

PUBLIC SAY: STOP LOCKING UP SO MANY WOMEN

a briefing on a SmartJustice survey by Sinead Hanks



KEY FINDINGS

- Given a choice between alternatives and prison, our ICM survey showed that there was overwhelming support (86%) for local community centres where women are sent to address the root causes of their crimes – in addition to doing compulsory work to pay back the community.
- Over three-quarters of the 1,006 survey respondents supported drug and alcohol treatment (77%) and almost three quarters supported compulsory work in the community (72%) and counselling (74%).
- Over two in three (67%) said prison was not likely to reduce offending and three in four (73%) did not think mothers of young children should be sent to prison.

KEY RECOMMENDATIONS

there is broad public support for the following measures:

- Female offenders need local community-based services, close to their families. This lends support to the recommendations in the Corston review to replace existing women's prisons with (insert) a national network of local community centres and geographically dispersed, small, multi-functional centres within 10 years.
- Problems leading to offending are complex – including poverty, debt, mental illness, abuse, domestic violence, addictions, and homelessness. To reduce crime and improve women's lives it is crucial to address these issues – rather than simply locking women up.
- For most women who offend, prison does not work; it is inappropriate, unnecessary, and damaging. Community solutions for non-violent women offenders should be the norm.

Introduction

The women's prison population in England and Wales has almost tripled in the past ten years.¹ In the course of one year, around 12,275 women were received into prison.² However, this is not due to an increase in women's offending but instead to harsher sentencing practices. Women are seven times more likely to be sent to prison for a comparable offence than they were 10 years ago.³

Women make up around 5% of the prison population⁴ and exist in a criminal justice system which has been created for, and is overwhelmingly occupied by men. It is clear that there is a strong case for a different approach to women who offend. They have different needs which require a considerable degree of support – for example, extremely high levels of mental illness, as well as drug and alcohol abuse. In addition, very many have been victims of serious crime and sustained sexual and domestic violence. Women on remand have also been one of the fastest growing groups among the prison population. There was a 105% increase in the number of women remanded into custody between 1995 and 2005, compared to a 24% increase for men.⁵ Fewer than one in ten of the women received into prison on remand were charged with violent offences, and fewer than half remanded into custody subsequently received a prison sentence.⁶

However, most women in prison are there for petty crimes. Their offences are mostly less serious than their male counterparts. Two in three serve six months or less, the majority being for non-violent offences such as theft, fraud and drug related crime. Drug and alcohol addiction plays a significant part in the reasons why women offend.

Although they make up a small proportion of overall prison numbers, women's imprisonment makes a big impact. Two in three women prisoners have dependent children under 18. Around 18,000 children are affected when their mothers are imprisoned each year.⁷ And, as women prisoners are far more likely to be the primary carers, only 5% of these children remain in the family home.⁸

Consequently, the burden on local services, such as social services, housing, education and health is enormous.

Recent government policy

Women's Offending Reduction Programme

Launched in 2004, its purpose is to "reduce women's offending and the number of women in custody, by providing a better tailored and more appropriate response to the particular factors which have an impact on why women offend. The intention is not to give women offenders preferential treatment but to achieve equality of treatment and access to provision."

HM Treasury, 2004 Spending Review

There was a commitment in the 2004 Spending Review to "pilot radical new approaches to meet the specific needs of women offenders, to tackle the causes of crime and re-offending among this group and reduce the need for custody."

Together Women Programme (TWP)

In March 2005 the Home Secretary announced £9.15 million funding for radical new alternatives to respond to women who offend. Called the Together Women Programme (TWP) the purpose is to support a more effective community based response to women offenders and women at risk of offending. The centres are now being set up in Yorkshire and Humberside. The aims are to reduce women's offending, the numbers of women sentenced to custody and the associated family breakdown, specifically in relation to children.

New women's prisons

This government has overseen the opening of two new women's prisons - Bronzefield, a 450-bed purpose-designed prison for women, opened in June 2004 and HMP Peterborough opened in March 2005.

Prison Service

The Prison Service's separate line management structure for women's prisons has been dismantled.

1. NOMS Prison Population and accommodation briefing (June 2007)

2. Home Office Offender Management Caseload Statistics (2005)

3. Hough, Jacobson & Millie, Decision to Imprison (2003)

4. NOMS Prison Population and accommodation briefing (June 2007)

5. Home Office Management Caseload Statistics, (2005)

6. Home Office Prison Statistics England and Wales 2002 (2003)

7. Home Office Research Study 208

8. Prison Reform Trust, Justice for Women, the Need to Reform (2000)

From April 2004, women's prisons moved back under geographical line management, raising concerns that the specific needs of women prisoners would again be overlooked by area managers, who may only have one women's prison in their region.

Impact of prison overcrowding

Overcrowding in male prisons and population pressures have led to the re-rolling of no less than seven women's prisons or units in the last five years to accommodate men. This has been done most frequently with little or no notice, leaving women to be held even further from home. It has also meant dispensing with the specialist services run by statutory and voluntary agencies designed to meet particular needs.

Corston review

As a result of the tragic deaths of six women at HMP Styal in the year ending August 2003, the Home Secretary decided to order a review of vulnerable women in the criminal justice system. Questions were also raised as to the suitability of mainstream prisons for women with serious mental health problems and/or drug addictions and whether sentencers were sufficiently aware of the limitations of prisons in dealing with this group of damaged individuals.

The Home Secretary was particularly struck by the remarks of Nicholas Rheinberg, the Cheshire coroner, who had conducted the series of inquests into the deaths at Styal and had written,

I saw a group of damaged individuals, committing for the most part petty crime for whom imprisonment represented a disproportionate response. That was what particularly struck me with Julie Walsh who had spent the majority of her adult life serving at regular intervals short periods of imprisonment for crimes which represented a social nuisance rather than anything that demanded the most extreme form of punishment. I was greatly saddened by the pathetic individuals who came before me as witnesses who no doubt mirrored the pathetic

individuals who had died. A far ranging review concentrating on alternatives to imprisonment for drug dependent women repeatedly coming before the courts charged with petty crime would be a very valuable exercise.

The decision to commission such a review was announced in both houses of Parliament on November 2005. A further statement was made on March 2006 announcing that Baroness Corston had agreed to undertake it.

The report was published in March 2007 and the government is expected to respond to the recommendations in Autumn 2007.

Baroness Corston's recommendations were as follows:

Government

- ▶ The government should announce within six months a clear strategy to replace existing women's prisons with suitable, geographically dispersed, small, multi-functional custodial centres within 10 years.
- ▶ There must be a strong consistent message right from the top of government, with full reasons given, in support of its stated policy that prison is not the right place for women offenders who pose no risk to the public.
- ▶ The immediate establishment of a cross-departmental commission for women who offend, or are at risk of offending, staffed by a multi-agency team from the Home Office (now Ministry of Justice), Dept of Communities and Local Government, Dept of Health, Dept of Education and Science (now Dept for Children, Families and Schools), Dept for Constitutional Affairs (now Ministry of Justice) and Dept of Work and Pensions. Staff should also be seconded from relevant NGOs and voluntary agencies. This would be governed by an inter-departmental ministerial group (including the Treasury) who would drive forward the commission's agenda within their individual departments.

Sentencers

- ▶ Community solutions for non-violent women offenders should be the norm. Custodial sentences for women must be reserved for serious and violent offenders who pose a threat to the public.
- ▶ Women unlikely to receive a custodial sentence should not be remanded in custody.
- ▶ Women must never be sent to prison for their own good, to teach them a lesson, for their own safety or to access services such as detoxification.
- ▶ Defendants who are primary carers of young children should be remanded in custody only after consideration of a probation report on the probable impact on the children.
- ▶ Sentencers must be informed about the existence and nature of those schemes that do exist and should support and visit them.
- ▶ All magistrates' courts, police stations, prisons and probation offices should have access to a court diversion/Criminal Justice Liaison and Diversion Scheme in order to access timely psychiatric assessment for women offenders suspected of having a mental disorder. These schemes should be integrated into mainstream services and have access to mental health care provision.

Service providers

- ▶ Services should be provided based on the one-stop-shop approach of centres like Asha and Calderdale and must be appropriate and co-ordinated to meet the profiled needs of local women, including minorities such as BME women.
- ▶ Women's centres should be used as referral centres for women who offend or are at risk of offending. Referral should be by schools, general practitioners, probation, prisons, police, courts, CPS, self and other individuals.

- ▶ Systematic safeguards should be put in place so that good practice approaches are not lost. The acceptance of the offer made by The Griffins to act as a central repository for information for and about women who offend or are at risk of offending and to promote its use by others.

A coalition of 16 charities, SmartJustice amongst them, welcomed the report, urging, "This is not a report for the Home Secretary's 'to read' pile, it's for his 'to do' list."

Why seek the public's views about women in prison?

The public's views with regards to imprisoning women is not an area that has been widely investigated. In 2004 the Fawcett Society undertook a study with MORI which found that more than eight in ten people favoured providing more treatment centres for offenders with mental health problems, and almost seven in ten wanted greater use of community sentences. In contrast fewer than half of people asked said they wanted more prisons, and just one per cent suggested tougher penalties.⁹

In light of the 2006 SmartJustice/Victim Support survey, which polled victims' views of low-level offending,¹⁰ SmartJustice decided to undertake a public opinion survey to explore views about women who offend.

Following the initial survey on women and offending in April 2006, which was published exclusively in the *Mirror* and *Best* magazine, SmartJustice has developed this briefing. This comes a few months after the publication of the Corston review and reveals that many of the key recommendations of the report are backed by the public.

Methodology

- Telephone poll carried out by ICM between 9 – 11 February 2007.
- 1006 adults aged 18+ interviewed
- A random sample across the UK

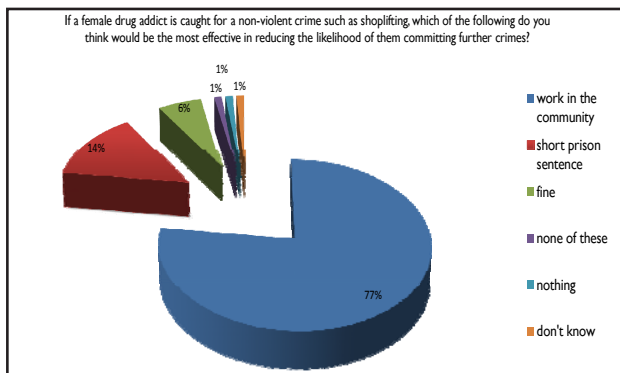
9. Fawcett Society (2004)

10. SmartJustice Crime Victims Say Jail Doesn't Work (2006)

Survey and Key Points

1) If a female drug addict is caught for a non-violent crime such as shoplifting, which of the following do you think is the most appropriate form of punishment?

- Compulsory work in the community along with drug treatment.
- Sentenced to a short prison term.
- A fine to be paid within the next 28 days.
- None of these.
- Nothing – no punishment should be imposed.



The overwhelming majority, almost eight out of ten (77%) thought that compulsory work along with drug rehabilitation treatment would be effective. Just one in seven (14%) thought that prison would work.

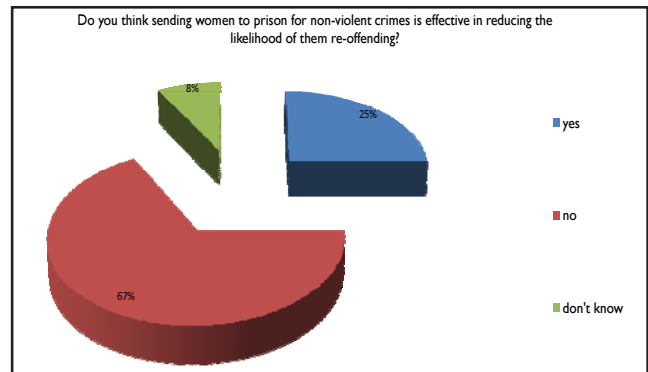
Women are slightly more likely (81%) to support this than men (73%). The younger age groups (18-24) favoured this option more than older groups, as did those in the North East (82%) and London (83%). London respondents also showed very little support for prison (8%).

17% of men favoured prison compared to just 10% of women.

There was very little support across the board for fines (6% average).

This shows clearly that the public do not think that prison is effective in dealing with these kinds of offenders. Compulsory work means that an offender can pay back to society for the damage they have caused – and drug rehabilitation can tackle the causes of the crime (around three-quarters of crack and heroin users claim they commit crime to feed their habit¹¹).

2) Do you think sending women to prison for non-violent crimes is effective in reducing the likelihood of them re-offending?



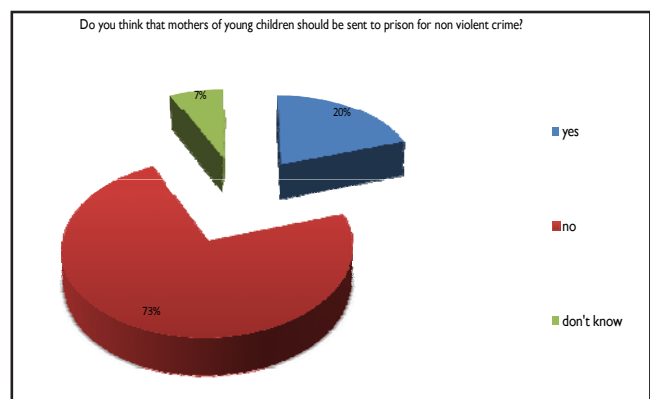
Over two in three (67%) said prison was not likely to reduce offending.

This was particularly high in the 55-64 age group (79%) but lower amongst the youngest age group 18-25 years (54%).

High numbers held this view in the North East (86%) and London (74%).

The results mirror the findings in the previous poll that SmartJustice conducted with Victim Support – mainly that prison is not effective in reducing further offending. There is a plethora of research to show that there is dwindling public appetite for imprisonment for non-violent offences.^{12, 13, 14}

3) Do you think that mothers of young children should be sent to prison for non-violent crime?



Almost three quarters (73%) did not think mothers of young children should be sent to prison.

11. Home Office Recorded Crime Figures (2005)

12. University of Strathclyde Attitudes to crime and punishment (2002)

13. NOP/ Drugscope Too Many Women, Too Much Time (2005)

14. Joseph Rowntree Trust Anti-social behaviour strategies: Finding a balance (2005)

Respondents in Wales (78%) and London (80%) were least likely to support young mothers being jailed.

More male respondents thought that mothers of small children should be sent to prison (24%) than female respondents (16%). Only 15% of the over 65s support this view.

Around 18,000 women are separated from their mothers each year by imprisonment and there are just 84 places in mother and baby units for children under 18 months. The effect of separation has never been calculated – but it is clear that the costs to society are enormous. 65% of the estimated 125,000 children with parents in prison go on to offend.¹⁵

The researchers Murray and Farrington have stated:

*“It is surprising that researchers and policy makers have largely neglected to consider the effects of parental imprisonment on children ... if we do not attend to the effects of imprisonment on children we run the risk of ... neglecting seriously an at risk group, and possibly causing crime in the next generation”.*¹⁶

Parental imprisonment has been shown to be a factor for child anti-social behaviour, offending, mental health problems, drug abuse, school failure and unemployment. Children of prisoners are at much higher risk than their peers—about three times as great—for anti-social behaviour; for mental health it is about twice the risk.

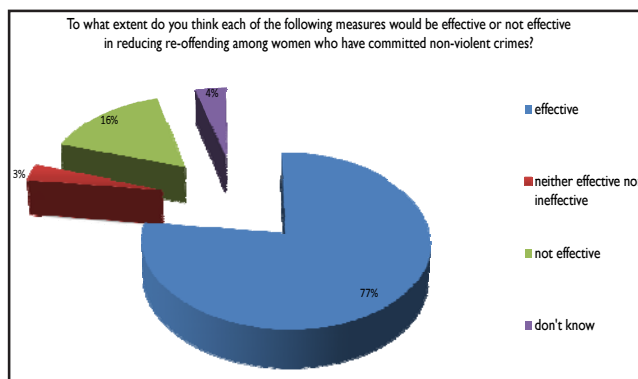
A 2006 Cambridge study of delinquent development—a longitudinal study of 400 males—showed that 48% of boys who were separated because of parental imprisonment in their first 10 years of life were later convicted as adults, compared with only 14% in a control sample whose parents were not imprisoned.¹⁷

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4) To what extent do you think each of the following measures would be effective or not effective in reducing re-offending among women who have been caught for non-violent crimes?

- a) Drug and alcohol treatment
- b) Mental healthcare
- c) Compulsory work in the community
- e) Counselling
- f) Imprisonment



Over three-quarters supported drug and alcohol treatment (77%) and almost three quarters supported compulsory work in the community (72%) and counselling (74%). Only one in three thought prison would be effective – over twice as many favoured the other options. Over half did not think prison would be at all effective.

Drug and alcohol treatment: this had higher support amongst the 25-34 (87%) and 18-24 (83%) age groups, as well as the North West (85%) and London (81%).

Mental health care: almost seven in ten (67%) across the board were supportive rising to over eight out of ten (81%) in the South East and London (76%).

Compulsory work in the community: generally 73%, but higher for young people (77%) and the North West (80%).

Counselling: generally 74%, much higher for women (78%) than in men (69%). Also strong support amongst 18-24s (80%) and over eight out of ten in the North East (83%) and London 85%.

15. Social Exclusion Unit Report Reducing the risk of re-offending by ex-prisoners'. (2002)[1]

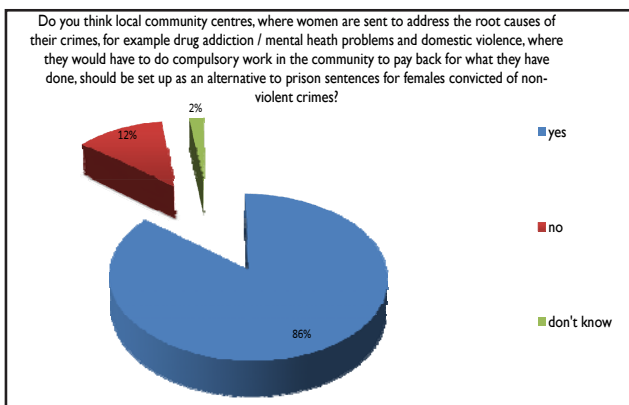
16. Report yet to be published: Murray and Farrington cited by Lord Northbourne, House of Lords, Hansard 12 June 2007

17. Farrington, Coid, Harnett, Jolliffe, Nadine, Turner and West Cambridge Study in Delinquent Development, Nov 2006

Imprisonment: only 34% supported this in general, but this was particularly strong for 25-34 age group (44%) and in Scotland (40%). The 55-64 age group was far less likely to think this would work (69%), as well as those in the North East (64%) and the South West (67%) who were also against.

It is clear that the public really want to see more help in tackling the causes of crime – such as mental health and drugs – and recognise that this is key to reducing re-offending.

5) Do you think local community centres where women are sent to address the root causes of their crimes (e.g. drug addiction, mental health problems and domestic violence), and where they would have to do compulsory work in the community to payback for what they had done, should be set up as an alternative to prison for women convicted of non-violent crime?



Given a choice between alternatives and prison, there was overwhelming support for local centres – over eight in ten respondents agreed (86%).

This was consistently high across the board but particularly so in the South West (94%). There was no real difference between male and female respondents.

This shows that there is huge public support for resourcing alternatives to custody for women. Centres such as Asha in Worcester, the 218 centre

in Glasgow and Calderdale in Halifax operate as part of a community sentence for women, and tackle the reason women offend, for example drug addiction, unemployment and debt.

Support for SmartJustice for Women

SmartJustice for Women, our national campaign for alternatives to prison for female offenders was launched in July 2005. A powerful alliance of women’s organizations including Soroptimists International, the Catholic Women’s League, Women in Prison, the Greater London Domestic Violence Project and the National Christian Alliance on Prostitution support SmartJustice for Women.

The National Council of Women are also members of the alliance. They are made up of 50 affiliate organizations including the National Union of Teachers and the Royal College of Nursing, and put forward three resolutions per year.

Their current resolution on women in prison states:

The National Council of Women in Conference assembled is concerned that:

1. In the UK more women are being sent to prison than ever before in this country’s history; the women’s prison population has nearly tripled in the last ten years although the nature and seriousness of women’s offending has not been getting worse.
2. Eight out of ten women are being sent to prison for low level offences such as shoplifting, yet six out of ten are reconvicted on release.
3. In addition, 18,000 children are separated from their mothers by imprisonment each year, with only 5% staying in the family home.

The National Council of Women urges Her Majesty's Government to:

1. Devote more resources to addressing the root causes of women's offending like drug addiction, poor mental health poverty, domestic violence and child abuse;
2. Invest in more alternatives to prison that reduce women's offending behaviour and prevent further victims.

There is growing concern amongst local and regional Women's Institutes. In March 2007 the Oxfordshire Federation of Women's Institutes passed a resolution on women in prison which states:

The WI urges HM Government to consider realistic alternatives to prison for women, with particular reference to the drastic effect on their children and families.

This was passed with 108 local WIs for the resolution and 19 against.

Since passing the resolutions, both organizations have been actively campaigning to raise awareness of this issue, both in the media and with ministers and politicians from all parties.

SmartJustice for Women has also received extensive regional and national press including features in Hello!, Women's Own, Marie Claire and Red magazine, featuring Michelle Collins who fronts the campaign. Television coverage includes appearances on Channel Four's Richard and Judy show, BBC Radio 4 Woman's Hour and ITV's Loose Women. A petition signed by 3,000 people to represent the number of non-violent women in prison was handed into No 10 last year by Michelle Collins, and 87 MPs signed our Early Day Motion, EDM number 792, tabled on 28th February 2005, on cutting women's prison numbers.

Please see www.smartjustice.org/indexwomen.html for more information.



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