

To lower the rates of death in custody, start with reducing the impact of incarceration on children

June 22 2020

A Western Sydney University expert has highlighted the "significant, negative long-term impacts" on young children and infants, when their mothers interact with the justice system, including if they are imprisoned.

Adjunct Associate Professor Karleen Gribble, from the University's School of Nursing and Midwifery, is an expert on children's rights, and the treatment of infants and young children within the [child protection](#), immigration detention, and criminal justice systems.

Professor Gribble made a [submission to the NSW Inquiry into Support for Children of Imprisoned Parents](#), which has been recently published.

In Professor Gribble's submission, she highlights a range of issues, including:

- The impact of maternal [incarceration](#) on infants and young children;
- The impact when infants are separated from their mother, and when infants are able to reside with their mother in prison;
- The impact of maternal separation on breastfeeding; and
- The responsibility of the Department of Communities and Justice to the infants and young children of prisoners.

Professor Gribble said the Black Lives Matter movement, and the current focus on the issue of Aboriginal deaths in custody, is important and a key action should be on preventing Aboriginal children from being traumatised.

"Early childhood trauma is associated with poor mental health, poor educational outcomes, drug use, and incarceration," said Professor Gribble.

"Likely more than one third of children who experience maternal incarceration are Aboriginal. In order to lower the levels of incarceration, and therefore lower the rates of death in custody—we must start with reducing the impact on children."

Professor Gribble said, when infants and young children are separated from their mother, it can cause significant emotional harm. They are also often placed at higher risk of abuse and neglect.

"These experiences can have significant, negative long-term impacts. Common flow-on effects are that the children will be placed in the out of home care system, and may eventually engage in criminal activities and be incarcerated themselves."

Professor Gribble said it is generally understood that avoidance of maternal incarceration is the best option for children.

"Over 20 years ago, the 1997 NSW Parliamentary Inquiry into the Children of Prisoners found that a sentence of imprisonment on a primary carer of children should only be imposed when all possible alternatives have been exhausted," she said.

"It was also recommended that sentences be deferred during pregnancy and potentially until after breastfeeding—due to the significant

detrimental impacts to the infants.

"It is concerning that, two decades later, these recommendations have not been implemented, and the Department of Communities and Justice is not taking proper responsibility for supporting the well-being of the [infants](#) and young children of prisoners.

"Infants and young children are largely invisible in the [justice system](#). They are not systematically counted and those who work within the system are not required to ensure they are protected. We don't even know how many children are impacted by maternal incarceration in Australia."

Professor Gribble said this issue was tragically highlighted with the recent death of a baby girl in Katherine East. News reports suggest that the infant died, after she was left at home when her mother was arrested and taken to the police station.

"These children are incredibly vulnerable, and they have rights. Every effort should be made to ensure that children are not made secondary victims," said Professor Gribble.

"This is not just for themselves, but for society as a whole—as how these [children](#) are treated will impact their future ability to become contributing members of society."

Provided by Western Sydney University

Citation: To lower the rates of death in custody, start with reducing the impact of incarceration on children (2020, June 22) retrieved 11 May 2024 from <https://medicalxpress.com/news/2020-06-death-custody-impact-incarceration-children.html>

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