MIP

Women in Prison

National Report: England and Wales

Keele (MIP) Team

2005

Keele University MIP Team
Directors: Pat Carlen and Anne Worrall
Prison Interviews: Jan Sheath
Ex-prisoner interviews: Pat Carlen, Jan Sheath and Anne Worrall
Professionals’ interviews: Pat Carlen and Anne Worrall
Life stories: Pat Carlen and Jan Sheath
Work Package 2 Co-ordinator for Keele Team and MIP Programme:
  Pat Carlen
Work Package 4 and Work Package 5 co-ordinator and author: Anne Worrall
Final National Report (Author and data analysis): Pat Carlen (incorporating excerpts from WP4 and WP5 by Anne Worrall)
Summary National Report and Policy Recommendations: Pat Carlen
Research Assistance: Clare Sillitto
Interview Transcription: Diana Gadd
Financial Director: Mark Smith
Financial Support: Charlotte Holmes
INDEX

3. Introduction

4. Main Conclusions

5. The Research

6. Hypothesis 1

28. Hypothesis 2

35. Hypothesis 3

48. Hypothesis 4

58. Annex 1 Methods

73. Annex 2 Acknowledgements

74. Annex 3 References and Bibliography
Introduction

The research on the resettlement of released women prisoners in England and Wales reported here was conducted at a time of great change in the organisation of the responses to female offenders. In 2000 the government published its *Strategy for women offenders* (Home Office 2000); in 2002 the Social Exclusion Unit published its *Reducing offending by ex-prisoners*; in 2003 a government-commissioned Report outlined a new strategy for managing offenders (Carter 2003); and in 2004 prison services for women offenders were reorganised with the Prison Service’s Women’s Policy Group (WPG) being abolished and the women’s estate being returned to geographical (rather than functional) management, supported by the Prison Service’s Women’s Team. The latter published its first business plan in June 2004 (Prison Service Women’s Team 2004) and in the same month the Women’s Offending Reduction Programme Team at the Home Office also published its Action Plan (Home Office Women’s Offending Reduction Programme Team 2004), a strategy for action which will be rolled out in the next three years. A much more fundamental reorganisation of the delivery of punishment to both male and female offenders will occur later in 2004 when prison and probation services merge to form the National Offender Management Service (NOMS), one justification for which being that thereafter NOMS will provide a more co-ordinated service delivery than had been possible when prison and probation services remained organisationally separate (Carter 2003). At the time of writing this Report (August 2004) these most recent initiatives have hardly got underway and it remains to be seen whether they will eventually have significant impact on women’s offending, imprisonment and resettlement. As recently as April 2004, however, the Chief Inspector of Probation was writing:

> I have to report that the last two and a half years have seen little or no progress in the dismal prisoner resettlement situation on which we and others reported in 2001-2002. There are great aspirational plans...but the practical, operational situation on the ground has, if anything, deteriorated. (Morgan 2004:4)

However, for workers within the women’s system a more encouraging and even more recent sign of government intent was that the Women’s Offending Reduction Programme was mentioned in the Government’s 2004 Spending Review as not only aiming to meet the specific needs of women offenders but also to reduce the need for custody.

The Women’s Offending Reduction Programme, published in March 2004, responds to the challenges in implementing this agenda for women. Over the 2004 Spending Review period the Government will 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.
The increase in governmental concern about female offenders can most probably be best explained by reference to the steep rise in the numbers of women being sent to prison (and thereafter recidivating) and the agitation for reform by numerous studies and reports which have insistently argued that both the in-prison and resettlement needs of women prisoners are different to those of their male counterparts.

In England and Wales women constitute about 6 percent of the total prison population and between 1994 and 2004 the numbers of women in prison in England and Wales increased by 151 per cent (Prison Reform Trust 2004). On March 5th 2004 there were 4549 women in prison. Between 20 and 25 percent of women in prison at any one time are likely to be on remand. Almost half of women released from prison in 1997 were reconvicted within two years (Social Exclusion Unit 2002). Moreover, as 71% of convicted female prisoners served sentences of less than one year in 2002 (Home Office 2003c) there was no statutory obligation to provide them with any post release assistance (Gelsthorpe 2004: 34).

Academic critiques of women’s imprisonment and rehabilitation services in England and Wales have been published regularly since the 1980s (e.g. Carlen, 1983, 1990; 1998; Devlin 1998; Eaton 1993; Hamlyn and Lewis 2000; Lowthian 2002, to cite but a few). More influential, however, have been the official, inspectorate and NGO reports, all of which have called for reforms of a greater or lesser degree (e.g. HM Chief Inspector of Prisons 1997; Prison Reform Trust 2000; Home Office 2000; O’Keeffe 2003; Fawcett 2004; James et al 2004 - to cite the most important). Under Section 95 of the Criminal Justice Act 1991 the Government now annually publishes separate statistical information about women in the criminal justice system.

We have been fortunate in that the time span of this Project has coincided with a most exciting time in the reorganisation and reform of the way in which the criminal justice and penal systems respond to all offenders, and to women offenders in particular. Thus, in addition to the help we have had from women ex-prisoners and ex-prisoner organisations, we have also had immense help from all the relevant government departments and service providers, especially the Home Office Women’s Offending Reduction Team and the Prison Service Women’s Offending Team. We very much appreciate that they, like us, want to find out how best to improve justice for women, and we hope that from our collaboration with our EU partners we will all of us learn some more productive ways of responding to the resettlement needs of women who have been released from prison.

Report’s Main Conclusions

- There is no shortage of information about women in the criminal justice and penal systems in England and Wales
- The government and the Prison Service cannot nowadays stand accused of failing to recognise that the needs of female offenders and ex-prisoners are different to those of men
- Innovative and detailed policies for the reintegration/resettlement of female offenders in England and Wales have been developed by the Home Office and the Prison Service
- There appears to be general agreement amongst the relevant senior professionals that there is a disjunction between the good intentions (as instanced in policy statements) of the government departments implicated in the reorganisation of services to
offenders and ex-prisoners and the actual implementation of measures designed to deliver the policy reforms

- Too many women still come out of prison homeless and with little prospect of getting a home or a job in the near future

**Immediate barriers to the implementation of new innovative and more effective implementation of policies for the reintegration/resettlement of women lawbreakers are several:**

- Public, political and media ambivalence about ex-prisoners’ place in society
- Insufficient funding
- No holistic and co-ordinated strategy, resulting in: fragmentation of responses to women ex-prisoners’ needs; inappropriate expectations of officials; Kafkaesque bureaucracy
- Lack of popular and political understanding of the relationships between resettlement and crime reduction
- Prison overcrowding

**Contextual Causes of Failures to Implement Effective Measures for the Resettlement of Women ex-prisoners**

- Misplaced emphasis in policy statements on women’s criminogenic need rather than on women’s material needs
- Inappropriate rigour of community penalties which set women up to fail
- Managerialism and inappropriate evaluations undermining efficient delivery of policies
- The processes of imprisonment are logically inimical to those of reintegration
- The processes of imprisonment are operationally inimical to those of reintegration
- The processes of imprisonment are empirically inimical to those of reintegration

**Fundamental Issues Affecting Resettlement of Women Prisoners**

There remain two fundamental barriers to the resettlement of women prisoners: the decline of the welfare state in the UK; and complex issues relating to conceptions of risk and responsibility in relation to the employment of people with criminal convictions. These issues, beyond the scope of this particular research, would certainly require to be taken into consideration in future policy developments and would benefit from further elaboration in future empirical investigations into public attitudes to employing ex-prisoners, or indeed anyone with a criminal conviction.

**The Research**

In recent years there has been a plethora of official inquiries into women’s imprisonment and issues of reintegration/resettlement of both male and female released prisoners. As a result, the English Research Team had use of a wide range of already published data. The following Report therefore draws primarily upon already published work when writing about ex-prisoners, using the 32 interviews conducted with 27 prisoners and ex-prisoners specifically for this research primarily to illustrate more general points made in published statistical data. In particular, we draw upon the tape recorded interviews of two women, Kim and Muriel, who were asked to give their life stories because they illustrate
two extreme types of prison career. Kim’s story is the stereotypical one of a woman brought up in care, a victim of physical and sexual abuse who, by the time she gets to going in and out of prison serving short sentences, has a multitude of problems aggravated by drug usage and her rapidly narrowing options for achieving a safe, secure lifestyle. By contrast, Muriel, who had served 14 years for murder of her husband before being released during the period of the research had never committed any other crime. And we wondered if we had been misguided to choose two such extremes. Yet, as their stories unfold throughout this Report, it will be seen that each of these gendered narratives contains many elements known to be typical of the position of women in the criminal justice and penal systems and, indeed, of women in society as a whole. However, it will also be assumed, throughout, that the way in which gender relations are activated situationally is also dependent upon both class and race relations, all of which, together, at a particular point in time, intersect with an individual woman’s life events to render her socio-autobiography a unique product of its time.

The interviews with the 26 professionals and administrators working in the criminal justice and penal systems were dealt with differently to those of the women prisoners and ex-prisoners. In recent years, comparatively little research in England has focused on senior policy-makers, administrators and practitioners in the criminal justice and penal systems. Accordingly, interviews with Home Office, Prison Service, and other senior professionals in a range of statutory agencies and non governmental organisations did provide much new material about the latest views on emerging policies and practice directives of the people who are either developing, criticising, or attempting to implement them. The professionals’ interviews were therefore analysed and then theorised to help provide new explanations of why initiatives based on increased official awareness of the distinctive needs of female offenders and ex-prisoners are still, according to the latest reports (e.g. Fawcett Society 2004; James et.al. 2004)) failing to achieve the desired reductions in women’s crime, recidivism and imprisonment. (See Annex 1 for a longer explanation and discussion of the investigative and presentational methods used.)

Although this national Report is not based upon survey methods, for ease of comparison between the different jurisdictions involved in the MIP Project, national research teams were enjoined to discuss their findings under the ‘hypotheses’ and ‘sub hypotheses’ listed below. These hypotheses and sub hypotheses, therefore, are to be read as devices to standardise the presentation of evidence and arguments from jurisdictions with varying amounts of existing data and official and public awareness of gender issues, rather than as statements to be sustained or refuted by statistical evidence from the relatively small amount of qualitative research conducted under the MIP Project. The substance of the hypotheses inheres in the state-of-the-art- knowledge about women in the criminal justice and penal systems in Europe (and elsewhere) which was available at the start of the Project in 2002.

**Hypothesis 1.** Many women in prison are already suffering a degree of social exclusion at the time of their imprisonment. *Using the definition of social exclusion outlined and discussed below, and on the evidence which we will present in discussion of the sub hypotheses also considered below, we find this hypothesis sustained.*

*Social Exclusion* is a broad concept which has its roots in European social thought from the middle of the fifteenth century onwards, when social upheavals, wars and
bubonic plague combined to produce a class of itinerant beggars who were feared (then as now) not only because they were homeless, but also because they were without work, and therefore without masters. Later thinkers explained the exclusion of certain classes or groups from equal shares in a society’s goods in different ways: for Karl Marx, the appropriation of the worker’s labour was a necessary, but socially divisive, condition for the accumulation of capital in societies industrialising under a capitalist mode of production; Max Weber focused also on the cultural and political conditions which, in addition to the economic conditions, could affect people’s conception of their worth as citizens. Thus while for Marx, a central concept explaining levels of economic and political inclusion and exclusion was that of class:

wage labourers, capitalists and landowners, form the three great classes of modern society, based on the capitalist mode of production...The existence of a class which possesses nothing but the ability to work is a necessary presupposition of capital. (Capital III, and Wage Labour and Capital in Bottomore and Rubel 1956: pp 186& 157);

for Weber, a central concept was that of social status, while later thinkers emphasised that various dimensions of citizenship could be used to measure degrees of social inclusion and exclusion:

Citizenship is a status bestowed on those who are full members of a Community. All who possess the status are equal with respect to the rights and duties with which the status is endowed. There is no universal principle that determines what those rights and duties shall be, but societies...create an image of an ideal citizenship against which achievement can be measured and towards which aspiration can be directed. (Marshall 1947/1963: 92)

Then, towards the end of the twentieth century the writings of policy theorists such as Gough (1979) in England and Esping-Anderson(1990, variously in Sweden, Germany, Italy and now Spain) made it possible to conceptualise the different levels of inclusion and exclusion in relation to different welfare state forms. Nowadays, the concepts of social exclusion, integration and reintegration are firmly embedded in European social policy debates.

The Commission of the European Communities in its Background Report: Social Exclusion – Poverty and Other Social Problems in the European Community, ISEC/B/11/93 defined social exclusion as follows:

Social exclusion refers to the multiple and changing factors resulting in people being excluded from the normal exchanges, practices and rights of modern society. Poverty is one of the most obvious factors, but social exclusion also refers to inadequate rights in housing, education, health and access to services. It affects individuals and groups, particularly in urban and rural areas, who are in some way subject to discrimination or segregation; and it emphasises the weaknesses in the social infrastructure and the risk of allowing a two-tier society to become established by default. Although this appears to be a very comprehensive definition, it, none the less, ends by implying that social exclusion is always an unintended consequence of structural and/or cultural arrangements, rather than sometimes being a deliberate effect of law and/or politics as in the case of prisoners, asylum seekers, immigrants and refugees. In relation, therefore to the social exclusion, integration and/or reintegration of women ex-prisoners
the definition being used focuses not only on processes of exclusion which are the effect of market and cultural forces, but also on those which are the direct result of penal law and political responses to lawbreakers, migrants, asylum seekers and others seen to pose a social or political threat.

As far as crime and punishment is concerned, the histories of the concepts of social exclusion, risk and cost, have been slightly different. In relation to exclusionary punishments, such as gossip, shaming, financial punishment and imprisonment, the emphasis has been on social exclusion as a deliberate but spontaneous response to lawbreaking; social exclusion of deviants as a necessary condition of social solidarity; and alternate exclusion and inclusion as a clever disciplinary mechanism for governing the soul (Durkheim 1893/1964 and 1895/1968).

As an eminent German historian has observed, from the fifteenth century onwards to the present day, there has also been anxiety about the **risks** incurred by the many (Jutte 1994) as a result of the social exclusion of the few, as well as concern about the **costs** to taxpayers of inclusive measures. Thus, writing about poverty and crime in early modern Europe, Jutte reminds us that:

- for early modern governments and magistrates, the poor were mainly a problem of public order, and only to a lesser extent public relief. (Jutte 1994: 194-5);
- while as recently as 2002 the Social Exclusion Unit in England has justified the call for greater reintegration of ex-prisoners primarily in terms of the heavy social costs to be incurred if they re-offend – rather than in terms of any moral obligations of the state towards **all** its citizens. Furthermore, the rightwing American theorist Charles Murray (1994) has used the concept of **underclass** to argue that insofar as welfare payments have encouraged unemployed people to self-exclude from work and family responsibilities, the welfare state is partly to blame for the rising numbers who have lately been defined as socially excluded.

It can be seen from the above brief history of the concept of social exclusion that present-day definitions of ‘social exclusion’ have a long and complex history and a varied nomenclature. In that history, both the causes of, and remedies for, social exclusion are contested. Yet the position taken as to the causes of social exclusion inevitably help fashion the remedies to be recommended. Nor can it be assumed that social exclusion is always defined by social theorists as regrettable, remediable or an unintended consequence of other, more benign social forces; though this is how it is often presented by modern governments, an example being seen in the definition of the EC Report quoted below, which refers to social exclusion ‘by default’. Yet Durkheim saw social exclusion as deliberate, desirable and necessary; Marx saw it as an inevitable component of capitalism; while, as far as penal law is concerned, it is merely stating the obvious to say that penal law in imprisoning lawbreakers necessarily excludes them from at least some of the rights of citizenship, while research in many countries indicates that imprisonment is a punishment which is visited disproportionately upon the already-excluded. Nor, it seems, would many in the populations of most societies have it otherwise: built into most penal and welfare systems (either legally and explicitly, or illegally and implicitly) is a notion that people should not be better off because they have committed a crime. In the UK this is called the principle of ‘**less eligibility**’ and both at popular, agency and institutional level, it can be one of the greatest (though often unstated) barriers to implementation of measures to decrease social exclusion.
The three main inter-related and overlapping sources/dimensions of social exclusion are:

- **Economic**: global changes in markets have led to: large-scale male exclusion from the workforce; the feminization of poverty through the increase in the numbers of female headed, single-parent households and the increased casualisation of female labour; cutbacks in welfare; and, in the UK at least, greater inequalities of income. Especially affected groups are: the unemployed; women heading single parent families; families in poverty; itinerant workers and families; the homeless and the physically and mentally ill; ex-prisoners. The exclusion takes the form of: poverty; unemployment; homelessness or insecure housing; low income and/or low pay; increasing debt at exploitative rates; consumption inadequate to basic needs; and effective exclusion from certain areas: for example, better residential areas with superior schools and medical care and adequate leisure facilities.

- **Cultural**: the excluded groups mentioned above sometimes suffer further from the operation of exclusionary laws, bureaucracies, or social mores (that is, discrimination on the grounds of gender, race, class and status – for example, age, or situation, such as being a victim of domestic violence or sexual abuse). Especially affected groups are: women, especially single mothers, lesbian women, female workers unprotected by labour laws and victims of domestic violence and sexual abuse; minority groups, especially ethnic groups or people with a non-heterosexual orientation); young people in state institutions or accused of 'status' crimes (that is, offences punishable at law which would carry no criminal sanction if committed by an adult – for example, truancy).

- **Political**: Certain groups (who usually suffer a concomitant economic and cultural exclusion) are excluded from full rights of citizenship either: because of their social status, for example: young people whose age makes them ineligible to vote or have consensual sexual relations with their own or the opposite sex; prisoners who become ineligible for certain welfare benefits and to vote while in prison; and people working in legally marginal occupations – for example, women engaged in prostitution; or: because they are in stereotyped categories of people seen to pose a risk to a populace itself already exhibiting many of the above indicators of social exclusion. The groups thus seen as other and therefore creating a perceived risk include: immigrant workers, refugees, asylum seekers, illegal immigrants; people legally living unconventional lives of all kinds; and ex-prisoners.

**Sources/Dimensions and Indicators of Social Exclusion; and Socially Excluded Groups of Women**

Figure 1 below summarises the main types of social exclusion, together with their substantive social indicators and corresponding categories of excluded citizens, or citizens who, though not excluded at present, are vulnerable to exclusion because their social circumstances already exhibit some of the indicators of social exclusion.
### Figure 1: Sources/Dimensions and Indicators of Social Exclusion; and Socially Excluded Groups of Women

<table>
<thead>
<tr>
<th>Source/Dimension Groups</th>
<th>Indicators</th>
<th>Excluded</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Economic</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Income</td>
<td>low income inc. low pay and inadequate welfare benefits and pensions; consumption inadequate to needs (measurements to be decided)</td>
<td>unemployed, single parent families, elderly, casual workers, itinerant workers, low paid workers, ex-prisoners</td>
</tr>
<tr>
<td>Work</td>
<td>unemployed, casual work, low trade-union membership</td>
<td>disabled, educationally unqualified, physically or mentally ill, ex-prisoners, ethnic minorities</td>
</tr>
<tr>
<td>Housing</td>
<td>homelessness, insecure housing, exploitative rents, debt, lawbreaking,</td>
<td>travellers, unemployed, low income groups, ethnic minority groups, physically or mentally ill</td>
</tr>
<tr>
<td>Consumption</td>
<td>restricted access to high quality services (leisure, transport, health, education, police protection), criminal victimisation</td>
<td>all groups above</td>
</tr>
<tr>
<td>Location</td>
<td>high criminal victimisation</td>
<td>all groups above</td>
</tr>
<tr>
<td><strong>Cultural law</strong></td>
<td>limitations on occupational choice, mobility and residence; split families</td>
<td>offenders, immigrants, asylum seekers, casual and part-time workers, refugees travellers, prisoners</td>
</tr>
<tr>
<td>racism</td>
<td>discrimination in most areas of social life; restrictions on residence, mobility, leisure activities and access to services access to welfare and other entitlements</td>
<td>ethnic minorities, migrant workers (as above)</td>
</tr>
</tbody>
</table>
The Social Exclusion Unit in the UK summed up the situation there in 2002:

…many prisoners come from a background of severe social exclusion…women prisoners have similar – and in some cases even worse – problems to their male counterparts. (Social Exclusion Unit 2002: 137)

In this Report the concepts social exclusion and social reintegration will be used as defined by The Commission of the European Communities (see page 14 above for full reference) and which definition we quote again below:

Social exclusion refers to the multiple and changing factors resulting in people being excluded from the normal exchanges, practices and rights of modern society. Poverty is one of the most obvious factors, but social exclusion also refers to inadequate rights in housing, education, health and access to services. It affects individuals and groups, particularly in urban and rural areas, who are in some way
subject to discrimination or segregation; and it emphasises the weaknesses in the social infrastructure and the risk of allowing a two-tier society to become established by default.

If the above definition of social exclusion is used *social reintegration* can then be defined thus:

Social reintegration refers to the multiple and changing factors resulting in people being reinstated in the normal exchanges, practices and rights of modern society. Receipt of an adequate income is a fundamental factor, but social integration/reintegration also refers to adequate rights in housing, education, health and access to services, and to the ability to participate in community life with the full rights and obligations of citizenship.

In this Report we also use the concept of *resettlement*: a concept that may usefully be developed in support of the analysis of *reintegration* if its meaning is limited to the more tangible material criteria of ‘re-entry’ such as housing, job, education etc. *Reintegration* should be retained as the more comprehensive concept referring both to material criteria and the more subjective and abstract such as rights acquisition, loss of stigma, less depression etc. (Another concept that is currently being deployed in this context is *re-entry* (Maruna and Immarigeon 2004) but it is not a concept that we use in this analysis.)

Sub hypothesis 1.1: Some women are imprisoned not so much for the seriousness of their crimes but because they are already suffering a degree of social exclusion which make alternatives to prison seem less feasible to sentencers. In view of the strong indications that sentencers have recently been sending more women to prison who previously would have received non-custodial sentences, and in view also of the fact that new socio-penal discourses of need support such increased imprisonment of people with multiple material and psychological needs the hypothesis that women are sent to prison not so much for the seriousness of their crimes but because they are already suffering a degree of social exclusion is sustained, and the supporting evidence is presented below. [The second part of the hypothesis is discussed in 1.1a]

One of the mysteries of the rapid rise in the numbers of women imprisoned in England and Wales over the past decade has been that although, overall, women do not seem to have been committing more serious crimes, sentencers have become increasingly punitive towards women, sentencing them to prison when they would have previously given them a non-custodial sentence and in cases where they would have previously given them a prison sentence, sending them to prison for a longer term than before (Hedderman 2002).

Despite there having been little measurable change in women’s offending behaviour or drug use, the numbers being convicted and sentenced have increased substantially since 1992. Official Statistics show that there were 5,100 more women being sentenced for indictable offences in 2000 while the number of men fell by 5,400. Nearly 60 per cent of the extra cases involved theft and handling or fraud and forgery, most of the rest involved drugs but there was no increase in numbers sentenced for violence.
Hudson (2002) has argued that nowadays many women (and men too, for that matter) are being sent to prison not because of the seriousness of the crime for which they were convicted but, rather, because, with the decline of the welfare state, the extreme social neediness (e.g. homelessness, poverty, victimisation by male physical and sexual abuse, poor health and lack of educational and employment opportunities) of some lawbreaking women is no longer being seen as an excusing condition deserving of receipt of extra welfare benefits, but is, instead, being translated, via a ‘risk of recidivism’ index, into the likelihood of their committing crime again in the future, and thereby constructing them as candidates for imprisonment. More women prisoners are in poverty (and therefore ‘at risk’) than male prisoners, hence the disproportionately increasing numbers of female prisoners.

Carlen (2004), taking the argument in a slightly different direction, although still expressing the same concern that the promise of in-prison rehabilitation may be a cause of the rapidly increasing prison population has argued that some of the increases in the female prison population may be explained not so much by an increase in punitiveness on the part of sentencers but, rather, by their belief that women with multiple problems are more likely to receive the help they need in prison. She further argues that this hope is rooted in the susceptibility of sentencers to the prison industry’s claims about the capabilities of psychological programming to reduce recidivism. Several of the agents interviewed said words to the effect that: magistrates have a ‘perception that prison has lots of rehab’ (A.25); and ‘Courts think that prisons provide programmes that will help women (A.10); and in previous studies Carlen found that women with seemingly intractable social and mental health problems are often sent to prison because no other agency is prepared to give them the shelter and support which they so obviously need and because sentencers think that they will at least get some help in prison (Carlen 1983; 1998).

In the last few years remand prisoners have constituted between 20%-25% of the female prison population at an one time, but of those remanded in custody less than one third receive a custodial sentence. The high proportion of unconvicted females held on remand in prison and subsequently given a non-custodial sentence has also given rise to some concern that women are being held in prison on remand unnecessarily, and that factors are being taken into consideration other than those which courts are supposed to consider when considering whether or not to remand in custody. As is the case with many sentenced women prisoners, there is also the suspicion that women are remanded in custody not because of the seriousness of their crimes but either because the courts think that they will not answer bail or because sentencers are acting paternally and are remanding women for their own protection.

Certainly research has indicated that women on remand often appear to have had more severe mental health problems prior to their imprisonment, to be much higher suicide risks and to have more acute problems of addiction. Additionally, more of them have been expelled from school and more have been homeless just at the time of the offence (Prison Reform Trust 2000). If, therefore, as Hudson (2002) has argued, exceptional social need is being equated with risk of recidivism and if, furthermore, concerned sentencers believe the claims of the psychological programmers that in-prison programming can help reduce recidivism (Kendall 2002) it is small wonder that more and more women are going to prison even before they have been found guilty or sentenced. As for those women lawbreakers who have been defined as having ‘personality disorders’ and therefore ‘untreatable’ under the Mental Health legislation,
prison has been the eventual ‘home’ for them for years, and, in housing them, prisons are fulfilling their shameful historical role.

We asked the 26 professionals interviewed what, in their opinion, sentencers are nowadays hoping to achieve by sending women to prison. The 24 who felt they had enough knowledge to answer the question usually gave more than one explanation. Twenty one said words to the effect that they thought that sentencers saw prison as a last resort for recidivist female drug users and, moreover, that sentencers mistakenly thought that, whereas there was little for women in the way of rehabilitative services outside prison, in prison, women, especially drug users, would either receive such services or at least not be able to get drugs (another misconception!). According to these respondents, sentencers’ lack of faith in non-custodial penalties (see also Hough et al 2003), coupled with the desire to get drug users away from drug-using friends, made them feel that prison was the best of a very narrow range of options. Five respondents also thought that because sentencers were seeing more women coming through the courts they had ceased to treat them chivalrously, were seeing them as more ‘threatening’ (because of their increased numbers, not because of any increase in the seriousness of their crimes) and hoped that the ‘short, sharp shock’ of a prison sentence would be a deterrent at both individual and the general level. Four respondents were very strongly of the opinion that the rapid increase in the female prison population was a result of the government giving out very mixed messages to sentencers: on the one hand telling them to use prison sparingly, but at the same time, and with much more emphasis, telling the public in general that the courts will be encouraged to be ‘tough on crime’. Three respondents thought that sensationalised media reports of ‘girl gangs’ and TV prison soaps portraying women’s prisons as being full of ‘macho’ characters and ‘sex bombs’ had also added to sentencers’ perceptions of a ‘new female criminal’ (see Worrall 2002). Only one respondent was of the opinion that women are ‘committing much more ‘macho’ crimes, though, when pressed, he could not give reasons to support this view. However, several of the women prisoners and ex-prisoners thought that they had been sent to prison because the magistrates had, in despair, begun to believe, that drug users would only stop thieving to fund their habits if they were locked up. One prisoner described her own case as an example of ‘last resort’ sentencing:

_The day before I got sent here I had offended twice. I stole a boxed set of DVDs from Virgin Megastore. I was bailed from court on the Monday and it took me less than 20 minutes to re-offend. I was bailed at 5 past 12 and, at 17 minutes past 12 I was arrested for stealing a boxed set of DVDs from HMV. That’s what drugs do to you. They sent me here [prison] next day._ (P5)

Overall, it seems that women who might previously have been given a community (non custodial) sentence are nowadays more likely to be sent to prison if

- their material and psychological needs are perceived to constitute a likely cause of recidivist criminal activity
- they have behavioural difficulties defined as ‘personality disorders’ which, under the mental health legislation, are not considered as being eligible for ‘treatment’
- they are seen to be in need of a ‘short, sharp shock’ (even if only while on remand before conviction or sentence)
- they are homeless or otherwise seen to be in need of ‘protection’
- they are drug-users for whom it is thought drugs treatment is available in prison
Sub hypothesis 1.1.a. Women prisoners’ social situation prior to imprisonment is characterised by multiple disadvantage. *This hypothesis is supported by the following evidence:*

The social characteristics of women offenders as reported by the Social Exclusion Unit (2002) are as follows:

- A fifth of women in prison at any time are likely to have been brought up in state care as compared with 2% of the general population
- At least a fifth have been living as lone parents before imprisonment (compared to around 9% in the general population)
- The educational achievement of women in prison is significantly lower than for women in the general population
- Many have very little experience of stable employment
- They report much higher rates of physical and psychological problems than women in the general population
- Over 50% of sentenced women prisoners are likely to have used drugs (including alcohol) in the year before their imprisonment
- They are more likely to be victims of domestic violence and sexual abuse than women in the general population
- One in ten women claim to be homeless when they are admitted to prison
- The Social Characteristics of women with drug dependency were found by Singleton et al. (1998) to be as follows:
  - 57% had experienced violence at home
  - 35% had been victims of sexual abuse
  - 50% had suffered the death of a close relative or friend
  - 11% had suffered the death of a spouse or child
  - 11% had had a stillborn baby

**Disrupted care during childhood**
- 72% had run away from home
- 33% had been taken into care
- 33% had spent time in an institution

**Low levels of education**
- 54% had left school aged 15 or under
- 49% had been expelled from school
- 16% had attended a special school

**Social Isolation**
- 61% felt they had severe or moderate lack of social support.

**A high prevalence of mental disorder**
- 96% had at least one other co-occurring disorder (i.e. personality disorder, psychosis, neurosis, or hazardous drinking).
- 41% had three or four other disorders, 34% had two other disorders and 21% had one other disorder.

Sub hypothesis 1.1b: The primary exclusion of women prisoners has gender-specific aspects. *This hypothesis is sustained by the evidence presented below.*
The main gender-specific aspects of (potential) women prisoners’ primary exclusion (i.e. the exclusion from many of the opportunities and amenities enjoyed by the majority of the population) inhere in:

- **Women’s Poor Economic position as single mothers, carers or partners of unemployed men**

In a study conducted in 2001 (HM Inspectorates of Prisons and Probation 2001) it was found that, overall, 72 percent of prisoners of prison are in receipt of welfare benefits before coming into prison, while the Social Exclusion Unit (2002: 137) reported that ‘many prisoners come from a background of severe social exclusion…women prisoners have similar - and in some cases even worse – problems to their male counterparts’. The same report claimed that

> Women have particular difficulty re-establishing Child Benefit claims on release and this can impact negatively on the award of dependants’ allowances on other benefits such as Income Support and Jobseekers’ allowance. (Social Exclusion Unit 2002: 110)

- **Domestic and Sexual abuse**

Over half of women in prison report that they have suffered domestic violence and one in three have experienced sexual abuse (Prison Reform Trust 2004). Several examples were given by our interviewees, of which the one below is typical:

> *We got married when I was 22 and after a year he started beating me up. It was a control thing. I used to go in to work with blue and black eyes, and I was so ashamed. Then he got worse and one day he pulled a knife on me.* (Muriel about why she got a divorce from her first husband.)

- **The Poverty of Foreign National drugs’ couriers who often commit their crimes to maintain a large family of young or elderly dependents.**

Foreign national women constitute a fifth of the female prison population. A worker in a welfare organisation for foreign national women prisoners spoke to us about foreign national women convicted of the illegal importation of drugs:

> *Most of them have never left their country before. They are in poverty, and much of the time they are being used as decoys. The men who control them, and send them here, lend them money and keep using them until they are caught. Many of them never get anything out of it. They are women who do it because they are the main providers in their households – not only for their children, but for their mothers as well. In their home countries they are even excluded by their poverty from help from the churches – such help doesn’t go to the very poor. 90% of them are single parents. (A.18)*

- **Histories of State Care and Lack of Education**

One in four of women in prison have spent time in local authority care as a child. Nearly 40 percent…leave school before the age of 16. Almost one in 10 were aged 13 or younger [when they left school]. (Prison Reform Trust 2004:11)

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 experienced several other negative outcomes (homelessness, lack of qualifications and low household income)...Boys seem less vulnerable to the negative influences of care and fostering...This gender difference in the effect of care as an antecedent to adult exclusion is dramatic. (Hobcraft 1998: 91)
Effects of Cultural Conceptions of Femininity on Careers of Women in Trouble

Young women in trouble often come under greater paternalistic official investigation than do young men of the same age whose adolescent delinquencies are seen to be a ‘normal’ part of growing up. When they come before the courts and, because of their parents’ poverty, have previously been in state care, they are more likely to be seen as lacking family controls, and therefore more at risk of committing crime in the future and therefore more in need of in-prison re-programming. If, however, they have been sexually abused or exploited and are consequently seen as victims, they are likely to come under closer surveillance in future and thus be more vulnerable to prosecution for any offences they do commit (see Phoenix 2002). Women, however, are frequently ‘muted’ when they wish to translate their private experiences into public language, and, as a result, the extent of the abuse they have suffered is often not revealed in court. Kim and two others of our respondents expressed bitterness, and a feeling that they had been failed by adults, because, although they had been taken into state care, no-one had ever fully appreciated the extent of the abuse they had suffered.

The theory of mutedness…does not require that the muted be actually silent. They may speak a great deal. The important issue is whether they are able to say all that they would wish to say, where and when they wish to say it. Must they, for instance, re-encode their thoughts to make them understood in the public domain? Are they able to think in ways which they would have thought had they been responsible for generating the linguistic tools with which to shape their thoughts? If they devise their own code will they be understood? (Ardener 1978:21)

As we shall see in the discussion under 1.1c., it is in the area of the differences between women’s actual experiences and the legal discourses within which they are required (allowed) to frame those experiences in court that there has been the greatest failure to address an area of primary exclusion.

Sub hypothesis 1.1c. The gender aspects of women prisoners’ primary exclusion are even less acknowledged and addressed as factors in their criminal careers than many of the other factors constitutive of the primary exclusion. Overall, (and with one exception identified at the end of the discussion below) it is concluded that this hypothesis is not upheld in the case of England and Wales.

Figure 2: Suggested Indicators of Exclusion and Reintegration for Women Ex-Prisoners (from MIP Project, Work Package 2)

<table>
<thead>
<tr>
<th>Exclusion</th>
<th>Reintegration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economic</td>
<td>Economic</td>
</tr>
<tr>
<td>low income: (measure to be established at national level, but related to household need)</td>
<td>income adequate to household need.</td>
</tr>
<tr>
<td>Work</td>
<td>Work</td>
</tr>
<tr>
<td>unemployed, casual work</td>
<td>educational, language or employment training course; apprenticeship; regular employment;</td>
</tr>
<tr>
<td>Housing</td>
<td>Housing</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>homeless, insecure housing, exploitative rent</td>
<td>safe, secure, permanent housing</td>
</tr>
<tr>
<td><strong>Consumption</strong></td>
<td><strong>Consumption</strong></td>
</tr>
<tr>
<td>debt; lawbreaking; no purchases other than for basic needs</td>
<td>controlled debt; legally obtained goods meeting other than basic needs</td>
</tr>
<tr>
<td><strong>Location</strong></td>
<td><strong>Location</strong></td>
</tr>
<tr>
<td>restricted access to high quality services including leisure, transport, health, education, police protection, high criminal victimisation (including domestic violence and sexual abuse)</td>
<td>full access to high quality services including leisure, transport, health, education, police protection</td>
</tr>
<tr>
<td><strong>Cultural</strong></td>
<td><strong>Cultural</strong></td>
</tr>
<tr>
<td><strong>law</strong></td>
<td><strong>law</strong></td>
</tr>
<tr>
<td>limitations on occupational choice, mobility and residence</td>
<td>no legal restrictions on occupational choice, mobility and residence</td>
</tr>
<tr>
<td><strong>racism</strong></td>
<td><strong>racism</strong></td>
</tr>
<tr>
<td>experience or fear of racist violence or discrimination; experience or fear of restrictions on residence, mobility, leisure activities, or access to services</td>
<td>no fear or experience of racist violence; no experience or fear of restrictions on residence, mobility, leisure activities, or access to services</td>
</tr>
<tr>
<td><strong>bureaucracies</strong></td>
<td><strong>bureaucracies</strong></td>
</tr>
<tr>
<td>no knowledge of rights; bureaucratic secrecy; limited modes of access, for example, unintelligible forms; ‘less eligibility’ lists</td>
<td>experiences little alienation when dealing with state bureaucracies</td>
</tr>
<tr>
<td><strong>risk and ‘otherness’</strong></td>
<td><strong>risk and ‘otherness’</strong></td>
</tr>
<tr>
<td>media persecution, victimisation, restrictions on mobility and restricted access to residential areas, leisure activities, work, health and education</td>
<td>lessening (or no) experience of restrictions resulting from being defined (or not) as ‘other’</td>
</tr>
<tr>
<td><strong>patriarchy</strong></td>
<td><strong>patriarchy</strong></td>
</tr>
<tr>
<td>inequities stemming from cultural tolerance of domestic violence, rape, inequitable employment law, and prejudice against single mothers</td>
<td>reduced experience of inequities stemming from cultural tolerance of violence against women (for whatever reason e.g. increased assertiveness, change of residence)</td>
</tr>
<tr>
<td><strong>Political</strong></td>
<td><strong>Political</strong></td>
</tr>
<tr>
<td>lack of police protection, welfare benefits,</td>
<td>legalisation of status; involvement in</td>
</tr>
</tbody>
</table>
and access to some services; no (or little) involvement in local movements and political activity: for example, political elections

community groups and citizen duties such as voting in elections

The above chart indicates the full range of primary exclusions which may affect all citizens. However for the purposes of evaluating hypothesis 1.1c. only those exclusions identified at 1.1b. above as being known to be strategic in the careers of women prisoners will be considered.

In recent years, all aspects of English women prisoners’ primary exclusion have been recognised in a range of research studies and in campaigning and official reports (see Carlen 1988, 1998, 2002b; Worrall 1990; Her Majesty’s Chief Inspector of Prisons 1997; Prison Reform Trust 2000; Home Office 2000; Social Exclusion Unit 2002; Fawcett Society 2004; Home Office Women’s Offending Reduction Programme 2004). They have also been addressed by a raft of welfare measures to help single mothers get back to work: the publication since 1991 of separate statistics on women and the criminal justice system; and, in 1998, the setting up within the Prison Service of the Women’s Policy Group (WPG) with the aim of ensuring that in future women prisoners’ different needs were recognised and addressed. None the less, there has been constant asseveration by workers in the field that the recognition is more in the form of ‘paper recognition’ than actual implementation in effective policies. Several agents we interviewed for this research expressed similar opinions:

*They have begun to recognise that women’s needs are different to men’s but the rising women’s prison population is mitigating against them doing anything. And why did they get rid of the Women’s Policy Group, if they were so committed to women? (A. 20)*

*Yes, they recognise that women are different, but there is not much being done about it. (A. 14)*

*They recognise it, yes. But there’s not much being done about it. (A.5)*

*All the programmes are designed for men still. Cognitive skills programmes designed for men are still being delivered. (A.24)*

*There are still comparatively few gender specific programmes. (A.21)*

*Yes, they recognise women’s difference on paper. In practice? No! (A.23)*

*No, they don’t recognise women’s needs. I think the female estate is tagged on to the end of the male estate. (A.4)*

*I still have to explain to men and women that women prisoners are different. There are still the ideological barriers that see them all as ‘just prisoners’. (A.10)*

*I don’t think there’s any special emphasis on women’s needs, women’s offending or women’s social circumstances in this prison. The emphasis is on self harm and health care, medication and mental health. (A.3)*

When the WPG was disbanded in 2004 it was feared that the needs of women would once more be relegated to being of subsidiary concern in Prison Service Policy. However, in summer 2004 the Prison Service’s new Women’s Team (made up of several staff of the old WPG) presented its Business Plan for 2004, its strategic priorities being:

- **Safety and Health**: drug strategy (including detoxification); suicide and self-injury prevention; health services
• **Security and decency**: (especially with reference to women’s clothing and levels of security required for women)

• **Resettlement**: The Social Exclusion Report on Reducing Re-offending by Ex-prisoners and other research over the last couple of years has shown that the key resettlement factors for women differ from men in terms of order of priority and are:
  1. Housing
  2. Family ties
  3. Health
  4. Education, training and employment (Prison Service Women’s Team 2004: 14)

• **Regimes**: The needs of women in prison (health, mental health, drug misuse, self-harm, as carers, resettlement, abuse) are well documented, but a greater understanding is needed of the nature of the relationship of these needs to the risk of re-offending in order to inform the development of regimes, programmes and resettlement provision. Further knowledge of the impact of current provision, and new developments on re-offending is also needed. Therefore, the Women's Team will work to address this and ensure that policies, practice and regime developments for women in prison are underpinned by evidence based research on the distinctive needs and pathways to offending for women. (Prison Service Women’s Team 2004: 16)

So these phenomenological factors of primary exclusion have certainly been recognised and addressed. Whether or not their causes have been correctly identified and, furthermore, whether of not the causal factors, once recognised, have been effectively addressed, will be discussed under Hypotheses 2, 3, and 4. However, it is doubtful whether the gendered disjunction between legal discourses about culpability, rationality, responsibility, intent and women’s lived experiences (see Worrall 1981; Allen 1987) has still fully been officially recognised. Certainly it has not been adequately addressed. The priority given to psychological reprogramming in the women’s prisons in recent years suggests that however much the government has recognised the different characteristics and needs of female offenders, it is still ideologically committed to defining women’s needs as having only an illusory relationship to their crimes, as the following (now notorious) extract from the Government’s Strategy for Women Offenders (Home Office 2000) indicates:

> The characteristics of women prisoners suggest that experiences such as poverty, abuse and drug addiction lead some women to believe that their options are limited. Many offending behaviour programmes are designed to help offenders see there are always positive choices open to them that do not involve crime. At the same time, across Government, we are tackling the aspects of social exclusion that make some women believe their options are limited. (Home Office 2000:7 emphases added)

And, as was emphasized in a recent report, this failure to recognise and take seriously the tangled relationship between the sexual and physical abuse of women and their subsequent crimes can have deleterious effects on their careers in the courts and prisons:

> Lawyers who work with female prisoners have highlighted the particularly difficult situation faced by women with histories of abuse. If they disclose the abuse they may find that, when seeking a move to more open conditions or release, reports for the Parole Board say that this suggests they are not fully taking responsibility for the offences. (Fawcett Society 2004: 48)
Sub hypothesis 1.2. The combination of social exclusions and gender exclusions influence the type of crimes for which women are imprisoned.

Women’s crimes are the crimes of the powerless. Largely excluded from corporate board rooms and criminal gangs, women have shorter criminal careers than men and their crimes are primarily property crimes. In 2000, women accounted for 16% of all people arrested (Home Office 2002a). Within this small proportion, they tended to be over-represented in arrests for fraud and forgery (mainly falsely claiming social security) and theft and handling (mainly shoplifting). They were markedly under-represented in sexual offences and burglary.

We asked the 26 professionals what, in their opinion, were the main causes of women’s crime, because we wanted to see how the women were viewed by the people who are shaping and administering penal responses to women lawbreakers. Some respondents demurred that the question was too complex, but the three ‘causes’ mentioned most frequently by the others were: addictions: (16); poverty: (15); abuse/domestic violence/male duress (13). The others were: family background (4); mental health (3); homelessness (2). The only causes mentioned that were not unequivocally related to ‘social exclusion’ were consumerism/debt, (2); opportunity (1). However, identification of these ‘causes’ was typically accompanied by statements that there were usually several related factors involved and that they were impossible of disentanglement. In this context, the comment of four of the professionals typifies what many said as they oscillated between identifying drugs or poverty as the root cause of women’s crime:

First, drugs and then their relationships with their partners or their position as a single parent. Their lives as women: their responsibilities and expectations as women, their resources and support. And debt. (A.3)

First poverty and then duress from partners. Drugs are secondary. (A.18)

DRUGS number 1! Put it in big capital letters. Relationships, mainly with men, but relationships. And for a fair proportion it’s self image, a lack of self-respect. Which probably fits with the first two. (A.1)

Childhood sexual abuse and violent adult relationships. So it’s learned behaviour. What’s normal in your childhood, what your Mum and Dad do. What you’ve been brought up to believe is normal. (A.2)

However, there is no direct link between crime commission and imprisonment (even women convicted of serious crimes may escape a prison sentence - see Allen 1987). In many cases, whether or not a woman receives a custodial sentence depends upon the interplay of many socio-judicial and socio-penal factors known to affect her trajectory through the criminal justice system, beginning with the police response to a perceived crime, right through to the sentence and appeal (if any).

Police decisions to proceed are influenced by a number of factors, including perceptions of the extent to which a woman fulfils gender role expectations and is therefore likely to respond to informal social controls, making formal controls unnecessary (Horn 1995). Over and above this consideration, women are more likely than men to admit their offences, making it easier for them to be cautioned (Phillips and Brown 1998). The reasons for women’s apparent readiness to admit guilt are discussed in some detail by Worrall (1990) but may have less to do with an acceptance of legal guilt and more to do with, on the one hand, practical concerns about time and publicity and, on the other, an all-pervasive sense of guilt about being a failing wife and mother. Their additional reluctance to request a lawyer may be attributable to similar concerns, as well as
(possibly misguided) concerns about the expense. What is clear from studies such as those by Phillips and Brown (1998) is that women feel – and, indeed, are – ‘out-of-place’ in the criminal justice system (Worrall 1981), unable to command the language and behaviour that will enable them to negotiate for themselves what passes for ‘justice’ in a male-dominated system.

On reaching court, women are more likely than men to receive conditional discharges and supervision, and less likely to receive fines and custody (Home Office 2002a). The overwhelming reasons for this apparent leniency are that women commit less serious offences and have fewer previous convictions than men. While one in three men is likely to have a conviction by the age of 40 years, this is true of only one in twelve women (Home Office 2002a). Women’s criminal careers are also much shorter than men’s, the vast majority lasting less than a year. Additionally, there has been a limited recognition in recent years of the ‘criminalisation of female poverty’ (Pantazis 1999) and women’s relative inability to pay fines. There has been a consequent reluctance on the part of sentencers to burden women with fines (Hedderman and Gelsthorpe 1997) though the result has been that some women may experience the greater intrusiveness of supervision rather than the lesser sentence of a conditional discharge.

Sentencers tend to construct men and women differently, though it is arguable that those differences are diminishing and that it is this, rather than any changes in women’s offending behaviour, that accounts for the increase in the numbers of women being sent to prison. This change has been termed the ‘backlash’ against feminist perspectives on women and crime, or the ‘search for equivalence’ (Worrall 2002). Traditionally, sentencers have allowed considerations of women’s domestic competence, sexual respectability and mental (in)stability (Eaton 1986; Allen 1987; Worrall 1990; Hedderman and Gelsthorpe 1997) to inform their decisions to a greater extent than would be the case for men (where employment and general citizenship are considered to be more relevant) (Deane 2000; Horn and Evans 2000).

Notwithstanding all of the above, Hedderman and Gelsthorpe (1997) identified two groups of women for whom these considerations appeared to play little or no part in sentencing: women who commit drugs or violent offences. Although women are less likely than men to be sent to prison for their first drugs offence, repeat offenders are equally likely to receive a custodial sentence, regardless of other factors. The pattern is reversed in the case of violent offences. First-time violent female offenders are as likely as men to be sent to prison, though this is not true for repeat offenders. One can speculate that this is because women who commit violent offences are most likely to commit one very serious offence such as either homicide (of a male partner following years of his abuse) or cruelty to a child. Those who engage in repeat but lower level violence may invite concerns about their mental stability and thus be diverted away from custody towards treatment.

Thomas (2002) is convinced that a major explanation for the increase in women’s immediate imprisonment can be found in the decline in the use of the suspended prison sentence. If he is correct (and his argument appears to make numerical sense) then one aim of the Criminal Justice Act 1991 – to reduce the prison population – has been undermined by the restrictions placed on the use of the suspended sentence by that same Act. Prior to the Act, it had become received wisdom that suspended sentences simply postponed imprisonment and had a net-widening effect. In the case of women, however, because of their low re-offending rates, its use might well have prevented imprisonment.
The case on which Thomas comments appears to have been an excellent example of this – a first offender with responsibility for children, committing a serious offence of dishonesty.

**Sub hypothesis: 1.3. Women are not only imprisoned for their crimes but also for their failure to act according to conventional expectations of ‘normal femininity’.**

On the basis of the evidence considered below, it is concluded that sentencers’ expectations of ‘normal femininity’ most likely continue to play a part in determining whether or not a woman is imprisoned in those cases where sentencers feel that they have a choice of custodial or non-custodial sentence, but that the extent to which these conceptions of femininity have influence will also depend upon their inter-relationship with many other factors, especially class and ethnicity.

This hypothesis is based on the vast amount of literature which argues that lawbreaking women are not only punished for the crimes they commit, but are also seen as being doubly deviant for offending against the role expectation accorded to ‘normal femininity’ - that ‘normal women’ do not commit crime. And, as four fifths of cleared-up crime in England and Wales is committed by males, it is an accurate assessment to characterise women as a lawabiding lot. Whether sentencers then sentence those women who do break the law more harshly for offending against both their citizenship and their femininity has been much debated in the UK. Certainly two of the professional statutory workers thought so:

*I don’t think much has changed in the way courts see women. I guess they still think she should be ‘a lady’, should be running a household, looking after children. If she comes before the court she is seen as a bad woman, and penalised for being different. (A.4)*

*Magistrates think it’s worse for a woman to be on drugs. The criminal justice system is about men. Women on drugs are therefore seen to be out of place. (A.12)*

During the early 1980s a series of research studies and reports suggested that women in the English criminal justice system tended to be sentenced more severely than men (e.g. Edwards 1984; Seear and Player 1986). Subsequently, a number of studies took issue with these claims (see especially Allen 1987); and the recent English research concludes that women are *not* sentenced more harshly the men, that they are sentenced less harshly (Hedderman and Gelsthorpe 1997). However, very few commentators have argued that *all* women are sentenced more or less harshly than *all* men. Rather, and on the basis of the demographic characteristics of imprisoned women, it is nowadays more usually argued that although the majority of women are, in comparison with men, treated more leniently by the criminal justice system, certain women - i.e. those who have been in care, have transient lifestyles, have their own children already in care, are living apart from family and male-related domesticity, or are members of ethnic minority groups (see Chiquada- Bailey1997) - are more likely to proceed through the criminal justice system and end up in prison (Carlen 1983, 1998). Such an argument does not contradict the findings of those who argue that *overall* women are sentenced more leniently than men. On the contrary, and as the authors of a previous statistical report which concluded that women are not sentenced more harshly than men recognised:

*The likelihood that female offenders may overall receive more lenient treatment than males does not rule out the possibility that individual women receive unusually harsh treatment. (Hedderman and Hough 1994:4)*

Who are these ‘individual women’? Both qualitative evidence (see Carlen 1983; Worrall 1990), and the statistical evidence on the characteristics of women prisoners presented at
1.1a above suggest that although the majority of women may be treated more leniently than men when they appear in the courts as defendants, women who are seen to be unconstrained by family ties are also likely to be punished more severely than both their male and female counterparts. As the women most frequently seen to be lacking family discipline are those who: have been state reared; are living apart from men (often because they have histories of domestic or sexual abuse); or who are homeless and rootless owing to poverty, mental illness or childhood abuse or neglect, then it is likely that gender factors play a part in how these women are perceived by the courts, although class and racism factors are also likely to play a part.

There may, however, be other factors (both judicial and ‘non judicial’) which influence the sentencing of women and these concern sentencers’ perceptions of the women before them. These perceptions are, in turn, dependent on the kinds of information they have about the women and their own value judgements about what the woman ‘needs’ and/or ‘deserves’. Only certain kinds of information are admissible in court. Most routinely, these kinds of information (or knowledge claims) are: lay ‘common-sense’ knowledge; legal knowledge; social psychological knowledge and (occasionally) medical knowledge (Worrall 1990). Any other information or knowledge claim (such as the defendant’s own explanation or socio-political analyses of the defendant’s circumstances) are inadmissible unless re-presented in ways that are compatible with ‘authorised’ versions of events. (For discussion of the processual factors known to affect sentence, see the discussion under hypothesis 1.1c and 1.2. above).

**Sub Hypothesis 1.4: Domestic and sexual violence also shapes some women’s criminal careers. This sub hypothesis is upheld without qualification as a result of the extensive evidence in the literature which is summarised below.**

Over half of women in prison report that they have suffered domestic violence and one in three has experienced sexual abuse. (Prison Reform Trust 2004: 11)

Carlen (1988,1996 and 1998) suggests that the criminal careers of many young women are precipitated when they leave home after being physically or sexually abused by a family member. Similar findings have been made more recently by James et al (2004)

Sally was interviewed in prison. She left home at the age of 18 and moved into a hostel because her father was being physically violent towards her. She was pregnant at the time…Her partner was a drug user and Sally also started using heroin after the baby was born. They had to leave the flat because of her partner’s drug debts…Since then she has been unsettled and lost her most recent tenancy when she came to prison. (James et al. 2004:112)

Young girls who run away from state care are also especially vulnerable to sexual abuse as children in prostitution (Cusick et al 2003). In recent years, too, there has also been evidence that young people may also be abused while in local authority care. Two of the women we interviewed had been sexually abused while in care, one of them after being placed in care because she had been abused by her step-father and two brothers:

> I was sexually abused by my step-father and two real brothers – all three of them. I took drugs to blot it out. I went to a boarding school when I was in care and was abused by a teacher and the headmaster. The headmaster got two and a half years but the teacher walked [was not sent to prison]. (P1)

13 of the professionals’ interviewed said that they believed domestic violence and/or sexual abuse to be two of the main ‘causes’ of women’s crimes, though some were referring to the abuse provoking the conditions in which the crime occurred while others
were referring to threats of sexual or physical violence being used to force women to commit crimes. Evidence of the widespread interweaving of domestic violence and sexual abuse in women’s criminal careers is presented throughout this report.

1.5. Some women in prison are there due to crimes committed as a result of ‘dependence’ on a man, usually pimp, partner, or a male family member. In view of the evidence presented below, the hypothesis that some women in prison are there due to crimes committed as a result of ‘dependence’ on a man, usually pimp, partner, father, or brother is deemed to have been upheld.

In discussing whether this hypothesis can be sustained, we will be looking at ‘dependency’ in terms not only of a woman being either emotionally or financially dependent upon a male, but also being ‘culturally’ dependent in terms of never having questioned some males’ assumptions that they have rights of dominance in male/female relationships.

Most of the evidence that can be adduced in support of this hypothesis is anecdotal, though there are good studies of women engaged in prostitution which indicate that even when a woman is engaged in sex work on behalf of a male pimp, she often sees herself as being an independent and strong woman earning her own money, in the only way she can. In the cases of such women, it could well be argued that class factors here are as important as gender factors, and that as a result of women’s structural poverty some women engaged in sex work under the protection (exploitation?) of a male may see themselves as having made a better contract - both economically and status-wise - than they could have made elsewhere (however strange that logic may seem to an observer). This was certainly so in the case of the women studied by Phoenix in the mid 1990s in the Midlands (Phoenix 1999).

However, emotional dependency on a male featured prominently in the stories of both Kim and Muriel, and also in the stories of 6 of the other 25 prisoners and released prisoner interviewees. Of the latter 6: one had been charged with child neglect after her child had been killed by her partner; a second had attempted to protect her boyfriend by lying and saying that she had been driving the car in which her boyfriend had driven to a robbery when, in fact, she had been elsewhere, and had as a result, been charged with robbery herself; a third had been involved in a drugs-related crime at the instigation of a male; a fourth said that she had been ‘bullied’ by a male friend into stealing; a fifth said she had felt obliged to steal enough to support her boyfriend’s alcohol and drugs needs; and the sixth said that her son had used emotional blackmail and threats of violence to get her to take drugs into a prison. All 6 had been subsequently imprisoned for relatively serious offences as a direct result of their emotional involvement with males whose criminal behaviour they had been compromised by, they had condoned, they had attempted to cover up or they had collaborated with. Additionally, one of the professionals talked at length about some women’s vulnerability to emotional blackmail in relationships:

“They are vulnerable in terms of being vulnerable to others. Of being used in some way. It links to relationships really. One woman I saw on remand recently was in for handling; that was about storing stuff her ex-partner was committing offences for. What’s she doing on remand for that? What’s she doing? (A.4)"

Altogether, 13 of the professionals’ said that they believed domestic violence and/or sexual abuse were one of the main ‘causes of women’s crimes and the stories of Kim and Muriel illustrate how some women’s acquiescence in male domination can lead to
increasingly deviant if not seriously criminal behaviour as the women get more and more demoralised.

Kim was aged 21 when she was first interviewed in prison. She had been in care since the age of 5 when it had come to light that her father had sexually assaulted her when she was 3 years old. Both her mother and father were alcoholics and she herself had been on drugs since she was 14 years old and involved in prostitution since the age of 11.

I was working the streets between eleven and twelve – for the geezer I was with. He was 21, but I was 11 and told him I was 18. He was nice at first and I fell in love with him. He made me feel special. I think I saw him more as a father figure – sort of father I’d never had. And then he got me working the streets. I can’t remember how he got me into working, but I thought it was the right thing to do. Then I got pregnant when I was twelve. I didn’t tell him for a while, and when I did tell him he was alright with it at first, and then he started having these mood swings and that was when he started beating me up. He just started slapping me a few times; and then I was putting on weight with the baby and he was still making me work the streets, and because I wasn’t coming back with the money, the beatings started getting worse. Just before I was turned 13 I had my baby. It died a week old of meningitis and it was like he was over the moon that it had happened. All I can remember then is me life going downhill from then. He was constantly putting me out on the streets, beating me up. One time he put me in a cupboard with ammonium chloride and when I come round he’d raped me. He’s buggered me, he’s done me bad and everything. I got pregnant again at 13 and he beat up the baby inside me. The hospital knew what was going on but they couldn’t prove it. They used to get the police and I’d say I’d fallen down the stairs. I kept taking off from him, but he’d report me missing to the police, and I’d go back. Sometimes I went back to kids’ homes and social services should have opened their eyes a bit more: they said I kept running off, but he was coming and taking me away. He got me back on the streets and then he found out I was on drugs – Oh, my God. I remember him dragging me along behind a car when I was pregnant. I had my daughter when I was 15, but couldn’t keep her. I couldn’t do it to her: I’m working the streets, I’m on drugs. [The baby was put into the care of the Kim’s father who had sexually abused her when she was 3.]

None of the appalling abuse which she had suffered had made Kim decide to have nothing more to do with men, nor to become independent of them via welfare grants. When asked whether she had all the information about her welfare entitlements, she replied, ‘No, not really, I don’t know about them things’ and went on to explain that she was now under the protection of her ‘Sugar Daddy’ whom she professed not to like, but who gave her accommodation and money, and had met her when she had left prison just after her first interview with us.

He was just a normal punter. Twenty pounds he used to come and pay. Then my geezer says, ‘Here you are, have her a bit longer but come back to my flat. Give her sixty quid and you can come and visit her at her flat’. And then it ended up with me going to his for eighty quid and then he decided not to have business with me any more, but was still giving me a hundred pound a week. Then giving me three hundred pound once a month. Now he’s got dead possessive over me, thinks I’m asking everyone to be my pimp.

Staying with her ‘Sugar Daddy’ did not prove a success:

I don’t want to go back to my Sugar Daddy. He’ll give me a home but he drives me insane...I’m greedy. I’m used to £100-£200 a day, and my Sugar Daddy won’t give me that much. I can spend a lot on drugs, and he likes to buy me what he thinks I need if I ask for it.

And she was still in touch with the pimp who had put her on the streets when she was 11 years old, and also had another boyfriend who was on drugs and to whom she referred alternately as her ‘partner’ or ‘best mate’. Her criminal career had certainly been precipitated by male exploitation and, insofar as at the time of interview she still saw men as being the only sources of funding for her drug habit, one might argue that she was now also dependent upon males.
In contrast to Kim’s childhood and adolescence, Muriel’s life was that of a lawabiding lower working-class girl and then middle class housewife until she was convicted of murdering her husband and given a life sentence [NOTE: prisoners given ‘life sentences’ can serve varying lengths of time in prison]. However, and as we saw above, her first marriage had ended in divorce because of her husband’s domestic violence and the murder conviction relating to the death of her second husband had resulted from Muriel being too terrified of her lover to tell the police that he had recounted to her how he had killed her (second) husband.

He came back and told me; it was horrendous. My mind was in an awful state. He threatened me with my life. I thought, ‘God, he’s just killed Martin, he might kill me’. And he said I hadn’t to say anything to the police. I said, ‘What do I say if they come round?’ and he said, ‘Tell them nothing, tell them nothing’ Well, I just did what he said and I didn’t say anything to the police. But when they found out [that we had been having an affair] all hell was let loose.

As a consequence of Muriel’s failure to tell the police what she knew, the prosecution maintained that she had plotted to have her husband killed and a murder conviction was the result.

During her years in prison Muriel had had plenty of time to review her life and realise how male-dependent she had been during both her marriages.

Overall, men shaped my life. I had no confidence, my self-esteem was quite low, and so getting married, having a man, finding a man, was an achievement: ‘Oh, I must be alright’ and then, of course, having children. My [second] husband told me I wasn’t bright, I was thick, I was stupid, and I think because of my low self esteem and having no confidence I was attracted to that sort of man. Now, I think, my eyes have been opened to women’s rights, and male power too.

Sub Hypothesis 1.6. Social networks, the neighbourhood, or multigenerational patterns may strongly influence the type of crime committed. This hypothesis has been upheld historically by the criminological literature, and all the evidence from our fieldwork suggests that it is still sustainable at the beginning of the twenty first century. However, it is likely to be sustainable primarily because the characteristics of most women in prison are not such that they have a wide range of opportunities for crime commission and, as a consequence, their crimes are likely to occur close to where they live.

Neighbourhood studies of crime and victimization have been a regular feature of criminological research and the hypothesis above may seem to state the obvious. Certainly, and as the criminologist E. H. Sutherland (1939) taught us long ago, in certain areas it is the well-socialised child who will enter the local economy and culture of crime, and it is worth remembering this when we appraise the potential of psychology-based programmes of intervention into criminal careers. However, studies of prostitution and replies from the professionals we interviewed indicate that social networks and neighbourhood have an especially strong relationship to prostitution and drug-related crimes.

Living in [state] care…is said to put young people at particular risk of entry to prostitution because of the social stigma, marginalisation and ‘otherness’ related to being in care. (Cusick 2003, drawing on Kirby 1995)

Prostitution and drugs-taking is also related, and even when prostitution is not involved in a young person’s criminal activity, most of the agents interviewed mentioned that, ‘returning to the same neighbourhood’ would constitute a definite risk (of recidivism) factor in a woman’s post prison career.
Having to go out back to their own communities and not seeing any alternatives is a problem. (A.22)

The most prison can do is offer some respite from poverty, drugs and abuse, but all women will go out to the same situation and problems they faced prior to prison. (A.23)

They go back to peer pressure in the same area. (A.19).

They return to the same substance abuse, relationships and still no support from agencies. (A.9)

If someone’s in for a short sentence and she returns to the same situation, the same environment, same group of friends, then, in terms of resettlement, I don’t think they stand a chance. (A.3)

How they settle, depends what they’re coming out to. (A.6)

And sometimes, the criminal community and lifestyle they are coming out to is very attractive, especially if it has not been replaced by anything more interesting or lucrative. One of the ex-prisoners had given up shoplifting after many years of making a successful living (and ‘getting a life’) from it. Now, in isolation and without a community of people with like interests and similar histories, she mourned the life she had lost:

I’m better off in some ways since I gave up crime. I have peace of mind; I’m not always looking over my shoulder. I was tired, and getting too old for it. I stayed out late and it was a full-time job. My neighbours never knew what I did. But, I’m bored, I’m bored. Since I gave up crime I’ve lost all my old friends, and my past inhibits me against making new ones. I would have to lie about so much of my past if I got to know them. It was my life...and now I haven’t got a life. (XP3)

Yet, because of her convictions she was disheartened about the possibility of getting a job. Although she was not under pressure from anyone to return to shoplifting, without something to occupy her she now felt that, in turning away from crime, she had excluded herself from the only lifestyle she knew. The NGO where she was interviewed was making good provision in terms of recreation, study and associates in the short term, but it was easy to imagine that in the long term she would need real work to keep her away from the shoplifting which, she admitted, in some senses she had ‘loved’.

Hypothesis 2. Imprisonment excludes women who were not socially excluded prior to their imprisonment and excludes already-excluded women still further

The hypothesis that imprisonment excludes women who were not socially excluded before their imprisonment and excludes already-excluded women still further is upheld on both logical and empirical grounds. Logically: imprisonment is an exclusionary process by reason of the fact that persons are taken out of their usual environment and locked up for the duration of the period imposed by the sentence of the court. Additionally, in England and Wales, imprisoned women are not allowed to vote, are forced to forego enjoyment of a family life and are denied sexual activity and ‘on demand’ access to a doctor. Other exclusions are also adduced in the evidence presented below.

Exclusionary factors both aggravated by, and emanating from, imprisonment

• Homelessness

One in ten women claim to be homeless when they enter prison and of those who have homes when they go to prison, about a third lose their homes and their possessions while they are serving their sentence. As a prison officer remarked to one of the authors of this Report many years ago:

Reintegration without a home is just so much hot air. If they haven’t got a home (and, in the case of mothers, a home suitable for their children to be with them), what do we reintegrate them to?
Lack of housing can lead to further problems, such as accessing children in care, health services and benefits. (Social Exclusion Unit 2002: 39)

It is difficult to attend drugs programmes, education or get a job while homeless. Additionally, women with children are often in a ‘Catch 22’ situation when they leave prison:

If they do not have children in their care, they are unlikely to be given priority status by housing authorities. However, if they do not have secure accommodation then their children will not be placed back into their care. (Social Exclusion Unit 2002: 140)

- **Poverty**
  
  Debts can worsen during a prison sentence...Prisoners are released without sufficient financial means to cover the period before benefits payments are made. (Social Exclusion Unit 2002)

  Debts can also be incurred when ex-prisoners have to pay arrears of rent because no-one told their landlords they were in prison or because of money owing to relatives who looked after their children. Previous debts can increase while women are in prison, and as so many lose their homes and possessions while in custody, when they come out of prison they will be much poorer than before they went in.

- **Loss of family and friends**
  
  Lack of association in prisons has particular consequences for women prisoners, many of whom have primary care and family responsibilities. Staff and managers see it as a loss of recreation time: but it also has significant effect on family contact, because of reduced access to telephones. (HM Chief Inspector of Prisons 2004a: 38)

  Strong family and community ties are generally thought to be important factors in fashioning social and lawabiding behaviour, yet imprisonment usually either weakens, or puts severe strain on, ties with families and friends, while women prisoners suffer particularly from separation from their children. According to one study (Hamlyn and Lewis 2000) 66 percent of women prisoners say they have children under the age of 16. 40% of women prisoners claim that they have children under the age of 10. Yet, although there are currently five mother and baby units in the women's prisons, providing, in total, accommodation for 90 babies with their mothers, provision is not adequate to demand and babies can only stay with their mothers for a maximum of 9 or 18 months (depending on which prison they are in). When women have to be separated from their babies at 9 or 18 months, their distress is usually acute.

One Home Office (1997) study found that for 85% of female prisoners their period in custody was the first time they had experienced separation from their children for any significant period. The same study also found that only half the women who had been in contact with their children prior to their imprisonment had had a visit from them while in custody. The reasons for this are several. Some women do not want their children to see them in prison; some carers are not prepared to risk the upset caused when a child has to leave its mother at the end of a visit; sometimes the mother’s crime alienates her children (the two mothers in our study who had been convicted of murdering their children’s fathers had also experienced a complete rupture with their children); but also it is sometimes because, in England and Wales, women can be imprisoned miles from their homes and in country areas with poor transport.

In her Report for 2004, the Chief Inspector of Prisons said of visiting provision in the women’s prisons:
The provision for visits was varied. Women’s prisons hold a high proportion of primary carers, but there was evidence of a decline in visit arrangements. Holloway…had an excellent family centre but no provision for family visits. Styal had family visits at the time of the inspection but, like Holloway, these later ceased because of family pressures. (HM Chief Inspector 2004a: 40)

Although all but two of the 10 prisoners interviewed received visits and kept in touch with their families by telephone, several emphasised how difficult the journey was for their visitors, resulting in fewer visits than they would have liked:

- It’s an 80 mile round trip, involving two trains and one bus, each way. (P4)
- No visits. It’s a long journey and I would not want my Mum to come all that way. She’s not too well. (P9)

**Loss of family and friends: Foreign Nationals**

The isolation of imprisonment is, however, exacerbated for Foreign Nationals who have no (or few) visits and who have to rely on saving up money for telephone calls. Their position was bleakly summed up by one agent who remarked:

- Foreign Nationals - the ones who’re really going to be excluded by being deported – don’t even come under the remit of the Social Exclusion Unit! (A.25)

**Poor Mental Health**

- 70% of female sentenced prisoners suffer from two or more mental health disorders…15 percent of female sentenced prisoners have previously been admitted to a mental hospital…Many prisoners do not receive treatment that matches their needs… (Social Exclusion Unit 2002: 71, 73)

A report by Martin Bright in *The Observer* newspaper on August 8th 2004 vividly portrays the tragedy of mentally women in women in prison in England and Wales:

When Louise Davies was transferred from Bullwood Hall prison in Essex to New Hall, near Wakefield, at the end of March, she hoped she could make a new start. In common with one in seven women in jail, Louise had serious mental health problems that made serving her sentence - life for serial arson – almost unbearable. She believed a change of scenery at a prison nearer her family could make the difference. 'My dream is to get well again and be normal in the head for once,' she said. Three weeks later she was dead.

Louise's tragic story is told in next week's final part of Real Bad Girls, a fly-on-the wall documentary series about life at Bullwood Hall. In the film, Louise is held in the segregation block for her own safety because prisoners on the 'lifer' wing had threatened to kill her after she kept them awake for five nights with her shouting. She floods and smashes up her cell and threatens to kill herself before staff decide she has to be transferred to a prison where staff will be better able to deal with her erratic behaviour.

As a child, Louise suffered brain damage and had been in and out of institutions since the age of 16. But because her personality disorder was judged untreatable, the courts had no option but to send her to prison rather than hospital.

Like many working within the prison service, Bullwood Hall governor ...is not convinced prison is the right place for women with as many problems as Louise. He tells the filmmakers: 'She's not well and clearly you have to ask the question: "Is prison the best place for that individual
to receive treatment for her illness and for her reintegration into society?" (Martin Bright The Observer August 9th 2004)

It is well-established that lack of exercise and close confinement can have deleterious effects on mental health and the most recent Section 95 publication (Home Office 2004:iv) reported that 37% of women in prison had previously attempted suicide. That being so, it is not surprising (but very shocking) that in the 21 months prior to September 2004, 25 women committed suicide in prisons in England, many of them young women on remand and with previous histories of mental disorder, and at a time when the incidence of suicide in the general population is falling.

Both staff and other inmates resent having very disturbed women in prison. Prison officers complain that they are not nurses and do not have the requisite training to look after such disturbed women. Prisoners tell horrific tales of having to share a cell with self-abusing or violent women:

- At Eastwood Park [women’s prison] I shared a cell and a girl ended up slashing her wrists and I had to ring the bell to get someone to help her. She was waiting to be sectioned [compulsorily detained in a mental hospital], and I should not have been in with her. Slashed her wrists with one of them plastic knives! You could have knocked me for six. (P3)

She’d come out of mental hospital. The prison had put her on the wrong location – she should have been on the psychiatric wing. I was fast asleep in bed and she cut my face. She said it was because I had nice cheekbones! [laughs] She rung the buzzer and 5 officers came running and she gave the razor up. They said, ‘So you admit doing Vera’s face?’ and she said, ‘Yes’ straight away and that there was no reason for it. I had eleven butterfly stitches and sixteen normal stitches. The scar will never go away. (Vera, in Carlen 1998: 106)

- Poor Physical Health

A recent survey of healthcare needs of prisoners found that 60% of female [prisoners] rated their own health as fair, poor or very poor. (Marshall et al. 2000)

According to the Department of Health (2001) a health care needs assessment conducted by the Department of Public Health and Epidemiology at Birmingham University revealed that female prisoners report higher rates of asthma, epilepsy, high blood pressure, anxiety and depression, stomach complaints, period and menopausal problems, sight and hearing difficulties than females in the general population. (Home Office 2004: 38)

The main complaint about health provision in prison from the prisoners we interviewed related to: delays in getting to see a doctor; not always having immediate access to night-time sanitation; too much starchy food. Foreign nationals who do not speak English have problems with making their condition known to medics:

- We had one woman who could not speak English who told the nurse again and again that she was bleeding. But the nurse couldn’t understand her, and, of course, that woman had a miscarriage. (A.18)

On the other hand, several ex-prisoners said that while in prison they had been grateful to have longstanding health problems dealt with that they should have had treated prior to their imprisonment.

- Poor self-esteem

Many women in prison have low self-esteem when they enter prison but as studies of women’s prison consistently show, the restrictions, petty rules and totalising regimes often reduce their self-esteem still further.

Prisons have highly institutionalised regimes and one of the biggest problems faced by prisoners on release is that the process of depriving them of their liberty has often also deprived them of any positive form of control over their lives.
problem is often intensified because of the small amount of time that prisoners spend out of their cells and engaged in purposeful activity. (Social Exclusion Unit 2002)

Women prisoners are especially distressed and humiliated by the restricted opportunities for maintaining standards of cleanliness which they would maintain outside prison and also by having to tolerate male patrols in cell blocks at night, in-cell sanitation, urine testing and strip searching for security purposes in general and illicit possession of drugs in particular.

Restricted access to night-time sanitation means that some prisoners still have to engage in the degrading practice of ‘slopping out’:

They were issued with ‘potties’; those who could not live alongside the contents overnight sometimes threw them out of the windows; and women could be punished or rewarded according to whether they cleared up the resulting parcels’.

(HM Chief Inspector of Prisons 2004c: 5)

Other prisoners have in-cell sanitation, with the result that they feel humiliated that they are ‘living in a lavatory’, especially when they have to eat meals there (Carlen 1998).

Older women and foreign national women can find requirements to strip and be searched even more distressing than younger women. Humiliation occurs in other ways too. Muriel who, before prison, had been repeatedly told by her husband that she was stupid, ruminated on how some officers seemed to take delight in humiliating prisoners, especially if they were defined as needing to be ‘taken down a peg or two’.

I was playing a game of Trivial Pursuits one night and two officers joined us and I had a question to answer and I really had to dig it up from the depths and this woman calling the questions went, ‘Right, correct’, and put the card back in the box. And this officer looked at me with disdain and said, ‘You clever little shit’. I just put my head down and thought, ‘Ooh...

• Addictions

Drugs are available in prison – some prisoners may start to use, others will entrench an addiction. (Social Exclusion Unit 2002: 38)

There are suggestions that since the inception of drug-testing in prisons some prisoners have switched from cannabis to heroin as the drug of choice – because traces of cannabis remain in the body longer than heroin traces. Prisoners who do not take heroin in prison but who get some as soon as they are released are more at risk of overdosing than they were prior to their imprisonment.

4 of the 8 drug addicted prisoners interviewed said that they had ‘got clean’ while in gaol, though all were dubious about how long their abstinence would last, once they were released:

I’ve got clean, but I’m going home in six weeks and know for a fact that I’m going to be NFA [No Fixed Abode]. I’ll be staying with some people who’ll be using [drugs]. It’s the same every time I get out. (P6)

Prison’s kept me off drugs, and I hope I’ll stay off drugs and get a part-time job. A lot of it’s boredom, what you take drugs for. (P8)

I’ve got off heroin in here. But I’ll have to wait to see what happens when I get outside the gate. I hope I get off. (P3)

I thought I had the will to get clean, but, looking at it now, I’m not so sure. If it doesn’t work I’ll be back to shoplifting. I’ll be back in the same cycle I was in before. (P5)
Overall, quality of detoxification provision appears to vary between prisons. The most recent report of HM Chief Inspector of Prisons (2004a), for instance, highly praised the detoxification unit at Holloway [Women's] Prison in London while heavily criticising the poor detoxification units at Styal (women’s prison) in Cheshire, where
The lack of nursing staff to provide ongoing monitoring, care planning and key working...caused... concern. The noisy and chaotic environment...was not conducive to effective detoxification. Post detoxification support was lacking...
(HM Chief Inspector of Prisons 2004b: 66)

Detoxification, however, is also becoming a problem for other prisons that have not previously had to deal with it. Training prisons...were all receiving recently sentenced women who had not completed detoxification and were in need of more support than the prison could provide. (HM Chief Inspector of Prisons 2004a:38)

- Narrowing Options
The social options of all prisoners are most probably narrowed by their time in prison; employment and education are disrupted, relationships and health are impaired and there is a further loss of self esteem via humiliation by prison staff and the inevitable stigmatisation of a prison sentence. The recently published story of Ruth Wyner provides good illustration of how imprisonment can severely impair the life chances of even a socially secure middle-class woman. For, unlike the majority of her fellow inmates, Ruth Wyner, was a well-educated mother of two with a supportive and loving family, a non-smoker and in good health when she went to gaol in 1999. Seven months later, when she was released from prison, she still had her loving family and stable home, but had now become a coughing smoker, had breast cancer and was troubled by very mixed emotions, inability to concentrate and sleeplessness (Wyner 2003: 213).

Sub-hypothesis 2.1. Women’s prisons are disadvantaged in the prison system.
The hypothesis cannot be sustained without several qualifications. Overall, and because conditions are so variable between prisons in both the men’s prison estate and the women’s, at the present time the women’s prisons as a whole are not disadvantaged (compared with men’s prisons) within the prison system for England and Wales. This is not to say that women are not disadvantaged as prisoners, but it is to say that the main causes of their disadvantaged status may not be primarily attributable to a difference of treatment or regimes between the male and female estate but rather to women’s relatively small numbers in the whole prison system and because women suffer more than men from penal confinement even when their prison conditions are equal in terms of budget provision. To assess whether women’s prisons are suitable for women it is necessary to recognise women’s difference to men and assess women’s prisons in terms of substantive needs-based justice rather than in terms of their formal equality with men’s prisons.

There is abundant literature which describes the ways in which women have traditionally been disadvantaged within prison systems designed for men and wherein women’s needs have been further ignored or marginalised because of the small proportions of women in the whole system. Tales of women being issued with male clothing, doctors’ charts depicting only the male form, heavy foods more appreciated by men than women, notices referring only to ‘he’ ‘his’ etc. and of training, education, work and leisure opportunities being inferior to those in the men’s prisons were standard fare in Reports and books on women’s prisons in England until at least the end of the twentieth century. (See HM Chief Inspector of Prisons 1997; Carlen 1998). Prior to the setting up of the
Prison Service’s Women’s Policy Group in 1998 there was also a perception that women’s prisons were disadvantaged in budgetary terms. With the founding of the Women’s Policy Group, however, governors were given the opportunity to bid for special projects (such as Mother and Baby Units) and the Prison Service claims that nowadays there is parity of funding between the male and female estate. There is also ongoing work to ensure that money continues to be ring-fenced for special projects in the women’s prisons, especially for education.

The latest Section 95 publication (Home Office 2004) reports that women’s regimes are better than men’s in three areas:

Prison Statistics (2002) …indicate that female prisons provide: higher average hours on purposeful activity per week (23.7 hours compared with 22.6 for men); slightly longer time out of cell (11.1 hours on weekdays and 10.1 a day at weekends compared with 10.1 and 8.9 hours respectively for males); marginally more hours of education and skills training (6.6 hours a week compared with 5.8 hours for all prisons). (Home Office 2004: 38)

Today, women’s prisons in England are less disadvantaged within the prison system than they were, primarily because there has been much more official awareness of areas of disadvantage as far as the women’s estate is concerned, and also because there has been greater recognition that many of the needs of female prisoners are different to those of their male counterparts (see Home Office Women’s Offending Reduction Programme Team 2004). Indeed, the Prison Service ran an award-winning and effective advertising campaign to attract women into the Prison Service to work specifically with female prisoners – a not inconceivable feat when a few years before prison officers had been reluctant to work in the women’s prisons because to do so was seen as being a bad career move (Carlen 1998).

Most recently, one of the greatest changes in the Prison Service approach to women is being attempted in the area of security. It has long been argued in England that women in prison are disadvantaged because of having to submit to rules and regulations made for men, and that nowhere is this more striking than in the area of security where women suffer especially from constant strip searches. Now the Prison Service’s Women’s Team, in recognition of the additional pain which women suffer in connection with strip searching, is planning to investigate the extent to which strip searching of women is really necessary and the ways in which it can be decreased without breaching security levels (Prison Service Women’s Team 2004).

Yet, despite all the causes for optimism, and as the most recent Report of the Chief Inspector of Prisons for England and Wales (2004a:4-5) points out, the women’s estate is at present under particular pressure because of over-crowding, and many programmes which are supposed to be up and running have not been implemented because of all the burdens attendant upon an overburdened system.

Within an overcrowded prison system, the needs of women are both acute and in danger of being neglected or disregarded….The special needs of women…need to be promoted vigorously in a system where they will always be a small and easily marginalised minority. (HM Chief Inspector of Prisons 2004a: 4-5)

Yet, although several people working within the system told us that they thought that men’s prisons continue to make wider training provision,
Men’s prisons do much more for them: men do training courses which give them skills to offer an employer (A.4)

at the same time, most of those who complained about the more limited education and training options in the women’s estate recognised that, most likely, the differences in range of opportunity stem from there being so few women in prison as compared with men - and none wanted to argue that increasing numbers of women should be sent to prison so that, with more economies of scale, the women’s prisons could offer more courses or employment!

Hypothesis 3 Present in-prison and post-prison measures and programmes for the social integration or reintegration of women ex-prisoners are not being fully implemented. The evidence presented below supports this hypothesis though the Report authors are confident that, given the political will and appropriate levels of funding, the two most recently published action plans by the Home Office Women’s Offending Reduction Programme Team and the Prison Service’s Women’s Team are both well-appraised of the extent of the shortfall in programme delivery and have made adequate plans to address it.

Criminal and Penal Justice in England and Wales
The United Kingdom consists of three separate jurisdictions: England and Wales; Scotland; and Northern Ireland. For the purpose of this project, we focus only on England and Wales. The age of criminal responsibility is 10 years but young people between 10 and 17 years are dealt with in the Youth Court. This project focuses only on adults of 18 years and over.

Legislation covering sentencing and prisons
All criminal cases involving adults are heard initially in the Magistrates Courts and 95% of cases are completed there before lay or stipendiary (legally trained) magistrates. Magistrates’ sentencing powers are limited and they can impose only short prison sentences (less than 12 months). The Crown Court deals with more serious cases, including those where the defendant elects trial by jury, and has unlimited sentencing powers (within sentencing legislation). The effect of the different courts on the prison population is that magistrates send many people to prison for a short time, whereas Crown Court judges send fewer people to prison but for longer terms.

Sentencing is currently governed by The Criminal Justice Act 1991 which aims to provide a coherent framework for sentencing based on the ‘just deserts’ principle. The key factor is sentencing decisions is the seriousness of the offence before the court, although the concept of seriousness can be influenced by an offender’s previous criminal record. Prison is supposed to be regarded as a ‘last resort’ and when the Act was first implemented, the prison population declined. However, for a number of socio-economic and political reasons, that trend was reversed and the prison population has been rising dramatically in the past ten years.

Section 95 of the Act requires the Home Secretary to publish information that will assist sentencers in avoiding discrimination on grounds of sex, race or any other improper ground. Each year, two publications provide very useful summaries of the statistics relating to both women and ethnic minorities and the criminal justice system. Both publications are available on the web.
The Prison Rules 1999 provide the regulatory framework for the treatment of prisoners in England and Wales for the ‘regulation and management of prisons…and for the classification, treatment, employment, discipline and control of persons required to be detained therein.’ The only Rules that apply specifically to women are those which state that women should normally be kept separate from men in prison (though several prisons now accommodate men and women in separate sections) and that there should be provision for some women to have their babies with them in prison (currently there are about 90 places for mothers with babies).

Summary of institutions and regimes
Prisons in England and Wales are run by HM Prison Service, an agency of the Home Office. The agency itself is run by a Prisons Board, chaired by the Director General. Until Spring 2004 there was a Women’s Policy Group within the Prison Service and in 2001, the Government produced a strategy document for women offenders. There are 138 prisons in England and Wales. There are approximately 21 prisons which hold women and about 12 of these are designated ‘female establishments’ (that is, holding only women). (At the time of writing, the numbers are constantly changing as new prisons are opening and others are closing, changing function or being listed for closure e.g. in late July it was announced that the closure of several women’s prison is planned, but that they will replaced by several smaller units.)

Male prisoners are given security categories demanding varying degrees of security inside the perimeter. Female prisoners are not categorised in the same way. They are classed as being 'suitable' for 'closed' or 'open' conditions. Most women's prisons are 'closed' and are comparable to Category C male prisons. There are now only two fully 'open' women's prisons and there are two 'semi-open' prisons which have secure perimeters but more relaxed security regimes inside.

Foreign Nationals
Foreign nationals represent 10% of prisoners in England and Wales but 19% of female prisoners. Of these, the majority of women have committed drug-related crimes and are subject to the same prison legislation as British nationals. Half of the foreign national women in prison are from Caribbean countries. Most are subject to deportation on completion of their prison sentence. The remainder are asylum-seekers or have been detained under the Immigration and Asylum Act 1999, for breaking immigration rules.

Prison accountability
The Prison Reform Trust, an NGO, provides prisoners with an information book which informs them of their rights and what to expect while they are in prison. This is approved and distributed by the Prison Service. There is a separate book for women prisoners, which is available on the Prison Service website (www.hmprisonservice.gov.uk).

The Chief Inspector’s Office was set up in 1980 and its remit is to inspect and report on prisons to the Home Secretary. Holders of the post have adopted a high political profile and have, over the years, made controversial reports. Over the years the Inspectorate has developed criteria by which to measure the conditions in prisons and these have become known as indicators of a ‘healthy prison’:

- Every prisoner is safe
- Every prisoner is treated with respect as a fellow human being
• Every prisoner is encouraged to improve him or herself and given the opportunity to do so through purposeful activities
• Every prisoner is enabled to maintain contact with their family and prepare for release, thereby reducing the likelihood of their re-offending.

(HM Chief Inspector of Prisons 1999)

The office of the Prisons Ombudsman was set up in 1995 to investigate complaints from individual prisoners who have tried the channels of complaint within the system and have failed to get a satisfactory response. The largest single category of eligible complaints has been the fairness of prison disciplinary hearings.

Each prison has an Independent Monitoring Board (formerly known as Board of Visitors) (10–20 people) appointed by the Home Secretary from the local community. They must ‘satisfy themselves as to the state of the prison premises, the administration of the prison and the treatment of the prisoners’ (Prison Rules 1999). They are volunteers who can visit any part of the prison at any time without giving notice and they also hear complaints from individual prisoners. They meet once a month and report any concerns to the Governor of the prison or to the Home Secretary.

Since 1991, there has been a formal internal procedure for prisoners’ grievances. Prisoners making formal requests or complaints should receive a preliminary answer within seven days. They can also have confidential access to the prison governor. Independent Monitoring Boards monitor the procedures.

**Discipline in prison**

Offences against prison discipline are governed by Prison Rule 47 and include offences which outside of prison would not normally be charged under criminal law. Most disciplinary charges are adjudicated by prison governors and punishments include, loss of earnings, loss of privileges, cellular confinement and additional days in prison. More serious charges are referred to the Police for further investigation.

Women commit about twice as many offences against prison discipline as men, but they tend to be minor infringements such as being disrespectful, disobeying an order, being absent from any place where they are required to be and having possession of unlawful articles.

**Main in-prison and post-prison measures and programmes for women ex-prisoners**

- **Prison Routine**

  Her Majesty's Prison Service serves the public by keeping in custody those committed by the courts. Our duty is to look after them with humanity and help them lead law-abiding and useful lives in custody and after release.

  (Prison Service Statement of Purpose)

The Prison Service has a target to ensure that adult prisoners are engaged in ‘purposeful activity’ for at least 24 hours a week. This can include: work, education and training; induction and resettlement activities; physical education; religious activity; and visits. Purposeful activity must generally take place outside a prisoner’s cell and therefore requires some supervision by prison officers. In 2004 the Prison Service failed to meet this target on average overall for all prisoners, both men and women (Prison Reform Trust 2004), and within the women’s prisons time spent on purposeful activity varied
with some prisons getting less than 20 hours per week purposeful activity (HM Chief Inspector of Prisons 2004: 37).

- **Prison work**
  Prison Rules 1999 state that a convicted prisoner shall be required to do useful work for not more than 10 hours a day, and arrangements shall be made to allow prisoners to work, where possible, outside the cells and in association with one another. Prisoners have to be passed as being medically fit for the work they are required to do. There are four main types of work. First, prisoners maintain and service the prison, including cleaning, grounds maintenance and working in the kitchen and laundry. Second, prisoners undertake low-skill work for external contractors, such as bagging nails, filling envelopes and assembling simple electrical components. Women often assemble soft toys or undertake contracts with a 'craft' element. Third, prisoners undertake more complex production tasks, either for external contractors or for internal prison consumption, such as making clothing, furniture or light engineering. They also provide services such as hairdressing for other prisoners and, sometimes, members of the public. Finally, prisoners may work on prison farms, producing food for commercial sale or prison consumption. Prisoners are not entitled to the national minimum wage and are paid for their work at rates approved by the Secretary of State. In 2002, the majority earned between £5 and £10 per week, depending on the nature of the work, which they may spend at the prison canteen (shop) via a credit system (no cash is handled) or they may save it. The wage structure is intended to provide an incentive to participate. Prisoners who wish to work, but cannot, for medical or other reasons, received £2.50 per week (2002 rates). Some prisoners, depending on the stage they are at in their sentence, are allowed to work outside establishments. Of the prisoners we interviewed, Muriel had been allowed to work outside the prison for a year before her release date, and so had the other long term prisoner interviewed.

- **Education**
  Prison Rules 1999 state that every prisoner able to profit from the education facilities at a prison shall be encouraged to do so. Educational classes shall be arranged at every prison and reasonable facilities shall be afforded to prisoners who wish to do so to improve their education by training by distance learning, private study and recreational classes in their spare time. Special attention shall be paid to the education and training of prisoners with special educational needs, and if necessary they shall be taught within the hours normally allotted to work. Every prison is required to have a library and every prisoner is allowed to have library books and to exchange them.

In 2001 *The Prisoners’ Learning and Skills Unit (PLSU)* was created. It is a partnership between the Prison Service and the Department for Education and Skills (DfES). The PLSU is responsible for drawing up a programme of action for the improvement of prison education and training and its links with resettlement. Some of PLSU’s main aims include reviewing the delivery and funding arrangements for education and training in prisons; promoting more effective and consistent educational and skills assessment, induction and individual learning plans; developing the use in prisons of modern technology and working with partners to secure links between education and training inside prison and beyond the gate.

Education in prison is provided under contract by a range of further education colleges, local authority adult education providers and private companies. Vocational training and physical education are managed on a day-to-day basis by the Prison Service through its 900 instructors. Education and training provision is monitored by the same education
inspectors who monitor education and training outside prisons, as well as through routine inspections by HM Inspectorate of Prisons.

In 2004, the Chief Inspector’s Report again indicated that overcrowding and staff shortages were resulting in a patchy delivery of education courses in the women’s prisons (HM Chief Inspector of Prisons 2004a).

- **Supervision and guidance**
  Convicted prisoners serving sentences of more than 12 months are required to have a ‘sentence plan’. Sentence planning is the key process connecting a prisoner with activities to reduce their offending. Its aim is to prepare the prisoner for a safe release: needs should be assessed, targets set and plans should connect the prisoner with offending behaviour programmes. Plans should have contributions from probation, build on pre-sentence reports and be reviewed regularly. The sentence plan should be informed by up-to-date risk assessments carried out by prison and probation staff. These assessments should ensure that the interventions identified, such as family contact or employment in the community, are appropriate and will not increase the risk of harm. The sentence plan should provide the basis for the supervision plan that covers those prisoners released on licence.

In the eight reports on the women’s prisons delivered in the 12 months prior to June 2004, the Chief Inspector reported the percentages of eligible prisoners having sentence plans as varying between 10% and 100% (HM Chief Inspector of Prisons 2003a-e and 2004b-d).

- **Offending behaviour programmes**
  Since 1992, most prisons provide some psychology-based programmes designed to address prisoners’ offending behaviour. The most common programmes are: cognitive skills training; sex offender treatment; anger management; violent offending. The programmes are based on a North American model known as the ‘What Works’ model and are subject to national accreditation by a Joint Prison and Probation Service Accreditation Panel, made up of experts in the field. Accreditation is a demanding process covering areas such as the intensity of the programme and training, the skills of those delivering it and the extent of monitoring and evaluation of the programme. Fewer programmes have been delivered in the women’s prisons than in the men’s, but as there has been severe criticism of the basic principles and content of offending behaviour programmes, not all observers of the women’s prison system in England have been concerned that this has been so. However, some of the criticism centred on the Prison Service using programmes for women that had been designed for men, and in response to this criticism the first offending behaviour programme designed specifically for women was rolled out in Spring 2004. In early 2004, however, many of the professionals we interviewed insisted that it was difficult to assess these programmes because of the chaos in implementation being created by overcrowding as a result of the rapidly rising women’s prison population, and by the accompanying increase in security concerns.

  *It’s difficult to tell what provision is actually operative because programmes are undercut by prison overcrowding and security concerns – which are of course related.* (A.17)

- **Drugs and alcohol treatment**
  In 1995, the *Prison Service Drugs Strategy* was launched to control both the supply and demand for drugs in prison. The main mechanism of control has been Mandatory Drugs Testing which requires prisoners (who may be targeted on suspicion or randomly selected) to provide a urine sample which is used to test for all the common drugs:
opiates, LSD, Ecstasy, cocaine and cannabis. Those who test positive or refuse to take the test are punished by fines, having privileges removed or, most commonly, by having days added to their sentence. Drug rehabilitation programmes are increasingly available within prison.

The Prison Service Drugs Strategy was introduced in 1998 and aims to reduce rates of drug misuse during and after custody. There are a number of elements in the strategy. All prisons have a Counselling, Assessment, Referral, Advice and Throughcare (CARAT) team which provides a general, low intensity support service. Staff are usually employed by external drugs agencies contracted in by the Prison Service. There are a number of intensive drugs and alcohol treatment programmes running in selected prisons as well as support for detoxification. Additionally, all prisoners are subject to random, mandatory drug (urine) tests. If they wish, prisoners can volunteer to be tested on a regular basis as part of a treatment programme or as a condition of living in a dedicated ‘drug-free’ wing or resettlement unit, where they may also be granted temporary release to work outside the prison during the day. In a recent study (Home Office 2003b), the following findings were made in relation to the treatment of drug users in women’s prisons:
- many of the sample group had received a CARAT assessment, but gaps remained in service delivery
- detoxification period was not long enough
- too few drug workers specialising in crack misuse
- only a minority of women had received any form of therapy in custody

**Release on temporary licence (ROTIL)**
Under certain conditions sentenced prisoners can be allowed temporary release from prison typically for a working day or a weekend. Possible reasons include: funerals and hospital visits; maintaining family connections; employment or education; and job or housing interviews. The Governor makes the decision, following a thorough risk assessment. Each licence is issued individually and states the conditions that a prisoner must abide by during their time outside prison. Failure to return to custody within the time set by the licence is a criminal offence. Of the women we interviewed, Muriel had been allowed out to visit her ailing mother for one day a year for ten years prior to her release, and she said that all her later releases on temporary licence had been important in helping her maintain links with outside while serving a long sentence.

**Home Detention Curfew (with electronic monitoring)**
Electronic monitoring was introduced on an experimental basis in England and Wales in the 1980s for a number of reasons. It was seen as a way to reduce prison overcrowding and prison costs. It was also seen as a way to strengthen community punishment and to introduce privatization to community punishment as well as to prisons. Finally, it was seen as a sophisticated way to subject offenders to some of the restrictions of prison without inflicting on them the damage of being removed from their home environment. Electronic monitoring requires offenders to be fitted with a special bracelet or anklet which is connected electronically to a telephone which is, in turn, connected to a call centre, from whence regular checks are made on the offender’s whereabouts. Offenders have individualized schedules requiring them to be at home between certain hours. There are now two distinct ways in which electronic monitoring is used to enable offenders to live in the community. First, courts can sentence offenders to curfew orders with electronic monitoring. Second, prisoners may be released several weeks before the end of their sentence, on condition that they are monitored. Both measures have been available nationally since 1999 and are likely to be incorporated increasingly into a
number of community sentences in order to provide a stronger element of surveillance. In 2001, around 6,000 curfew orders with electronic monitoring were made. In the same year, around 14,000 prisoners were released on HDC and 90% successfully completed their curfew.

**Hospital Order (for those with mental disorder)**
If an offender is diagnosed by qualified psychiatrists as suffering from a treatable mental illness under the Mental Health Act 1983, it is possible for a court to make an order for them to be committed to a psychiatric hospital for treatment instead of being sent to prison. They may be released either on the orders of the doctors treating them or - in more serious cases - by the Mental Health Review Tribunal.

*From:* [www.hmprisonservice.gov.uk/adviceandsupport/beforeafterrelease/resettlement](http://www.hmprisonservice.gov.uk/adviceandsupport/beforeafterrelease/resettlement)

**Resettlement** is where prisoners and their families receive assistance and support from the Prison and Probation Services, and voluntary agencies to help them prepare for life after prison. This includes advice about their entitlement to state benefits, training, education, work experience and preparation for release. The objective is to help prisoners return to normal life, get a job and home, and cope with life without re-offending. There are a number of initiatives that help us achieve this objective.

**Prisoners preparing for release**

A prisoner may be asked to attend groups or courses to help them with any behaviour problems they may have, such as alcohol or drug abuse, gambling, financial pressures, depression, aggression or lack of temper control, or sexual matters.

**Pre-release courses**

These courses help prisoners deal with the problems they may face after being released. These include help with housing, employment, benefits, health, drugs, alcohol and family. The National Association for the Care and Resettlement of Offenders (Nacro) has a computer-based service (called EASI) that provides up-to-date information on housing, employment, training and education, benefits and money advice and counselling services.

**Resettlement Prisons and Units**

These are designed to help prisoners, particularly those serving longer sentences, prepare for release. As part of the resettlement arrangements some prisoners are able to go out to training or work from the unit or prison and return when they have finished.

**Community Work**

Working for the local community is intended to give prisoners the chance to build self-confidence and at the same time develop a sense of social responsibility. The work can include local environment projects, work with the elderly or people with disabilities, sports activities and fund-raising.

**Earned community visits**
Some prisoners or young offenders may be eligible to apply for a community visit. Normally this will be on a monthly basis and they will stay with family or friends in the locality of the prison.

**Preparation for Employment and Job Clubs**

Some prisons run their own job clubs in which advice and assistance are available to prisoners on how to look for jobs, including how to prepare a CV and interview technique.

**Money and benefits**

As prisoners get near their release date they will be advised on these as well as whether they eligible for a discharge grant that helps with accommodation.

End: [www.hmprisonservice.gov.uk/adviceandsupport/beforeafterrelease/resettlement](http://www.hmprisonservice.gov.uk/adviceandsupport/beforeafterrelease/resettlement)

**Chief Inspector’s Most Recent Comment on Resettlement**

Resettlement in prisons can still best be described as ‘patchy’ There are some good initiatives, and examples of effective co-operation between prisons and prison areas, and local and statutory voluntary organisations. But there is still an absence of secure funding, strategies and planning based upon an analysis of prisoner needs. And prisoner movements can undermine the best efforts of local managers.

(HM Chief Inspector of Prisons 2004a)

- **Role of NGO agencies**
  Over the years, many NGOs have catered either separately or exclusively for female ex-prisoners. The main ones, (though there are many more, chief among them being The Prison Reform Trust and Howard League), are listed below.
  
  **The Apex Trust** ([www.apextrust.com](http://www.apextrust.com)) co-ordinates 21 projects around the country offering a range of services to ex-offenders and employers to ensure a better employment relation. The Trust offers advice and guidance to individual women which helps them to locate potential jobs, complete application forms and identify employers who are prepared to consider applications from former prisoners.
  
  **ASHA Project**
  
  The first ASHA Centre had been operated by the local probation service between 1994 and 1997, and when it was closed, those involved were determined to re-establish it as an independent charity aimed at helping disadvantaged women to access resources. That aspiration was achieved with the generous support of the Government Office for the West Midlands, and the Centre opened to users in May 2002.

  Our launch was low key, and concentrated on introducing the work of the Centre to those local agencies which are critical to our success, through making appropriate referrals of women who are genuinely too disadvantaged to reach resources that would help them to improve their position. We are delighted to have established such a positive network of alliances with health, probation, drugs, education and training services and many other voluntary organisations, which have formed the basis for joint ventures for the benefit of women users. ASHA offers a neutral, stigma-free base from which users can be signposted to other resources, and has proved relevant to women from the relatively small minority ethnic groups in the Worcester area. (ASHA 2003)
**Clean Break Theatre Company** was founded in 1979 by two serving prisoners. It produces drama which engages audiences in the issues faced by women who have been subject to the criminal justice system or who have had experience of the mental health system. Clean Break has a commitment to theatre and the arts and media which open up possibilities for women ex-offenders to develop personal, social, professional and creative and study skills.

**Creative and Supportive Trust (CAST)** provides education and training, careers advice, welfare advice and support to women in prison and ex-offenders. Students at CAST can eat and socialise there as well as attending courses, counselling and advice sessions.

**Female Hibiscus** provides advocacy advice and welfare services for foreign national women in UK prisons and also makes contact with the families left behind through its offices in Lagos, Nigeria and Kingston, Jamaica. At any one time Hibiscus is working with about 500 women whose dietary and clothing needs are often very different to those of English prisoners and who are isolated from friends and families both by distance and the expense of phone calls from the UK to home.

**Inside Out Trust** ([www.inside-out.org.uk](http://www.inside-out.org.uk)) funds and supports activities which provide prisoners and other offenders and ex-offenders with knowledge and skills during sentence, either custodial or community-based, and afterwards, which are likely to contribute to their integration into the community and specifically lead to employment.

**National Association for the Care and Resettlement of Offenders (Nacro)** ([www.nacro.org.uk](http://www.nacro.org.uk)) is the largest NGO working with prisoners and runs various projects which routinely provide advice and information to prisoners. Nacro’s Women Prisoners’ Resource Centre was developed to provide resettlement help and advice to women in prison. Unfortunately it was closed in 2000 after 15 years of service due to lack of funding. A similar organisation, known as the Black Female Prisoner Scheme has also closed due to lack of funding.

**New Bridge** ([www.thenewbridge.org.uk](http://www.thenewbridge.org.uk)) is an organisation which aims to create links between the offender and the community by means of Voluntary Associates who support and befriend people in prison, parenting courses for offenders, helping offenders to find jobs and training courses, and generally encouraging reintegration of ex-offenders into the community. New Bridge offers employment advice to women in three prisons: Drake Hall, East Sutton Park and Highpoint. Interviews are held with women who are approaching release, to determine their employment and training needs. Information is provided and appointments booked at the local job centre so that women can claim Job Seekers’ Allowance.

**Women in Special Hospitals (WISH)** works with women with mental health needs, in their care and treatment while detained in secure setting and once released into the community. It ‘aims to promote social inclusion and gender sensitive forensic and community support services’. (WISH mission statement Annual Report 2002-2003)

**Women in Prison** ([www.womeninprison.org.uk](http://www.womeninprison.org.uk)) was founded in 1983 by ex-prisoners and is a campaigning organisation which visits women in prison and provides them with information. Over the years the organisation has also conducted small research projects and run advice services in prisons. Its major work, however, has always been with campaigning and keeping watch on developments within the women’s prison system.

**Women into Work** aims to combat discrimination and inequality faced by women who have experienced disadvantage, particularly by having had contact with the Criminal Justice System. By identifying barriers to employment from a female perspective and piloting innovatory means of training, personal development and empowerment, the
project aims to ensure women can access and sustain appropriate education, training and employment.

Operational Difficulties Confronting NGOs Working with Prisoners and Ex-Prisoners

Although the Prison Service has recently established partnerships with many NGOs working with ex-prisoners, NGO staff working with disadvantaged women find that they still have many problems. We interviewed 13 from the main agencies making provision specifically for women in trouble in the criminal justice, mental health and penal systems to find out what kind of operational difficulties they still face.

- **Lack of funds.** All of the NGO workers cited lack of funds, leading to shortage of staff as being as the main operational difficulty confronting them.
  
  ‘We are continuously fundraising and justifying what we do’ (A. 24)
  
  ‘Always shortage of funding’ (A.17)

- **Exploitation by Prison Service.** In the context of their recurrent funding difficulties many of the NGO staff thought it ironical that the Prison Service would use their staff without paying for their services. They felt obliged to help women in prison who requested their help and also felt that the recognition of their services might result in a contract to work in the prisons at some later date, but none the less, several workers felt that the Prison Service was being hypocritical in saying that they valued their services, and yet not paying them.

  ‘They actually ask us to go in – they ask us to help with particular women. But they don’t offer to pay us.’ (A.18)

- **Programme and Project Accreditation issues.** Workers in some NGOs felt aggrieved by an increasingly centralised system of accreditation of resettlement programmes and projects which hold to a very narrow conception of the (psychological) causes of women’s crime and women’s ‘needs’, and in so doing reject programmes and projects which lay greater emphasis of the social and relational causes.

- **Fragmentation of services.**

  ‘Services are so fragmented, that’s our main problem. Systems are not managed and everything is haphazard’ (A.22)

  ‘There is so much managerialism and yet nothing hangs together. Now there is no Women’s Policy Group, things will be worse’ (A.20).

  ‘Demise of the Women’s Policy Group is the worst thing that could happen’ (A.16).

  ‘Nothing is joined up. “Joined-up” is talked about, but it doesn’t happen (A14).

  ‘The level of need we have in the area of ex-prisoners takes some management, and we need the money to match the scale of the demand (A13).

- **Suspicion and obstruction from some prison staff.** Despite many efforts on the part of the Prison Service to bring prison staff and NGO staff into a greater understanding of each other’s functions and objectives, NGO staff still complained that prison staff frequently obstructed them when they visited prisoners.

  ‘Prison staff can be obstructive. There is a different culture between us and them’ (A.22)

- **Prejudice.**

  There is prejudice against all prisoners, but against foreign, ethnic minority and women prisoners in particular. And also, still especially bad feeling against ‘drug importers’. Not realising that these women are just very, very poor women, not gangsters. (A.18)
We still can witness sexist and racist views. Still ongoing sexism. We see sexism in the ways they deal with women, not appreciating their opinions. Racism? Not taking women’s cultural differences seriously is racism. (A.12)

Women’s Offending Reduction Programme

Following the consultation document, *The Government’s Strategy for Women Offenders*, published in October 2000 (Home Office 2001b), the Government announced plans for the Women’s Offending Reduction Programme in September 2001. The Programme aims to strengthen existing links and to encourage cross-government work on reducing women’s offending by the development of integrated policies, programmes and spending partnerships. The Programme’s plan of action, formally launched in 2004, provides a framework for building on existing good practice to reduce women’s offending. It will also enhance the growing recognition across the criminal justice system that a distinct response to the particular needs of women is essential if there is to be effective interventions into women’s criminal careers. The Programme’s work is being managed by the Women’s Policy Team at the Home Office and overseen by the Women’s Offending Programme Board, comprised of senior representatives from the Probation Service, Youth Justice Board and Prison Service. This, together with the 2003-2004 Business Plan recently unveiled by the Prison Service’s Women’s Team has been widely seen as one of the most promising plans of action on women’s prisons put forward to date.

Sub hypothesis 3.1: Work within prisons does not supply inmates with marketable occupational skills for use after release. *This hypothesis was sustained without qualification, though, given the educational background of, and relatively short sentences served by, women prisoners, the authors of this Report do not believe that it is feasible to expect prisons to supply short-term prisoners with marketable skills. (See discussions under sub hypotheses 4.4 and 4.5 below.)*

- The majority of women in prison serve very short sentences and in 2002 40 percent served a sentence of 3 months or less while nearly three quarters were sentenced to 12 months or less. Overall, the average sentence length was 10 months. (Prison Reform Trust 2004: 11)
- the educational achievement of women in prison is significantly lower than for women in the general population
- many have very little experience of stable employment
- 39 percent of women prisoners had not worked for a year prior to employment and 23 percent had not worked for over 5 years. (Social Exclusion Unit 2002, referring to Hamlyn and Lewis 2000)

Given the employment and educational backgrounds combined with the relatively short sentence lengths of the female prison population in England and Wales, it is difficult to see how prisons could provide the majority of prisoners with marketable skills after release. However, there still remain a quarter of women prisoners who serve more than 12 months and, as research has suggested that employment can reduce the risk of re-offending by between a third and a half (Social Exclusion Unit 2002, quoting Lipsey 1992; Simon and Corbett, 1996) it is reasonable to hold the expectation that at least some of the prison sentence might be spent in enhancing existing skills or gaining new ones. Yet prisoners who have addictions will often not be ready to learn new skills and, many women do not see getting employment as being a first priority when they leave prison. Getting safe, secure accommodation is a first priority for homeless women.
prisoners (especially for women who wish to get their children back home with them) and, in the case of drug users trying to get clean, detoxification is another.

None the less, there are women serving sentences who have worked prior to their imprisonment and others who say that “getting a job” is the most important factor in helping them to avoid re-offending” (HM Chief Inspector of Prisons, 1997: 121).

The work available in women’s prisons is currently listed by HM Prison Service (2003) as including: college and community placements; prison upkeep work such as cleaning, cooking, gardening, laundry; hairdressing; industrial cleaning training; light assembly work; garment workshop; painting and decorating training; computing and office skills; forklift truck driving qualifying course; textile manufacturing; animal sanctuary; car mechanics workshop; prisoner-led advice and resource centre; craft and design; prisoner run housing office; National Vocational Qualifications and educational courses from basic skills to degree level courses through the Open University and other universities. Thus on paper it can be claimed that there is a good range of work on offer (and not merely the traditional women’s work); but, yet again, according to the Chief Inspector of Prisons (2004a) delivery during 2002-2003 was patchy, primarily because of under-funding and overcrowding, making both adequate staffing and appropriate allocation difficult to achieve. For example:

Drake Hall, with fewer women able to work outside the prison, did not have enough work and education spaces inside. Morton Hall had a high level of participation, but few qualifications on offer. (HM Chief Inspector of Prisons 2004a: 39)

Of the women we interviewed, only the women serving life-sentences felt that they had made good use of their time in prison. Muriel, serving a life sentence of 14 years, and the other ‘lifer’ interviewed had both obtained degrees in social science and worked outside the prison for the last year of their sentences, returning at night. The other interviewees, serving relatively short terms, had not felt that any work they had done in prison had added to their skills. They could either have attended education classes or worked at one of the available jobs in prison or gardens maintenance or in the library. The responses below were typical replies to our question, ‘What do you think of the jobs available in prison?’

Rubbish! Especially the pay for cleaners and especially as they have the worst jobs, like cleaning the toilets. I’ve done wing cleaner, main corridor cleaner and yard cleaner. Training? None. You’re just given a pair of rubber gloves and told to wear them. I’d like to work in the kitchens but I’m an epileptic. (P1)

Crap! I’ve worked on the landing, in the kitchen and as an outside cleaner. In the kitchen they told me where the things was and what liquids to clean the floor with. They make you work hard, don’t tell you how to do it, and keep changing what you’re supposed to be doing because someone won’t do what they’re supposed to do. (P9)

Of women prisoners surveyed in 1999, although 90 per cent had had at least one job during their sentence, only 30 per cent believed that this would help them to find work post release. Furthermore only 24 per cent of women with a prior skill had the chance to put their skill into practice through prison work. (Social Exclusion Unit 2002: 139, quoting Hamlyn and Lewis 2000)

A worker in prison commented:

They need marketable skills, something that will get them a job now, not in the future, after they’ve done more training. (A.4)
Yet, all the agents were reluctant to imply that women should be sent to prison (either in the first place or for longer) in order to obtain training (or any other treatment) which should be available to them in the community.

> These short sentences of three, four six months, do nothing. If a woman only deserves a sentence of less than six months should she be locked up in the first place? The damage done is so disproportionate. (A.4)

**Sub hypothesis 3.2 Women do not receive enough preparation and support for their smooth return to family and other intimate ties and integration into the community.**

This hypothesis was neither fully sustained nor fully refuted by the evidence we adduced from literature, theory or the fieldwork. Existing knowledge indicates that many of the women prior to their incarceration did not have a family life or other intimate ties which the prison could prepare for their re-integration to. However, insofar as women did receive some preparation and support in prison, it tended to be almost completely offset by the disruption and continuing process of debilitation of imprisonment itself (see sub hypotheses 4.1 and 4.2 below).

Most recent reports on the resettlement/reintegration of released women prisoners in England and Wales are critical of the resettlement provision made for women. Apart from criticisms of (or at least reservations about) the psychology-based offending behaviour programmes, commentators appear to think that existing provision is of good quality but that

- its benefits are often more than offset by the negative effects of imprisonment itself
- there is not enough in-prison resettlement provision (Social Exclusion Report 2002; O’Keeffe 2003)
- there are insufficient gender-specific programmes – i.e. programmes which recognise that the needs of women are different to those of men; primarily in areas of gynaecology, social expectations and responsibilities (e.g. as carers), social experience e.g. of domestic and sexual abuse, male violence and the matrix of disadvantage and poverty accompanying one or more of these needs.
- there is insufficient post settlement provision, especially in relation to accommodation advice, legal advice in relation to benefits, child custody advice and detoxification support (O’Keeffe 2003)
- there is insufficient housing available for ex-prisoners, especially for mothers with dependent children
- in-prison and post-prison services are poorly integrated (see further discussion under hypothesis 4.3 below)

When we were interviewing in Autumn 2003 and Spring 2004 a new national resettlement structure was currently being put in place, but still, at that time, the agents working in the system continued to be very critical of the lack of provision in certain areas and for certain groups:

> Foreign national women do not get equal access to courses, and there are no pre-release courses for them at present. (A.8)

> Do resettlement programmes achieve their aims? Many of them don’t run, and when they do, there is often a mismatch between the women and the programme. (A.13)

> Throughcare/Resettlement is not a priority. Cuts and targets have a knock-on effect. Whatever they say, they don’t allocate the resources. They need to look at what prison has to offer and what women’s needs are. There’s not much matching at the moment. The prison works according to the prison’s needs. (A.4)

> There is now someone to give housing advice in every prison – or should be. But the level and quality of housing advice still need attention. (A.21)
Women prisoners are often released miles away from their home, and they haven’t been prepared at all. Geographical placement doesn’t occur and often the information that is relevant to prisoners in relation to the area they’re going to just isn’t available to the person who is supposed to be helping them settle. (A.25)

You simply can’t resettle them if you don’t solve the drug problem. If you don’t solve that, everything else falls down. If you don’t solve it, then you can’t get a job, a stable background for a child or a proper relationship without a stable home. What actually happens? We put them back into the same old treadmill. (A.1)

**Hypothesis 4 Several barriers to the social integration/reintegration of women ex-prisoners remain** This hypothesis was sustained.

As the professionals talked about specific problems in relation to the resettlement of women prisoners after prison, many of them referred to increased levels of social punitiveness in recent years, often indicating that, whatever the official rhetoric about the ‘reintegration’ of prisoners, neither government nor public are as unambivalent about ‘reintegrating’ ex-prisoners as official rhetoric might suggest. It is within that context that the following discussion is framed.

The Prime Minister thinks that you should build more prisons rather than send fewer people to prison. The Rehabilitation of Offenders Steering Committee is composed of very high level officials, so they have the power to act; but, whatever they decide, there are no proper links with sentencing. And we need to get politicians to stop caring what the press will say. (A.25)

People are not so ready to help ex-prisoners today as they were in the past. (A.13)

Everyone discriminates against ex-prisoners, the mentally-ill and black prisoners. (A.18)

**Sub hypothesis 4.1: The prison experience makes resettlement in community/family more difficult. Hypothesis sustained.**

Locking up women is a bad thing. They may get some good provision while they’re in prison, but the problems caused by prison are out of all proportion to any good which might be done. Overall, all women are worse off after being in prison. They lose everything. The needs of women ex-prisoners are not different to those of other women. Crime is just one way of managing their poverty. (A.13)

I just came out and my main concern was to make people pay. Just revenge. I was going to do it again. In prison, we all said that: that we’d make people pay for this. And I did re-offend and served another sentence. I’ve got that out of my system now. But I still haven’t got a job, so what will I do? (XP13)

All prison does is take them out of the community and make them bitter. They lose a lot and she has the stigma when she goes back to her community: the over zealous social worker who doesn’t want the children to return to her! There’s the issue of loss of her home, breakdown in family relationships. Joe Bloggs finds another woman while she’s in custody. Everyone suffers, everyone is punished, not just her. (A.4)

If it wasn’t for the damage prison does to women there’d be no need for any psychological rehabilitation at all. What should be available is something that recognises the context of women’s offending. The problem with ETS [Enhanced Thinking Skills Programme] is that it doesn’t look at social factors and as such it doesn’t fit in with the reasons women offend in the first place. And it’s extremely patronising to women. And I can say that because I delivered it for two years, including a programme for women only. (A.3)

Prison does more harm than good. Women in prison risk losing their children and their homes. There is a loss of confidence. Prison does not provide a therapeutic environment or a basis for
women to address any of the issues that led to their offending behaviour or chaotic lifestyles. Prison provides a stigma in terms of a criminal record, relationship breakdown and loss of children and partner. (A.15)

All women ex-prisoners have been damaged by being in prison. (A.5)

There’s enormous difficulty in getting local [housing] authorities to take on female ex-prisoners. They’re seen as ‘trouble’. (A.21)

They have to get back and repair all that has been lost. They are labelled as criminal, and the stigma may extend to their children. They have a criminal record, no support, no accommodation. No friends, or maybe friends who don’t want them to change. Why should they stay out of trouble? (A.12)

In this context, there is currently great concern that the Criminal Justice Act 2003 allows for the new sentence of ‘intermittent custody’:

It is not only the case that the provisions may lead to some women who would otherwise receive a community sentence receiving intermittent custody (the sentence having been described by policy makers as particularly useful for women offenders) but that the sentence may ‘undo’ resettlement work. The new Intermittent Custody sentence (section 153(2)) allows the courts to impose a custodial sentence that is not served as a continuous custodial period, but rather is interspersed by periods when the offender is released on licence in the community. The court, if it deems fit, may also impose additional licence requirements, which must be fulfilled during the licence period. The intermittent nature of custody may well work against attempts to root the offender in a network of community resources. (Gelsthorpe 2004: 35)

Given the damage done by each re-entry to prison, it is extraordinarily difficult to see how such a sentence can benefit anybody.

Sub hypothesis 4.2: Women who have been in prison find it more difficult to get employment. Hypothesis sustained.

Employment?! Well, that’s way down the list. I’m not saying employment is not important. If she finds work then it’s a surest sign that she won’t return. But, without the other things in place, how can you get or keep a job? (A.1)

All the ex-prisoners we interviewed had taken some courses in prison. Several of them had taken many different courses during different sentences. Yet, not one said that they thought the courses would help them to get a job. The main reason for all of them was that, regardless of whether they had worked before, and regardless of how ‘good’ they thought the in-prison course had been, they didn’t have either the confidence or the motivation to make job applications. Four of the ex-prisoners had jobs at the time of interview (including the two women recently released after serving life sentences) but all the others gave reasons for deferring looking for work until other problems had been effectively addressed.

I want to keep busy, but I can’t get work because of my drugs and criminal record. (XP4)

I’ve been too depressed to apply for work since I came out of prison. I can’t get motivated. (X.15)

I’m still fairly raw from coming out [three months earlier]. I’m not ready for paid employment. (XP3)

I would like to work but I can’t until I’ve got some better housing. (XP 14)
I’ve been trying to get a job. I don’t know whether to tell them about the record or not. Some say, ‘Tell them’. Others say ‘Don’t tell them’. (XP8)

I went for a job and had to fill in a form and it asked about criminal convictions and I ticked the box because although I’ve had it explained to me I still don’t understand about ‘spent’ and ‘unspent’ convictions. I didn’t get the job. (Laughs) (XP13)

I just can’t see my future, I want a future, but it scares the hell out of me thinking about it. I can’t see one. (XP12)

And although not one of the prisoners mentioned them, there are, of course, other factors at work, militating against the employment of ex-prisoners – the informal stigma of a conviction, the formal legal and insurance company prohibitions against employing people convicted of certain crimes in certain jobs, and the very real issues of risk and responsibility that are likely to be raised in the minds of most people when they are considering whether or not to make an appointment, especially in a competitive labour market.

Sub hypothesis 4.3. The continuity between prison/post-prison services and the and coordination of all services relevant to prisoner resettlement is inadequate.

Hypothesis sustained.

What we need is implementation rather than rhetoric, and there’ll only be implementation with commitment and resources. Regional Resettlement areas are supposed to co-ordinate all regional resettlement strategies and pathways for prisoners. Of course, it’s not clear how prisoners are going to be set on the pathways! (A. 20)

Drugs detox appointments are often not made until the day the woman is released – or often not at all. No connection is made with social services and women still come out homeless. (A.12)

There is still a lack of knowledge and communication about what is available. All the agencies work according to their own rules and regulations. There are territorial disputes between them. (A.17)

They are not joined up. There is little long term planning and at the moment what a woman gets is a post-code lottery. What is needed is one stop provision. Projects are too choosey. If women don’t fit any organisation’s definitions, there is nowhere for her to go. Some places only want drug users, some if they are mentally ill but not drug users. They seldom want women with more than one problem. But most women have more than one problem. (A.22)

Whatever they say, prisons, probation, the lot – we work in isolation. (A.4)

There is more talk about joined-up work and little pockets are joining up. But there is no proper resettlement strategy. There’s plenty of ‘policy’, but no strategy. Where are the outcomes? Until the prison population is reduced, there is no chance of tailoring either custody or resettlement according to any strategy. (A.10)

There is buck-passing between Departments. Each Department has different priorities and budgets. But attempting to make sense of the whole system is a massive job. The Prison Service has over 23,000 contractors. We need to get the underlying infrastructure right, but there remain the issues of different budget interests and different Departmental targets. (A.25)

The absolute main issue at present is that if women are released from prison having done a drugs programme, they may have to wait weeks before they get on a programme outside prison. (A.25)

Throughcare is the biggest gap. The stigma that affects all prisoners still affects all the agencies helping them. Agencies that want to help them get stigmatised for helping prisoners; other agencies then don’t want to help them for fear of being stigmatised themselves. (A.10)
The lack of a holistic approach to the needs of women prisoners and especially the lack of co-ordination of effort between all the agencies who might be expected to be involved in an ex-prisoner’s resettlement was a constant theme in all the interviews with the professionals, and Kim’s in-prison probation officer had a story to tell which illustrated the issue very well:

After Kim was released, and had been interviewed by you again she went straight home but was picked up again the same night by police as she sat at home watching television. They said they wanted to check her warrant. She was puzzled as she was not on any kind of curfew or licence or anything. They insisted she accompany them to the police station and when they got there they said, 'You’re being arrested, you’re in breach of your licence and you’re going back to prison tomorrow’ and they put her in a cell. All the time this was happening she was telling them that she wasn’t on licence and hadn’t committed any crime. But she is taken back to prison next morning and tries to speak to several officers, saying, ‘I shouldn’t be here’. But although they checked the computer they couldn’t find out why she was there, so assumed she had been lying and really had been and committed another offence, and said that nothing could be done until Monday anyhow. She was in pieces by the time I arrived on Monday. After several calls they realised that she had been recalled on an old Prison Number and on an old warrant, but by the time she was released, she had been in custody another three days.

I thought that was the end of the matter, but when I arrived at the prison gate, I saw Kim there. She told me that by the time she had got through Reception the Cashier’s office had been shut so they had only given her a warrant to [the main railway station in her home town]. She had no means to get the railway station nearest to the prison, apart from walking the five miles there, and when she got to the other end, she had no means of getting to her home, several more miles. The line the prison took was that it didn’t have to give her a travel warrant because she hadn’t really been discharged, because she shouldn’t have been in prison anyway! Fortunately, I was able to get her to the local railway station, and make sure she had the money to get home.

Sub hypothesis 4.4. Although many new measures are presently being developed to address present inadequacies of implementation of in-prison and post prison measures to reintegrate prisoners into the community, they will not be effective unless other barriers to reform are addressed. Grounds for this assertion are argued below.

In July 2004, two new action plans committed to developing an holistic and co-ordinated approach to women’s crime, imprisonment and rehabilitation are in process of being implemented: the Home Office’s Women’s Offending Reduction Programme (WORP) Action Plan; the Prison Service’s Women’s Team Business Plan 2004-2005. Between them these action plans address most of the issues in relation to the resettlement and reintegration of women offenders which have been raised in this Report. As has been reiterated by the many sources and voices which this Report has drawn upon, the problem of women ex-prisoners’ rehabilitation in England has less to do with failures of recognition of women prisoners’ special needs, and more to do with repeated failures of implementation. The causes of these failures can be summarised as consisting of two kinds: the immediate causes which were familiar to all our respondents and have been repeatedly mentioned in official reports; and the less immediate and more fundamental, contextual causes which were also touched upon by our respondents but which are mentioned much less frequently in the official Reports.

Immediate Causes of Failures to Implement Effective Measure for Resettlement of Women ex-prisoners

- Public, political and media ambivalence about ex-prisoners’ place in society
A number of high-profile crimes (with saturation media coverage) together with a government-led tough stance towards offenders has resulted in what has been called a ‘populist punitiveness’ (Bottoms 1995) wherein governments have courted popularity by taking ever-sterner measures against wrongdoers and, concomitantly, it has been difficult to raise public support for assistance to prisoners once they have served their sentence. This climate of popular punitiveness has also been aggravated by high rates of unemployment, the crises in western welfare systems and all the new types of citizen anxieties inherent in postmodern risk societies (Beck 1992). In England, too, there have been media-inspired campaigns against the integration and/or reintegration of certain types of ex-prisoners, especially those with convictions for sexual offences against children or murder, and those with histories of mental illness. Much of the ambivalence, however, also inheres in the doctrine of the historical doctrine of ‘less eligibility’ which has been a pervasive influence on social policy in relation to lawbreakers, or even people (such as single parents, gypsies or other groups seen as ‘other’) who are merely seen to be ‘less deserving’.

The ideology of ‘less eligibility’ operates either legally and explicitly (or illegally and implicitly) on the assumption that people should not be better off because they have committed a crime. In research, it is often only when officials are probed as to their priorities that it is possible to uncover assumptions of ‘less eligibility’ affecting policy. However, assumptions of the desirability of the ‘less eligibility’ doctrine are regularly deployed in the British press as the claims of more deserving citizens are prioritised over those of ex-prisoners or others seen to be ‘undeserving’.

- **Insufficient funding**

  *They will say that re-offending costs £11 million a year, but the Treasury won’t give that very little bit extra to increase the discharge grant. The buck is passed.* (A.25)

However, it was an encouraging sign of government intent that the Women’s Offending Reduction Programme was mentioned in the Government’s 2004 Spending Review as not only aiming to meet the specific needs of women offenders but also to reduce the need for custody.

The Women’s Offending Reduction Programme, published in March 2004, responds to the challenges in implementing this agenda for women. Over the 2004 Spending Review period the Government will 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.

- **No holistic and co-ordinated strategy, resulting in fragmentation of responses to women ex-prisoners’ needs**

Many women coming out of prison have a multiplicity of problems and the fragmented approaches of agencies make them worse: for example, a housing agency may refuse to house a woman because her children are in state care, but the social services may not allow the woman to have her children back in her care until she has a house! Or, a hostel set up for the mentally ill ex-prisoner may not house one who has a mental health and a drugs problem.
- **Inappropriate expectations of officials**
  Many innovative schemes for ex-prisoners fail because the assistance offered is inappropriate to the needs or past histories of the women: for example, women with histories of institutionalisation often prefer supported accommodation, but with privacy, to single occupancy of an isolated flat in a poor area; women with addictions often need longer to abandon their habit than the Projects are willing to give them.

- **Kafkaesque bureaucracies**
  For a variety of reasons, ex-prisoners often do not find the welfare and other agencies with which they deal to be user-friendly. Application forms for obtaining access to information, services, goods and rights are often found to be unintelligible; interagency communication in relation to ex-prisoners’ varied needs often appears to be muddled or non-existent; and excessive delays can result in increased poverty or prolonged homelessness and distress.

  - **Lack of understanding of the relationships between resettlement and crime reduction.**
    
    The difficulty is getting ministers and media to understand the problem.
    Ministers won’t make the link between rehabilitation and offending. (A.25)

  Nor, we might add, will ministers, press or public make a link between the damage prison does, and the subsequent difficulties of reintegration/resettlement.

  - **Prison overcrowding**
    
    At present, everything is undercut by overcrowding. (A17)

  Every one of the agents interviewed mentioned overcrowding in the women’s prisons as a major reason for non-implementation of programmes, or, where programmes had been implemented, as a main reason for the mismatch between programme and programme participants.

**Contextual Causes of Failures to Implement Effective Measures for the Resettlement of Women ex-prisoners**

  - **Emphasis on Women’s Criminogenic Need Rather than on Women’s Material Needs**
    One of the most backward-looking steps in the governance of women’s crime in the past couple of decades has been the translation of women’s economic need into women’s criminogenic need. Whereas ‘need’ was previously seen to mean ‘welfare need’, it is nowadays translated into ‘risk of re-offending’ which, in official jargon becomes ‘criminogenic need’ requiring psychological re-programming in prison (Hudson 2002). That is not how ‘criminogenic’ is used in the WORP Action Plan, where it explicitly refers to a number of material needs of female offenders such as housing, employment and generally safer environments. None the less, whatever the intentions of those who employ the word ‘criminogenic’, it is a risky term to use in a criminal justice context where social needs are nowadays too easily translated into psychological needs. By the time they get to prison many women do indeed have complex emotional and mental problems, but, even though all the agents we interviewed recognised that, they were equally convinced that women’s psychological issues could not be usefully addressed independently of their more material and social needs. Yet, programmes holding to the
notion that women suffer more from economic deficits than cognitive deficits, and which attempt to show women how to cope practically and lawfully with their daily problems outside prison do not receive official accreditation; traditional in-prison programmes (such as art and discussion groups) deemed to be without anti-criminogenic purpose have been abandoned in favour of cognitive behavioural programmes parachuted in from Canada and, in some cases, originally designed for men. Courts, impressed by claims about the efficacy of in-prison programmes in meeting criminogenic need, and not hearing much about the community programmes or the research which suggests that the claims of the psychological programmers are ill-founded, send more and more women ‘at risk’ to prison. As more female offenders are in poverty (and therefore ‘at risk’) than their male counterparts, the disproportionately increasing numbers of female prisoners lead to overcrowding in the women’s prisons which in turn results in a lack of fit between the locations of programmes and the locations of prisoners, and the gap between reform rhetoric and reform reality becomes wider than ever. Having been inappropriately imprisoned in increasingly crowded prisons, women go out of prison materially worse off than when they went in, they re-offend and the increasing female prison population together with programming propaganda suggests that there is a new type of female criminal who should be imprisoned ...and the whole circle begins again.

The WORP programme aims not to send women to prison in the first place, but, in that case, there will have to be more flexibility in running non-custodial programmes, more discretion granted to people running the programmes than is allowed under present accreditation procedures, and a refusal to see prison as the automatic back-up to non-custodial penalties. For at present, the talk of ‘robust’ and ‘more demanding’ programmes, although understandable in the context of a punitive society and a government that has promised to be tough on crime, is likely to result in a trancarceralism which will have the unintended consequence of increasing the female prison population still further.

- **Transcarceralism** means bringing the pains of imprisonment out into the community, usually to impress sentencers and public that these disposals are not a soft option. But in the context of offender homelessness, poverty, mental illness and drug-use, many offenders are already being punished in the community and therefore find it very difficult to meet the additional demands of a community sentence. Women, with their domestic and family responsibilities are usually even more overburdened. In short, if community sentences are too demanding, they will set women up to fail, the women who fail will be seen as undeserving of further chances, as being beyond help and they will be returned to prison.

- **Centralism**

To help ensure that women are not set up to fail, there is a need for less centralism in responses to offenders, in other words, to have a cut back in, or devolution of, the centralised public/private prison business and with it, less emphasis on centralised managerialist audit and centralised accreditation. As far as offenders and prisons are concerned centralism often erroneously implies that ‘one size fits all’.

*If we could define programmes for individuals we could have a modular approach to resettlement. Define what the positive outcomes would be for different aspects of each person’s resettlement.* (A.21)

As far as criminal justice professionals are concerned, punitive centralism can be responsible for low morale and a major impediment to innovation. It will therefore be advisable for the new National Offender Management Service to remember what the old
Probation and Prison Services seem to have forgotten of late - that the line between facilitative co-ordination and punitive centralism is very fine.

It’s the workers in a Project who should decide what is going to count as a ‘success’ – it cannot be imposed from outside. And the Project has to be alive. A Project could fulfil all its paper targets and yet not be doing anything relevant for its clients or what it was set up to do. (A.22)

The whole system is so centralised. They should see each Project in its own terms. (A.12)

• Managerialism and Pseudo-Science

One of the biggest problems is too much red tape. (A.17)

During the last two decades, prisons in the UK have been imbued with the New Public Management ethic with its emphasis on risk management via the strategies of actuarial prediction, surveillance and avoidance (or redefinition) of harm potential; and the figurative calling to account (according to pre-specified criteria such as Key Performance Indicators or Standards) of those employed to actualise specific facets of public policy (see Power 1997). If the new strategies for the resettlement of offenders are to be implemented effectively, this managerialism and its pseudo science of ‘evidence-based’ policy-making should most probably be cut back. First, because it is usually impossible to measure the impact on society of specific social policies for three main reasons: the problem of multiple objectives; the difficulties of specifying and understanding the relationships between intermediate outputs and output measures; and the inevitable time lag between input and impact, especially in programmes ‘where the benefits only become fully apparent over decades’ (Carter et al. 1992). Attempts to measure the outputs of many rehabilitation projects for women fall foul of all three strictures, while paper and other routine organizational outputs often reveal little about either the quality, or the relative importance, of the audited activities in reducing recidivism in the future or of improving the general quality of life of project participants and their children in the present. Yet what this pseudo scientism results in at the level of non-custodial projects is that projects too often get stopped before they get under way, well before they can be properly assessed and this is not because they don’t ‘work’ (whatever that means) but because ministers or civil servants almost always want proof positive of ‘what works’ within a totally unrealistic time scale.

We need to allow at least two years from date of release, and therefore any evaluation scheme has to be in place for at least three years. But politicians want answers before then. (A.21)

There must be a realistic timescale, and that timescale must allow for all the pre-work and ancillary work which has to be co-ordinated. If someone has multiple problems, it’s often difficult to know where to start, you have to allow for false starts and stopping to see to other issues that arise. You’re dealing with people, not machines, and often very complex and damaged people too. (A.16)

There’s too much emphasis on the quick fix. There is little recognition that change takes time when women have very complex problems. (A.22)

There needs to be more qualitative research around than quantitative. Everything we do is ‘evidence based’ – we spend the time filling the stats in. But it’s not about quality, it’s about how many and how much. It’s not about the difference you make. You need to talk to the women more. See how they experience it. (A.2)

It’s a tall order to ask persistent offenders to stop. But to look at changes in the type of offending, to look for qualitative change, to see a reduction, that’s a success. (A.3)
We ought to measure the success of rehabilitative work in terms of permanent accommodation, sustained work, rather than in terms of reconvictions. If housing and work help people not to offend, and I think they do, then it makes sense to monitor housing and work before expecting to see a change in convictions. (A.25)

You need to talk to individuals to find out what went wrong, why, when and where, and what went well. That’s the only way you’ll find out why things work or don’t work. The statistical picture may tell you what’s happening, but it doesn’t tell you why. (A.11)

As far as prisons are concerned we must keep the Inspectorate. They look at quality rather than quantity and that’s what’s important. (A.20)

WORP will be assessed by monitoring why some groups or agencies haven’t been able to do what they said they’d do. The monitoring is going to be a learning process rather than a blaming process. (WORP Team Member)

Secondly, there should be a diminution in the managerialist enterprise because of the deleterious effects it is having on prison and non-custodial project managers whose discretion to act in risky circumstances has been atrophied to the point where society is no longer getting the benefit of their experience and expertise. This is not because managers are dragging their feet about implementing change but because they are too often required to spend more time on bureaucratic audit than on working towards implementation of the changes which that audit is inappropriately trying to measure. Moreover, much of the managerialism of the past twenty years has not been primarily concerned with its ostensible objective of efficient goal achievement but rather with disciplining staff. This has resulted in a culture of recrimination which has become a hindrance to innovative action. Thus, although all prisons personnel are likely to insist that prisons must be highly rule-governed places, of late many of them have ventured the opinion that maybe one can have too much of a good thing – that accretions of rules and regulations may perhaps be deemed pathological when they function to obstruct institutional objectives rather than help realise them (cf. Sparks et al 1996). In this context, it is very innovative for the Prison Service’s Women Team currently to be examining aspects of prison security to assess just how many of the existing security conventions are necessary in women’s prisons, and to what extent some might be relaxed.

**Fundamental Issues Affecting Resettlement of Women Prisoners**

There remain two other issues which are fundamental to the resettlement of women prisoners: the decline of the welfare state in the UK; and complex issues relating to conceptions of risk and responsibility in relation to the employment of people with criminal convictions. These issues, beyond the scope of this particular research, would certainly require to be taken into consideration in future policy developments and evaluations and would also benefit from further elaboration in future empirical investigations into public attitudes to employing ex-prisoners, or, indeed, to employing anyone with a criminal conviction.

**Sub hypothesis 4.5.** There are contradictions between the principles and the practices of imprisonment and the principles and practices of rehabilitation which are irreconcilable. *The grounds for this assertion are argued below and constitute the conclusion to this discussion of the Project’s 4 main hypotheses.*

The argument that imprisonment and rehabilitation are opposed processes can be made in a variety of ways, and several of our respondents made one or more of those arguments.
The processes of imprisonment are logically inimical to those of reintegration
The reduction of prisoner recidivism cannot be a prime function of imprisonment because the logical requirement that prisons keep prisoners in custody (and take the necessary measures for ensuring that they are kept in) means that security requirements must routinely be given priority over therapeutic needs. (See also Carlen 2002a) As a result:

The processes of imprisonment are operationally inimical to those of reintegration
It has been well-documented that the necessary observance of security requirements is likely to erode and undermine possibilities for the establishment of the conditions conducive to a therapeutic environment. Carlen’s study of a range of jurisdictions engaged in women’s prison reform indicated that reform attempts tended to be halted or even reversed whenever security was threatened (Carlen 2002c). Hannah Moffat’s seminal study of ten year’s of a reform programme in the federal Women’s Prisons in Canada indicated that throughout the period reform strategies were being continuously undermined by the ‘encroachment’ of security concerns (Hannah Moffat 2001, 2002).

The processes of imprisonment are empirically inimical to those of reintegration
Much of this report has been concerned with recording the views of both prisoners and professionals in the criminal justice and penal systems that the processes of imprisonment necessary (or conventionally considered necessary) to keeping prisoners in prison are inimical to enhancing their chances of resettling in society. Goffman (1961) long ago itemised the processes of institutionalisation that necessarily occur in prison and these processes still debilitate and cannot be reversed by prison programmes contextually undermined by the very nature of imprisonment. A prison is a place for punishment and, correct though it is that there should be ongoing attempts to minimise the harm that prisons do, whenever any aspect of prison as punishment through secure custody is threatened the response is as very neatly described a few years ago by the governor of a women’s prison:

The point is: we have the institutional dilemma of saying to women, ‘Be assertive, be confident’. And as soon as they begin to exercise that assertiveness, staff say, ‘Whoa, there. This is a prison; get back there’. And they put them back into an infantile dependent mode. So there is always this battle and conflict going on. (Prison Governor in Carlen 1998: 89)

And necessarily so. A prison is a prison is a prison. Furthermore, and on the evidence adduced in this report, we would contend that not only is there a contradiction between the principles and the practices of imprisonment and the principles and practices of rehabilitation which are irreconcilable but that while in-prison programming in the name of rehabilitation is used to justify imprisoning women seen to be ‘at risk’ of recidivism because of their already socially-excluded situation, rather than because of the seriousness of their crimes, the women’s prison population in England and Wales will continue to rise. If that occurs, then it is unlikely that the present innovatory Action Plans designed to implement a holistic and co-ordinated rehabilitative strategy will be effectively realised.
1. Investigative Methods

The methods used in the investigation of the resettlement of women ex-prisoners in England and Wales consisted of literature reviews (see below for a list of sources) and interviews. The methodology was decided by the Spanish teams and within the parameters set for them the English team conducted 12 interviews with women in prison who were about to be released and 20 interviews with women who had been out of prison for varying lengths of time. The two women who agreed to give life-story interviews were interviewed more than once. Overall, 27 different women were interviewed.

Interviews were also conducted with 26 professionals working within the criminal justice and penal systems and who were especially well-placed to comment on women prisoners and programmes for their resettlement. These interviews were supplemented by telephone calls and literature provided by the agencies, as well as by official publications relating to the latest policy developments in relation to resettlement and women prisoners.

1i. The Prisoner Interviews

The 12 about-to be-released prisoner interviews were conducted in a women’s closed prison in the Midlands and answers to questions covering 15 main areas were recorded on the recording schedule reproduced below (in compressed format).

<table>
<thead>
<tr>
<th>Variables of control</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FIRST Session</strong></td>
</tr>
<tr>
<td>Date &amp; hour</td>
</tr>
<tr>
<td>Hour interview is finished</td>
</tr>
</tbody>
</table>
**SECOND Session**  
Date and hour: Hour interview is finished

**Interviewer**

**Person interviewed (Identification in code):**  
(Number chosen by interviewee)

**Age**

**Prison classification level (if appropriate):**

**Name and location of Prison:**  
(Approximate time remaining before release (months):  
(Approximate date):)

**Status of person who introduced interviewer to interviewee**

### I. Conviction and sentence

1. **What crime were you convicted of?**

2. **How long is the sentence?**

3. **How long will you actually have to serve?**

4. **When will you get out?**

5. **Do you think you had a fair trial or not? Why?**

6. **Did you have anyone speaking on your behalf in court?**  
e.g. lawyer, probation officer, other?

7. **Were you remanded into prison before trial?**  
(Why? No choice? Could not raise bail?)

8. **Were you remanded on bail?**  
If so, who stood bail for you?

9. **Do you blame anyone at all for your present situation, that is, being in prison?**  
(Brief probe: Why?)

### II. Criminal Record
<table>
<thead>
<tr>
<th>Q.</th>
<th>Question</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.</td>
<td>Have you been in trouble with the police before? (If NO proceed to Q. 13)</td>
</tr>
<tr>
<td>11.</td>
<td>(If yes) What for?</td>
</tr>
<tr>
<td>12.</td>
<td>(If yes) Have you been in custody before? (List offence, age and time served)</td>
</tr>
<tr>
<td>III. Prison Conditions</td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Do you share a cell? Are you happy with that? ii. Why?</td>
</tr>
<tr>
<td>14.</td>
<td>What do you think of conditions here?</td>
</tr>
<tr>
<td>15.</td>
<td>Have you any suggestions as to how conditions here might be improved?</td>
</tr>
<tr>
<td>16.</td>
<td>What’s the food like?</td>
</tr>
<tr>
<td>17.</td>
<td>Are there any personal articles which you are not allowed but which you think you should have?</td>
</tr>
<tr>
<td>IV. Prison Activities</td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>What educational programmes (if any) have you taken part in since you’ve been serving this sentence? If any, what did you think of them?</td>
</tr>
<tr>
<td>19.</td>
<td>Have you had any job-related training since you’ve been here? If yes, what did you think of it?</td>
</tr>
<tr>
<td>20.</td>
<td>Have you taken part in any other programmes eg. Enhanced Thinking Skills? If yes, what did you think of them?</td>
</tr>
</tbody>
</table>
| 21. | Can you say roughly how you spend your day e.g. how time is spent:
   i. watching TV?
   ii. In programmes?
   iii. working?
   iv. locked in cell? outside (doing what?) | From discussion, interviewer to get rough no of hours on activity –as list. |
| V. Work in Prison | |
| 22. | What jobs have you done in prison? |
| 23. | Did you receive any kind of training for these jobs? |
| 24. | Which job would you most prefer to do in prison? |
| 25. | Would you like to work more hours? |
| 26. | What do you think of the jobs available in |
### VI. Work Before Prison

28. **Note for the Interviewer, ask interviewee to list all jobs ever had, for how long and why she left. Then proceed to Q. 30.**  
*If the interviewee has never worked, proceed to Q. 29*

[For interviewees who have never worked]  
29. Did you ever try to get a job?

30. When you were younger, did you ever think about what you wanted to do when you grew up? If so, what did you think of?

### VII. Education and Job Training

31. How old were you when you left school?

32. Did you have any certificates when you left – if so, what?

33. Can you read and write well?

34. Do you do much reading and writing nowadays?

35. Did you like school? Why?

36. Did you get any kind of job training or work experience while at school?  
*Interviewer: please list all*
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>37. Can you use a computer?</td>
<td></td>
</tr>
<tr>
<td>38. Have you got a driving licence?</td>
<td></td>
</tr>
<tr>
<td>39. What were your main sources of income before you entered prison?</td>
<td></td>
</tr>
<tr>
<td>40. Was that enough? Why do you say that?</td>
<td></td>
</tr>
<tr>
<td>41. Have you ever had contact with social services? If yes, what for?</td>
<td></td>
</tr>
<tr>
<td>42. How would you rate your experience of social services? Good, average, poor, mixed - or don’t know?</td>
<td></td>
</tr>
<tr>
<td>43. Before you came here, did anyone else depend on you for money? If yes, what is their position now you are in prison?</td>
<td></td>
</tr>
<tr>
<td>44. What’s your financial position in here? [Interviewer list sources of income and demands on income]</td>
<td></td>
</tr>
</tbody>
</table>

**VIII. Relations between Prisoners**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>45. How do women in here get on with each other?</td>
<td></td>
</tr>
<tr>
<td>46. What do you think of the officers?</td>
<td></td>
</tr>
<tr>
<td>47. Can you see the doctor when you need to?</td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td>Answer</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>48. Apart from the other women and the officers, which other staff do you see from time to time e.g. doctor, psychiatrist, probation officer, teachers, clergy, outside visitors e.g. Board of Visitors, programmes specialist (e.g. for addictions) others?</td>
<td></td>
</tr>
<tr>
<td>49. Of those people you have mentioned, can you see them as often as you think you need to?</td>
<td></td>
</tr>
<tr>
<td>50. Have you been on report since you’ve been in prison? If so what happened? Did you think that was fair?</td>
<td></td>
</tr>
<tr>
<td>51. What do you think of the prison rules?</td>
<td></td>
</tr>
<tr>
<td>52. Have you ever made any formal complaint about anything that has happened to you in prison? [If yes, interviewer please record complaint, recipient and outcome].</td>
<td></td>
</tr>
<tr>
<td>53. Do you feel you know what your rights as a prisoner are?</td>
<td></td>
</tr>
<tr>
<td>54. If you wanted to make a complaint, do you know how to go about it?</td>
<td></td>
</tr>
<tr>
<td><strong>IX. Health</strong></td>
<td></td>
</tr>
<tr>
<td>55. Is your health now better or worse than when you came into prison?</td>
<td></td>
</tr>
<tr>
<td>56. Do you have any major health problems at present? (Interviewer, please list them.)</td>
<td></td>
</tr>
<tr>
<td>57. Have you had any medical treatment while</td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>you’ve been serving your sentence? If yes, what did you think of it?</td>
<td></td>
</tr>
<tr>
<td>58. What (if any) health problems did you have before you came into prison?</td>
<td></td>
</tr>
<tr>
<td>59. Before you came into prison did you ever take any drugs (excluding alcohol?)</td>
<td></td>
</tr>
<tr>
<td>If yes, interviewer, please list types</td>
<td></td>
</tr>
<tr>
<td>60. Would you say that you’ve ever had alcohol or other drugs problems?</td>
<td></td>
</tr>
<tr>
<td>61. Did drugs or alcohol have anything to do with you landing up in prison?</td>
<td></td>
</tr>
<tr>
<td>If yes, interviewer briefly record details</td>
<td></td>
</tr>
<tr>
<td>62. Have you ever tried to give up either alcohol or drugs?</td>
<td></td>
</tr>
<tr>
<td>63. What’s the situation with drugs in prison? e.g. treatment available? drugs available? Met had one available? urine tested?</td>
<td></td>
</tr>
<tr>
<td>64. Have you been prescribed any pills for depression since you’ve been in prison?</td>
<td></td>
</tr>
</tbody>
</table>

**X. Residence and Housing**

<table>
<thead>
<tr>
<th>Question</th>
</tr>
</thead>
<tbody>
<tr>
<td>65. Where did you live before you came to prison?</td>
</tr>
<tr>
<td>66. Who else lived there?</td>
</tr>
<tr>
<td>67. What kind of housing was it?</td>
</tr>
</tbody>
</table>

*Interviewer: please note type of accommodation, type of tenure*
68. Were you satisfied with living there? Why do you say that?
69. Where will you go when you leave prison? Why?

**XI. Family**

70. How do you identify yourself? [Interviewer give the categories opposite and tick as appropriate]

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>White</td>
</tr>
<tr>
<td>2.</td>
<td>Irish</td>
</tr>
<tr>
<td>3.</td>
<td>Chinese</td>
</tr>
<tr>
<td>4.</td>
<td>Pakistani</td>
</tr>
<tr>
<td>5.</td>
<td>Bangladeshi</td>
</tr>
<tr>
<td>6.</td>
<td>Indian</td>
</tr>
<tr>
<td>7.</td>
<td>Black Caribbean</td>
</tr>
<tr>
<td>8.</td>
<td>Black African</td>
</tr>
<tr>
<td>9.</td>
<td>Black other (please specify)</td>
</tr>
<tr>
<td>10.</td>
<td>Other (please specify)</td>
</tr>
</tbody>
</table>

71. How do you get on with your family, partner and/or friends?
72. Would you say that you get a lot of support from your family, partner and/or friends?
73. Has anyone in your family or among your close friends been in trouble with the police?

**XII. Children**

74. Do you have children? (If NO proceed to Section XIII)
75. How old are they? [Note for interviewer - If appropriate ask if they were ever in prison with mother as babies]
76. Who are they living with?
77. How do you think your being in here has affected them?

**XIII. Relations with Outside**

78. Do you receive visits? If yes:
   Who?
   How often?
   How far do they have to travel?
   If not, why not?
79. Do you keep in contact with anyone by letter,
<table>
<thead>
<tr>
<th>80. How has being in prison affected your relationships?</th>
</tr>
</thead>
</table>

### XIV. Questions for foreign nationals

<table>
<thead>
<tr>
<th>81. What nationality are you?</th>
</tr>
</thead>
<tbody>
<tr>
<td>82. Do you think that, being a foreign national, you have especial problems in prisons?</td>
</tr>
<tr>
<td>[Interviewer list them]</td>
</tr>
<tr>
<td>83. Has anyone from outside helped you since you have been in prison? e.g. embassy? church, organisation for foreign national others?</td>
</tr>
</tbody>
</table>

### XV. Life After Prison

<table>
<thead>
<tr>
<th>84. How much longer do you have to serve?</th>
</tr>
</thead>
<tbody>
<tr>
<td>85. When you leave prison will you have any restrictions placed on you e.g. probation, licence, parole conditions?</td>
</tr>
<tr>
<td>86. Will you have, or have you had, any kind of home leaves, open conditions or other preparation for release?</td>
</tr>
<tr>
<td>87. What (if anything) do you think you will find difficult upon release?</td>
</tr>
<tr>
<td>88. Where will you live? Will that be satisfactory to you?</td>
</tr>
<tr>
<td>89. Have you been linked up with any hostel, treatment programme, work, college, or any other facility or organisation in preparation for your release?</td>
</tr>
<tr>
<td>90. Do you have any work plans? Why do you say that?</td>
</tr>
<tr>
<td>91. How will you be for money when you get out?</td>
</tr>
<tr>
<td>92. Are you hopeful regarding the future? Why do you say that?</td>
</tr>
<tr>
<td>93. Has anything good come out of your time in prison?</td>
</tr>
<tr>
<td>94. What would you like your life to be like in a year’s time?</td>
</tr>
<tr>
<td>95. Do you think it will be like that?</td>
</tr>
<tr>
<td>96. Is there anything that you would like to ask – or add?</td>
</tr>
</tbody>
</table>
1.ii. Ex-prisoner Interviews

20 interviews were conducted with women at varying lengths of time after they had come out of prison. Two had already been interviewed in prison (one of them, twice) and each was subsequently interviewed for several hours altogether. It had been mooted by some of the MIP Project research partners that follow-up interviews should be undertaken with the prisoners who had been interviewed in prison. The hope was that it would thereby be possible to comment on changes in the women’s post-prison careers over a nine-month time-span. However, from the beginning the English team were aware that this would not be feasible because: (a) England’s centralised prison system means that many prisoners are imprisoned miles away from their homes; (b) many ex-prisoners move around frequently and it would therefore have been costly to try to track them as they move from place to place; and (c) the research timescale was such that we just did not have the time that, from experience, we knew we needed if we were to get a snowball of ex-prisoner contacts on the go. The in-prison researcher did try to arrange follow-up interviews with several interviewees but, apart from getting two women to agree to do some life-history interviews after their release, had little success with the majority of those interviewed. As for the ex-prisoner group, even when interviews were arranged at short notice, several interviewees did not keep the appointment. We were given much help by a number of agencies and ex-prisoner aid organisations (see Annex 2) but, in the end, we had to interview whoever was willing to be interviewed, and, as we had foreseen, could not pick and choose. For that reason we only use quotations from these interviews to illustrate more general theoretical points.

**The length of time the interviewees had been out of prison at time of interview was as follows:**

<table>
<thead>
<tr>
<th>Length</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 weeks</td>
<td>2</td>
</tr>
<tr>
<td>5 weeks</td>
<td>1</td>
</tr>
<tr>
<td>2 months</td>
<td>3</td>
</tr>
<tr>
<td>3 months</td>
<td>5</td>
</tr>
<tr>
<td>4 months</td>
<td>3</td>
</tr>
<tr>
<td>6 months</td>
<td>1</td>
</tr>
<tr>
<td>7 months</td>
<td>1</td>
</tr>
<tr>
<td>8 months</td>
<td>1</td>
</tr>
<tr>
<td>10 months</td>
<td>1</td>
</tr>
<tr>
<td>18 months</td>
<td>1</td>
</tr>
<tr>
<td>20 years</td>
<td>1*</td>
</tr>
</tbody>
</table>

* It was only towards the end of her interview that it became apparent that this 40 year old ex-prisoner had actually been released from prison 20 years before! We included her for several reasons: first, because she still thought of herself as an ex-prisoner, attending an NGO for female ex-prisoners, and feeling more at ease with others who were unemployed and homeless; secondly because she had never been able to get a job; thirdly, because she had only got her own accommodation 19 years after coming out of prison; fourthly, because she was of mixed race, had no family contacts and had always felt ‘excluded’, not just by prison but by a range of adverse social circumstances which she felt to be beyond her control; fifthly because, overall, we think her story suggests that maybe imprisonment is but one exclusionary factor in the management of poverty; and that, therefore, post-prison measures of ‘reintegration’ are unlikely to be of relevance to those ex-prisoners for whom the ‘moment of prison’ may have been the most inclusionary (rather than exclusionary) occurrence of their lives; and sixthly, because we thought that, as the foregoing suggests that some prisoners are (or become) ‘ex-prisoners’ for life, the arbitrary temporal cut-off point for interviews could be justifiably waived on this one occasion and in this one case which had provided us with an insight and illustration of significant theoretical relevance to the whole issue of ‘reintegration’.
Self-recorded ethnicity of the 27 women interviewed
White 19
African-Caribbean 5
Asian Muslim 2
Pakistani/Caucasian 1
(In 2003, 31% of women in prison were from ethnic minority backgrounds. HM Prison Service 2003:3)

Ages of the 27 women interviewed
18-20 4 41-45 3
21-25 5 46-50 0
26-30 4 51-55 1
31-35 3 56-60 2
36-40 5
(In 2002 69% of sentenced women in custody were aged between 21 and 39 years. HM Prison Service 2003:3)

1.iii The Two Life Histories were required under the terms of the proposal submitted to the EU and the quotations from these are used in the same way as the prisoner and ex-prisoner interviews. Each set of interviews totalled about 8 hours, and supplemented by telephone calls and informal conversations. One set was conducted in prison and the informant’s home; the other was conducted mainly in prison as the informant was only out for one day (when she gave one interview) before being arrested and taken back into custody. All interviews were tape-recorded and transcribed.

1. iv. The 26 Professionals’ Interviews
The views of 26 professionals working in the Criminal Justice System were canvassed, using the questions listed below, but adapted to the area of expertise of the interviewee. In a few cases, extremely technical replies were tape recorded to ensure that the details were collected accurately.

Women in Prison: Recording Schedule for Professionals
Organisation/geographical position:
Present Position:
Previous relevant experience:
Part I General Views

(This section is concerned with your views on issues which are controversial. In your position, you will obviously know that there are several complex answers, which could be given to each section, but here we are just trying to get your general orientation to the topic).

1. What, in your opinion, are the three main causes of women’s crime?
2. What, in your view, are the main reasons for the steep increase in the women’s prison population over the last ten years?

3. Do you think a different type of woman has been going into prison over the last ten years?

4. What do you think magistrates and judges hope that prison will achieve?
   4a. Does it?
   4b. Why do you say that?

5a. Do you think that women’s experience of prison is different to men’s?
   5b. Are prisons recognising and addressing these differences?

---

**Part 2 Resettlement**

(In this section we are asking for your professional views on what you know about the resettlement of released women prisoners.)

6. What are the main difficulties facing women when they come out of prison? Can you rank them.

7. What are the main factors in determining a woman’s ability to settle (or not) after prison?

8. Does the length of sentence affect a woman’s ability to settle?)
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Under what circumstances are women likely to re-offend?</td>
<td></td>
</tr>
<tr>
<td>10. Would you say that any women are better off when they come out of prison? Why do you say that?</td>
<td></td>
</tr>
<tr>
<td>10b. Would you say that any women are worse off when they come out of prison? Why do you say that?</td>
<td></td>
</tr>
<tr>
<td>11a. Could you explain how your (policy unit, organisation, programme etc.) helps women when they come out of prison?</td>
<td></td>
</tr>
<tr>
<td>11b. What are the main obstacles you face?</td>
<td></td>
</tr>
<tr>
<td>12a. What, in your opinion, are the best in-prison programmes for helping women upon release?</td>
<td></td>
</tr>
<tr>
<td>12b. To what extent do these programmes achieve their aims?</td>
<td></td>
</tr>
<tr>
<td>13. What if any, are the gaps in in-prison provision for release at the moment?</td>
<td></td>
</tr>
<tr>
<td>14. Are in-prison and post-prison programmes effectively joined-up? WHY?</td>
<td></td>
</tr>
<tr>
<td>15. What are the most important, useful or efficient post prison resettlement programs and services in</td>
<td></td>
</tr>
</tbody>
</table>
existence in England and Wales?

16. What in your professional judgement, are the main areas of change, which need to be made in order to achieve more successful resettlement of women ex-prisoners?

17. Finally, this research is primarily concerned with the resettlement of released women prisoners and, as we have discussed, there are already many policies in place with that aim. Could you tell me how, in your opinion, the achievements of such policies can be best monitored and assessed?

All of the professionals interviewed were working directly with female offenders, with the exception of the Parole Board member. They consisted of:
- Resettlement Prison Officer: 1
- In-prison drugs worker: 1
- In-prison probation officer: 1
- Hostel Workers: 5 (3 probation and 1 NGO hostel)
- Home Office Senior Official: 1
- Prison Service Senior Official: 1
- Social Exclusion Unit Senior Official: 1
- NGO Programme for ex-prisoners workers (NGO): 12
- Parole Board: 1
- Probation Officers: 2

Many of the above had specific and senior positions working with women offenders but they have been given generic titles in order to hide their identity. The majority of respondents were not concerned about anonymity. However, in order to protect the few who were, further efforts to anonymise quotations have been made in the presentation of the Report.

2. Presentational Methodology
The presentational mode was determined by the decision of the partners to present the Report as a set of hypotheses to be examined and discussed.

2.i. Prisoner and Ex-Prisoner Interviews.
Because of the vast amount of information already available on the characteristics and experiences of women prisoners and ex-prisoners in the UK, and especially in England and Wales, data from the prisoner and ex-prisoner interviews are used only to illustrate arguments rooted more generally in data taken from a variety of other studies, official reports, and official statistics. Quotations in the text of the Report from the Prisoner Interviews are referenced as P1-P9 (the two prisoners who subsequently tape-recorded their life histories are referenced as Kim and Muriel); quotations from the ex-prisoner interviews as XP1-18, the exceptions being Kim and Muriel all of whose interview quotations tape recorded or otherwise are referred to by the
pseudonyms Muriel and Kim. All quotations from interviews are presented in indented italics. All quotations from books are indented but not italicised.

2.ii. Professionals’ Interviews. The interviews with the professionals working with women in the criminal justice and penal systems were used differently. There is very little information about what these professionals actually think about many of the new governmental initiatives designed to make remedial interventions into the lives of women lawbreakers, and therefore what they had to say constitutes a new and important critique of the actual working-out of these interventions in the prison, the various agencies and the penal body politic in general. Where quotations are taken from the professionals’ interviews they are referenced as A[gent]. 1-26. For presentational ease they are referred to in the text as either ‘professionals’ or ‘agents’, or even more specifically by a functional title e.g. ‘hostel worker’. Quotations from research interviews are presented in indented italics. All quotations from books are indented but not italicised. All hypotheses are in bold and the summary finding on them is italicised in bold.

3. Theoretical Analysis of the data from the professionals’ interviews was informed by a number of concepts taken from MIP Project’s Work Package 2, most notably the section entitled Barriers to Women’s Reintegration which listed many of the contextual features which impede governments’ best attempts at the reintegration of ex-prisoners. Several of these are incorporated into discussion of Hypothesis 4.
Annex 2 Acknowledgments
Many individuals assisted in the Project on which this Report is based. Many officials, prisoners and ex-prisoners talked to us at length and on several different occasions about the issues discussed in the Report, and though, in order to protect the anonymity of all, we cannot name even those who would have been quite happy to have their remarks attributed to them, we remember them all with gratitude and take great pleasure in expressing our thanks here.

We also thank the following organisations who so willingly and graciously helped us with contacts, interviews and in a variety of other ways.

Government Departments or Statutory Agencies
HM Prison Service for England and Wales
HM Prison Service Women’s Team
Home Office (Women’s Offending Reduction Programme Team)
National Probation Service for England and Wales
Leeds Supporting People Team
Parole Board
Social Exclusion Unit

NGOs
ASHA Project
Clean Break
Creative and Supportive Trust (CAST)
Eaves Housing
Female Hibiscus
Howard League for Penal Reform
Nacro
Women in Prison
Women in Special Hospitals
Women into Work (SOVA)
Annex 3 References and Bibliography


Home Office Women’s Offending Reduction Programme Team. 2004.


