About Women in Prison

Founded in 1983, Women in Prison (WIP) aims to reduce the number of women in prison and prevent the harm caused to women and their families by imprisonment. Women in Prison’s proposals are based on experience of delivering gender-specialist trauma-informed support services in prison and the community for women affected by the criminal justice system.

For more information see www.womeninprison.org.uk

About Women in Prison (WIP):

Women in Prison (WIP) is a women-only organisation that provides holistic, gender-specialist and trauma-informed support to women affected by the criminal justice system. We work in prisons, in the community and “through the gate”, supporting women leaving prison. We run three women’s centres (in Manchester, Woking and Lambeth, London) which include support for diversion schemes for women at early stages of involvement in the criminal justice system, as well as support for women on community sentences and on release from prison. Our combined services provide women with support around advocacy, complex needs, domestic and sexual violence, physical health, mental health, substance misuse, parenting and education.

We advocate for a significant reduction in the numbers of women being sent to prison and for strengthened community support services.

Our policy and campaigns work is informed by our frontline support services for women, delivered at every stage of a woman’s journey through the criminal justice system. The experience and knowledge of staff working directly with women affected by the criminal justice system enable us to see first-hand how well policy is implemented in practice. We are currently leading the 2020 Ambition to halve the number of women in prison from around 4,000 to 2,020 (or fewer) by 2020.
About this consultation response:

Our response to this consultation is concerned specifically with women involved in the criminal justice system.

Recommendations:

As an organisation we do not work in Wales but through our work in prisons we come across Welsh women held in prison in England. While Wales faces similar criminal justice issues as England, it could be argued that Wales is in an excellent position for piloting innovative approaches for women’s justice due to the relatively small size of its women’s cohort. Drawing on our experience of working in England, we would like to make the following recommendations for Wales:

- Improve community provision for Welsh women through investment in community alternatives to custody in the form of women’s centres and housing
- Transform the justice system for women through establishing problem-solving justice initiatives such as Criminal Justice Liaison Services (CJLS) so that the root causes of offending are tackled at an early stage, with a focus on prevention
- Ring fence central funding to support core women’s centre provision for women in the criminal justice system
- Ensure Welsh language provision in all criminal justice services for women to encourage rehabilitation and family contact
- Do not build a women’s prison in Wales as a response to cross-border issues; instead redirect any such funding into more cost-effective rehabilitative community provision that tackles the root causes of offending
- Do not house women in wings of men’s prisons as a response to cross-border issues; instead ensure dignity, safety and rehabilitation for women through gender-specific provision in community services
Inquiry:

The inquiry seeks to address the following points:

1. Provision for women prisoners and young offenders in Wales
2. Welsh language provision in prisons
3. Cross border issues, including the placement of prisoners from Wales in English prisons
4. The potential for new prisons in Wales

Response:

1. **Provision for women in the criminal justice system in Wales**

   **The need for community alternatives to custody**

   The debate around provision for women prisoners in Wales must not be restricted to discussions about which prisons are most appropriate for women or how to make minor adjustments to the current prison estate. Instead, the debate should be re-framed to consider how to best prevent the offending that leads to women’s imprisonment in the first place.

   The answer to reducing women’s (re)offending lies in investment in:

   - Community support services to tackle the root causes of offending
   - Housing for women to prevent homelessness and
   - Problem-solving justice initiatives as alternatives to needless and counter-productive custodial sentencing

   **Women's centres as long term, sustainable criminal justice alternatives**

   Women's centres can be used as important resources for court and police diversion schemes, as part of a package of measures for community sentences and for the delivery of probation and other programmes. There have been some positive initiatives in England in recent years, with women's centres being used for Liaison and Diversion schemes – in Wales referred to as Criminal Justice Liaison Services (CJLS) - although the total number of schemes has been limited nationally. Another type of services which women's centres can provide is early intervention for women and girls at risk of offending.
Our understanding is that excellent services like the North Wales Women’s Centre and other Welsh women’s services have a funding situation that is as challenging as similar centres in England. The North Wales centre was one of very few projects which submitted a successful Tampon Tax application in 2017, but this does not address the longer term funding challenge of sustainable funding. Like English services, Welsh women’s service providers find that that there is a lack of understanding of how overstretched staff are and how difficult the funding situation is in the sector. Services like these need to be seen as core essentials, not optional extras, and funded by local authorities, police, health and other partners accordingly.

Women’s centres enable women to address root cause of offending while not additionally battling the harm of prison. They focus on building self-esteem and a community. Recent cost benefit analysis from our women’s centre in Manchester proved a return on investment of £4.68 for every £1 spent – cashable within a year.

Early intervention to prevent criminal justice system involvement

Early intervention is key, not just to divert women when they first come into contact with the criminal justice system but also to prevent women entering the criminal justice system in the first place. The absolute majority of women’s offending is related to lived experiences of poverty, insecure housing, mental ill health, abuse (domestic, sexual and child abuse) and addiction. Community support for disadvantaged girls, young women and women are therefore crucial in order to prevent a slippage into the criminal justice system, especially as once entered it is very difficult to exit. Women’s centres can, and do, provide this support.

Holistic ‘one-stop-shops’ for women in the criminal justice system

Due to the multiple and complex needs faced by women in the criminal justice system, women tend to require support around various issues such as benefits and debt, housing, domestic violence, parenting, substance misuse or health. Women facing multiple disadvantages often also need encouragement to attend appointments or advocacy in professionals meetings. In addition to practical advice and support, many women benefit from emotional support and the simple knowledge that there is a professional available to them if they need to reach out for help. Each women’s centre is different and tailored to suit local needs, but all ‘one-stop-shop’ women’s centres are able to provide holistic services to women in a women-only, safe environment. ‘North Wales Women’s Centre’ in Rhyl runs such a service and we strongly urge that this model is extended across Wales. ‘Include’
(formerly Gibran)\textsuperscript{ii}, has recently opened a community hub in Swansea and provide support to women in the local area. As with other examples of excellent local practice though, sadly provision and progress have been inconsistent nationally – with women facing a postcode lottery in terms of accessing women’s centres.

**Funding for women’s services**

The funding of women’s centres is an investment with significant benefits for public safety, life chances and “human capital”. It is also a cost-effective way of managing public spending – as government commissioned analysis has confirmed through Justice Data Lab data on women’s centres\textsuperscript{iii}. Women’s centre services differ slightly depending on sources and levels of funding and location but all share the ability to provide services that are significantly less costly than prison – and more effective.

A Prison Reform Trust argues, there are compelling economic reasons to support and develop alternative approaches: The average cost of keeping a woman in prison for a year is £42,765 compared to a Community Order cost of £2,800 per year and an average of £1,360 per woman for standalone holistic community-based services\textsuperscript{iv}. We know from running our services that a women’s centre can be run on an average annual budget of approximately £500,000 which enables support services at that centre for up to 300-400 women per year. Compare this to the running costs of prison at £42,765 per woman in prison.\textsuperscript{v}

It is vital that funding for women’s support services is increased, long-term and stable. Women’s centres and other voluntary support services are already struggling to meet demand from service users and are often expected to pick up those let down by statutory services. In order to increase resilience of the women’s sector, direct, sustainable, long-term, stable and adequate funding for women’s centres is crucial. With adequate funding, women’s centres have the ability to become long term sustainable solutions to the criminal justice and social crisis of those with complex needs caught in a cycle of offending.

**Housing**

Housing is a major barrier to desistance for women and needs to be a cornerstone of any criminal justice strategy. It is absolutely vital that women have access to appropriate housing in order to reduce women’s offending. Homelessness is a major driver of women’s offending, as well as a devastating consequence of imprisonment. The link between homelessness and offending has, to date, not been given sufficient attention by policy makers and the two issues are often looked at in isolation. It is sadly not sufficient to simply increase funding for
housing advice and support services, but the actual availability of housing stock itself also needs to also increase in order to solve our current housing crisis, making it a cross-departmental issue.

Homelessness relates directly to the other obstacles facing women in the criminal justice system. Many women caught up in the criminal justice system lack support networks. In the event of homelessness, many women with substance misuse issues (and often associated mental health issues) are forced to stay with peers involved in substance misuse, hence seriously running the risk of relapsing if they have previously been detoxed. Some women have to choose between the “least bad” option, which may involve facing a choice between sexual exploitation and street homelessness. Similarly, many women who are in abusive relationships face choosing between homelessness and staying with abusive partners. Lack of appropriate housing therefore has a tragic direct effect on women’s physical and mental health. Given the above, safe and suitable housing is also a fundamental prerequisite for the success of community sentencing.

Women affected by the criminal justice system are relying on supported housing more than ever. Many women are incredibly vulnerable and need support but are still not deemed vulnerable enough by their local council to be eligible for housing. Supported housing provides a housing option for these women and it is vital that this provision is extended. There are several excellent services on which increased support housing can be modelled, for example ‘Anawim’ in Birmingham who run a women’s centre with linked supported housing.

**Problem-solving justice and Criminal Justice Liaison Services (CJLS)**

In recent years, there have been several examples of problem-solving justice initiatives for women, including police-based triage, Integrated Offender Management (IOM), restorative justice and Criminal Justice Liaison Services (In England referred to as Liaison and Diversion schemes). We strongly recommend these are extended and become the norm for women in contact with the criminal justice system. There have been some very positive developments in recent years, with women’s centres being used for Liaison and Diversion schemes. We would recommend that the Welsh affairs committee looks to the number of past and existing successful pilot schemes in order to determine how to best roll out and extend these schemes.

A focus on diversion should be central to any criminal justice strategy for women in Wales. However, a crucial point here is that for problem-solving justice interventions such as
diversionary schemes to work, women not only need to be diverted away from custody but also need diverting toward support in the community. More investment in and funding for women’s centres and other services is therefore vital if diversion and other community options are to become long term sustainable criminal and social justice solutions.

**Mental Health Diversion**

A greater focus on mental health support for women is also needed in order to reduce reoffending for women. Diversion from custody into community mental health support for the majority of women with mental health needs is in line with Lord Bradley’s recommendations. There are several examples of Mental Health Liaison and Diversion schemes being successfully rolled out across the country that can be built on. One example is the work undertaken by Together for Mental Health and their work in courts, which includes gender-specific work with women.

2. **Welsh language provision in prisons**

We do not hold any expertise around Welsh language provision and therefore have no specific comments on how to best achieve this aim. We would simply refer to the suggestion made by Cymdeithas that if Welsh speaking prisoners are imprisoned in England, the same rules and linguistic rights should apply to them as would be the case in Wales. However, we understand that this issue is further complicated by the fact that availability of Welsh language provision such as books and rehabilitative support in Welsh is inconsistent across prisons, even within Welsh prisons. From a rehabilitative perspective, this is clearly counterproductive. Furthermore, family contact, a human right and an important rehabilitative factor, must not be impeded by preventing Welsh prisoners from speaking in their mother tongue to their children and family, whether on the phone or in visits.

3. **Cross border issues: Placement of prisoners from Wales in English prisons**

As outlined by the committee, evidence suggests that the best outcomes are achieved when prisoners are housed nearer their communities. Despite this, Welsh people are often sent to English prisons due to a lack of Welsh establishments. As discussed, many Welsh women are imprisoned at HMP Eastwood Park, Gloucestershire or HMP Styal, Manchester, despite evidence that locating people closer to their communities is more cost-effective for the
taxpayer and makes reoffending less likely. There are a number of reasons why being housed in a prison far from home is damaging. Through closeness to home, prisoners are more likely to receive visits from friends and family, including children. This is a particular issue for English and Welsh women who face an average distance from home of 66 miles due to the small number of prison establishments in the women’s estate. Family contact is crucial to women’s wellbeing and healthy family relationships are significant motivating factors for rehabilitation and desistance. Closeness to home also enables effective rehabilitation in other areas, with local voluntary sector agencies being able to provide in-reach and prison link services in prison, thus engaging with and building relationships with prisoners prior to release. This way, support plans can be put in place in advance of release and through-the-gate support can be offered to prison leavers on the day of release. Support provision by local agencies ensures local knowledge of services such as community substance misuse support, mental health support and education, training and employment (ETE) opportunities.

It is vital for women’s services to be able to connect directly with women while in prison, so that they are more likely to engage with services when released into the community. This can happen through Prison Link Workers or Advocates. However, the “Transforming Rehabilitation” (TR) reforms have seriously impacted on the development of such vital support services. These are now largely focused on the administrative management of Post Sentence Supervision, rather than facilitating long term engagement with services. The term “through the gate” used to apply to that long term engagement and support from pre-release through to community support. Now the focus of the new CRCs is on ‘to the gate’, not genuine “through the gate”, with handover to probation supervision. This is missing the vital issue of engagement with women’s services and the need for women with complex needs to build long-term, trusting relationships. This gap in delivery is being recognised, including in the most recent HM Probation report

4. Potential for new prisons in Wales

There is extensive evidence over a long period that prison does not address the issue of women’s offending at its root – and in fact causes harm. This is the case even when we know that staff are doing their best and women’s prison governors are trialing innovative ways of working within the prison system. Reoffending rates for women who have served prison sentences are staggeringly high. Put simply, imprisonment acts to reinforce trauma,
cause mental ill health and increase risk of self-harm. Since 2016, 14 women have taken their own lives in prison. Even a few weeks in prison is enough to lose your home, job and children. Having been in prison is itself a barriers to finding work, regardless of the low level of the offence. Being in prison can mean an individual is regarded as having made themselves intentionally homeless. Because women are much more likely than men to be primary carers of children and to have other family caring responsibilities, the impact of women’s imprisonment has a significant impact and cost to families, communities and social services. When a mother is imprisoned in 9 out of 10 cases her children will have to leave their own home harm either to go into care or live with relatives.

It is important to note again here that the vast majority of women in prison are there for non-violent offences, often theft, including shoplifting.

All available evidence points towards specifically not building any new women’s prisons including in Wales. As outlined at the beginning of this document, any cost associated with building new prisons would be much better spent on community alternatives to custody in the form of women’s centres and linked supported housing. Investment in community alternatives is more likely to result in prevention, reduced (re)offending and increased rehabilitation, hence reducing the very need for a prison. The majority of women sentenced to prison do not pose a risk to society; around 85% of sentenced women have committed a non-violent offence\(^x\) with theft accounting for over half of all custodial sentences\(^xi\). Custodial sentencing is highly ineffective at reducing reoffending, with 6 in 10 women on short sentences reoffending within a year\(^xii\).

**Risks of increasing the prison population**

There is a significant risk that building a new facility leads to an increase in the women’s prison population - inadvertently increasing the use of prison sentences for Welsh women. This is a particular risk if the funding situation for women’s services remains as dire as it is currently. Investing in women’s community alternatives could increase sentencer confidence and make a significant difference in improving understanding of the counterproductive impact of imprisonment.

Any proposal to build a prison for women in Wales is a lost opportunity, both in terms of focus and spending. Evidence from other countries (such as Canada) shows that once
additional prison places are built they will be used, even where the need for additional capacity was not the motivating factor for the new prison. All evidence to date shows that the prison crisis has worsened amidst the building of new prisons in England. Experience shows that new prisons involve a risk of increasing the prison population, especially when community services are in crisis. We already see sentencers using prison as a “place of safety” and there is a risk that expensive new prisons will be seen as a better option than community sentences, thus increasing the prison population.

Women’s wings in male prisons

One way of attempting to solve the problem of women’s distance from home has been to place women in wings of male prisons. This is the case with Ash House at HMP Hydebank Wood in Northern Ireland. It has also, in recent years, become a practice in Scotland where women are dispersed across the country in a number of male establishments. While this option does facilitate closeness to home, it is highly unlikely to result in women taking full advantage of rehabilitative services within the prison establishment. Shared facilities entail several practical and logistical difficulties around women’s access to work, training, gym, library, healthcare and other services. Inevitably, in a male prison women’s access to these essential facilities would need to fit around the access of the male prisoners who would, as the majority, take priority. There would also be an impact on the culture of the prison and the ability of staff to respond appropriately to the specific needs and circumstances of women prisoners. Policies, security levels and other operational decisions would be set in response to the majority male prison population, to the detriment of women prisoners. In terms of staff expertise, working with women prisoners requires an understanding of trauma-informed practice and the specific challenges facing women (including experience of domestic and sexual abuse). A male establishment, staffed with officers lacking experience of gender-specific working, cannot possibly offer a sufficiently rehabilitative environment tailored to women’s specific needs. Any such development would be a backward step and a move away from the recommendations put forwards in the Corston Report.

Small custodial units

Any initiative to replace current prisons with small community units (as recommended in the Corston Report) should be reserved for the small number of women on long sentences for the most serious offences that represent a serious risk to the public. The units recommended
by Baroness Corston were intended to focus on providing holistic care and best prepare women for release through support and effective rehabilitation. The Units recommended in the Corston Report were specifically intended to be based in communities, not wings of men’s prisons. Crucially, small custodial units, as envisioned by Baroness Corston, were intended as a replacement for the current prison model and alongside community support for the majority of women in the criminal justice system.

Cost-effectiveness

The recent building of very large men’s prisons in Wales may be cost-effective in terms of daily running-costs, in comparison with other prisons. However, the human costs of this “warehousing” approach are extensive and they are not cost-effective in the longer term in respect to rehabilitation and reduced reoffending levels. Very large prisons are less safe and less effective for all types of prisoners but are particularly unsuitable for women given their need for gender-specific intervention. Due to the small women’s population, clearly a “super-prison” specifically for the women’s population is not an option. As discussed above, a strong case can also be made against women’s wings of large male prisons.

Conclusion:

The call for evidence stated that this inquiry will ask “what more the Ministry of Justice can do to ensure that prisoners are in an environment that gives them the best chance of reform”. As we have shown, what the Ministry of Justice can do is to invest in community alternatives to custody, primarily a network of women’s centres, in order to enable women to receive preventative and rehabilitative support, giving them the best chance to desist and rebuild their lives outside of the criminal justice system.

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1 http://www.northwaleswomenscentre.co.uk/
2 http://include-uk.com/
3 Ministry of Justice, Justice Data Lab Re-offending analysis: Women’s Centres throughout England, 2015
5 Ministry of Justice, Cost per place and cost per prisoner by individual prison, NOMS annual report and accounts 2015-16, management information addendum
6 http://www.anawim.co.uk/
vi The Bradley Report (2009) Lord Bradley’s review of people with mental health problems or learning disabilities in the criminal justice system
vii https://publications.parliament.uk/pa/cm201415/cmwelaf/113/11306.htm

ix HM Inspectorate of Probation (2018) Quality & Impact inspection: The effectiveness of probation work by the National Probation Service in London
	Table 2.4, Ministry of Justice (2016) Offender management statistics quarterly: April to June 2016, London: Ministry of Justice
xiii Baroness Corston (2007) A report by Baroness Jean Corston of A review of women with Particular vulnerabilities in the Criminal Justice system