Reviewer’s report

Title: ‘Mankind owes to the child the best that it has to give’: Prison conditions and the health situation and rights of children incarcerated with their mothers in Sub-Saharan African prisons.

Version: 1 Date: 25 Oct 2018

Reviewer: Lukas Muntingh

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Comments on: Mankind owes to the child the best that it has to give': Prison conditions and the health situation and rights of children incarcerated with their mothers in Sub Saharan African prisons.

The article is an ambitious project and will make a valuable contribution, but there are a number of concerns that need to be raised.

1. Context is all important. Regardless of age and gender, the overwhelming majority of prisoners in Africa are detained under conditions that do not meet or only partially meet accepted standards such as the 2015 UNSMR. Overcrowding is pervasive for the simple reason that nearly all African states have failed to invest in prison infrastructure (South Africa being the obvious exception). It is therefore not only imprisoned mothers with their children that are suffering poor conditions, but the entire prison population. It is also the case that women are targeted for law enforcement in some instances and thus ending up in prison often on petty offences (e.g. female street traders are frequent targets of the police in many African countries). In many African states, pre-trial detainees can remain awaiting trial for lengthy periods and this will exacerbate the impact of poor conditions of detention. This particular point is not sufficiently explored.

2. On a methodological level further concerns must be raised. As noted, this is an ambitious project covering a time span of 18 years and potentially 54 countries where it is widely accepted that reliable data on criminal justice systems is lacking in a material sense. In this environment it becomes increasingly difficult to make statements on particular trends or given the time scale, to state that something is so-and-so or it is not. This is especially the case if data from several years ago are used, or a particular sample was small, or very focused. In short, generalisations are made at significant risk and it would be safer to be more specific when describing something, for example: "In 2005 it was found at Langata Female Prison in Nairobi, Kenya, that infants received nutritional supplements through donations from the Catholic church." In a number of instances, the authors list several countries and problems in one sentence creating the impression that all these problems are prevalent in all these countries all the time and it remains the situation.

3. The authors clearly set out their methodology and there is no problem there. However, in checking some of the statements it became clear that a study of this nature relying on data bases accessible to the academic and research community have their limitations, as in-
country data sources (e.g. parliamentary minutes) and reliable media reports (e.g. investigative journalism and news reports on YouTube) can render further information, and even contradict earlier research findings. In-country knowledge is therefore important to verify if a particular statement still holds, especially if there has been a significant time lapse.

Are the methods appropriate and well described?
If not, please specify what is required in your comments to the authors.

Yes

Does the work include the necessary controls?
If not, please specify which controls are required in your comments to the authors.

Unable to assess

Are the conclusions drawn adequately supported by the data shown?
If not, please explain in your comments to the authors.

No

Are you able to assess any statistics in the manuscript or would you recommend an additional statistical review?
If an additional statistical review is recommended, please specify what aspects require further assessment in your comments to the editors.

Not relevant to this manuscript

Quality of written English
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