

Strengthening Women's Voices in Government Consultation by the Government Equalities Office

Prison Reform Trust submission

The Prison Reform Trust is a registered charity that works to create a just, human and effective penal system. It aims to improve prison regimes and conditions, defend and promote prisoners' human rights, address the needs of prisoners' families, and promote alternatives to custody. The charity carries out research on all aspects of prison. Studies include: prisoners' views on prison education, the mental health needs of women prisoners, older prisoners, prisoners with disabilities, prisoner councils, foreign national prisoners, prisoner votes, and a report into how sentencers make the decision to imprison offenders. The Prison Reform Trust's activities also include advice and information, education, parliamentary lobbying and the provision of the secretariat to the All Party Parliamentary Penal Affairs Group.

The Prison Reform Trust welcomes the opportunity to respond to the consultation. The consultation seeks views on the development of a new model for engaging and listening to women in the UK. It asks for organisations to:

1. Tell us what you or your organisation consider the most important challenges or priorities facing women in the UK today;
2. Tell us how effective, in your or your organisation's experience, the four main methods we have outlined are in terms of engaging with women in the UK;
3. Accessibility issues – eg. how do we help non-IT users to take part, ensuring marginalised or 'hard to hear' women, including those women who do not have English as a first language, have their voices heard; and
4. Are there other methods which GEO should be looking at as part of our new approach?

Our response to the consultation focuses on the specific experiences and needs of women in the justice system. Questions three and four are addressed in the responses to questions one and two.

1. Tell us what you or your organisation consider the most important challenges or priorities facing women in the UK today

Over the last 10 years, there has been a 27% increase in women's prison numbers. Most women serve short sentences for non-violent crime and for those serving less than 12 months, almost two thirds are reconvicted within a year of release. This approach has led to pressure on budgets and ignores the social impact of women's imprisonment. There are, therefore, sound social and economic reasons to reform women's justice:

- The average cost of a women's prison place is £56,415. An intensive community order could cost in the region of £10,000 - £15,000. 54% of women leaving prison are reconvicted within one year – for those serving sentences of less than 12 months this increases to 64%. Evidence from Anawim Women's Centre,

demonstrated that only 3% went on to commit further offences and 7% breached their community order. Whilst only one example, this would suggest that there may be more cost-effective ways of dealing with women's offending, which could be explored further.

- In prison, despite best efforts of staff, women lose responsibility for themselves, their personal and financial affairs, their children and families, as well as losing their voices and their right to vote. By contrast women's centres succeed in enabling many women to maintain responsibility for themselves and their families, secure safe housing, get out of debt and gain skills and confidence, as well as breaking addictions and benefiting from mental health and social care.
- Very many women in prison are perpetrators of relatively petty crime, such as theft and handling stolen goods, and victims of serious crime such as domestic violence or sexual abuse. They have multiple and therefore more complex problems related to their offending, high rates of poly-drug use and poor mental health. These problems are best addressed through community provision tailored to the specific needs of women offenders. Whilst there are women in prison who have committed serious and violent crime, the majority are there for very short periods. A prison sentence has a more traumatic impact on women, with a higher incidence of self harm than for men.
- Many women offenders have children or are the primary carer for disabled or elderly dependents. An estimated 17,700 children are separated from their mothers by imprisonment and only 5% of them remain in their own home whilst their mother is in custody. The impact on these children is profound. Ministry of Justice research suggests that children with a parent in prison are "three times more likely to have mental health problems or to engage in anti-social behaviour than their peers. Nearly two thirds of boys who have a parent in prison will go on to commit some kind of crime themselves." Appropriate alternatives to custody which support a move away from intergenerational offending would again be more cost effective in the long term. A recent ICM poll showed that 80% of those surveyed strongly agreed that local women's centres where women address the root causes of their crime and do compulsory work in the community to payback should be available.
- Overuse of imprisonment has a disproportionate impact on families and on women in particular. It is estimated that 160,000 children experience the imprisonment of a parent (male or female) every year. The majority of these will be cared for by women family members who are more likely to experience financial, housing, emotional and health difficulties during a sentence. Prisoners' families often experience difficulties visiting their family member. Many prisoners are held far from their home and the number of visits has fallen in recent years despite the increasing prison population.¹

The Prison Reform Trust endorses the findings and recommendations of the final report of the Women's Justice Taskforce, *Reforming Women's Justice*.² The Women's Justice Taskforce was established in 2010 on a time-limited basis by the Prison Reform Trust, supported by the Bromley Trust, to consider the needs of women in the criminal justice system and what additional activity could be undertaken to maximise the benefit of work already underway in this area. Chaired by Fiona Cannon OBE, Diversity and Inclusion Director at Lloyds Banking Group, its membership includes senior representatives from the Magistrates' Association, the Association of Chief Police Officers, probation, prisons, women's centres, politics, business, the media and former offenders. The report includes an

¹ For the latest statistics on women in custody see the attached document, *Women and Mothers in Prison*

² A copy of the report, *Reforming Women's Justice*, is attached. It is available at:

<http://www.prisonreformtrust.org.uk/Portals/0/Documents/Women's%20Justice%20Taskforce%20Report.pdf>

economic analysis by Dr James Robertson, former chief economist at the National Audit Office.

Chapter one of the report on Structure and Accountability contains specific recommendations on the governance and oversight of women's justice which are relevant to the work of the Government Equalities Office. These include:

1.1) A cross-government strategy to be developed to divert women from crime and reduce the women's prison population, which includes measures of success and a clear monitoring framework. Responsibility for implementation to lie with a designated minister and accountability for the strategy to be built into relevant roles within government departments and local authorities.

1.2) Reform of the women's justice system could reflect planned changes to the governance, oversight and delivery of youth justice. This may include the appointment of a director of women's justice and the establishment of a women's justice agency.

1.3) The inter-ministerial group on equalities should consider women offenders as part of its remit and to facilitate cross-government working.

1.4) The government should ensure that the new health and Wellbeing Boards, probation trusts, local police authorities and forthcoming Police and Crime Commissioners work effectively within national commissioning arrangements to enable a more coordinated, multi-disciplinary approach to working with women who offend, informed by gender equality guidance.

1.5) The National Audit Office should produce a regular audit of provision for women offenders and its effectiveness.

As part of its overall approach to engaging with women offenders, the GEO should take account of the particular needs of foreign national women in prison. Foreign national women are over represented in custody at around a fifth of all the women held in prison in England. A disproportionate number of foreign national women are in prison on remand and are often coerced into offending for drug importation and other less serious offences.

The Prison Reform Trust and Hibiscus will shortly publish a joint briefing on the experiences of foreign national women imprisoned in the UK.³ The report's findings complement the Sentencing Council's bulletin *Drug 'mules': twelve case studies*. This body of evidence supports the case for fairer treatment of drug couriers, many of whom are themselves victims of trafficking. It also argues that, where a prosecution proceeds to conviction, mitigation should be taken into account. We ask that the GEO takes account of the recommendations of our report and the Sentencing Council in contributing to "the development and introduction of a well informed national strategy for the management of foreign national women in the justice system."

2. Tell us how effective, in your or your organisation's experience, the four main methods we have outlined are in terms of engaging with women in the UK

Direct engagement between ministers, women and organisations that represent women, to ensure government understands the views of a range of women in the UK and providing the opportunity for a genuine two-way dialogue on policies that affect women.

We appreciate the strategies' objective of developing a direct dialogue between women, women's organisations and policy makers. Women offenders are among the most

³ A draft copy of the briefing is attached

marginalised and excluded groups in our society and specific provision will need to be made to ensure their voices are heard at government level. Engaging directly with women in prison presents particular obstacles but is crucial if the views of this group are to be addressed.

The GEO should proactively address the diversity of attendance at events and interact with a varied range of women and women's organisations across all equality strands and regions. It should seek to include new groups of women by using women's networks and developing a detailed database so that groups who are interested in this work can hear about events and engage. Events should be held on a regular basis where women in custody and serving sentences in the community are able to participate. To promote trust and display transparency the GEO should introduce a framework for deciding who is invited to events and gather a variety of views to inform what is discussed at discussion groups.

We hope the direct engagement strategy will also take a broader focus and will incorporate and connect with local politicians and officials. As the government devolves greater power to local authorities, it is important that opportunities such as discussion groups include local councillors, MPs and MEPs. This is important in ensuring that the national strategy for strengthening women's voices translates at a local level and so that women and women's organisations can hold local bodies to account.

We also believe that in the future, where appropriate, there may be potential to invite representatives from local public agencies to attend events. For example, representatives from the police and NHS should observe discussions to ensure that they are aware of their obligations to promote gender equality and are informed about the key issues in their communities. The report of the Women's Justice Taskforce shows that many of the solutions to women's offending lie outside of the justice system. Therefore, it is particularly important that services such as health, housing and social services effectively engage with their needs.

We hope that visits by ministers and policy officials will play an important role in raising women's concerns locally. We would like to see ministers connect with organisations that work directly with women offenders such as the national network of women centres. These provide access for vulnerable women, regardless of whether they have offended or not, to a wide range of services to help them to address their problems. We would also like to see scrutiny of Ministers' offices, across all government departments to ensure that all Ministers engage on gender issues.

Bringing in expertise from the women's sector and beyond to support the new model, and support independence from government where this is critical, particularly in the international arena.

The GEO should consult closely with organisations, experts and practitioners who work with women offenders. The Prison Reform Trust would be happy to provide regular input to the GEO on the specific needs of women in the justice system. The Women's Justice Taskforce is considering establishing a monitoring role to support government in its programme of reform of women's justice.

Looking ahead to enable us to anticipate emerging and future issues, such as the impact of the changing demography of the UK, which will be important for women.

Anticipating emerging and future issues relating to women offenders will require specific research conducted on a regular basis. Focus groups will need to be conducted in prisons and with offenders in the community. Some groups of vulnerable women are at greater risk of committing crime: victims of domestic violence and abuse, those with drug and alcohol addictions, members of gangs or affiliates, young women who have been in local authority care, and women with mental health problems. It will be important these groups are properly accounted for in research. The more informal forms of engagement outlined in the

consultation, such as direct and online consultation with women, are inadequate to capturing the multiple and complex needs and experiences of women offenders.

*A **new IT platform**, making the most of modern communication techniques to get the informed voice of women to government when they need to be heard.*

Online engagement presents clear problems in terms of access to IT for women offenders. Women in prison are severely restricted in their access to IT. Vulnerable women at risk of offending are unlikely to have the necessary skills and resources to enable them to engage online. This engagement method will largely exclude elderly women, disabled women (in particular blind women and those with a learning disability) and women for whom English is their second language. We are concerned about how marginalised groups will be able to contribute to the IT platform and that by using this method, their concerns may be overlooked.

The proposal of online voting buttons on the website may capture populist views which do not represent the diverse experiences of women. We hope that the GEO will take the needs of minority women into account in all decision making processes and will weight feedback provided on the website accordingly. In light of this, we also hope that the GEO recognizes the opportunity for potential abuse of the voting mechanisms on the website, and ask that it closely moderates the site to see who engages on it.

When the IT platform is designed it is essential that it is easy read, accessible and informative. Organisations should be able to provide ongoing feedback on the quality of the website and to help to feed in and refine its content to ensure that it effectively meets women's needs. We would also be interested in what the GEO plans to do with the information submitted to the website and how we might feed into this.

Prison Reform Trust
June 2011