

WORKING PAPER 12

May 2026

The ‘best interests’ of children with imprisoned mothers: intentions and realities across three jurisdictions

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**CENTRE FOR CRIME
AND JUSTICE STUDIES**

WORKING PAPER



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Acknowledgements

We, the authors, appreciate the time and trust that has been placed in us as researchers who have worked extensively with women and families impacted by imprisonment. These meaningful interactions maintain

our passion for bringing about change. This working paper intends to move forward our shared goal of a better system for criminalised women.

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CENTRE FOR CRIME AND JUSTICE STUDIES

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Introduction

There is a stark tension central to policy and practice with mothers of babies and young children facing imprisonment: some argue that pregnant women and children should never be held in custodial environments; whereas others suggest that the removal of children from their mother is so profoundly damaging that Mother and Baby Units (MBUs) have transformative potential in supporting the promotion of secure mother/child attachments. Decision-making in this contested space must therefore pay close attention to 'the best interests of the child'. What is considered the 'best interests' of the child varies depending on individual circumstances. However, 'best interests' requires that certain considerations are taken into account in decisions that affect the child, such as the views, feelings and wishes of the child (if appropriate), and their physical, social, and emotional needs. Notably, the *Bangkok Rules – the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders* – require the consideration of best interests both in instances of children residing with their mothers in prison (Rule 49) or being separated from their care (Rule 51).

Implementing best interests is often challenging, and this is magnified in the penal context. Inequalities faced by women in conflict with the law, not least gendered norms surrounding caring, mean that many women do not always have alternative caregivers for their children in the community. Although there is a paucity of data regarding the living arrangements of incarcerated women's children, we know that women separated from their children face structural barriers to reunification post-custody, including a severe lack of suitable/affordable housing and challenges accessing support services which are often under-funded and overstretched. Criminalised women also frequently have backgrounds of trauma, victimisation, abuse, substance use, and poor mental health; and these experiences can be constructed as deficits that weigh heavily against women seeking relationships and reunification with their children.

Unravelling these complexities is hindered by a dearth of research into the experiences of, and outcomes from, MBUs. While a review by Dowling and Fulton (2017) found some evidence to suggest that keeping mothers and babies together helps to protect secure attachments, a review of international research by Paynter et al. (2020) also highlighted weak evidence and significant gaps in knowledge. Nevertheless, research by Sikand (2015) highlights that: incarcerated women are often not given sufficient information to make meaningful choices; information sharing across professionals is poor; and the decision-making process for MBU admission is drawn out and opaque. There also remains limited data highlighting the racial demographics of women applying for, and receiving, places within MBUs in many jurisdictions.

This working paper draws on empirical research conducted in Italy and provides a critical review of policy and practice across Great Britain (GB) to suggest that an international, comparative lens can bring new perspectives to this issue. We present case-studies of England & Wales, Scotland and Italy, with the latter being particularly notable in that children can stay with their mothers in some custodial settings up to the age of ten. This is considerably different to the age limits of 12-18 months enforced across the two other jurisdictions. Another significant difference between Italy and criminal justice systems in GB is the availability of race/ethnicity data of women being offered places in MBUs.

Given the limited evidence, particularly in a GB context, and the inherent complexity of 'best interests', rather than proposing 'answers', this paper encourages questions regarding how we construe and apply 'best interests' when mothers are imprisoned, and when penal culture shapes policy and practice. We also acknowledge that the different political, social, cultural and economic contexts of these jurisdictions influences practice. Consequently, comparative research may be particularly fruitful for meeting the urgent need for research which centres both the lived experiences of women and the social, political and cultural factors which shape them.

England & Wales

Under *The Prison Rules 1999* section 12(2), mothers in England & Wales can be imprisoned with their babies (up to 18 months old) in a MBU, 'if it has been assessed as the best interests of the baby and any associated risks can be appropriately managed' (Ministry of Justice (MoJ) and HMPPS, 2021:18). Although, as will become evident, these MBUs are comparatively better utilised than facilities in Scotland, there is a continued underuse of MBU spaces in England & Wales given the recorded number of pregnant women in custody (HMPPS and MoJ, 2025). This raises serious questions about whether the 'best interests of the child' are properly considered for all incarcerated women who are pregnant or have young children, or whether other factors are at play. Three aspects will be explored: the number and location of female prisons; how MBU places are promoted and processed within female prisons and over surveillance fears; and the upper age limit of eligible children.

The uneven geographical spread of the twelve women's prisons in England & Wales, with often poor transport links, is a significant barrier to incarcerated women (who are often mothers and primary caregivers), maintaining frequent and meaningful face-to-face family contact. This situation is worsened when a mother seeks a prison MBU place; although they are classified as a 'national provision' (MoJ and HMPPS, 2021:18), there are only six units. Therefore, many mothers choosing to apply to a MBU will have to be located even further away from existing children, family members and potentially their baby's father. This may hinder meaningful contact, attachments with other relatives, and possibly work to contradict the child's 'best interests'.

Likewise, there is potential discrimination: as there are no Welsh women's prisons, there are also no prison MBUs in Wales either. Welsh women have to be incarcerated in a different country, held significantly further away from support networks and family members. Disappointingly, the MoJ *Female Offender Strategy* proposals to develop a South Wales residential unit seem to have stalled, because of lack of funding (Inside Time, 2025). While there were no plans for this Welsh residential unit to have baby facilities, Welsh women might have had the option of being located closer to their children and families. Likewise, this inaction reflects a continued neglect of the decades of recommendations following Baroness Corston's (2007:5) plight to 'dismantle' the current female estate, replacing it with 'smaller units closer to home'. Implementing these smaller hubs would better facilitate support for criminalised mothers which also prioritises 'best interests', and echoes some of the policy sentiments purported in Scotland, and the good practice seen in Italy.

Geographical issues may explain why MBUs have had a low uptake in England (and Wales) in recent years, but there may be other explanations too. Research by Sikand (2015) found poor information-sharing about who is eligible for MBU places, so pregnant women and those with babies, often are unaware of MBUs as an option. They also found that when applications are submitted, admissions processes are challenging and slow, creating considerable stress and uncertainty for mothers, partners, and their families. A greater level of transparency is required to determine whether there are any racial differences in the women who are encouraged to apply for, and receive, MBU places. For example, work by Charles (2025:128) highlights that ‘processes and procedures were an overarching issue within prison’ for Black women, and that staff interactions often block potential opportunities, including family-based opportunities.

In addition, some recent interviews undertaken by two of the authors (Masson and Booth) with women who were pregnant in custody reported concerns about constant surveillance and judgement that mothers on MBUs are subjected to. These findings mirror research by Johnson (2022) in New Zealand, which, worryingly, reported that ‘monitored mothering’ had significant short and long term negative impacts on mothers and children alike. As Charles (2025:18) argues, further research should explore whether there is further ‘systemic racism and disadvantage’ in Black women’s access to, and monitoring in, MBUs.

Finally, the upper age limit for children in MBUs in England & Wales is considerably lower than in other jurisdictions, such as Italy. While there is some flexibility of the upper age limit on a ‘case by case basis’ (MoJ, 2021:26), the justification given by the MoJ (2016:3) is that ‘during the first 18 months of life the pressure of maturation tends to protect babies from low stimulation environments and development progresses normally’. Interestingly, the age limit in this policy document is supported by a Spanish study that is two decades old and therefore may not have relevance to contemporary policies and practices in Spain, as well as other countries. Likewise, although the MoJ (2020:16) reported that ‘the vast majority of children in MBUs in England & Wales are resettled with their mothers’, this does not consider the number of women who do not apply for places because of concerns about not wanting to be separated from their baby at the 18-month timepoint. Further research should establish the number of women not applying for a place because of this upper age limit, as well as the efficacy of the 18-month upper age limit in contemporary English & Welsh prison MBUs to ensure the ‘best interests of the child’ are truly being met. It is also worth investigating whether a two-year limit, as outlined in the *1001 Critical Days Manifesto* (HM Government, 2021; Birth Companions, 2025), or a higher age, would better prioritise children’s needs, and respect cultural/racial norms. Other overnight facilities enabling children (up to the age of 18) to stay with their mothers in prison for one or two nights, have been positively evaluated (Raikes and Lockwood, 2011). However, these are only currently available in two women’s prisons, and can only cater to one (HMP Askham Grange) or two (HMP Drake Hall) families at one time, which restricts access, despite being highly sought after.

Notwithstanding these concerns and criticisms, there have been some recent positive developments in England & Wales: specifically, the *Sentencing Framework* (April 2024) and proposed changes to Bail Act 1976 in the incoming *Sentencing Bill*. The protected status of pregnancy and new motherhood in these changes should more firmly centre the needs and ‘best interests of children’. Diversion and decarceration in England & Wales may also prove to

be more effective, inclusive and progressive than traditional prison MBUs, and might signal to international stakeholders that exploration of worthy alternatives that better balance the interest of the child is required. Time will tell whether the approach in England & Wales can shift closer to aligning with the Scottish ambitions of keeping the welfare of children central to all decisions.

Scotland

Understanding the provisions for mothers in custody to maintain contact with children in Scotland requires an appreciation of policy developments surrounding both women's imprisonment and children's rights. Scotland has a longstanding policy focus on promoting the rights and wellbeing of children and young people. This can be seen in the 'Kilbrandon philosophy', drawn from the 1964 *Kilbrandon Report*, which conceptualises children and young people in conflict with the law as 'children in trouble', and emphasises that the welfare of the child must be central to any decision-making. It is also reflected in Scotland's flagship policy framework GIRFEC – Getting It Right For Every Child – which aims to promote wellbeing and safeguard children's rights. In 2024, the UN Convention of the Rights of the Child (UNCRC) was incorporated into Scots law, creating a legal duty for public authorities to uphold children's rights, with Article 3 explicitly foregrounding best interests.

Alongside this, there have been other significant developments in Scottish policy driven by a combination of factors, including: longstanding concerns about the overuse of imprisonment for women, growing commitments to trauma informed practice, the recommendations of the 2012 *Commission on Women Offenders report*, and the aspirations of successive Scottish Government administrations to be 'radical' and 'ambitious' in their approach to women in custody (Burman et al., 2025). These ambitions saw early plans for the regeneration of the women's estate to include the replacement of HMP & YOI Cornton Vale (then Scotland's only national facility for women) with a new national prison, complemented by five regional, smaller Community Custody Units (CCUs), intended to deliver trauma informed and gender sensitive imprisonment. The CCUs were to be closely integrated into local communities and early plans suggested that, like the two overnight prison facilities in English & Welsh prisons, they could enable women to have their children stay with them overnight in a more relaxed and family orientated environment.

Such ambition is commendable. Prior to this overhaul of the women's estate, Cornton Vale did provide spaces in a dedicated MBU, with the Scottish Prison Service (SPS) *Mother and Baby Policy* specifying that 'under usual circumstances' this would accommodate babies up to the age of 12 months but allowing for exceptions if individual circumstances required. However, this was often used for other purposes and the number of women staying with their babies remained low (HMIPS, 2015; Scottish Government, 2021). Indeed, while the SPS does not routinely publish data on pregnancy and maternity, figures by Gardiner et al. (2016) suggest that only 11 women stayed with their babies in 2010-15. Therefore, although the approaches in Scotland and England & Wales may appear similar on paper, with regards to the upper age limit of babies being allowed to stay with their mothers in prison, in reality very few Scottish women are afforded, or take advantage of, this offer. Likewise, as with concerns

for incarcerated women in England & Wales, for women in Scotland seeking to maintain contact with older children living in the community, this could be hampered by the smaller number of facilities for women, necessitating that families have to travel further.

Ambitions to create the smaller CCUs have only partially been realised. In 2023, Cornton Vale was replaced with a new, purpose-built national facility, HMP & YOI Stirling, which has provision for two women within a separate MBU. This is complemented by two Mother and Baby spaces at HMP Grampian (opened in 2014), and women are also accommodated in HMP & YOI Polmont and Greenock (with no Mother and Baby provision). Two CCUs have been opened rather than the proposed five, which echoes slow and disappointing implementation of facilities seen in England & Wales. In addition, while women have reported appreciating the more relaxed and open setting CCUs provide for family visits – with access to a garden and few of the visible security features of a traditional prison (Burman et al., 2025) – the vision of allowing children to stay with their mother overnight has not been operationalised.

In sum, the picture in Scotland appears to be one of bold policy commitments, and some successes, alongside implementation challenges. For example, visiting facilities have improved as the Scottish Government has committed funding to Prison Visitors Centres and support services across the estate since 2016/17 (Diffley Partnership and KSO Research, 2025). Furthermore, key SPS strategies (e.g. *Women in Custody*, and *Family and Parenting Strategy*) centre best interests and specifically reference GIRFEC. However, recent research has suggested that the Family and Parenting Strategy's 'implementation appears to be inconsistent and ineffective' (Hampton et al., 2025:1). Similarly, the Scottish Sentencing Commission (2026) has highlighted the duties that UNCRC incorporation places on sentencing courts to consider best interests with the associated opportunity for children to have their views heard, but questioned the extent to which this occurs in practice.

Such questioning surfaces a second key issue evident in this analysis of Scottish Policy developments: namely that a lack of research and administrative data collection means it is challenging to provide a nuanced account of how provisions to maintain contact between mothers and their children are utilised and how women and their families experience these. While we cannot readily point to evidence of the 'monitored mothering' experienced by women in England & Wales this should not be grounds for complacency. Similarly, while Scotland is more racially and ethnically homogenous in that it is 93 per cent ethnically white (National Statistics for Scotland, 2024), there have been calls for greater recognition of both racism and discrimination against those from minority groups such as Muslims, Roma, Gypsy, Travellers, and Catholic/Irish Catholic backgrounds, whose relatively small numbers may render them invisible in these debates. Indeed, when we look to Italy, empirical research reveals that discrimination against Roma women is central to understanding the processes through which women come to be imprisoned with their children, which again underscores the dangers of complacency regarding issues of discrimination and fairness.

Italy

In recent years, Italian legislation on the detention of mothers with young children has undergone significant change, most notably with the adoption of the so-called *Pacchetto Sicurezza* (Law no. 80 of 9 June 2025) which appears to reverse previously held beliefs that mothers with young children should not be incarcerated. By abolishing the mandatory deferral of incarceration for mothers with children under 12 months, the law reflects a broader shift towards a more security-focused approach within the prison system. This highlights persistent tensions between maintaining the mother–child relationship and providing non-segregating environments for children.

The political debate surrounding the *Pacchetto Sicurezza* in Italy reveals a gap between the formal universalism of children's rights and their implementation in penal practice. This seems to be in stark difference to some of the well-intentioned (if not well executed) policy developments observed more recently in England & Wales, and Scottish context. Penal policies generate structurally differentiated experiences of childhood, raising the question of why some childhoods are more exposed to restrictive contexts than others. This question is further illustrated by the disproportionate impact of the reform on specific social groups. For instance, Italian policies on detained mothers often affect repeat offenders and women convicted of minor property-related offences, many of whom lack housing suitable for house arrest. These offences often reflect structural social marginalisation rather than public threat, rendering prison primarily a site of punishment for deprived women and their children.

Further, most mothers in prison in Italy are foreign-born (Associazione Antigone, 2023), raising concerns about compliance with the UNCRC principle of non-discrimination. The European Roma Rights Centre (Ignacz, 2024) also documents that post-reform debates portray women through ethicised and moralised narratives, casting so-called 'Roma mothers' as 'Roma pickpockets' and framing their parenthood as stigmatised, thereby reinforcing marginalisation within the penal system. As Ronconi and Zuffa (2020) have argued, women's criminalisation intersects with concepts of maternal roles, often framed through a moralised 'good'/'bad' mother dichotomy. This has provided a platform for an extreme-right discourse, where pregnancy and motherhood are interpreted by some as strategies to avoid incarceration, producing racialised constructions of parenthood that inform penal policies.

Recent reforms invite reflection on contexts shaping mothers' and children's everyday experiences. As of 31 January 2026, 24 mothers and 27 children were living in Italian prisons. Three custodial arrangements allow mothers to live with children, each with differing degrees of permeability. In stark contrast to age limits in Scotland and England & Wales, nursery sections in Italian female prisons (*sezioni nido*) host children until age three (Law No. 354/1975, art. 11), with mothers unable to leave and children going outside only with volunteers. ICAMs (*Istituto a Custodia Attenuata per Madri*), introduced in 2011, extend stays up to six years pre-trial and ten years for sentenced mothers (Law No. 62/2011), with three operating in Milan, Venice, and Turin (Associazione Antigone, 2025). While less visibly places of incarceration, ICAMs retain the logic of total institutions despite children

attending school outside. Foster homes (*case-famiglia protette*) offer the highest permeability, allowing mothers to leave on authorised permissions; however, only two operate nationwide due to limited state funding.

The lack of clear and formalised criteria defining which custodial settings mothers with children should be allocated to results in fragmented detention pathways: some women spend the initial phase of their sentence in nursery sections and are subsequently transferred at a later stage to ICAMs. Access to – and transfer between – these settings often depends on women’s awareness of the options available, rather than on a systematic assessment of the child’s best interests, which echoes problematic practices seen in England & Wales concerning poor information-sharing. Importantly, not all women in prison are informed about ICAMs: indeed, during the author’s doctoral field work in Italy (Pilotto, forthcoming) one participant reported learning about the possibility of applying for transfer through an informal interaction with a prison officer, while another only became aware through her lawyer.

The evolution of these arrangements reflects growing attention to children’s relational and social needs, particularly as detention periods have increased. Yet this has not prompted a systematic review of custodial placements or conditions. As Johnson’s (2022) research in New Zealand found, nursery sections and ICAMs in Italy constrain the mother–child relationship within a context where women’s parental agency is heavily limited, with significant consequences for women’s parental identity and relationships with their children. Echoing our earlier discussion on England & Wales, age limits remain a significant contradiction: upon reaching age three in nursery sections, and six or ten in ICAMs, separation from their mothers is enforced if house arrest is not granted. The previously ‘protected’ relationship is abruptly interrupted, with continuity dependent on distance from home and on whether children are entrusted to family or social services, producing highly unequal outcomes. This has heavy implications for the mother–child relationship: the anxiety surrounding separation and the guilt felt both for children left outside and for those brought into the detention context constitute a defining feature of motherhood experienced in these settings.

Against this backdrop of structural constraints, foster homes in Italy, like the smaller custodial units in Scotland and England & Wales, offer a potential model for sustaining relational continuity and social integration. They also represent fertile starting points for maintaining family ties and de-institutionalizing the lives of detained mothers and children at the social margins.

In the Italian case, this trajectory exemplifies how best interests are enacted through discretionary judicial decisions and institutional procedures, intertwined with moralised, classed, and racialised constructions of ‘good’ motherhood. The Italian case thus illustrates one configuration of maternal imprisonment and opens a cross-jurisdictional discussion on how penal and welfare regimes interpret and enact best interests under different socio-legal frameworks.

Conclusion

This comparative analysis highlights that even where jurisdictions are seemingly united in embracing the aim of promoting 'the best interests of the child', policy and practice surrounding the treatment of imprisoned mothers can diverge markedly.

When viewed in relation to Italy, the provision for – and visibility of – mothers and children across Scotland and England & Wales is both sparse and limited, with opportunities for togetherness restricted to small numbers of places in often under-utilised MBUs, and to the very early months of the child's life, whereas the range of custodial options in Italy creates space for mothers to be with their children for years. However, we caution against rapid assessments of which model is 'better' or more 'progressive', noting that the broader provision in Italy simultaneously constrains the mother–child relationship within a context where women's parental agency is heavily constrained. Moreover, in this context, children's rights are in tension as the right to maintain a relationship with their mothers competes with the right to grow up and develop that relationship in a non-segregating environment.

Consequently, we suggest instead that these case studies reveal that social and penal culture shapes policy and practice in this area and assessments of what might be in the best interests of the child. Recognising how decisions regarding mothers facing imprisonment are culturally mediated prompts us to look beyond narrow questions of whether MBUs 'work' (for instance in promoting attachment), and instead to consider how the experiences of these women are shaped by broader penal sensibilities and social inequalities. For instance, were the restriction on custodial opportunities for women to be with their children seen across GB matched by a commitment to the de-incarceration – for example, through diversion from prosecution, sentencing guidelines, and a well-resourced community provision of services – the models could appear more progressive by ensuring children remain out of carceral settings. Yet, as the systems currently function, they often serve instead to remove mother/child contact.

The argument that assessments of the best interests of the child are culturally mediated also leads us to recognise that while the principle of best interests has been a constant within policy making, penal and social norms and sensibilities change and evolve. This is reflected in the more punitive turn in Italian policy seen in the abolition of mandatory deferral of incarceration for mothers with children under 12 months (*Pacchetto Sicurezza*). It is perhaps also evident in the gaps between policy aspiration and implementation seen across GB, as the five promised CCUs in Scotland have become two, and the lack of provision for mothers in Wales persists. This fluidity makes the lack of routine data collection and reporting and contemporary research particularly problematic, especially where outdated evidence is used to inform key decisions such as MBU policy on upper age limits as found in England & Wales.

We therefore advocate for future research agendas which centre both the lived experiences of women and the social, political and cultural factors which shape them. This would direct attention to both policy and practice

issues (for instance, who is admitted to and who is refused residence in custodial settings that can accommodate children) and also conceptual questions (such as how are these decisions shaped by normative ideals of appropriate mothering). We see considerable potential here in comparative approaches. As the case of Italy – where Roma women are more likely to be sentenced to more restrictive environments – demonstrates, an intersectional and comparative analysis can generate valuable new insights into the causes and consequences of imprisonment of mothers. A comparative approach also challenges us to look beyond what our own jurisdictions considers possible, perhaps even imagining a future where pregnant women and mothers are imprisoned rarely, if at all.

References

- Associazione Antigone (2023). *Annual Report*. Available at: <https://www.rapportoantigone.it/primo-rapporto-sulle-donne-detenute-in-italia/>
- Associazione Antigone (2025). *Annual Report*. Available at: <https://www.rapportoantigone.it/ventunesimo-rapporto-sulle-condizioni-di-detenzione/>
- Birth companions (2025). *1001 Days in the CJS*. Available at: <https://www.birthcompanions.org.uk/initiatives/1001-days-in-the-cjs>
- Burman, M. Crowley, A., Mackenzie, M. Armstrong, L.M., Gelsthorpe, L. & Malloch, M. (2025), *Scottish Prisons Assessment and Review of Outcomes for Women: Full Report*, Scottish Government. Available at: <https://www.gov.scot/publications/scottish-prisons-assessment-review-outcomes-women-sparow-full-report/documents/> [accessed 26 February 2026]
- Charles, A. (2025). *Black Women in Prison: Exploring the Intersection of Race and Gender in Experiences in Prison*. Palgrave Macmillan.
- Commission on Women Offenders (2012). *Final Report*. Available at: <https://webarchive.nrscotland.gov.uk/20170406001333/http://www.gov.scot/About/Review/commissiononwomenoffenders/finalreport-2012> [accessed 26 February 2026]
- Corston (2007). *The Corston Report: a review of women with particular vulnerabilities in the criminal justice system*. Available at: <https://webarchive.nationalarchives.gov.uk/ukgwa/+/homeoffice.gov.uk/documents/corston-report/> [accessed 26 February 2026]
- Diffley Partnership and KSO Research (2025). *Literature Review: Understanding Family Support Needs of People in Prison Custody*. Scottish Government Social Research. Available at: <https://www.gov.scot/publications/literature-review-understanding-family-support-needs-people-prison-custody/pages/2/> [accessed 26 February 2026]
- Dowling, A., & Fulton, C. (2017). Prison nurseries: a review of maternal and infant rooming in outcomes for incarcerated mothers. *Canadian Journal of Midwifery Research and Practice*, 16(2), 35-45.
- Gardiner, A., Daniel, B., Burgess, C., & Nolan, L. (2016). The Rose Project: Best for Babies-Determining and supporting the best interests and wellbeing of babies of imprisoned mothers in Scotland.

- Hampton, C., Loucks, N. & Armstrong, K. with The Building Futures Programme (2025) *The Lang Whang' (The Long Journey): the hidden impact of Scotland's longest prison sentences*. The Prison Reform Trust. <https://prisonreformtrust.org.uk/publication/the-lang-whang-the-long-journey-the-hidden-impact-of-scotlands-longest-prison-sentences/>
- HM Government. (2021) *The Best Start for Life A Vision for the 1,001 Critical Days*. Available at: https://assets.publishing.service.gov.uk/media/605c5e61d3bf7f2f0d94183a/The_best_start_for_life_a_vision_for_the_1_001_critical_days.pdf
- HMIP (2015). *HM Inspectorate of Prisons, Report on HMP and YOI Cornton Vale. Full Inspection. 28 September - 7 October 2015*. Available at: https://prisonsinspect.oratescotland.gov.uk/sites/default/files/publication_files/Report%20on%20HMP%20YOI%20Cornton%20Vale%20Full%20Inspection%2028%20September%20-%207%20October%202015.pdf [accessed 26 February 2026]
- His Majesty's Prison and Probation Service (HMPPS) and Ministry of Justice (MoJ) (2025) *HMPPS Annual Digest 2023 to 2024*. Available at: <https://www.gov.uk/government/statistics/hmpps-annual-digest-april-2023-to-march-2024/hmpps-annual-digest-2023-to-2024#mother-and-baby-units-mbus-pregnant-prisoners-and-births> [accessed 26 February 2026]
- Ignacz, J. (2024). *Romani mothers & babies face prison sentences or child removal under proposed new bill in Italy*. European roma rights centre. Available at: <https://www.errc.org/news/romani-mothers--babies-face-prison-sentences-or-child-removal-under-proposed-new-bill-in-italy>
- Inside Time (2025). *Women's residential centres face the axe*. Available at: <https://insidetime.org/newsround/womens-residential-centres-face-the-axe/> [accessed 26 February 2026]
- Johnson, J. (2022) 'Mothering within a Prison Nursery – a review of the literature' in Masson, I and Booth, N. (eds) *The Routledge Handbook of Women's Experiences of Criminal Justice*. Routledge.
- Ministry of Justice (MoJ) (2016) *Management Information Notice: Applications and Admissions to Prison Mother and Baby Units*. Available at: <https://assets.publishing.service.gov.uk/media/5a7f225ee5274a2e8ab4a529/mbu-ad-hoc-release-2013-2015.pdf> [accessed 26 February 2026]
- Ministry of Justice (MoJ) (2020) *Review of operational policy on pregnancy, Mother and Baby Units and maternal separation. Summary report of the review of PSI 49/2014 and operational policy on pregnancy and women separated from children under 2 in prison*. Available at: <https://assets.publishing.service.gov.uk/media/5f22e9a9e90e071a5e16fc25/summary-report-of-review-of-policy-on-mbu.pdf> [accessed 26 February 2026]
- Ministry of Justice (MoJ) and His Majesty's Prison and Probation Service (HMPPS) (2021) *Pregnancy, Mother and Baby Units (MBUs), and Maternal Separation from Children up to the Age of Two in Women's Prisons*. Available at: https://assets.publishing.service.gov.uk/media/695bd0a553866d6cdf21b22/2026_01_05_-_Pregnancy_Mother_and_Baby_Units__V3_.pdf [accessed 26 February 2026]
- National Statistics for Scotland (2024) *Scotland's Census 2022 - Ethnic group, national identity, language and religion*. Available at: <https://www.scotlandscensus.gov.uk/2022-reports/scotland-s-census-2022-ethnic-group-national-identity-language-and-religion/>
- Paynter, M., Jefferies, K., McKibbin, S., Martin-Misener, R., Iftene, A., & Murphy, G. T. (2020). 'Mother child programs for incarcerated mothers and children and associated health outcomes: A scoping review'. *Nurs Leadersh (Tor Ont)*, 33(1), 81-99.
- Pilotto, F. (forthcoming). *Madri detenute e agire educativo. Un'etnografia della permeabilità tra contesti detentivi e scuole*. Bologna University Press.

Raikes, B. & Lockwood, K. (2011). 'Mothering from the Inside' — A Small Scale Evaluation of Acorn House, an Overnight Child Contact Facility at HMP Askham Grange. *Prison Service Journal*, 194, 19-26.

Ronconi, S. & Zuffa, G. (2020). *La prigioniera delle donne. Idee e pratiche per i diritti*. Ediesse.

Scottish Government (2021). *Perinatal and infant health: equalities impact assessment. Equality Impact Assessment Record*. Available at: <https://www.gov.scot/publications/perinatal-infant-mental-health-eqia/> [accessed 26 February 2026]

Scottish Sentencing and Penal Policy Commission (2026). *Justice that Works: Report of the Scottish Sentencing and Penal Policy Commission*. Available at: <https://www.gov.scot/publications/justice-works-report-scottish-sentencing-penal-policy-commission/documents/> [accessed 26 February 2026]

Sikand, M. (2015). *Lost Spaces: Is the current procedure for women prisoners to gain a place in a prison Mother and Baby Unit fair and accessible*. The Griffins Society.

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