sent to prison, basic nutritional and pregnancy related needs should be met, and community equivalent maternity leave should be the national policy. Private visits are possible, and promote and support parent-child and sibling relationships. Overnight family visits are currently possible in two English female prisons, and should be available in all. Increasing age limits (up to school age) for children to stay with their mothers in prison is feasible in open prisons (e.g. Askham Grange MBU), and any such units would need to be in open conditions/outside of the prison walls to facilitate such a change. Having a dedicated house for mothers/fathers with older children in more prisons would allow children to spend quality time with the imprisoned parent, and maintain or re-establish relationships. The provision of family therapists and social workers supports parents, assists with applications to MBUs, and can help maintain or re-establish regular parent-child contact. This would also make the work of individual social workers assigned to cases of women in prison easier, as they would have a main point of contact, knowledgeable in both prison and Children's Services procedures and policies. No staff uniforms should be the policy for all MBUs, and should be the same policy when women are taken out to hospital, in order to reduce the humiliation of being accompanied by uniformed officers, when attending appointments or giving birth. Recruiting staff with relevant social or child care experience to work specifically in the MBU is essential, and is already done in those

prisons where the MBU is run by outside organisations. Such changes could be made immediately, whilst ATI programmes are developed.

When women are released from prison in England, they often go from closed conditions directly to the community with limited, if any, support and preparation. Good quality pre-release accommodation, such as that provided at Hammer Bakker and Exodus, in the community would promote and support reunification of families, as well as allowing them to better prepare for release, and help reduce re-offending, and could build on the provision of the open prisons that already exist. Offering places to those on probation and a flexible end date would support successful release. Provision for families to live together helps prepare them for when the imprisoned parent is released and whole family accommodation could be provided within a halfway house, as it is in Hammer Bakker, for both men and women, or in a woman only house as in Exodus. Having flexibility on leaving dates, staying for a substantial period after a custodial sentence has been completed, and the possibility of return, better prepares people for independent living. Such programmes offer safe accommodation, prevent future homelessness and loss of the custody of children, and can offer the service of an initial 'co-tenant' and a later guarantor. One of the barriers for women released from prison in regaining custody of their children is the lack of appropriate accommodation, and such provision would address this. Such services could be developed for those serving longer sentences, at the same time as developing ATIs, and having a programme which offers an ATI and post-release programme, such as Greenhope should be considered, as resources, knowledge and experience would be concentrated on one site, reducing costs and increasing access.

There are rehabilitation programmes that already exist with residential options for women with children in England, including for women with a history of substance misuse (e.g. Trevi House). However, places are limited and not specifically for women being released from prison. Considering the high levels of homelessness, unemployment and substance misuse of women released from prison, provision of residential accommodation with appropriate support services would address these issues. Women's centres in England and Wales already offer gender-specific and trauma informed support services. Extending and building on these services to offer residential options would provide much needed support that would help keep families together and reduce recidivism.

The focus needs to be on keeping families together in their own homes where possible, and supported housing where necessary. Whilst one to one support in the home may be expensive, as are intensive residential programmes, the cost would be unlikely to exceed the combined expense of imprisonment for the mother and Children's Services placements for

their children. Individual needs and circumstances and flexibility should always be part of the decision-making process. Prison should only be a consideration in cases where women pose a clear and proven risk to others. Most women do not, and prison is not where they should be.

8. Recommendations

The incarceration rate in England and Wales needs to be reduced, and pregnancy and caring responsibilities need to be a consideration during sentencing. Prison should not be the default option.

It is necessary to establish residential and community ATI programmes for women and mothers and the individual needs of women and of their families need to be considered when identifying the most appropriate ATI programme. Community sentences that allow women to stay in their own homes, but also support women to change, rather than focussing solely on punishment need to be established.

Deferred sentencing should be normal practice where possible to allow women to organise alternative care for their children. In the rare cases that imprisonment is necessary for a pregnant woman, it is important that there is recognition of their additional vulnerability and needs, during the judicial process and in prison and that these additional needs are provided for.

If prison MBUs are used, these should be outside of the prison walls, and age limits should be increased. Visits for children should be more child friendly and offer some level of privacy, and there should be provision for overnight visits for children in all prisons.

For mothers being released from prison with or without their children, there should be appropriate supported housing, designed to meet their needs and where they can live with or be reunited with their children.

There needs to be much more support for women in the CJS from Children's Services, mental health care, substance misuse programmes, and support to find work and accommodation in the longer term. Only with individual plans and a compassionate and flexible system can things change.

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