

No holds barred

When a mother is sent to prison, her children are often punished as well, being left traumatised and sometimes with no-one to care for them. **JULIE NANCE** reports on the State's new approach to inmate mothers and their children.

WHEN two-year-old Tom's* mother was imprisoned for fraud, he was so traumatised he refused to eat, drink or sleep. Doctors eventually became so concerned they put him on a drip in hospital for a week.

"It wasn't until I was led down from the courtroom to the cells in handcuffs and strip-searched that the reality of my 12-month prison sentence sank in," says Tom's mother, Kate,* a former finance specialist.

"We were just so shocked and Tom was not prepared for it. Mummy went out one day and didn't come home. The next time he saw me I was in a white monkey suit at Mulawa."

Although Kate knew fraud was a serious offence, her solicitor expected a community service order to be imposed or, at worst, weekend detention. With Kate's husband, John,* forced to continue full-time work, Tom was placed in child care up to 11 hours a day and his condition deteriorated. After being released from hospital, he continued to roam through the rooms of his home in the middle of the night, calling out for his mother.

Last month, thanks to a new policy that allows pre-school-aged children to live with their inmate mothers, Tom began spending his days in close companionship with his mother. At night, in the minimum-security Women's Transitional Centre at Parramatta, he sleeps in the same room as her, his bed surrounded by his

favourite toys – Bananas in Pyjamas, Mickey Mouse and a stack of Golden Books.

During the day, Kate cooks meals for Tom, takes him on the slippery dip and outside the complex for long walks. "When Tom arrived I felt normal again," Kate says. "Like a mother."

"Tom picked up so much and began to become the outgoing boy he once was. Young children are not given enough credit for their feelings. They should not be made to suffer for the crimes of their parents."

It is 15 years since pre-school-aged children have been allowed to live with their inmate mothers in NSW. Tom – who turns three next month – is the first and, as yet, only child to live in the prison system since 1981 when the then Corrective Services Minister, Rex Jackson, abolished the Mothers and Babies Unit at Mulawa Correctional Centre, declaring "children should not live behind barbed wire".

The NSW Corrective Services Commissioner, Dr Leo Keliher, stresses the Mothers and Children's Program is not about rewarding mothers but rather "avoiding punishing innocent children".

"Why should a baby be penalised and put in an orphanage as a consequence of his mother's actions?" says Keliher, whose policy brings NSW in line with interstate and overseas practice. "I don't think anyone who is reasonable or rational would assume just because a woman defrauds the Department of Social

Security or has a drug problem, she doesn't care for her children. In some cases the reason she commits the crime is to provide for her children."

The NSW Corrective Services Minister, Bob Debus, agrees: "Brutalising these children means society is putting a down payment on disaster for future generations."

The program, set up at the Jacaranda Cottages at Emu Plains Jail last month and the Women's Transitional Centre in Parramatta in June, allows minimum-security women who are nearing the end of their sentences to live with their children in home-like cottages.

THE Inquiry Into Children of Imprisoned Parents – being conducted by the NSW Parliament's Standing Committee on Social Issues – is revealing the hardship often experienced by affected youngsters.

Ann Symonds, the committee chairwoman and a Labor MLC, says she was alarmed by injustices dealt out to babies and young children. Although the recent policy changes are progressive, there is still a long way to go, she says. Symonds often finds herself distressed when listening to evidence from female inmates and others coming before to the committee.

"Babies are still being separated from their mothers five days after birth," says Symonds, who will report on the committee's findings in April. "There are seven pregnant women in Mulawa who are terrified because

they do not know what will happen to their babies.

"A two-year-old child brought to see his mother on a boxed (partitioned) visit left the prison with bruises on his head as he was trying to get through the glass cubicle to his mother. It is simply awful going out and getting evidence."

"The older kids have terrible problems and they get forgotten. They often become homeless, end up in the juvenile justice system and finally the adult system."

The Department of Community Services (DOCS) provides placements for youngsters up to the age of 16 if there is no extended family available to care for them. There are up to 106 children in foster care in NSW because their parents are in jail. An unknown number are also State wards.

Ann Shanley, the DOCS principal project officer for child and family services, told the parliamentary inquiry: "That is an outrageously high number. There has to be a better system to reduce that and, although the sentence may be short, for small children any period of time is very traumatic."

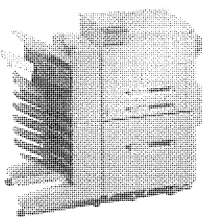
Access of children to their parents in jail, particularly those from country areas, is a big problem, Shanley says, with urgent new guidelines and procedures being jointly devised by DOCS and the Department of Corrective Services.

One area addressed under the new policy changes is the rights of children up to the age of 14 to spend weekends or holidays with their mothers. Under the depart-



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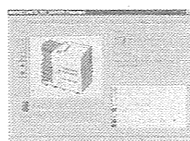
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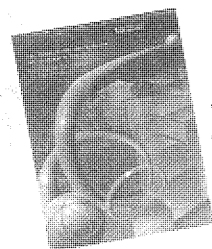
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ment's recently introduced Occasional Residence Program, Rebecca,* a 33-year-old mother at the Women's Transitional Centre, feels the first tentative steps have been made towards a relationship with her nine-year-old son.

Four-and-a-half years spent in maximum security at Mulawa Correctional Centre took a big toll on their relationship, with Rebecca feeling as if she was sitting face-to-face with a stranger during visits. Relatives had been able to bring Andrew* to visit her from the North Coast only twice a year.

"When I first went to jail in 1991, during the [Michael] Yabsley era, there was no physical contact during visits whatsoever," says Rebecca, whose son's speech and

Kate with son Tom at the Women's Transitional Centre at Parramatta . . . "Young children should not be made to suffer for the crimes of their parents."

Photograph by JENNIFER SOO

behaviour were affected after she was sentenced to a minimum six-year term. "How do you explain to a child you cannot touch him, except to say hello and goodbye? In 1994 the situation eased up, but overall I had no contribution to my son's upbringing."

Another area of concern to Symonds is inmate mothers losing long-term custody of their children. The inquiry has heard that relatives and even de factos, some keen on claiming the Supporting Parents Benefit, have gained full custody in Family Court proceedings.

Surprise custodial sentences can sometimes leave convicted women

with no child care arranged, she says. "One solicitor was left holding a baby in court."

Tamena Moneley, a DOCS district officer for children of prisoners, told the inquiry there had been episodes when no warning was given to DOCS that as many as four children from one family would need immediate care.

"We have been contacted at 4.30 pm or 5 pm and told 'we have these kids - you need to take them because their mum's going to jail now'. We have to physically remove children out of court," she says. "It leaves the children hysterical."

*Names changed.

A mother laments her loss

JUANITA* hugged her 12-year-old son, John,* goodbye in court before being led away to begin an 18-month prison sentence. She believes her rights as a mother were stolen at that moment.

"John changed from a 12-year-old little boy who loved fishing, surfing and watching movies on a Friday night, to a complete street boy," Juanita told the NSW Parliamentary Inquiry Into Children of Imprisoned Parents.

"He may be 14 now but he is a 20-year-old-minded criminal. In his eyes the system took his mother away and . . . you [the authorities] can pay for it."

Juanita, who has finished her prison term, told the inquiry her son was taken in by family friends but four weeks after she went to prison they moved to New Zealand, leaving him in the care of their 16-year-old daughter. "I was behind bars - there was nothing I could do."

After Juanita began her sentence, John stopped going to school, was convicted of various crimes and has already served several stints in juvenile detention centres.

"[The Department of Community Services] failed miserably with John," Juanita told the *Herald*. "They left him out on the streets and failed to do their duty of care."

By the time they got around to John it was too late - he had already adopted street kids as his family."

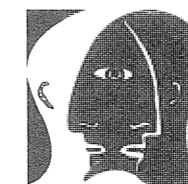
According to Ann Shanley, the DOCS principal project officer for child and family services, a lot of time, money and resources was put into meeting John's needs. However, she says: "That was one of those occasions where things could have been done better. It was very distressing for the boy when his mother went into jail. This case has raised a lot of issues and one step we have taken is the creation of a full-time, State-wide position to handle only children of prisoners."

The year of living predictably

I AM at a New Year lunchtime gathering of friends, twenty-somethings, mostly feeling a little worse for wear for the indulgences of the night before. We chat, laugh a lot, have a few beers. Then it happens. Four o'clock arrives, and the kettle is filled and set to boil. So what? So, it is a symbol. We are not wild youths any more. We have fallen into routines, we have adopted comfortable, even sensible, patterns of life. We are getting old. Had the afternoon cuppa been an isolated incident, it would not have had much significance. But having noticed that, we began to notice other telltale signs.

A serious discussion of the changes to superannuation legislation. This was particularly unnerving, but there was more to come. Discussions on personal safety, old sitcoms. Disapproval of a particularly debauched Christmas party that one of us had attended.

One couple realised this would be the last new year that they would be childless. This led to much talk about childbirth, the benefits of the



RELATIONS

father being present at the delivery and a comparison of the family policies of some of our employers.

Two of the group struck up a conversation about what they intended to do with their fast-approaching long service leave. There was some discomfort in the room at this development, but it was still small potatoes.

Unknown to us, we were only minutes away from the knockout, the killer punch, the words that should never have been spoken, the words that once said could never be retracted. It happened as a result of some teenagers walking past the soon-to-be-renovated fence (where not long before three of us had stood admiring the newly laid paving and comparing the heights

of some fast-growing natives that were doing well in their sunny position).

"I just don't understand," the lament began, "the kids these days . . ." A murmur of agreement rippled through the lounge room, where 15 minutes earlier we had all praised the new light fittings, recently installed.

Then it registered. Silence replaced the sounds of agreement, until one brave soul admitted what had been growing in each of our minds. We have reached that point of no return; we have matured. Maybe, just maybe, had the "these days" been omitted, the comment could have slipped past unnoticed, or have been shrugged off as an acknowledgment of the different conditions that the "teens" of the '90s face. No, on second thoughts, such analysis just makes it worse.

What omen was this? What awaits us from here? We began listing the things that we hadn't yet succumbed to.

"Shopping for comfortable sandals."

"Actually, I have been looking

the past few weeks. Some of those Masseur ones don't look bad." There wasn't much argument.

"Writing letters of complaint to the *Herald*."

"Done that . . ."

"Complaining to the neighbours about the noise?" We were getting desperate.

"Um, actually . . ." Several of us owned up to this one.

"Keeping tropical fish, and joining a fish fanciers' club!" This was overruled on the grounds that it was just plain eccentric.

"Had plastic surgery!" Two of our number, approaching 30, confessed to having checked out the costs, but no-one had actually gone under the knife.

By now we realised that to probe further could just lead to depression, and I think most of us suspected that we would not make things better with another round of drinks.

I let out a little sigh of defeat, said "Goodness", and sipped my decaf.

JONATHAN CHAMP

Parents on the inside

There were 338 female and 5,934 male inmates in NSW correctional centres as of January 5, 1997. Most women are in minimum security.

More than 65 per cent of female inmates are the primary carers of children.

There were 12 pregnant women at Mulawa, two at Norma Parker and two at Emu Plains correctional centres, as of December 31, 1996.

All female inmates with small children can apply for a special release where the sentence can be served outside jail in an appropriate environment determined by the NSW Corrective Services Commissioner. Stringent criteria mean few women are released.

Day and weekend leave for minimum security inmates are other options open to some mothers and fathers to continue ties with their families.

The children of prisoners' support group can be contacted on 9648 5866.

Source: NSW Department of Corrective Services