

**Submission to**

**Parliamentary Law and Order Select Committee for the  
Corrections (Mothers with Babies) Amendment Bill**

**by**



***La Leche League New Zealand***

***Breastfeeding Information and Support***

**6 September 2006**

**We would welcome the opportunity to present a verbal submission to the committee.**

## **Introduction**

Thank you for the opportunity to provide information to the Parliamentary Law and Order Select Committee for the Corrections (Mothers with Babies) Amendment Bill.

La Leche League (LLL) is an international non-governmental not-for-profit non-sectarian organisation whose mission is to help mothers to breastfeed through mother-to-mother support, encouragement, information and education; and to promote a better understanding of breastfeeding as an important element in the healthy development of the baby and mother.

La Leche League New Zealand (LLLNZ) has been supporting mothers and babies in New Zealand for over 40 years, and currently has 50 Groups and 140 trained accredited volunteer Leaders working in communities throughout the country.

We have established connections with health professionals, consumers, government agencies and others in the breastfeeding and parenting communities, and are widely recognised as a leading provider of accurate, up-to-date and consistent information and education on all aspects of breastfeeding.

La Leche League supports this Bill because we believe that babies and young children have the need and the right to be with their mothers for their psychological wellbeing and to be fed with the optimal food for their growth and health. We believe that the fact of a mother's imprisonment is not sufficient reason to deprive the child of this right.

The La Leche League principles of most relevance to this Bill are:

- Mothering through breastfeeding is the most natural and effective way of understanding and satisfying the needs of a baby.
- In the early years, the baby has an intense need to be with his mother which is as basic as his need for food.
- Breast milk is the superior infant food.
- Ideally, the breastfeeding relationship will continue until the baby outgrows the need.

## Key Points

- Breastfeeding mothers and babies form an inseparable biological and social unit. The most basic need of young babies and children is to be fed and nurtured by their mothers.
- The Convention on the Rights of the Child<sup>1</sup> recognises the right of the child to be looked after by his or her parents, not to be separated from them against their will and the right to the enjoyment of the highest attainable standard of health.
- A successful prison mother-baby unit requires an appropriate physical environment and good support systems for the mothers and babies involved.
- Optimal breastfeeding extends well beyond six months, into the second year and beyond. The longer the duration of breastfeeding, the greater are the benefits for the child, the mother and the mother-child relationship:
  - Breastfeeding is a valuable source of nutrition and disease protection for as long as breastfeeding continues.
  - Breastfed children have enhanced intelligence and cognitive skills.
  - Breastfeeding strengthens the bond between the mother and child leading to improved psychological and social outcomes in later life.
  - Breastfeeding enhances the mother's ability to learn to respond to and care for her child.
  - Breastfeeding is good for the mother's health, reducing the risk of premenopausal breast cancer, ovarian cancer, endometrial cancer, osteoporosis, and rheumatoid arthritis.

## **Recommendations**

La Leche League New Zealand supports the Corrections (Mothers with Babies) Amendment Bill.

We support the insertion of clause 81A into Part 2 of the Corrections Act 2004 regarding approval of placement of the baby with the mother but have reservations about 24 months as the age of removal from the mother. We believe that more flexibility is needed within the regulations or that the age of separation should be extended to at least three years or more as seen in mother-baby units overseas.

We support insertion of clause 81B regarding parenting agreements and parenting education into Part 2 of the Corrections Act 2004. We recommend that this include breastfeeding support and the implementation in prisons of a Breastfeeding Peer Counsellor Programme.<sup>2</sup>

The provision of appropriate facilities for mothers, babies and young children is paramount to achieving successful outcomes.

Mothers and babies in mother-baby units should be provided with a diet that provides optimal nutrition during lactation and weaning.

## **Discussion**

### **The Right to Breastfeed**

Principles on the right to breastfeed were set out by the Human Rights Commission<sup>3</sup> in 2005. They include:

- The right to breastfeed should not be limited by any individual, group or party unless the intervention is based on evidence of significant detriment to either the mother or the child.
- Breastfeeding mothers and their babies form an inseparable biological and social unit.

**The Convention on the Rights of the Child recognises the right of the child to be looked after by his or her parents, not to be separated from them against their will and the right to the enjoyment of the highest attainable standard of health**

Article 7: The child shall...have the right...to know and be cared for by his or her parents.

Article 9: Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.

Article 24: Parties recognise the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.

**A successful prison mother-baby unit needs an appropriate physical environment and good support systems for the mothers and babies involved.**

For successful implementation of this Bill an appropriate physical environment must be provided, with support systems for parenting, breastfeeding and nursery programmes taking into account the needs of the individual mother-baby dyads. An appropriate physical environment is one that is safe, separate from prisoners without children, and closely resembles a normal domestic setting. The lactating mother and weaning child will need to be provided with diets appropriate to their specific nutritional needs.

La Leche League New Zealand has available a Breastfeeding Peer Counsellor Programme<sup>2</sup> which it would be beneficial to implement in prison mother-baby units. This would provide mothers with the skills and resources to support other breastfeeding mothers. This life-skill would be of considerable value in the prison environment and also in the mothers' families and communities after their release. Mothers who have been supported to learn good mothering, parenting and community support skills while in prison are more likely to be positive influences in their families and communities on release.

When a child leaves prison before his or her mother the approaching separation must be managed so that the child can build a strong and positive relationship with a new primary caregiver before the separation. Developmentally at this age most young children will experience anxiety when separated from their mother which has long-term implications whether or not the breastfeeding relationship has ended. Also, ideally the breastfeeding relationship will continue until the baby outgrows the need<sup>4,8</sup> which may be beyond 24 months. It is well documented that sudden breaking of the attachment is detrimental to the psychological health and has long-term negative outcomes for the child. We believe there should be some flexibility in the upper age of babies in the unit as is seen in units overseas to minimise the number of mother-baby dyads being separated. Visiting arrangements for children who have left prison prior to their mothers also need to be flexible, to support gradual separation and maintain the ongoing relationship between mother and child.

### **Optimal breastfeeding extends well beyond six months, into the second year and beyond**

The World Health Organisation (*Global Strategy for Infant and Young Child Feeding*, 2002)<sup>5</sup> recommends that all infants be exclusively breastfed for the first half year of life, followed by continued breastfeeding to two years and beyond while nutritionally safe and adequate complementary foods are progressively added to the diet.

The Royal Australasian College of Physicians Paediatric Policy on Breastfeeding (Aug 2006)<sup>6</sup> recommends exclusive breastfeeding to six months with introduction of complementary foods and continued breastfeeding until 12 months of age and beyond if both mother and infant wish.

The American Academy of Family Physicians breastfeeding policy<sup>7</sup> includes the statement that “Breastfeeding beyond the first year offers considerable benefits to both mother and child, and should continue as long as mutually desired. If the child is younger than two years of age, the child is at increased risk of illness if weaned.”

**Breastfeeding is a valuable source of nutrition and disease protection for as long as breastfeeding continues.**

Breast milk is the superior infant food<sup>8</sup>. The World Health Organisation's Global Strategy for Infant and Young Child Feeding (2003) states that: "Breastfeeding is an unequalled way of providing ideal food for the healthy growth and development of infants."<sup>3</sup> Breast milk meets all the nutritional needs of the baby for his or her first six months and continues to be an important part of the baby's diet during the second half of the first year. Babies who continue to be breastfed beyond their first year benefit both nutritionally and immunologically. Breastfeeding has a role in developing and augmenting the baby's own immune system while it matures.

The involvement of breastfeeding in disease prevention is well documented. In studies which divided babies into categories based on the length of breastfeeding, the babies who breastfed longest had lower rates of gastrointestinal illness, upper respiratory tract illness, multiple sclerosis, diabetes and heart disease.<sup>4,9,10,11,12,13,14</sup>

Studies have shown that babies fed on breast milk were less likely to develop allergies than babies fed on artificial baby milks. This protective effect was seen beyond two years with reduced allergic responses in babies with high atopic risk.<sup>15,16,17</sup>

**Breastfed infants have enhanced intelligence and cognitive skills**

A number of studies have shown that breastfed babies have higher IQs than those fed artificial baby milks.<sup>4</sup> This is possibly because the composition of breast milk supports optimal brain development. A recent study showed a significant positive association between duration of breastfeeding and intelligence in young adults<sup>18</sup> Breastfeeding also enhances babies' cognitive development by allowing more control over feeding - the ability to control one's own actions appears to be essential in human development.<sup>19</sup> A study in 1998 found New Zealand babies breastfed for eight months or more had significant increases in cognitive ability and educational achievement which extended into young adulthood.<sup>20</sup>

**Breastfeeding strengthens the bond between the mother and infant leading to improved psychological and social outcomes in later life**

All babies have the right to be with their mothers whether in a breastfeeding relationship or not. In the early years, the baby has an intense need to be with his mother which is as basic as his need for food. Mothering through breastfeeding is the most natural and effective way of understanding and satisfying the needs of the baby.<sup>8</sup> The very nature of the interaction and closeness involved in breastfeeding means that it is an excellent tool in the development of the mother-baby relationship.<sup>21</sup>

The long term effects of a secure early attachment can be seen in the independence, higher self esteem, emotional maturity, social adjustment and relationship skills displayed in later childhood and adulthood.<sup>22,23</sup> The meeting of a young child's dependency needs will help achieve his or her independence. Forced weaning and separation based on current Correction Department policy is cruel and emotionally traumatic for both the mother and baby.<sup>24</sup> This approach considers breastfeeding only as a source of food and fails to understand its significance as a means of comfort, pleasure, and communication for both mother and baby. A baby who is allowed to achieve independence at his or her own pace will achieve a more secure independence.<sup>25, 26</sup>

**Breastfeeding is good for the mother's health, reducing the risk of pre-menopausal breast cancer, ovarian cancer, endometrial cancer, osteoporosis, and rheumatoid arthritis**

Researchers have found that the longer women breastfeed the more protected they are against breast cancer.<sup>27,28,29,30</sup> The lack of or short lifetime duration of breastfeeding typical of women in developed countries makes a major contribution to the high incidence of breast cancer in these countries.

Breastfeeding is also protective against endometrial cancer and ovarian cancer with the effect increasing with duration of breastfeeding.<sup>31,32,33,34</sup>

Not breastfeeding has been identified as a risk factor for maternal post-menopausal osteoporosis and breastfeeding for more than twelve months lowered the risk of developing rheumatoid arthritis, with a significant trend toward lower risk with a longer duration of breastfeeding.<sup>35,36,37</sup>

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