

Rt Hon Harriet Harman MP, Chair
Joint Committee on Human Rights
Committee Office
House of Commons
London
SW1A 0AA



31 October 2019

Dear Harriet,

INFORMATION ON THE NUMBER OF PREGNANT WOMEN IN PRISON

Thank you for your letter about the tragic death of a baby at HMP Bronzefield. I share your concerns about complete care being available to all pregnant women and new mothers in prison and am determined to ensure lessons are learned from the case. Investigations are ongoing and, as you will be aware, I have asked the Prisons & Probation Ombudsman (PPO) to carry out an overarching independent investigation into the death. Still, I am clear that there is more to be done.

We acknowledge the committee's suggestion that the Prisons and Probation Ombudsman's terms of reference (ToR) be amended to ensure that all babies' deaths occurring in prison are fully investigated as deaths in custody. The PPO's current ToR already allow them to investigate fatal accidents involving babies on a discretionary basis. We have recently met with the PPO about the possibility of updating their ToR, and will be working with them to ensure that these accurately reflect the work and remit of the PPO. A key priority for the PPO is to obtain statutory status. The Government will explore ways to address this when Parliamentary time allows.

Following the tragedy, the Director of the Women's Estate has introduced hourly checks throughout the night for all women who are post-28 weeks pregnant. We are committed to supporting all women in custody to ensure they have the right level of care and recognise the importance of improving our data collection in order to meet the distinct needs of pregnant women. I am therefore pleased to be able to provide you with an update on broader developments.

We know that individual Governors collect data on pregnancies locally, but recognise that more must be done at a national level, so we have more consistent data. I have asked for our ongoing review of Mother and Baby Units (MBUs) and pregnant women in prison to be expedited, so our data will better inform our care for pregnant prisoners.

This is a complex area and there are sensitive issues relating to medical information and data protection which must be taken into account, but we are looking closely at this issue to drive improvements in our support for pregnant women across the estate.

In the interim, we have worked to provide a total figure for the number of pregnant women across the Women's Estate, based on a bespoke data collection exercise. We can inform you that the total number of women who declared they were pregnant was 47, as at 15:00hrs on Monday 28 October 2019. This represents less than 2 per cent of the population, which stood at 3,808 at the time of the exercise.



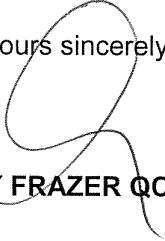
... to ensure that women who give birth in prison... because every step is taken to get them to hospital – but those unique cases are invariably down to the unpredictability of labour.

The number of women who give birth in prison is not collected centrally. However an internal data collection exercise conducted in 2018 indicated that prisons reported fewer than five births in prison over the previous year.

This information has been published in the response to PQs 2763-67 today. I want to ensure that we collect more data and use it to improve our services; I will keep you updated as this work progresses.

I have noted your request for further information on the incident at HMP Bronzefield. Given the highly sensitive nature of this information, and the risk of identification of the woman, I am sure you will understand that we are unable to publish this information in the Government response to the committee's report on The Right to Family Life. I have instead, however, provided this information to you in confidence, at Annex A.

Yours sincerely



LUCY FRAZER QC MP