



Not Beyond Redemption

SUPPORTING MOTHERS IN PRISON



IMPACT REPORT 2021

**CAMILLA
BALDWIN**
SPECIALIST FAMILY LAWYERS

What We Do

Not Beyond Redemption is a charity providing free family legal advice to women who are in prison, or who have left prison. We are a team of specialist family lawyers and volunteers who focus on helping to re-establish critical access and relationships between mothers and their children.

Our scope of work is varied and ranges from helping women understand a way through the myriad of legal matters, including understanding their rights, to writing legal letters and representing them in courts across the country – all on a pro bono basis. Support is extended to the families of the women and continues after the mothers have been released from prison, for as long as they need us. This could even be up to the child's adulthood

Since 2018, Not Beyond Redemption has held a pro bono legal clinic for the women at HMP Send in Woking. Our goal is to make this initiative available in all 13 women's prisons throughout the UK.

We are thrilled to have won 'Outstanding Initiative' at the CSR Charity / Initiative of the Year Citywealth Brand Management and Reputation Awards 2020.

Why We Care

Women in prison simply do not have access to justice because Legal Aid is so limited and most women are unaware of their rights. The charity provides legal advice on children matters to assist in re-establishing the fundamental relationship between mother and child, a bond so often broken when a mother is imprisoned. **More than 17,000 children are separated from their mothers by imprisonment each year.**

Imprisoning women better suited to community service or rehabilitation programmes therefore has a hugely damaging impact on family life, in many cases leading to repeated criminality, homelessness and poverty.

95%

of children whose mothers go to prison have to leave their family home and their education, family relationships, health, and well-being are impacted

82%

of women in prison are serving custodial sentences for non-violent crimes

62%

of women are serving a sentence of six months or less. Despite that, it still has a devastating impact on their children

STUDIES HAVE FOUND

Children whose mother has been imprisoned may experience:

Diminished future outcomes due to disrupted primary attachments in childhood⁶



Disrupted education⁷



Difficulty in following a 'pro-social' pathway⁸



A very high aggregate, in number and range, of worrisome adversities and risk factors⁹



A greater risk of future criminality or anti-social behaviour when a mother rather than a father is imprisoned¹⁰



Care arrangements which may not be in the child's best interests¹¹





The impacts of maternal imprisonment are wide ranging and effect every area of children's lives including:⁴





Although the impacts begin at the point of imprisonment, often beginning when women are held on remand awaiting trial, they do not end with the mother's release.

The instability these children face in childhood affects their future life chances.

A recent study from the Netherlands



found that children who experienced maternal imprisonment were more likely to die before the age of 65 than their peers.¹²



Holding a women in prison costs an average of £55,889 per year, compared to offender tags which cost around £4,380-£4,745 per year

An estimated 17,240 children are separated from their mothers by imprisonment each year.

Source:
Prison Reform Trust



The number of women in prison in England and Wales is around 4,000 with the percentage of mothers in prison at approximately 66%

Source: Womens
Prison Reform Trust



The number of children in care has steadily increased over the last decade and in 2017 there were 72,670 in care, an increase of 3% on

2016

Source: Department
of Education

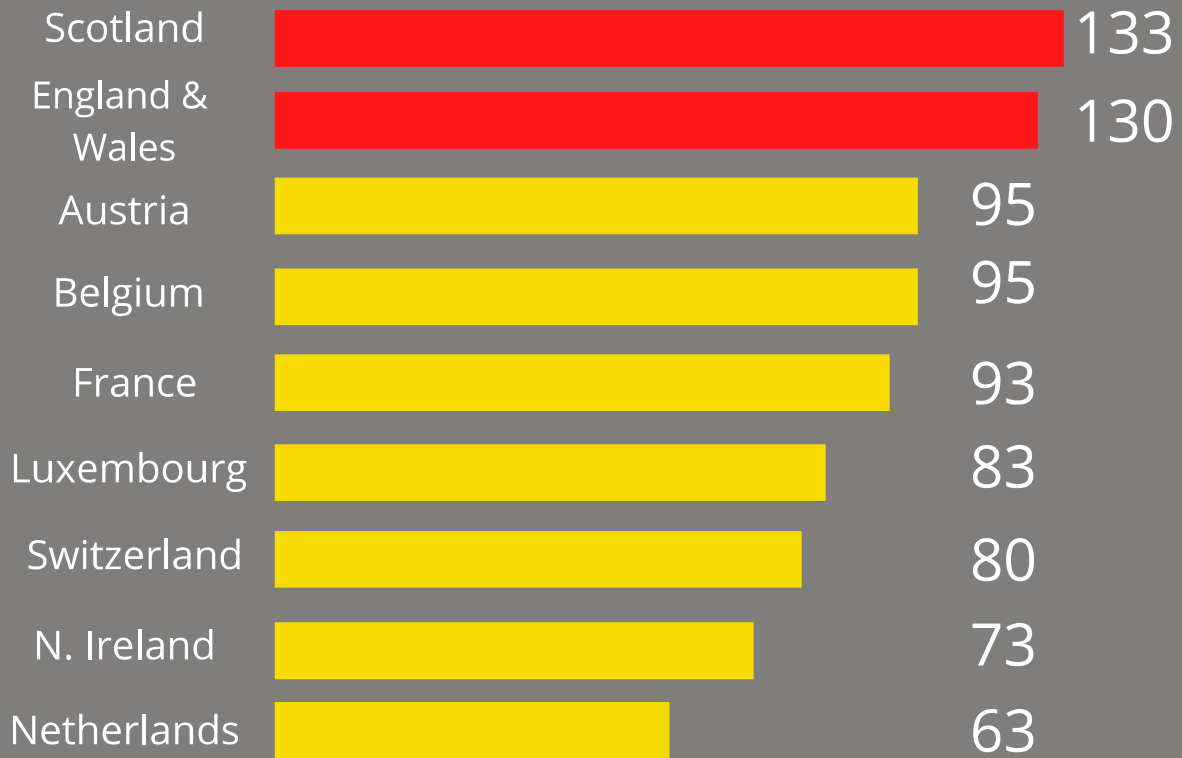


Between 24% and 31% of all female offenders were estimated to have one or more child dependents.

Source: Ministry of Justice,
2015. Female Offenders
and Child Dependents



England, Wales and Scotland have the highest prison population rate in Western Europe



**Figures represent prison population per 100,000 national population*

Source: International Centre for Prison Studies Accessed 11 March 2021



Women account for a disproportionate level of self-harm in prison— in 2018 19% of all self-harm incidents in prison were by women, despite making up only 5% of the total prison population

Source: Table 2.1, Ministry of Justice (2019) Safety in custody quarterly update to December 2018, London: Ministry of Justice

Who Does Maternal Imprisonment **Impact?**

Care Homes

Putting mothers in prison often leaves children displaced and subsequently moved into care homes.



Prisons

Prisons are already overcrowded and incarcerating mothers for non-violent crimes unnecessarily adds pressure on prison staff.



Children

Even though most women serve sentences for 6 months or fewer, the children will always remember being separated from their mothers.



Society

Children with unstable upbringings are vulnerable to being picked up by gangs and becoming future offenders.



Our Impact

Our work entails a diverse approach that covers not only professional advice on family legal matters, but behind the scenes work liaising with multiple parties, providing avenues of communication, and working with specialists in the fields of emotional and psychological support. We walk by their side through the legal process and beyond, and to this end, we support women by:

- Representing them in court
- Corresponding with members of their families, including the fathers
- Liaising with social workers
- Obtaining expert reports from psychologists and other professionals
- Working with barristers
- Speaking on the phone
- Providing emotional support

Thus far, we have acted for over 30 women - some of which were provided over £70,000 of pro - bono legal services. The women and children we help often enjoy the following outcomes:

- Letterbox contact with children
- Visitation rights
- Housing assistance
- Understanding their situation
- Living with their children
- Blocked special guardianship orders
- Phone contact with children
- Rebuilt relationships
- Representation in divorce proceedings

There are so many mothers like Caroline

We represent a mother who is currently serving a prison sentence for child cruelty. Following the premature birth of her second son, the mother struggled with her **mental health**. This led her to believe that the doctors treating her premature son were not doing enough and were making him worse, which was not in fact the case.

Following the above events, the local authority became involved and it was ordered that the children were to live with the father and that the mother was to have supervised contact. This arrangement took place until the mother went to prison, following which **the father then refused to bring the children to see their mother**. Contact by telephone also reduced significantly. As a result of this, we have applied to the court for a Child Arrangements Order which specifically applies to the mother whilst the mother is in prison and also when she is released next year. **One hearing has taken place and supervised contact was ordered to take place between the mother and the children prior to the second hearing**. Proceedings are ongoing.

Sandra

Sandra was imprisoned for fraud. As a result, the court issued a special guardianship order in favour of Sandra's mother. We gave Sandra over £70,000 worth of legal advice and reached a conclusion that was favourable for her children.

Cynthia

Cynthia sought our advice regarding her and her disabled daughter's housing. Following her divorce, the family home was to be sold when the eldest child reaches 18, after which she would need to pay rent to her abusive ex-husband. If he prevented the sale, she was worried she would have to pay the mortgage and rent to him. With our help, Cynthia has now moved into a new home and is her daughter's primary carer.

Laura

Laura was imprisoned for grievous bodily harm. Her eldest child was sent into care and her two youngest children live with their father. Laura wanted contact with her younger children and for her eldest daughter to live with her upon release. Laura has now moved into a council flat with her eldest daughter. We are in touch with her probation officer to help her with universal credit and finances. She has also been granted interim contact with her youngest children.



I know you want the best for people like me! & no one wants it more than me to be a part of my daughter's life,

'I knew from the first meeting with you that you were going to fight hard for me. You were so passionate about what I should be getting custody wise. Then I met the others from the team and I did think they won't be the same - sorry. But they all were!'

Mother Serving: 24 Months
[Child age: 36 months]

In Court you's were Amazing
you fought & fought for me &
with me to get Keep my P.R.
and thats what we got along
with winning the Contact arrangement
order with days + times for me
to See my Son.

I am ever So Grateful.
And thank you all.



'Eventually I decided to take it back to court, because I'm a mother and want to see my daughter and be a part of her life. This is stressful sometimes and disheartening but you didn't give up on me which gives me hope.'

Mother Serving: 18 Months
[Child age: 7 months]

To Whom it may Concern,

Thank you for your letter asking whether i would like to be involved with your charity,

The answer of course is yes, i would be delighted to be involved, there are to many women in jail that have little to none contact with their children & struggle to have someone fighting in our corner,

Just because we are in jail i think it us extremley ditrimental to us women & also our children

'There are too little women in jail that have little to no contact with their children and we struggle to have someone fighting in our corner'

Mother Serving: 9 Months
[Child age: 5 months]



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Sources

1 Ministry of Justice, Prison receptions: October to December 2018 Table 2.5b, Offender management statistics quarterly, October to December 2018

2 Ministry of Justice, Prison receptions: April to June 2018, Table 2.5b, Offender management statistics quarterly: April to June 2018

3 Caddle and Crisp, 1997 4 'Maternal Sentencing and the Rights of the Child' (Minson, 2020)

5 Minson, 2017 6 Dallaire, 2007a 7 Dallaire and Wilson, 2010; Cho, 2011; Hagan and Foster, 2012

8 Hirschi, 1969; Fox and Benson, 2000; Green and Scholes, 2004

9 Cunningham and Baker, 2003; Dallaire, 2007a; Miller, 2014

10 Murray and Farrington, 2008 11 Caddle and Crisp, 1997; Poehlmann, 2005

12 van de Weijer, S.G.A., Smallbone, H.S. & Bouwman, V. J Dev 2018

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