

Our Ref: HQ 16152

3 November 2016

FREEDOM OF INFORMATION REQUEST

Thank you for your recent freedom of information request, which was received on 6 October 2016. This gives a statutory deadline for responding of 3 November 2016 under the terms of the Freedom of Information (Scotland) Act 2002.

You asked the following, and for ease of reference I have copied your original request for information (RFI) as follows.

1. RFI – In the last 10 years how many mothers with babies (and how many babies) have been living in Scottish prisons, classified by age/ month (both baby and mother), prison of residence, reason for mother detention and time baby spent in jail (i.e. since was born to 10 months; 3 months to 17 months etc.)
2. RFI – The accidents involving babies over the last 10 years, classified by type, prison of residence, age (months)
3. RFI - What is provided by Scottish Prisons for the care of a baby and their mother?
4. RFI – Is there an age after which the baby cannot live any longer with their mom in jail? What does it happen next?

In response to **RFI 1**; having completed our search of all electronic and paper records held by the SPS I can confirm the following information is held for mothers with babies in prison. Please note we only hold records back to 2010 and the only prison that has housed mothers with babies to date is HMP Cornton Vale.

We do endeavour to provide information whenever possible. However, in this instance an exemption under section s.38 (1) (b) of FOISA applies to some of the information requested i.e. ‘the reason for the detention of the mother’. For clarity, s.38 (1) (b) relates to personal data of a third party. As the exemption is conditional we have applied the ‘public interest test’. This means we have, in all the circumstances of this case, considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. While we recognise that there is some public interest in release because of general interest in the management of female prisoners, this is outweighed by the public interest in protecting the personal data of what is considered a very small number of individuals that may, through further research disclose their identity. In addition, our records do not aggregate by age of mothers or babies, also, there is no information held on the time the baby spent in jail.

Year	No of Pregnant Prisoners	No of Babies Born to women in Custody	No admitted to M&B unit
2010	6	5	1
2011	19	9 (1 still born)	3
2012	34	10	2
2013	17	3	0
2014	26	8	5
2015	15	6	0

For 2016 to date there has only been 1 mother and baby in custody

In response to **RFI 2**; having completed our search of all electronic and paper records held by the SPS I can confirm there have been no recorded accidents involving babies in HMP Cornton Vale.

In response to **RFI 3**; the following is provided. Please note that the responsibility for prisoner healthcare transferred to the NHS in 2011. This includes maternity services and the provision of pre and post natal care. In short, women in custody receive access to the same services as women in the community.

Birth Plans: An individualised Birth Plan will be developed for all individuals who are expected to give birth whilst in the custody of the establishment.

NHS Midwife: All pregnant individuals within the establishment will be under the care and supervision of an NHS Midwife.

Dietary Requirements: The Catering Department are informed of all individuals who are pregnant, who will amend and supplement meals as appropriate in consideration of nutritional requirements.

Child Development Worker: A Child Development Worker is present within the establishment to provide support to women in both pregnancy and motherhood.

Parenting Programme: The Child Development Worker provides a Parenting Programme to women during pregnancy and motherhood.

Clothing: All pregnant individuals are provided with additional clothing as required.

‘Mother and Baby Bags’: The establishment provides all pregnant individuals who are expected to give birth whilst in custody with an individual ‘Mother and Baby Bag’ which will accompany them to hospital. This bag will provide necessary clothing and provisions for both the mother and the child for the duration of the stay in hospital. This will include nightwear for the mother, and a plentiful supply of clothing, bathing and changing materials for the baby.

In response to **RFI 4**; The SPS does not set a limit on the age of a child remaining with the mother in prison however, practice across the UK is for Social Services to engage in alternative parenting / fostering arrangements by the age of 18 months.

If you are dissatisfied with this response, you have the right to request a review. Your request should be made within 40 working days of the date of receipt of this letter and we will reply within 20 working days of receiving your request. Under section 20(3)(c)(ii) of the Act your request should outline your reason for seeking a review. If our decision is unchanged following a review and you remain unsatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner.

If you require a review of our decision to be carried out, please write to Colin McConnell, Chief Executive, Scottish Prison Service, Calton House, Redheughs Rigg, Edinburgh EH12 9HW. The review will be undertaken by staff not involved in the original decision making process.

I trust this information is helpful.

Yours sincerely

Lyndsey Moug
Corporate Communications Manager
Scottish Prison Service