

## Behind Bars with their Incarcerated Mothers: Children's Experiences at a Selected Female Prison and Correctional Facility in Zimbabwe

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### Abstract

*This study sought to understand experiences of children living with their incarcerated mothers in a designated female prison and correctional facility in Zimbabwe. Employing a qualitative approach for data collection, analysis, and discussion, the research included a sample of seven mothers residing with their children in Shurugwi Female Prison, as well as ten purposively selected correctional officers. The analysis revealed that the prison environment presents significant challenges for children, primarily due to a lack of essential resources for healthy development and the pervasive loneliness caused by the absence of peers for play. Other detrimental factors affecting the well-being of these children include inadequate nutrition and limited access to healthcare services. The study underscores that the incarceration of children not only violates their rights but also negatively impacts their overall well-being; thus, prioritizing non-custodial measures in such situations is crucial.*

**Keywords:** Behind bars, children's experiences, female prison and correctional facility, incarcerated mothers

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## Introduction

This study explores the plight of children behind bars with their mothers at a selected prison facility in Zimbabwe. The study indicated that women are forced to come with children into prison walls due to various circumstances. Some of these women give birth to children while under pre-trial detention conditions, while some are forced to come with children in prison walls because there is no one to look after their children, leading to their default imprisonment. This study examined the topic in relation to international agreements, such as the Convention on the Rights of the Child, regional protocols like the African Charter on the Rights of the Child, and the Zimbabwe National Constitution. The study highlighted that the prison is not a conducive environment for a child's growth, as it affects a child's psychological development and psychomotor skills. It further emphasized that the prison being studied lacked essential elements necessary for a child's development, including peer interaction, a playground, adequate nutritional food, and the specific dietary requirements needed for healthy growth.

The study indicated that there is a need for the government to provide budgetary support to cater for children incarcerated in default and rope in non-governmental organizations to chip in in such circumstances and that the courts should give non-custodial sentences for mothers with children. This research is structured as follows: an introduction, a discussion of the research methodology and design, an overview of mother-child incarceration, an exploration of the legal framework regarding children's rights, an examination of the situation in Zimbabwe concerning mother-child incarceration, an analysis of the experiences of children behind bars, and, finally, a conclusion along with policy recommendations for addressing the issues identified in the study.

## Overview of women incarceration across the globe and their children

The study explored the lived experiences of children who are forced into prison incarceration by default. The study highlighted there has been an increase of women entering a life of crime (Fair & Walmsley, 2022). World statistics highlight that there has been an increase in women's incarceration from 466,000 to 714,000, an increase of 53% in women's incarcerations (Smith, 2017). Some of these women are women who are forced to bring children in prison with them, or some of these women are pregnant women who are placed on pretrial detention and end up giving birth behind prison walls (Javeed, 2011; Stella, Sequeira, & Rosa, 2016). In Africa, there seems to be an increase in women committing crimes. Chukwuka (2025) attested that in Nigeria there has been an increase in women imprisonment. Chukwuka (2025) highlighted the increase of female incarceration

by 26.4% as compared to male statistics which stood at 12.7%. With the rate of female imprisonment increasing, some of these women are forced to come with children in prison cells, a notion supported by Phiri, (2017). These children who are forced to stay in prison with their mothers suffer from a lack of proper nutritious foods or medical facilities. Globally the rate of women committing crimes is on the rise (Johnson, 2025; Gaccia, 2025; Fair & Walmsley, 2022; Roy, 2017). There appears to be a trend toward women committing more crimes and an increase in the rate of female incarceration. According to these authors, there has been an increasing trend of women being imprisoned since 2000. Currently, there are over 714,000 women incarcerated worldwide. Smith (2017) noted that this represents a 53% increase in female incarceration compared to the roughly 466,000 women incarcerated worldwide in 2000. Other scholars such as Walker et al. (2021) further highlighted that countries such as Australia have witnessed a rise in the rate at which women and girls are arrested, and the rate of imprisonment increased from 2010 to 2018 by 43%.

The rate of female incarceration has increased six times higher than the levels seen in 1980, according to statistics provided by Monazzam and Budd (2023). In addition, there has been greater than 525% increase in female incarceration between 1980 and 2021, rising from 26,326 in 1980 to 168,449 in 2021(Monazzam & Budd, 2023). Kristen et al,(2025) highlighted that “Female incarceration has increased by over 700% since 1980, going from 2,637 in 1980 to 222,455 in 2019”. In 2020, Sultan & Myrent state that the rate of female imprisonment has been increasing since 1980. According to Kagwe (2012), there are a total of 6% prisoners in African countries. According to Walmsley (2017), it was also reported that the women back to jail have risen by 20%. According to data from the National Department of State report (2012), female incarceration rates have significantly increased throughout Africa. The report statistics demonstrate: Nigeria (68.1%), Ghana (58.8%), Burundi (73.1%), Mauritius (53.8%), and Benin (158.6%). Africa has the lowest rate of incarcerated women, according to the Ventures Africa report (2023), but over the past 15 years, the region has seen a 22% increase in the number of incarcerated women. Thus, it is crucial to highlight that some people are concerned about the rise in female incarceration (Johnson, 2025; Kajstura, 2022; Chun, 2020; Smith 2017). The world has seen an increase in women incarceration, according to Smith (2017), the Ventures Africa report (2023), and Sultan and Myrent (2020), and this has led to children accompanying their mothers into correctional centers by default. Literature suggests that there are children who are compelled to remain incarcerated due to their inability to meet legal obligations. According to Javeed

(2011), there are instances where children are compelled to reside in prison alongside their mothers during the pretrial phase. This occurs when the mothers are detained prior to trial and have no alternative arrangements for the care of their child.

India, Venezuela, and Egypt are where these children encounter challenges such as inadequate access to nutritious food and limited opportunities for appropriate activities within pretrial detention centers. However, it is important to note that this study diverges from Javeed's (2011) focus on children in pretrial detention. Instead, this research aims to investigate the experiences of children who accompany their mothers while serving their sentences in Zimbabwe's Shurugwi female prison, specifically within the Midlands province of Zimbabwe.

Stella et al. (2016) asserted that in Brazil, children are compelled to accompany their mothers during their incarceration. The authors examine the lived experiences of children residing with their mothers in correctional facilities, with a specific focus on the Sao Paulo correctional facility located in Brazil. The research highlighted that children who were involuntarily confined in prison experienced inadequate food quality and a lack of appropriate child stimulation. It is important to note that the study conducted by Stella et al. (2016) primarily examined the situation in Brazil, specifically focusing on the Sao Paulo prison. In contrast, the present study concentrates on the conditions within Zimbabwe's Shurugwi female prison.

Scholars such as Phiri (2017) have noted that in Zambia, many mothers enter prison accompanied by their children. Phiri (2016) pointed out that the food provided in Zambian prisons is of poor quality, and the children who accompany their mothers often do not receive nutritious meals. This situation raises significant concerns for mothers, who worry that their children may suffer from malnutrition due to the inadequate and insufficient food available within the prison facilities. According to Mlambo (2016), children behind bars experienced problems, and this led to some children coping with criminal behaviors. Chongo (2021) further stipulated that due to a lack of proper playing grounds and facilities for such children, the Zambia correctional facilities began working with non-governmental organizations such as the Mother of Million Foundation to provide services such as recreation and educational facilities to ensure children's cognitive development. Unlike in Zambia, nothing is known about the lived experiences of children behind bars with their mothers; hence, this research is to fully explore their experience and came up with possible solutions and strategies to address the problem of mothers entering prison with their children.

Upon further examination of Zimbabwean literature, it becomes evident that scholars, such as Matsika et al. (2015), have delved into the exploration of the phenomenon surrounding the lived experiences of children who find themselves incarcerated alongside their mothers in Zimbabwe. Specifically, their research has centered on the Chikurubi female prison situated in Harare. However, this study aims to depart from the focus and instead concentrates on the lived experiences of children behind bars with their mothers, with reference to the Shurugwi female prison located within the Midlands province.

Although a considerable amount of the available literature pays much attention to the details of incarcerated males (Burns et al., 2024; Stacer, 2022), there is a minor amount of literature that directly examines the conditions under which incarcerated girls and females must live. The rise in female crime rates has resulted in a new emerging phenomenon in Zimbabwe where children are being subjected to incarceration by default alongside their mothers (Harris, 2022). With the increase of female crimes, it has resulted in some women being arrested and forced to accompany their little children to prison and, in some cases, pregnant pretrial detainees being forced to bear children while in prison. Thus this study aims to explore and understand the experiences of children incarcerated in Zimbabwe, specifically focusing on Shurugwi female prison.

### **Research methodology & design**

The study used qualitative research design. Scholars such as Kothari (2008); Creswell (2007); and Cohen et al. (2007) attested that the qualitative research approach is good at exploring the lived experiences of people, hence its use in this topic under study. Thus, a qualitative research approach, as highlighted by Chinyere et al (2023), Creswell (1994) and Denzin (1989), does not only capture human experience but also goes a step further into exploring human feelings, emotions, and opinions on a certain issue, hence its use in this study. It is important to note that a qualitative research design allows the use of open-ended questions, which allows for further follow-up and observations to be carried out during interviews with the research participants, providing the niche needed by the researcher to be able to interpret nonverbal cues during the research process (Kielman et al., 2012; Merriam, 1992).

The study employed a purposive sampling technique, as recommended by Bhandari (2020) and Punch, (2013). This technique involves selecting respondents who serve a specific purpose, rather than choosing them randomly. In line with this approach, the study specifically targeted mothers who brought their children into

the prison environment, as well as prison officials and stakeholders involved in child-related programming.

The study involved a total of 17 participants, consisting of 7 incarcerated mothers with children and 10 prison officers. The prison officers included the officer in charge, the second in charge, the dietician, a nurse, the Shurugwi Prison rehabilitation and reintegration officer, the stores officer, and others. The data collected from the study were analyzed thematically, resulting in the identification of various themes and subthemes.

### **Legal and constitutional issues**

International laws and protocols have been established to safeguard the rights of children who are detained by default. The United Nations (UN) has established a set of minimum rules for the treatment of prisoners. These rules serve as a standard framework for ensuring the appropriate and humane treatment of individuals who are incarcerated.

The United Nations Standard Minimum Rules for the Treatment of Prisoners, adopted in 1955 and revised in 2015 (the Nelson Mandela Rules), outline the widely accepted principles and practices for the treatment of prisoners and the management of correctional institutions, as recognized by the Economic and Social Council in the same year. Rule 23 stipulates that women's institutions are required to offer special provisions for essential prenatal and postnatal care and treatment. Additionally, it states that suitable arrangements should be made, whenever feasible, for children born in a hospital outside the institution or within prison. In the event of a child being born within the confines of a correctional facility, it is imperative that this circumstance is not recorded or disclosed on the official birth certificate. This policy prohibits the act of discriminating against individuals who may possess knowledge of a child being born in a correctional facility, thereby ensuring that they are not subjected to unjust treatment.

The El Salvador Declaration (UNODOC, 2010) and Bangkok Rules, a declaration pertaining to crime prevention in El Salvador, were established with the aim of endorsing the regulations set forth by the United Nations. According to the United Nations (2010), the Bangkok rules encompass a set of principles that emphasize the use of the best interests of the child as the foundation for determining whether children should remain with their incarcerated mothers. Furthermore, these rules assert that children who are in prison alongside their mothers should not be regarded or treated as prisoners. Moreover, it is expected that female inmates should be granted certain rights, including access to healthcare services and appropriate dietary provisions. Additionally, if a child accompanies

their mother to prison, it is necessary to conduct health screenings by a specialist in child healthcare to identify any required treatments, medical care, and suitable healthcare for the child.

The European Council has implemented a policy aimed at reducing the prevalence of children residing with their incarcerated mothers. In the year 2000, the European Parliamentary Assembly issued recommendations regarding the appropriate treatment of mother-child incarceration. According to a report issued by the European Parliament in 2014 and 2023, member states were advised to consider the incarceration of a mother with her child as a measure of last resort. Hence, the non-custodial sentence was significantly favored. The Council of Europe has mandated that all European countries must comply with these principles. According to Lay (2009), the principles were adopted by countries such as New South Wales and Western Australia. As a result, certain European countries opted for alternative forms of punishment, such as community service or house arrest, for mothers with breastfeeding infants and pregnant women to mitigate their exposure to the prison environment. Moreover, because of these policies, other countries, such as China, have emulated them, leading to the implementation of a regulation that prohibits the incarceration of mothers who are breastfeeding their infants.

The International Convention on the Rights of the Child is a highly significant document that provides guidance for policies pertaining to the treatment of children in a broad sense. According to the Economic and Social Council Report (2010), the international conventions on children's rights establish the guiding principles for all nations regarding the treatment of children, regardless of their circumstances. This includes children who are incarcerated alongside their mothers. According to Article 7 of the Convention on the Rights of the Child, individuals possess the entitlement to be legally recognized by a name and nationality. Hence, it is imperative to acknowledge that even offspring born within correctional facilities possess an inherent entitlement to both a designated name and nationality. In this regard, Zimbabwe, as a sovereign nation, has demonstrated a commendable adherence to upholding this fundamental right. Moreover, according to Article 12, children are entitled to express their opinions, even if they are incarcerated alongside their mothers, and they retain this right within the confines of prison. Hence, the International Convention on the Rights of the Child serves as a crucial policy catalyst for the realization of children's rights, ensuring that even incarcerated children are not excluded from its provisions.

The International Convention on the Rights of the Child asserts that all children possess entitlement to survival and development. Consequently, it is

imperative to establish improved conditions within prison facilities to accommodate children residing with their incarcerated mothers, thereby avoiding their separation from the external community. It is important to mention that within this convention, the principles of parental guidance and the evolving capacities of the child are recognized and permitted. Consequently, certain correctional facilities in Australia have implemented a policy that permits incarcerated parents, regardless of gender, to reside with their children within the confines of the prison. This arrangement aims to foster stronger familial bonds and ensure the provision of parental guidance and nurturing to the child. This convention is responsible for granting and safeguarding the child's identity rights, including the right to a name and nationality. Hence, in the regions of Europe, Africa, and Asia, children who undergo incarceration alongside their mothers possess a distinct sense of identity. In situations where a pregnant female inmate undergoes childbirth while incarcerated, measures are taken to ensure that the child is furnished with appropriate identification documents, thereby safeguarding the child's right to nationality.

According to the international convention, children are entitled to freedom of thought, conscience, and religion. Children who are incarcerated alongside their mothers are afforded the opportunity to exercise their freedom of worship. This is why many countries permit the establishment of churches within prison facilities, to uphold this fundamental right. It is important to acknowledge that the convention grants the child the entitlement to be adopted. Many countries have regulations that specify the typical duration for which a child may be allowed to stay with their mother while she is incarcerated. After the expiration of the period, it is possible for the child to be adopted by an alternative family to facilitate continued familial contact. This aligns with the provisions outlined in Article 24 of the African Charter on the Rights and Welfare of the Child, which stipulates that adoption should be considered as a final option for children who lack familial support and need nurturing care.

The Convention against Torture, also known as the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, is an international human rights treaty. The United Nations formulated a convention aimed at addressing the issue of torture with the intention of mitigating the suffering experienced by women and children (UNESCO, 1999). According to this convention, it is impermissible to subject a detained woman or nursing mother to torture, or to extend such torture to her child, with the intention of extracting information. The justification of the introduction of Article 19(2)(c) in the Zimbabwe legal system is to protect the interests of children in line with the

international convention related to the issue. Also, Article 53 forbids acts of torture to individuals. Therefore, these global agreements act as control measures and protect child rights whether they are imprisoned with their mothers or not. African Charter on the Rights and Welfare of the Child has come out as a leading document that African countries adopt to develop a policy as regards incarcerated mothers and their children. Under Article 30 of the African Charter that will apply to the rights of children with incarcerated mothers, it is specified that mothers convicted of compelling criminal offences, having infants or young children, are entitled to a sentence that does not entail their incarceration. Moreover, they are entitled to be separated from their children when they are in prison and capital punishment is absolutely forbidden. The African Charter of Children's Rights has been utilized as a policy catalyst in the context of pretrial detention and detention trials in various African nations, including Botswana. Article 30 of the Charter in particular focuses on the significance on awarding non-custodial sentences on women who belong to the following groups.

The above international and regional laws act as a guide on how the children should be treated whether in or out of jail. The purpose of these statutes is to protect and implement the rights of children, which extend both on an international level and in the countries.

### **The Zimbabwean situation on children behind bars with their mothers**

A closer look at Zimbabwe highlights that there are cases of women who bring their children behind prison walls. In line with Zimbabwe, there are no clear statistics, but the trend of women bringing their children with them behind prison walls has become a problem. The rise in female crime rates has resulted in a new emerging phenomenon in Zimbabwe where children are being subjected to incarceration by default alongside their mothers according to Harris (2022). With the increase of female crimes it has resulted in some women being arrested and forced to accompany their little children to prison and in some cases pregnant pretrial detainee's forced to bear children while in prison. Harris (2022) stated that they were about seven children accompanying their mothers in prison centers around Zimbabwe and 1 pregnant mother , while Sibanda (2013) indicated that they were 35 children accompanying their mothers in prison during that year and Matsika et al. (2015), indicated that they were about 15 children staying with their mothers in Chikurubi female prison and Murwira (2017) highlighted that as of May 2014, the Zimbabwe prison and correctional facilities held 17,318 inmates, and 308 of these inmates were females, and among these females, there were 29 children accompanying them in prison. Thus, these varying statistics highlight that

in different intervals, as more women commit crimes, they somehow drag children with them to prison. Murwira (2017) highlighted that there is no clear and specific data on the number of children staying with their mothers in Zimbabwe, but bits and pieces of information indicate that there is a rise of female imprisonment, and with that increase, in most cases, children are forced to accompany their mothers into prison walls.

In line with the selected female prison in the Midlands province of Zimbabwe, where this study was conducted, statistical data revealed a higher prevalence of male inmates incarcerated in prisons. According to the Midlands Provincial internal report (2023), it indicated that indeed there is a high prevalence of male domination in crimes; the number of males convicted in the Midlands province stood at 1,652, and those unconvicted (remand) stood at 403, totaling 2,055 males in the Midlands province prisons and correctional centers. However, there appears to be a rising trend in the number of female individuals being subjected to imprisonment; statistics from the Midlands Provincial internal report (2023) highlighted the following statistics: The number of convicted women stood at 31, and the number of unconvicted women was 9, totaling 40 women incarcerated within the Midlands province correctional centers. Most of these women were incarcerated at Shurugwi Female Prison, and some of these women had children accompanying them. Thus, this research is intended to find out the experiences of these children who were forced to accompany their mothers behind prison walls by default and to find out the probable solutions to this contentious issue in relation to Shurugwi female prison.

### **Discussion and findings: Experiences of children behind bars with their mothers at a selected prison in Zimbabwe**

This section examines the situation of children incarcerated with their mothers at Shurugwi Prison. The researcher utilises various legal frameworks, including Article 30 of the African Charter on Children's Rights, the Zimbabwean Constitution, the El Salvador Declaration, UN Rule No. 23, the Convention on the Rights of the Child, CEDAW, and the Convention against Torture. These frameworks are employed to analyse the three dimensions of children's rights, namely protection, participation, and provision. The chapter evaluates the extent to which the indicators within these dimensions were upheld or violated in relation to the research findings.

### **Child participation**

In the context of Shurugwi Female Prison, it was observed that children detained alongside their mothers were afforded the opportunity to exercise this entitlement as well. The rehabilitation officer, who was interviewed as part of this study, expounded upon the involvement of non-governmental organizations, specifically Jointed Hands, in furnishing recreational amenities such as toys and swings. These provisions aimed to enhance the children's enjoyment and engagement in their personal growth and advancement. Nevertheless, it is important to note that the aforementioned right is subject to certain limitations within the context of Shurugwi Female Prison.

Specifically, it is worth mentioning that the facility currently possesses only a solitary play center designated for children. Furthermore, it is crucial to acknowledge that the toys available within this play center are outdated, torn, and no longer deemed suitable or appropriate for the children in question. Hence, this circumstance has imposed constraints on the capacity to fully access and enjoy adequate entitlements to recreational amenities, as stipulated in Article 32 Amendment No. 20 of Zimbabwe's Constitution of 2013. The provision mandates the state to undertake all feasible measures to furnish sporting and recreational activities for all individuals, including incarcerated mothers and their children. However, it is noteworthy that Shurugwi Female prison lacks a designated playground for children, thereby compelling them to engage in play within the confines of prison cells or the prison courtyard. This situation is deemed inappropriate due to the unsuitability of the tiled floor as a suitable playing surface for children.

According to Article 8 of the African Charter, it is stipulated that children possess the entitlement to exercise their freedom of association. This implies that the child must engage in social interactions with individuals whom they may desire to associate with or those who are within their age cohort. Upon examining the Shurugwi Female Prison, it becomes evident that the right to associate with peers is not upheld, as children are compelled to interact primarily with adult female inmates and prison officers, rather than their own age group. Hence, the provisions outlined in Article 58 of Zimbabwe's constitution, as amended by Amendment No. 20 of 2013, are being wholly disregarded. Nevertheless, the situation is not entirely bleak, as children who are incarcerated alongside their mothers at the Shurugwi Female facility also have opportunities to interact with peers of their own age. At Shurugwi Female Prison, a group of five children, ranging in age from 1 month to 2 years, were detained alongside their mothers. Consequently, these children were

afforded the opportunity to engage in unrestricted social interactions with one another.

### **Child protection clauses**

Children are inherently vulnerable and require safeguarding from any kind of violence and mistreatment. Throughout the research conducted at Shurugwi Female Prison, it was noted that policies were in place to ensure the protection of children from physical, emotional, and psychological harm. The prison and correctional service has implemented regulations that impose penalties on both offenders and correctional officers who cause harm to an innocent child while the child's mother is incarcerated. During the study, the researcher discovered that there were no reported incidents of sexual assault among children residing with their incarcerated mothers. Throughout the duration of the study, there were no reported instances of sexual violence perpetrated against children, indicating that these children were effectively safeguarded against the risk of sexual exploitation.

It was observed that the protection of children from engaging in labor, as stipulated in Article 15 of the African Charter, was evident (African Union, 1990). Specifically, at Shurugwi Female Prison, children were strictly prohibited from involvement in any form of hazardous labor. Throughout the duration of the study, the investigator discovered that the cohort of children encompassed an age range spanning from one month to two years, rendering them unsuitable for any form of labor. Hence, in accordance with Zimbabwe's Constitution Amendment number 20, Act 13, and Article 19, Subsections 3a and b (i), the children were effectively safeguarded. These legal provisions explicitly state that children are neither obligated nor allowed to engage in labor or render services that are unsuitable for their age. In the context of child labour, it can be observed that children who were incarcerated alongside their mothers at Shurugwi Female Prison were effectively safeguarded.

Findings revealed that children were effectively safeguarded against the perils of substance abuse. The reason for conducting thorough searches on female inmates upon their return from a work assignment is to prevent the smuggling of contraband or any potentially harmful items into the prison facility. Moreover, throughout the duration of the study, the researcher discovered that a significant number of searches were conducted by female prison officers in the cells of female inmates, with the intention of removing any potentially dangerous items or contraband from the prison premises. Moreover, the incarcerated individuals themselves exhibited apprehension towards introducing such hazardous items into their prison cells due to the potential consequences of incurring additional charges,

which could result in an extended duration of their confinement. Hence, it is imperative to prevent the illicit introduction of substances such as cannabis into correctional facilities, thereby safeguarding the well-being of innocent individuals, particularly minors, from potential drug consumption.

### **The prison environment is not conducive to the optimal development and growth of children**

The participants interviewed in the study emphasized that the prison setting does not provide an optimal environment for the healthy development of children. According to a report by Kids Alive (2023), it has been suggested that the prison environment is not conducive for the healthy development of children. The report states that children who grow up near criminals may adopt unhealthy behavioral habits. In an interview conducted with an administrator from Midlands Children's Home, one respondent shared a specific case of a child who had previously been incarcerated with their mother. This child was removed from Shurugwi after reaching the age of 2. The administrator highlighted that this child exhibited challenging behaviour, including being rowdy, rude, and using offensive language towards other children. It is believed that the child's exposure to the prison environment played a role in shaping their behaviour. The child's lack of companionship and inclination towards manipulation can be attributed to the prison environment that was shared with their mother. Hence, it can be argued that the prison setting fails to offer a stable environment for children.

### **Child provision concept**

The government has made efforts to improve food provision, resulting in positive outcomes. According to Kakore (2015), children who are compelled to reside with their mothers in correctional facilities are consistently supplied with sustenance, including porridge, sadza, and other essential provisions, to safeguard their well-being. As a result, the government, specifically the Ministry of Justice, has taken measures to guarantee children's right to food, in accordance with Article 15 of Zimbabwe's Constitution Amendment No. 20. This amendment emphasizes the importance of food security for all individuals, including children. Continuing the discussion on the topic of food, it is worth noting that there are individuals who express their goodwill, such as female prison officers at Shurugwi Prison, who generously contribute from their personal funds to support mothers with children by providing supplementary nutrition. As per an anonymous inmate's account, female prison officers aid incarcerated women who are mothers by offering support in the form of diapers, clothing, and other necessities pertaining to

childcare. According to the dietitian at Shurugwi Female Prison, the children in question are adequately provided for, occasionally receiving three to four meals per day, in accordance with the principle of prioritizing the welfare of the child.

The rehabilitation officer interviewed during the study emphasized that non-governmental organizations, such as Jointed Hands, as well as church-based organizations, play a significant role in providing food supplies to prisons. Additionally, these organisations offer agricultural inputs to inmates, enabling them to cultivate gardens and enhance the availability of nutritious food options. Consequently, a highly nourishing garden has been cultivated, comprising a diverse array of vegetables including onion, covo, spinach, and other nutritionally valuable species. Additionally, the rehabilitation officer also indicated that Jointed Hands, a non-governmental organization, provided a donation of rabbits to the Shurugwi Female Prison. This donation aims to enable the prison to initiate rabbit rearing projects. During the research course, the researcher observed a population of rabbits that had exceeded 15 individuals. The rehabilitation officer informed the researcher that, on certain occasions, some of these rabbits were culled to serve as a source of nutrition for female inmates who had children incarcerated with them. This practice aimed to enhance the dietary protein intake of the children, thereby contributing to the improvement of their overall health.

Based on the discussions conducted with a food nutritionist and dietician, it was observed that certain children exhibited a preference for the cuisine they encountered in their respective locales. Based on the preceding discourse, it was observed that the evening meal is typically served near 4pm, resulting in infants experiencing hunger shortly after nightfall. The dietary preferences of nursing mothers primarily consist of sadza, a staple food in the region, and dried vegetables. The correctional facility provides low-fat dehydrated food options for minors, which are not considered optimal for infants. Additionally, it has been observed that there exists a statutory instrument that provides guidelines for the provision of meals to incarcerated individuals. However, there is a lack of adequate financial resources from the treasury to support the implementation of a suitable menu for young children.

The prison environment and its infrastructure do not adequately provide suitable dietary options and menus specifically tailored to meet the nutritional needs of infants, as observed in other nations such as South Africa and Botswana. While it is occasionally the case that mashed potatoes are provided for children, the provision of this food item lacks consistency. During the study, the researcher observed that the children's menu did not meet the necessary nutritional standards. Presented in the following table is a comprehensive breakdown of the appropriate

nutritional composition for children. The nutrient table 1.1 is a comprehensive compilation of the nutritional composition of various foods, providing information on the quantities of essential nutrients such as carbohydrates.

**Table 1.1:** Nutritional composition of foods

<b>Nutrient</b>	<b>Amount</b>
<b>Calories (Children)</b>	1,000-1,400
<b>Protein</b>	2-4 ounces
<b>Fruits</b>	1-1.5 cups
<b>Vegetable</b>	1-1.5 cups
<b>Grains</b>	3-5 ounces
<b>Dairy</b>	2 cups

Source: Mayo Clinic (2017)

The table presented herein delineates the recommended types and quantities of nutrients for optimal child development, as well as the corresponding food sources. During the investigation, the researcher discovered a lack of provision of dairy milk and fruits to the children under study. Moreover, regarding protein, the protein content was found to be insufficient, while an excessive amount of carbohydrates was provided to these children, consequently restricting their access to adequate nutritional content. The prison's failure to adequately meet the dietary requirements of children has been discussed by Murwira (2017), Kakore (2015), and Relief Web (2010). These sources argue that prisons and correctional facilities lack nutritious food options for children and pregnant women who are confined within their walls.

The nurse who was interviewed during the research emphasized that prisons and correctional facilities prioritize health concerns, resulting in children accompanying their mothers receiving appropriate healthcare support. The Shurugwi female prison is equipped with a clinic that provides medical services to all incarcerated individuals, including mothers who have brought their children with them to the correctional facility. According to the senior nurse at Shurugwi Female Prison, the children residing there also receive immunization as part of the national health initiatives. To prove that these children receive adequate attention in the context of research, the researcher noted that out of the existing number of seven children living in Shurugwi Female Prison, three children were born to parents who are incarcerated. Furthermore, these three women were HIV positive. However, in accordance with the government's commitment to preventing the

transmission of HIV from mother to child, these individuals received assistance through the implementation of Prevention of Mother to Child health and treatment programs. Thus, the female prison has managed to keep in line with articles 29 and 76 of the Zimbabwean constitution, amendment number 20, act 2013, as well as Article 14 of the African Charter on Children's Rights towards health access and provision.

Additionally, the senior nurse at Shurugwi Female Prison has indicated that the health department is responsible for overseeing the preparation of meals for these children, ensuring that they meet higher standards for optimal growth. Moreover, the prison health department collaborates closely with various non-governmental organizations and civil societies, such as Jointed Hands, to provide comprehensive healthcare services and support to inmates. Jointed Hands, in conjunction with Medicine San Frontier (Doctors without Borders), plays a significant role in this regard. The senior nurse emphasized that children, particularly those incarcerated with their mothers at Chikurubi Female Prison and Shurugwi Female Prison, receive adequate healthcare services and provisions.

The provision of education plays a crucial role in the attainment of child rights, serving as a fundamental pillar for the development of children. Provision and attainment have been identified as crucial factors for unlocking development prospects, as stated by Todaro and Smith (2011), Sen (2008), and Sen (1999). Prisons have implemented measures to facilitate the provision of education to children whose mothers are incarcerated, in accordance with relevant legal frameworks such as Article 11 of the African Charter on Children's Rights, Article No. 17 of the African Charter on People's Rights, and Articles 27 and 75 of Zimbabwe's new Constitution Amendment No. 20. It has been observed that certain prisons, such as Chikurubi Female Prison, have collaborated with an NGO named Mission Christmas to establish a kindergarten play center for the children. In the same line, local churches have been actively involved in making sure that the children in Shurugwi Female Prison are equally provided with education. Various religious institutions, including the Seventh-day Adventist Church, the Roman Catholic Church, and several local churches, contributed to the provision of a play center within the prison facility. According to the officer-in-charge at Shurugwi Female Prison, the churches also supplied toys that could be utilized by children for psychomotor development and as a means of engaging in recreational activities. In addition, female officers also contributed dolls to enhance the educational atmosphere for the children.

Most female prison officers interviewed in the study emphasized the lack of educational opportunities and expressed dissatisfaction. This is mainly because

they lack competent teachers or seasoned staff that would help in the psychomotor growth of children. However, this situation is deemed unsatisfactory and warrants urgent attention. This observation provides clear evidence of delayed psychomotor development in children, which signifies a significant failure to achieve this fundamental right. The habit by the government to separate children incarcerated with their mothers has led to a huge gap between the children and the rest who are not incarcerated in prison cells. Furthermore, the researcher found out that the children had no qualified educator or experienced practitioner to lead them even though the recreational facility they had was inadequate. This has thus affected academic achievement highly negatively.

The questions of water and sanitation become very burning in the modern discourse of development and the articles by WHO (2013) and Government of Zimbabwe Report (2013) confirm it. The concerns pertaining to water and sanitation should also encompass the well-being of children who are incarcerated alongside their mothers. According to Article 19 of Zimbabwe's Constitution Amendment No. 20, specifically Article 1-2b (ii), it is stipulated that children's rights encompass the provision of essential resources for their development, such as access to water and sanitation facilities. According to Article 77 of Amendment No. 20 of 2013 in Zimbabwe's New Constitution, it is stated that every individual possesses the entitlement to access safe, clean, and portable water (Article 77 a-b). During the research conducted at Shurugwi Female Prison, it was observed that the provision of water and sanitation facilities was satisfactory, thereby ensuring the fulfilment of the right to water and sanitation. Children were provided with access to clean water, and there were adequate ablution facilities available to them. However, regarding the provision of ablution facilities, the quality of the toilets was subpar. Insufficient maintenance was observed, resulting in certain toilets experiencing blockages that posed potential health risks to children. Moreover, there were also deficiencies in the availability of cleaning detergents, which could potentially have an impact on the health of children.

The water supply to Shurugwi Female Prison is consistently impacted by water rationing imposed by the Shurugwi Town Council, resulting in significant challenges regarding sanitation. It is important to acknowledge that the carrying capacity of Shurugwi Female Prison was significantly compromised because this correctional facility was originally designed to accommodate female inmates. Consequently, the presence of children in the prison creates an additional burden, particularly on the ablution facilities, thereby straining the overall carrying capacity.

### **The Right to parental care and protection within the context of the family**

According to the African Charter on Children's Rights, Article 18 and Article 19 stipulate that every child is entitled to the rights of parental family and protection of the family. Because of this circumstance, it is the underlying cause for children accompanying their incarcerated mothers, thereby enabling them to exercise this crucial entitlement. The significance of the family is also expressed in Article 25 of Zimbabwe's Constitution. The Zimbabwean Constitution stipulates that during the infant stage, a child is permitted to reside with its mother for a duration ranging from one month to two years. Subsequently, upon reaching the age of three, the child may be transferred to family relatives or placed within an environment that encompasses family units.

Nevertheless, one can state that the prison setting in Zimbabwe, especially in Shurugwi Female Prison, does not support the introduction of the family care system properly. This is because the child would mostly be under the care of the mother although the role of the father should not be ignored. Consequently, this situation raises concerns regarding the adherence to Article 25 of Zimbabwe's new constitution, which aims to safeguard the institution of the family. Additionally, the separation of the two spouses resulting from a prison sentence also undermines the principles outlined in Articles 18 and 19 of the African Charter of Children's Rights, thereby rendering them ineffective.

### **Conclusion and recommendations**

Despite the availability of certain services, a lack of funding significantly hampers the quality of resources provided to children in Shurugwi Female Prison. The food supply is inadequate and lacks essential nutrients, adversely affecting the growth of children. Moreover, the conditions of kindergarten education facilities are subpar, with limited equipment and insufficient qualified staff. Imprisoned children do not have opportunities for age-appropriate socialization, which has a detrimental impact on their social development. Additionally, their psychomotor skills and behavior are influenced by the prison environment. The shortage of medication in healthcare further compromises the medical assistance available to both children and their mothers. Infants as young as one month old are exposed to the harsh realities of prison life, raising serious concerns about their future well-being. The prison atmosphere could lead them into a cycle of incarceration as adults. The following statements outline the potential solutions to penitentiaries and correctional facilities aimed at addressing the challenges faced by incarcerated children living with their mothers in Shurugwi Female Prison.

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- ❖ The Ministry of Finance ought to set aside a certain budget to fund local prisons to avoid overreliance on NGOs and provision of appropriate care to children who are imprisoned with their mothers.
- ❖ Child psychologists or experts should be compelled to make visits to prisons to evaluate and enhance the conditions of children in correctional centers.
- ❖ Instead of housing mothers and children in prison cells, establish residential settings with play centres to better accommodate the children's needs.
- ❖ Support from the Ministry of Health and Child Welfare is needed to improve the implementation of feeding guidelines for inmates, including mothers and children.
- ❖ Early childhood development centres and recreational areas should be established in correctional facilities to create a more suitable environment for children.
- ❖ Prison officers should receive comprehensive training in effectively managing and caring for children in prison.
- ❖ Isolate the incarcerated mothers according to the intensity of their crimes so as not to affect the children negatively.
- ❖ Encourage binding of children by incarcerated mothers especially the ones who have life sentences to ease the reunification with the relatives.
- ❖ Engage NGOs dealing with children's issues to help the challenges of children in prison and sensitise people.
- ❖ Completely work out the government policy on how to treat incarcerated mothers and children.
- ❖ Think of using non-custodial sentence, which is, serving community services, to the mothers with young children or pregnant women.
- ❖ Consider imposing non-custodial sentences, such as community service, for mothers with young children or pregnant women

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