

Protecting the welfare of children when a parent is imprisoned

**A report highlighting concerns that up to 6,000
children a year are being forgotten by the system
when their mother is sent to prison.**

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Kinship Care at HMP Holloway

It used to be standard practice for Probation officers in the courts to check on the welfare of children whose parent (or parents) was in the dock. Today, the situation is very different. **pact** workers in prisons have been monitoring the situation, and have found that many parents who arrive in prison have not been able to make plans for their children's care, and some will even hide the fact that they have children, for fear that they will be taken away from them. It is not unknown for the children of prisoners to be left alone at home or at school.

Many children are identified through pre-sentence reports, or if the case involves a child protection issue. But most primary carers and lone parents are women, and most women in prison are either on remand or on short sentences. Each year, around 17,000 children are separated from their mother by imprisonment, and only 9% are cared for by their father. So where are they? And who is looking after them? Based on Home Office statistics and **pact** referral rates, we estimate as many as 6,000 children may be being cared for by family members and friends – 'kinship carers'.

The **pact** Kinship Care project, supported by the City of London Corporation's City Bridge Trust, has brought this issue sharply into focus. Since 2008, the project, based at HMP Holloway women's prison in north London, has been providing support to children and family members, grandparents and other carers who find themselves, often unexpectedly becoming the principal carer. Our experience is that there are some children whose parent is remanded or sentenced into custody who have been left in a variety of inappropriate and sometimes perilous circumstances, and this is not being recorded or detected prior to the parent arriving in the prison, if at all. We work with local Social Services and other voluntary agencies to ensure the child's welfare is protected and the mother is kept informed at all times.

pact believes that the criminal justice system should not be removing a parent or carer without some form of simple check to see if imprisonment will result in a child being put at risk.

We want to see a clear statutory duty to ensure basic checks on where a child might be sleeping on the night their mother or father is taken away from them. We want to ensure that basic steps are taken to see that they are safe, and that a plan is drawn up to provide for their care and welfare.

Once this information is collected there should be a requirement for courts to share this information appropriately (including to Children's Social Care Teams and prison-based family services) if a parent or carer is sent into custody and there appears to be the absence of a suitable care arrangement or if there are concerns regarding risk of neglect or abuse.

This proposal would create a standard process whereby we can identify vulnerable children who may be put in jeopardy as a consequence of the use of custody as a punishment to a parent/carer.

It would enable Courts, NOMS agencies (prisons and probation), Local Authorities and Third Sector agencies to work together more effectively, to safeguard children and vulnerable adults who will otherwise remain unidentified, or only come to light by chance.

It would better enable NOMS to manage offenders who are parents or carers, to improve safer custody practice during the high risk early days of custody, and (where safe and appropriate to do so), to support family relationships and increase contact during custody, which is shown to reduce the risk of re-offending by prisoners on release.

It would assist the Government in its ambition of increasing the reporting of Private Fostering Arrangements (which are significantly under-reported).

We believe that our proposal would require a minimal Government investment, but would reduce risk to children, and offer a future savings as it reduces the longer-term cost of picking up the pieces at a later stage.

Key Statistics

- Each year it is estimated that 17,700 children are separated from their mother by imprisonment.¹
- Just 5% of women prisoners' children remain in their own home once their mother has been sentenced.¹
- Only 9% of children whose mothers are in prison are cared for by their father in the absence of their mother.¹
- Around 40% of children are cared for by a grandparent or female relative.²
- Last year, pact received 201 referrals from women in HMP Holloway. They estimate there are a total of 2000 families in the England and Wales where kinship carers are looking after children while their mother is in prison.³
- At least one third of mothers are lone parents before imprisonment.¹
- The number of women in prison has risen by one third in the last decade.¹
- Although there are only around 4,200 women in prison, each year over 11,000 women are sent to prison.¹
- Of the women receiving a prison sentence, over half are sentenced to less than six months. These short-term sentences still cause enormous disruption to their home and family life, especially if they have dependent children.¹

¹ Women in Prison, Prison Reform Trust, 2010.

² Mothers in Prison, Home Office Research and Statistics Directorate, 1997

³ pact referral statistics, August 2009 to July 2010

Case Studies, written by pact front-line service workers

Doris

I met Doris in the First Night Centre at HMP Holloway. She was referred to me as her two-month-old child was being cared for by her mother and her partner. She was extremely distressed and wanted help to contact her family.

I helped her contact her mother and partner to check on the welfare of her son. She was able to speak to her mother who assured her that the baby was fine, but he was having difficulty sleeping. Doris was understandably upset after the phone call as she really missed her family. I provided her with some information regarding the mother and baby unit. Doris spoke to her mother about the possibility of keeping the baby with her. As a family, including Doris, they agreed it would be best if the baby stayed with the dad and the grandmother will help out.

I contacted Doris's partner to see how things were and if they needed help. He needed advice on housing and benefits. I explained to him that support is available and I would instruct Doris to speak to the Resettlement Team for further information. I referred them to St Mungo's (a charity which provides support around accommodation and housing) who were able to provide them with the support they needed. They were able to provide Doris information regarding her housing benefit and help her to complete the necessary paperwork. Doris's partner also attended the Kinship Care Support Group and he found it informative. He expressed joy that he had been able to speak openly about the effects of having a partner in prison and also caring for his child. He also found the list of available services very useful and informative.

Yvonne

I met Yvonne on one of the Extended Children Visits. She was changing her son out of his school clothes with tears streaming down her face. There was also a baby daughter in the pushchair next to her sleeping. I asked her if she was ok and she nodded to confirm. I told her I'll keep an eye on the baby whilst she continued to attend to her son. After a while she disclosed that she would like her son to be taken into care as she was not happy with his carers.

Yvonne further explained that her son was been cared for by her friends and over the nine month period she was in custody the relationship had broken down. She explained that the carers were refusing to bring the child in for visits and the telephone contact had dwindled.

Yvonne had transferred from another establishment and therefore I was unsure as to whether the "Private Fostering Arrangement" was known to the Public Protection Team, so I contacted the prison's Public And Child Protection Team to inform them and submitted the appropriate form.

I spoke to Yvonne to find out more about the situation. She explained that her son came to visit her in his school uniform and appeared as if he was not been looked after. She further explained the breakdown in the relationship with her friends, who were caring for her son. Yvonne's son has also disclosed that he would be left alone in the house that evening as the carers were going out to a party. Yvonne was very concerned as her son was only seven years old at the time. She further explained that Social Services had been informed. She had made several requests for the child to be removed but was told the case had to be investigated.

I contacted the Social Services Duty Worker and explained the fears Yvonne had expressed. He noted the concerns but stated nothing would be done until the following Monday. I spoke to Yvonne and explained what had been said but she was still very worried for his welfare. I advised her to speak to the Social Worker who had escorted her son to the prison and share her concerns. In addition I spoke to the Social Worker in the Visitors' Centre who then contacted her office with the information. On the Monday I provided a statement to Yvonne's Social Worker highlighting my involvement with the case. The statement was passed on to the allocated Social Worker dealing with the case.

Attempts were made to contact the carers but there was no response. Subsequently, the child was taken into care. Yvonne was relieved by this development and was keen to maintain regular contact with her child. After I contacted the Social Worker, Yvonne now has telephone contact with her son and is in the process of arranging a visit.