University of Hertfordshire UH

A National 1001 Days Pathway for Pregnant Women and Mothers on Release from Prison: Closing the Release Gap

Policy Brief

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University of Hertfordshire

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LOST MOTHERS

The ask:

Create and fund a national 1001 Days pathway for pregnant women and mothers of babies under two across the Criminal Justice System (CJS), ensuring safe release, continuity of care, and coordinated support from custody into the community.

Police → **Courts** → **Prisons** → **Probation** → **Community services**

Why?

Too many women are currently released into homelessness, instability, and fragmented services, leading to avoidable recall to prison, mental health crises and family separation during the critical first 1001 days of life.

What?

A national, co-produced pathway is needed to provide consistent, trauma-informed support and ensure no mother or baby falls through the gaps during this crucial period.

How?

By funding and implementing a co-produced national pathway that ensures coordinated pre-release planning, continuity of care, safe housing, and joined-up support for pregnant women and mothers of babies under two across the Criminal Justice System (CJS).

> **If I'd have had housing, everything would have been different. It came to a point, I'd dealt with the drugs and everything, and it was simply just homelessness. And they (the council) said to me, we're still going to have to take the baby, because you've got nowhere to have him. I got myself to a point where I can be a mum, but I can't because I haven't got housing... I can't just magic a house up.**
> — Mollie, separated from her newborn baby in prison (The Lost Mother's Project)

Note on language

This brief uses the term "women" to reflect the gendered nature of the criminal justice population and available data, and to refer to those affected by the issues discussed across the first 1001 days, including pregnancy and motherhood. It recognises that not all women in custody are mothers, that not all mothers are caring for their babies under two at the point of imprisonment or release, and that some people who experience pregnancy or motherhood in the CJS may not identify as women. Person-centred and non-stigmatising language is used throughout.

The Core Problem – The Release Gap

The system acts most visibly at the point of custody, but care and support afterwards often remain fragmented.

Recent HMPPS figures (2024–25) show that approximately 200 pregnant women spend time in women's prisons in England each year, with around 50–60 giving birth in custody and a similar number entering Mother and Baby Units (MBUs). The prison system has a policy framework[1] for pregnant women, mothers and babies in place, yet the probation system currently has nothing comparable.

The evidence shows that:[2]

- Women faced significant structural barriers (especially homelessness, poverty, and addiction) that limited their chances of keeping their babies.
- The way separations were handled often left them feeling unfairly treated and further entrenched in the system.

This creates a critical gap at the point where women are expected to rebuild their lives in the community. While progress has been made, there is no consistent national, end-to-end pathway to guide how criminal justice, health, housing and children's social care systems respond. This leads to:

- Release into **homelessness and instability.**
- Relapse and **mental health crisis.**
- Avoidable **remand and recall.**
- A cycle where **prison becomes a place of last resort for care.**

The consequences of this failure are immediate and severe:

I got released in January; It was bitterly cold; I was literally in a shop doorway with a blanket. It's like you keep putting me here, rehabilitating me, getting me healthy, and then you release me to nothing and no support, no home.
— Cora, Mum released from prison post separation of her newborn baby (The Lost Mother's Project)

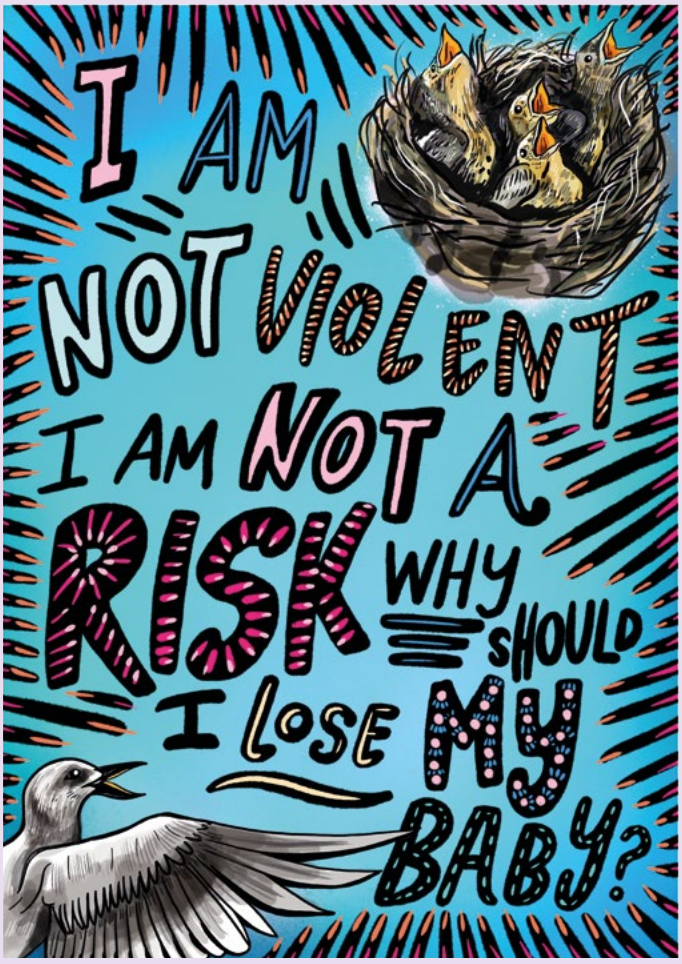
While gaps exist across the system, the point of release and transition to the community are one of the most significant and urgent system breakdowns. **Continuity at the point of release must become the system's primary safeguard.**

Why It Matters: The First 1001 Critical Days (Pregnancy to Age Two)[3]

Pregnancy to age two is a critical developmental window that shapes:

- Brain development.
- Attachment and emotional wellbeing.
- Physical and mental health outcomes.
- Learning and future life chances.
- Family stability and relationships.

Disruption during this period can cause lasting harm to both mother and child, from first contact with police through to community supervision.[4] This is a criminal justice, public health and an early year's issue.[5]



I had given birth, and while I was in the hospital, I was taking care of my baby for six days. I did everything myself. When she cried, I couldn't sleep...I was responding to all her needs. I breastfed her there, and she was growing, and everything was going really well...Then I had the other court hearing just a couple of days after giving birth. The first court went well, because there were people there who believed in me. But in the second one [court hearing], he said he was going to go ahead with the interim care order...So after six days, they came and picked her up. I've never felt pain like that in my whole life. It felt like something was being ripped away from me. Even the nurses cried, I cried, the staff cried. I think some of them were traumatised as well. It was just really hard...I came back to the prison and I just collapsed.

— Freda, first time mother, first time in prison, 8-month sentence. (The Lost Mother's Project)

The Evidence

Co-production should be foundational to this pathway, with lived experience placed at the center of design and implementation. This work should build on models such as Birth Companions' Birth Charter[6] and the Giving HOPE project[7], as well as the work Birth Companions is currently leading to shape a National Integrated Care Framework on social care involvement in the first 1001 days.[8]

- Women face structural barriers - homelessness, poverty, addiction, that limit their chances of keeping their babies.
- Separation is often handled in ways that leave women feeling disempowered and unfairly treated.
- Release from custody represents the most critical transition point, with women often experiencing significant gaps in support and difficulties accessing services in the community.

The Impact

- Release into homelessness and instability.
- Relapse and mental health crisis.
- Increased risk of reoffending and recall.
- Long-term harm to mothers and babies.

The Policy Gap

Recent sentencing and bail reforms aim to reduce the use of custody for pregnant women and mothers, alongside the vision set out by the Women's Justice Board.

However, these reforms are currently not matched by a system capable of safely supporting all women in the community.

The Solution: A Co-Produced National Criminal Justice Pathway

A national end-to-end pathway should be developed across police, courts, prisons, probation, and community services, including:

- **Co-production** with women with lived experience, practitioners, and specialist services.
- **Immediate referral** into specialist support at first contact.
- **Continuity of care** across custody and community.

Immediate Priorities

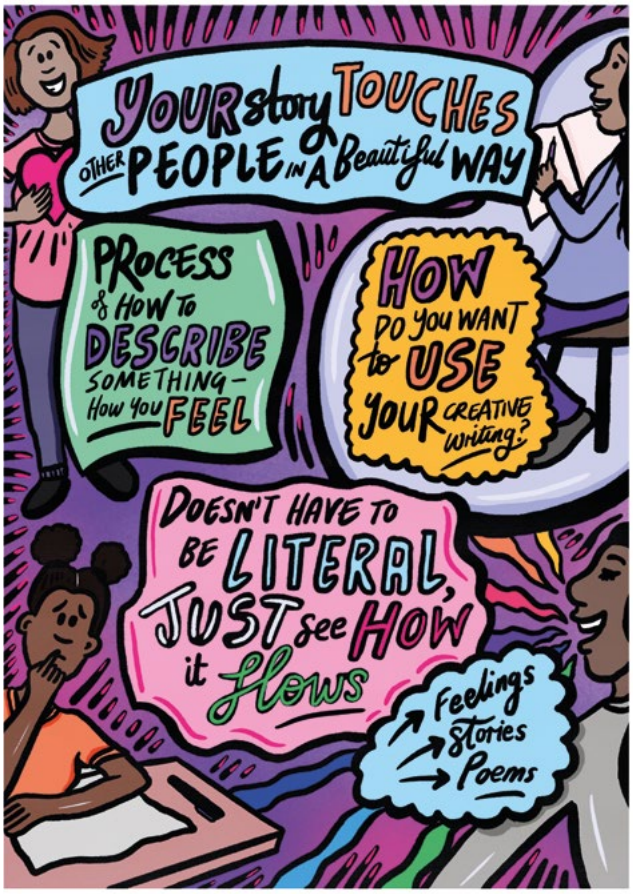
A whole-system approach is needed, with urgent action to strengthen support at the point of release from custody. The greatest shortfall in support occurs at release, when women are often discharged without safe accommodation or adequate support. This is particularly harmful for pregnant women and mothers of babies and children under two, increasing the risk of relapse, breach, re-arrest, and continued involvement in the Criminal Justice System. Without consistent pathways from first police contact through to community support, the system risks recycling vulnerability rather than reducing it.

Priority actions:

1. **Develop** a probation policy framework equivalent to that in the prison system.
2. **Commission** a co-produced national First 1001 Days pathway across the criminal justice system.
3. **Mandate** data collection on maternal separation and outcomes for mothers in probation.
4. **Fund** specialist through-the-gate support services.
5. **Establish** clear cross-government leadership and accountability, including implementation of the Women's Justice Board recommendations.

This work should also include:

- Peer support programmes.
- Creative and therapeutic support tools.
- Co-produced resources to help women understand systems, their rights, and available support.
- A co-produced training module to accompany the pathway and probation policy framework.



Through-the-Gate Continuity

This is the point at which continuity of care is most critical, yet current provision is weakest.

Governance and accountability

Effective implementation of the 1001 days pathway requires clear governance across criminal justice, health, and local authority systems, including:

- Independent audit of through-the-gate continuity to ensure consistent delivery across regions.
- Rapid review mechanisms following adverse outcomes, including breakdowns in care, safeguarding concerns, or maternal and infant harm, with cross-agency learning.
- Clear accountability for named lead practitioners and responsible agencies at each stage.
- Multi-agency oversight to ensure continuity of care across custody, probation, health, and local authority services.

Unsupported transitions pose significant risks. Women and their babies face increased exposure to exploitation, violence and abuse, relapse, and serious adverse health outcomes, including maternal death, stillbirth and neonatal death,[9] as well as increased risk of reoffending and recall due to breach of conditions. These risks are even greater when women are released across local authority, health trusts, and social services boundaries, where discharge planning and follow-up are often fragmented.

All frontline staff should receive mandatory trauma-informed training on pregnancy, early motherhood, and separation, with ongoing supportive supervision.

Training

Those working with women in the CJS, across policing, the courts, healthcare, maternity services, prisons and probation should have specific, mandatory training on issues relating to pregnancy and early motherhood.

Since I've come into here, I've probably dealt with about 5 or 6 separations, and you don't have any training. You come in, do the first one blind and then hope that you're doing it right, and then you learn from each one. We ask all the time (for training and support). We're constantly asking for it because of what we're dealing with.
— Midwife

We're not trained; we've had no training to say how best to deal with a woman going through these emotions.
— Prison Officer

Those working in children's social care should be supported to understand the intersections with criminal justice involvement in this period. Staff across all sectors who are involved in the care of pregnant women and mothers facing separated from their babies should receive robust trauma-informed training and meaningful, structured reflective practice and supervision.

When people are training to be social workers, these conversations never come up. These things are not explored for children and family social workers. So, I think there needs to be a push in terms of the university training.
— Social Worker

Minimum Standards

- Every woman should have a named lead professional across the pathway.
- No pregnant woman or mother of a baby under two should be released without safe accommodation appropriate to the needs of her and her child.
- All decisions about separation must be informed, clearly communicated, and supported.
- Services must be trauma-informed and co-produced, delivered through integrated partnerships across:
  - Criminal justice
  - Maternity and health services
  - Local authorities
  - Women's centres and community organisations.

Key Principles for Delivery:

- A national framework with local delivery, co-produced with women with lived experience.
- Integrated, multi-agency working across criminal justice, health, local authorities, the third sector, and children's social care.
- Early identification of pregnancy and caring responsibilities across police, courts, and probation.
- Clear information on rights, processes, and support, with services taking shared responsibility for access rather than relying solely on women's engagement.
- A trauma-informed understanding of maternal vulnerability and the first 1001 days across all services.
- Greater use of community alternatives to custody wherever appropriate.
- Support for infant feeding, including breastfeeding continuation, cessation, and safe milk storage or transport.

What Needs to Happen Now

Develop and fund a co-produced national Criminal Justice System (CJS) pathway for pregnant women and mothers of babies under two, prioritising safe release and continuity of care across:

Police → **Courts** → **Prisons** → **Probation** → **Community**

Why Act Now

Policy commitments to reduce maternal imprisonment are welcome, but wider system reform will take time. A national pathway could be implemented now to:

- Ensure consistency across services.
- Reduce avoidable trauma and instability.
- Protect early mother–baby relationships.
- Improve continuity of care across custody and community.

What MPs Can Do

- Raise parliamentary questions on maternal separation within the Criminal Justice System (CJS).
- Call for a national Criminal Justice System pathway for pregnant women and mothers.
- Press for cross-government leadership and accountability.
- Support funding for specialist trauma-informed and through-the-gate services.
- Engage with Westminster discussions, evidence sessions, and ongoing policy development.

NEW PART of THE Project
WHAT HAPPENS to THE MOTHERS WHEN THEY ARE ARRESTED & IN CUSTODY?
DO they KNOW IF YOU ARE Pregnant WHEN YOU ARRESTED?
GET TO SEE MENTAL HEALTH NURSE - BUT CHECK PREGNANCY AS WELL?
PREGNANCY TEST AS ROUTINE → IN PRISON → A&E too!
THERE NEEDS to BE A DISCUSSION ABOUT PREGNANCY IN Custody!
NEED to KNOW AT POINT of ARREST!

Annex

The Evidence Base: The Lost Mothers Project

The Lost Mother's project produced incredibly rich insights into the experiences of women at risk of or experiencing separation from their babies in prisons. For more detail, including moving testimony, we encourage you to read the full Lost Mothers report.[10]

Approximately 200 pregnant women spend time in women's prisons in England each year, with around 50–60 giving birth in custody and a similar number entering Mother and Baby Units (MBUs). While prisons have policies system has a policy framework[11] for supporting pregnant women and mothers, probation and community services lack equivalent support. This leaves a major gap at the point of release, when women are trying to rebuild their lives.

There is no national data on mothers separated from their babies due to imprisonment, resulting in limited national evidence. The Lost Mothers Project was established to understand the experiences of women separated from their babies due to criminal justice involvement, particularly during the first 1001 days.[12] Recent HMPPS figures (2024–25) show that approximately 200 pregnant women spend time in women's prisons in England each year, with around 50–60 giving birth in custody and a similar number entering Mother and Baby Units (MBUs). Many pregnant women are held on remand[13] and a significant proportion are unable to access MBUs due to strict eligibility criteria, despite their underutilisation.

Findings from the Lost Mothers project reveal the profound and often hidden impact of maternal separation within the Criminal Justice System (CJS).[14] Women described separation from their babies as: Emotionally devastating, marked by intense feelings of loss, guilt, and helplessness:[15]

I was so upset; it was worse than giving birth. That was the hardest pain of my life. I've never felt pain like it…It was just in here; in my chest; in my heart…It was the hardest day of my life.
— Charlie, mother separated from her newborn baby in prison (The Lost Mother's Project)

The sudden removal of newborns, combined with limited support, leaves many women feeling isolated, profoundly traumatised, and at high risk of poor mental health outcomes.[16]

Women are sometimes asked to agree to arrangements (e.g. Section 20[17]) without fully understanding their rights. Communication can be unclear, leaving women feeling disempowered and processes intended to support instead become sources of confusion. Separation is treated as a discrete event rather than an ongoing trauma. Existing safeguarding processes, including ACCT,[18] do not adequately respond to the specific needs of separated mothers. As a result, the emotional and developmental significance of the early postnatal period, particularly within the first 1001 days,[19] is not adequately recognised across the whole system.

If I'd have had housing, everything would have been different. I would have had more of a chance of keeping my baby. It came to a point, I'd dealt with the drugs and everything, and it was simply just homelessness. And they (the council) said to me, we're still going to have to take the baby, because you've got nowhere to have him. And I'm like got myself to a point where I can be a mum, but I can't because I haven't got housing, but I can't just magic a house up.
— Mollie, denied a place on a prison MBU (The Lost Mother's Project)

Recent changes

Sentencing Council guidance[20] now places stronger emphasis on pregnancy, recent birth, and caring responsibilities as key mitigating factors, encouraging courts to avoid custodial sentences for pregnant women and mothers of very young babies where possible and to prioritise community-based alternatives. Recent changes to the Bail Act under the Sentencing Act (UK Parliament, 2026), require courts to consider pregnancy and dependent children when determining the use of remand, reflecting growing recognition of the disproportionate harms of custodial disruption for women and families. This represents a critical shift in context, introducing new legal frameworks for pre-trial detention that may affect both the number of women held on remand and the conditions of their custody.[21]

Response to the issue and changes

In light of the issues identified through the *Lost Mothers* project, alongside recent positive changes to bail legislation and sentencing guidance, there is a need to establish a clear, consistent pathway for pregnant women and new mothers across all criminal justice settings – from arrest in police custody, through prison (where applicable), to probation and women's centre alternatives to custody. We propose a national, end-to-end pathway that ensures early identification of pregnancy and caregiving status, prioritises the first 1001 days, and maximises community alternatives to imprisonment. It would provide universal access to specialist perinatal mental health support, including 24/7 crisis care, alongside coordinated, support across all criminal justice settings. Where custody or separation occurs, this must be planned, clearly communicated, and supported. Delivery should be co-produced, with clear leadership, national standards, strong multi-agency working, and robust accountability.

Authorship and Contact

This policy brief was written by Professor Laura Abbott, Professor of Maternal Health and Criminal Justice at the University of Hertfordshire, and Natalie Avlonitis, Research Assistant with *The Lost Mothers Project*. For further information about this policy brief or *The Lost Mothers Project*, please visit **www.lostmothers.org** or contact Professor Laura Abbott at **l.abbott@herts.ac.uk**.

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Endnotes

1 MoJ & HMPPS. (2021) *Pregnancy, Mother and Baby Units (MBUs), and Maternal Separation from Children up to the Age of Two in Women's Prisons.* **https://www.gov.uk/government/publications/pregnancy-mbus-and-maternal-separation-in-womens-prisons-policy-framework**

2 Birth Companions. (2026). *A National Integrated Care Framework: Co-designing a national integrated care framework for women and babies with children's social care involvement in the first 1001 days.* **https://www.birthcompanions.org.uk/initiatives/national-integrated-care-framework**

3 Leadsom, A. (2013) *The 1001 Critical Days: The Importance of the Conception to Age Two Period.* London: HM Government

4 *The Lost Mother's Project report 2025*. Birth Companions. (2026). A National Integrated Care Framework: Co-designing a national integrated care framework for women and babies with children's social care involvement in the first 1001 days. **https://www.birthcompanions.org.uk/initiatives/national-integrated-care-framework** Gov (2023) Statistics on Women and the Criminal Justice System 2023 - GOV.UK

In 2023, 3,622 women were remanded in custody at magistrates' courts, 68% did not go on to receive a custodial sentence; at Crown Court, 46% of the 2,639 women remanded also received non-custodial outcomes (Gov., 2023).

Section 20 of the *Children Act 1989* allows local authorities to accommodate a child with parental consent, without a court order; parents retain parental responsibility and can withdraw consent. ACCT (Assessment, Care in Custody and Teamwork) is the Assessment, Care in Custody and Teamwork process used in prisons in England and Wales to identify, monitor, and support individuals at risk of self-harm or suicide, involving multidisciplinary care planning and regular review. Imposition of community and custodial sentences

5 *The Lost Mothers Project Report*, 2025

6 Birth Companions. (2023). *The Birth Charter for women with involvement from children's social care.* **https://www.birthcompanions.org.uk/resources/birth-charter-children-social-care**

7 Giving HOPE. (2025). **https://givinghope.org.uk/**

8 **https://www.birthcompanions.org.uk/initiatives/national-integrated-care-framework**

9 MBRRACE-UK (2025) Saving Lives, Improving Mothers' Care: Lessons learned to inform maternity care from the UK and Ireland Confidential Enquiries into Maternal Deaths and Morbidity 2021–2023. Oxford: National Perinatal Epidemiology Unit, University of Oxford. Published 11 September 2025. **https://www.npeu.ox.ac.uk/assets/downloads/mbrrace-uk/reports/maternal-report-2025/MBRRACE-UK%20Maternal%20Report%202025%20-%20Main%20v1.4.pdf**

10 Abbott, L. et al. (2025). Lost Mother's Project. **https://www.birthcompanions.org.uk/resources/lost-mothers**

11 MoJ & HMPPS. (2021) *Pregnancy, Mother and Baby Units (MBUs), and Maternal Separation from Children up to the Age of Two in Women's Prisons.* **https://www.gov.uk/government/publications/pregnancy-mbus-and-maternal-separation-in-womens-prisons-policy-framework**

12 1001 days is the period from conception to age two, a critical window highlighted in *The 1001 Critical Days: The Importance of the Conception to Age Two Period* by Andrea Leadsom, where early experiences shape lifelong health and development.

13 Gov (2023) Statistics on Women and the Criminal Justice System 2023 - GOV.UK

14 The Lost Mother's Project

15 Avlonitis. N. and Abbott, L. 2026. "Like Having Your Heart Ripped Out" - Metaphors of Loss and Survival in the Narratives of Incarcerated Mothers Separated from their Babies. *Criminology & Criminal Justice.*

16 Vousden, N. Grossick, F., Luffingham. N. Wainright, L., Pitfield, C and Abbott, L., 2025. Health and care of women through pregnancy, birth and the postnatal period in prison and on probation. In: C. Whitty, ed., The health of people in prison, on probation and in the secure NHS estate in England. *Chief Medical Officer's annual report 2025*. London: Department of Health and Social Care. Available at: **https://www.gov.uk/government/publications/the-health-of-people-in-prison-on-probation-and-in-the-secure-nhs-estate-in-england**

17 Section 20 of the *Children Act 1989* allows local authorities to accommodate a child with parental consent, without a court order; parents retain parental responsibility and can withdraw consent.

18 ACCT (Assessment, Care in Custody and Teamwork) is the Assessment, Care in Custody and Teamwork process used in prisons in England and Wales to identify, monitor, and support individuals at risk of self-harm or suicide, involving multidisciplinary care planning and regular review.

19 Leadsom, A. (2013) *The 1001 Critical Days: The Importance of the Conception to Age Two Period.* London: HM Government

20 Imposition of community and custodial sentences **https://sentencingcouncil.org.uk/guidelines/imposition-of-community-and-custodial-sentences/ 2025**

21 UK Parliament (2026) *Sentencing Act 2026* - Parliamentary Bills - UK Parliament

Illustrations by Beci Ward – studiobeci.com

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