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## **Analysis of the Educational Facility for Dependent Children of Incarcerated Mothers: A Case Study of Women Prison in Sindh, Pakistan**

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### **Abstract**

This research delves into the systemic obstacles encountered by dependent children of incarcerated mothers in one of the prisons in Sindh, Pakistan; emphasizing their limited access to educational facilities in comparison to their non-incarcerated peers. Strict ethical guidelines were followed while conducting in-depth, open-ended interviews with seven jailed mothers of dependent children using a semi-structured interview protocol. The study found the lack of resources and proper systems to protect the educational rights guaranteed by national and international laws and identified number of barriers that contribute to the violation of educational rights of dependent children of incarcerated mothers. The study concludes significant implications for Pakistani political, educational, and administrative leadership as well as for leaders around the world in similar context. In the end, this research promotes a society in which all people, regardless of circumstances, have equal access to their right to an education, creating an atmosphere that is more inclusive and just for everyone.

Keywords: Dependent children, Education Rights, Hidden Victims, Inmate's Children, Incarcerated mothers.

### **Introduction**

One of the most important aspects of human development that shapes individuals and civilizations is education. It is crucial in all spheres; such as economic, social, and personal development of human beings (Rios et al., 2013). Education broadens people's perspectives on the world and themselves, which improves quality of life and has wider social advantages. Additionally, it is a major force behind technological developments, productivity gains, and creativity and economic development (Öztürk, 2008). Universal Declaration of



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Human Right (1949), acknowledged Education as a Universal Human Rights. Governments place a high priority on quality education because it is essential to sustained development at all levels. The educational process is profoundly affected by the layout and architecture of school buildings (Mihăescu, 2020). The way educational facilities are laid out influences how people move about and engage with one another, which shapes the learning environment as a whole (Bekele, 2020).

Unfortunately, dependent children of incarcerated women are one of the most neglected and vulnerable section of the Pakistani society who are blatantly deprived of their educational rights. Though, the United Nations has made human's right to education a priority because it believes that education is crucial to overcoming discrimination, unemployment, and poverty in any society.

The Bangkok Rules support that minors living with incarcerated mothers should not be deprived of necessary resources, including education (Bangkok Rules, 2010). Additionally, the Convention on the Rights of the Child asserts that all children have rights, irrespective of their circumstances (Amnesty International, 2009). Despite the global challenge—over 261,200 children estimated in detention worldwide (Pregnancy and Childbirth in Prison - Penal Reform International, 2022). specific statistics for Pakistan remain elusive, highlighting a pressing issue that demands attention. Dependent children in Sindh prisons who live with their incarcerated mothers suffer many obstacles, such as mental trauma and social stigma, that prevents them from receiving a good education. Article 25(A), of (1973) Constitution, of the Islamic Republic of Pakistan, imposes legal obligations to protect these children's rights to an education, but the provisions are woefully insufficient. This study aims to analyze the present situation of educational facilities provided to dependent children of incarcerated mother in one of the prisons in Sindh Province Pakistan, identifying major obstacles to education, and promote the required policy reforms. By raising awareness about the educational needs of these hidden victims of criminal justice system., This study seeks to contribute to the literature on dependent children of incarcerated mothers and strengthen their future both in Pakistan and globally.

### **Significance of study**

This study is significant because it adds to the body of knowledge on the subject and has implications for recognizing and addressing the various and distinct educational needs of dependent children residing in prisons of Sindh specifically and overall in context of Pakistani prisons generally. It attempts to provide insight into policies and strategies that may help address a knowledge gap in the current body of literature. The study can help end the cycle of intergenerational incarceration by focusing on the distinct and varied issues these kids experience. Additionally, by offering them the same educational chances as their peers outside of jail, this study has the potential to significantly improve the lives of generally underprivileged children whose moms are incarcerated, encouraging for their right to education while contributing to a more inclusive and fair society.

### **Literature Review**

The entire development of children is severely impacted when they are imprisoned alongside their mothers. These children may experience neglectful



behavior from their mothers, as well as social isolation and a failure to adjust to changes in society. In Pakistan, women incarcerated with young children are permitted to keep them with them; this may protect the children but possibly cause psychological harm (Behn, 2012). The head of the Ministry of Human Rights, highlights the damaging psychological effects of rearing children in prison environments. According to report of human rights watch (2023), children who follow their mothers to prison suffer a number of risks, such as limited access to quality healthcare and educational opportunities. For example, according to the Bangkok Rules, 195 minors were recorded as being incarcerated in 2020, even though there were legal age restrictions. Numerous studies have highlighted the serious risks to their well-being posed by a lack of resources and support services (Dzierżyńska-Breś, 2017; Shaw, 1987; Mathews, 1983). Children whose mothers are in prison are especially susceptible to disruptions in their education. Research has unveiled that they are prone to adopt antisocial behaviors, mental disorders, drug abuse and lack academic progress (Murray & Farrington, 2008; Granich et al., 2021). Rani et al (2021) has also highlighted that there are multifaceted challenges in accessing quality education for dependent children of imprisoned mothers, primarily due to prisons having insufficient educational facilities. Current prison structures which exist within different regions of Pakistan were developed with an emphasis to confine only male individuals at the time of colonialism. That being said, female prisoners can be said to have been on the rise for some time now. Overcrowded prison facilities lack proper provisions for female prisoners to cater for things such pregnancy among them. Also, female dominates in Pakistani society they take care of the children and families. There is a lack of adequate capacity of prison systems or structures to education, health and psychological development of the children kept in prisons. These children who are often in high risk, they undergo social isolation and prejudice and the effects are long-term for their learning process and psychological development. However, they are not considered as a vulnerable group and no special measures are being taken to protect their greatest interest. Their chances for the bright future are further curtailed by the tag attached to parental incarceration (Rasool et al, 2021). Particular guidelines for the treatment of female inmates are included in Pakistan Prison Rules (1978). Unfortunately, the rehabilitation and welfare of imprisoned mothers and their defenseless children are not given enough attention by these laws, which have their roots in colonial-era customs and a punitive mindset. The laws do not comply with Pakistan's commitments under international law. Global frameworks stress upon the necessity of standard education for these children, such as Article 25(A) of the Pakistani Constitution, mandate their educational rights (Faizi et al., 2017). In spite of this, there are still a systemic loophole for their rights in terms of education and development. Research reveals that children ought to be regarded as unique persons worthy of scaffolding and care, irrespective of the criminal record of their incarcerated mothers (Dawson et al, 2012; Trotter et al, 2016). In the end, culmination the cycle of intergenerational crime and promoting improved life outcomes depend upon ensuring that children of incarcerated mothers acquire the compulsory academic assistance and resources.

### Research Design



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A qualitative, exploratory, inductive mode of enquiry was adopted. Seven incarcerated women were interviewed for data collection. This sample consisted of women prisoners who had dependent children along with between 1.5 and 6 years of age. (see Table 1). Five were incarcerated for murder, one for robbery and one for Theft under sections 302,378 and 390 of Criminal Substantive Law of Pakistan. Six respondents' dependent children were above the age of Three years; two of them had been in prison for six months and two, for one year, while the rest had been in prison for more than three years.

### **Interviewing Strategy**

A semi-structured interview strategy (e.g., Cohen, Manion, & Morrison, 2007; Drever, 1995; Foddy, 1994; Hartas, 2010) was adopted to obtain richly detailed accounts of their experience and perspectives in their own language ( Sindhi and Urdu ) and from their own point of view by adopting a non-directive interview and probing approach, in context of educational facilities provided to their children. Interviews with each of the participants were conducted by the principal author and in-depth written notes were taken during the interview process, observing certain ethical principles that emphasized informed consent and the participants' anonymity and confidentiality. Ethical considerations were taken into account throughout the course of this research. Prior to starting the interviews, it was confirmed to the prison administration that the information gathered from the subjects would only be utilized for research. The research subjects gave their informed consent and participated voluntarily. The participants' privacy was respected, and fictitious names were used in the findings in place of their real names.

### **Processes and procedures of data analysis**

Approach to data analysis for the study, combined processes and procedures of thematic analysis (Braun & Clarke, 2006) with Interpretative Phenomenological analysis (Tindall et al,2009). Thematic analysis is a helpful technique for exploring deeply into the perspectives of various participants and exposing data variations and similarities. Additionally, it is a versatile and well-structured analytic tool for textual data based on interviews (Braun & Clarke, 2006). The six general procedures Braun and Clarke (2006) outlined for thematic data analysis were used.

To gain a comprehensive understanding of the data, the first phase involved in the analysis process was going over each interview transcript several times and then prudently marked the margins with perceptive comments. Marking margins helped to understand complex statements of respondents and develop interpretations and closer analysis (Smith et al., 2009) of their responses on the subject under research. Further to identify themes and associations between themes to each transcription distinctly, repeated and slow readings of transcripts done that led to find internal rationality of each incarcerated woman's responses.



Table 1: participants: age, offence committed, age of child and length of period spending in prison

Women Prisoners Codes	Age of Women Prisoners	Crime committed	Age of child	Time spent in prison
Mst.Zohra	38	Murder	6 years	6 months
Mst.Shabana	35	Theft	4.5 years	6 months
Mst.Sadeeqa	30	Murder	5 years	1 year
Mst.Zareena	35	Murder	4 years	3 years
Mst.Sultana	28	Robbery	3.5 years	3 years
Mst.Sakeena	34	Murder	1.5 years	1.5 years
Mst.Parveen	38	Murder	3.5 years	3.5 years

## Researcher Stance and Fieldwork Relations

In qualitative study the quality of collected data mainly dependent on the social connection between researcher and the key informants of the study. For instance, interviews are more likely to be in-depth and filled with contextual information when researchers and participants have established trust and developed a level of rapport. Ball (1993) explicitly stated that in the construction of the ethnographic fieldwork, connection between researcher and key respondent is significantly important. He emphasizes to construct bridge between data collection process and socially collaborate to the key participants of the study with whom researchers work in the field. processes of engagement with key informants. Quality data can be obtained by ensuring methodological consistency and social collaboration between researcher and participants. In this study, accordingly, first author sought to establish social connection with each incarcerated mother. So, in one to one meetings with incarcerated mothers were encouraged and supported by first author in the hard task of restructuring thorough, demonstrated and consistent narratives of experience, thought and connotation. Stance of the study, especially clear commitment of researchers, was to know the viewpoints of incarcerated mothers in context to explore and then analyze the educational rights and facilities provided to their dependent children behind the Bars.

## Findings

The findings of the research highlight a number of challenges that dependent children face in context of their right to education when they live with their



incarcerated mother. The findings have been categorized into major themes.

### **Non-availability of structural facility and resources**

Findings revealed that neither structural learning facilities nor appropriate educational resources were available for the dependent children of incarcerated mothers all of the incarcerated mothers said that there is no proper arrangement or setup or any building specified for school. Although there is one small room that is retained for multiple purposes, for instance, it is used; as a space to store for dumping broken furniture as first author of this study observed during jail visit. Besides Mst. Parveen stated whenever jailor wants to communicate with prisoners, he uses this room for meeting and we (women prisoners) also use this room for “Namaz” (prayers) and “Quran Khuwani” (recitation of the Holy Quran). Mst. Sadeeqa and Mst. Zohra shared that the atmosphere of prison is not favorable to education because there is no specific area set aside for teaching children. One of the incarcerated mother Mst. Zareena requested first author to ask the higher authorities to build a proper school for the betterment of their children education. Responses by Mst. Zareena, Mst. Sadeeqa and Mst. Zohra were the evident of non-availability of physical set-up of scholastic facility to their dependent children.

### **Lack of instructional resources**

No instructional resources explored within the premises of women prison which revealed another hurdle in the way to educational facilities of dependent children of incarcerated mothers. Out of 7 mothers 5 said that no items relevant with school learning is available in jail, like color, drawing papers etc. Infected their children are deprived of fundamental educational materials like trace books, notebooks, workbooks, text books and other aids relevant with stationary items etc. Mst. Perveen stated our children are innocent and helpless; even they don't have any playable items, Responses indicated that non-availability of instructional resources was another obstacle to the provision of educational facilities of dependent children of incarcerated mothers.

### **Lack of formal educational programs**

According to revealed data, there were no formal educational programs provided to facilitate dependent children of incarcerated mothers. Majority of incarcerated mothers voiced worries regarding their children's lack of any kind of formal education. Mst. Sakeena and Mst. Shabana responded that their kids are not learning anything, at jails except of adopting bad behaviors from the jail environment. Similarly Mst. Sultana also shared her experience that no proper (certified) teachers available there in the jail nor any other organization with outside educational institutions to deliver education.”

### **Social isolation**

Another hurdle that dependent children confronted was social isolation. Interviews with the mothers revealed a profound sense of emotional suffering and dissatisfaction as they believed their children were wrongfully denied education and compelled to live vulnerably in an environment that was harmful to their wellbeing. One of the mother prisoner shared “*I want normal environment for my kid because he is innocent and has not done anything*”



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wrong” (Mst. Parveen). Another incarcerated mother expressed: “*I want better clean environment for my kid*” (Mst. Zohra). Similarly Mst. Sadeeqa and Mst. Sakeena shared that education would be a great distraction to stay away from bad influences of prison. It has been noted that the children's lack of social connection and academic engagement has a detrimental obstacles effecting educational rights of dependent children of incarcerated mothers.

### **Lack of resources for religious and ethical education**

Data revealed that there was no appropriate program or arrangements found for dependent children of incarcerated mothers to receive an ethical and religious education. All participants expressed a great deal of concern about their children's lack of access to religious education; there isn't a proper religious teacher; therefore, moral or religious instruction isn't given on a regular basis.

### **Lack of awareness about educational wellbeing of dependent children**

It was clearly revealed from the responses of women prisoners that they are not aware of the educational rights of their children and this lack of awareness and knowledge make a significant barrier, avoiding incarcerated mothers from encouraging for the educational well-being of own dependent children. Most of them responded that they were completely ignorant of the existence of such rights or any other rights relating to children. This lack of awareness ultimately deprives them of the ability to effectively support or demand opportunities for their children's education and overall welfare.

### **Discussion**

The present study evaluated the educational facilities provided to the dependent children living with incarcerated mothers in one of the prisons of Sindh Province. The findings revealed numerous obstacles, including the Non-availability of structural facility and resources, lack of Instructional Resources, formal educational programs, religious and Ethical Education, Social isolation and lack of awareness about educational wellbeing of dependent Children. prison was not furnished to provide essential scholastic facilities such as structural set-up, furniture and other vital stuff. These physical and organizational setups are essential requirements to fulfill the educational guarantees provided under Article 25(A) of the Constitution of Islamic republic of Pakistan to its citizens. Article 28 of The United Nations Convention on the Rights of the Child (1989), states that every child has the right to an education irrespective of their circumstances, is directly contradicted by the lack of official educational programs. The preoperational stage of children aged three to six years is crucial when preschool children perceive a social situation from their own point of view to the exclusion of the viewpoints of others (Shih,2022). Unfortunately, these children are living in society of peoples who are alleged for commissions of some wrongdoings. This has adverse effects on children, such as mental distress, anxiety, exploitation, and maltreatment. Dependent children lived under the direct influence of an unsuitable and often harmful environment within the prisons. The role of mothers is very important in the lives of their children. Therefore, maternal

imprisonment badly affects children's lives. The mothers cannot be able to provide support to their children who are with them in prison and those who are



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at home. The children are kept hidden in prison for their protection. Children are stigmatized in society due to maternal imprisonment. They are also experiencing a lack of social and emotional support and cannot be able to develop their skills and personality according to their own will (Hassan et al,2023). Research found that children showed various emotional responses to parental incarceration such as fearfulness, sadness and feelings of anger etc. Additionally, children get engaged in anti-social behaviors and fighting (Siegel, 2011).

The Convention on the Rights of the Child (CRC) 1989 upholds children's rights to be protected from environments that hinder their education or harm their health, physical, mental, spiritual, moral, or social development Unfortunately, the conditions in the prisons examined in this study appeared to disregard these protections, failing to uphold the CRC's principles in both letter and spirit.

The incarcerated mothers of these children reported experiencing severe anxiety and stress, primarily due to the challenges associated with their children's education and upbringing. A significant hurdle identified was the lack of rules about the education and wellbeing of the dependent children of incarcerated mothers while living in prisons. There is no mandate given to right to education under the Sindh Prisons & corrections service Act Rules, (2019). These rules only mandate that children up to six years of age can reside with their mothers in prisons, and it is obligatory to provide them diet and clothing.

Children in Pakistani prisons are allowed to live with their mothers until they turn three, but according to other provincial laws, they can stay with their mothers until they turn six. However, because no one else is willing to look after them, some children stay with their mothers. However, these children's long incarceration may have a detrimental effect on their lives. However, children who are separated from their mothers suffer from mental health issues. Parents' neglect and inattention are the main causes of developmental delays in children. Another survey indicates that children who live with their mothers experience more problems than children who do not. Prejudice and a wealth of literacy opportunities accompanied these challenges. This research supports initiatives that call for early childhood education (ECE) for social and emotional development by highlighting the emotional effects that a lack of normal social and educational engagement has on children (Shonkoff & Phillips, 2000). The wish for educational reforms among incarcerated mothers correlates with research from other prison systems across the globe, where the implementation of formal educational programs has enhanced inmates' emotional wellbeing and educational development (Smith et al., 2011). This study adds to the increasing amount of evidence revealing that educating children whose mothers are incarcerated is not just the right thing to do, but also a practical way to protect the children's development from adverse effects over time. Study by Hassan et al (2023), contented that if the government is serious about granting constitutional rights to children who are detained alongside their mothers, the legal system needs to take immediate action. It will be a very positive step for children's welfare.

Another research has reached this conclusion that dependent children who live with their mothers inside prisons experience more problems than children who do not. Although children in Pakistani prisons are allowed to live with their mothers until they turn six, according to other provincial laws, However, because





no one else is willing to look after them, some children stay with their mothers that may have a detrimental effect on their lives. Prejudice and a wealth of literacy opportunities accompanied these challenges. (Mirza & Khan 2022)

### Recommendations

In light of the findings; it is recommended that the Sindh Department of Education and prison administrators work together to provide official educational programs for children incarcerated at Sukkur Women's jail to acknowledge their right to education and special educational facilities with age-appropriate curricula and qualified teachers should be established. A specific learning area inside the prison and sufficient learning tools, like books, toys, and other educational items, should be provided by the government. This can be achieved by partnering up with agencies that have the same vision and are working toward the same goal.

It is crucial to introduce social support programs and counseling therapy sessions for children, given the emotional and psychological effects of incarceration. Taking initiatives that provide opportunities for social interaction with children from outside the prison. With a view to providing equal educational opportunities for dependent children of incarcerated mothers, a thorough policy overhaul is a must. In order to ensure that children are treated as sinless and not as part of the prison population, the prison system should integrate a child-friendly environment through proper drafting of rules and regulations.

It is suggested that the management of the prison team up with the education and religious affairs departments to formulate a strategy that teaches dependent children of incarcerated mothers religion and ethics. This may be achieved by hiring competent teachers, drafting a curriculum that is suitable according to the age of children, and its provision of essential resources.

The administration of prison must endorse the legal requirements outlined in Article 25(A) of the 1973 Constitution, Rule 140 of the Sindh Prisons and Corrections Service Act, 2019, and Rule 327 of the Pakistan Prison Rules, 1978 in true sense to ensure the execution of educational rights of children of incarcerated mothers

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