

PRESS RELEASE BIRTH COMPANIONS AND BHATT MURPHY SOLICITORS

Shackled in Labour: Women Demand Justice as Prison Investigation Condemned as "A Sham"

Bhatt Murphy (representing six women prisoners who were handcuffed during labour and while attending antenatal appointments, including internal examinations) and the specialist charity Birth Companions hold serious concerns about the national investigation into the use of restraints during pregnancy and birth, being undertaken by the Prisons and Probation Ombudsman (PPO).

Joint statement: Investigation must be overhauled

Our concerns are focused on the lack of voice being afforded to the women who brought this horrendous treatment to light. Current plans, set out in the Terms of Reference for the investigation, do not include hearing these women's experiences or providing any funding to support legal representation to allow them to play a role in the investigation.

In contrast to the Ministry of Justice and private contractors, the victims are being asked to participate without funding for lawyers.

This lack of voice for the women affected also applies more widely. Unless the investigation is publicised in prisons and to all those who gave birth during a period of imprisonment in the timeline being considered, then it will fail to take full account of the extent and the impact of handcuffing in pregnancy and labour. All those wishing to share relevant experiences should be heard.

Relevant hearings in this investigation must also be public, allowing victims to challenge evidence. This is particularly important given the lack of record-keeping on the use of restraints, and the level of disputes over the facts in such cases.

[Jane Ryan](#), the Partner at Bhatt Murphy acting for the six women, commented:

"To suggest that an investigation into these systemic failures can be 'independent' or 'effective' while the Ministry of Justice simultaneously denies victims funding and a seat at the table is a sham. By treating these women as mere 'case studies' rather than victims with a legal right to be heard, the state is attempting to shield itself. This must be an investigation, not a cover-up."

[Naomi Delap](#), CEO of Birth Companions, commented:

"It is outrageous that the practice of shackling imprisoned women while in hospital is still happening – 30 years after Birth Companions was founded in response to a national scandal on exactly this issue. This is a symptom of a broken system, unable to provide safe and decent care, unable to acknowledge medical risk, and unable to show basic compassion. This is also a closed and secretive system. For years we have argued for women to be helped to understand their rights in custody, and to know about the policies that determine their care. The fact that they don't allows harmful treatment to continue unchecked."

"The only solution is to end the imprisonment of pregnant women in all but the most exceptional of circumstances. It just shouldn't be an option for judges or magistrates to send these women and their unborn babies into a system that endangers them in this way."

Both Bhatt Murphy and Birth Companions insist significant changes must be made to the proposed Terms of Reference if the PPO's work is to meet the requirements of an Article 3 investigation, fully exploring the use of restraints and the state's duty to avoid inflicting inhuman

or degrading treatment. If these changes are not made this investigation will be susceptible to judicial review.

Bhatt Murphy has submitted a formal response to the Secretary of State and is awaiting his reply.

Notes to Editors: Background

On 22 January 2025, Bhatt Murphy Solicitors wrote to the Secretary of State for Justice raising concerns about two pregnant women who had been handcuffed during labour. Under public law duties including Article 3 ECHR (prohibition on torture and degrading treatment) they called for an independent investigation into the use of handcuffs on pregnant women.

The Secretary of State provided no substantive response. With no answers forthcoming, and amid concerns that more women may have been affected, the clients spoke to Channel 4 News in February 2025. The coverage prompted widespread public concern and calls for accountability, with the Justice Select Committee raising the issue directly with Lord Timpson, the Prisons Minister.

[In a letter to the Justice Select Committee dated 13 June 2025](#), Lord Timpson described the allegations as "deeply concerning" and announced an independent investigation led by the Prisons and Probation Ombudsman (PPO). The investigation covers the use of restraints on pregnant women across all women's prisons in England and Wales between 2021 and 2025.

Draft Terms of Reference were provided on 18 December 2025. Bhatt Murphy and Birth Companions believe the investigation as constituted is wholly inadequate.

About Bhatt Murphy: Bhatt Murphy is a leading public law and human rights firm based in London. Jane Ryan is the partner with conduct of this matter and acts for six women who were handcuffed during labour and at antenatal appointments while in prison custody.

About Birth Companions: Birth Companions is a specialist charity supporting women who are pregnant or in the early stages of motherhood in the most difficult circumstances, including those in the criminal justice system. Birth Companions was founded 30 years ago in direct response to concerns about the treatment of pregnant women in prison.

The PPO Investigation: Commissioned by Lord Timpson, Prisons Minister, on 13 June 2025. It covers the use of restraints on pregnant women across all women's prisons in England and Wales between 2021 and 2025. Draft Terms of Reference were issued on 18 December 2025.

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