Key challenges facing women involved in the system that are not the responsibility of criminal justice services

It is well established that women in the criminal justice system face considerable disadvantage, with backgrounds of mental ill health, poverty, addiction and experiences of abuse and trauma across their lives. As a result, many face multiple, complex and often overlapping needs that should be addressed by a range of services outside of the criminal justice system.

Women account for 18% of self-harm incidents in prison despite making up only 5% of the prison population, and 2016 saw suicides among female offenders more than double on the preceding year. Of the women who use Women in Prison’s services 79% report having experienced domestic and/or sexual violence. Housing is another key issue and many women’s centres report this to be a growing problem; many women enter custody homeless or lose their homes while in custody and up to 60% of women prisoners do not have homes to go to on release. Women’s criminal justice involvement can be hugely damaging both children, with 95% separated from their mother by imprisonment having to leave the family home to go into care or live with relatives. Mapping the Maze, a report by Agenda and AVA (Against Violence and Abuse), found patchy provision of services for women facing addiction, homelessness, contact with the criminal justice system, and mental ill health, with a woman’s ability to access services being dependent on where she lives. Our online map allows you to identify what service provision for women exists in local areas. Services for women involved in the criminal justice system were found in just 64.2% of English local authorities and 40.9% of Welsh unitary authorities. There appear to be considerable gaps in the gender specific probation support being provided to female offenders.

There are specific challenges facing black, Asian and minority ethnic women (BAME), who are disproportionately represented in the criminal justice system. Agenda and Women in Prison’s report, Double Disadvantage, explores how gender and ethnicity combine to shape the experiences of BAME women in the system, and found that many felt that their ethnicity and gender had adversely affected the sentence they received. On top of this, specialist services for BAME women are limited and particularly vulnerable to funding cuts.

Potential cross-departmental solutions

As a result of the complexity of challenges facing women, solutions to meeting women’s needs must be developed cross-departmentally. Key to this is joint leadership and joint commissioning at the local and national level to promote the needs of women and the services that support them.

Women’s services, including women’s centres, have a proven track-record of providing effective therapeutic and practical help and interventions that support rehabilitation and help women turn their lives around. Ministry of Justice’s own analysis shows a statistically significant reduction in re-offending rates for those who receive support from women’s centres. Modelling suggests that investing £18m per year in women’s centres could save almost £1billion over 5 years. We would like to see a national network of such centres adequately funded and accessible to women across the country.

We know that many of the already limited services available for women in contact with the justice system are under considerable financial pressure with a risk that some may reduce the services they can provide or be unable to operate altogether. Services frequently fund their work through a number of funding streams, leading to fragmented budgets, and challenges in being able to deliver the holistic solutions that they know works to reduce reoffending. Sustainability and continuity of these specialist services is vital if we are not to lose the expertise, relationships and goodwill that have been built up over many years and that are necessary for joined-up interventions.

This fragmentation is reflected centrally, where policy for women is not coordinated across departments and the connections between women’s offending and its underlying causes are not effectively responded to. Central government should work to set a central agenda for women,
including championing the use of pooled budgets and encouraging similar approaches on the ground.

**Key priorities for the Reducing Reoffending Taskforce**

The Reducing Reoffending Taskforce must prioritise the needs of women, helping to join up work between departments to recognise and tackle the multiple complex challenges women in the criminal justice system face.

There must be a greater focus on reducing the number of women in the justice system. Many women who are arrested, prosecuted and go through the courts do not need to be there. The Taskforce should focus on opportunities to divert women away from prison and provide earlier intervention to prevent women from reaching crisis point before they access services through the justice system. This should include exploring a presumption against short custodial sentences, a review of the use of recall, and a review of Transforming Rehabilitation and the impact this has had on women’s services.

Solutions must be found to the funding crisis facing the services that we know work to support women. A cross-departmental national funding pot should be developed to support a network of women’s centres across the country, alongside local commissioning and funding models that support the provision of gender-specific services for women, including women's community services.

Addressing race disproportionality: as set out in the recent reports highlighting the overlooked inequalities affecting Black, Asian and Minority Ethnic women, published to inform the Lammy Review (Double Disadvantage and Counted Out\(^{12}\)).

About Agenda

Agenda, the alliance for women and girls at risk, is working to build a society where women and girls are able to live their lives free from inequality, poverty and violence. We campaign for women and girls facing abuse, poverty, poor mental health, addiction and homelessness to get the support and protection they need. [www.weareagenda.org](http://www.weareagenda.org)

June 2018

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3. Prison Reform Trust press release, ‘**Majority of women in prison have been victims of domestic abuse**’, 4th December 2017
7. [https://www.mappingthemaze.org.uk/](https://www.mappingthemaze.org.uk/)
8. Agenda and Women in prison, *Double Disadvantage*, 2017
12. PRT, *Counted Out*: Black, Asian and minority ethnic women in the criminal justice system, 2017
Further written evidence from Agenda

About this briefing
This short briefing follows a seminar with members of the Justice Select Committee on cross-departmental issues affecting people in the criminal justice system held on Tuesday 19 June 2018. It outlines a number of points raised in the discussion around ‘cross-cutting issues related to equalities, including gender, ethnicity, age and disabilities’, with Victoria Prentis MP and Bambos Charalambous MP.

Background
It is well established that women in the criminal justice system face considerable disadvantage, with backgrounds of mental ill health, poverty, addiction and experiences of abuse and trauma across their lives. Many women end up in custody because of a lack of community support to help them address their multiple, complex and often overlapping needs. Significant improvements must be made to ensure there are a range of services outside of the criminal justice system that would prevent women’s offending in the first place, including mental health provision, treatment for addictions and social care in the community.

The Female Offender Strategy
We welcome the general direction of the Female Offender Strategy (MOJ, 2018), particularly its emphasis on community support, reducing the female prison population and diverting women from coming into contact with the system.

We are concerned, however, that without adequate investment it represents a missed opportunity. The £3 million of new funding announced is simply not enough to ensure vital women’s services are able to support women in the way the strategy recommends.

Modelling suggests that an investment of at least £20m in community services is required for the Strategy to be effective. Estimates are that female offenders currently cost the government £1.7bn so investment from across government in preventing offending and reoffending could yield significant savings.

Women’s community services
Women’s community services have been proven to be effective in both preventing women entering prison and in rehabilitating those who do. It is welcome that the role they play in reducing reoffending is recognised in the Female Offender Strategy. Yet in recent years, funding pressures have meant many services, including some of our member organisations, have struggled to maintain vital support and some have closed completely.

Mapping the Maze, a report by Agenda and AVA (Against Violence and Abuse), found patchy provision of services for women facing addiction, homelessness, contact with the criminal justice system, and mental ill health, with a woman’s ability to access services being dependent on where she lives.

Services frequently fund their work through a number of funding streams, leading to fragmented budgets, and challenges in being able to deliver the holistic solutions that they know works to reduce reoffending. Sustainability and continuity of these specialist services is vital if we are not to lose the expertise, relationships and goodwill that have been built up over many years and that are necessary for joined-up interventions.

Recall
The number of women recalled to custody following their release has increased by 127% since the extension of mandatory supervision, compared to a 14% rise for men. Lack of access to supportive community services can contribute to recall, as identified in the
Female Offender Strategy. The quality of relationship between a woman and her offender manager, and the type of support and supervision they provide, is also critical. The use of recall as a mechanism must be investigated to determine the drivers of this worrying trend.

**BAME women**

There are specific challenges facing black, Asian and minority ethnic women (BAME), who are disproportionately represented in the criminal justice system and urgent action must be taken to redress this. Agenda and Women in Prison's report, Double Disadvantage, explores how gender and ethnicity combine to shape the experiences of BAME women in the system, and found that many felt that their ethnicity and gender had adversely affected the sentence they received.iii On top of this, specialist services for BAME women are limited and particularly vulnerable to funding cuts.iv

**Children and mothers**

Women's criminal justice involvement can be hugely damaging to children. Of women cautioned or convicted in 2012, an estimated 24 -31% had dependent children.v Almost two- fifths of mothers in prison said their offending was driven by ‘a need to support their children’, with 95% of children separated from their mother by imprisonment having to leave the family home to go into care or live with relatives.vi This underlines the importance of meeting women's unmet needs outside the criminal justice system and without the use of custodial sentences wherever possible.

**Mental health**

Women account for 18% of self-harm incidents in prison despite making up only 5% of the prison population,vii and 2016 saw suicides among female offenders more than double on the preceding year.viii Prison is not the right place for women with such severe mental health problems. More women with mental health issues must be diverted from the prison system and far greater efforts must be made to ensure all services they are in contact with work in a trauma informed way.

**Girls and gangs**

Girls are increasingly involved in the activities of gangs, with 90% of areas reporting that gangs are using young women.ix This involvement puts them at increased risk of violence and sexual exploitation and fulfil roles that pose considerable risk to themselves.x Too often girls at risk of offending are seen by public services as a “problem”, rather than identifying the root cause of their behaviour or recognise their experiences of abuse and violence. Much greater effort needs to be made to listen to and believe girls, and to invest in services working with girls to ensure that the necessary support is there to help them and prevent their involvement in the criminal justice system.

**Agenda recommendations**

1. Solutions must be found to the funding crisis facing the services that we know work to support women. The budget for the Female Offender Strategy must be reconsidered to ensure the strategy can most effectively be implemented.

2. Beyond this, government should work to set a central agenda with joint leadership for women at risk. This should include a cross-departmental national funding pot, used to support a network of women's centres across the country.

3. The pooling of central budgets and joint commissioning should be replicated at the local level to support the provision of gender-specific services for women, including women's community services.

4. Now it has been published, the Justice Committee should scrutinise the
effective implementation of the Female Offender Strategy and ensure the approaches to joining up work between departments recognise and tackle the multiple complex challenges women in the criminal justice system face.

5. The Justice Committee should also ensure its approach to gathering evidence on the effectiveness of the Transforming Rehabilitation programme specifically considers women and women’s community services.

June 2018