

Factors Affecting the Education of Children Accompanying Their Mothers to Prison: A Case of Kakamega and Kisumu Women Prisons, Kenya

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Abstract

There has been considerable debate about whether children should stay in prison with their parents and if so the age at which they should have to leave. Clearly the conditions in prison and what alternative care arrangements are available are significant considerations. Where there is agreement is that while children remain in prison with their parents, their lives should be as similar as possible to how it would be on the outside and they should not be subject to the restrictions on their freedom that other residents of the prison are. The purpose of this study was to determine the factors that affect the education children accompanying their mothers to prisons. The study was conducted at Kakamega and Kisumu Women Prisons in western Kenya. The study was guided by the following objective; To establish how teacher characteristics affect Early Childhood Development and Education of children accompanying their mothers in prisons and to assess how learning environment affect the education of children accompanying their mothers in prisons. The study objectives were formulated based the study constructs. The study respondents comprised 21 mothers and 6 teachers in both Kakamega and Kisumu women prisons. A standard questionnaire was used to collect data from the respondents. Both quantitative and qualitative data was collected and analyzed. Quantitative data was analyzed using inferential statistics. From the study findings, teachers' characteristics such as their qualifications affected the education of children accompanying their imprisoned mothers. Findings also indicated that parental perception towards Early Childhood Development and Education (ECDE) program in the prisons affected the education of children. Based on the findings of the study, it was concluded that there were a number of educational challenges facing education of children accompanying their imprisoned mothers. These challenges included lack of adequate teachers, lack of training for the teachers, poor learning environment and parental perception towards the education offered at the prisons. The study also concluded that the prison facilities did not have adequate teaching and learning facilities which affected teaching and learning of children that accompanied their mothers in prisons. Based on the above finding the study recommended that prisons departments should recruit and hire qualified and permanent teachers who are able to teach children accompanying their mothers in prisons. It was also recommended that the prisons should ensure that mothers that take their children with them to prison develop a positive attitude towards the education of their children. Due to the age differences of the children, different programmes could be organized for the different groups according to the age.

Keywords: Education, children, imprisoned mothers

1.1 Introduction

Children of imprisoned parents are often described as the forgotten victims of imprisonment. When a mother goes to prison, their children are affected, usually adversely (Robertson, 2007). Yet these effects are rarely considered in criminal justice processes, which instead focus on determining individual guilt or innocence and punishing lawbreakers. The failure to consider or consult children of imprisoned parents at all stages of the criminal justice process – from arrest to trial to imprisonment to release to rehabilitation into the community – can result in their rights, needs and best interests being overlooked or actively damaged (Robertson, 2007). One of the fundamental rights enshrined in the constitution of Kenya 2010 is the right to education.

Article 26 of the Universal Declaration of Human Rights, issued in December 1948, states that everyone has the right to education. Education in its primary and basic stages shall be free. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit ((United Nations, 1948).

The International Convention on Economic, Social and Cultural Rights (1966) (ICESCR) states that education is essential for the growth, protection and enhancement of the human personality, and in a broader sense,

in the fight against poverty and other social injustices (ICESCR, 1966). According to international standards, all children are entitled to free compulsory primary education, while States have an obligation to develop secondary education and responsibility for developing measures to make it accessible for all children (International Covenant on Economic, Social and Cultural Rights (Articles 13 and 14). General Comment No 13 of the United Nations Committee on Economic, Social and Cultural Rights defines the right to education thus Education is both a human right in itself and an indispensable means of realizing other human rights (United Nations, 1948). As an empowerment right, education is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities (Freud, 2002).

International treaties and conventions emphasize that the right to education is part of the child's basic rights, in times of peace and armed conflict. Ratified by the Economic and Social Council on 31 July 1957, the Standard Minimum Rules for the Treatment of Prisoners are generally considered the most important set of principles and practical rules pertaining to the treatment of prisoners and prison management. Children accompanying their mothers in prison have the right to education suited to his or her needs and abilities and designed to prepare him or her for future education. Article 38, Havana Rules In his report, the Special Rapporteur emphasizes the importance of educational strategies that recognize the diverse needs and backgrounds of children accompanying their mothers in prison, taking into account different abilities, motivation levels, prior learning experiences and attainments. However, it was clear from the country submissions that consistent and comprehensive strategies of this kind do not exist in many countries Instead, education of children accompanying their mothers in prison in detention is often provided in an arbitrary and makeshift fashion. National sections in Lebanon, Niger and Sierra Leone highlighted that no education is provided by the State for children accompanying their mothers in prison. Palestinian girl prisoners held by Israeli prison authorities receive no education whatsoever in detention (Avalos, 2000).

Prison settings generally do not provide the best environment for children to enjoy learning and achieve their educational potential. The Havana Rules stress that education for children accompanying their mothers in prison should take place outside the educational facility and in community schools where possible, so that they can continue their education upon their release.

In many countries, the environment where children are detained manifestly does not promote or encourage educational activities (e.g. Lebanon, Niger, Nigeria, Palestine, Uganda). Evidence suggests that many educational programmes provided in the countries involved in this consultation continue to take place in detention settings that are frequently devoid of basic facilities and resources (Lemert, 2006). There were a few examples where children in detention could sometimes continue their education in external schools, although this was usually not part of a consistent policy.

In Kenya, almost all the children are confined in the cells with their mothers throughout the day and night. These children accompany their mothers since there is no one to remain with the child at home. Since they could not separate babies and young children from their mothers, they had to be in prison. The prisons have guidelines stipulating the maximum age at which a child can remain in prison, which varies from a few months to four years. The impact this will have on the child's life, as well as the conditions in which the children will be held, are to be considered when deciding whether it is in the child's best interests to remain in prison.

1.2 Statement of the problem

The kind of early childhood education and development currently provided to children accompanying their mothers in prisons in Kenya does not meet the general standards set out for education institutions in the country both in form, content and context. As a result, children who struggle to access educational services while in prison often face continued barriers to quality education when they are forced into sub-par alternative schools, rather than mainstreamed back in to regular schools, following incarceration of their primary caregivers. Children accompanying their mothers in prison are not allowed to go out and attend formal schools and then return to prison to join their mothers. The practice has been and still is that they attend informal learning organized by prison authorities where the teachers are in most cases prison officers who may not be trained teachers. Such teachers are not trained in special education, and are not instructed on how to teach in correctional facilities. Classroom materials are inadequate and often not suited to the age level of the children accompanying their mothers into prison. It is upon this backdrop that this study seeks to establish the factors affecting the education of children accompanying their mothers to prison.

1.3 Objectives of the study

The study was guided by the following two research objectives;

- i. To determine how teacher characteristics affect ECDE among children accompanying their mothers in prisons
- ii. To investigate how parental perception affected education of children accompanying their mothers in

prisons

1.4 Review of Related Literature

The Universal Declaration of Human Rights, adopted by the United Nations in 1948, proclaims that motherhood and childhood are entitled to special care and assistance and proclaims the right of everyone to a standard of living adequate for their health and wellbeing. It also states that all human beings are born free, recognizing the right to life, to liberty and security of persons, as well as the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment. These basic human rights are recognized in legally binding international human rights conventions. The right of children to special measures of protection due to their status as children is also recognized in article 24 of the ICCPR. The HRC has noted that States should assess and determine the measures to be adopted to ensure that children can fully enjoy the rights contained in the Covenant without discrimination (General Comment 17 (1989)). It has also emphasized the main role and responsibility of the family, society and the State to guarantee the necessary protection to children, as well as the role of the State to ensure special protection to children who are deprived of their family environment. In the interpretation of International Covenant on Civil and Political Rights (ICCPR) articles 3, 7, 10, 23 and 24, the Human Rights Campaign (HRC) has also clearly recognized the rights and special protection needs of persons deprived of their liberty – specifically women, imprisoned pregnant women and imprisoned mothers.

1.4.1 Early Childhood Education and Development

Recent years have seen a global endeavor to prioritize early childhood care and education as a foundation for later learning and development. This is evidenced by Guidelines for Early Childhood Education and Care in the 21st Century (Association for Childhood Education International/World Organization for Early Childhood, 1999). Such efforts are a response to a variety of complex social issues and economic trends. These forces include, societal changes due to industrialization, the increased number of women with young children entering the labor force. Families with two working parents, a rise in the number of single parents, and the demise of traditional systems of child care and extended family support systems (Boocock, 1995).

The greatest influence on early-childhood education in Canada today has been the philosophy and practice of the British infant and primary schools frequently referred to as "informal" or "open" education. This approach is viewed by many as the embodiment of the "child centered" philosophy. Attempts to implement "informal" education in Canada and the US have been directed, in particular, to kindergarten and primary-grade programs. Compensatory education for preschool children, developed principally in the US with extensive government funding which was intended to meet the needs of economically disadvantaged children. Some programs designed by groups of educational researchers and developers challenged the long-standing early-childhood education emphasis on social and emotional development and emphasized intellectual development. The conflict between the more traditional and the experimental programs and the effect of these programs on the children became part of the general discussion about the means and ends of the preschool experience (Boocock, 1995).

1.4.2 Prison and Education of Children

In India, children as old as 15 years have reportedly remained in prison with their parents, because nobody is willing to stay with them at home. Other countries like Norway however, do not allow children of any age to live in prison. The environmental interaction influences behaviour, and that development is considered a reaction to rewards, punishments, stimuli and reinforcement. Once these children are removed from prisons, they may have difficulty coping with the outside world.

The Faraja Trust handed over to Lang'ata Women's Prison an early childhood development centre to cater for these children. The children will not spend time with their mothers during the day, but will instead be taught at the centre and join their parents in the evening. There are no adequate resources to allocate additional food for children, meaning that parents have to share their meals with their children. For the children to grow psychologically and emotionally, their lives should be as similar as possible to how it would be outside, and they should not be subject to the restrictions on their freedom that other residents of the prison are.

However, in the Kenyan prisons, the children cannot access education and do not interact with others, and this can affect their chances of successfully re-integrating into society at the end of a sentence. Facilities in some countries, like the Aranjuez Prison in Spain, allow couples who are both imprisoned to stay in the same prison unit with their children under the age of three to live in specially furnished family cells, and have access to a prison playground. The parents are also taught parenting skills and allowed to interact with their children in a more hospitable and less threatening environment than standard prison cells.

1.4.2 Challenges facing education of children accompanying mothers in prison

More than half a million women and girls are held in penal institutions around the world, either as pre-trial detainees or having been convicted and sentenced. They represent between 2% and 9% of the global prison population. The number of women held in relation to armed conflict is lower. Recently, imprisonment rates increased in both countries, in the many countries much more so than in Kenya. Although countries such as Netherlands still has shorter imprisonments, today, the countries are more similar, both being more punitive than

previously and having imprisonment rates that are among the highest in Western Europe (Downes 1988; Tony and Bijleveld 2007). Investigating these countries in the 1950s to the 1970s, when they differed significantly in their criminal justice policies, can yield important information for theories about the effects of parental imprisonment with their children. Earlier studies examined the impact of imprisonment (Murray and Farrington 2008), but they investigated this by comparing prisoners' children to children without imprisoned parents. They failed to distinguish between children of convicted and non-convicted parents, making it difficult to differentiate between the effects of imprisonment and the effects of a parent's convictions on children (Murray et al. 2009). Moreover, a comparison between the Netherlands and England on the relationship between parental imprisonment and offspring offending has never been done previously. In the present study, we use Dutch and English data on imprisonment and convictions of both parents and children. This enables to compare results cross-nationally and to examine the independent impact of parental imprisonment and parental convictions on offspring offending.

Before formulating hypotheses and explaining how the study was conducted, we first discuss how and why parental imprisonment might affect children's behaviour.

1.4.4 Influence of teaching learning materials on Early Childhood Education

Teaching learning materials form the media through which teaching is carried out. Teaching/ learning materials can be divided into two categories; those used by the pupils and those used by the teachers. Materials used by the teachers are important because they help teachers prepare schemes of work and lesson notes which guide them in the course of teaching. They include the syllabi, the teachers' guides, chalkboard, maps, globe, and pictures. The availability of teaching and learning materials is very crucial in the provision of education. On this note, Republic of Kenya (1976) states, "Books and other materials are the basic tools of educational development. They must therefore be available to the learner in adequate quality and quantities. They must also be available at the time they are required." The availability and use of teaching and learning materials affect the effectiveness of a teacher's lessons. Avalos (1991) says that the quality of education the learners receive bears direct relevance to the availability or lack of instructional materials. Mwamwenda and Mwamwenda (1987) carried out a study that established that the availability of physical facilities had effect on educational program implementation in Botswana. A study conducted by the Population Council and the Government of Kenya in 1997 to establish the effects of the material inputs on implementation of ECE program revealed that lack of different learning materials negatively affected the implementation of the program (Government of Kenya, 1997).

Republic of Kenya (1988) claims that the teaching and learning materials should be planned and utilized in the most effective manner to bring about efficient provision of quality and relevance in education. Nyamok (1997) states that if a teacher uses the teaching materials effectively, he will be able to use the time thus created for other educational activities. Viewed this way, teaching materials will never replace the teachers' instructional activities but rather they will make it possible to further increase the quality and effectiveness of his instructional activities.

The availability and use of teaching and learning materials affect the effectiveness of a teacher's lessons hence contributing to effective program implementation. Instructional materials are an integral component of ECE program implementation. Their adequacy and suitability are important. Anderson (1991) says that the quality of education the learners receive bears direct relevance to the availability or lack of instructional materials. Other studies have shown a significant relationship between teaching materials and the effectiveness of program implementation. The availability of textbooks and other reading materials has a positive effect on school program (Psacharopoulos and Woodhall, 1985). It is only with such materials that pupils can learn to work independently or in groups hence effective provision of ECE in prisons (Republic of Kenya, 2001). Elimu Yetu Coalition (2003) says that there is a positive correlation between availability of teaching and learning materials and ECE program implementation and its absence affects the implementation.

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1.5 Theoretical Framework

This study was guided by the Cognitive Development theory as put forth Piaget. Piaget conceptualized children's development as a combined result of maturity of the brain and the nervous system, and experiences that help individuals adapt to environment. Piaget saw children's cognitive development follow predictable and qualitative distinct levels. These distinct levels occur in specific periods of a child's life, with no stage that is skipped. Intellectually impaired children may develop at a lower rate or may fail to reach the higher stages (Dworetzky, 1996).

This stage progression on learning implies that learning is developmental, and no child skips a stage, that individual children may take different experiences to complete their development, mental development does not merely click into place with a passing birthday, and lastly, learners differ in capability. This theory is applicable

to this study in that in order for the learners to adequately learn at the ECDE, the necessary environment should be provided. Children should be treated as unique individuals and be allowed to develop progress skills with the required supportive systems that enable their future development (Orodho, 2003). ECDE program is a necessity for the intellectual development of children and not an option. Planning for education should therefore focus on reducing impediments towards achieving a supportive environment in learning in the prison environment. For this to happen teaching and learning materials should be provided, there should be provision of physical facilities, the programs should be supervised and the government should be involved.

1.6 Study Design and Methodology

The study adopted a case study design which enabled the realization of an in-depth investigation of the study constructs. The study used simple random sampling to select 21 women imprisoned at Kakamega and Kisumu women prisons. The selected inmate were those accompanied by young children attending early childhood education and development. The study also interviewed 6 prison officers involved in teaching of children in prison. The justification for the use of this study design was that a case study provides a great deal of accurate information for data that is gathered at a particular point in time for use in describing existing conditions (Yin, 1984).

A standard questionnaire was used for purposes of data collection. Both structured (closed-ended) and unstructured (open-ended) items were used so as to get the responses from respondents. The response rate was 100%. The data obtained from the field was organized, edited to ensure completeness, comprehensibility and consistency, classified and coded according to research hypotheses and objectives for analysis. Study data was analyzed by use of both descriptive and inferential statistics by the use of the Statistical Package for the Social Sciences (SPSS) version 20.0 for windows. All statistical measurements were performed at 95% confidence level.

1.6.1 Test for Normality

Data is said to be normally distributed when the shape of data distribution for the variables under investigation is bell shaped. The reported values of skewness and kurtosis for the collected data indicate if such data is normally distributed or if such data has outlier problems that may influence the covariance matrix and the results in structural equation modeling. For this study, the skewness index ranged from -0.262 to 0.028 while the kurtosis index ranged from -0.898 to -0.473. Following recommendation made by several studies that the skewness and kurtosis indices should be not exceed an absolute value of 1 and 3 (M. S. Awwad, J. A. Agti, 2011) respectively, data collected in this study is regarded as normally distributed. This allowed for the use of parametric statistics that rely on assumptions about the shape of the distribution (normal distribution).

1.7 Results and Discussions

This section presents the study findings.

The first objective of the study sought to determine how teacher characteristics affected Early Childhood Development Education among children accompanying their mothers in prisons. Teacher characteristics investigated in the study included training, experience and commitment. Findings are presented in table 1.

Table 1: Regression Results for the effect of teachers characteristics on Early Childhood Development Education among children accompanying their mothers in prisons.

Variable	Coefficients	t-value	p-value
Constant	0.532	2.391	0.001*
Teacher Training	0.396	0.425	0.002*
Teacher Experience	0.377	3.699	0.001*
Teacher Commitment	0.369	3.561	0.002*
Goodness of Fit:			
R ²	0.689		
Adjusted R ²	0.662		
F-value	3.984		

Findings in table 1 shows the regression analysis for effects of teacher characteristics on Early Childhood Development Education of children accompanying their mothers in prisons where construct variables involved were training, experience and commitment of teachers. Study findings reveal that calculated t-statistics (t =0.425, 3.699 and 3.561) for parameters teacher education, experience and commitment respectively were greater than tabulated t-statistics at 0.05 level of significance. This finding reveals that teacher education, experience and commitment had effect on Early Childhood Development Education of children accompanying their mothers to prisons.

The result of the study showed that teachers' characteristics had a statistically significant influence on Early Childhood Development Education of children accompanying their mothers to prisons. The coefficient of

determination (R^2) was 0.689 indicating that teacher education, experience and commitment accounted for 68.9% of variation in the success of Early Childhood Development Education of children accompanying their mothers to prisons. The remaining 31.1% unexplained variable was largely due to variation in other variables outside the regression model which are otherwise included in the stochastic error term. The overall regression model was statistically significant in terms of its overall goodness of fit ($f=3.984$, $P < 0.05$).

The second objective of the study sought to investigate how parental perception affected education of children accompanying their mothers in prisons. Parental perception constructs included general parental attitude towards prison education, willingness to let their children attend school and perception of adequacy of instructional resources. Findings are presented in table 2.

Table 2: Pearson Product Moment Correlation for Perception of Parental Perception

		Attitude	Willingness	Instructional Resources	ECED
Attitude	Pearson Correlation	1			
	Sig. (2-tailed)				
	N	27			
Willingness	Pearson Correlation	-.435(**)	1		
	Sig. (2-tailed)	.000			
	N	27	27		
Instructional Resources	Pearson Correlation	-.687(*)	-.317(*)	1	
	Sig. (2-tailed)	.010	.000		
	N	27	27	27	
ECED	Pearson Correlation	-.514(*)	-.532(*)	-.613(*)	1
	Sig. (2-tailed)	.002	.000	.000	
	N	27	27	27	27

** Correlation is significant at the 0.01 level (2-tailed).

* Correlation is significant at the 0.05 level (2-tailed).

Results in table 2 indicate that there was a significant negative relationship between parental perception and education of children accompanying their mothers in prisons. Specifically, parent's general attitude had a statistically significant negative effect on ECED ($r=-0.514$; $P<0.05$), while willingness to let children attend school had a statistically significant negative effect on ECED ($r=-0.532$; $P<0.05$). Further still, availability of adequate instructional resources had a statistically significant negative relationship with ECED ($r=-0.613$; $P<0.05$). This implied that all the three constructs of parental perception had a significantly negative effect on the education of children accompanying their mothers in prisons.

1.8 Conclusions of the study

Based on the findings of the study, it was concluded that there were a number of educational challenges facing education of children accompanying their imprisoned mothers. These challenges included lack of adequate teachers, lack of training for the teachers, poor learning environment and parental perception towards the education offered at the prisons. The study also concluded that the prison facilities did not have adequate teaching and learning facilities which affected teaching and learning of the prisons. The study also concluded that the programmes were disrupted by the time for entry to prisons and when they left which made it very difficult to have proper schedules for learning. For example one of the teachers indicated that some mothers could come to prison in the morning after conviction and hence the child could enter in the class the following day. The teacher was therefore forced to take care of that particular child hence dragging back learning.

1.9 Recommendations of the study

Based on the findings of the study the following recommendations were made:

- i. That prisons departments should recruit and hire qualified and permanent teachers who are able to teach children accompanying their mothers in prisons.
- ii. The prisons department should ensure that there are appropriate teaching and learning facilities at the prisons so that teaching and learning could be conducted effectively.
- iii. Mothers accompanied by their children in prisons should have a positive attitude towards the education of their children.

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