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Item 13

### Oral Statement by Friends World Committee for Consultation (Quakers)

Delivered by Laurel Townhead, Quaker UN Office, Geneva, on Friday 8 April 2005

#### Children of Imprisoned Mothers

*“These children have committed no crime, but the penalty they are required to pay is steep”<sup>1</sup>*

Around the world, thousands of children face grave day to day problems because their mother is in prison or pre-trial detention. Many imprisoned women are the sole or main carer of minor children. In 2001, it was estimated that more than two million children have a parent behind bars in the USA alone.<sup>2</sup> In countries with indigenous populations, indigenous women tend to be disproportionately represented in the prison population, and they, and foreign nationals, and their children may face additional problems.

Far too little attention has been paid to these children of imprisoned mothers and their welfare, let alone their rights.

When a mother is imprisoned, her baby and/or young children may go into prison with her or be separated from her and left on the ‘outside’. Neither of these situations is satisfactory. As the Special Rapporteur on Prisons and Conditions of Detention in Africa stated:

*Prisons are not a safe place for pregnant women, babies and young children and it is not advisable to separate babies and young children from their mother.<sup>3</sup>*

There are no simple solutions. In order to develop a better awareness and understanding, the Quaker UN Office, Geneva, has just published a paper on *Babies and Young Children in Prison*<sup>4</sup> including some draft suggested Guidelines for drafting legislation and policy concerning the treatment of such children.

We call on the Commission on Human Rights and its Special Procedures to give greater attention to these innocent prisoners, and would welcome comments on the draft suggested guidelines.<sup>5</sup>

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<sup>1</sup> San Francisco Partnership for Incarcerated Parents: *Children of Incarcerated Parents: A Bill Of Rights* (October 2003)

<sup>2</sup> Center for Children of Incarcerated parents, 2001 Fact Sheet

<sup>3</sup> Chirwa, V: Report of the Special Rapporteur on Prisons and Conditions of Detention in Africa: Prisons in Malawi (17-28 June 2001), p 36

<sup>4</sup> Marlene Alejos: *Babies and Young Children in Prison (Quaker UN Office, Geneva, 2005)* – available from the Quaker UN Office, or [www.quno.org](http://www.quno.org). Draft Guidelines also available in French and Spanish

<sup>5</sup> This publication is part of the ongoing research by the Quaker UN Office, Geneva, on Women in Prison and the Children of Imprisoned Mothers. Earlier publications include: Rachel Taylor: *Women in Prison and Children of Imprisoned Mothers: A Preliminary Research Paper* (Quaker United Nations Office, Geneva, July 2004), and submissions to the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women (all available from our website: [www.quno.org](http://www.quno.org))