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## CHILDHOOD BEHIND BARS: A SOCIO-LEGAL ANALYSIS OF THE RIGHTS AND WELFARE OF CHILDREN ACCOMPANYING INCARCERATED MOTHERS

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### ABSTRACT

This study explores the rights and well-being of children whose mothers are incarcerated in jails across Khyber Pakhtunkhwa (KP), assessing the implementation of the Convention on the Rights of the Child (CRC) in this context. The study combines secondary data analysis of legal frameworks, court decisions, and prison regulations with primary data collected through in-depth interviews with 20 incarcerated mothers (out of a total of 35) and jail superintendents from nine female housing prisons in KP. The findings reveal significant gaps between the CRC's principles and their practical application, particularly the absence of clear policies addressing the needs of these children. Aligning prison practices with the CRC requires legislative reforms, capacity-building initiatives, and the establishment of structured support systems for children living in prisons. These measures are essential to safeguard the rights and foster the overall development of this vulnerable population.

**Key words:** Childhood, Socio-Legal, Rights, Welfare, Children Accompanying, Mothers.

### Introduction

Crimes, once considered a trait of male (White, Haines, & Asquith, 2012) however females, been empowered and acquired new status through movements for freedom and rights (Suleri, 1992) have given birth to criminal behavior among female (Weisburd et al., 2004). In Pakistan, due to socio-cultural and economic practices like low income and lack of education, female criminality has increased in recent years (Zafar, et al. 2013 & Abbas & Manzoor, 2015). Social deprivation, retaliation, peer group and family

culture and social conflicts are further contributing causes. (Ahmad & Muhammad, 2015). With these changing trends the female prison population has increased in Pakistan (Aliyah & Nasreen, 2011 & Penal Reform International, 2015). Females as compared to male prisoners are more affected by prison environment due to their feminine characteristics and improper attention (Taylor, 2004). Female prisoners suffer more when they are accompanied by their babies and children in prisons (Gordon, 2009). Hence imprisonment of mothers needs to be considered without ignoring their children in jails (Kingi, 2009). Though, the rights of children are violated in prisons (Jubilee Action ,2005 & Marelize & Basson,2009) still it is safer to house kids with mothers in prison so they have less chance of receiving subpar care at home when their moms are not (United Nations, 2011 & European Committee for the Prevention of Torture, 2000). Consequently, the number of moms in jails around the world taking their kids with them has been increasing. Moms incarcerated alongside their children are given the same rights as any other children (Quaker, 2012), but due to the imprisonment of their mothers they are deprived and referred as "forgotten victims" of crimes and the "orphans of justice" (Tomkin, 2016 & Shaw, Roger ,1992). These children have got attention in very few states (Jubilee Action, 2005) and are ignored in the majority of states (OHCHR, 2011) where the mothers and their children in a prison do not receive the required services (Government of India, 2004 & Robertson, 2008). For example, in some states, such as Argentina, Kyrgyzstan, and in the Soviet Republic, alternative punishments are given to all or a select number of mothers; in others, only children born to incarcerated women are allowed (Quaker, 2012).

According to the Pakistani jail regulations, females in prison are permitted to stay with their children at the most for three years. In the Pakistani provinces of Punjab, Sindh, and Khyber Pakhtunkhwa the period is extended to six years. In reality, however, this period can be extended to a maximum of 10 years depending on the situation whether it is favorable or not to the child (Global Legal Research Directorate, 2014). Children that accompany their moms in Pakistani jails are stripped off their basic rights. No legislative measures are designed and no vulnerabilities in these children's jails have been identified (OHCHR, 2011). For the appropriate development of children, the infrastructure and environment of the prisons must be hygienic, and safe and child-friendly facilities should be available (ICRC, 2012). The majority of Pakistani jails are outdated as they have been built 200 or 250 years back. This reveals that these jails are deplorable, outdated and cannot meet the demands of prisoners including children accompanying mothers in jail (Prison report, 2016) besides, this infrastructural dilemma, basic needs and facilities are also lacking within KP jails that makes the children more vulnerable. Official reports reveal that very minimum amount of Rs.616 per year, per prisoner is allocated for health and related issues as only 6.4 million and 34 thousand are allocated for the health facilities of prisoner (The Daily Aaj, 2014). Apart from that, there is scarcity of health experts in the provincial jails as 21 posts of medical officers are laying vacant since long (Home & tribal affairs department kpk,

2015) besides, the allocated budget for the nutrition of the inmates is not fairly utilized and corruption on behalf of the lower staff members has been also observed in the provision of food to the inmates (The Daily Aaj, 2014).

In Pakistani prisons, inmates are exposed to the perpetration of infectious diseases like AIDS, HCV and HBS, drug abuse and associated criminal activity due to the filthy conditions they live in (Asia Program Report, 2011). Sources in K.P.'s major newspaper said there were 55 HCV inmates and two with AIDS. For that reason, the reason for this situation was the lack of qualified medical personnel. This appeared in the Mashriq newspaper on Page 1 of the September 5, 2015 edition. The complete dependence of the child on the incarcerated mother in a prison without separate women prison from KP makes them vulnerable to a dangerous environment in terms of psycho-social, cognitive and emotional development. In addition to learning and exploring in an appropriate time and place, at this age the children need special care, emotional support and careful guidance in all aspects of physical care (United Nations, 2006). Yet these children's issues have not been dealt with until 2013 – 14 because Pakistan's juvenile justice system is inadequate (SPARC, 2013).

#### **Children Living with Mothers in Prison: CRC Perspective**

There are no explicit provisions in the CRC regarding children who go to jail with their mothers. However, some of the rules of the convention can be applied for the welfare, support, and protection of these children where the committee on children's rights has developed four fundamental principles (CRC/GC/2003/5, pp.3-5) to evaluate the performance of the CRC. These principles, according to Tomkin (2009) cover the child's best interests, participation, nondiscrimination, and life, survival, and development. The objective of this paper is to assess in the light of these principles, the rights of such children who are accompanying their mothers in KP jails.

#### **The Right to Life, Survival and Development: Children Accompanying Mothers in Prisons**

According to CRC Article 6, state parties must provide the resources necessary to assure the child's survival and development in order to satisfy the clause of the child's life being safeguarded (Sutherland, 2015). For example, concerning the right to life, many human rights organizations, and even some systems, have long recommended that pregnant women not be executed, and some organizations have excluded the death penalty for expectant mothers or those who act as caregivers for their dependent children. Pregnant women too, in some cases, are exempted from death penalty (Nawak, 2005).

The term "right to survival" denotes states' positive duty to undertake every effort to lift children's quality of life and increase their life expectancy. According to OHCHR (2010), in other words, it implies services and facilities such as, immunization, growth tracking systems, breastfeeding, disease management, mother literacy, and good nutrition (Detrick, Sharon, 1992 & OHCHR, 1997).

The 'right to development' is the realization of children's rights to healthy, safe, and fear-free nourishment and the opportunity to develop their personalities, talents, mental and physical capacities to the fullest extent possible as they grow (Sutherland, 2015). Put simply, this right applies to physical development as well as the development of the mental, emotional, cognitive, social, and cultural aspects (Nowak, Manfred, 2005). Therefore, for a child to realize his/her potential, he or she must live in a loving, caring, protective, and kind environment.

Muñoz (2009) an expert maintains that in measuring the effectiveness of the concept of children's right to life, survival, and development, the right to education is essential in enabling a child to gain knowledge, and education and to be able to rely on his rights. Furthermore, as per expert opinion on Article 6 of the CRC, such growth happens in interaction with parents described in Article 18(1) of the CRC;

"Parents have joint primary responsibility for raising the child, and the State shall support them in this. The State shall provide appropriate assistance to parents in child-raising."

Consequently, these two articles partly rely on one another because if the parent is not available, then the social development of the child is compromised (Nowak, 2005). Facilities such as baby units and child mother programs are found in almost all systems, such as Canada, etc., while in Australia, professionally trained staff in children's affairs are needed to deal with children who join their mothers in prison (Alejos, 2005).

### **Principle of the Best Interests: Rights of the Children Accompanying Mothers in Prisons**

It is not just one right in and of itself but also assumes and interprets other children's rights— all in the best interest of the children. According to an expert, Detrick (1992), it is an "Umbrella" provision, one used to "support, justify, or clarify a particular approach to issues arising under the Convention".

However, sociocultural and political state-to-state variable circumstances have made the definition of 'best interest' ambiguous and determined by state parties' agreement. Article 3(1) is one of a variety of CRC articles that draw upon the best interest premise. Article 9 says that the kid and parent are split up if it is in the best interest of the kid. Again, Articles 18 and 20 compel the parents to take up their duties regarding their children's best interests, and the children should not be denied a family environment unless doing so is in their best interests. Under Article 3(1) of the CRC, state parties shall ensure that the best interests of the children are given primary consideration, and, where capable of it, they must provide care for the children of imprisoned mothers. Furthermore, the word children is plural rather than singular, thus broadening the scope of the article and its flexibility. However, an expert, Jonathan (1998) asserted that, "Referring to the part of the phrase "all actions concern children", emphasizes the flexibility of the Article and argues that it is "intended to be interpreted broadly so as to encompass any action that directly or indirectly affects children".

It can effectively extend its jurisdiction to cover the rights of children traveling with their mothers to prison (Tomkin, 2009). Additionally, in relation to the child's best interests, Article 3(3) states:

"States Parties shall ensure that the institutions, services, and facilities responsible for the care or protection of children shall conform to the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision."

On the other hand, the article is historic as it requires the states to defend the rights and welfare of children with mothers in prison. In its determination whether or not to allow a kid to stay with their moms in jail, courts, and other organizations need this article. If the child is permitted (Tomkin, 2009) then the child's requirements need to be taken into account, and its requirements must be satisfied. This is the reason that jails are not ideal places for children, and these cancel many rights (Doek, Jaap, 2006).

#### **Principle of Participation: Rights of Children Accompanying Mothers in Prisons**

Children who accompany their mothers in jail have the right to participate, according to Article 12 of the CRC. This approach keeps the child at the center of decisions about him (Morag Tamar, 2014) by acknowledging him as an individual with dignity, capacities, and specific needs, as demonstrated by the children who accompany mothers in jail (Gerison, 2001). These include training plans for all parties involved in the legal system, such as judges, solicitors, and prison guards, and consideration of the child's perspective when considering alternative care options (Alijos, 2005).

#### **Principle of Non-Discrimination: Rights of Children Accompanying Mothers in Prisons**

It is the duty of state parties, regardless of the legal status of the parent or guardian, their color, religion, or socio-economic standing to ensure the protection of the rights of all children (article 2(1) which states,

"States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race ... or other status."

In CRC's Article 2(2) the issue has been further highlighted as it reveals,

"States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of status."

The language of the aforementioned articles demonstrates that children living with their mothers in prisons are included in them, too; and a kid,

".....cannot be treated as a mere extension of his or her parents, umbilical destined to sink or swim with them ... the sins and traumas of fathers and mothers should not be visited on their children".

Therefore, if these children's mothers are criminals the children staying with them in prison shouldn't be punished or disadvantaged or have their rights denied. States must

protect these children since their protection and well-being are mandatory (Alejos, 2005).

This study examines, through the prism of the convention of the rights of the child, the rights and welfare of the children accompanied by their mothers in KP jails, a much intermediary neglected area. Both questions get at the gap between the legal frameworks and the terrible realities these children must live with. Systematic neglect and the absence of infrastructure make them deny their fundamental rights such as survival, development, and participation. The study serves to protect the well-being of these at-risk children by highlighting the imperative necessity of installing kid-friendly facilities, stiffening legislative measures, and rigorous compliance with all identified CRC requirements. This study is intended to provide insight that can help reform so that these children's rights are respected and their potential is developed in a safe and encouraging environment by evaluating the existing status of the policies and practices.

### **Objectives of the Study**

- To analyze the existing policies and assess the available facilities for children accompanying mothers within KP jails in the context of CRC;
- To know, up to what extent the provisions of CRC are exercised while keeping children with mothers in KP jails.

### **Methodology**

This study is based on primary and secondary data. To get an insight into the influence of CRC on the existing policies about children accompanying mothers in KP jails, the legislative sources, articles, judicial decisions regarding mothers having children in jails, and Pakistan prison Rules have been reviewed. Furthermore, secondary data has been linked with first-hand information i.e. in-depth interviews with the mothers (20 out of 35, selected through convenient cum quota sampling) accompanying 56 children in nine jails housing female prisoners in KP. The mothers were inquired about the appropriateness of the prison environments for children and the available child-oriented services/facilities necessary for children. Information regarding the rules and regulations for the placement, supervision, and child-centered issues were collected from jail superintendents. Primary and secondary data have been compared with the articles of CRC to extract findings.

### **Findings**

#### **CRC and Children Accompanying Mothers in Jails: Gaps in Existing Policy**

Pakistan's legal system is unwilling to apply CRC in the real sense of children accompanying their mothers under imprisonment. No policy in Pakistan deals with the needs of children accompanying their mothers in bars and so those children are dealt with in the general Pakistan criminal system (interview with jail superintendent). In Pakistan, most of the legal measures came in before the ratification of the CRC (Bajwa, ----- & Masood, 2010). Includes laws and regulations such as the 'Sindh Children Act, 1955'; 'Punjab Children Ordinance, 1983'; 'Punjab Youthful Offenders Ordinance, 1983';

'Sindh Borstal Schools Act, 1955'; 'Punjab Borstal Act, 1926'; 'Punjab Supervision & Control of Children Homes Act, 1976'; 'Reformatory Schools Act, 1897'; 'Juvenile Smoking Ordinance, 1959'; 'Probation of Offenders Ordinance, 1960'; 'Employment of Children Act, 1991' and 'Bonded Labour System (Abolition) Act, 1992'. Pakistan ratified the CRC on November 12, 1990, it made the reservation that "provisions of the Conventions shall be interpreted in the light of the principles of Islamic laws and values" but it withdrew it in 1997.

The only policy affected by the signing of CRC is the Juvenile Justice System Ordinance 2000 issued on July 1, 2000, by General Pervez Musharraf's government. Yet, despite the CRC's input, the ordinance still contains nothing allowing children to accompany mothers in jail, and it focuses on issues such as a children's age set at eighteen; no death penalty for minors, juvenile courts, probation for young offenders, and so on (World Report, 2005). But, as it mechanically followed the CRC and set a child's age correctly, the JJSO 2000 only relates to Article 1 of the CRC concerning children coming with mothers in jail, as stated,

"Child" means a person who at the time of the commission of an offense, has not attained the age of eighteen years".

#### **Availability of Both Parents and State Obligations: CRC Articles 18 & 20**

Concerning parental duties, Article 18 of the CRC says "Parents have joint primary responsibility for raising the child, and the State shall support them in this. The State shall provide appropriate assistance to parents in child-raising." Article 20 requires states to provide shelter for a child who has no family and inform the state of his or her situation. It declares,

"The State is obliged to provide special protection for a child deprived of the family environment and to ensure that appropriate alternative family care or institutional placement is available in such cases. Efforts to meet this obligation shall pay due regard to the child's cultural background."

In Pakistan, prison rules allow parents to have their kids stay in jail with them, but once the child enters the facility with either parent, he cannot leave even though his parents and other visitors can see him. So here is the idea, that when you connect these kids to both parents, then the state is trying to give them a family kind of thing. Yet the state strategy has not included attention to the welfare and support services the children will receive while incarcerated. No alternate family care or institutional placement is available, and therefore, the parents are not helped to raise the child. Certainly, there is little about these kids in jail regulations, but in reality, imprisoned parents shoulder the burden of these children within prisons.

#### **Eligibility and Rights of Children with Mothers in KP Jails: CRC Perspectives**

In Pakistan, incarcerated mothers are allowed to keep their children because of Pakistani jail regulations. These children may stay with their mothers for prearranged amounts of time, but their welfare and custody status are underestimated. Because they aren't granted the same opportunities or resources inside jails as non-

incarcerated kids, these kids experience discrimination. These results violate Article 2 of the CRC as it narrates,

"All rights apply to all children without exception. The State must protect children from any form of discrimination and to take positive action to promote their rights."

As a result, article 4, which states, "The State must do all it can to implement the rights contained in the Convention," is also violated. Due to a jail-restricted environment and the lack of policies regarding children living with women in jails, the detained mother, father, or both are unable to adequately supervise them. Article 5 of the CRC says this causes a breach of the guideline, which says,

"The State must respect the rights and responsibilities of parents and the extended family to guide the child which is appropriate to her or his evolving capacities."

The decision on whether a child should remain with a mother who is incarcerated is based on the child's age and the mother's wishes while she is incarcerated. As a result, the child's decisional autonomy is not favored and opposes Article 9, which states,

"The child has a right to live with his or her parents unless this is deemed incompatible with the child's best interests. The child also has the right to maintain contact with both parents if separated from one or both."

The best course of action is to keep the kids with their jailed mothers. However, these kids have few other options when it comes to programming. Consequently, in this, Article 9 of the CRC is upheld to some extent.

### **Children in Prison with Mothers: Right or Privilege under CRC Articles 18 & 20**

According to CRC Articles 18 and 20, the right or privilege to keep a child incarcerated is maintained. There is no child detention on the under age of 18 but the jail officials decide to keep the child in jail depending on the age of the youngster and the detained mom. That is why it is a privilege, not a right that mothers are permitted to keep their children with them.

### **The Best Interest Principle: Children in Prison with Mothers**

The best interest of the child principle is not mentioned in the government policy as they incarcerate children with their mothers, yet the actions say that the placement of the children in prison follows the exercise of parental authority. Furthermore, nobody is in a position to judge that the mother's choice is the best for the child. Article 3, of CRC is violated, which states,

"All actions concerning the child shall take full account of his or her best interests. The State shall provide the child with adequate care when parents or others charged with that responsibility fall to do so".

### **Children's Right to Participation: Deciding Life in Prison with Mothers**

A child's right to participation in decision-making is highlighted in articles 9 and 12 of the CRC, respectively as it says, "The child has a right to live with his or her parents unless this is deemed incompatible with the child's best interests. The child also has



the right to maintain contact with both parents if separated from one or both" (Article 9, CRC). Whereas Article 12 of CRC declares, "The child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child." In the context of children accommodated in prisons with mothers in KP jails, the right of participation in decision-making is not given attention as they are not asked to live within prison or not rather, it is the imprisoned mother who decides that her child/ren should live with her. The authorities allow her to keep children without asking the child.

### **Children Born in Prison: Legal Rights and State Responsibility under CRC**

No policy directives exist to specify how such children are registered in jail records. However, the most common practice is that at the time of mothers' incarcerations, the names of their children and their presence are established using visual counts among inmates. Nonetheless, even though such children's details are retained in prison registers, the mother bears the main responsibility for caring for and feeding them. In addition, Pakistan prison rules do not provide any guidelines regarding kids with incarcerated mothers, thereby failing to meet the requirements of Article 20 CRC, which states,

"The State is obliged to provide special protection for a child deprived of the family environment and to ensure that appropriate alternative family care or institutional placement is available in such cases. Efforts to meet this obligation shall pay due regard to the child's cultural background."

### **Jail Staff Training and Child Welfare: Violations of CRC Articles in KP Prisons**

In addition, the jail staff is not trained to work with children and there is no recognition of their need for such training (UNODC, 2011). The current welfare system in prison cannot adequately meet their medical requirements due to a lack of specialized healthcare services for them alone. Besides, there is no concept of health training for children and mothers. All these reveal the violation of Article 24 of CRC which reads,

"The child has a right to the highest standard of health and medical care attainable. States shall place special emphasis on the provision of primary and preventive health care, public health education, and the reduction of infant mortality. They shall encourage international cooperation in this regard and strive to see that no child is deprived of access to effective health services."

As well as Article 37 is also violated, which is,

"No child shall be subjected to torture, cruel treatment or punishment, unlawful arrest, or deprivation of liberty. Both capital punishment and life imprisonment without the possibility of release are prohibited for offenses committed by persons below 18 years. Any child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so. A child who is detained shall have legal and other assistance as well as contact with the family."

### **System's Failure to Support Children in KP Jails: A Breach of CRC Article 27**

The children who are living with their mothers in prison have no means of support provided by the state to better their welfare. The incarcerated mother, and in a few cases, the family or some NGOs, are trying to meet the basic needs of these children. These children do not have a separate status as a vulnerable group; they are treated like any other child within society. It results in the government's failure to fulfill its obligation as stated in Article 27 of CRC which says,

"Every child has the right to a standard of living adequate for his or her physical, mental, spiritual, moral, and social development. Parents have the primary responsibility to ensure that the child has an adequate standard of living. The State's duty is to ensure that this responsibility can be fulfilled. State responsibility can include material assistance to parents and their children."

### **Recreational Rights for Children in KP Jails: A Violation of CRC Article 31**

Most KP jails are not providing playing opportunities for these kids due to a lack of space. However, while some mothers or members of the extended family give toys, etc to their children in jail, prison officials neglect this matter. Therefore, like other articles under the CRC, Article 31 states that "The child has the right to leisure, play, and participation in cultural and artistic activities.", is also of no worth for children accompanying mothers in KP jails.

### **Discussion**

The findings of this study reveal significant gaps between the provisions of the Convention on the Rights of the Child (CRC) and their implementation in the context of children accompanying incarcerated mothers in Khyber Pakhtunkhwa (KP) jails.

Although Pakistan ratified the CRC in 1990 and progressed with the JJSO in 2000, it lacked explicit policies about meeting the needs of children kept with their mothers in jails. The rights of these children have been grievously violated, and it reveals deep neglect.

### **Gaps in the Legislation and Shortcomings of Policies**

Children accompanying mothers in prisons are reportedly left untreated in specific legislation or policies, which indicates that such children are treated according to the framework of general criminal justice. Despite the emphasis of the CRC on child-specific rights as mentioned in Articles 3, 2, and 9 for best interests, lack of discrimination, and access to both parents, respectively, most practices in KP jails turn out to be completely at odds with these rights principles. For example, the choice of permitting children to remain with mothers apparently for reasons related to the family often infringes upon the child's right to have a say as enunciated in Article 12. The system also lacks a means whether being kept in prison is indeed in the child's best interest.

### **Ineffective System to Support Parental Responsibilities and Child Welfare**

It clearly reflects the breach of Article 18, where it cannot support the incarcerated parent in the performance of its parental duties towards children. Neither structured

alternative care nor an institutional placement is made for the children who require more than prison environments, putting the entire burden on imprisoned mothers, which further worsens the already strained resources and capabilities of those prisoners. Such deprivation, without institutional support, adds more seriousness to the violation of Article 20, where the state is obliged to make necessary alternative family care or institute placement for children without any family environment.

### **Standards of Living and Health Services**

Living conditions for children in KP jails are extremely unsatisfactory. The absence of healthcare facilities, proper nutritional aid, and hygienic settings directly violates Article 24, which guarantees every child the highest attainable standards of health. Lack of recreational space and opportunities under Article 31 is also denied to these children, taking away vital components of physical and psychological development that affirm them within the prison system.

### **Training and Capacity of Jail Personnel**

The study also identifies a deep and critical lack of the proper training of jail staff for the specific needs of their child inmates. In total, this deficiency in conjunction with the absence of welfare-focused programs for moms makes it a systemic failure toward identifying and fulfilling the rights of the vulnerable children. Article 27 in this regard, is violated as the system yet to ensure an adequate standard of living for all children as both the state and the prison administration fail to take the necessary responsibility of the basic needs of the children, putting the burden on families and NGOs to inadequately do the job.

### **Policy-Practice Contradictions**

In actual terms, while Article 3 of CRC strongly emphasizes the principle of the best interest of a child, findings suggest the neglect or misunderstanding of this concept in practice. Decisions related to the stay in prison of a child, most of the time depend only on the status of her mother being in prison and the child age instead of child well-being, wishes, or performance at large. There is no policy framework to ensure children's right to a name and legal identity (Article 7), especially for those born in prison, which could have long-term implications for their social and legal recognition.

### **Consequences of Neglect on Child Development**

Such an absence of a child-centered approach within the prison system maintains a cycle of disadvantage and vulnerability among these children. Through deprivation of education, play, and interaction, all of which are important to human development, they are also being denied the right enshrined in Article 28, on the right to education, and 31, on the right to play and leisure, thereby making their marginalization entrenched; the worst possible outcome might accrue for them in their later adult lives.

### **Conclusion**

The research highlights the need to design an all-inclusive policy framework to deal with children who accompany their mothers during incarceration in KP jails. Harmonizing prison practices with standards from the CRC requires legal changes,

capacity building in the staff at the jail, and introducing welfare programs directed at the comprehensive development of such children. Without these measures, the state will continue to fail in its obligations to protect and promote the rights of this vulnerable population, perpetuating systemic injustices and neglect.

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