

c/o Police and Crime Plan Consultation  
The Mayor's Office for Policing and Crime  
City Hall  
The Queen's Walk  
London  
SE1 2AA

2<sup>nd</sup> March 2017

Dear Sophie Linden,

The Prison Reform Trust welcome the opportunity to comment on the draft of the Police and Crime Plan for London 2017-2021.

I am happy to enclose a brief response to the questions set out in the consultation document. The Prison Reform Trust is currently engaged in a 3-year Big Lottery funded programme 'Transforming Lives' which seeks to reduce the number of women sent to prison across the UK. Given this expertise we have largely focused on the needs of women who come into contact with the criminal justice system.

I also enclose an embargoed copy of our latest discussion paper '*Fair Cop? Improving Outcomes for Women at the Point of Arrest*'. This paper builds the case for greater use of 'problem-solving approaches' for women at the point of arrest in cases where the harm caused by an offence is low but the needs of the individual may be multiple and / or complex. It demonstrates the potential of a whole systems approach to improve outcomes for women who come into contact with the criminal justice system and drive the reform of public services as part of the devolution agenda.

With the appointment of a new Metropolitan Police Commissioner, a revised police and crime plan and the closure HMP Holloway there is a now a real opportunity to think differently about the delivery of criminal justice services in London, including prison management, and I welcome the opportunity to discuss this with you further once the plan has been published.

Yours sincerely,

Peter Dawson  
Director, Prison Reform Trust

## **Prison Reform Trust response to the Draft Police and Crime Plan for London 2018-2021 – Consultation Document—March 2017**

The Prison Reform Trust (PRT) is an independent UK charity working to create a just, humane and effective penal system. We do this by inquiring into the workings of the system; informing prisoners, staff and the wider public; and by influencing Parliament, government and officials towards reform. The Prison Reform Trust provides the secretariat to the All Party Parliamentary Penal Affairs Group and has an advice and information service for people in prison.

The Prison Reform Trust's main objectives are:

- reducing unnecessary imprisonment and promoting community solutions to crime
- improving treatment and conditions for prisoners and their families.

[www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

### **Introduction**

We welcome the opportunity to provide our feedback on the Draft Police and Crime Plan for London 2017-2021.

The Prison Reform Trust is currently engaged in a 3-year Big Lottery funded programme 'Transforming Lives' which seeks to reduce the number of women sent to prison across the UK. Given this expertise we have developed in this area we have focused on the needs of women who come into contact with the criminal justice system, whilst recognising that many of these themes will also be applicable to men and young people.

Approximately 30,000 women are arrested each year in London and 1,200 women were sentenced to immediate custody in 2015, many of whom return to London with poor housing and employment outcomes and a high risk of reoffending. Because women represent a small minority of those in the criminal justice system they are often overlooked in criminal justice policy, planning and service design. We have therefore directed our response to questions '6) What would you like to see more emphasis on?' and '7) Is there anything else you think the Mayor should take into account when creating his plan?'

Our response is divided into the following sections for ease of reference:

- Opportunities for early intervention
- Coordination with health and social care agencies
- Violence against women and girls
- Care and resettlement of offenders
- Building the infrastructure of women's services following the closure of HMP Holloway

### **Opportunities for early intervention**

We welcome the focus on prevention and early intervention in the draft Police and Crime Plan. There is now mounting evidence that effective early intervention can improve outcomes for individuals and their families, promote public protection and reduce the need for costly late interventions like prison. The average cost of keeping a woman in prison for a year is £42,765 compared to a Community Order cost of £2,800 and an average of £1,360 per woman for

standalone holistic community-based services.<sup>1</sup> Women Centred Working have estimated a cost of £4,120 to support one woman to achieve positive outcomes over a two-year period compared to the cost of £69,041 for targeted local authority services for those deemed high need.<sup>2</sup>

However, we would encourage the Mayor of London to adopt a wider definition of early intervention that incorporates the 'early years' focus of the draft Police and Crime Plan and services (both targeted and universal) that support individuals regardless of age who are at risk of entering the criminal justice system. Both are necessary elements of Police and Crime plan that places prevention and early intervention at the heart of policing in London:

- The Prison Reform Trust's review of looked after children in the criminal justice system, chaired by Lord Laming, found that, while the overwhelming majority of children and young people in care do not offend, a significant minority are still experiencing the damaging effects of unnecessary involvement in the criminal justice system. Lord Laming found that good practice exists in some areas but that stronger leadership is needed across government to make this standard practice and prevent the unnecessary criminalization of children in care.<sup>3</sup>
- We are supportive of the commitment to work with the Metropolitan Police Service to design and trial a police triage service that diverts low risk women out of the criminal justice service and into these specialist support services. At present the opportunities to intervene early with women in London are limited and the quality of provision across London is extremely variable. Moreover, the year-on-year reductions in the use of out of court disposals for women in London has limited the scope for innovation and the size of the cohort of women who are eligible for such support. This has undermined the sustainability of such schemes in the short term. We encourage MOPAC and the Metropolitan Police to make full use of the out of court powers that are available and in the enclosed copy of 'Fair Cop? Improving Outcomes for Women at the Point of Arrest' we set out a range of options for the police drawing on best practice from across England and Wales.

### **Coordination with health and social care agencies**

The needs of women who come into contact with the criminal justice system are often multiple and complex. To give but a few examples: 53% of women in prison reported experiencing emotional, physical or sexual abuse as a child, compared to 27% of men<sup>4</sup>. 46% of women in prison report having attempted suicide at some point in their lifetime. This is twice the rate of men (21%) and more than seven times higher than the general population (6%).<sup>5</sup> 58% of women report having used Class A drugs in the four weeks before custody—compared with 43% of men.<sup>6</sup> Contact with the criminal justice system can often exacerbate these difficulties and a multi-agency approach integrating health, social care and welfare services is essential.

We are heartened by the commitment to better aligning Liaison and Diversion services with the provision of broader drug intervention and other triage services. At a strategic level this requires effective join-up with the NHS England 'Women in the Criminal Justice System in London: A Health Strategy', along with liaison and diversion training for police officers to recognise mental health needs of people who may have offended. Our *'Leading change: the role of local authorities in*

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<sup>1</sup> Ministry of Justice (2016) Costs per place and costs per prisoner – National Offender Management Service annual report and accounts 2015-16 management information addendum London: MoJ; Ministry of Justice (2012) A distinct approach: a guide to working with women offenders London: MoJ

<sup>2</sup> [http://www.womencentredworking.com/wp-content/uploads/2016/04/Women-Centred-Working-Taking-Forward-WomenCentred-Solutions-report-Embargoed-until-18\\_4\\_16.pdf](http://www.womencentredworking.com/wp-content/uploads/2016/04/Women-Centred-Working-Taking-Forward-WomenCentred-Solutions-report-Embargoed-until-18_4_16.pdf)

<sup>3</sup> Prison Reform Trust (2016) In care, out of trouble. How the life chances of children in care can be transformed by protecting them from unnecessary involvement in the criminal justice system, London: PRT

<sup>4</sup> Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

<sup>5</sup> Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

<sup>6</sup> Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

*supporting women with multiple needs'* briefing <sup>7</sup> recommends a system wide strategy for working with women with multiple needs should sit with the Health and Wellbeing Board. The Health and Wellbeing Board should assure itself that the overall strategy and operational activity involves appropriate partners and, in particular, that the involvement of women with multiple needs is embedded in the work and that their experiences and insights inform service provision. This could be done by, for example, allocating the task to an existing relevant partnership, such as the local Community Safety Partnership.

Prison Reform Trust welcome co-commissioning between health and justice, as well as the need to work with the voluntary sector to deliver the support and interventions for people at risk of offending/reoffending. It is also important that this approach is taken pan-London, and to work with other statutory bodies (GLA, London Councils) to make sure services are joined-up. We know that offending doesn't keep to the bounds of one borough, therefore, the services must be expanded to work across multiple-boroughs to identify individuals at risk of offending/reoffending.

### **Violence against women and girls**

We welcome the strong focus upon tackling violence against women and girls in the draft Police and Crime Plan. However, more work is needed to raise awareness of the role domestic violence and coercive relationships play as a driver of women's offending. As the Home Office noted in the new 'Ending Violence against Women and Girls Strategy 2016 – 2020',

*We know that many victims of sexual, physical and emotional abuse can also be drawn into offending behaviour. The proportion of female prisoners that report experiencing some form of abuse during their childhood is twice as high as among male prisoners with many reporting that their offending was to support their partner or someone else's substance misuse*

Women in prison have often been victims of much more serious offences than the ones they are accused of committing. More than half (53%) report having experienced emotional, physical or sexual abuse as a child compared to 27% of men<sup>8</sup> and 57% of women report having been victims of domestic violence.<sup>9</sup> Because many women fear disclosing abuse, both figures are likely to be an underestimate.<sup>10</sup> Women can become trapped in a vicious cycle of victimisation and criminal activity. Their situation is often worsened by poverty, substance dependency or poor mental health.<sup>11</sup> Leaving an abusive relationship can be risky - the period when a woman is planning or making her exit is often the most dangerous for her and her children.<sup>12</sup> We often hear of women being arrested alongside their partner, with the police not recognising the impact of domestic abuse for women on their lives. This should include greater sensitivity to the dynamics of domestic violence, including the likelihood that even where there may be allegations of assault on both sides, there is likely to be a primary aggressor, and in most cases, that is likely to be the man. We know that statistics from the Crime Survey for England and Wales indicate that each year, around 19,000 adults in London experience serious sexual assaults and/or rape with the vast majority being women (85%) and this is equivalent to an average of 11 sexual assaults and rapes of women in every Borough, every week of the year.<sup>13</sup>

We are particularly concerned by the victimisation of foreign national women. The Mayor recognises that London is a major centre for human trafficking and modern slavery. Out of 839 referrals to the National Referral Mechanism (NRM) for Human Trafficking, sexual exploitation is the second most

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<sup>7</sup> Prison Reform trust (2016) Leading change: the role of local authorities in supporting women with multiple needs. <http://www.prisonreformtrust.org.uk/Portals/0/Documents/localauthoritybriefinglo.pdf>

<sup>8</sup> Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: MoJ

<sup>9</sup> Data Extracted from OASYS, In Thinking differently about female offenders. Transforming rehabilitation, Guidance Document. MOJ/NOMS 2014

<sup>10</sup> Gelsthorpe, L., Sharpe, G., and Roberts, J. (2007) Provision for Women offenders in the community London: Fawcett Society

<sup>11</sup> Janet Loveless (2010) Domestic Violence, Coercion and Duress, Criminal Law Review, pp. 1-3

<sup>12</sup> Women's Aid (2006) Why Doesn't She Leave? available at: [www.womensaid.org.uk/domestic-violence](http://www.womensaid.org.uk/domestic-violence)

<sup>13</sup> <https://www.london.gov.uk/mopac-publications/london-sexual-violence-needs-assessment-2016>

common exploitation type (after labour exploitation). The Prison Reform Trust that police are given appropriate training in assessing whether women who are arrested for soliciting and other prostitution related offences are victims of trafficking. We also encourage far more effective engagement between MOPAC and the new Night Tsar given the links between the victimisation of women and the night economy.

### **Care and resettlement of those leaving prison**

48% of women are reconvicted within one year of leaving prison. This rises to 61% for sentences of less than 12 months and to 78% for women who have served more than 11 previous custodial sentences.<sup>14</sup> More must be done to improve access to rehabilitation, care and re-settlement services if we are to reduce the revolving door back into the criminal justice system. We welcome the commitment to “develop and deliver joint commissioning plans with the Ministry of Justice, the National Offender Management Service, prisons, the National Probation Service and the London Community Rehabilitation Company to improve ‘through the gate’ services”. However, we encourage the Police and Crime Plan to go further in embedding multi-agency working. It is essential that the Police and Crime Plan encourages effective partnership working with other statutory bodies, such as Local Authorities, who have a key role to play in the resettlement of individuals leaving prison, and must not exclude them from allowing them access to housing registers as we have seen in some council policies.<sup>15</sup> Our Home Truths briefing notes that access to safe, affordable, and stable accommodation that meets the specific needs of women who offend is essential to enable them to rebuild their lives. It is also a key element in reducing offending and reoffending. While there are some positive housing services already in place, these services are not consistent throughout the UK and are often under-funded. A more joined up, integrated approach needs to be in place, involving resettlement staff in prisons, offender managers and responsible officers, local authority housing departments, and voluntary sector organisations to ensure that women in trouble and at risk are given the necessary support. In London especially, there needs to be an assessment of an individual’s housing needs at every stage of the criminal justice system in order to establish an appropriate rehabilitation action plan which includes housing including support to maintain tenancies. Early intervention, as well as the appropriate sharing of information between agencies, is paramount.

### **Building the infrastructure of women’s services following the closure of HMP Holloway**

On the 25 November 2015, the Secretary of State for Justice announced the Government’s intention to “close the inadequate and antiquated Holloway prison and invest in 21st century solutions to the problems of criminality”.<sup>2</sup> Since that time NOMS have put in place transitional arrangements to move all women out of HMP Holloway by the end of June 2016. From mid-May 2016 around 80 places are scheduled to come into use at HMP Eastwood Park and HMP Downview will be re-opened providing approximately 350 spaces for women, a change that will see many women, already held on average 60 miles from their home, moved further afield.

The closure of HMP Holloway sends a clear message to the courts that prison is not the place for vulnerable women who have committed low-level, non-violent offences and who have so often been victims of domestic violence and sexual abuse themselves. To secure a genuine legacy for the site, for staff and the women held at HMP Holloway, it is essential that those words are followed up with meaningful investment in women’s services. If the Police and Crime Plan is successful in transforming the management of women in the criminal justice system there will be a pressing need for greater options in the community that command the confidence of the police, courts and probation services.

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<sup>14</sup> Ministry of Justice. Table 6.07, 6.09 and 6.10, Ministry of Justice (2016) Women and the criminal Justice system 2015, London: Ministry of Justice

<sup>15</sup> <https://www.runnymede.gov.uk/CHttpHandler.ashx?id=12833&p=0>

At present London compares extremely unfavourably with other major urban centres in the provision of holistic and gender informed services for women and currently lacks the operational capacity to provide additional women's services following the closure of HMP Holloway; in 2014/15 the 1,266 women sentenced to a community order in Greater Manchester had access to a network of ten local women's centres representing a caseload of 126 offenders per centre. In contrast the 2,528 women offenders issued community orders in London could notionally access the Beth Centre in Lambeth and Advance Minerva in Hammersmith. A caseload of approximately 632 offenders per centre which does not adequately reflect the limited catchment areas of these centres. 18. Put simply, there is a severe lack of physical capital in London (and North East London in particular) where women can access effective, gender informed services that get to the root causes of their offending. The sale of HMP Holloway offers a unique opportunity to reverse this legacy of underinvestment and ensure that women in London are able to access the same levels of community support that are now provided in Greater Manchester and elsewhere as a matter of course.

A tangible and transformational objective of the Police and Crime Plan should be a concerted effort to work with strategic partners including Islington London Borough Council, NHS London, the Metropolitan Police, London Community Rehabilitation Company and women's voluntary organisations to build the infrastructure of the women's sector in London (both capital and revenue) to support women at risk of entering the criminal justice system, very often as a result of domestic violence and coercive relationships.