

# Country Report: United Kingdom (England and Wales)

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## 1. Introduction

In Britain, the tenor of the debate on criminal justice has become increasingly retributive and politicised. Disillusionment with alternatives to prison in the 1980s and high profile escapes and riots in the 1990s has led to an increased emphasis on security. This has a particularly negative effect on women because 'women prisoners pose little security risk to others but are far more likely to self-harm. Women therefore suffer if security issues take top priority when resources are distributed.'<sup>1</sup>

In 2004, the government created the National Offender Management Service which aims for an 'end to end management' of offenders, thus combining prison and probation work.

In March 2004, the Home Office launched a three year Women's Re-offending Reduction Programme. This recognised the rise in the female sentenced and pre-trial populations and that there are differing factors in women's and men's offending. The programme aims for a 'joined-up' response to the needs and characteristics of women offenders from arrest to resettlement. Key action areas are: improving women's access to services in the community; meeting mental health needs; dealing with substance abuse; gathering data on female offenders; and gender-awareness training. 9.15 million pounds sterling was secured for community services for women. The Probation Service set up the Women's Acquisitive Crime Programme to deal with women who commit property crimes.

## 2. Women prisoners in England and Wales

The female prison population in England and Wales has greatly increased in recent years. In 1994, the average female prison population was at 1,811; in 2004 it was at 4,549, an increase of 151 per cent.<sup>2</sup> Nineteen per cent of known offenders in 2000 were women.<sup>3</sup>

The reason for this rise can be explained by the increased use of custody. In 1991 only eight per cent of women convicted of motoring offences at the Crown Court went to prison. By 2001, the figure was forty-two per cent. Likewise, a woman convicted of theft or handling at the Crown Court is twice as likely to go to prison as she was in 1991.<sup>4</sup>

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<sup>1</sup> *The Fawcett Society*, Commission on Women and the Criminal Justice System, Women and the Criminal Justice System, March 2004, p. 45 [on-line], accessed 17 April 2007, available at <http://www.fawcettsociety.org.uk/index.asp?PageID=432>

<sup>2</sup> *Prison Reform Trust*, Prison Reform Trust Prison Fact File, March 2004, p.10 [on-line], accessed 20 September 2006, available at [www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

<sup>3</sup> S. Kesteven, *Women who challenge, Women offenders and mental health issues* (London: NACRO, April 2002), p. 6.

<sup>4</sup> *Prison Reform Trust*, p. 10, available at [www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

Although overcrowding is a problem in the prison estate overall, there is currently spare capacity in the women's estate and the women's prison population has not shown the same levels of growth as the overall population.<sup>5</sup>

The majority of women serve short sentences: in 2002, forty per cent of women served a sentence of three months or less and nearly seventy-five per cent received a sentence of twelve months or less. The average sentence was ten months.<sup>6</sup> Theft and handling stolen goods and summary offences are the most common offence for women to be given a community sentence.<sup>7</sup>

## Profile of women prisoners

Women in prison in England and Wales are characterised by social exclusion. In a survey of imprisoned mothers more than a quarter of the women had been in state care as a child. There is a

'gender difference in the effects that being in local authority care can have on the subsequent adverse experiences as adults: Girls who were in care or fostered were particularly likely to have had extra-marital births, three or more live-in partners, become teenage mothers...and...experience several other negative adult outcomes (homelessness, lack of qualifications and low household income)...Boys seem less vulnerable to negative consequences of care or fostering...This gender difference in the effect of care as an antecedent to adult exclusion is dramatic.'<sup>8</sup>

Half of the women prisoners surveyed had suffered violence within the home and one in three suffered from sexual abuse, usually from a man who was close to them such as their father or partner. The Fawcett Commission heard from lawyers that women prisoners who disclose that they have been abused, risk being turned down for more open conditions or release by the Parole Board because they are seen as not taking responsibility for their actions.<sup>9</sup>

## Prisons

There are fifteen women's prisons in England. These are categorised as closed, open or semi-open. There are currently five purpose-built female juvenile units and female young offenders are held in dedicated young offender units. There are seven mother and baby units and one prison serves as an intermediate custody centre.<sup>10</sup> There are no women's prisons in Wales. There are only two open prisons for women in England.

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<sup>5</sup> Women & Young People's Group of HM Prison Service, personal correspondence, December 2006.

<sup>6</sup> *Prison Reform Trust*, p. 10, available at [www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

<sup>7</sup> Home Office, *Statistics on Women and the Criminal Justice System*, 2003, p. 27 [on-line], accessed 18 April 2007, available at <http://www.homeoffice.gov.uk/rds/pdfs2/s95women03.pdf>

<sup>8</sup> Prison Reform Trust, *Justice for Women, The Need to Reform*, 2000, p. 10.

<sup>9</sup> *The Fawcett Society*, p. 48, available at <http://www.fawcettsociety.org.uk/index.asp?PageID=432>

<sup>10</sup> *HM Prison Service*, Female Prisoners [on-line], accessed on 18 April 2007, available at [http://www.hmprisonservice.gov.uk/adviceandsupport/prison\\_life/femaleprisoners/](http://www.hmprisonservice.gov.uk/adviceandsupport/prison_life/femaleprisoners/)

*Table 1: Prisons holding women in England*

Source: Information from the website, and updated by the Women & Young People's Group, HM Prison Service, December 2006.

Prison	Brief description	Operational capacity	Mother and Baby Unit?	Juveniles	Other
Askham Grange	Open prison for sentenced adult and young adult women prisoners	128 (30 Nov. 2006)	Yes, age limit 18 months. Places for 10 mothers.	No	Only open prison with a mother and baby unit.
Bronzefield	Closed, local prison	450 (450 held at time of inspection)	Yes, 12 places, age limit 18 months.	No	Private prison. Holds women on remand and those awaiting transfer after being sentenced
Cookham Wood	Closed	184 (165 held at time of inspection)	No	Yes	Contains dedicated unit for 17 year olds
Downview	Closed	350 (30 Nov. 2006)	No	Yes, 16 places (remand and convicted)	Contains dedicated unit for 17 year olds. Designated foreign national and resettlement centre
Drake Hall	Semi-open	315	No	No	Designated foreign national and resettlement centre
East Sutton Park	Open prison for adult and young adult women offenders	100 (30 Nov. 2006)	No	No	Designated resettlement unit
Eastwood Park	Closed local prison	362 (30 Nov. 2006)	Yes, 12 places, age limit 18 months	Yes	Contains dedicated unit for 17 year olds
Foston Hall	Closed	290 (31 Jan. 2006)	No	Yes	Contains dedicated unit for 17 year olds
Holloway	All adult and young offenders, remanded or sentenced	489 (30 Nov. 2006)	Yes, age limit 9 months, 13 places.	No	
Low Newton	Closed female prison and young offender institution	311 (30 Nov. 2006)	No	No	Holds a small number of life sentenced prisoners
Morton Hall	Semi-open	392 (30 Nov. 2006)	No	No	Designated Foreign National and Resettlement Centre

Prison	Brief description	Operational capacity	Mother and Baby Unit?	Juveniles	Other
New Hall	Closed, local	443 (30 Nov. 2006)	Yes, age limit 9 months, places for 9 mothers.	Yes	Holds adult women prisoners of all categories, young adult offenders, and, in a dedicated unit, 7 year old juveniles.
Peterborough	Closed. The first purpose-built prison to house both men and women	840 (31 Jan. 2006)	Yes, 12 places, age limit 18 months	No	Private prison
Send	Closed	218 (30 Nov. 2006)	No	No	80 bed resettlement unit and a therapeutic community with a capacity of 40.
Styal	Closed. Accepts adult women prisoners and in some cases, young adult offenders.	465 (30 Nov. 2006)	Yes, age limit 18 months, 7 places.	No	Unit for women with mental health problems

There are only five single-sex bail hostels for women. The alternative for women is a mixed sex hostel which may also be accommodating men who have a history of abusing women.<sup>11</sup>

Women's prisons have fewer levels of categorisation than men's prisons so that women who should otherwise be separately graded are being held together. After inspecting Durham prison, the Chief Inspector of Prisons stated in 2004 that 'most women were subject to a level of security that they did not require... imposed by procedures designed to manage very dangerous men.' The high security unit at Durham has now been closed.<sup>12</sup> One lifer told the Fawcett Commission: "For us lifers we do feel we have [fewer] opportunities than male prisoners to progress through the system itself. We have less opportunity to do courses; there is a lack of prisons we can go to and less categories of prison in which to progress."<sup>13</sup>

The Prison Reform Trust points out that much of the new prison accommodation for women has been converted from male accommodation 'often at short notice and with insufficient attention paid to its appropriateness for women or to the training of staff.'<sup>14</sup> The smaller number of women's prisons results in women arriving at prison very late at night having made long journeys in prison vans. Six of the fourteen women who killed themselves in 2003 did so within the first week of arriving at prison. The First Night in Custody scheme in Holloway Prison run by the Prison Advice and Care Trust (PACT) attempts to deal with this problem by providing

<sup>11</sup> *The Fawcett Society*, p. 39, available at

<http://www.fawcettsociety.org.uk/index.asp?PageID=432>

<sup>12</sup> Alan Travis, 'Oppressive' jail wing for women to be shut', *The Guardian*, 27 May 2004 [newspaper on-line], accessed 18 April 2007, available at

<http://www.guardian.co.uk/prisons/story/0,,1225429,00.html>

<sup>13</sup> *The Fawcett Society*, p. 46, available at

<http://www.fawcettsociety.org.uk/index.asp?PageID=432>

<sup>14</sup> Prison Reform Trust, *Justice for Women, The Need to Reform*, p. 17.

an orientation pack, a link worker to make contact with prisoners' families and referral to internal and external services.<sup>15</sup>

## Crimes

In 2002, the top eight offences committed by women were:

- Shoplifting: 2,740
- Wounding: 510
- Robbery: 470
- Burglary: 450
- Fraud: 450
- Production/supply/possession with intent to supply a class A drug:430
- Summary motoring: 420
- Handling stolen goods: 340.

The number of women sentenced for drug crimes increased from twenty-seven per cent of the sentenced female population in 1993 to forty per cent in 2002. In 1998, the Government found that heroin, crack and cocaine users are responsible for half of all thefts, vehicle crimes, burglaries and shoplifting.<sup>16</sup>

Prostitution itself is not illegal. The law addresses associated behaviours, such as kerb crawling or loitering/soliciting for the purposes of prostitution, but does not criminalise the act of buying or selling sex. The Government is well aware of the numerous harms associated with prostitution and in January last year published a coordinated strategy to address them. The strategy challenges the assumption that street-based prostitution is inevitable and here to stay, and aims to reduce all forms of commercial sexual exploitation. Loitering or soliciting was made a non-imprisonable offence in 1982 (s71, Criminal Justice Act 1982) and has since been punishable by way of a fine. The strategy acknowledged that once an individual becomes involved in prostitution it can be difficult to get out, and set out proposals for a more rehabilitative penalty for those convicted of loitering or soliciting. When introduced, the new penalty will require offenders to engage with local support services to begin to address the issues (such as drug addiction) that tie them to prostitution. Other elements of the strategy included measures to deter those who create the demand for street sex markets, awareness raising, prevention and early intervention initiatives and measures to ensure those who coerce or exploit through prostitution are brought to justice.<sup>17</sup>

The comparatively low rates of serious crime amongst women means that 'most women sentenced to imprisonment are non-violent offenders and many have committed minor offences.'<sup>18</sup> In 2004, Her Majesty's (HM) Chief Inspector of Prisons asserted that 'a greater proportion of women could be held without physical security restrictions as they do not represent a danger to the public.'<sup>19</sup>

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<sup>15</sup> See *Prison Advice and Care Trust (PACT)* [on-line], available at [www.prisonadvice.org.uk](http://www.prisonadvice.org.uk)

<sup>16</sup> *Prison Reform Trust*, p. 17, available at [www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

<sup>17</sup> Women & Young People's Group of HM Prison Service, personal correspondence, December 2006.

<sup>18</sup> Penal Affairs Consortium, *The Imprisonment of Women: Some Facts and Figures* (London: Penal Affairs Consortium, 1996).

<sup>19</sup> *HM Inspectorate of Prisons, Women in Prison - A Thematic Review, 1997*, p. 20 [on-line], accessed 20 September 2006, available at <http://inspectors.homeoffice.gov.uk/hmprisons/>

### 3. Women awaiting trial

The number of women awaiting trial has increased much faster than for men.<sup>20</sup> Two thirds of the women who enter custody are awaiting trial, a population of 75,235. However, fifty-eight per cent of them do not receive a custodial sentence and one in five is acquitted altogether.<sup>21</sup>

There is a legal presumption in favour of bail for all defendants except those accused of murder, attempted murder, manslaughter, rape and attempted rape. However, most women awaiting trial have been charged with non-violent offences. Prisoners may be imprisoned while awaiting trial for five reasons: because they would fail to attend trial; they would obstruct the course of justice; they would commit a subsequent offence; there would be a risk of disturbance to public order; or the person would be at risk of harm, for example when the accused will be giving evidence against someone else. These reasons are not mutually exclusive.

Magistrates face an information deficiency so that women may be imprisoned while awaiting trial simply because magistrates do not have evidence to the contrary. In addition, magistrates have to make decisions very quickly because they are under pressure to get through a large number of cases. Thus women are being imprisoned while awaiting trial simply due to a lack of information about their situation.

Such judgements are also discriminatory. Homeless women may be imprisoned while awaiting trial because a lack of address is seen as a risk of not appearing at trial; mentally unstable women may be sent to custody to ensure a psychiatric assessment. There is some evidence that it is harder to prepare a legal defence whilst in custody.

Women who have not yet been sentenced may go to bail hostels instead of prison, but bail hostels, unlike prisons, are not full to capacity. This is because: bail hostels have criteria that exclude women (for example not admitting drug using women); they are too far from women's homes; because there is a lack of facilities for children; or because women do not feel safe in them. There is a lack of bail information available in prisons.

Women awaiting trial are a disadvantaged section of the prison population. Recent Prison Inspectorate reports suggest that 'prison conditions for women on remand [awaiting trial] are grossly inferior to those for men or for sentenced women' and that 'prisons holding women on remand are under unsustainable pressures'. The Prison Reform Trust asserts that 'once in prison, remanded women receive inadequate support during the first days of custody, do not get the drug treatment or mental health care they require, are subjected to regimes lacking in activity or purpose, and have limited opportunities to keep in touch with their families.'<sup>22</sup>

The Home Office admits that 'many initiatives which can significantly enhance the maintenance of family ties are not open to remanded women [those awaiting trial]; e.g. open conditions or release on temporary license.'<sup>23</sup> Although prisoners awaiting trial are entitled to daily visits, this will not be possible for the many women sent far from home. Almost half of the women surveyed in 2000 had not received a visit whilst awaiting trial. Staff shortages restrict access to telephones and pre-trial prisoners are often moved between prisons due to overcrowding.<sup>24</sup>

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<sup>20</sup> K. Edgar, *Lacking Conviction: The Rise of the Women's Remand Population* (Prison Reform Trust, 2004), p. 1.

<sup>21</sup> *ibid.*, p. 49.

<sup>22</sup> *ibid.*

<sup>23</sup> HM Prison Service, *Report of a Review of Principles, Policies and Procedures on Mothers and Babies/Children in Prison* (London: HM Prison Service, 1999), p. 22.

<sup>24</sup> Edgar, *Lacking Conviction*, p. 24.

## 4. Motherhood in prison

More than sixty per cent of women in prison are mothers and forty-five per cent of them had children living with them at the time of their imprisonment. Just over a quarter of women prisoners had been living as lone parents prior to imprisonment.<sup>25</sup> Imprisoned women are three times more likely to be single mothers than women in the general population - twenty-seven per cent compared to eight per cent.<sup>26</sup> Approximately 17,000 children are separated from their imprisoned mothers each year.<sup>27</sup> A conservative estimate puts the number of children whose living arrangements were disturbed due to maternal imprisonment at 8,000. A 1998 study showed that in eight per cent of cases, women's children will be placed in state care as a result.<sup>28</sup> A 1997 survey by the Home Office revealed that the children women are leaving behind are very young: almost a third of children were under the age of five and two thirds were under the age of ten. For eighty-five per cent of these children it was the first time they had been separated from their mothers for any significant length of time.

Ten per cent of the women who lived with their children on entering prison do not expect to do so upon release. The 1997 Home Office study found that half of the mothers nearing release were not expecting to return to the same accommodation they had been living in prior to prison; almost four out of ten had lost their homes.<sup>29</sup> The Fawcett Society reports that women may be in a catch-22 situation when they are released: 'they experience difficulties in getting their children back if they do not have a home, but have difficulty in getting a home if they are not caring for their children'.<sup>30</sup>

In 1999, a Home Office review stressed the need for mothers to have frequent and lengthy contact with their children including mothers visiting their children in the community and found that 'mothers... regretted the lack of opportunity to have 'whole' family visits where mother could meet father, or other significant carer, and children together to talk and engage in play and children's activities'.

### Babies in prison<sup>31</sup>

In 2006, there were seven Mother and Baby Units (MBUs) in England and Wales. Girls under eighteen with babies are accommodated at Rainsbrook Secure Training Centre near Rugby in Warwickshire and the admission process is conducted by the Youth Justice Board.

There is an information booklet about mother and baby units which should be given to all women prisoners who wish to apply for a place and are pregnant or who have children younger than eighteen months of age in the community. In all women's prisons there is a Mother and Baby Liaison Officer who provides information and assists women with their application to the MBU of their choice.

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<sup>25</sup> *The Fawcett Society*, p. 45, available at

<http://www.fawcettsociety.org.uk/index.asp?PageID=432>

<sup>26</sup> Prison Reform Trust, *Justice for Women, The Need to Reform*, p. 10.

<sup>27</sup> Prison Reform Trust, *Trouble Inside: Responding to the Mental Health Needs of Women in Prison* (London: Prison Reform Trust, 2003), as referenced in, *The Fawcett Society*, p. 48, available at <http://www.fawcettsociety.org.uk/index.asp?PageID=432>

<sup>28</sup> Prison Reform Trust, *Justice for Women, The Need to Reform*, p. 9.

<sup>29</sup> *ibid.*

<sup>30</sup> *The Fawcett Society*, p. 48, available at

<http://www.fawcettsociety.org.uk/index.asp?PageID=432>

<sup>31</sup> Information in this section was added to and updated by Terry Harvey of the Women & Young People's Group, HM Prison Service, in December 2006.

Each prison with an MBU holds regular admission boards on individual applicants at which a recommendation will be made to the Governing Governor (in the case of private prisons, the Director) about the suitability/eligibility of each case. The primary consideration is the best interests of the child. The minimum composition of the Board is an Independent Chair, the responsible Governor or MBU Manager, a Social Services' representative and/or Probation Officer and the mother, plus a friend or personal officer if desired. A dossier on the child's and mother's situations, compiled by the MBU Liaison Officer, will be prepared for the Board's consideration. The Governing Governor or Director will make the final decision whether or not mother and child are admitted. When an application for a place is turned down, this is usually on the advice of Social Services. Depending on the location and status of the mother, there may be provision for her to go on home visits to allow older siblings to get to know the new baby. The majority of women's prisons also have facilities for family visits with children, either in the MBU or elsewhere in the prison if individual circumstances permit.

Prison Service Order 4801, Edition 3, explicitly states 'the best interests of the child are the primary concern in all matters' and that 'the mother's rights must also be recognised provided they do not undermine those of the child'. However, the best interests of all children on the MBU must be taken into account when judging whether or not a mother is suitable to be on the Unit. MBUs must be tranquil and friendly with a child-focused regime and women must be 'able to demonstrate behaviour and attitudes which are not detrimental to the safety and well-being of other Unit residents'.

All MBUs are drug-free. However, women prisoners on a prescribed Methadone or Buprenorphine (Subutex) withdrawal or maintenance programme must not be excluded from a Unit solely for that reason. Mothers sign a compact which may be individually tailored for their needs on admission to a MBU. Mothers retain parental responsibility for their children and are fully involved in decisions relating to their child and themselves. Mothers and babies must not be locked in their rooms. Mothers participate in activities within the main prison and nursery facilities are provided in the Unit.

The Prison Service advises that, if a woman on a MBU is serving a long sentence, separation from the mother should take place earlier rather than later, as this is less traumatic for the child. If separation occurs because the mother is serving a sentence which exceeds the child's eighteenth month, there is a Separation Board held and a separation plan put in place. Separation will follow the review plan which takes place at least every eight weeks. As the time for separation approaches, the child's new carer (often a grandmother) will spend an increasing amount of time with the child, who will go out for progressively longer overnight visits to their new home. Nominated carers will have to be approved as suitable and appropriate by Social Services.

Children can be separated from their mothers before the eighteen-month age limit if it is in the child's best interests to do so: however, 'there should be some routine flexibility...if the mother is due for release within a few weeks of the child reaching the age limit'. Each case is judged on an individual basis.

The Admissions Board is not a legal entity, so a challenge to the decision would be via Judicial Review. All controversial or contested separations must be referred to the National Mother and Baby Coordinator.

At the end of 2003, half of all women in prison were held over fifty miles from home and a quarter were held over 100 miles away. In 1999, a snapshot survey showed that sixty-two per cent of women in the MBU in Askham Grange prison had been imprisoned over 100 miles from home. This is probably because Askham Grange is the only MBU operating in an open prison and it covers a wide catchment area in the North of England. At the time of the survey, in the Styal

MBU eighteen per cent of mothers lived over a 100 miles away and a further twelve per cent were from abroad. In Holloway prison, North London, all the women in the MBU were under a 100 miles away from home, except for twenty-three per cent who were foreign nationals.

If there is Social Services' involvement in an individual case, the local case worker must be notified when a mother is discharged from prison with her baby.

## **5. Health**

### **General**

In 1997, the Chief Inspector of Prisons noted that the health care standards, which apply to both men and women, contained very few references to women and recommended that a specific standard for women's health should be added. In 2001, the Chief Inspector also recommended the appointment of an Operational Head of Women's Health to have overall responsibility for health care in women's prisons.<sup>32</sup> In 2003, the Home Office reported that sixty per cent of women prisoners rate their health as fair, poor or very poor.<sup>33</sup>

It has been noted that there is a lack of systematic gynaecological health care.

### **Mental health (including self-harm and suicide)**

In recent years the National Health Service and the Prison Service have been working together to implement the Women's Mental Health Strategy to improve mental health care for women prisoners. 2.5 million pounds sterling has been allocated to women's prisons to be spent in this area.<sup>34</sup>

Many prisoners have significant mental health problems (see Table 2 below).

Women prisoners are more likely than men:

- To be suffering from a neurotic disorder
- To be suffering from functional psychosis
- To be dependent on opiates
- To have been admitted to a mental hospital

Women prisoners are less likely than men to:

- Have a personality disorder
- To report drinking at a hazardous level.<sup>35</sup>

There are about 200 court diversion schemes that should ensure that offenders with mental health problems are diverted to mental health services. Courts can also allocate offenders to psychiatric treatment either in a secure hospital or on probation. Nacro examined the diversion of offenders from courts to mental health care and found that 'in addition to any issues of gender bias, we have two major factors: the first, a major mismatch between the need for mental health services at varying levels of security and the availability of resources; and the

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<sup>32</sup> Kesteven, *Women who challenge, Women offenders and mental health issues*, p. 18.

<sup>33</sup> Home Office, *Statistics on Women and the Criminal Justice System*, p. 27, available at <http://www.homeoffice.gov.uk/rds/pdfs2/s95women03.pdf>

<sup>34</sup> Women & Young People's Group, HM Prison Service, personal correspondence, December 2006.

<sup>35</sup> Kesteven, *Women who challenge, Women offenders and mental health issues*, p. 12.

second, a lack of information about individuals' mental health problems.<sup>36</sup> The Parliamentary Select Committee on Health found that court diversion schemes identify only one in five offenders with serious mental illness.<sup>37</sup>

In 2000, a study of thirteen prisons with in-patient beds showed that mental health care was below the standard of the National Health Service and of the Prison Service's own standards due to a lack of training and qualifications of staff, the low numbers of staff and a lack of therapeutic activity for patients.<sup>38</sup>

Research in 2001 found an association between those receiving disciplinary action in prison and those with a mental disorder. Seventy-three per cent of women prisoners who received additional days to their sentence had significant levels of neurotic symptoms as did seventy-four per cent of those who had been subject to confinement within their cells. Of the prisoners who had not received either punishment, only fifty-six per cent had significant levels of mental disorder. Of those subject to cellular confinement seventeen per cent are thought to be psychotic compared to eight per cent of those who had not received such punishment.<sup>39</sup>

One woman prisoner told the Fawcett Commission that "the availability of medication to female prisoners perpetuates the belief that women need medication. It is not the same in the male estate. Medication for those with mental health issues is of course vital but not for most women." The Prison Reform Trust (cited by Fawcett) supports this with anecdotal evidence, suggesting that: 'this increase in medication is not a result of careful exploration of the mental health needs of women in prison but rather a response by under-trained staff who resort to medication to contain a 'problem'' and the Prison Reform Trust 'recommend urgently the undertaking of an audit of drug prescribing in prison and the development, in collaboration with the National Health Service, of a protocol for prescribing for women prisoners'.<sup>40</sup>

Nacro writes that 'with such poor standards of care in prison, there is no prospect of those with mental health problems coming out in a better state than they went in. In fact, given the impact of imprisonment itself, the reverse is likely, with all the implications that has for re-offending'.<sup>41</sup>

In 2004, there were thirteen suicides by women in prison.<sup>42</sup> The Chief Inspector of Prisons revealed that two people a week try to kill themselves in prison in England and Wales. In the same year, The Guardian newspaper reported that there were five suicide attempts a day in Holloway women's prison - however, this figure is not supported by IRS statistics<sup>43</sup> and may be reflective of an extreme period.<sup>44</sup> In the community, men are two or three times more likely to attempt suicide than women, but, in prison the statistics are reversed. Suicide has been explicitly linked to overcrowding by the Home Office.<sup>45</sup> In 2005, the figures dropped to four

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<sup>36</sup> *ibid.*, pp. 17 and 18.

<sup>37</sup> *ibid.*, p. 17.

<sup>38</sup> *ibid.*, p. 18.

<sup>39</sup> *ibid.*, p. 22.

<sup>40</sup> *The Fawcett Society*, p. 46, available at <http://www.fawcettsociety.org.uk/index.asp?PageID=432>

<sup>41</sup> Kesteven, *Women who challenge, Women offenders and mental health issues*, p. 19.

<sup>42</sup> *Inquest, Deaths of Women in Prison* [on-line], accessed 18 April 2007, available at <http://www.inquest.org.uk/>

<sup>43</sup> Tax statistics

<sup>44</sup> Women & Young People's Group of HM Prison Service, personal correspondence, December 2006.

<sup>45</sup> Eric Allison and Tanya Branigan, 'Five suicide attempts a day at Holloway', *The Guardian*, 9 September 2004 [newspaper on-line], accessed 18 April 2007, available at <http://www.guardian.co.uk/prisons/story/0,,1278944,00.html>

women.<sup>46</sup> Thirty-seven per cent of women in prison say they have attempted suicide at some point in their life.<sup>47</sup>

The general suicide prevention strategy provides within it a specific strategy for women prisoners, which recognises their particular vulnerabilities and needs. The strategy focuses on dealing with the underlying factors that can lead to women prisoners trying to harm themselves or commit suicide.

HM Chief Inspector reported a fivefold rise in self-harming in 2003. A prison service spokeswoman told *The Guardian* newspaper that this rise was partly due to better reporting of incidents. She also said that self-harm among female prisoners had risen 'astronomically'.<sup>48</sup> Thirty per cent of women prisoners are self-harmers compared to six per cent of men.<sup>49</sup> Women also harm themselves more repeatedly than men.<sup>50</sup> It should be noted, however, that the majority of this increase is due to the introduction of the F213SH (self-harm)<sup>51</sup> incident form (introduced in December 2002) on which all incidents of self-harm were recorded and on which more criteria was recorded than previously. The result of this improved recording was selective in that it picked up most of the female self-harm which is highly repetitive in nature and was being missed prior to the F213SH procedures. Male self-harm has been virtually constant.

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<sup>46</sup> *Inquest*, available at <http://www.inquest.org.uk/>

<sup>47</sup> *Prison Reform Trust*, p. 10, available at [www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

<sup>48</sup> Eric Allison, 'Self-harm soars among prisoners', *The Guardian*, 9 February 2004 [newspaper on-line], accessed on 18 April 2007, available at <http://www.guardian.co.uk/prisons/story/0,,1143956,00.html>

<sup>49</sup> *The Guardian*, 9 September 2004, available at <http://www.guardian.co.uk/prisons/story/0,,1278944,00.html>

<sup>50</sup> *Prison Reform Trust*, p. 10, available at [www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

<sup>51</sup> Women & Young People's Group of HM Prison Service, personal correspondence, December 2006.

Table 2: Figures relate to sentenced prisoners only where explicitly stated. The other figures may also include prisoners awaiting trial.

	Female Prisoners	Male Prisoners
Percentage of sentenced prisoners with 2 or more mental disorders <sup>52</sup>	70%	72%
Percentage of sentenced prisoners with a neurotic disorder <sup>53</sup>	63%	40%
Percentage of sentenced prisoners with a personality disorder <sup>54</sup>	50%	64%
Percentage of sentenced prisoners with a psychotic disorder <sup>55</sup>	14% (23 times the level in the general population)	7% (14 times the level in the general population)
Percentage of prisoners with a functional psychosis <sup>56</sup>	14% (compared with around 1% in the general population)	7% (sentenced) 10% (remand)
Percentage of prisoners with symptoms of depression <sup>57</sup>	54% (compared with 11% in general population)	Data not given
Percentage of female prisoners suffering from post traumatic stress <sup>58</sup>	6% (Women are twice as likely to suffer from this as men)	Data not given
Percentage of female prisoners with anorexia <sup>59</sup>	6%	Data not given
Percentage of female prisoners with bulimia <sup>60</sup>	14%	Data not given

## Substance addiction

The Home Office reports that ‘between 1997 and 2001 the pre-prison prevalence rates for both crack and heroin significantly increased among both black and white women.’<sup>61</sup> Around a third of women prisoners admitted to using heroin or cocaine in the year before their imprisonment.<sup>62</sup>

Resources are available to meet approximately thirty per cent of the rehabilitation needs of drug-users in prison. The current practice in prisons is to recommend detoxification programmes to prisoners. These programmes last between nine and ten days. In 2001, the Prison Inspectorate raised concerns about the quality of detoxification, especially for prisoners

<sup>52</sup> *Prison Reform Trust*, p. 16, available at [www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

<sup>53</sup> *ibid.*

<sup>54</sup> *ibid.*

<sup>55</sup> *ibid.*

<sup>56</sup> Kesteven, *Women who challenge, Women offenders and mental health issues*, p. 11.

<sup>57</sup> *ibid.*, p. 12.

<sup>58</sup> *ibid.*

<sup>59</sup> *ibid.*

<sup>60</sup> *ibid.*

<sup>61</sup> Malcolm Ramsay (ed.), *Prisoners’ Drug Use and Treatment: Seven Research Studies*, Home Office Research Study 267 (London: Home Office, 2003), p. 66 [on-line], accessed on 18 April 2007, available at <http://www.homeoffice.gov.uk/rds/pdfs2/hors267.pdf>

<sup>62</sup> *Prison Reform Trust*, p. 17, available at [www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

who have been dependent on crack cocaine.<sup>63</sup> In 2004, there was still no ‘proper’ detoxification which ‘creates an extremely unsafe environment’.<sup>64</sup> The Fawcett Commission heard concerns that ‘the pressure to ‘process’ large numbers of prisoners can mean that the service offered simply boils down to completing an assessment form.’<sup>65</sup>

Other drug treatment and rehabilitation was previously restricted to those prisoners serving sentences of over one year until the introduction of the accredited Short Duration Programme in 2004, which targets women on remand or serving sentences less than six months. P-ASRO (Prisoners Addressing Substances Related Offending) for Women was introduced in 2005 for women with six months or more to serve.

A further problem can be transferral between prisons may interrupt drug treatment: a third of prisons are unlikely to be able to continue the drug treatment of the prisoners who are sent to them.<sup>66</sup>

Following a recent and significant increase in the funding available for this work it is thought that an improvement can be seen in many prisons. However, more needs to be done in terms of appropriate and supportive regimes for women immediately after detoxification.<sup>67</sup>

Drug use on release from prison is very high: ‘about half of drug-using prisoners who had been receiving treatment whilst in custody reported being offered help to obtain treatment on release. However, only eleven per cent had a fixed appointment with a drug agency and, four months after their release, half were back to using heroin on a daily basis’<sup>68</sup>. The Fawcett Commission also found a lack of through-care when substance-abusing women are released back into the community.

## **6. Education, work and training**

### **Education**

Educational attainment of women in prison is lower than that of the general female population. Forty-seven per cent have no educational qualifications and thirty-seven per cent have GCSEs (exams taken at age sixteen) as their highest level of achievement.<sup>69</sup> Whilst two per cent of the general population have been excluded from school, thirty-three per cent of sentenced women prisoners were excluded from school.<sup>70</sup> Two out of every five women prisoners left school prematurely.<sup>71</sup>

The government has reorganised learning and skills for offenders in custody (and in the community). The Offenders’ Learning and Skills Service (OLASS) has been operating in all nine English regions from August 2006. The service is based on a national specification (Offenders’ Learning Journey) which sets out minimum curriculum expectations in a broad range of

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<sup>63</sup> *HM Inspectorate of Prisons*, Thematic Review 2001 [on-line], accessed on 15 September 2006, available at <http://inspectors.homeoffice.gov.uk/hmiprison/>

<sup>64</sup> *ibid.*

<sup>65</sup> *The Fawcett Society*, p. 47, available at <http://www.fawcettsociety.org.uk/index.asp?PageID=432>

<sup>66</sup> *Prison Reform Trust*, p. 17, available at [www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

<sup>67</sup> Julia Fossi, Senior Research Officer, HM Inspectorate of Prisons, personal correspondence, December 2006.

<sup>68</sup> *ibid.*, p. 18.

<sup>69</sup> Kesteven, *Women who challenge, Women offenders and mental health issues*, p. 9.

<sup>70</sup> *Prison Reform Trust*, p. 12, available at [www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

<sup>71</sup> *ibid.*, p. 10.

academic and vocational training programmes. Bespoke information systems are being set up which will enable detailed reporting and analysis by gender. In the interim, National LSC (Learning and Skills Council) has developed a data collection system which shows a mixed picture as follows (as at August 06):

- Forty-eight per cent of women in prison are participating in OLASS-funded provision compared to thirty-five per cent of men;
- Thirty-one per cent of women offenders are on Basic Skills courses, compared to forty-six per cent of all offenders;
- Twenty per cent of women on Basic Skills courses achieved a qualification, compared to thirty-seven per cent of all offenders; and
- Thirty-seven per cent of women on non-Basic Skills courses achieved a qualification, compared to sixty-eight per cent of all offenders.

A more recent survey conducted by the SIOU<sup>72</sup> shows that over four times as many women in custody undertake higher education compared to the rate for men. Despite the mixed picture above, overall, women's participation in education is higher than men's. As the LSDA (LSN)<sup>73</sup> research report concluded, this is because of a complex set of factors including the fact that the specific needs of women offender-learners are met in a supportive, single-sex environment.<sup>74</sup>

## Work

Only three per cent of women in prison were in work prior to coming to prison and over half said they were living on state benefits.<sup>75</sup> A survey of 168 released female offenders found that only twenty-five per cent were employed between five and nine months following release.<sup>76</sup> Women are less likely to have work and training arranged for them on release than men.<sup>77</sup>

## 7. Minority groups

### Young Adults

The 2002-2003 annual report of HM Chief Inspector of Prisons referred to a 'lack of a coherent national strategy, standards or new funding for 18-21 year olds'.<sup>78</sup> Young adults in prison are more likely to have mental health problems and to commit suicide than older adults.<sup>79</sup>

The Young Adult Offenders Project was set up in November 2005 to develop a strategy for the management and standards for individuals between eighteen and twenty years old in custody and the community. The project has reviewed four areas: the age range, the legislative

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<sup>72</sup> Social Inclusion and Offenders Unit

<sup>73</sup> What was previously the LSDA is now the Learning and Skills Network (LSN). The LSN is a non-profit organisation committed to improving the quality of learning and of skills.

<sup>74</sup> Women & Young People's Group, HM Prison Service, personal correspondence, December 2006.

<sup>75</sup> Prison Reform Trust, *Justice for Women, The Need to Reform*, p. 10.

<sup>76</sup> Home Office, *Statistics on Women and the Criminal Justice System*, p. 27, available at <http://www.homeoffice.gov.uk/rds/pdfs2/s95women03.pdf>

<sup>77</sup> *The Fawcett Society*, p. 48, available at <http://www.fawcettsociety.org.uk/index.asp?PageID=432>

<sup>78</sup> *Prison Reform Trust*, p. 13, available at [www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

<sup>79</sup> *ibid.*

arrangements for the management of young adult offenders, custodial estate provisions and community provisions. It will report back in early 2007.<sup>80</sup>

There has been special attention to look at the provisions to prevent re-offending in this age group because other measures used for adult programmes have been shown to be ineffectual.

## Juveniles (under 18s)

Juvenile girls make up only 0.1 per cent of the total prison population. Females aged sixteen or below are no longer held in young offender institutes or prisons but in secure training centres or secure children's homes. The seventeen year old females are now accommodated in five small dedicated units run by HM Prison Service and funded by the Youth Justice Board.

In 1999, eighty per cent of fourteen to seventeen year olds re-offended within two years of being discharged from prison.<sup>81</sup> The peak age of self-reported offending for girls is fourteen compared with eighteen for boys; as Kesteven puts it 'the majority of young offenders simply grow out of crime but girls grow out of crime more quickly than boys.'<sup>82</sup> The crimes most likely to be committed by girls under sixteen include shoplifting, criminal damage, offences of minor violence and buying stolen goods.<sup>83</sup>

It is estimated that thirty-nine per cent of female juveniles are mothers.<sup>84</sup>

## Foreign nationals and ethnic minorities

Foreign national women account for the greatest proportionate rise in the prison population in recent years. In 2002, twenty per cent of women in prison were foreign nationals, half of whom were Jamaican nationals.<sup>85</sup>

The Fawcett report states 'such women come from a background of extreme poverty and are rarely high up in the criminal gangs involved in the drug trade. Most are single parents and first time offenders and there is evidence to suggest that coercion plays a part in their decision to become a drug courier against a background of violent, abusive and exploitative relationships.'<sup>86</sup> Some have left children in temporary care back home because they had planned to be away for days not years.

The Fawcett Commission was told 'staff need more training about the foreign nationals' background and way of life. Certain words can be misinterpreted, as can gestures and loud voices.'<sup>87</sup>

Foreign nationals get free letters and extra access to the telephone in lieu of visits. There is a 'language line' which provides a twenty-four hour translating service. There is also a foreign prisoners' resource pack.

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<sup>80</sup> Women & Young People's Group, HM Prison Service, personal correspondence, December 2006.

<sup>81</sup> *ibid.*, p. 14.

<sup>82</sup> Kesteven, *Women who challenge, Women offenders and mental health issues*, p. 7.

<sup>83</sup> *ibid.*

<sup>84</sup> *Prison Reform Trust*, p. 13, available at [www.prisonreformtrust.org.uk](http://www.prisonreformtrust.org.uk)

<sup>85</sup> *The Fawcett Society*, p. 45, available at <http://www.fawcettsociety.org.uk/index.asp?PageID=432>

<sup>86</sup> *ibid.*

<sup>87</sup> *ibid.*

Hibiscus is a charity which works with both foreign national prisoners in England (predominantly drug couriers from the Caribbean) and also with their dependent relatives and children abroad. Their office in Kingston, Jamaica contacts the prisoner's children and aims to make sure that they have food, counselling and referrals to other agencies. Staff from Hibiscus visit women in prison across England and offer them one to one and group support and advice.

The Prison Reform Trust believes that 'given that a substantial number of them [foreign nationals] will be deported at the end of their sentence, their imprisonment must raise important questions about the purpose which imprisonment is expected to fulfil in these cases.'<sup>88</sup>

In June 2002, women of ethnic minority background made up twenty-nine per cent of the female prison population compared to twenty-two per cent of the male prison population.<sup>89</sup> It is believed that the different proportion of minority ethnic prisoners in the male and female prison populations is accounted for by the larger percentage of female foreign national prisoners, who are usually imprisoned for drug offences. Even when foreign nationals are not counted, the number of ethnic minority women serving sentences for drug offences is more than the number of white women or black men.<sup>90</sup>

## **8. Security and punishment**

A high proportion of sentenced women prisoners, thirty-two per cent, commit disciplinary infringements. Nacro<sup>91</sup> suggests that this may be due to the detrimental effects of prison on women's mental well-being and, in particular, frustrations about not being able to deal with family problems.<sup>92</sup> The profile of a woman prisoner most likely to receive disciplinary punishment is: unmarried, aged between twenty-one and thirty-nine, with low educational attainment, and someone likely to have been living off crime before imprisonment.<sup>93</sup>

## **9. Additional information**

### **Programmes related to other issues<sup>94</sup>**

- a) A resettlement programme, FOR, designed for short-term prisoners which includes a specific version for women was accredited at the beginning of 2006.
- b) The Democratic Therapeutic Community at Send prison offers a supportive environment where women live and work together using group therapy and community living to explore and change problem behaviour related to offending.
- c) In three establishments, Dialectical Behaviour Therapy (DBT), a cognitive behavioural programme designed specifically for women with borderline personality disorders who

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<sup>88</sup> Prison Reform Trust, *Justice for Women, The Need to Reform*, p. 12.

<sup>89</sup> Home Office, *Statistics on Women and the Criminal Justice System*, p. 36, available at <http://www.homeoffice.gov.uk/rds/pdfs2/s95women03.pdf>

<sup>90</sup> Kesteven, *Women who challenge, Women offenders and mental health issues*, p. 9.

<sup>91</sup> Nacro are a charity committed to making society safer by finding practical solutions to reducing crime. See *Nacro, Who we are* [on-line], accessed on 18 April 2007, available at <http://www.nacro.org.uk/about/index.htm>

<sup>92</sup> Kesteven, *Women who challenge, Women offenders and mental health issues*, pp. 21 and 22.

<sup>93</sup> *ibid.*, p. 23.

<sup>94</sup> Women & Young People's Group, HM Prison Service, personal correspondence, December 2006.

are at high risk of self-harm and who show high risk offending behaviour has been piloted.

- d) Good Practice Guidelines including a Directory of Services for supporting women who disclose abuse have been published for the use of prison staff.
- e) The Together Women Programme (TWP) has been developed to establish and test out 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. Facilities include one stop centres, crèches, and support for finding housing.

TWP aims to meet the needs of women at various stages of their offending history from prevention and diversion, from custody to resettlement on release through management liaison between criminal justice agencies and other statutory community and voluntary organisations. The funding announced in 2004 for the programmes was in the region of 9.15 million pounds sterling over the four-year period 2005-2009. Projects will be based in two areas; the North West, and Yorkshire and Humberside.

- f) The new multi-modal intervention CARE (Choices, Actions, Relationships and Emotions) is being developed specifically for women in prison and is now at the pilot stage. It addresses a number of personal and circumstantial difficulties known to be linked to self-harm, to substance misuse, mental health and re-offending.