



Why focus on reducing women's imprisonment in Scotland?

Prison Reform Trust briefing
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Scotland already has the second highest female prison population in Northern Europe, doubling between 2002 and 2012. This is completely unacceptable and does not fit with my vision of how a modern and progressive society should deal with female offenders.

Michael Matheson MSP, Cabinet Secretary for Justice, June 2015.¹

I also want to make clear that my view is that all of us across this chamber should be determined to work to reduce not just the prison population generally but the female prison population in particular.

First Minister Nicola Sturgeon MSP, January 2015.²

The Scottish context

In response to concerns about women's justice in Scotland, a Commission on Women Offenders, chaired by Dame Elish Angiolini, was established in June 2011 to look at ways of improving outcomes for women in the criminal justice system.

The Commission's report was published in April 2012 and made wide-ranging recommendations including the establishment of community justice centres which offer a one-stop support network for women; the introduction of nationwide mentoring services to support women's compliance with court orders; alternatives to remand; and the replacing of Scotland's main women's facility, HMP & YOI Cornton Vale, with a smaller specialist prison for women who are serving long-term sentences and present a significant risk to the public.³

On 22 June 2015, the Cabinet Secretary for Justice, Michael Matheson MSP, announced his plans for the future of the custodial estate for women. The announcement confirmed that there would be a new national unit at HMP & YOI Cornton Vale, catering for 80 women, and a further five regional custodial units throughout Scotland, each housing up to 20 women.⁴

Women in the criminal justice system in Scotland

- Scotland has one of the highest rates of imprisonment for women in Northern Europe. The average daily women's prison population is approximately 400, with 315 sentenced women and 85 women on remand.
- The number of women imprisoned increased by 46% in the 10 years since 2003–04, growing at a faster rate than men's prison population.⁵
- The growth in the number of women in prison in Scotland can more likely be attributed to the increasing use of custodial sentences by courts than changes in the pattern of offending. Also, women's prison sentences got longer - in 2008–09 women were sentenced to an average of 271 days in prison compared with 228 days in 1999–2000.⁶

- On 16 November 2016, there were 350 women in prison in Scotland, accounting for 4.7% of the total prison population.⁷ This is a decrease from 5.6% of the population in 2010.⁸
- Across Scotland 3,000 women are imprisoned each year, of whom almost two thirds are on remand.⁹ In 2011-12 there were 3,100 female receptions to prisons in Scotland of which 1,979 were remands and 1,121 sentenced.¹⁰
- 83% of pregnant women in prison in 2015 were there on remand or were serving sentences of 12 months or less.¹¹
- Of those women given a prison sentence in 2013-14, 76% received a tariff of 6 months or less (compared to 66% of men).¹²

Characteristics of women and their drivers to offending

Women tend to commit economically-motivated crimes to support drug use or cope with poverty, e.g. shoplifting.¹³

- In 2014-15 women in Scotland accounted for 17% of all convictions, but¹⁴:
 - 38% of all other non-sexual violence convictions (excludes homicide, serious assault and robbery)
 - 34% of all fraud convictions
 - 28% of all shoplifting convictions.
- 79% of prison sentences imposed on women were for low-level offences - shoplifting, common assault, bail offences and breach of the peace (October 2015).¹⁵
- Serious violent crime and drugs offences account for nearly 50% of the daily prison population (but only 15% of convictions). This is because for these crimes women serve longer sentences and therefore make up more of the average daily prison population.¹⁶
- Women report significant problems with alcohol - one third (34%) of women in custody reported being drunk at the time of their offence although this was a welcome 16% decrease on the 2013 figure of 50%.¹⁷ 39% of women said they would drink 10 or more drinks on a typical day when drinking, and 23% said they drank six or more drinks on a daily, or almost daily, basis.¹⁸
- A quarter (25%) of women in custody reported that drinking affected their ability to hold down a job and 21% were worried that alcohol would be a problem for them upon release. One third (32%) of women had been assessed for alcohol use on admission and almost one fifth (17%) had received treatment while in prison.¹⁹
- There was a significant reduction in the proportion of women in custody who report problems with drug taking on the outside (38% in 2015 compared to 53% in 2013), and those who report being under the influence of drugs at the time of their offence (45% in 2015 compared to 55% in 2013). Almost one third of women in custody had received help/treatment for drug use during their sentence (30%) and one quarter were being prescribed methadone (23%).²⁰

- Three in ten women in custody (28%) reported that they lost their tenancy when they came to prison. One third (33%) of women didn't know where they will live upon release from prison, compared to 29% of men in prison.²¹

Women on remand

- Women in prison are more likely to be there on remand than men, and only around 30% of women on remand go on to receive a custodial sentence.²²
- At 16 November 2016, 22% of the women's prison population (81 women) were held on remand – either awaiting trial or sentence.
- Scottish Prison Service's Survey 2016 shows that women in custody were likely to report having been on remand between 1 and 5 times (41%). One in ten women in custody (11%) had been on remand over ten times (see table below).²³

| Women's custody history | Never | 1-5 times | 6-10 times | Over 10 times |
|--|-------|-----------|------------|---------------|
| Number of times previously on remand | 40% | 41% | 8% | 11% |
| Number of times previously on a sentence | 51% | 32% | 7% | 10% |

Prison Reform Trust's Transforming Lives report with the Soroptimists (2015) recommended that the Scottish Government should restrict the use of remand where there is no real prospect of a custodial sentence on conviction. The report of a roundtable event focusing on women on remand can be read [here](#).

Reoffending in Scotland

Short sentences do nothing to stop reoffending in our communities and only result in offenders going in and out of prison time and time again and reoffending upon release. In my view, we need to act on the evidence, be braver in our approach and take the bold action needed to tackle these ineffective sentences.

Michael Matheson MSP, Cabinet Secretary for Justice, October 2015.²⁴

Acquisitive crimes while being relatively low-level offences, are strongly associated with reoffending.²⁵

- In 2013-14, around 40% of women convicted had no previous custodial convictions and 20% had no previous convictions whatsoever.
- Around 45% of women leaving custody are reconvicted within a year.²⁶
- In 2011-12, 55% of those convicted of shoplifting were subsequently reconvicted within one year, with most of these reconvictions being for further crimes of dishonesty.²⁷

Mothers in prison

- Although precise figures are hard to obtain, it is estimated that approximately 65% of women in prison in Scotland are mothers. Of those with childcare responsibilities prior to imprisonment (about 70% of mothers), most intend to resume that care on release.²⁸

- Only 5% of children stay in their own homes once their mother has been imprisoned.²⁹
- The impact on children of parental imprisonment is more pronounced for mothers, given that women are more likely to be the primary carer. The impact of imprisonment on children ranges from home and school moves, poor academic performance, increased risk of mental health problems, and involvement in the criminal justice system.³⁰

Taking a different approach to vulnerable women

By housing these women in smaller, community units closer to their families, alongside providing additional support to address the underlying issues which fuel their crime such as drugs, alcohol or mental ill-health, we can stop them from committing further crimes in the future.

Colin McConnell, Chief Executive of the Scottish Prison Service, February 2016.³¹

While the vision for smaller regional custodial units is a welcome development, one of the challenges is ensuring the availability of specialist services for women with complex needs which help to address the underlying causes of crime. There is increasing evidence that women are less likely to reoffend following a community sentence rather than a custodial one.

Women's involvement in the criminal justice system is commonly linked to mental health needs, drug and alcohol problems, coercive relationships, financial difficulties and debt. Specialist community based services designed to meet the complex needs of women in the criminal justice system in a holistic way can help them tackle the causes of their offending.

The 218 Centre in Glasgow is a joint Turning Point Scotland and Glasgow Addiction Service initiative that supports women involved in the criminal justice system to address a range of needs including substance misuse, physical and mental health, and other needs such as housing and childcare. The service has a 12-bed residential unit and a day service programme which provides a range of group session and one-to-one support. There is access to a clinic which deals with mental and physical health issues, a dietician, chiropodist, dentist, doctors and nurses.

- One independent study showed that police-recorded offending in women who engaged in 218's support was reduced by 21%.³²
- Women who used the services at the 218 Service in Glasgow identified significant decreases in drug and/or alcohol use (83%), improvements in their health and wellbeing (67%), access to stable accommodation and referrals to longer-term support services.³³

You can find more information on the 218 centre [here](#)

Willow Service is a partnership between NHS Lothian, City of Edinburgh Council and Sacro to address the social, health and welfare needs of women in the criminal justice system. Willow aims to improve women's access to services and reduce offending behaviour.

More information about the Willow Centre in Edinburgh is available [here](#), and the Criminal Justice Voluntary Sector Forum [here](#)

Scottish Working Group on Women's Offending (SWGWO)

SWGWO was established at the start of 2011 and comprises a group of organisations and individuals concerned with all issues surrounding women's offending in Scotland. The group wishes to see true equality for all women across the criminal justice system, and to sharpen the focus of policy makers on women with mental health and learning disabilities and those women from a background of sexual abuse, addiction and substance misuse, as well as support for their families. The group would like to see that these women and their families are supported to move away from the criminal justice system towards a healthier future.

In particular the group's aims are:

- to address the issues of why women offend;
- to ensure that the appropriate support is given to women offenders and their families;
- to work to reduce the numbers of women imprisoned;
- to reduce the numbers of women throughout the criminal justice system.

You can find more information about SWGWO [here](#)

For further information please contact:

Yvonne Donald
Programme Manager for Scotland and Northern Ireland,
Reducing Women's Imprisonment,
Prison Reform Trust

Based at **Families Outside**, 13 Great King Street, Edinburgh, EH3 6QW

yvonne.donald@prisonreformtrust.org.uk

The Prison Reform Trust is grateful to the Big Lottery Fund for supporting our UK-wide programme to reduce women's imprisonment. For information about Transforming Lives see our website [here](#).

All the publications from the programme are available to download:

Why Focus on Reducing Women's Imprisonment?
Transforming Lives – reducing women's imprisonment
Home Truths - housing for women in the criminal justice system

Other publications from the Transforming Lives programme:

Working it Out - Employment for women offenders
Brighter Futures - working together to reduce women's offending
Sentencing of Mothers - discussion paper
Leading Change - the role of local authorities in supporting women with multiple needs

Upcoming publication - Fair Cop? Improving outcomes for women at the point of arrest, February 2017

END NOTES

- ¹ www.theedinburghreporter.co.uk/2015/06/government-to-fund-projects-to-tackle-problems-of-women-in-custody/
- ² <http://www.parliament.scot/parliamentarybusiness/report.aspx?r=9739>
- ³ Commission on Women Offenders (2012) Commission on Women Offenders Final Report: Edinburgh, The Scottish Government
- ⁴ <http://www.bbc.co.uk/news/uk-scotland-scotland-politics-33221338>
- ⁵ Table 1, The Scottish Government (2015) Prison statistics Scotland: 2012-13, Edinburgh: The Scottish Government
- ⁶ McIvor, G. and Burman, M. (2011) Understanding the Drivers of Female Imprisonment in Scotland, Glasgow: The Scottish Centre for Crime and Justice Research
- ⁷ Scottish Government (2016) figures and Scottish Prison Service (2016),prison population, available at: <http://www.sps.gov.uk/Corporate/Information/SPSPopulation.aspx>
- ⁸ <http://www.prisonstudies.org/country/united-kingdom-scotland>
- ⁹ <http://www.gov.scot/Resource/0048/00487211.pdf>
- ¹⁰ <http://www.gov.scot/Resource/0048/00487211.pdf>
- ¹¹ Attachment two, <http://www.sps.gov.uk/FreedomofInformation/FOI-3879.aspx>
- ¹² Scottish Government (2014) Criminal Proceedings in Scotland Statistical Bulletin tables 2013-14. The Scottish Government. URL: <http://www.scotland.gov.uk/Topics/Statistics/Browse/Crime-Justice/PubCriminalProceedings>.
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- ²² Commission on Women Offenders (2012) Commission on Women Offenders Final Report: Edinburgh, The Scottish Government
- ²³ Scottish Prison Service (2016) Prisoner Survey 2015: Female offenders, Edinburgh: SPS
- ²⁴ The Scottish Government website, accessed on 6 October 2015, available at <http://news.scotland.gov.uk/News/Proposals-for-bold-action-on-reoffending-1d98.aspx>
- ²⁵ Ministry of Justice (MOJ) (2014) *Transforming Rehabilitation: a summary of the evidence on reducing reoffending*. MOJ: London
- ²⁶ <http://www.gov.scot/Publications/2015/10/7805/4>
- ²⁷ Scottish Government (2014), *Reconviction rates in Scotland: 2011-12 Offender Cohort*, Scottish Government, available at: <http://www.scotland.gov.uk/Resource/0045/00452150.pdf>. (Table12).
- ²⁸ <http://www.gov.scot/Resource/0048/00487211.pdf>
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- ³¹ http://www.heraldsotland.com/news/14269435.Closure_of_Scotland_s_only_women_s_prison_to_begin_this_summer/
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The Prison Reform Trust works to create a just, humane and effective penal system.
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Prison Reform Trust, 15 Northburgh Street, London EC1V 0JR
020 7251 5070 womensprogramme@prisonreformtrust.org.uk
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