

Research Paper

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Motherhood Arrested: Reflections from birth mothers and practitioners in the criminal justice system

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Abstract

This research explores the testimonies of mothers who have experienced arguably two of the most extreme state interventions: a custodial sentence and the adoption of a child. Building on studies around maternal imprisonment and maternal rights, the research aims to explore protective factors¹ for this group through a matricentric approach.

Findings are based on interviews with three birth mothers, two Probation Officers, two Social Workers, and five support workers and managers from various third sector agencies supporting women.

Though a small sample size, the findings show consensus among the Mothers² and practitioners around the histories of trauma for birth mothers, where the removal of children then constituted a further trauma. Gender-specific approaches and therapeutic support are needed to break this cycle that can otherwise lead to involvement in both criminal and family courts, where poor interagency communication breaks down trust in professionals, acting as a barrier to mothers asking for support. Findings also identified the profound grief and loss experienced by the Mothers, and the hope (and likelihood) of future contact with birth children. Practitioners must think long-term, considering the effect that their words and the inclusion of recorded views of birth family may have on future reconciliatory relationships.

This research calls for a greater understanding of the impact of traumatic experiences on women in the criminal justice system, and for improved support for birth mothers, concluding with recommendations for improvements to both policy and practice.

¹ SAMHSA (Substance Abuse and Mental Health Services Administration) states that protective factors are 'characteristics associated with a lower likelihood of negative outcomes or that reduce a risk factor's impact' and the 'protective factors' may be seen as positive countering events.

² Where the word 'mothers' appears capitalised it refers to the mothers involved in this research study, known hereafter as the Mothers or Mothers.

Chapter 1: Introduction

The Ministry of Justice has made estimations in 2017 that there were approximately 8,400 first receptions to prison for women in England and Wales, and in 2018, that approximately 5,292 of first receptions were mothers with dependent children (UK Joint Committee on Human Rights, 2019). There is a lack of specific data collected around the numbers of mothers in prison, and the number of children affected by maternal imprisonment (ibid), although this latter has been estimated at 17,500 (Kincaid et al., 2019).

The Farmer Review for Women, published in 2019, explored the needs of women in the criminal justice system, noting the specific challenges for mothers in prison regarding separation from their children. The Review highlighted imprisoned mothers' preoccupation with their children's wellbeing, stating: 'Unless and until women are reassured about their children, they are unable to make progress in other areas' (2019, p.14). And so, what of the experiences of mothers who are not reassured about their children, and perhaps are no longer legally able to have information about them? What of the women who have had their motherhood arrested, forcibly halted, and are left with the precarious hope of this being re-established at a later date?

While there has been increased research into the experiences of women in prison, and of mothers temporarily separated from their children as a result of imprisonment, the experiences of women who have had a custodial sentence alongside longer-term separation from their children through adoption have been less frequently explored. It is acknowledged that in comparison to most European countries, the United Kingdom is unusual in its high number of Adoption Orders where there is no parental consent and where biological family ties are cut (Munby, 2015). In the UK, during the year ending March 2023, 2,960 looked after children were adopted, and 2,220 other children had a placement order though were not yet placed. A further 3,150 children had an adoption best interest decision (DfE, 2023). It is unclear how many of these orders were truly uncontested, given that many birth parents feel powerless during the process (Schofield et al., 2011, Lynch, 2017; Lewis, 2022).

During my time working in a women's prison, several mothers spoke to me about the adoption of their children. These conversations, covering the gamut of emotions and experiences, were the impetus for this research, a motivation which was strengthened by reading Dr Lucy Baldwin's work on motherhood and maternal imprisonment. The stories of mothers who have experienced arguably two of the most extreme state interventions are not often heard or valued because of associated stigma. Motherhood is a topic that seems to invite judgement and scrutiny (Baldwin, 2019; Lockwood, 2013), and for women who have had children removed from their care through adoption, there can be further layers of shame, guilt and judgement (Broadhurst & Mason, 2017). There are additionally certain expectations, societal norms and values that are already challenged when women come into contact with the criminal justice system, and this research recognises the challenges that are faced at the intersection of these experiences. It is also important to recognise that practitioners (and researchers) work and learn in environments where these judgements and preconceived notions linger and are not immune to their impact.

Baldwin has advocated for further research to be focused on mothers in the criminal justice system who are permanently separated from their children and highlights how they are 'invisible' as mothers in the system (2021:16). The aim of this paper is to highlight the Mothers' voices and experiences – those who have had a custodial sentence as well as a child removed from their care through adoption– and to develop an understanding of the protective factors for mothers in prison who have experienced this halted, or arrested, motherhood. The paper will explore these experiences through qualitative interviews with mothers and practitioners, and will make recommendations for those working in these fields.

Chapter 2: Literature Review

While there does not appear to be research with this focus on the experiences of mothers who have had a custodial sentence as well as a child removed from their care through adoption, in recent years there has been a significant increase of studies on the experiences of women and mothers in the criminal justice system. This review of literature will firstly examine academic thinking regarding mothers' experiences of prison and with Children's Services more broadly, and secondly, it will explore literature on birth mothers' experiences of adoption.

2.1 Mothers in prison

There has been expansive research around the topic of women in prison and the gender-specific nature of their treatment and experiences (Smart, 1976; Carlen, 1983, 2002; Worrall, 1990; McIvor, 2004; Baldwin, 2015, 2022). It is well-established in the literature that women entering prison have often experienced trauma resulting from abuse and violence and are likely vulnerable or disadvantaged in some way (Corston, 2007, 2011; Quinlan, 2011; Moore & Scraton, 2014; Baldwin 2022). Despite this, there remains a long history of women in the criminal justice system perceived as 'deviant', going against societal and gender expectations (Heidensohn, 1968; Zedner, 1991), which some argue continues today with additional judgement ascribed to those women who are mothers (Baldwin, 2015; Sharpe, 2015).

There has been increased focus on the topic of maternal imprisonment (Epstein 2012; Minson 2014; Moore & Scraton 2014; O' Malley & Devaney, 2015; Masson 2014, 2020; Baldwin 2015, 2018, 2021, 2022; Breur et al., 2021) with authors pointing to similar concerns and needs as previously highlighted within The Corston Report (2007), one of the most prominent explorations into the specific needs of women in the criminal justice system. Baroness Corston (ibid) acknowledges the impact on mothers of being separated, even in the short-term, from their children; this includes deteriorating mental health and suicide attempts, tension amongst family members and poor relationships with social workers and other professionals. The report acknowledges that the impact of separation on a mothers' mental health is increased when mothers are not aware of who is looking after their children. The Corston Report also emphasises the stigmatisation women in the criminal justice system face, as well as the further harm that prison can cause (Worrall, 1990, Carlen and Worrall, 2004; Quinlan, 2014; Moore and Scraton, 2014) which is greater for women than for

men (Smart, 1976; Carlen, 1983, 1985; Moore and Scraton, 2014; Lockwood, 2017). Poor outcomes for health and wellbeing have also been noted by the All Party Parliamentary Group on Women in the Penal System's 'Inquiry into women's health and well-being in prisons' (APPG, 2022). While Corston's (2007) recommendations were widely acknowledged, insufficient progress has been made in their implementation (Women in Prison, 2017; Baldwin, 2022).

The Corston Report emphasised that only 5% of women prisoners' children remain in their home once their mother has been sentenced to custody (2007). The impact on children has more recently been given necessary attention in research by scholars and organisations such as the Prison Reform Trust (2018), and there have also been a number of articles and journals exploring how mothers impacted by the criminal justice system perceived Children's Services' involvement, such as Baldwin (2015, 2022) and Lockwood (2020). Mothers' experience with social workers is often additionally complicated given that many themselves have had experience of local authority care and are likely to face more scrutiny as a result (Broadhurst et al., 2017, Roberts, 2021). Lockwood (2018:157) advocates that imprisoned mothers are viewed less sympathetically than other prisoners, and Minson (2020) also suggests that mothers receive less compassion in the criminal courts, and more severe sentences.

Corston (2007) also recognised that women in the criminal justice system are often victims of crimes themselves and therefore need a gender-specific pathway out of the criminal justice system. Further research has identified high levels of trauma among women in the criminal justice system as well as the unequal impact on mothers of separation from children, where greater societal disadvantage and vulnerability is linked not only to a greater chance of a mother being separated from her child, but also to having a worse experience of that separation and being more likely to experience further disadvantage on her release (Martin & Powell, 2021). The Female Offender Strategy (2018) and Delivery Plan (2023) have since been established with the aim of improving outcomes for women in the criminal justice system. There is now a significant shift towards a gender-specific approach to working with women, with specialist women's teams, a strengths-based, women-centred approach and trauma-informed principles (Morley & Rushton, 2023: 37-59). Other positive innovation includes the expansion of the Family Drug and Alcohol Courts (alternative care proceedings providing therapeutic and wrap-around support focused on repeat proceedings and substance misuse) established in 2008, the 2021 Social Workers in Prison project 'Together a Chance', the NEPACs Parental Rights in Prison Project (2021-22), and Dr Baldwin's work with Sodexo to develop the Motherhood Charter (2023). Recent changes by

the Sentencing Council (2024) provide additional guidance on sentencing pregnant and perinatal mothers where effects of sentencing and health needs must be recognised.

2.2 Adoption and the experience of birth mothers

Adoption became legally recognised in England and Wales with the Legitimacy Act (1926) and was initially a way of providing security for orphans as a result of war, and children born to unmarried mothers (Adoption UK, 2024). The nature and focus of adoption continued to evolve, and Lewis highlights how since the Adoption and Children Act (2002) was devised, aligning with the Children Act (1989), English governments have continued to promote adoption as ‘the preferred form of permanence for young children in care in England who are unable to live with their birth family or relatives’ (2022: 490). A guiding principle of adoption remains that, without parents’ consent, adoption orders must only be made ‘where nothing else will do’ (Re B (A Child) [2013] UKSC 33). Child deaths and subsequent Serious Case Reviews have led to amendments in child protection thresholds and in 2014, changes to the Public Law Outline meant that care proceedings timescales were reduced by half, to 26 weeks (Barnes, 2015).

Jones (2013) adds to the body of literature expressing concern about the haste of adoption (Howe, 1999; Gupta & Lloyd-Jones, 2016; Kirton, 2019; Lewis, 2022) and advocates that policy makers ‘engage more critically with the historical legacy of confidential adoption and the sensitivities associated with openness’ (2013: 92). Concerns have also been raised about birth families not being able to fully articulate their views, especially those with mental illness or learning needs, and those experiencing domestic violence (Featherstone et al., 2018). Further, economic challenges and the growing pressure within local authority children’s services systems may exploit the vulnerability of birth parents (Kirton, 2019). Broadhurst and Mason (2017) describe an increase in challenges for mothers following child removal, including housing instability, criminal behaviour, self-harming behaviours, substance misuse, unhealthy or abusive relationships and poor mental health, with mothers being recommended support and interventions during the 26-week care proceedings that they were not able to access – this ‘failure’ (or lack of availability) of services is often not accounted for, but the ‘failure’ of the mother for not accessing these interventions is used as a further argument towards child removal.

In the global context, much of this body of literature refers to the ‘relinquishment’ and ‘surrendering’ of children, in countries where adoption takes place with parental consent (Aloi, 2009; Castle, 2010; Brodzinsky & Livingston-Smith, 2014; Krahn & Sullivan (2015). In these instances,

early support from professionals and clear explanations around parental rights are advocated for (Watkins, 2021). Adeline et al., (2019) make the case for open adoptions and especially explore how birth parents may later be able to enjoy relationships with their birth grandchildren, while Weller and Hosek (2020) also explore the shift in the American context from closed to open adoptions. More broadly, it is acknowledged that with current developments in technology, as well as changes to the privacy of adoption information, information about birth parents is more easily accessible even in 'closed' adoption cases.

It has been acknowledged that the experiences of birth parents are the 'least explored' out of the adoption triad (comprising child, birth parent and adoptive parent) (Coleman & Garratt, 2016; O'Leary & Baden, 2005). In recent years there have been responses to calls for increased research in this area. Existing research incorporating first-hand narratives from women in the community who have had children removed from their care by the local authority includes that of Stewart (2021), who explores how mothers attempt to adapt their behaviour, in their aim to understand and fulfil Children's Services expectations and become the 'good mother'. Deblasio (2021) offers another study of birth mothers' experiences, identifying how, problematically, when an adoption breaks down and the child returns to local authority care, the birth parent remains unable to seek information about them. Brodzinsky and Smith (2014) posit that birth mothers should be able to speak with other birth mothers following the adoption (see also Doleman & Garratt, 2016; Neil, 2017), and called for openness in adoption wherever possible. Regardless, birth parents require more trauma-informed and therapeutic services (Enlander et al., 2021; Broadhurst et al., 2015, Doleman & Garratt, 2016; Neil, 2017) since children being removed by the court is a traumatic loss (Morriss, 2018; Baldwin, 2022b). Among this understudied population, research is vital to support birth mothers' positive outcomes and experiences more effectively (Brodzinsky & Smith, 2014; Madden et al., 2018). Innovations such as PAUSE and Breaking the Cycle³, who support birth mothers who have experienced children removed from their care, have received very positive evaluations highlighting the necessity and of this therapeutic work.

³ Breaking the Cycle, unlike Pause, 'does not stipulate a requirement for women to be using contraception to allow them access to the programme', nor does it exclude birth mothers who are pregnant at the point of referral (Gill & Lambert, 2019: 154-155). Pause's requirement, which appears at odds with feminist principles, is funding-stipulated.

Chapter 3: Research Methodology

3.1 Research Design

The principal research objectives are:

- To develop an understanding of the experiences of mothers who have had a custodial sentence and who experienced their child separated from their care as the result of an Adoption Order.
- To develop an understanding of the protective factors for mothers in prison who have experienced this longer-term separation from their children.
- To consider best practice in safeguarding and support when mothers have children removed from their care and have experienced a custodial sentence, and to contribute to guidance for practitioners, such as social workers and probation officers, and other support organisations on how to effectively support mothers in prison before, during and after separation from their children.

The research project will have a matricentric-feminist (O'Reilly, 2016) ontology and epistemology. O'Reilly calls for the importance of highlighting the unique experiences of motherhood and mothering, within feminism and within academia, where the significance of this identity and associated experiences has historically been overlooked. The theory sees motherhood as highly linked to social change and is empowering of mothers' voices and experiences, hence the choice to employ this approach to explore the unique and under-researched perspectives and experiences of mothers in the criminal justice system, by means of a 'matricentric-feminist criminology' as advocated for by Baldwin (2018, 2021, 2022).

Following a literature review, the project comprises semi-structured interviews with mothers and practitioners, with data then subjected to reflexive thematic analysis. All interview participants received a Participant Information Sheet and a consent form, with understanding and consent checked prior to, and at the start of, each interview. Material generated from the study has been anonymised, and each participant has been allocated a pseudonym to maintain anonymity. Participants were given the opportunity to decide their own pseudonym, to facilitate recognition of themselves in published

research if they wish, as explored by Baldwin in her discussion on 'voice and choice' (2021: 99). Where participants had no preference, pseudonyms have been allocated by the researcher.

3.2 Ethical considerations

My initial intention was to include mothers in prison as interview participants, however following further research and discussion in supervision, I made the decision to interview only mothers who were now in the community following custodial sentences. This decision was based on ethical care for participants, participant access to comfort and support, and guiding principles regarding the care and ethics on research with criminalised mothers (Baldwin, 2021; Quinlan, Baldwin, Booth, 2022). I am also bound by the ethical code of conduct for social work and have experience of working in the fields of criminal justice and local authority Children's Services. My experience with difficult discussions and decision-making helped prepare me for undertaking this qualitative research and speaking with my supervisor helped in managing emotions around the sensitive subject matter.

Indeed, this research topic is highly emotive, and therefore great consideration has been taken around the risk to participants. Mothers were given details of community resources and support, and all were already accessing support either through probation, their local women's centre or another supporting organisation, as well as having their own support networks. Participants were made aware that they could end the interview at any point and could choose when or whether to resume.

Ethical approval was granted in May 2023 from the National Research Council, as well as from the University of Cambridge Institute of Criminology, and interviews have taken place over the course of twelve months.

3.3 Sampling and Recruitment

Due to the scope and nature of this research project, there is a limited sample size which has been discussed with Griffins Society supervisors and trustees and deemed appropriate for rich data as well as pragmatism. Nonetheless, I had hoped to interview more mothers, however, due to challenges in recruiting participants, particularly related to the emotive subject matter, I had a sample size smaller than planned. This research project therefore includes interviews with 5 practitioners from a variety of supporting organisations, 2 social workers, 2 probation officers and 3

mothers. Regarding participation criteria, mothers were eligible if they had experience of a custodial sentence, and separation from their child through adoption. Crucially, the mothers should be in a place where they wanted to speak about their experiences. Practitioners needed to have worked with a woman with these experiences.

Invitations for mothers to participate were sent to women's centres, approved premises and women's teams within Probation. Snowball sampling by word of mouth was used to reach further participants. Baldwin speaks about the effectiveness of this type of sampling in identifying participants in her research and highlighted how frequently participants interviewed, having found it a positive experience, would then be able to provide details of additional potential interviewees (2021, see also Layder, 2012). Interested participants were then able to make contact with the researcher and discuss the eligibility criteria and the suitability of the participant for the research.

For recruitment of probation officers, social workers and practitioners from supporting organisations (both community and prison-based), invitations were sent via email to contacts within the region with the request to disseminate to other colleagues. This included professional relationships within women's centres, probation practitioners and social workers and other supporting agencies, as well as a member of the researcher's extended family. Front door representatives for local authority social work teams were also contacted. These practitioners were invited to be interviewed and also to consider if they were working with a mother who would be interested in the research. Unlike with the mothers who participated, snowball sampling did not generate additional participant interest in the case of practitioners.

3.4 Limitations of the research

Due to the length of time and resources available to the researcher for this project, data has been collected from one geographic region only, and therefore it is understood that the recommendations that will feature in the study may not be applicable to services and prisons across all of England and Wales. In addition, the sample size is small and since interviews with mothers have taken place in the community and not within custody, some of these reflections are reliant on memories from years prior. However, it is restated here that feminist research should be preoccupied with giving voice to women who historically may have been overlooked in research (Doucet & Mauthner, 2006) and therefore 'trusts' the participant and their memories, which are likely to be particularly vivid in this instance given the subject matter and associated trauma.

It is acknowledged that due to the nature of purely qualitative data from interviews, it can be challenging to validate the credibility of the findings and there is a risk of bias. This has been discussed by the researcher in supervision and with the network of Griffins Society trustees and supervisors. Lincoln and Guba (1985) set out helpful criteria - credibility, dependability, transferability, confirmability - which the researcher reverted back to throughout the process in terms of trustworthiness of data and findings. Nonetheless, the findings echo previous research, as far as it exists, in relation to experiences of imprisonment and loss, and as such it is argued the research project, though small, is meaningful and reflective of the experiences it set out to explore.

3.5 Interviews

Interviews took place at locations and times convenient for the participants. Interviews were semi-structured and participant-led, with an informal and conversational feel. Interviews with practitioners largely took place via video call although several were face-to-face in a women's centre. Interviews tended to last 30-45 minutes and began with practitioners speaking from their perspective about women they had supported and their experiences. Interviews with mothers all took place face-to-face and were between 45-75 minutes. Interviews with mothers were guided by what they felt was important – all the mothers began by telling me their story, starting where they wanted, which formed much of the interview. I would sometimes prompt to ask for additional information and clarity, and towards the end of the interview, I prompted participants' input about their perception on missed opportunities, and what they would like to see change for future women in this position. I also explained about relevant developments such as Family Drug and Alcohol Courts and Social Workers in Prisons, and asked for perspectives on this.

Participants all gave permission for the interviews to be recorded (via signed consent forms, or recorded verbal statements), and these were transcribed after each interview. Participants each received a voucher as a token of appreciation for participating in the interview.

3.6 Mothers' Pen Portraits

Lisa, 44, mother-of-two (one child deceased), White British and twelve months post-release. Lisa experienced a period of local authority care following abuse in her childhood. Her first child was

placed with her mother on a Special Guardianship Order after her mother made a safeguarding referral to Children's Services. Following further domestic abuse and resultant mental health issues for Lisa, her younger child was adopted. Years later, Lisa was given a custodial sentence for attempted street robbery after her addiction to drugs and alcohol intensified following separation from her children. Lisa is in contact with her younger child, and tragically, her older child recently passed away.

Leanne, 41, mother-of-six and White British, twelve months post-release. Her first custodial sentence was for actual bodily harm, and due to concerns around domestic abuse at a similar time, her children were adopted, with one placed in long-term foster care. Leanne was given a second sentence a decade later after being sectioned. She has letterbox contact with her two youngest children who live with their father. Leanne is now in contact with several of her adult children who were adopted.

Sammy is in her twenties, mother-of-one, from a mixed ethnic background, and interviewed a few months post-release. Following abuse as a child and spending time in local authority care, Sammy then experienced further abuse from her partner, leading to Children's Services involvement with her baby. She spent several months at an assessment centre and was battling challenging mental health and adjusting to new medication during this time. On the same day she went to prison, her baby was placed for adoption, which she had eventually stopped opposing as, in her words, 'social workers literally convinced me that I could not do this'. Her custodial sentence was for grievous bodily harm (GBH), an assault which took place following a racial slur.

3.7 Data analysis

The transcriptions were coded by reflexive thematic analysis, through phases outlined by Braun and Clarke (2006); familiarising oneself with the data, generating initial codes, searching for themes, reviewing themes against all the original themes and the study objectives, and defining and naming themes prior to writing the report.

I then manually identified patterns from printed copies of the transcripts enabling core themes and sub-themes to emerge. This method of data analysis has been chosen as it allows emphasis on what is meaningful to participants, and allows researchers to be alert to previous research and theorisation whilst being open and alert to new phenomena. Themes became more defined and will

be discussed in the next chapter under the following headings: Life experiences; Experiences of prison and resettlement; Experiences with Children's Services; Maternal Identity and Future Reconciliation.



Chapter 4: Findings and Analysis

4.1 Life experiences

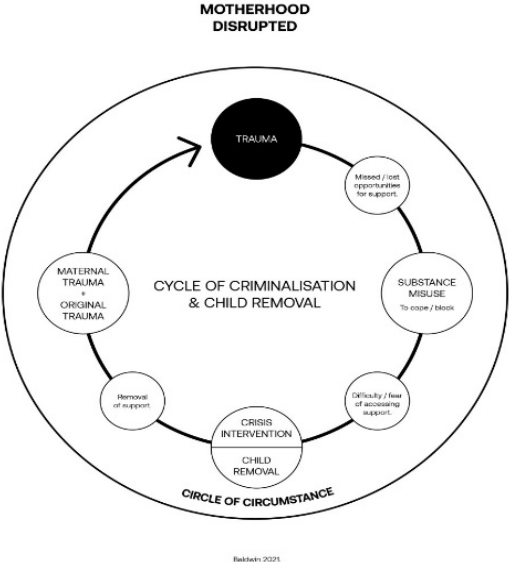
'Guaranteed, most people that are in prison have had some kind of trauma one way or another in their life' - Lisa

Participants involved in this research described similar circumstances affecting mothers in this cohort. Mothers who were interviewed, as well as other mothers that practitioners spoke of, all experienced trauma in their lives prior to their involvement with the Criminal Justice system or with Children's Services. Of the Mothers interviewed, one woman had experienced abuse from family members as a child, one woman had experienced domestic abuse in her adolescence and one woman had experienced both of these kinds of abuse. All three women had experienced local authority care at some point during their own childhood, all were survivors of domestic abuse in adulthood and following this, had misused substances. Two women shared they were working with police around investigations into abuse in their childhood. Sammy, Lisa and Leanne all acknowledged the impact that trauma had on them. Lisa said this was her experience of women in prison generally, while Leanne shared, *'it's raw and it's truthful in there... what you see of the girls is trauma that goes back years and years and years that they're just not bothering to see out here'*, revealing her perception that practitioners are often not aware of the ongoing impact of women's life experiences.

The interviews identified that mothers who have had a custodial sentence and a child separated from their care by adoption, have largely experienced traumatic incidents in their lives prior to separation from their children. This is reflected in the literature, that women entering prison have often experienced trauma resulting from abuse and violence and are likely vulnerable or disadvantaged in some way (Carlen, 1983; Enos 2001; Corston, 2007, 2011; Quinlan, 2011; Moore & Scraton, 2014; Masson, 2019, Baldwin 2021).

Interviews with practitioners evidenced their familiarity with a certain pattern of life experiences for many women in this group, beginning with a traumatic incident such as childhood abuse or sexual violence, followed by ways of coping, some of which could lead to offending or Children's Services' involvement. Mia (Support Worker) added that there is often then guilt, further misuse of

substances to cope with those emotions, and the need to fund the substances, which can lead to sex work or shoplifting. This echoes previous work (Baldwin et al., 2019, Baldwin, 2021;) identifying a cycle whereby the removal of children is the addition of a new trauma, a ‘maternal trauma’, and the cycle may begin again, with missed opportunities for support, as well as the misuse of substances as a coping strategy. Stewart writes that the loss of each child can produce a need to replace the loss in order to attempt to heal the pain, which also continues the cycle (Stewart, in Baldwin 2015, p. 178). The connections identified in this study between trauma, addiction to substances, and motherhood is visually represented in Baldwin’s Circle of Circumstance (2021), produced below with permission, which aids in understanding the cycle which can take place.



For mothers to be effectively supported in prison before, during and after separation from their children, they need understanding and support, and for their experiences to be respected (Stewart in Baldwin, 2015), time spent building relationships (Barnes in Baldwin, 2015) and for practitioners to create a place of emotional safety (Baldwin, 2015: 34). There is now increased recognition for the importance of working in a trauma-informed way in the criminal justice system but there remains a need for more trauma-informed and therapeutic services for birth parents (Enlander et al., 2021, see also Covington, 2007; Bradley, 2017), as well as a trauma-responsive care system that understands the persistence of intergenerational harms (Fitzpatrick et al., 2023, Lockwood, 2020, Baldwin 2022c).

In the interviews, it was acknowledged that Children’s Services involvement was not usually directly related to the criminal offence itself. Indeed, one of the social workers interviewed, Robyn, said that she had never worked with a woman where the main concerns were around criminality, but predominantly due to substance misuse or domestic abuse, which was the case for the Mothers interviewed. One exception to this was another practitioner’s example of children placed in foster care as a result of their mother’s sexual offences, but otherwise in these examples that eventually led to adoption, Children’s Services were rarely seen to be involved as a result of criminality itself. Indeed, most looked-after children are in care as a result of abuse or neglect (NSPCC, 2024).

4.2 Experiences of prison and resettlement

‘I’d never been to prison in my life at this point. I was 40. And I got in this van, and I cried all the way to prison’ - Lisa

The literature points to mothers experiencing prison in a variety of ways; while for most it ‘serves only to make their lives worse’ (Corston, 2007: 68) and ‘may feel like the end of the world’ (Baldwin, 2018, 2021), for some it may represent an opportunity to gain support and change one’s circumstances (Comfort, 2008; Enos, 2011; Baldwin, et al 2015; O’Malley & Devaney, 2016). Echoing this previous research, and despite the small sample size, mothers in this study described varied experiences. Leanne’s experience was the former, to the extent where prison officers told her they thought she would end up leaving custody *‘in a box’*. During Leanne’s second custodial sentence, she described accessing drugs in prison as a protective factor for her mental wellbeing although she was aware that this was destructive for her physical health.

‘So I abused drugs in prison. Really badly. I got an awful drug habit in prison. And it was the only way of getting up in the morning and getting through the day. And that was it. And then I nearly OD-ed, nearly died and then I thought you know what, something’s got to give here. Something’s got to stop. And I was coming up for parole, and I was like, I need to switch this round. I need to stop it. But when I came off the drugs I dipped so bad, because obviously all the thoughts, everything I was blocking out with the drugs, was coming back to me, the realisation that I’ve got nothing, my kids are never going to want anything to do with me’ – Leanne

Leanne’s reflection illustrates and echoes Baldwin’s findings that when unsupported in their maternal identity in prison, mothers are left mentally vulnerable and potentially unsafe (Baldwin, 2022). The mothers in this study described how challenging prison and maternal separation was for them. While interviews were predominantly directed by the interviewees, each participant was also asked to identify any protective factors for a woman in custody that may not be able to see her children again, as this was a key research question and distinct focus of this paper. This question was largely met with a long silence. Mothers primarily identified individual staff members, as well as other women in prison, while practitioners also mentioned the prison Chaplaincy team, Family Support Workers based in the prison, women’s services, and ACCT (Assessment, Care in Custody and Teamwork) documents in terms of their role in prisons to protect against self-harm.

‘Not really a lot [of protective factors], to be honest with you. Of course there’s Samaritans and then there’s [local women’s centres] that will work with you but in terms of probation, they’re very limited on what they can do because they work on caseloads’ – Alia (Support Worker)

“So I was thinking of family, but actually this was intra-familial, so a lot of her family were sent down... The only thing would have been the phone calls... But no, there doesn’t really seem much at all, when your children have gone and then you’re just kind of left... as a social worker, my focus isn’t with the mom, unfortunately’ - Isabel (Social Worker)

Lisa’s perspective was different from Leanne’s, whereby a prison sentence offered temporary stability and protection, creating an abrupt halt to a pathway that was becoming increasingly dangerous through substance misuse.

‘So I’m not gonna lie, going to prison saved me, it saved my life because if I hadn’t gone to prison when I did, I’d have been dead, I really would ... I’ve got in touch with the social worker, said I wanted to have contact with my son, who’s in long-term foster care. So she said “okay, you’re gonna have to prove this now – what I want you to do is write to him once a month”’ – Lisa

This reflects some previous research intimating that for some mothers, a custodial sentence can provide temporary safety where there has previously been instability, homelessness, addictions or domestic abuse, where they can focus on themselves and address causes of offending, and provide

an opportunity to refocus on creating relationships with their children (O'Malley & Devaney, 2015; Lockwood, 2017; Baldwin, 2021). Nonetheless, this is rarely without some maternal pain in co-existence, particularly in the absence of substances, often used to dull or block out negative emotions and experiences in the mothers.

After six months of Lisa's commitment to letter writing, the social worker shared her letters with Lisa's son, who then wanted to make contact. Lisa was able to speak with her son in prison via telephone for the first time in six years. This perspective that custody could hold some benefits for women was also shared in part by some practitioners:

'They both felt that [custody] was a positive experience in as much as it can be because it gave, the one woman, it gave her a chance to stop drinking and focus on what she wanted to do for the future, and then the other woman, it gave her a chance to explore more about her emotional needs and what had been missing for her, and how her early relationships had impacted on her offending and how she felt about herself, and that wasn't anything she'd ever done before. She focused on all the kinds of things that she could do, the courses in prison, and she decided she wanted to come out and train to become an accountant' – Sara (Probation Officer)

'Quite often until they come into custody, they've never done letterbox contact before and sometimes coming into custody, you know, ... gives them a bit of time and space and letterbox contact becomes incredibly important' - Olivia (Support Worker)

This echoes themes from the evaluation of the Social Worker for Mothers in Prison pilot project, 'Together a Chance' (Reese et al., 2024), which highlighted that the most common need in mothers using the service was around contact with their children, and that the service in many cases was able to significantly improve the quality of contact between parents and children. The evaluation (ibid) highlighted the benefit of having a social worker present in the prison to support letter writing (among other forms of contact), engender improved multiagency communication and manage mothers' expectations.⁴

⁴ As advocated by Baldwin and others, alternative models of social work provision in prisons could be utilised, i.e. Local Authority statutory social work presence in prisons, as is the case in Scotland.

Another of the Mothers, Sammy, shared her experiences of custody as somewhere she worked hard and made the most of support available, but that the changes were difficult to maintain.

'When I was in jail, obviously I was clean. Not because I had to because I'm in jail, there's drugs all around you, you know what I mean? Because I chose to be. I was taking my meds. I was seeing psychiatrists. I did my GCSEs when I was in jail, I was seeking help to get employment when I got out. I sorted out housing... I stayed clean my whole sentence and then when I came out I just kind of fell off' – Sammy

Likewise, Robyn (Social Worker) similarly identified that the stability custody offered was often only temporary, and that changes made in a prison setting are rarely sustained in her experience.

'A lot will say that they got clean in prison and then they went back out and used... I've never worked with [a woman] where they felt like work they've done in prison has been long-term, more effective, to make those changes' – Robyn (Social Worker)

Naturally, there may have been a different story for those who consequentially did not come into contact with Robyn or her colleagues, but nonetheless this voice supports Sammy's experience and those of other practitioners who have highlighted that changes made in the unique circumstances of custody are very difficult to maintain on release, often because of lack of access to support services and poor continuity of care. Imprisonment, isolation, and stigmatisation, in addition to maternal trauma and the original trauma, can lead women into hopelessness (Baldwin, 2021, 2022). Coping with these traumas through substance misuse has also been acknowledged in the literature (Walker & Towl, 2016; Motz et al., 2020, Baldwin 2021, 2022c), and for Lisa and Sammy, this was a coping mechanism in the community after being separated from their children, while for Leanne this felt like her only way of surviving whilst in custody.

While opportunities for empowerment, and more importantly, the role of supportive and compassionate staff, emerged as vital protective factors for the duration of the sentence, these interviews parallel previous research acknowledging that for mothers, fundamental changes made in custody are rarely sustained, given the challenges of addressing trauma whilst living in circumstances that can also be traumatic (McIvor et al, 2009; Kelman et al., 2022).

Mothers coming out of prison can find resettling into the community challenging, balancing their commitment to Probation appointments with the other responsibilities in the community alongside the process of reimagining and renegotiating motherhood (Robinson & Miller, 2016; Baldwin, 2022).

Women on probation are often considered by probation officers to present with more emotional needs than men, and officers in turn can then feel frustrated about how to meet these needs alongside the measurables of their work; in these instances, multiagency working with women-focused services can be beneficial for both officers and women on probation (Seng & Lurigio, 2008; Morley & Rushton, 2023). For the mothers interviewed, Probation was mentioned little in comparison to the intensity of their experiences in custody, and reflections on time post-release focused on positive support from voluntary sector organisations.

Lisa spoke of her experience at an approved premises and being desperate to stay in that area instead of returning to where she was previously living. She described reluctantly moving back to her region after the move was not approved by her Probation Officer – after a propitious start in a recovery house, she eventually encountered a drug dealer she had known previously, and was tempted back into substance misuse. Tragically, in this same locality Lisa was later beaten and raped. She contacted her Probation Officer asking to be recalled to prison.

'I said to her please, I am begging you - recall me - if you don't recall me, I'm gonna end up dead or I'm gonna end up back in prison on another charge' - Lisa

Lisa then shared that she had a positive experience with her offender manager in custody who found accommodation for her in another region and put this transfer in motion. Lisa highlighted that above all, practitioners must listen to women on probation to truly understand and support them in meaningful and truly rehabilitative ways.

4.3 Experiences with Children's Services

'It's different rules, once you're in the system' - Olivia (Support Worker)

4.3.1 Explanations not understood, 'moving goalposts' and incongruent behaviour

The social work profession is experiencing challenges in relation to recruitment and retention of staff (Simpson, 2022; Samuel, 2023) and despite shifting practice towards early intervention and family support, there remains a more intensive focus on children at risk of significant harm, with the length of care proceedings halved in 2014 and with the impact of deaths of children lowering local authority thresholds (Barnes, 2015). Leanne spoke of the impact of the death of a child locally and hypothesised that this was part of the reason her own children were adopted: *'they knew they*

*f***d up on that one, so they started straight away removing children from their families'. Social Worker Isabel's words echo Barnes (2015), highlighting that social work has often become 'fire-fighting' as opposed to preventative and restorative. Overall, interviews identified poor relationships with Children's Services, as well as missed opportunities to support mothers and change outcomes as also explored by Baldwin (2022b).*

'And then we went to court and then the judge, I'll never forget it, they just said to me, 'I've never had a mum come into this court and put their son first like you have. I said, 'if I can't look after myself, how am I looking after him?' Now, like I said, he wasn't taken because of the drugs, he was taken because of the long-term effect my mental health would have on him. Ok, I understand. Well I didn't, but... we walked out of that court room'- Lisa

When speaking about safeguarding concerns, all three mothers used phrases that sounded as if they had been memorised from reports. In this quotation above, Lisa began confidently to clarify the reason Children's Services had sought the adoption order, but seemed to lose confidence in this explanation as she was speaking. Confusion around explanations of risk and harm was a recurring theme from the interviews, and the different emphasis given to risk as it pertains to the Prison and Probation Service (public protection), and risk as it pertains to Children's Services (child protection), and indeed, the conflation of the two different services' purposes was also highlighted.

'And if you say risk, if they are a risk to children, they'll always just say yeah, but I haven't abused my children, they don't see it in any other terms. I don't think a lot of the process is explained that well' – Olivia (Support Worker)

Olivia (Support Worker) highlighted her concerns around the explanations given regarding Special Guardianship Orders, and how birth family contact is then often managed by the families themselves, where there may already be complicated relationships. Lisa gave an example of this, where her oldest child was the subject of a Special Guardianship Order with Lisa's mother, and once contact agreements were ordered, her mother then moved overseas.

It seemed that Lisa was not aware of her parental rights in this instance and that she could have objected and prevented her children from leaving the country without her permission, highlighting the importance of parents knowing their parental rights⁵.

⁵ While this paper focuses on adoption orders, it is worth noting that by contrast to adoption, Special Guardianship Orders (SGOs) are a relatively new 'permanence' pathway for children, introduced in England and Wales in December 2005. The child lives with an appointed 'special guardian' until they are 18, and unlike

Olivia (Support Worker) also frequently saw confusion around significant events such as care proceedings or the adoption process.

'[explains the adoption process] But that's not explained to the women... The women don't understand that so they think we can oppose it again, or 'I thought they were already adopted'. So I'm always saying, 'that was the first part to applying...' - they don't understand the process' – Olivia (Support Worker)

One interview participant was a duty and assessment social worker, who identified how challenging it could be to ensure clear explanations are made from the earliest opportunity:

'It was very much, shouting at me rather than listening to me, so I don't think I specifically had the conversation, it would have been a long-term social worker that's probably sat down and done that. I think for me it was very much, this is what we've got to follow because it was a Police Protection. So in a way, it's the police that have removed their children rather than me as a social worker' - Isabel (Social Worker)

Improved multiagency communication, explanation of processes and speed of responding to mothers in prison is a clear benefit of the 'social worker in prison' approach (Rees et al., 2024), and without clear explanations, mothers often do not understand their parental rights, which can lead to lengthy periods without contact with their children (Pitman & Hull, 2021, O'Brien & King, 2023).

'Moving goalposts' was a feeling experienced by all the mothers interviewed. In opposition to the other mothers, Sammy felt that explanations around risk and concern had been set out clearly by Children's Services, but that the expectations continued to change to the extent where success seemed out of reach. Barnes (2015: 68) emphasises the importance of honesty and transparency and basing these professional opinions on evidence, as well as highlighting 'good elements' of parenting.

'They did tell me what their concerns were, I addressed those concerns, I get rid of one and they'd slap another on, do you know what I mean? It was never-ending' – Sammy

adoption, it is not a lifelong order severing a child's relationship with birth family (Cafcass, 2024). O'Sullivan and Hayes (2023) found that almost half of Special Guardians are grandparents, typically single grandmothers (as in Lisa's family) and experience a variety of challenges in the role, where sufficient support from local authorities, particularly around understanding trauma and attachment, is often lacking (*ibid*).

'Me and my partner ended up going to prison and the social workers came to me and they says "work with us now, if you put your kids voluntarily into foster care, prove that you're going to leave your partner, we'll work with you and we'll get you sorted". So I did, I put them voluntarily into foster care, I moved a hundred miles away so that I wouldn't be tempted to go back to him. I got out of prison and I was making the journey three times a week to go and see my children, and basically, they were like 'too little too late, they've seen too much" and went for adoption, when literally, I'd done everything they'd asked me to do' – Leanne

Leanne shared her confusion where two local authorities were involved and had different perspectives:

'It was quite conflicting because at that time, I'd met someone in [another local authority], and I was pregnant, but I was having that social services saying that the baby that I was carrying was to return home with me, no problems with parenting whatsoever. And then my children in [the home local authority], where I'd been in the domestic violent relationship, "they've seen too much violence and we can't guarantee that she won't continue to show them violence because of the relationships that she chooses". So yeah, they were put up for adoption and one went into long-term foster care' – Leanne

Layla (Support Worker) also shared this view from her experience of working with local authorities, stating that decision-making sometimes felt 'arbitrary'; that there could be two families identical in all respects but location, and one might be able to keep their children and the other might not, depending on the size and thresholds of the borough. Mothers also highlighted incongruent behaviour and a lack of transparency in interactions with other professionals involved. The following two examples were taken from Sammy's story, firstly during the police protection of her child, and then during the latter stages of care proceedings.

'[Police officers] took my baby... They told me I'd get her back in two days, it was just while they were reviewing the CCTV and everything, the next day they went to court and put her on an Interim Care Order, so I had to get a solicitor' – Sammy

'The Guardian was like 'well you know, I'm rooting for you', she asked me those questions and actually we had a really positive conversation. And then when I got the report, she slags me off' – Sammy

Olivia (Support Worker) also highlighted disparities in expectations and how this adds to a sense of injustice:

'I'm working with two families at the moment that we can't get in contact with the local authority, they're not doing the contact they were supposed to be. And I've literally said to the local authority, 'but if this was the other way around, you would be writing your reports that the mum was non-compliant and non-engaging. Why is it OK? You know it is not OK for it to be the other way round'. Well it seems to be okay for them to say due to workload issues we can't do this. Whereas it's not okay for somebody on benefits to say 'I'm really sorry I don't have the money to get 3 buses and I can't get there in time'. That's not OK. It's different rules, once you're in the system' - Olivia (Support Worker)

Social Worker Robyn's view aptly summarises how this can impact mothers:

'They feel like they didn't get any support from the local authority or what they were promised from services never came to fruition, so they lack a lot of trust generally in the professionals, but mainly social workers. I think a lot of empty promises as well... that's a real problem in terms of trust' – Robyn (Social Worker)

Hazel (Support Worker) highlights the role of voluntary organisations in trying to support engagement between mother and social worker, and the challenges in building relationships:

"They did it because the child is their priority. Yes, you're my priority, but you have to understand that the children are their priority and we need to meet in the middle...". But I think there is such a stigma from the women that they don't allow social services to know the deeper sort of trauma. Unless you've got a really good relationship, but a lot of the time they don't get to build that because they [social workers] are seen as the enemy' – Hazel (Support Worker)

This kind of intermediary role, focus on partnership working and elevation of the mother's voice has been identified within evaluations of Family Drug and Alcohol Court (FDAC) pilot and the Social Workers in Prison pilot. None of the Mothers were familiar with these innovations prior to the interviews, however they were unanimous in their positive opinions on hearing about them – *'I think that's exactly what you need'* (Leanne). The evaluation of the Social Worker in Prisons pilot argues that social workers in prisons (and similarly for FDAC) provide increased support and a problem-solving approach, which can be described as 'child-focused plus' (Forrester et al. 2008a).

4.3.2 The role of recorded views

The value of the mother's voice during care proceedings and Children's Services involvement, elicited and recorded, was a strong theme in the research. Leanne spoke of this in the context of herself as the child, while Sammy emphasised that as a mother, she needed her child to know that she hadn't wanted this outcome.

'So I sat and watched my mum sign me over, thinking I don't want F all to do with her, it's like she doesn't exist to me' – Leanne

'And I knew I wasn't gonna win but had to have it on paper. So when she's older, she sees I fought til the end, you know what I mean?' - Sammy

The mothers felt that their social workers were committed to highlighting concerns only, to align with their ultimate recommendations, however the mothers posited that there must be a place for recording positives and improvements (as advocated for by Barnes, 2015), firstly for their own wellbeing, sanity and motivation, and secondly, for the child's benefit, even where the decision for adoption was final.

Lisa recognised that she was struggling to care for herself and her child but shared similar sentiments, reflecting on Children's Services asking her to sign a Section 20⁶ agreement enabling them to temporarily place the child with another carer.

'I said, okay, well I'm going to tell you something now, I am not signing my son away, but if you take me to court, I won't fight you, because if I can't look after myself right now, how am I looking after him?' – Lisa

Olivia (Support Worker) highlights the importance of these recorded views:

'And if the local authority don't know where Mum is, she's not asked for her point of view. And if when she gets out of custody, or when children are older and they ask for those files, I think it's really important that if they're trying to build up those relationships, which can be really fractured and fragile, if it just says - nothing from mum – that's now in black and white. And I

⁶ Section 20 of the Children Act 1989 is a voluntary agreement for a child to be accommodated outside of parental care – it has been argued that its use can be problematic, with birth parents not always aware of its implications (Broadhurst & Mason, 2017).

think it's really hard for [parents] to argue 'well I tried my hardest' when it's not there. And quite often it'll say 'no report from mum' and actually the reality of it is- no report's been asked of from Mum' - Olivia (Support Worker)

Similarly, other professionals felt that their views were not taken into consideration.

'The first time I did [the referral], they didn't even speak to me. So I do my referral online, they speak to the grandparents, close the case, just sent an e-mail saying we won't be getting involved. They don't speak to us... And it's only if they think that it meets the threshold of serious harm that we all then start talking but sometimes we need to have more of those conversations before' - Sara (Probation Officer)

Leanne shared the challenge of making contact from prison with the social worker:

'It was all through letters, and right at the beginning when I was needing to call her, she was never there to take my phone calls. And I'd get 'can she call you back', well no she can't call me back, she knows I'm in prison' - Leanne

Social Worker Isabel also commented on this, highlighting that within her role and local authority, she has very limited time to obtain the views of parents and carers and that she has often struggled to get through to a parent in prison within the allocated timeframe. There remain challenges of accessing pins, ID numbers and correct contact details, with video link delays resulting in speaking with parents weeks after an incident has taken place whereby the parent may understandably be frustrated. Challenges in speaking with Probation Officers were also highlighted, in terms of incorrect contact details or office telephones going unanswered. Nonetheless, it was acknowledged that beyond the initial assessment, during the long-term work with a family, the challenges presented must be surmounted, enabling inclusion of these views, and to fail to do so fails not only the mothers, but also their children.

Both social workers expressed that in their different training courses (Frontline and Social Work Masters), there was little information around understanding prison and probation, and that while social workers are well-versed in family law, Isabel (Social Worker) acknowledged that information about criminal law and the justice system is learnt 'on the go', and that the duty nature of her job means that the sense of 'fire-fighting' is dominant, with reflection afterwards. Robyn (Social Worker) shared that while the criminal justice system's 'jargon' and acronyms can be prohibitive, that educating social workers around police and HMPPS processes is important, and should ideally

involve mothers' experience in the training or case study examples. Having specialist social workers in prisons enables complex professional language and processes in both the justice and social care settings to be made accessible to mothers as well as other staff (Rees et al., 2024: 150).

4.3.3 Heartbreak

'To be honest, that day part of me died. He was the reason I got up in the morning and I went to sleep at night' – Lisa

On learning that their children would be adopted, all three Mothers described experiencing something like heartbreak. Lisa described being told in the court room that social workers would take her child that day, and then getting the train home, sitting on the floor in her living room, crying as she tried to pack items for her son.

'And then they said that I could see him twice a week and I was going to my contacts. But walking away from my contacts my heart was just broke. I got really involved with the drugs. I'd give up. And then I missed one contact. Then I missed two. And the more I missed the harder it was to go back. Social services, they just didn't even give a damn. Um, so eventually they knocked it down to once a month, then once every 2 months. And then I'm not gonna lie. I give up. I just didn't even get involved' – Lisa

'I remember the day like clockwork because it was the day, ultimately, that I lost my children' - Leanne

'And then obviously the social worker came. So my baby was screaming, I was just sat in the conservatory and my baby's screaming and I'm just crying my eyes out, my mum was there. And I went back home, and I was just, I went on a mad one, I just crumbled' - Sammy

Baldwin's Circle of Circumstance (2021) indicates the lack of support at this juncture, where the new 'maternal trauma' adds to original trauma and can lead to relapse and criminality. The experiences of Sammy, Lisa and Leanne reflect experiences of other birth mothers, echoing previous research where references to extreme grief, loss and heartbreak appear frequently in literature around birth mothers (see Montgomery et al., 2009; Villeneuve, 2016; Neale & Lopez, 2017; Gill & Lambert in Alper, 2019; Baldwin, 2021; Dusky, 2023) as well as adopted children (see Darnell, 2015, Gallagher, 2018). There is a long way to go in understanding the experiences of mothers who are separated from their children by the local authority, and to achieve the kind of positive and relational social work practice that Barnes (2015) indicates is possible.

4.4 Maternal identity and future reconciliation

4.4.1 Maternal Identity

Seminal research explored the continuing maternal identity for mothers who have lost care of their children has been undertaken by Baldwin (2015, 2017, 2018, 2021, 2022). This was echoed by Mothers in this study, who acknowledged that many people stopped referring to their children, and how this was at odds with the continuing strength of their maternal identity.

'So my two youngest lived at home with me, and obviously I was in and out of psychiatric units because I'd lost my other children. I just, I didn't see the point in the days. Even though I had my two youngest with me, I know it sounds really bad- it felt like people stopped talking about my other kids and it was like, what am I supposed to do? Just pretend that they never existed and get on with it? And I couldn't. And that's when like the suicide kind of thoughts started and that'- Leanne

'You want people to talk about your kids like they're still there, like they're still part of you. Cos they don't' - Lisa

'When I sat with her, the first thing I said is, how are you? - I'm OK. OK you wanna tell me a little bit about yourself? Yes. I'm a mother. I've got children. Like, one of my kids is this age, one is that age, I've just written this card. I'll show you in my room. So it's like her kids are pretty much an important part of her' - Alia (Support Worker)

By contrast, the Probation Officers gave examples where mothers preferred not to speak about their children, likely due to wariness around trusting others, and a feeling of surveillance alongside guilt, shame and fear of judgement (Baldwin 2021: 25). Probation practitioners also shared that they were concerned about exacerbating trauma by questioning mothers about their children, and appearing too intrusive.

'Very occasionally she'll talk about her kids and she'll say that, when she's in a good place, when she's stopped drinking and she wants to go to rehab, she's just waiting for that, then she'll go back to the to court and she wants to be in a really good place so she can fight to get

them back. But the majority of the time she doesn't mention them and doesn't like talking about them because it's too difficult' - Sara (Probation Officer)

'So I think sometimes if it's recognised that there's trauma, then we don't speak out in case we think, actually we don't want to trigger anything' - Katrina (Probation Officer)

Practitioners stated that the women they worked with had all viewed the role of mother as a strong part of their identity, and further, that some had been in a mother-figure role since a young age due to caring for their siblings, but now questioned their role when not acting as the day-to-day decision-maker. Yearly letters to children were mentioned frequently as something that takes on a high importance; this letterbox contact was also identified as a significant need in custody in the 'Together a Chance' pilot evaluation (Rees et al., 2024).

Robyn (Social Worker) spoke of working with many mothers with very low self-esteem and confidence, and a lot of her work is focused around building or rebuilding identity that is not solely a maternal identity: respecting the ongoing maternal identity while exploring other aspects of their life that are important to them and where they can contribute to society.

'They feel a lot of guilt in doing other things for themselves whilst the proceedings are going on and their assessments are going on because they're like, 'well, my children aren't here', they always feel they should be punishing themselves' – Robyn (Social Worker)

4.4.2 'Women are treated very differently'

Another area that has been much researched is the area of stigmatisation of women in the criminal justice system, and of mothers in particular (Corston, 2007; Baldwin, 2015, 2019; Morgan & Leeson, 2023). Leanne felt there was a bias from professionals towards her male ex-partner, and she spoke about the extent of testing that mothers are put through compared to men who *'might have to go to a children's centre for six months or something to prove it. And then it's done'*.

The support workers in this study also spoke about these different standards for mothers, with one drawing attention to a case where a woman had been imprisoned for domestic abuse, and the children remained in the care of their father - *'if that was the other way round, those children would have been removed... Women are treated very differently'*. This father was viewed favourably and with much sympathy despite his 'failure to protect' – a phrase commonly used where mothers are seen as accountable for a child's exposure to domestic abuse (Stewart, 2018) where arguably the focus should be the perpetrator's 'failure to be non-violent'.

'I've been in this line of work over 15 years, you know, and the onus is always put on the mother... be doing all these courses, doing everything that the social worker wants... whereas with fathers there's not that expectation, the father who's in the background, he's still going to be able to have contact' – Layla (Support Worker)

4.4.3 Future reconciliation as a protective factor and as motivation

Baldwin details narratives whereby having children removed from their care led directly towards criminal activity, but conversely where motherhood also ultimately become a motivation for desistance (Baldwin, 2021). This was a similar experience for the Mothers in this research, all of whom had custodial sentences at a later stage following the adoption of their children.

'I met all the girls that had been adopted themselves. And, you know, they sort of said to me like, she will come and find you, you know, as soon as she finds out she's adopted, you wanna know your real parents. But yeah you just need to make sure that you're in a better place than you was then because if she comes and finds you and you ain't got answers for her and you're still doing the same shit that lost her, that's when she's not going to want to know' - Sammy

Mothers were positively supported by other mothers in prison, described by Baldwin as 'motherhood solidarity' (2021:200). While Sammy found it helpful to hear from women in prison who had been adopted or in local authority care themselves, it also raises questions as to why so many women with experience of care or adoption are in prison. In Roberts' research (2021) interviewing birth mothers in Wales, more than a third of birth mothers were themselves care-leavers and had also previously had criminal justice involvement. Similarly, when researching the experiences of birth mothers subjected to repeat care proceedings, Broadhurst et al. (2015a) found that 27% of women in their study had criminal justice involvement, while 40% were care-experienced.

Alongside Sammy's decision to take opportunities that were offered to her in custody, she highlighted that this hope of re-establishing a relationship with her child was immensely a protective factor for her:

'My religion was probably one of the only things, that, and the fact that I'm holding on to the fact that I hope my daughter comes and finds me. If it wasn't for the fact, I knew there's a chance that she will, yeah I'd be dead by now. I'd have killed myself ages ago. Even like me getting pregnant... my nan brought me up, my nan had just died and three months later I was pregnant. I was taking loads of drugs a lot, a lot of drugs. You know, I was in and out of

hospital with overdoses, I was really bad.... So if it wasn't for the fact that I got pregnant and I had a baby, I probably wouldn't be here' – Sammy

Sammy sharing that having her daughter saved her life, a point similarly made self-reflexively by Baldwin (2021), which magnifies the enormity of the removal of that child. The Corston Report proposed that motherhood can be a protective factor against suicide in the community, however 'this protection does not apply in prison where mothers are separated from their children' (2007:19). The implications of this are devastating, particularly where there may not be the opportunity for reuniting with children. 'Significantly, mothers who did not have care of their children remained pre-occupied with their motherhood' (Baldwin 2021:254) and for Sammy, the hope of reunification continues to be a protective factor for her, while both Lisa and Leanne have now been able to re-establish relationships with at least one of their children. However, in between there is a 'state of haunted motherhood, living for an imagined future when their child reaches adulthood' (Morris, 2018:822) where mothers highlighted that people stopped mentioning their children's names or speaking about them, as if they no longer existed.

Lisa and Leanne similarly highlighted the singular importance of the hope of future reconciliation with their children.

'I'm never gonna get that chance to make it up with my daughter, but with my son I've got that chance and that's what I'm working towards now. That's what's keeping me going. I'm not gonna lie, because if it weren't for him, I'd have give up' – Lisa

'I don't know how I even got to my parole board, how I've got out. I think it was just sheer will, that I need to get my kids back in my life. And I need to turn this around now' – Leanne

Reservations were held around the ethics of propagating an unlikely narrative. Olivia (Support Worker) shared concern about raising this hope that might not be fulfilled:

'I think we have to manage that, you know staff here sort of say 'when that child's 18' and you think that might not happen, let's not be telling women that. Because it isn't necessarily something somebody's going to want to do on their 18th birthday'.

Nonetheless, hope for reunification emerged as the strongest protective factor for mothers in prison as well as in the community pre or post custodial sentence. This echoes Warr's study with

Foreign National prisoners, which highlighted the value for those in prison in being able to 'imagine' themselves beyond their current situation (2016). Baldwin considered hope the antidote to guilt (2022), and Gill and Lambert acknowledged the importance of 'creating and communicating a sense of hope' as well as holding onto 'visions of the birth mother's potential future self' (2019:157). Hazel (Support Worker) shared these sentiments from her work at a women's centre, where many women spoke of their hope that their children would turn 18 and look for their birth mothers. They spoke of things happening in their lives they needed to change before their child turned 18; abusive relationships, substance use, unstable accommodation, or further offending. Layla (Support Worker) highlighted two feelings associated with this anticipation, that she called 'the motivation and the fear' – the motivation is the chance of re-establishing the relationship and telling the child their story of events. The other side is fear, that they will build their hopes up and then either the relationship will not be established or the child will not look for them, which mothers may experience as rejection.

Baldwin (2021) explains that most studies on maternal imprisonment contain a focus on guilt and shame experienced by mothers, and by contrast, Masson (2019:58) found that the mothers' 'sense of injustice and fear' appeared to 'supersede any sense of shame'. In this research, while the practitioners theorised around guilt and shame, the three Mothers' reflections also focused predominantly on this sense of injustice, grief and anger, with only one mention of guilt, when Lisa hypothesised that her own mother likely felt guilty about Lisa's childhood and is therefore looking after Lisa's child. Similarly, Support Worker Mia describes working with sisters in prison who said to her, *'Mum felt so guilty for what she put us through in our childhood, she's looking after our children'*. Mia highlighted how mothers can feel guilty about trauma or addictions they consider they have passed on to their children, and ultimately following their own recovery they end up caring for their grandchildren to prevent them going into local authority care. She proposed, hence, that many women will *'make amends through the grandchildren'*.

In these experiences of local authority involvement, maternal grandmothers most frequently become the caregiver (Caddle & Crisp, 1997; Raikes, 2016; Baldwin, 2021), and in the context of these family relationships, women's own experiences of being parented as a criminogenic factor still need to be further explored and understood (Carlen, 1983; Baldwin, 2021). In the interviews, we also see Baldwin's description of traditional understanding of motherhood in society as a 'double-edged sword', where the Mothers judged their own mothers by the same standards they are aware

that others use to judge them. Similarly complex were the feelings in relation to Children’s Services – despite the hatred for social workers and the system they represent, two Mothers also stated that the Child Protection function is necessary.



Chapter 5: Concluding thoughts and recommendations

Baroness Corston wrote that while society is rightly angry about those who abuse children, it seems to have 'little sympathy, understanding or interest in those who have been their victims, many of whom end up in prison' (2007, p.i). Though a small sample size, the findings of this research reflect previous narratives within the literature, from those of mothers in prison and birth mothers whose children have been adopted. Findings show consensus among Mothers and practitioners around common experiences for women in this position, echoing Baldwin's Circle of Circumstance (2021), where many mothers who have already experienced trauma are then exposed to further maternal trauma which can cause existing problems to intensify. Gender-specific approaches and therapeutic support are needed to break this cycle that can otherwise lead to involvement in both criminal and family courts, and recent evaluations highlight the innovative approaches that are already in place and are effective. Those working in this field must have a deep understanding of trauma, maternal bonds, and the power of hope, and must respond with empathy. Stigma and judgement frequently pervade, and self-reflexivity will be essential in practice, in addition to serious consideration of protective factors available to mothers experiencing custody who will not be able to see their children on their release. Further, social workers must think long-term about reconciliation and the power of their own words, as well as the recorded views of birth family, on future relationships. Regardless of adoption outcomes, it is right to acknowledge progress made by parents and their commitment to their child. A systemic change is needed, with a focus on strengthening families and improved multiagency communication, despite the significant workforce challenges in both Children's Services and the Prison and Probation Service - it is an issue of social justice.

Recommendation 1: Continued funding for well-evidenced projects which provide therapeutic support for birth mothers, such as Breaking the Cycle and Pause, and for development of Family Drug and Alcohol Courts, as well as other Problem-Solving Courts such as the Intensive Supervision Court Pilot for women in Birmingham. Further, for practitioners to have an awareness of services that will support women with trauma following adoption. In line with O'Brien and King's recommendations (2023), HMPPS might wish to partner with existing specialist counselling programme providers, for example, PAC UK.

Recommendation 2: Women-specific teams in Probation in every region that have had training in working with mothers and trauma, and increased awareness of the specific tools available for working with mothers⁷.

Recommendation 3: Support for the development of the Local Authority Social Work model in prisons with statutory responsibility, with key contacts identified within Children’s Services to communicate with social workers or family support managers in prison (as identified by O’Brien & King, 2023). Key leads should also be identified within Probation to liaise with Children’s Services and improve communication between the services.

Recommendation 4: Development of criminal justice social work, to include Social Worker placements to be offered in Prisons and a specific focus as part of all Social Work training programmes (as identified by Baldwin et al., 2022). Probation Practitioners should continue to have training on safeguarding as well as the function and thresholds of Children’s Services.

Recommendation 5: Even where children may be adopted, statutory reports should identify positive progress and include birth parents’ view, and for there to be greater accountability where parental views have not been included. There should be evidence of parental understanding in all cases of forced and voluntary adoption, and evidence that all options and support have been exhausted. Greater consideration to be given to alternative options in suspending family court cases where a mother has a short custodial sentence.

Recommendation 6: As recommended in the ‘Together a Chance’ Evaluation (Rees et al., 2024), easy-read explanations about parental rights and Children’s Services should be made available for women in prison.

Recommendation 7: Practitioners should have an understanding of the role of substance use as a coping strategy linked to traumatic experiences. A focus on healing trauma may be able to prevent substance misuse and therefore keep families together.

⁷ For example, ‘First Steps to Change: a toolkit for working with women’ (2023) designed for Probation Practitioners, developed by Regional Women’s Leads in Probation, women’s centres, Peer Mentor groups and specialist individuals.

Recommendation 8: Women in prison whose children have been, or are in the process of being adopted should be given additional support, with referrals made to support services, counselling and Chaplaincy as well as knowledge shared about support services in the community.

Recommendation 9: Improved access to reflective practice and staff support, especially for those staff who witness or supervise final contacts.



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Appendix 1: Participant information sheet



Participant Information Sheet

Study Working title

Reflections of mothers impacted by custodial sentences who no longer have care of their child

Researcher background

The research project is funded by the Griffins Society, who sponsor research that it hopes will bring about changes in women's experiences in the criminal justice system. Susie Bateson will be undertaking this research, now working from Probation and previously working for a Women's Centre supporting women who have been affected by the criminal justice system. She hopes to give women a chance to tell their story, and in doing so, have the opportunity to make a valuable contribution to existing research, knowledge and best practice guidelines within prisons, probation and social work.

Study aim

You are invited to take part in this research project which aims to understand more about the impact of custody on mothers who have been separated from their children, to explore protective factors, and contribute to guidance and best practice for practitioners. Susie will talk to women who have been impacted by the criminal justice system and have also had children removed their care. She also hopes to talk to women's centre staff, social workers, support workers and probation practitioners to gain insight into their understanding of women's experiences.

Interview format

The interview will last no longer than 90 minutes, and it will be an informal conversation. Susie will ask some questions, but it is up to you what you want to share, and you do not have to answer any questions that you don't want to. You can choose where you would like to meet for the interview.

The researcher is aware that this research topic could potentially be emotive and distressing. She will make sure that no participant is left openly distressed at the end of an interview, and will supply contact information of support agencies. Susie hopes to create a supportive and encouraging atmosphere for participants and will leave time for further discussion following the interview if helpful.

Voluntary nature and confidentiality

Being part of this research is voluntary; you do not have to take part. It is fine to say that you no longer want to be part of the research, any time up until the final findings are written in June 2024. Your participation will be completely anonymous. If you wish to take part, your name will be changed and any information that could identify you. Quotations from interviews will be used to illustrate the research findings, but no interviewee will be identified or identifiable. Participant data will be kept confidential except in cases where the researcher is legally obligated to report specific incidents. These incidents include, but may not be limited to, incidents of abuse and suicide risk.

Use of data

It will be helpful for the researcher to record the conversation, but once this has been transcribed, the audio recording and/or written notes will be deleted. The recording and/or notes will only be used by the researcher for analysis to write the report. It will not be used for any other purpose, and no one outside the research will be allowed to access the recording. If you do decide to take part in this study, you will be asked to sign a consent form. The findings will be published on the Griffins Society website and disseminated through the Griffins Society meetings. Notes, interview transcriptions, transcribed notes and any other identifying participant information will be kept in a



locked file cabinet in the personal possession of the researcher. When no longer necessary for research, all materials will be destroyed.

Contact details of researcher

Thank you for your interest in this research. If you require further support relating to issues arising from this research, or if you have any questions or concerns about any aspect of the study, you can contact me here:

Appendix 2: Participant consent form



Participant Consent Form

Study Working Title

Reflections of mothers impacted by custodial sentences who no longer have care of their child

Consent to take part in the research

Please confirm that you agree with each of the following statements by ticking the box next to it. If there is a statement you do not agree with or has not been explained to you properly, please talk about this with the interviewer before the interview starts.

1. I have read the Participant Information Sheet for this study and have had details of the study explained to me in a way that I understood
2. I have had the chance to ask questions and I understand that I can ask further questions at any point throughout the study by contacting the researcher on the details provided
3. I understand that my participation is voluntary and that I can decline to answer any particular questions during the interview
4. I understand that I can withdraw at any time, without giving reasons, until submission of the final research paper in June 2024
5. I agree to take part in the study, and I understand that the interview will be recorded and written out for the purposes of the study
6. I agree to let the researcher use quotations from our interviews, as every effort will be made to make sure I cannot be identified by what is presented

Participant's Signature: _____ Date: _____

Participant's Name (Printed): _____

Researcher's Signature: _____

Researcher's Name (Printed): _____

Researcher's contact details:

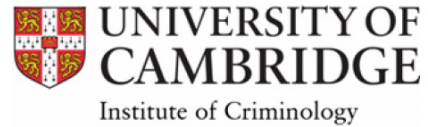
Name:

Number:

Email:

Appendix 3: Ethics approval

Dr Barak Ariel
Professor of Experimental Criminology



Susannah Bateson
Institute of Criminology
University of Cambridge
Sidgwick Avenue
Cambridge, CB3 9DA

20 January 2023

Dear Susannah,

I write to confirm that your research proposal entitled

Reflections from mothers impacted by custodial sentences on
permanent separation from their children

has been reviewed and formally approved by the Institute of
Criminology's Ethics Committee.

Yours sincerely,

A handwritten signature in black ink that reads 'Barak Ariel'.

Dr Barak Ariel
Chair, Ethics Committee
Institute of Criminology

Sidgwick Avenue
Cambridge
CB3 9DA
Telephone: 01223 335360
Facsimile: 01223 335356
E-mail: ba285@cam.ac.uk

ENDS