

Liberating babies from jail

AT the age of two years and three months, Bongive Mthembu* doesn't know anything about the outside world. She has been living in the women's section of Westville Prison since she was born. Her mother, Jabu* (37), was pregnant when she was incarcerated while facing several charges of identity fraud. She is now serving an eight-year prison sentence.

Bongive lives with her mother in what was, until recently, an old cell. The cell has been renovated and painted a colourful pink, and it sports a few toys and teddy bears.

During the day she attends a crèche where she plays and learns with 11 other children of offenders, but in the afternoon she returns to her mother's cell before the bars are shut behind them.

Bongive is one of 143 children in prisons across South Africa who are kept in these facilities because they are too young to be separated from their mothers.

'These children are living in punitive conditions not because they have done something wrong, but because their mothers were found guilty of crimes'

Gauteng accounts for the largest number (87), followed by KwaZulu-Natal (23) and Western Cape (19). The mothers are awaiting trial or

such as murder, attempted murder, fraud, corruption and theft, among others.

The children's ages range from a month old to about three years old. In years gone by kids behind bars were allowed to stay with their mothers up to the age of five.

Spokesman for the Department of Correctional Services, David Hlabane said women made up just 2.2% of the prison population.

"Since the Correctional Services Amendment Act of 2008, the children of women prisoners are only allowed to stay with their mothers from birth until two years of age. Those older than two are still there because we are trying to place them with their family members outside the prison or with foster parents," Hlabane said.

"The act of keeping children behind bars with their mothers has been heavily criticised as 'inhumane' by human rights organisations.

South Africa, which is a signatory to the United Nations Convention on the Rights of the Child, which makes provision for children's welfare while they are under institutional care, has often come under fire for the way it treats children.

Human rights activists say their visits to correctional facilities in South Africa have shown that being incarcerated for long periods affects a child's chances in life. A study by the National Institute for Crime Prevention and the Rehabilitation of Offenders in 2006 found that the restrictive environment "hampers the child's psychological, cognitive and social development".

Derick Mdluli of the Justice for Prisoners and Detainees Trust echoed these sentiments: "These children are living in punitive conditions not because they have done something wrong, but because their mothers were found guilty of crimes.

"That is why we have been calling for these children to be placed with other family members, and in cases where their parents can be given parole that this be done speedily."

Hlabane said things were changing since his department launched the Imbeleko Project. "We have devised child-friendly environments in prisons that include converting existing cells into suitable mother-and-child units and decorating such units differently, making them more stimulating for children and more comfortable for the incarcerated mother to concentrate on the

"We are also working with inmates to find suitable families or foster parents for children who are older than two years."

Hlabane said that by working with the Department of Social Welfare they had been able to arrange for women prisoners to apply for and get social grants for their children. This, he said, helped to provide food and clothing for the children, because prison authorities

Human rights organisations have called the act of keeping children with their imprisoned mothers inhumane. Now the Department of Correctional Services is trying to create more suitable, secure and child-friendly space for kids, writes **CHRIS MAKHAYE**

offered only milk formula and basic food. Clothes were donated by charity organisations and relatives of the prisoners.

Within the next few months Bongive and her mother will be separated because prison authorities are making final arrangements to set her up with her mother's sister and family in Pietermaritzburg.

Bongive's mother is dreading the day. "I know that my sister will take

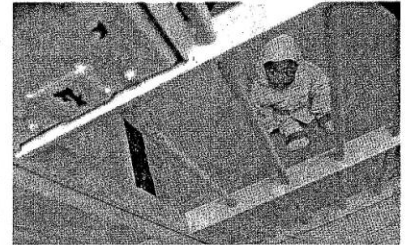
good care of her, but she has been with me since birth and it will not be easy for either of us to let go. She has been living around only women here and she often struggled to recognise her father when he came to visit."

Nokuthula Shelembu* (40), who is serving time for attempted murder, also had her baby son with her in prison. He stayed for more than three years, until her parents col-

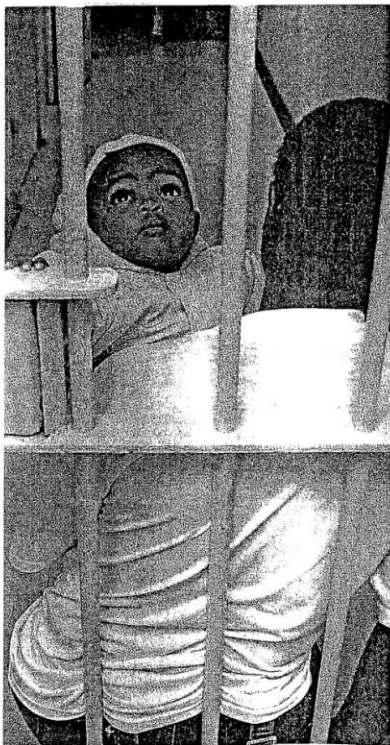
lected him early last year.

"I felt he had to go because he knew nothing outside of prison. He was learning swear words and bad language because girls here speak any old how. He picked up cigarette butts and mimicked smoking. At least with my family he will learn some discipline. Now he visits me at least twice a month," she said.

"Names have been changed to protect the children's identity



RESTRICTIVE ENVIRONMENT . . . Prison hampers a child's psychological, cognitive and social development



GROWING PAINS . . . Experts say the restrictive environment of prison hampers a child's psychological, cognitive and social development. Picture: Foto24