

The 27th Council of Europe Conference of Directors of Prison and Probation Services (CDPPS)

The Importance of Factoring in
'Motherhood' in Criminal Justice

Dr Lucy Baldwin

Senior Lecturer/Researcher in Criminology

lbaldwin@dmu.ac.uk

Twitter @LucyBaldwin08



Health Warning- This may be an emotional session – please leave if you need to.

Broader Context

This presentation is given with the absolute appreciation that any 'intervention' and even 'listening' to mothers in Criminal Justice Systems is not the 'starting point'

The actual starting point is challenging the inequalities and injustices that exists in wider society, those which contribute to the shameful fact that a supposedly rich and civilised world still perpetuates and therefore permits inequality.

Women exist in a context of inequality and discrimination. In the UK alone currently over 3 million children live in poverty – that equates to 9 children out of a class of thirty (predicted to increase by 1.5 million by 2020) – Currently more than 2 women a week die as a result of domestic abuse , we have one of the worst conviction rates for rape in Europe – less than 6% (and estimates are that only 15% of sexual violence incidents are actually reported) ..

The UK 'locks up' more people than any other Country (apart from the USA) in the Western world...

...a best case scenario of a 'just' and 'fair' society where poverty and food banks don't exist – where prison is used sparingly and proportionately– & wherever it is used - it is used humanely and respectfully - in the case of mothers only very rarely & essentially and after 'due consideration' –, a society where women are safe inside and outside their homes..... however while the rest of the world , the politicians and the systems catch up with this view it remains important to work positively, effectively and respectfully.

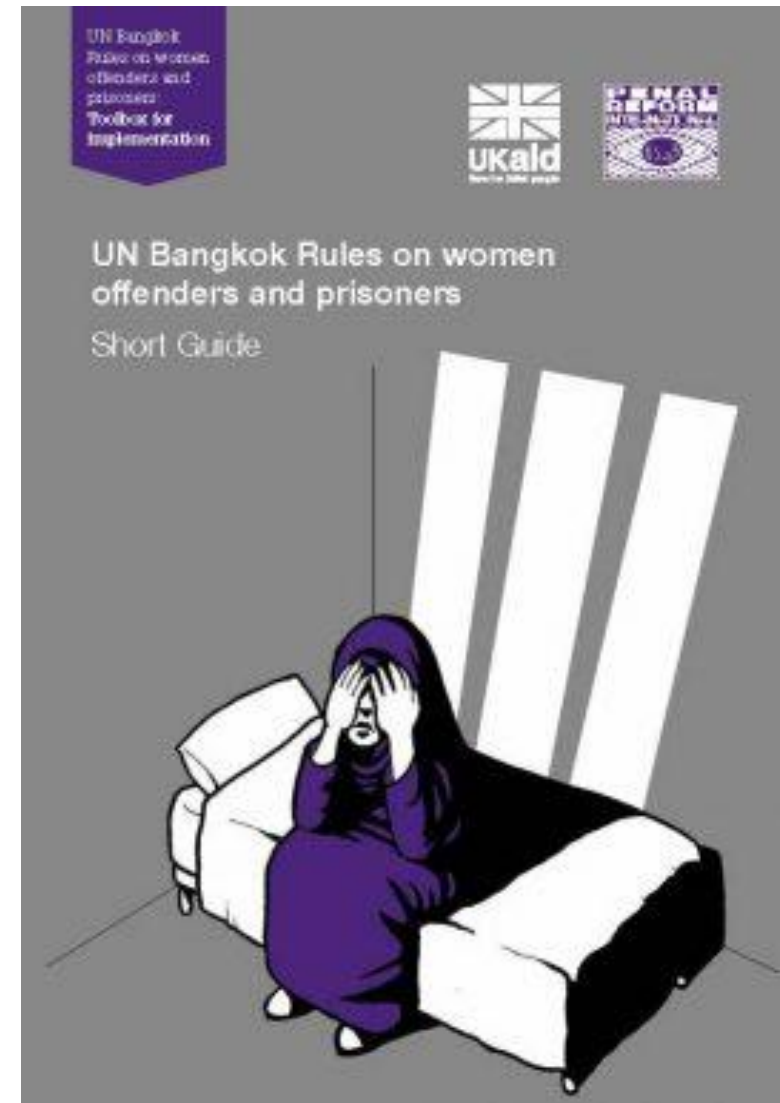
The Bangkok Rules

UN Bangkok Rules on Women Offenders and Prisoners: a short guide

This short illustrated guide to the United Nations Rules for the Treatment of Female Prisoners and Non-Custodial Measures for Women Offenders (the 'Bangkok Rules') adopted by the UN General Assembly in 2010 covers:

- the profile of women prisoners and why international standards were needed
- who the Rules protect
- what the Rules say
- who should be involved in their implementation.

<https://www.penalreform.org/resource/united-nations-bangkok-rules-women-offenders-prisoners-short/>



Is it different for mothers?

Yes

Obviously, there are some similarities for fathers – but for the reasons we will go into today there are some distinct and specific differences for mothers – some of this learning will apply to your work with fathers and there are opportunities for development there too – but for this presentation the focus is women/mothers. In no way does that minimise the challenges for fathers and children of imprisoned dads. I am simply focussing on the specifics of Women, Mothers and 'Motherhood' and asking you to think about this additional 'layer' that is relevant when working with mothers – whether they have their children in their care or not.

What do we know about women in prison and on probation? .. Already a 'vulnerable population'....

the characteristics of criminalised women are.....

- Missed and lost opportunities
- Challenges of 'circle of circumstance' (what we know)
- UK Context
- For most mothers in custody 1st time separated from children for any length of time
- Most mothers located 60-150, (sometimes more) miles away from home
- Many mothers do not expect custodial sentence and do not prepare – many women tell us they were told not to expect a custodial sentence 'don't worry'
- Breach & recall /short sentences/low risk of harm/remand
- Only very recently have we begun formally collating data on how many women are pregnant/miscarry/terminate in prison – what do we collate in probation? What do we know/don't we know?
- Some women only find out they are pregnant at reception into prison- as probation officers do you ask?

Supervision rarely 'factors in' – especially post prison

Today is about asking you to think about this additional 'layer' that is relevant when working with mothers – whether they have their children in their care or not.

Motherhood is



JUDGED



expectations

Just a Snippet of Findings from my research....

- Motherhood status has relevance to prison/probation experience, supervision and supervision/key worker relationships
- 'collateral damage' affects focus and ability to engage more so if women are mothers
- The trauma of arrest, separation, and changed relationships is long lasting, and remains relevant post-prison
- Primary concern often is/remains their children and their children's situation – whether obvious to you or not and whether mothers have care of their children or not

'invisible mothers'

Impact

- Ability to attend appointments
- Quality/level of engagement
- Perception of PO/purpose of supervision
- Maternal identity and self esteem(which affects life/life choices)
- Cultural relevance
- Pursuit of a positive maternal identity
- All of the above bears a relationship to desistance

Continuing to miss and lose opportunities and importantly to support women and ergo children effectively



What is it like to be a mother in prison?

Factoring in Maternal Trauma/Emotion/Identity

What does it feel like come into prison as a mother ?

Imagine.....

- where is/are my child/children
- who has them
- Are they upset
- Do they know where I am
- when will I see them
- will I see them again
- will he hurt them
- who will protect them
- will they forget me
- what if they are ill
- what if they make a mistake
- who will kiss them
- what if ?.....

- And we wonder why women's self harm rates are high? – you have all this emotion in your care



One mother described her 'agony' of being sent to prison as a still breastfeeding mother.

'I was locked in this horrible lonely, scary place with leaking breasts and no baby... I held my pillow like it was my child and it was soaked with my milk and my tears... I felt bereft, I have never felt grief or pain like it'. (Beth)

How mothers are responded to can be the difference between life and death...literally (Michelle Barnes, Sarah Reed)

Notwithstanding Rowe's reminder that women, indeed mothers are not a homogenous group, the pain simply of *separation* adds literal weight to other emotions. With mothers describing despair, anger, grief, loss, frustration, hopelessness, guilt, sadness and shame - even when they are in contact with their children(because they are still 'separate'.)

Datesman and Cales (1983) describe this pain as a result of separation as '*a profound hurt*'.

The 'unbearable pain' of separation and being in the prison space

Working compassionately with mothers in prison is key to wellbeing..... Working with responsibility and managing risk is still doable - with compassion – guilt is a life threatening emotion for imprisoned mothers

What Happens in prison matters !

Think of Sarah Reed, Michelle Barnes – deep rooted maternal trauma – long and short term

“ Mister Brown was ace; he knew the most important thing to me was to get my kids back when I got out and he used that as my motivation. He always knew when I had a visit and would check I was ok – just that question made the difference you know – are you ok ? He took time to know me as a mother not just a number and that mattered it kept me feeling like I was a mum and could be a mum again when I get out ...and that is the best part of me you know. He would say ‘do it for them Daisy’... and that kept me going, Daisy aged 31 – mum of four

He saw I was upset, told me not to cry said If I was that bothered about my kid I wouldn't be here... I self harmed that night.... And I hadn't done it for years
Beth

When no one else did, he respected me as a mother & that gave me hope... Tarian, mum of six

Without Miss White – I wouldn't be alive simple as. She noticed I took my photos down – I couldn't do it with them watching – but talking to her Helped me see it wouldn't always be like this she made me see they needed me alive – even a prison mum is better than a dead mum to kids –I'll never forget her.
(Jaspreet) 18 month old twins

That first night oh my god, I was terrified, I didn't even know who had them. If it wasn't for Miss green sitting with me that night and ringing from the office I honestly don't know what I'd have done (Tanya)



What did mothers under probation supervision say ?

'I was meant to attend this group thing at probation and I ended up breached because I didn't go, but I just couldn't afford it, it was a choice of food for the kids or bus fares, it's all very well saying I could claim it back if I kept the tickets but you have to have to money in the first place '(Sam)

- 'I was struggling with my emotions, I just felt crap at everything especially being a mum, being arrested in front of the kids was horrific and I know most people will say I deserved it but it does affect you and its affected them too, I tried to speak about it to my probation officer but she wasn't interested so I just thought what's the point, I didn't even try to get on with her after than' (Tia)
- 'I found it really difficult once I was released, I found it hard to adjust and to slot back into my family, it was like the gap had been filled and I was pointless now, all I could think about was what I'd lost as a mother but without a clue how to get it back ... it was all I could think about and it deeply affected my mental health. I was not in a good space for anything at all....in supervision I just stared at the floor, I didn't know how to bring up what I was feeling, and he never asked' (Nicola)

It Matters what you do – it matters what the women's voices say they need

“ my probation officer was ace; he knew the most important thing to me was to get my kids back and he used that as my motivation. He helped me with the social and helped them see I was doing my best – even when I relapsed, he got me to come back round – he made me want to be a better mum because I knew he wanted me to be a better mum. He helped me let go of my mistakes and deal with my past. He helped me believe my future could be different. I've got all my kids back now and you know what my new baby will never know that old me. This is it now, this is me. I'm just a bog-standard normal mum”

- Daisy aged 31 – mum of four

She was class – she knew I had to focus on how I felt – especially about being a criminal mum and all that shit before I could even think about the rehabilitation stuff (Dee)

I was literally homeless, ...without my kids --- that was my priority – without that sorted how could I have the headspace to chat shit (Sandra)

It felt like there was no point going, it wasn't support, there I was struggling to fit back in and she just asked have a I offended am I using – no thank you – time to go (Lynn)



My probation officer knew I was struggling to get to appointments with the kids and came to me – I know I would have ended up breached and recalled without that understanding (Dawn)

No one asked why I missed the appointments .. They just recalled me (Mandy)

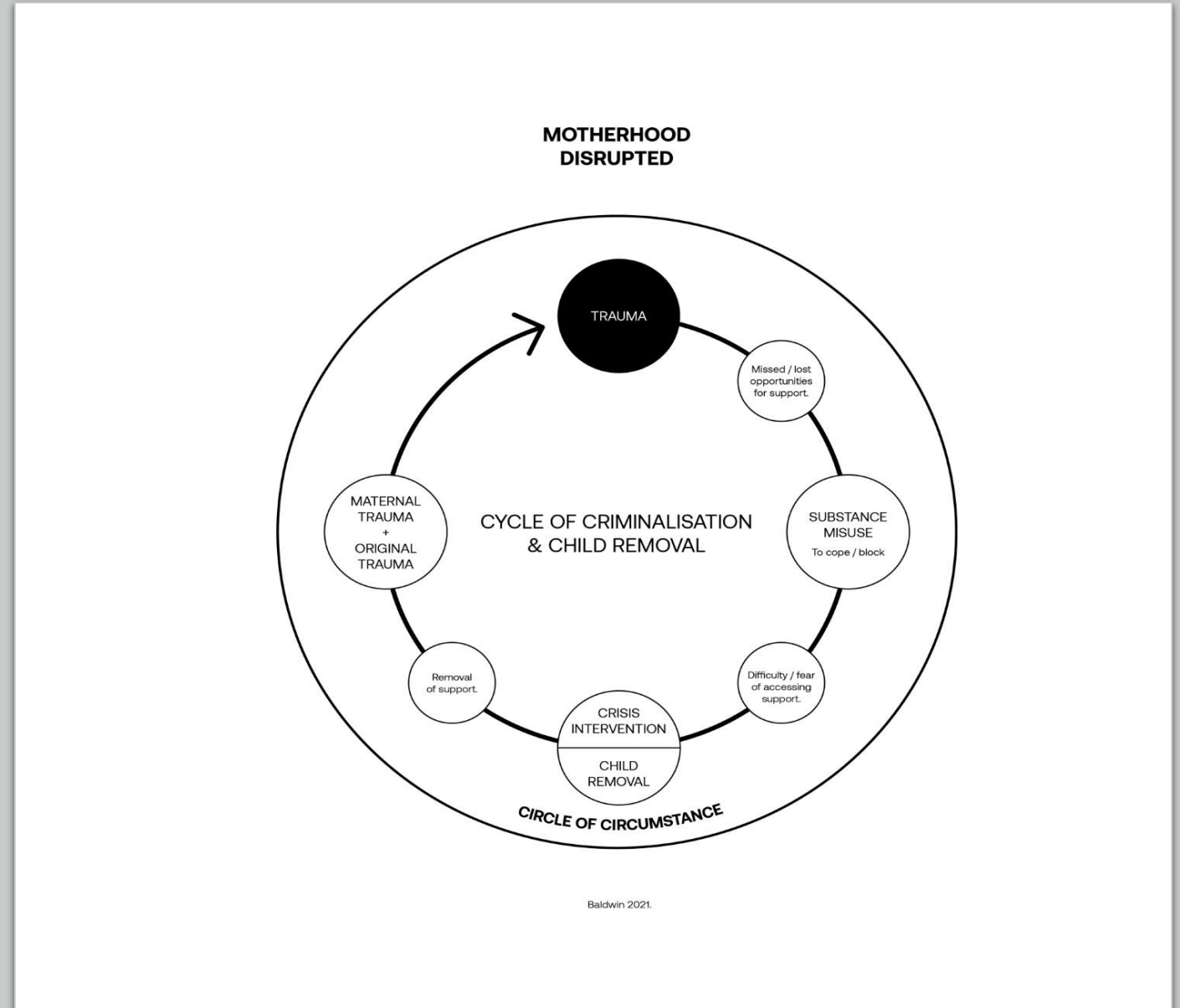
Maternal Trauma and Cycles

'why does she just keep having kids'

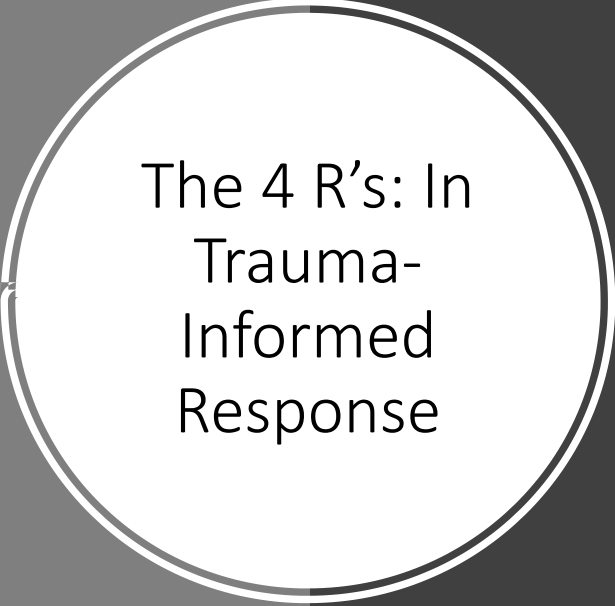
Circle of Circumstance', context women/mother is living in , possibly; poverty/domestic abuse/mental health- abusive relationships

- Original trauma – often rooted in childhood- but may be multiple/repeated traumas
- Original trauma – often rooted in childhood- but may be multiple/repeated traumas
- Substance misuse to cope/block
- Underpinned by offending to fund/ and/or perpetuated lifestyle
- Difficulty/reluctance to ask for help/fear of losing children
- Crisis intervention/child removal
- Loss of support or disengagement 'I've nothing else to lose' 'fuck it button'
- Additional maternal trauma on top of original trauma -
- Unresolved original trauma
- Cycle perpetuates – cycle of child removal and a cycle of reoffending/reimprisonment

Circle of Circumstance (Baldwin 2021) – please do not reproduce without permission /acknowledgement



For some women recidivism/desistance is very much linked to motherhood



The 4 R's: In
Trauma-
Informed
Response

A program, organisation, or system that is trauma-informed

realises the widespread impact of trauma and understands potential paths for recovery;

recognises the signs and symptoms of trauma in clients, families, staff, and others involved with the system; and
responds by fully integrating knowledge about trauma into policies, procedures, and practices, and seeks to actively

resist re-traumatization.

(SAMHSA, p. 9)

Motherhood Matters

Trauma triggered offending
layered with maternal trauma, maternal
identity, maternal emotions –


Being truly trauma informed means
recognising maternal trauma too ... and if
we don't Beth




My research has informed practice and I have created guidance for mothers – available on UK Probation Service Intranet, and also activities for working with mothers under supervision, in the 'First Steps to Change Women's Toolkit.

The image shows a screenshot of a PDF document. At the top, there are browser tabs for 'mother also fem...', 'Enlys own chapter.pdf', and two instances of 'Libr Site - supervising mothers...'. The document header features the HM Prison & Probation Service logo on the left and the National Probation Service logo on the right. The title of the document is 'SWSC - 'lite bite' Supervising mothers'. Below the title is a purple header box with the text 'Supervising mothers'. The main body of the document contains several paragraphs of text. The first paragraph states that the 'Lite bite' aims to support supervisors and remind Offender Managers of the importance of motherhood and maternal emotion. The second paragraph discusses the challenges women under supervision face as mothers. The third paragraph explains how preoccupation with mothering can affect behavior. The fourth paragraph mentions evidence on gender-specific trauma interventions. The final section is titled 'Evidence from post-supervision mothers- why motherhood matters' and contains two quotes from women.

mother also fem... X Enlys own chapter.pdf X Libr Site - supervising mothers... X Libr Site - supervising mothers... X

 HM Prison & Probation Service

 National Probation Service

SWSC - 'lite bite' Supervising mothers

Supervising mothers

This 'Lite bite' seeks to support supervisors in their supervision of mothers and reminds Offender Managers of the significance of motherhood and maternal emotion, to desistance and rehabilitation. It is to be used in conjunction with the 'lite bite' relating to women and trauma.

Women under supervision, whether on licence or post release from prison, are often also mothers. For many mothers, their children are their 'primary concern', and maternal issues and emotions may be affecting a mother's ability, (and willingness), to fully engage with the supervision process. For many mothers, whether they have the care of their children or not, their maternal emotions, particularly in relation to criminalization, (e.g. guilt and shame), may have an impact on them; in relation to aforementioned ability to engage, focus on rehabilitation, additional trauma, substance misuse, (and therefore offending to fund their addiction), relationships, and psychological wellbeing. Offender Managers need to think about maternal issues when supervising women who are mothers, and to be aware of the potential challenges she faces and the relationship those challenges may have to her offending or desistance.

Being completely preoccupied with challenges in terms of mothering and maternal emotion can affect women's responses and can lead to behaviour that presents or is perceived as aggressive/volatile, or angry, or disengaged or mistrustful. Offender Managers need to be mindful of possible past trauma as well as mother related trauma and to consider how these could link to her offending behaviour, (past present or future). It will also encourage consideration to support mothers through this process and what effective rehabilitative interventions are suitable.

Evidence suggests that gender specific, trauma informed interventions tackling the areas of motherhood, mothering, and maternal emotion, mental health, substance misuse, good family contact, pro-social identity, being in control of daily life, resettling and building social capital is the best way to address re-offending and keep women safe. When interviewing please consider exploring these areas with the individual, including reflecting upon vulnerabilities and any trauma and/or maternal challenges/circumstances experienced. The current guidelines for, and expectations of Court reports are that they explicitly consider the specific needs of the offender, including childcare, and supervision ought to be no different.

Evidence from post-supervision mothers- why motherhood matters

'I have five kids and I'd been away for four years – yet no one ever asked me what it was like being home, what it was like as a mother whose been to prison, how was I coping. All I was focussed on was being a better mum, so at probation I just used to say yes, no, yes no, they weren't interested in what mattered most to me so I just didn't talk to them' (Ursula)

'I've lost my kids, they're gone, social services took them, maybe rightly so, but how was I meant to stay clean now? I hated myself even more for losing my kids, what kind of mother does that make me? so no I couldn't stay clean and then obv I had to thieve to pay for it... but then I just felt more shit and lost any chances at all getting them back... this is it for me I think now, maybe if I'd had someone to talk to about what it felt like it might have been different – but the drugs were easier and no one ever asked me how I was as a mum – I tried to speak to my probation officer once, you know to try to get help before I went bad again, but she just said it was nothing to do with her and I

My Research In Action

Positive and ongoing policy and practice change this research has informed (Farmer review/ JCHR Maternal Imp; APPG Women's health/ Women's estate Sodexo; Pact

Guidance for mothers – available on UK Probation Service Intranet – ongoing staff awareness PQiP and business case for regional /national training

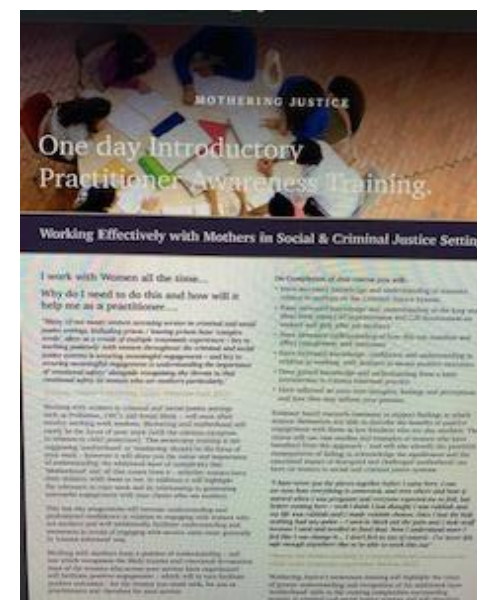
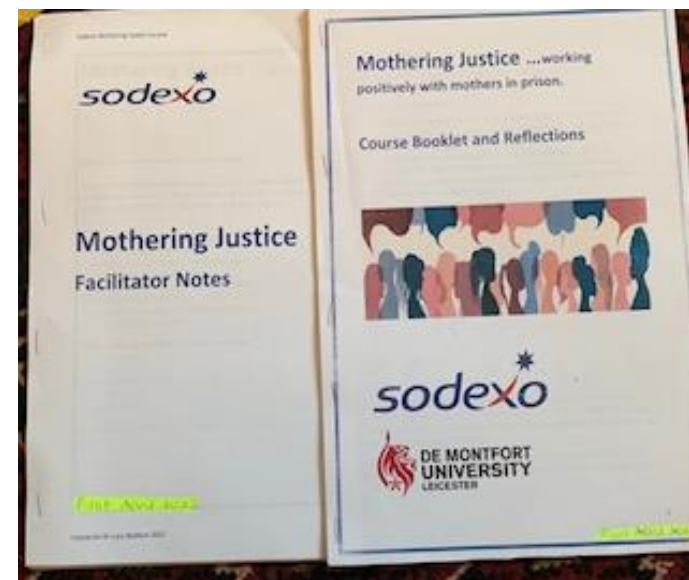
'tools' for practitioners to use in the newly launched 'First steps to Change' - women only 'toolkit'.

Staff training piloted and being rolled out across multiple agencies including probation officer/prison officer qualification programs – (Unlocked Grads)

Programs/course for mothers – Mothering Justice and MIO (Pact) MIO accredited, MJ pursuing accreditation –

Task Force for Perinatal Pathway for Courts, and Motherhood Project -Courts with Felicity Gerry QC germinating!

Working directly with prisons – consultancy and guidance and in practice via the **The Motherhood Project - Sodexo**



Additional Resources

Email me with any questions/comments
lbaldwin@dmu.ac.uk

Twitter @LucyBaldwin08

