



**Report of a Review of
Principles, Policies and
Procedures on
Mothers and Babies/
Children in Prison**

**Response and Action Plan
December 1999**

Copies of the Report of a Review of Principles, Policies and Procedures on Mothers and Babies/ Children in Prison, and the Action Plan, can be obtained by written request, from: Women's Policy Group, Room 316, Abell House, John Islip Street, London, SW1P, 4LH

The Report and the Action Plan can also be found on the Prison Service Website at:
www.hmprisonservice.gov.uk

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Recommendations Accepted by the Prison Service

The Prison Service Response to the Report of
a Review of Principles, Policies and
Procedures on Mothers and Babies / Children
in Prison

Recommendations Accepted by the Prison Service

INTRODUCTION

The Report of a Review of Principles, Policies and Procedures on Mothers and Babies/Children in Prison was published 6 July 1999. In the foreword of the publication, the Director General of the Prison Service, Martin Narey, wrote:

I very much welcome this report which will help the Prison Service enormously in adjusting its arrangements for mothers and babies in prison. I would therefore like to take this opportunity to thank the working group for all their hard work and, in particular those from other agencies who helped the Prison Service produce this report.

The report is convincing in demonstrating that the overriding principle directing our work with mothers and babies must be the best interests of the child. I accept the principles set out in the report and the Prison Service is now working to ensure that we implement the report as fully as possible.

In the Autumn, we will publish a detailed plan of how we intend to respond to each of the recommendations in the report. The implementation of that plan will then be closely monitored. In the meantime, I can assure all those reading this report that our central concern continues to be the welfare of those babies already living with their mothers in our units and the interests of the children of mothers currently in prison or being received into custody.

The Prison Service response to the recommendations is set out below in three sections:

- A: Recommendations accepted and currently being acted upon.**
- B: Recommendations identified for further consideration.**
- C: Recommendations upon which the Prison Service cannot act.**

A commentary is attached to each recommendation explaining the action taken or the reason for further consideration or rejection.

The numbering is that used in the original report, copies of which can be obtained from Women's Policy Group, HM Prison Service, Room 316 Abell House, Page Street, London, SW1P 4LH or found on the Prison Service Website: www.hmprisonservice.gov.uk

SECTION A. RECOMMENDATIONS ACCEPTED AND CURRENTLY BEING ACTED UPON

PRINCIPLES

1. The Prison Service policy on mothers and children should be based on the following principles:

THE MAIN PRINCIPLE

The purpose of a mother and baby unit in a prison is to enable the mother/baby relationship to develop whilst safeguarding and promoting the child's welfare.

OVERARCHING PRINCIPLES

The best interest of the child is the primary consideration at every level of policy making as well as when considering individual situations.

Prison Service policy will reflect the ECHR Article 8, save where it is necessary to restrict the prisoner's rights for a legitimate reason, such as good order and discipline, or the safety of other prisoners or babies.

When making decisions about the best interest of the child, the long-term developmental needs of the child are given attention as well as the immediate situation.

PRINCIPLES FOR PARENTS

Parents are enabled to exercise parental responsibility for their children whether the child is with them in prison or outside with other carers. Parental responsibility 'means all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property.' (Children Act 1989).

Parents and other significant carers are involved in decision making about their children.

PRINCIPLES FOR BABIES/CHILDREN AND FAMILIES

The environment where children are accommodated whether as their residence or for day care should be designed to meet their needs.

Babies and young children living in prison with their mothers will be enabled to have as wide a range of stimuli as possible, through play indoors and out and through time spent in the outside community

The geographical location of mother and baby units will facilitate access to home area, thereby enabling contact with other children, alternative carers and professional services.

Babies and young children living in prison with their mothers will be enabled to have the opportunity to mix with siblings and other children of different ages.

Care planning for the child is essential from before birth, if relevant, including the plan for a baby's exit from the mother and baby unit.

Each mother and child's case will be the subject of regular review.

OPERATIONAL PRINCIPLES FOR THE PRISON SERVICE

The Prison Service, in the person of the Governor, is responsible for health and safety of everyone within each prison.

There will be some mothers whose crime/behaviour precludes her child being with her in prison but that decision must be reached through due consideration of each individual case. Consideration should involve all interested parties and be in accordance with appropriate procedures eg child protection case conference.

Independent professional advice will be provided within women's establishments, to mothers, to inform their childcare decision making.

RESPONSE

These principles will underpin all future development and implementation of strategy, policies and procedures on mothers and babies/children in prison.

SENTENCERS

3. **The Prison Service should ensure that sentencers know about, and understand, the arrangements for mothers and children in prison.**

Response

The Prison Service will use every opportunity to ensure that those responsible for sentencing in the courts are aware of the purpose and nature of arrangements for mothers and children in prison. Among the suitable fora which already exist are the Criminal Justice Consultative Council, the Area Criminal Justice Liaison Committees and the Magistrates' Association. As a first step, copies of the Report have been distributed to them.



PRISON SERVICE POLICY

4. **The Prison Service must have a strategy for the provision of mother and baby units and services which support family ties.**

Response

The Prison Service has commenced the work necessary to ensure that, as resources allow, mother and baby units are of an appropriate size and in locations where they are best able to meet the needs of mothers to be as close to their homes as possible while still able to access programmes which meet their individual education, training and resettlement needs.

5. **The working group recommends the appointment of a national co-ordinator for mother and baby units.**

Response

A national co-ordinator for mother and baby units will be appointed early in 2000.



TRAINING

9. **Staff should be enabled to understand what parental responsibility entails, legally and practically, through training.**

Response

The Prison Service will provide members of staff with the knowledge and skills to work with mothers in prison, whether their child/children is/are with the mother, in the community or in another country. The Service will develop a programme of advice, information and training which will cover the legal meaning of parental responsibility, and the implications for staff in mother and baby units of applying the principle in practice.

10. **It is essential that staff are prepared, through specific training, to work on a mother and baby unit, and preferable that they elect to do so as a career choice, not be deployed there by chance.**

Response

The programme of information, advice and training referred to in (9) above will embrace the full range of skills and knowledge a member of staff would need in order to work in a mother and baby unit.



FAMILY TIES AND VISITING

11. **The working group recommends increasing the use of release on temporary licence over which governors have discretion, for the purpose of childcare and maintaining family ties.**

Recommendations Accepted by the Prison Service

Response

The use of release on temporary licence for child care and maintaining family ties is well established but it continues to be monitored and any opportunities for improvement will be identified and acted upon.

- 12. Work should be undertaken to establish the feasibility of all women's prisons being equipped to provide special visiting arrangements for babies and children and to utilise them flexibly, to meet family needs.**

Response

Visiting arrangements for babies and children to meet family needs will be included in the forthcoming review of policy on prisoners' visits.

- 13. The Prison Service should examine the possibility of giving mothers an increased entitlement to telephone use, flexible visiting schemes and home leave.**

Response

The Prison Service will address flexible visiting and home leave as set out in the response to (11) and (12) above. Prisoners' entitlement to telephone use is currently being reviewed and the particular needs of mothers will be included in that work.

- 14. Imaginative schemes for improving the quality and quantity of parent/child visiting should be considered in the forthcoming Prison Service review of visits.**

Response

The Prison Service will include the quality and quantity of parent/child visiting in the forthcoming review of arrangements for prisoners' visits.

- 15. Babies should not be penalised, in their contact with other family members or alternative carers, on the grounds of mothers' status on the**

Incentives and Earned Privileges (IEP) scheme.

Response

It is the mother who is a prisoner and she earns or loses extra visits through behaviour and performance, not the child. This principle will be put into effect through the new Prison Service Order under which mother and baby units will operate from early 2000. The Prison Service is also incorporating guidance on facilitating visits for babies and young children without compromising the mother's IEP status into forthcoming instructions on Incentives and Earned Privileges.

- 16. Support, information, advice and teaching about childcare should be made available to all mothers not just those who have their children with them in prison.**

Response

Education about parenting skills is available within the Prison Service Core Curriculum. This provision is currently being enhanced to meet the recommendation in the Social Exclusion Unit report 'Teenage Pregnancy' (June 1999) that parenting skills will be offered in all Young Offender Institutions by 2001.

- 18. It is imperative that all women have the requisite information to make an informed choice about childcare arrangements.**

Response

The implementation of the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000. will improve the knowledge and skills of the staff in the women's prisons from January 2000. Mothers will have the support and advice of staff who have themselves benefited from the programme of information, advice and training described in (9) and (10) above.

19. **The role of the health visitor in prisons should be developed and enhanced.**

Response

The Prison Service is investigating with officials from the Department of Health the options available to obtain increased health visiting services in prisons.



MOTHER AND BABY UNITS

20. **The Prison Service must have a clear purpose in providing accommodation for babies with their mothers in prison. That purpose should be the best interests of the child but also meet the needs of the mothers to address their offending behaviour and take every opportunity for education and training the prison can provide.**

Response

The dual purpose of providing accommodation for mothers to have their babies or young children with them in prison will be put into effect through the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

21. **Role specifications should be drawn up for the staff of mother and baby units and the members of the multi-disciplinary admission board.**

Response

Standard role specifications have been drawn up and will form part of the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

25. **The optimum size of units should be the subject of further investigation.**

Response

Advice on the optimum size of units has been sought from the Social Services Inspectorate (SSI). The SSI advice was that there is no single recommended model. The optimum size of the units is linked to the age range, location, facilities and average length of stay. The size of the existing units (varying between 9 and 22 places) has not been a cause of concern to the SSI inspectors who work with the Chief Inspector of Prisons' teams inspecting mother and baby units. However, the SSI staff giving advice felt that when starting to plan any new unit, it would be desirable that the number of places did not exceed 12. This advice will be used to inform the development of new units and any redistribution of current provision.

26. **A survey should be conducted to establish how many places are needed to accommodate the number of mothers who, on average, would wish to have a place.**

Response

A survey will be commissioned, as resources allow, to establish as accurately as possible the average demand for mother and baby unit places [See also 62 (e)]

27. **The upper age limit should remain at 18 months while new research is commissioned.**

Response

Previous research and advice from the Social Services Inspectorate has established no conclusive evidence to alter the current upper age limit of 18 months. Recent discussions with SSI inspectors and Nursing Officers from the Department of Health have given

Recommendations Accepted by the Prison Service

emphasis to the importance of considering the length of stay of each child as an individual case. There should be room for flexibility and the exercise of discretion. Above all the culture which structures the expectations of staff and mothers that every child will stay to the upper age limit if the mother remains in custody should be changed to ensure the child's best interest are the primary consideration. However the Prison Service accepts that policy should be based on evidence and research will be commissioned.

28. **The current difference in age limits among the existing units should be examined and reviewed in order to establish a clear rationale for any difference.**

Response

The difference between the units is linked with the suitability of the environment for children who have reached the stage of independent mobility and are interacting with their physical environment. This will be reviewed and the findings applied to existing and new units as appropriate. The comments at 27 are also relevant to this recommendation.

29. **Each child who is resident in prison should have a care plan.**

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000. The care plan is a crucial tool in identifying the best interests of the child at every stage.

31. **There should be a crèche facility organised and run by nursery nurses to enable mothers to work or study or attend an offending behaviour programme is a priority.**

Response

This is already established as best practice but not applied consistently across the four existing units. Standards for the operation of a crèche in all mother and baby units will be applied in 2000.

32. **The ethos and management of mother and baby units should encourage mothers' decision making about their children.**

Response

The training described at 9 and 10 above will provide staff with the skills to put this recommendation into practice. [See also 18]

33. **All accommodation where mothers and babies are resident should be designated 'drug free' and the unit compact should set out clearly the need for mothers to comply with voluntary testing and searching.**

Response

This is already the policy and practice in all four existing mother and baby units. The policy will be reinforced in the new instruction and standard to be issued in 2000.

34. **The group urges the Prison Service to continue to monitor procedures for searching babies and children and promulgate best practice.**

Response

Indications and procedures for the searching of babies and young children on mother and baby units are set out in the Security Manual. The Prison Service will ensure that monitoring continues at a high standard and best practice is promulgated by written communication and by its incorporation in the training staff.

35. **The 'freedom from infection' criteria in the current guidelines is unnecessary.**

Response

The existing requirement has been found to be a bureaucratic activity which adds no value to the health and safety of the child, other mothers, the unit or the prison. Good working relationships between mothers, prison staff and health care professionals will ensure that any health risks are identified and managed for the safety of all concerned.



THE ADMISSION PROCEDURE

36. **The working group wished to see no restrictions on eligibility to apply for a place.**

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

37. **The following information must be available, as a minimum, to inform the consideration of the application by the admission board:**

- **the mother's willingness to sign a standard compact;**
- **reports from social workers about the welfare of the child in the care of his or her mother;**
- **a report about alternative child care arrangements;**
- **risk assessments by probation staff; and**
- **reports from prison staff about the mother as a prisoner.**

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

38. **The mother making an application for a place should be present at the board and participate actively.**

Response

In those less common situations where, at the time of her application, the mother is resident in a prison without a mother and baby unit, individual consideration will be given by the independent chair, to the necessity of the mother being present. Guidance on assessing the necessity will be contained in the new instruction on the management of mother and baby units to be published in 2000. If the mother would be disadvantaged if she were not present, either she will be escorted to the prison where the board is to be held or the board will be held in the prison in which she is resident.

39. **Any new arrangements must include a policy and procedure to manage the situation where admission to a unit might be needed before an admission board has been held.**

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

40. **The possibility of temporary admission to avoid separation in the child's best interests should be examined by the Prison Service.**

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

Recommendations Accepted by the Prison Service

41. **The working group considered it would be quite wrong to make a link between the Incentives and Earned Privileges (IEP) scheme and eligibility for a place on a unit.**

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

42. **All forms pertaining to mother and baby unit admissions should be produced centrally to a single standard.**

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

43. **The admission boards should be chaired by an appropriate individual appointed to facilitate the process, external to the prison service, employed through and accountable to a national co-ordinator for mother and baby units.**

Response

The role and remuneration of an independent chair (or chairs) is receiving further consideration. Advertisements will be placed in suitable journals for appropriately qualified individuals to fulfil the role (as specified in a national job description). The distance between units requires that each prison with a mother and baby unit should employ an independent chair for their admission board. The relationship between the independent chairs and the national co-ordinator is receiving further consideration.

44. **There must be clarity about who is taking decisions and who is giving advice to inform the decision.**

Response

Clarification will flow from the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000, which will include role specifications for the members of the multi-disciplinary board.

45. **The independent chair should advise the governing governor of the recommendation of the board on the application for a place.**

Response

This will come into operation as soon as the appointment of an independent chair (or chairs) has been effected. In the meantime admission boards will continue to be chaired by the unit manager who will advise the Governor of the recommendation of the Board.

46. **The final decision on an application must remain with the governing governor.**

Response

This is the current position which will be reiterated in the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

48. **There should be a Prison Service standard for:**


- **the role of all the key players;**
- **training for the chair and board members and governing governors**
- **the application process;**
- **all relevant documentation including the board report;**
- **the constitution of the admission board;**

Recommendations Accepted by the Prison Service

- representing the best interests of the child;
- social work report;
- risk assessment of mother by prison and probation service;
- the mother's participation in the process;
- obtaining views of father and/or other significant carers;
- the compact;
- the review process;
- the appeal process.

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.



SEPARATION OF MOTHER AND BABY

49. The criterion for separation should be the best interests of the child.

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

50. The process of separation planning must be considered as early as possible, on an individual basis in every case.

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

51. The child's care plan must include consideration of separation from the

mother as part of considering the child's development.

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.



THE REVIEW SYSTEM

53. The role of the admission board is the key to the review system. Its report should:

- clarify and record the objective of allocating a place in each individual case to inform future reviews (eg whether the purpose of the review is to plan separation or review progress of mother and/or child);
- include a proposal regarding optimum length of stay – subject to review;
- include an exit plan and
- include a review structure.

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

54. If the recommendation of the admission board is not to allocate a place, the report must give reasons for the decision; include a separation plan if the mother is pregnant; make clear whether the decision is open to review and, if so, when she may apply again.

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which

Recommendations Accepted by the Prison Service

mother and baby units will operate from early 2000.

55. **All information given to mothers and staff must make it clear that the place is subject to review against the agreed objectives.**

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.

56. **The composition of the multi-disciplinary team which will review the case with the mother should be agreed at the time a place is initially allocated, to reflect the individual situation.**

Response

This recommendation will be put into effect by the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000.



INSPECTION AND MONITORING

57. **The multi-disciplinary inspections of the mother and baby units conducted by the Chief Inspector of Prisons and the Department of Health's Social Services Inspectorate were commended and should continue.**

Response

The attachment of a member of the Social Services Inspectorate to the Chief Inspector of Prisons' team inspecting a women's prison with a mother and baby unit will continue.

59. **Best practice in the management of drug misuse by mothers should be**

promulgated by Women's Policy Group.

Response

Guidance on the management of drug misuse, provided by expert practitioners, is promulgated in conjunction with the Prison Service Drug Strategy Unit



FUNDING

60. **There should be a funding formula for mother and baby places.**

Response

Work will be undertaken to provide a formula and implement it in the budget allocation for 2001/02.



SECTION B. RECOMMENDATIONS IDENTIFIED FOR FURTHER CONSIDERATION

PRISON SERVICE POLICY

7. **Contingency plans should be in place at every women's prison to ensure that no baby is separated from a mother, whose situation meets the criteria for admission to a mother and baby unit in place at the time, on the grounds of lack of a place.**

Response

The feasibility of ensuring that all women's prisons have accommodation which can be occupied temporarily by a mother and baby without any risk to the baby will be investigated. The costs of providing the accommodation will be considered in the light of the overall spending plans of the Prison Service.

8. **The policy of barring foreign national women from open conditions should be overturned.**

Response

Currently, those foreign nationals who are subject to a deportation order are not eligible for open conditions. The Prison Service is reviewing this policy.

FAMILY TIES AND VISITING

17. **It is recommended that someone outside the multi-disciplinary team should be a source of information and advice to the mother at any time during her residence in the prison. This could be a service purchased by the establishment. (See also recommendation 52)**

Response

The Prison Service is investigating, with advice from the SSI and

Department of Health, the provision of an advisory service for all mothers of dependent children. In the meantime, the implementation of new policies and procedures in line with the principles recommended in the report will considerably improve the knowledge and skills of the staff in the women's prisons from January 2000.

MOTHER AND BABY UNITS

22. **The current places available should be redistributed to improve the provision for mothers from the South and West.**

Response

It is accepted that a mother and baby unit in the South and West would improve the provision for mothers and babies from that geographical area. The optimum response would be to provide a mother and baby unit at Eastwood Park, Falfield, Gloucs. Work has been commissioned to establish the costs of this development. The costed proposal will be further considered in the context of the overall spending plans of the Prison Service. Mother and baby units are being considered in the planning of any new prison for women.

23. **There should be fewer places in closed conditions and more places in open prisons.**

Response

The principle that the best interests of a child living with his or her mother in prison are better served if he or she lives in as low security environment as possible is not disputed. However, with the introduction of Home Detention Curfew in 1998 and the increased use of 'tagging' as a community sentence from 2000, the number of women in

prison who will be eligible for open conditions may fall. In addition, a significant minority of mothers in mother and baby units are foreign nationals subject to deportation orders. This group are not currently eligible for open conditions but this is under review (see also recommendation 8). These factors will be taken into account while considering future provision for mothers and babies throughout the prison estate.

24. **The Prison Service must examine the possibility of providing a small number of mother and baby places, on one or more sites, where mothers who pose a threat to others but not to their own babies, can be accommodated. In the best interests of the child, however, the period of time that a child lives in secure conditions should be limited and subject to frequent review.**

Response

There are few mothers who come into this category. To hold a mother and baby in individual accommodation under appropriate supervision will not provide an environment conducive to the well being of mother or baby if it occurs over any length of time beyond an emergency situation. The possibility that there may be a need for a small number of places, on one or more sites, where mothers, who pose a threat to others but not to their own babies, can be accommodated requires rigorous examination. The Prison Service will pursue this further.

30. **The provision of crèche facilities outside the secure perimeter should receive consideration.**

Response

The desirability of providing a crèche outside the prison would be for the babies and children to experience a non-prison environment. This will be investigated further and given consideration in the planning of any new prisons for women.



SEPARATION OF MOTHER AND BABY

52. **The role in separation planning for the independent advisory service should be introduced.**

Response

The Prison Service will investigate the purchase of an independent advisory or advocacy service. In the meantime, the implementation of the new Prison Service Order and Performance Standard under which mother and baby units will operate from early 2000 will considerably improve the knowledge and skills of the staff in the women's prisons. Mothers will have the support and advice of staff who have themselves received specialist training in the management of mothers and babies, parental responsibility, child protection and legislation affecting children and family life. It is also hoped, as resources allow, to increase the amount of time given to prisoners by the health visiting service.



INSPECTION AND MONITORING

58. **A specially commissioned software package for the use of all women's prisons and Women's Policy Group is recommended.**

Response

The Prison Service is examining options to meet the needs of Mother and Baby Units, Women's Policy Group and the Operational Manager for Women's Prisons for the collection and transmission of data as part of the wider development of IT systems and services.



FATHERS

61. **The importance for fathers, as well as mothers, to maintain family relationships, through visits, telephone calls and letters must not be overlooked.**

Response

This recommendation will be considered through the reviews of visits and telephone use currently in hand, as well as continuing dynamic review of policy on maintaining family ties.



RESEARCH

62. **The following areas are recommended for research:**

- (a) **an enquiry to ascertain the optimum upper age limit for a child to be resident in a mother and baby unit in a prison.**

Response

The Prison Service has asked the Social Services Inspectorate to look again at the current policy, which is based on its previous advice, to see if

there is any new research or expert opinion which should be considered. If the results of their work indicate that it is necessary, the age limits will be revised.

- (b) **The long-term impact on children's development of residence on a prison mother and baby unit.**

Response

There has been no research on the impact of residence on a prison mother and baby unit since the work of Lisa Catan (1988). The detailed specification for the research requires further work but it may be suitable for a study at doctorate level. No funding has yet been identified.

- (c) **Replication of research carried out in the United States which showed that prisoners who had maintained close family ties were six times less likely to reoffend in the first year after release than prisoners who were released without family support.**

Response

A detailed specification for this research requires further work. Once developed it may form a bid for a place in the Prison Service research schedule in the future. No funding has yet been identified.

- (d) **Assessment of the long term social costs of providing, or not providing, quality mother/child services for prisoners. There are questions to be answered about the impact of having a child resident in prison with the mother, on the mother's reoffending. This could be compared with alternative childcare arrangements and the cost to the public purse.**

Response

A detailed specification for this research requires further work. Once developed it may form a bid for a place in the Prison Service research schedule in the future. No funding has yet been identified.

- (e) A survey to establish how many mothers, on average, would apply for a place if there were more facilities providing a service closer to their home.**

Response

The Prison Service is considering how a survey to estimate the demand for places on mother and baby units might be undertaken. No funding has yet been identified for this work.

- (g) An investigation of the needs of male prisoners who are fathers.**

Response

The first requirement is to establish how many prisoners are fathers and of those how many have parental responsibility and how many were primary carers before imprisonment. The Prison Service is considering how a survey to gather the information might be undertaken. No funding has yet been identified for this work.



SECTION C. RECOMMENDATIONS UPON WHICH THE PRISON SERVICE CANNOT ACT

SENTENCING POLICY

2. **The working group urges the Prison Service to play a leading role in influencing the consideration of non-custodial sentences as alternatives to imprisonment for women.**

Response

The duty of the Prison Service is to serve the public by keeping in custody those committed by the courts. The Prison Service is not responsible for sentencing policy. However, with the increasing emphasis on the integration of the various agencies of the Criminal Justice System, opportunities to be involved in wider issues are being presented. In the matter of women in the Criminal Justice System, a prime example of the 'joining -up' of government is the lead role of Linda Jones who heads the Prison Service Women's Policy Group but is leading on women in the Criminal Justice System in the implementation of Home Office Aim 4 'Effective execution of the sentences of the courts so as to reduce re-offending and protect the public.'



PRISON SERVICE POLICY

6. **The working group urged the Prison Service to explore with the Probation Service, the potential for providing mother and baby facilities in hostel accommodation in the community.**

Response

After detailed exploratory work, involving Home Office Probation Unit, the Prison Service has concluded that a mixed facility is not feasible legally or practically.

THE ADMISSION PROCEDURE

47. **Letters of refusal of a place should inform mothers how to access a family law practitioner to pursue any appeal she wishes to make.**

Response

While appreciating the spirit of this recommendation, the Prison Service policy on the making of requests or complaints will apply to this situation. This means that in the first instance the prisoner wishing to appeal should put in a request to that effect to the Governor. If she or he rejects the appeal, the prisoner then has recourse to appeal to the Area Manager. If the appeal is again rejected, the prisoner may appeal to the Prison Ombudsman. If at any time a prisoner asks for information on accessing legal advice it is provided.



RESEARCH

62. **The following areas are recommended for research:**

- (f) **The causes of the increase in the number of women in prison.**

Response

The duty of the Prison Service is to serve the public by keeping in custody those committed by the courts. The Prison Service is not responsible for sentencing policy. However, with the increasing emphasis on the integration of the various agencies of the Criminal Justice System, opportunities to be involved in wider issues are being presented. However research into the increasing number of women being sent to prison falls within the remit of the Home Office.