

# Thematic Inspection Report: Equal but different?

*An inspection of the use of alternatives  
to custody for women offenders*

*A Joint Inspection by HMI Probation,  
HMCPSI and HMI Prisons*

Thematic Inspection Report  
Equal but different?

An inspection of the use of alternatives to  
custody for women offenders

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## Foreword

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The criminal justice system has an underlying principle that everyone must be treated equally. However, this, does not necessarily mean that everyone should be treated the same. The underlying circumstances which may have led men and women to offend can be very different. To achieve equitable outcomes for male and female offenders, different approaches need to be taken.

We found much to praise during the inspection. Probation Trusts had responded well to the strong lead given by the National Offender Management Service, the Ministry of Justice and other partners to develop a sound strategic framework for working with women offenders. Funding had been made available to support the work undertaken and develop new initiatives. The women's community centres, in particular, offered a great resource for women likely to offend or reoffend.

Despite these efforts, in our view the size of the female prison population is still a matter of concern. Too many women are still serving short prison sentences, often for breach of community orders imposed for offences which would not normally of themselves have attracted a custodial sentence.

Much remains to be done, especially by Probation Trusts in their direct work with women offenders. Although we saw excellent examples of work with women offenders during the course of the inspection, we were disappointed by some offender managers' approach; too often, they allowed process and performance measures to dominate their thinking and lacked the awareness and underpinning knowledge to work with women effectively.

The probation service has acknowledged that a different approach needs to be taken when dealing with this particular group of offenders and has made inroads into effecting the necessary change through the development of local policies and partnerships. This report contains a number of recommendations to help them to sustain their efforts so that the good work achieved so far does not go to waste but becomes embedded into routine practice.

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## Contents

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	Page
FOREWORD	2
CONTENTS	3
ACKNOWLEDGMENTS	4
SUMMARY	5
RECOMMENDATIONS	9
1. STRUCTURE OF THE INSPECTION AND THE REPORT	10
2. WHAT DO WE KNOW ABOUT WOMEN OFFENDERS?	13
3. DEVELOPMENTS FOLLOWING CORSTON	16
4. LOCAL IMPLEMENTATION	20
5. THE WOMEN'S COMMUNITY CENTRES	26
6. UNPAID WORK, ACCREDITED PROGRAMMES AND APPROVED PREMISES	32
7. PROBATION TRUSTS: DEVELOPMENT OF AND ACCESS TO MAINSTREAM SERVICES	36
8. DECISIONS AT THE REMAND STAGE	43
9. SENTENCING WOMEN OFFENDERS	47
10. OFFENDER MANAGEMENT	54
11. ENGAGEMENT AND COMPLIANCE/BREACH AND RECALL	61
12. WHAT DID WOMEN SAY?	65
GLOSSARY	68
APPENDIX	70
REFERENCES	71

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## SUMMARY

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### Context

1. There is a great deal of information about women offenders in England and Wales. Generally, it tells us that offending is less common amongst girls and women than amongst boys and men and that women offenders often have complex multiple needs, linked to drug and substance misuse and poor mental health. A significant proportion of women in prison are the mothers and sole carers of dependent children.
2. The increase in the female prison population between 1997 and 2000 caused such concern that it triggered a review of the existing initiatives for working with women. The subsequent report signalled the introduction of the Women's Offending Reduction Programme which aimed to link strategic initiatives across government departments to address women's offending and pursue alternatives to custody. In 2005, the Together Women Programme was launched and funding set aside for projects to divert from custody women who seemed likely to offend. This work was given further impetus by the review undertaken by Baroness Corston following the self-inflicted deaths of six women within a 13 month period at Styal Prison. Her subsequent report set the agenda for working with women offenders. The government accepted 40 of the 43 recommendations made by Baroness Corston and created a cross-departmental Criminal Justice Women's Strategy Team to manage and coordinate their response to her report; it also placed further time-limited funding into the diversion programme.
3. These measures appeared to have had an impact. The number of first receptions of women sentenced to immediate custody fell by 9% between 2008 and 2009. The overall number of women in prison in England and Wales also decreased slightly between 2008 and 2009. Most women sentenced to custody in 2009 received relatively short sentences, generally under 12 months, and were consequently not subject to any form of statutory supervision on release.
4. One of the most striking features on considering the profile of the female prison population was the high proportion of women offenders imprisoned for breaching a court order, often imposed for offences which might not, of themselves, have attracted a custodial sentence. In 2009, this group represented 13% of all women received into prison on an immediate custodial sentence.

### The inspection

5. This inspection focused on women who had either been sentenced to a community order or released from prison on licence. Its purpose was: *to consider the extent to which non custodial options are being put forward and taken up in respect of women offenders.* We therefore looked primarily at community orders and considered their credibility, as demonstrated by the courts in imposing such orders and by the women offenders themselves in complying with their requirements.
6. The inspection was agreed by the Criminal Justice Chief Inspectors' Group and formed part of the Joint Inspection Business Plan 2010-2012. It was led by HM

Inspectorate of Probation, supported by HM Crown Prosecution Service Inspectorate and HM Inspectorate of Prisons.

7. As much of the more recent work with women was understood to have been developed on a regional basis, we decided to construct the inspection accordingly, visiting two Probation Trusts in each of the three regions selected. These were: Lancashire and Merseyside (North West region). Staffordshire & West Midlands and West Mercia (West of Midlands region), and Norfolk & Suffolk and Cambridgeshire & Peterborough (East of England region). These Trusts provided us with a cross-section of communities and both urban and rural areas.
8. Fieldwork for the inspection took place between October 2010 and December 2010, during the course of which we examined the case files of 107 women offenders, plus an additional 15 pre-sentence reports. We also met with members of the National Offender Management Service, Ministry of Justice and staff from the local probation service at all levels; spoke with representatives of the Local Criminal Justice Boards; visited the women's community centres and approved premises (hostels) in the areas we inspected to talk to both the staff and the women there; spent time in the Crown Court and magistrates' courts and spoke to sentencers, prosecutors and other court staff and visited three prisons.

## Overall findings

9. We found that the strong lead given by the Ministry of Justice and National Offender Management Service had been successful in promoting considerable activity at a regional and local level in relation to women offenders. Probation Trusts had worked well with the National Offender Management Service and the Ministry of Justice as well as partners and other agencies to develop a sound strategic framework for working with women offenders.
10. Measures to assess the progress made on implementing the strategic framework were generally underdeveloped at all levels. The measures that we examined were too often over-reliant on scores from the offender assessment system, OASys and consequently not applicable to women serving short prison sentences of under 12 months who were not subject to OASys. Without these outcome measures, demonstrating the effectiveness of their intervention in terms of reducing reoffending, it was difficult for statutory organisations such as Probation Trusts to assess the impact of the work undertaken at a strategic level or for the smaller, often voluntary, organisations to put themselves forward as a viable option for future funding.
11. Although a great deal had been achieved, it was apparent that, with the changes in the NOMS structure and the subsequent removal of the regional framework, the sustainability of many of the measures now in place and their subsequent development would depend on the capacity of the probation service to engage with local providers. A locally coordinated joint approach to the needs of women offenders was paramount. Considerable efforts were being made by Probation Trusts to develop relationships with those partners at a local level who could support the women's agenda. Nevertheless, provision varied considerably, particularly in respect of mental health services where inconsistencies in the services offered could impact disproportionately on women offenders because of their multiple needs.

12. All involved acknowledged, in the current financial climate, the importance of joint commissioning arrangements in delivering mainstream services. The involvement of the new Health and Wellbeing Boards and the Police and Crime Commissioners, when operational, will be essential to the success of any such arrangements as will that of the Local Criminal Justice Boards, with their capacity to act as brokers between the various local agencies. The potential contribution of the voluntary sector to this agenda, particularly those delivering services to address local needs, also has to be recognised.
13. We saw a lot to praise during the course of the inspection. Although there was a lack of women-specific provision for both unpaid work and offending behaviour programmes, women-only groups, where run, were generally successful. Approved premises provided a credible and sustainable alternative to custody. Bail Accommodation and Support Services were a useful means by which custodial remands could be reduced but awareness by courts and probation of these services tended to be low, so they were underused.
14. The women's community centres, where established, were a useful resource which enabled women, whether offenders or those at risk of offending, to access a range of services offering practical support and help in a conducive and non-threatening environment. The services on offer varied from one centre to another but, typically, included advice and guidance on a range of issues of concern to women, including employment, finance, benefits, debt, housing, childcare, health and substance misuse. Although attendance at the centres was not in itself an alternative to custody unless specified as a formal requirement of an order, they could play an important part in securing the engagement, and thereby compliance, of women offenders subject to supervision by the probation service in work to address their offending. This aspect of their role was, in our opinion, too often neglected or overlooked but both could and should be developed, particularly when working with those women who probation found otherwise hard to engage.
15. Relationships between women's community centres and offender managers were often underdeveloped and it was apparent that work at the centres was often undervalued by probation staff who did not consider it integral to the achievement of the sentence plan. The centres, despite being a valuable resource in themselves, consequentially suffered, in varying degrees, from being isolated from the work of probation. Referral rates were frequently low. However, where centres were used effectively, they provided a safe place where work could be undertaken to address both the current and any future offending by the women concerned and promote their compliance with their order.
16. Sentencers were generally amenable to imposing non-custodial sentences on offenders where they posed only a low risk of harm to others; they worked hard to establish the right balance between the needs of the woman, the gravity of the offence and the risk of harm to the local community. Whilst the sentencing guidelines did not allow for women offenders to be treated differently from men, mitigating circumstances, often linked to complex domestic situations, permitted sentencers to apply different approaches in many women's cases.
17. Although sentencers were generally content with the quality of pre-sentence reports prepared for them, we considered that reports did not always promote community sentences as a credible sentencing option nor did they always provide



a sound base on which to plan the work to be done with the woman during her sentence.

18. The general view amongst sentencers and lawyers was that the probation service had no discretion about instigating breach proceedings and that orders were enforced rigorously. Those who failed to comply with community penalties were likely to be sentenced to custody, albeit often for short periods. Such action was very much regarded by sentencers as a 'last resort' and had a huge impact on the lives of the women concerned, and that of their families. The short duration of the majority of such sentences meant that there was little time for resettlement planning in the custodial phase. Despite some interesting initiatives in two of the prisons we visited, most of the women we spoke to felt that too little was being done to assist them on their release.
19. The importance of effective engagement with the women offenders whilst subject to any form of community supervision was therefore crucial and more attention needed to be given, in our opinion, to promoting compliance. The vast majority of the offender managers we interviewed had positive relationships with the women they supervised. However, we were somewhat disappointed by the lack of empathy shown by some for the women they supervised and their low level of knowledge about how to work differently with this group of offenders. Some offender managers lacked understanding about the range of resources available to them or otherwise failed to engage women positively in the supervision process. Too often they allowed process and performance measures to dominate their thinking and, despite the work that had been undertaken at a strategic level, often within their own region, lacked the awareness and underpinning knowledge to work with women effectively.

## Conclusion

20. A considerable amount of work had been undertaken at a strategic level to ensure that the specific needs of women were taken into account within the criminal justice system and it was evident that sentencers were working hard to establish the right balance, when taking decisions in court, between the gravity of the offence, the needs of the woman and the risk of harm she posed to others. Nevertheless, many women, often those who posed only a low risk of harm to others, continued to find themselves in custody, frequently for breaching their community order or licence.
21. It would therefore appear to be a case of a 'work in progress'. We found that the non-custodial options being put forward and taken up in respect of women offenders were credible to the courts but not always to the women themselves, as shown by their lack of engagement and failure to comply with the basic requirements of their supervision including attending appointments and undertaking work designed to reduce their likelihood of reoffending. Some offender managers clearly still lacked the skills and knowledge to work with women offenders effectively. The work undertaken at a strategic level now needs to be consolidated in order to embed the changes required into practice. The maintenance of this agenda would be challenging at any time and will be particularly so during a period of budget constraints, significant organisational change and conflicting priorities, but is crucial if the investment already made is to be fully realised.

## RECOMMENDATIONS

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### *Probation Trusts should:*

- continue to maintain an additional focus on women in order to embed strategic developments in operational delivery through the development of effective outcome measures supported by monitoring, evaluation and managerial oversight
- enter into a dialogue with their Local Criminal Justice Boards (or equivalent) and the Police and Crime Commissioners, when established, to ensure that the nature and extent of women's involvement in the criminal justice system locally is recognised through the collection and examination of appropriate gender-related data
- work with Local Criminal Justice Boards, Community Safety Partnerships, the new Health and Wellbeing Boards and the Police and Crime Commissioners, when established, to engage with providers and coordinate a joint local approach to reducing reoffending by women
- discuss with women's community centres their respective roles to establish clear referral criteria and effective channels of communication and make best use of the facilities available to bring about a reduction in offending by women
- explore the opportunities to establish viable women-specific provision for both unpaid work and offending behaviour programmes, working across Trusts where appropriate
- expedite training for practitioners and other relevant staff on working with women offenders, paying particular attention to developing their staff's professional judgement in relation to compliance and enforcement.

### *Women's community centres should:*

- demonstrate the tangible benefits for women in attending the centre through the collection of appropriate supporting data.

## 1. STRUCTURE OF THE INSPECTION AND THE REPORT

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### Summary

**This chapter outlines the development of the inspection structure and methodology.**

### Terms of Reference

1.1 The inspection of women in the criminal justice system was agreed by the Criminal Justice Chief Inspectors Group and formed part of the Joint Inspection Business Plan 2010/2012<sup>1</sup>. It was led by HM Inspectorate of Probation (HMI Probation) who was supported by HM Crown Prosecution Service Inspectorate (HMCPSI) and HM Inspectorate of Prisons (HMI Prisons). The inspection focused on women who had been either sentenced to a community order or released on licence. Contact was made with women serving sentences of imprisonment.

1.2 Its terms of reference were:

*to consider the extent to which non-custodial options are being put forward and taken up in respect of women offenders.*

### Methodology

1.3 Detailed criteria were developed to support the terms of reference. Each criterion had a series of sub-criteria against which a questionnaire was developed for file assessments. South Yorkshire Probation Trust kindly allowed us to pilot this questionnaire on a sample of their cases. In addition, contact was made with sentencers, community agencies and service providers in the pilot area, to establish which non-custodial options were available for women offenders and the extent to which these were being used.

### Fieldwork

1.4 Fieldwork for the inspection was undertaken between October 2010 and December 2010. As much of the more recent work with women offenders was said to have developed under the auspices of the Director of Offender Management (DOM) offices then in place, we decided to inspect on a regional basis, concentrating our work in two Probation Trusts in each of the three chosen regions, whilst also looking at other projects within the region but outside areas covered by the Trusts. The Trusts selected provided a cross-section of communities, with a mix of urban and rural environments for the inspection and were: Lancashire and Merseyside (North West region), Staffordshire & West Midlands and West Mercia (West of Midlands region) and Norfolk & Suffolk and Cambridgeshire & Peterborough (East of England region).

- 1.5 During the course of the fieldwork, we met with representatives of the DOM's offices, strategic probation managers, middle managers, offender managers, other probation staff and representatives of criminal justice agencies and other partner organisations in each of the Trusts visited. We also spoke with representatives of the Local Criminal Justice Boards (LCJBs) and Local Safeguarding Children's Boards.
- 1.6 We visited women's community centres in each of the regions inspected and talked to the women and the staff members there and observed the activities. Some of these centres, such as the Anawim project in Birmingham, were long-established whereas others, as the one in Wigan, were relatively new. In addition, we visited each of the approved premises for women in the three regions and spoke to residents and staff.
- 1.7 In order to explore the issues from the perspective of women prisoners, we specifically identified women who had breached community orders, leading to their imprisonment, or had been recalled to prison following a period of supervision on licence. Not all the selected regions had a women's prison within their boundaries; in the West of Midlands region, women were sent either to HMP/YOI (HM Prison/Young Offenders' Institution) Eastwood Park near Bristol or to other establishments. We visited three prisons, all of which received women direct from court and on recall to prison, to interview women who were serving a prison sentence for breach of a licence or community order. We spoke to a total of 28 women prisoners who told us of their experiences in the criminal justice system. These accounts were verified wherever possible by contact with prison staff. We were also able to see examples of 'through the gate' work which will be outlined in chapter 11. The scope of this inspection did not permit us to inquire into the treatment of women prisoners.
- 1.8 We visited the Crown Court and magistrates' courts to observe proceedings where women offenders were listed for sentence or were appearing before the breach court and met with judges, district judges, justices and prosecutors. We attempted to contact a number of defence solicitors in each area to gain their perspective but with little success due to the limited response.
- 1.9 These meetings provided an opportunity to consider a range of themes, as well as enabling comparisons across areas. It also allowed us to explore any issues arising from the files we had read.

### **Profile of the case sample**

- 1.10 In addition to the meetings, we also examined 107 case files of women offenders, plus 15 pre-sentence reports. Of these, 42% were subject to a community order, 31% were subject to a suspended sentence order and 26% were on licence. One was in custody.
- 1.11 The case file sample was deliberately selected to include some of the more challenging cases for inspection, so the profile of the cases could not be considered as representative of the female offending population as a whole. Almost half (46%) of the women in our sample were assessed as posing a medium Risk of Serious Harm (RoSH); slightly fewer (44%) were assessed as low RoSH and the remaining 10% as high. This contrasted with the profile of the

women offenders whose cases we had examined within the first three regions of our ongoing Offender Management Inspection programme (OMI 2): here, high RoSH women accounted for 8% of the cases, medium for 33% and low 59%. Sixteen (13%) met the criteria for the Multi-Agency Public Protection Arrangements (MAPPA) in our sample, compared with 10% in the larger OMI 2 sample.

- 1.12 Although they were convicted of a range of offences, the most frequently cited conviction (34%) was that of violence against the person with 14 (33%) of the 42 women concerned convicted of racially aggravated violence. The second most significant group concerned women convicted of different types of relatively minor offences, such as failure to send a child to school. This 'other' group accounted for 20% of the case file sample.
- 1.13 The majority of women (87%) in the sample described themselves as 'white'. Three-quarters (89 or 75%) had children, and one-third were sole carers. In the 46 (55%) cases where the child or children did not live with the mother, 13 (28%) were in care and 21 (46%) were being cared for by others, including relatives. Concerns were expressed about the women's ability to care for their dependent children in 58 (75%) of relevant cases.
- 1.14 Other characteristics of the case sample included:
  - ▶▶ 73% had been the victims of domestic abuse
  - ▶▶ 18% had been the perpetrators of domestic abuse
  - ▶▶ 54% were considered to have mental health problems
  - ▶▶ 34% had physical health problems
  - ▶▶ 51% took illegal drugs
  - ▶▶ 59% had problems with alcohol
  - ▶▶ 60% had financial problems
  - ▶▶ 70% were considered vulnerable, 34% to self-harm and 24% to suicide.

## Conclusion

- 1.15 This inspection was conducted at the end of a dynamic period of development for work with women offenders; its broad base reflected that activity. The timing of the inspection coincided with the announcement about the end of the regional structure within the National Offender Management Service (NOMS) and significant pressure within public services. The impact of these changes on women offenders is explored later within this report.

## 2. WHAT DO WE KNOW ABOUT WOMEN OFFENDERS?

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### Summary

**This chapter summarises the recent key research findings on women offenders.**

- 2.1 There is a great deal of information, research and statistical reports available about women offenders in England and Wales, most of which is current and relevant to this inspection. These documents reveal a consensus about women offenders:
- ▶ women are less likely to offend than men<sup>2</sup>
  - ▶ more women who are sentenced to immediate custody receive sentences of less than 12 months than men<sup>3</sup>
  - ▶ most women sentenced to immediate custody are serving sentences imposed for non-violent offences<sup>4</sup>
  - ▶ women offenders often have complex multiple needs, experiencing high rates of mental health disorder, domestic abuse, victimisation and substance and alcohol abuse<sup>5</sup>
  - ▶ over half the women in prison are mothers of dependent children whose lives are often disrupted as a consequence of their mother's imprisonment.<sup>6</sup>
- 2.2 There are significant differences between men and women in terms of their involvement in the criminal justice system. According to popular belief, the majority of males commit at least one offence during their lifetime. Committing offences for many boys and young men is often justified as a 'normal' part of growing up, linked to peer group pressure. Most do not get caught and quickly grow out of it.
- 2.3 We do not seek to suggest in this report that male offenders do not have problems; however, we are concentrating on what is different about female offenders and why, because of these differences, the approaches to rehabilitation should be different. It may be that where male offenders present a similar profile to their female counterparts, the same rehabilitative approach might be appropriate. Certainly, where, for example, sole responsibility for childcare and associated poverty are factors in offending, measures adopted by offender managers to support compliance could be identical.

### What do the statistics tell us?

- 2.4 Information compiled by the Ministry of Justice<sup>7</sup> (MoJ) in line with their obligations under Section 95 of the Criminal Justice Act 1991 indicated that less than one in five arrests were of women, despite women making up just over half of the general population. Similarly, just over one in five court disposals were given to women offenders. As reflected in our case sample, one-third of all female arrests were for violence against the person, slightly higher than the rate for men, with

theft and handling stolen goods being the next highest category of arrest. In each of the years between 2005 and 2009, a higher proportion of women than men received out of court sanctions, rather than going through the court process – 24% of women, compared with 21% of men. 2009 saw a drop of 9% in the number of first receptions of women sentenced to immediate custody compared with the previous year.

- 2.5 The proportion of women remanded into custody remained broadly static each year at around 45% of the total female prison receptions between 2007 and 2009. This was the latest period for which figures were available from the MoJ's court proceedings database. This proportion was slightly higher than that of men entering custody on remand, who accounted for around 43% of the male prison receptions over the same period<sup>8</sup>. Baroness Corston<sup>9</sup> found that around one-fifth of these women were subsequently acquitted and more than half went on to receive a non-custodial sentence. However, more recent data<sup>10</sup> suggested that, of those women remanded into custody, two-thirds received an immediate custodial sentence, compared to three-quarters of all men.
- 2.6 As of 31 March 2011, the number of women in prison in England and Wales stood at 4,252, down from 4,290 the year before.<sup>11</sup> Women represented 5% of the overall prison population compared to 4.3% in 1997 and a high of 6% in 2003.<sup>12</sup> However, these percentage figures needed to be viewed in the context of the rapid increase in the male prison population over the same period of time. Women continued to account for nearly 9% of prison receptions as, since their average length of sentence was shorter than that of men<sup>13</sup>, both from magistrates' courts and the Crown Court, their turnover rate was higher. In 2009, 74% of women sentenced to immediate imprisonment received sentences of less than 12 months. This compared with 63% for men<sup>14</sup>. However, following a peak in 2008, the numbers of women received into custody for sentences of under 12 months decreased by 12% in 2009, compared to an 8% decrease amongst men.
- 2.7 The most striking finding, nationally, was that such a high proportion of women in prison were there on re-sentence for breaching a community order or prison licence. In 2006 Baroness Corston was told that 50% of new receptions in HMP/YOI Holloway were for breach of community orders or licences. The MoJ report *Statistics on Women and the Criminal Justice System*<sup>15</sup> told us that in 2008, 25% of female adult receptions in prison and 24% of male receptions were for 'other offences' of which 60% for women and 42% for men were for breach of a court order. In 2009, 13% of all women received into custody on an immediate custodial sentence were there for breaching a court order.<sup>16</sup>
- 2.8 In many of these cases, the original offence or behaviour would have been unlikely to have resulted in a custodial sentence. Most received short sentences which allowed little time for interventions in custody aimed at reducing their reoffending and were not subject to supervision on release.
- 2.9 One of the possible reasons for the high numbers of women sent to custody for breaching community orders may have been linked to the availability of the suspended sentence order (SSO), which could be seen as an 'alternative' to custody. In essence, it was not an alternative, other than to *immediate* custody, since there was a presumption that, if the offender reoffends or fails to meet any of the requirements of the SSO, then custody was inevitable, unless there were

compelling reasons to avoid it. In 2009, 6,823 women received an SSO, some 15% of all the SSOs issued<sup>17</sup>, an increase in the numbers imposed in the previous year.

- 2.10 We met several prison governors who told us how they gave presentations to local magistrates to show them the devastating effect short sentences had on some women and their families. They highlighted in particular the shocking fact that women in prison were more than three times as likely to self-harm as men<sup>18</sup>. According to Baroness Corston, some 18,000 children per year were affected by the imprisonment of their mother; of these, around half would go on to be imprisoned themselves in later life<sup>19,20</sup>.

## Conclusion

- 2.11 Committing offences is not as common amongst girls and women as amongst boys and men. It is often associated with one or more other factors such as mental health disorder, physical ill-health, vulnerability linked to low self-esteem and self-harm, victimisation, abuse, substance misuse or low levels of skills and employment. These differences between men and women are supported by data from OASys, the offender assessment system. The approach endorsed by many in the criminal justice system is that it is necessary to address these issues in a holistic manner to have a realistic chance of diverting a woman from crime or help her desist from offending. For this reason, there is currently widespread support for women's community centres, formerly known as 'one stop shops', where counselling, support and practical assistance are key elements of an offending behaviour 'programme'. In this inspection we assessed the credibility of these options, whether they were sustainable and how well Probation Trusts and local authorities were either using them or providing alternatives where the lack of funding or the low numbers of women made the establishment of such centres impracticable.



### 3. DEVELOPMENTS FOLLOWING CORSTON

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#### Summary

**This chapter outlines the context for working with women offenders, looking at policy prior and subsequent to the publication of the Corston report into the treatment of women in the criminal justice system. It considers the response to the report by the MoJ and NOMS.**

#### Policy developments 2000-2006

- 3.1 The increase in the female prison population from 2,672 in 1997 to 3,355 in 2000 caused such concern that it triggered a consultation exercise which reviewed the existing initiatives for working with women who offended and looked at how they could be improved. The subsequent report<sup>21</sup> signalled the introduction of the Women's Offending Reduction Programme in 2004; this programme was supported by a cross-departmental action plan which aimed to link strategic initiatives across government to address women's offending and pursue alternatives to custody.
- 3.2 The Together Women's Programme was launched in 2005 and £9.15 million set aside for projects to divert women who seemed likely to offend. Five centres were established across the North West and Yorkshire and Humberside regions as 'one stop shops' for women, to provide holistic support and access to a range of services. These centres were designed along similar lines to those already operating, such as Anawim in Birmingham and Asha in Worcester.
- 3.3 The Gender Equalities Act 2006, as amended by the Equalities Act 2010, placed a statutory duty on all public authorities, including those working within the criminal justice system, to assess the impact of current and proposed policies and practices on gender equality. All of these initiatives, the programmes and the legislative framework, emphasised the need for a different approach with women offenders in order to help reduce their reoffending.

#### The Corston Report

- 3.4 In 2006, following the self-inflicted deaths of six women within a 13 month period at HMP/YOI Styal, the Home Office commissioned Baroness Jean Corston to conduct a review of women with particular vulnerabilities in the criminal justice system. In her report<sup>22</sup>, Baroness Corston considered the needs of those '*inappropriately located in prison*' (i.e. the public did not need them to be there for their protection) and '*those outside who were at risk of offending*'. She identified three sets of vulnerabilities:
  - ▶ first, domestic circumstances and problems such as domestic violence, childcare issues, being a single-parent;
  - ▶ second, personal circumstances such as mental illness, low self-esteem, eating disorders, substance misuse; and

- ▶ third, socio-economic factors such as poverty, isolation and unemployment.

She then clearly defined their impact: *'When women are experiencing a combination of factors from each of these three types of vulnerabilities, it is likely to lead to a crisis point that ultimately results in prison. It is these underlying issues that must be addressed by helping women develop resilience, life skills and emotional literacy'*.

- 3.5 The Government accepted 40 out of the 43 recommendations in the report and made a number of commitments across government departments to carry them forward<sup>23</sup>. Not least of these was the appointment of a group of Government Champions for women and the creation of a cross-departmental Criminal Justice Women's Unit to manage and coordinate the response to the Corston Report. It was led by senior figures in the MoJ and included representatives from the Government Equalities Office, the Department of Health and the Attorney General's Office. Maria Eagle MP, who had responsibility in both the MoJ and the Government Equalities Office for the women's agenda, provided strong and vocal support, which enabled the unit to work closely with NOMS and (acknowledging the similarities for young women as well as adults) also with the Youth Justice Board. It had access to significant but time-limited funding until March 2011, including £15.6 million for the diversion programme.
- 3.6 This funding was provided over two years to voluntary sector organisations working with women offenders and women at risk of offending. These women's community projects focused on diverting women from custody, providing support for those who could have been remanded in custody awaiting trial, as well as supporting community sentences which provided the courts with stronger options for diverting women from custody. This holistic approach aimed not only to reduce reoffending, working with women at all stages of the criminal justice system, but also to provide support to those women at risk of offending. A total of 45 voluntary organisations received some additional resources, including 12 jointly funded with the Corston Independent Funders Coalition, via the Women's Diversionary Fund. NOMS invited bids to improve the few approved premises for women offenders, although in the event only one (Bedford) secured funding. A new contract was also agreed for the Bail Accommodation and Support Service (BASS) providing enhanced support for women. A series of Family Intervention Projects had been launched in 2006 as part of the government initiative to alleviate child poverty and, in 2010, the Department of Education (formerly the Department for Children, Schools and Families), the MoJ and the Government Equality Office co-funded women-specific family intervention services in a number of local authorities.
- 3.7 The Government's aim was to divert women offenders from crime and, wherever appropriate, from custody using the same approaches. The NOMS regions were tasked with reducing the female prison estate by 400 places by March 2012 through an increase in community penalties. A substantial part of this reduction has now already been achieved by the re-designation of HMP Morton Hall to an Immigration Removal Centre. However, while this serves to remove the number of prisons for women, it does not reduce the numbers of women being held in prison.

## The work of the probation service

- 3.8 As the vast majority of offenders are men, the services provided by the probation service have essentially been developed for men with only a few elements specifically designed for women. Women make up around 14% of the probation service's caseload and 5% of the prison population so understandably very few offending behaviour programmes are designed with their particular needs or learning styles in mind. Normally, programmes designed for men are adapted for use with women. Two women-specific accredited programmes are, however, available; CARE (Choices, Actions, Relationships and Emotions) has passed the accreditation process but has yet to be run in prison, the other, (the Women's Acquisitive Crime Programme) is available in the community. The latter has been implemented in very few Trusts due to financial constraints. Several Trusts have developed specified activity requirements for women as a formal requirement of the order which will be described in chapter 9.
- 3.9 One of the consequences of the relatively low number of women offenders is that there are few female custodial establishments (13 in September 2011) and fewer approved premises (six). There are none of either in Wales. As seen with HMP Morton Hall, the position has been exacerbated over recent years by the change in use of some of the smaller women's prisons to hold male prisoners. Women offenders are more likely than men to be the primary or sole carers for children; many have little or no support. Because of the low number of prisons and approved premises for women, they are much more likely to be located further from home than men which, as a consequence, means fewer visits from family and friends and a likely negative impact on their morale. Being imprisoned far from home also makes effective resettlement on release more difficult to achieve.
- 3.10 At the time of the inspection fieldwork, the management of offenders in the community was underpinned by national standards<sup>24</sup> and also by tiering guidance that essentially defined what level of resources would be dedicated to individual cases. In April 2011, new national standards<sup>25</sup> were introduced, which were greatly different to the previous version, in that they sought to encourage practitioners to take decisions about the level of intervention and to be accountable for their professional judgement. Similarly, NOMS developed gender specific standards for the management of women prisoners, issued under the auspices of Prison Service Order 4800 in April 2008.
- 3.11 All elements of NOMS' work have been under the scrutiny of the Specification, Benchmarking and Costing (SBC) programme. This programme, aimed at driving forward efficiency and effectiveness, is the means by which costed service specifications are being developed for work with offenders, victims and the courts. Under SBC, outcomes are defined and the service provider funded accordingly. These specifications, which are gender-informed, define minimum levels of interventions and required outcomes, with associated budget adjustments; they are now in place for a number of key probation functions, including offender management and the supervision of offenders.

## Conclusion

- 3.12 Baroness Corston's findings were clearly taken seriously by the government, MoJ and NOMS, with valuable effort and investment being made as a result. This was reinforced by the imperative of complying with the equality legislation. However, the culture and ethos of the criminal justice system is essentially male-orientated, an unsurprising consequence of the fact that the great majority of offenders are male. This can and does impact negatively on women. Future budgetary constraints may further influence an already difficult situation.

## 4. LOCAL IMPLEMENTATION

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### Summary

**This chapter outlines the way in which the then regional offices within NOMS responded to the findings of Baroness Corston and the extent to which the DOMs and their staff had influenced the development of policy for women offenders and its implementation. It also comments on the contribution made by the LCJBs.**

### Key Findings

- Probation Trusts had worked well with fellow Trusts, regional offices, NOMS and MoJ headquarters, partners and other agencies to develop a sound strategic framework for working with women offenders.
- A significant culture shift was needed amongst many practitioners for women's issues to be treated differently.
- Outcome measures in relation to the progress achieved by women offenders were underdeveloped and often over-reliant on OASys scores and therefore did not apply to many women offenders.
- Local partnerships, with health providers and other agencies, were likely to assume increased significance with the changes in the regional structure.
- LCJBs were not generally focused on the diverse needs of women offenders and needed to support the development of strong local partnerships to take the work forward in relation to women offenders.

### Local links with the MoJ and NOMS

- 4.1 Feedback from regions and individual Trusts about the involvement in their work of the dedicated women's teams within the MoJ and NOMS was overwhelmingly positive. Nearly all felt that these teams had provided them with support and helpful advice and considered that the team members were knowledgeable and professionally credible. They had a 'hands on' approach to the work in the Trusts, and took time to visit the women's projects and to provide input to the various regional meetings.

### Local leadership

- 4.2 It was evident that the additional focus from the MoJ had been successful in raising awareness about the needs of women offenders and, as is common in many areas of work, the DOMs in each of the regions visited had nominated a 'single point of contact', or SPOC, to drive the implementation of policy for women offenders forward. Helpful central guidance was issued concerning the

responsibilities and desired outcomes of the role, but the grade for the role was left to local discretion.

- 4.3 The approaches adopted by the different regions varied. In some regions, a senior member of the team had been appointed to this role, often in conjunction with other duties. In others, a more junior member of the team, whose influence was largely dependent on their level of expertise and personal authority, took on the role. Inevitably, each approach carried its own inherent advantages and disadvantages. In our view, the grade or status of the SPOC was not critically important, but, rather, their expertise, available time and enthusiasm for the subject matter. It was also clear that strong local support for the need to treat women differently, such as that provided by the former Regional Offender Manager within the East of England, really encouraged innovation and enthusiasm for this area of work.
- 4.4 Through the SPOC, the DOM worked to support the development of resources and services for women but also found themselves, as the commissioner, holding the deliverer of services to account. This could present something of a dilemma. Generally, however, the SPOC in the DOM's office worked hard to facilitate and coordinate developments around women offenders in order to meet the regional reducing reoffending objectives. This approach was particularly evident in the East of England where the regional office had developed systems to drive forward a more responsive approach to women's offending.
- 4.5 The women's strategic regional group in the East of England, recently renamed ARROW (Action for Reducing the Reoffending of Women), had been working for nearly two years under the chairmanship of an Assistant Chief Officer from Norfolk & Suffolk Probation Trust, with the SPOC from the DOM's office as advisor to the group. Their strategy had evolved, and was underpinned by a detailed and dynamic action plan which they monitored closely. Rather than impose uniformity, the regional group had decided to allow a different approach to the women's agenda in each Trust. The Dawn Project, which operated in both the Cambridge and Peterborough women's centres and specifically focused on women offenders, was one such outcome. The staff involved in the regional women's group shared a commitment, interest and belief in the need to work differently with women in order to gain equivalent outcomes as with men. In this environment, the Trusts learned from each other and clearly worked openly and cooperatively. Essex Probation Trust, for instance, had led the development of a local electronic directory for women's services, which was openly shared with the group. Training was being delivered in Norfolk & Suffolk Probation Trust by staff from Cambridgeshire & Peterborough, in conjunction with others from Hertfordshire.

**Practice example:**

One way in which the East of England DOM's office helped support the work of Probation Trusts within their region was by providing a level of data analysis for them. They invested time in analysing the various Trusts' performance on women and produced regular and useful progress reports highlighting regional developments, areas of good practice and the impact on sentencing trends. The October 2010 progress report demonstrated that they were making good progress in reducing the numbers of women being sentenced to custody, both in the under and over 12 month categories.

- 4.6 We found a similar approach emerging in the West of Midlands region where a quarterly forum brought together the various women's projects with the Probation Trusts and other key partners to enable ideas to be shared and services to be developed. Communication between partner agencies appeared to have improved as a result of this regional collaboration. The region saw its role as supporting government policy on women offenders by sponsoring developments which added value to their current provision. They did this both by trying to integrate new projects into current provision and adapting existing services as necessary and practicable to meet the needs of women. The regional priorities included identifying gaps in provision, monitoring and evaluating how services for women were working and focusing on making provision sustainable.

**Practice example**

In the West of Midlands region, the DOM's team were working proactively with local authorities across the Trusts to identify common concerns. As a result, links had been forged with Birmingham and Wolverhampton City Councils in an attempt to identify the percentage of women in prison who were mothers, and where they originally lived. Similarly, a report had been commissioned from the regional lead for mental health on women's mental health issues, in order to inform the commissioning process.

- 4.7 The DOM's team in the North West region had adopted a clear cut, but potentially narrower approach; this was probably more compatible with a strict commissioning relationship, but did not promote the same level of collaborative working across the region as we saw elsewhere. We found this approach surprising in a region with a long history of cross-regional working on a number of subject areas. This was not to say that there was no regional activity, but the DOM's team appeared rather more peripheral than integral to the development of services and initiatives for women ongoing at a local level.

**Embedding the strategic approach**

- 4.8 The differences in regional approaches impacted on the way in which local Probation Trusts approached the women's agenda. We saw many examples of local Trusts clearly wanting to 'do the right thing' with their women offenders, and outlining their approach in accessible strategy documents, as found in Lancashire

Probation Trust, for example. Less obvious was the extent to which the material within these strategies had filtered down from the strategic leaders to practitioners. As shown in chapter 10, it was sometimes difficult to see the direct impact on individual women offenders. We felt that the key to a successful strategy was knowing how best to embed it in both day-to-day practice and in planning for future service developments.

- 4.9 We found a certain ‘disjointedness’ between the strategic plans within Probation Trusts for their work with women offenders and operational practice. This was not necessarily due to poor project management or a lack of attention at a strategic level about how to embed the strategies, but was, rather, a consequence of the scale of the cultural shift needed amongst many practitioners in order for women’s issues to be taken seriously and treated differently. Most Trusts had assigned roles to ‘women’s champions’ but these were resourced to varying degrees. All were, of necessity, time-bounded. Perhaps surprisingly, many female practitioners were less sympathetic to women’s needs than some of their male counterparts. These issues are explored further in chapter 10.
- 4.10 In some regions, we were a little unclear as to how the Trusts were measuring the impact of their women’s strategy on practice or whether they fully recognised what successful outcomes looked like. Outcome measures were generally underdeveloped and not linked to reduction in reoffending rates or sentence lengths. This lack of focus worked against the development and sustainability of provision for women; without appropriate evaluation, Trusts were unsighted about what was effective and worthy of further investment. The tools available to Trusts were mostly unsophisticated, with an over-reliance on OASys scores, and did not necessarily provide the full picture. They also excluded women serving short prison sentences of under 12 months who were not subject to any form of post-release supervision.

#### **Practice example**

In the Here4Women project within West Mercia, some interesting work was being undertaken on the development of a tool known as the Outcomes Star which measured women offenders’ confidence in their ability to take responsibility for their lives. The tool measured ‘direction of travel’ by the woman offender, rather than her overall achievement via a reduction, or otherwise, in OASys scores. This provided a simple but clear means of tracking the woman’s progress towards a stable and offence-free life.

- 4.11 Trusts had been required to complete monitoring forms known as ‘influencing demand’ returns which related to the MoJ’s objective of reducing the demand for custody for women. These returns, which were submitted via regional offices, were complex and we found that there were varying ways of interpreting the data required. One region was particularly critical of the lack of clarity provided by the centre about how these returns should be completed and felt that they did not lead to appropriate judgements about each region’s relative performance. Despite this, we formed the view that headquarters engaged well with the regions about working with women offenders and that this central support helped to promote local initiatives.



## Role of the LCJBs

- 4.12 LCJBs were launched in April 2003 by the Office for Criminal Justice Reform. They were created in order to bring together key local partners involved in criminal justice matters so as to provide a focus on improving performance on shared local criminal justice targets, such as those relating to offenders, victims and witnesses. Key members of the Boards included the chief officers of probation, courts, police, prisons, YOTs, and the Crown Prosecution Service (CPS) and, as such, they provided a potentially powerful local influence on criminal justice issues, in conjunction with other local forums such as Community Safety Partnerships. At their most effective, they examined cross-cutting data in order to monitor local trends and they consequently will need to link in with the new Police and Crime Commissioners, when established.
- 4.13 We felt that there was something of a missed opportunity in relation to the extent to which the LCJBs focused on women offenders. We found no evidence of any relevant criminal justice data disaggregated by gender, for example, although it would have been possible to produce in all of the areas visited. Some of the LCJBs focused on women as victims, for example, in Norfolk where support for rape victims was a significant local issue which had attracted much investment of LCJB time. All the Board representatives who we interviewed recognised that women were an area of interest to which they had devoted little attention. Encouragingly, however, the LCJBs in Lancashire and Liverpool were developing an interest in this area of work, prompted to a large extent by the governor from HMP/YOI Styal. We felt that their potential impact on the future of work with women offenders, particularly in times where resources were tighter, needed to be recognised and developed.
- 4.14 We also spoke to a number of Local Safeguarding Children Boards, but found that issues relating to women offenders were not a particular focus for them.

## Future Developments

- 4.15 At the time of fieldwork for the inspection, regional office staff had just learned that the post of DOM, together with many associated regional posts, were due to be removed from the NOMS structure at the end of March 2011. Whilst we felt that Probation Trusts needed to concentrate on maintaining the progress already made, it was clear that the work undertaken would provide a valuable legacy which should not be lost. We formed the view that those Trusts who had established good working relationships with other partners, particularly within health or the local authority, would be well-placed to sustain their achievements thus far, which, if 'mainstreamed' or otherwise integrated, through joint commissioning, into the aims and objectives of other community partners and agencies could be taken forward and further developed.

## Conclusion

- 4.16 The lead given by the MoJ had been successful in promoting considerable activity at a regional level. The approaches of the different regions varied; some were extremely active whilst others took a more detached line. It could be argued that

the 'detached' approach allowed for greater local initiative, although we found evidence of plenty of scope, even where a more 'hands on' regional approach applied, for local initiative to be exercised. With the demise of the regional structure within NOMS, it was possible that Trusts within those more detached regions would be less affected by the change in the arrangements. What was certain was that the strength of local partnerships, e.g. with health providers and other agencies, needed to compensate for the removal of the regional 'layer'. The LCJBs, as brokers of such partnerships, were seen as key in this, and their potential should be exploited more in relation to the women's agenda. We felt that the hour was due, indeed overdue, for translating the theory of the strategic plans into practice, but that Trusts and their partners were hindered, to a degree, by a lack of clear outcome measures specific to women offenders.

### **Recommendation**

*It is therefore recommended that Probation Trusts should:*

- *continue to maintain an additional focus on women in order to embed strategic developments in operational delivery through the development of effective outcome measures supported by monitoring, evaluation and managerial oversight*
- *enter into a dialogue with their LCJBs (or equivalent) and the Police and Crime Commissioners, when established, to ensure that the nature and extent of women's involvement in the criminal justice system locally is recognised through the collection and examination of appropriate gender-related data.*

## 5. THE WOMEN'S COMMUNITY CENTRES

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### Summary

**This chapter focuses on the development of the women's community centres, examining the relationship between the centres and probation practitioners. It also explores what sentencers think of the centres and looks at the centres' credibility and sustainability.**

### Key Findings

- The women's community centres provided a valuable 'safe space' in which isolated women could access services to address their needs and become better integrated into their communities.
- If used effectively, the women's community centres could play an important role in securing the woman's engagement in work to address her offending and promote compliance with her order or licence. Some offered alternatives to custody with opportunities for unpaid work or specified activity requirements.
- Communication between probation and the centres was variable and often poor, with work at the centre not being central to the sentence plan of the offender. The centres were often isolated from the work of probation, with offender managers not always valuing or taking advantage of the services on offer.
- Where sentencers had access to and were aware of the centres, they found them credible.
- Sustainability was a key concern for all the centres. Where data focusing on achievement of outcomes was lacking, this hampered the centres' prospects for obtaining future funding.

### Provision of 'women-specific' resources

- 5.1 The idea of women's community centres dates back some 20 or more years, with the former Hereford & Worcester Probation Area testing out different ways of working with women at the Asha centre in Worcester. A comparable project in Birmingham, Anawim, was developed at around the same time and along similar lines, originally providing a service to street sex workers under the auspices of a faith based charity. These two centres each provided a 'one stop shop' approach to meeting women's needs, with all the services needed by a woman being provided under one roof. At such centres, women were able to gain advice and guidance about many issues of concern to them, such as employment, finance, benefits, debt, childcare, health and substance misuse, as well as receiving social and moral support from their peers and other workers, which in turn helped to raise their self-esteem. The centres were later identified as a potential resource for women who had offended.

- 5.2 This model of working, praised by Baroness Corston, effectively became the 'prototype' for how to provide women-only resources effectively. Crucially, the centres were seen as community resources for *all* women, rather than just catering for offenders. Those at risk of offending, on account of their high level of need, were also welcome. The centres did not, in themselves, provide an alternative to custody unless part of a specified activity requirement (a formal requirement of a court order) but a conducive environment where women were actively encouraged to engage with their workers to address their offending. They could also be given help so that they would be less likely to reoffend in the future. Other centres subsequently opened up across the country, some funded by the MoJ, others, such as the centre at Wigan, designed and run without any external funding.

### **Practice example**

The project at Wigan had started in April 2010 with a grant of £1,000 provided by the North West DOM. It was open to women on community orders or licences and to those who had finished such an order or licence; it was also intended that non-offending women would be included at a future date. The three probation staff at the centre held 30 such cases at the time of our visit (now increased to 65 cases) and were therefore able to build on the work done at the centre, ensuring it was closely linked into sentence plans. The weekly sessions covered a range of topics, including consequential thinking and relationships, with input from a variety of external agencies, including children's social care services, debt advisors and Women's Aid. It was notable that, since its launch, none of the women attending the centre, who clearly preferred attending the centre for their statutory appointments to going to the probation office, had been subject to breach proceedings. The women recognised that funding for the project was tight, so many did not claim for their bus fares, while others willingly assisted the staff in efforts to raise further funds.

- 5.3 It was hard not to be impressed by all the centres we visited. They provided a warm and welcoming space where women could meet not only other women but, critically, with those agencies that could assist them with many of their problems. Work which began while the woman was subject to probation supervision continued beyond the end of the order, often enabling isolated women to become better integrated into their communities. The centres had one key ingredient in common: an enthusiasm and commitment from their workers and volunteers to making a difference to the lives of the women they met.
- 5.4 For the women, relevant services were readily available in a 'safe space' where men were not often present. Some of the women we met described the centres as 'life saving'. In many centres, the initial priority was to stabilise the woman and regenerate her self-esteem so that she in turn could find the strength and capacity to tackle her problems for herself, rather than continuing to be dependent on others. Judging from the women we met, they were having some success in this respect although, unfortunately, the centres themselves were rarely able to demonstrate that in terms of hard data. In the current financial climate, the lack of such data would be increasingly problematic in terms of securing future funding, whether from the public or the private sector.

## Links between the women's community centres and probation

- 5.5 The centres provided a variety of sentencing options, as well as being generally available for women with welfare needs or at risk of offending. They encouraged women to engage in work to address their offending and thereby promoted compliance. In some areas, they offered an alternative to custody, with opportunities for unpaid work or for a programme of interventions to be undertaken by the woman as a specific activity requirement. This created a dynamic mix of participants.
- 5.6 Whilst being a valuable resource in themselves, the centres suffered, to varying degrees, from being isolated from the work of probation. It was apparent that the work undertaken at the women's centres was often undervalued by the supervising probation staff who, consequentially, did not appreciate its role in promoting compliance or consider it integral to achievement of the sentence plan. We saw some good examples of women's lives apparently improving through their attendance at the centres, and met women whose self-esteem had improved markedly as a result of their attendance, although this was not always recognised or appreciated by offender managers. Critically, sentence plans were disjointed, containing references to 'attendance at the women's centre', but failing to describe how the work undertaken at the centres contributed to any planned interventions or their outcomes.
- 5.7 Important information was not always shared. Communication was neither systematic nor robust, but depended on the relationship between the individual key worker and offender manager. Information relating to the woman's progress at the centre did not readily flow back to the offender manager, so could not be taken into account during OASys reviews. Key workers at the centres often struggled to establish basic but essential information such as the name of the relevant offender manager.
- 5.8 However, we did find examples where working relationships and communication flow was more effective: the Here4Women project in Hereford had excellent links with their local probation office, both at a practitioner and managerial level, with a Senior Probation Officer sitting on the project's Board as a trustee. The work of this centre supported and underpinned good quality supervision from probation, providing a complementary rather than competing service. We also found good working links between a number of the centres and their local prison. Two prisoners from HMP/YOI Peterborough were routinely released on temporary licence to attend the Peterborough women's centre each weekday, to assist with providing support to the women who attended there, as well as completing administrative and domestic tasks. A similar arrangement was working successfully between the Anawim women's centre in Birmingham and HMP/YOI Drake Hall.

### Practice example

One Probation Trust, Staffordshire & West Midlands, was aiming to locate offender managers in their local centre, Anawim, to counteract the problems of poor communication. The probation staff, who would manage those cases where unpaid work or attendance at the centre had been ordered by the court, had subsequently taken up post. This seemed likely to have a positive impact on communication.

Centres such as the Dawn Project in Peterborough had adopted a similar arrangement and others, such as the Asha centre in West Mercia, were also keen to do so.

## Referral rates by probation to women's community centres

- 5.9 Referral rates were often unacceptably low, even with some of the longer established centres. Half of the women in the case files we examined could potentially have attended a centre in their neighbourhood. However, only 20 of a possible 54 such women were referred (37%). This was disappointing.
- 5.10 We felt that the apparent underuse of this valuable provision stemmed from a lack of a common understanding between probation and the centres about each other's goals and objectives and that this was inhibiting potential progress on their working relationships. We detected in some cases a suspicion amongst offender managers of the work of the centres or a cynicism about its value.
- 5.11 We also read many case files where referrals were either not done or were not pursued if the woman failed to attend initially. We were told variously that *"she is the wrong type of woman for the centre"* or *"the centre is not for everyone"*. Conversely, we read case files where women had been referred and, when asked why, the offender manager had told us *"because she's a woman"*. These comments suggested either a poor understanding of the centres' role and purpose or the lack of clear referral criteria; whatever the reasons, the effects manifested themselves in weak or vague sentence planning objectives.

### Practice example

One centre, Asha in Worcester, had deployed a proactive key worker to the local court to try to promote its work. This was a sensible idea which appeared to be increasing magistrates' confidence in Asha as a community resource for women who offended. The initiative was also welcomed by defence lawyers who practised in the local courts. One defence lawyer told us *"Asha has a clear sense of direction and gives the court a huge amount of assistance. The court has it very much in mind when sentencing women"*.

## Sentencers' views of the women's community centres

- 5.12 In many but not all areas where women's community centres existed, sentencers could 'prescribe' attendance at the centre as a specified activity requirement on a community order, usually but not necessarily in conjunction with probation

supervision. Where such a specified activity option did not already exist, efforts were being made to introduce one.

- 5.13 Sentencers were generally well versed about the options available to them and were using them. Anawim in Birmingham, for example, had recently received 155 referrals in an 18 month period. However, we were surprised to find some sentencers in other parts of the country who were unaware of the availability of this type of provision. Where new specified activity requirements were being introduced, managers and staff worked hard to promote and advertise the options with local sentencers but this was a slow ongoing process, due to the high numbers of magistrates across the country. In some areas, judges had taken time to visit the centres and had been impressed. These visits added to the credibility of the centres.

### Future for women's community centres

- 5.14 Given the current financial climate in which they were working, all of the centres were very focused on the various funding streams, and on trying to ensure their sustainability for the future. We met many centre managers for whom this was the overriding priority. While the longer established centres had the potential advantage of years of data to demonstrate their worth, they faced the dilemma that many funding bodies were only keen to fund new projects, rather than maintain existing ones. All were becoming more business-focused and were trying to develop data collection and case management systems in order to strengthen their 'infrastructure' and therefore their funding bids. Some were more advanced in this than others. We acknowledged that all the centres faced a real challenge to sustain their services in the financial climate.
- 5.15 Since the conclusion of the fieldwork for this inspection, we learned that some, but not all, of the centres would continue to receive financial support from the MoJ in the new financial year (2011/2012). The level of support was likely to be reduced compared to previous years with NOMS meeting half of the required funds and the 'Corston Coalition' the other half. These changes would reduce the geographical coverage provided by the centres, which was far from ideal originally, unless those affected were able to access other sources of funding. Revised monitoring mechanisms were due to be introduced alongside the new financial arrangements.

### Conclusion

- 5.16 We considered the women's community centres to be a very credible resource, where women, whether offenders or those at risk of offending, could obtain practical support and advice in a non-threatening and accessible environment. They could be used not only to promote engagement and compliance with community orders but could also provide, where attendance was prescribed under a specified activity requirement, an alternative to custody. However, we were concerned that the relationship between women's centre workers and probation practitioners was underdeveloped, hampering focused sentence planning and effective and targeted working. This led to an underuse of the centres, which in turn threatened their sustainability.

## ***Recommendations***

*It is therefore recommended that:*

- *Probation Trusts and women's community centres discuss their respective roles to establish clear referral criteria and effective channels of communication and make best use of the facilities available to bring about a reduction in offending by women*
- *Women's community centres demonstrate the tangible benefits for women in attending the centre through the collection of appropriate supporting data.*



## 6. UNPAID WORK, ACCREDITED PROGRAMMES AND APPROVED PREMISES

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### Summary

This chapter outlines the availability of non-custodial options available to tackle offending by women including the use of unpaid work, accredited programmes and approved premises.

### Key Findings

- Although there was a lack of women-specific provision for both unpaid work and offending behaviour programmes, women-only groups, where run, were often successful.
- More extensive use could be made of the women's community centres as placements for unpaid work.
- Specialist offending behaviour programmes, e.g. for those women who offended sexually or who perpetrated domestic abuse, were lacking, due to the low demand given the small numbers of women displaying this type of behaviour.
- Approved premises provided a credible and sustainable alternative to custody.

### Arrangements for unpaid work

- 6.1 The requirement for unpaid work featured in only a small number (11) of the case files we examined. Of these, we found the provision to be satisfactory in two-thirds of cases. There was a general lack of specific provision for women in relation to both unpaid work and accredited programmes. In many areas, unpaid work for women was confined to individual placements in charity shops (which were usually unsuitable for women with violent records) or was not proposed at all. Some Trusts managed to run women-only groups, which were usually very successful.

### Practice example

We visited a women-only unpaid work group in Merseyside and met five female participants, who were full of praise for their obviously competent supervisor and for the self-confidence which the work had given them. One woman described how she had recently been approached by a teenage boy who wanted her to buy alcohol for him. She told us that previously she would have agreed but that she now had the confidence to refuse such demands.

- 6.2 Norfolk & Suffolk Probation Trust had provision for women-only groups in both unpaid work and offending behaviour programmes. Unpaid work placements were

available at many of the women's community centres, such as the Here4Women project in Hereford, and at Asha and Anawim in Worcester and Birmingham respectively. However, these options often catered for relatively low numbers of women.

### **Accredited programmes for women**

- 6.3 The Staffordshire & West Midlands Probation Trust had previously run a women-only thinking skills programme which had been working effectively but had fallen into disuse due to the low numbers of women involved. An aggression replacement training programme was run at Peterborough by the Cambridgeshire & Peterborough Probation Trust when sufficient demand arose.
- 6.4 In the East of England, the Norfolk & Suffolk Probation Trust were leading on the Wash Project, an initiative to examine the possibility of 'cross-border' working with the Cambridgeshire & Peterborough and Lincolnshire Probation Trusts in relation to women-only offending behaviour groups. These three Trusts had recognised that many of their women lived nearer to a neighbouring Trust than to their 'home' Trust, so were examining the feasibility of pooling their resources to deliver a joint offending behaviour programme for these women. This initiative was in its early stages but showed promise and flexibility.
- 6.5 In just over half of the cases which involved delivery of an accredited programme, the timing of the programme was consistent with the sentence plan. Overall, we considered that three-quarters of the case files examined offered satisfactory provision for accredited programmes, but, as with unpaid work, the numbers were very small.

### **Women offenders posing a high risk of harm to others**

- 6.6 Across the country, there was a lack of specialised offending behaviour programmes for women who had offended sexually or who were the perpetrators of domestic abuse. This was to be expected given the relatively low numbers of such offenders, particularly sexual offenders. Women sexual offenders are a small group who make up about 1% of all sexual offenders. Not surprisingly, therefore, we found just one region focusing on this particular type of work. The West of Midlands regional sexual offender unit were able to offer specialist advice to individual offender managers dealing with such women. The unit's Service Level Agreement with the DOM's office committed them to working with those offenders who were unsuitable for group work and women sexual offenders clearly fell into this category, given their low numbers. They had links with the Lucy Faithful Foundation who had produced a manual on the subject, and were able to offer a consultancy service to offender managers. Their specialist was able both to assist with the woman's assessment and with the design of any intervention plan, providing guidance about the nature of one-to-one work to be delivered. NOMS had also been working to develop a more robust and widely available system of guidance. We subsequently learned that an assessment and treatment package for this type of work had been piloted by Merseyside Probation Trust and that training for relevant staff was in the process of being rolled out nationally.

## Women-only approved premises

- 6.7 We visited three of the six women's approved premises, namely Adelaide House in Liverpool, Crowley House in Birmingham and Bedford Approved Premises. Adelaide House was run by a voluntary management committee, the others being directly run by the relevant Probation Trust. All three catered mainly for those women who posed a high RoSH to others. In order to keep occupancy levels high, selection criteria had been relaxed over recent years, with places now also being offered to women assessed as posing a medium RoSH to others. On average, between half and a third of the residents were on licence following discharge from prison, a further third were on bail (or pending an assessment about suitability for bail) and the rest were on community orders.
- 6.8 All three approved premises were impressive, each in their own way. They were run by experienced and enthusiastic staff who were held in high regard by the women who lived there. Although many of the women objected to having to live in the approved premises, they did not appear to resent the staff and described their key workers and the managers as helpful and supportive. One woman at Bedford told us "*the key workers here are brilliant*"; similar praise was forthcoming from residents in all the approved premises visited. These findings were consistent with what we found in our thematic inspection of hostels, *Probation hostels: Control, Help and Change*<sup>26</sup>, published in March 2008.
- 6.9 Some of the residents felt that the regimes in place made the approved premises stricter than prison, or found that some of the work they were required to do duplicated that already done in prison. Most operated a regime with mandatory elements, such as substance misuse awareness, applying to all residents; some residents found this inappropriate or patronising. Others regarded regime elements as entertainment rather than educational. However, managers felt that having mandatory elements applying to everyone favoured the development of a 'hostel culture', rather than 'making one size fit all'. The women we met in the various premises had striking stories to tell, and were keen to tell us about the progress which they had made while living in the hostel.

### Practice example

It was clear to us that the experience of the approved premises had a positive impact on the lives of many of the residents. One of the women we met in Crowley House described how she had gained control of her alcohol use and had been kept safely away from an abusive partner. Another said that she had become more emotionally stable since living there which in turn gave her more chance of having contact with her children. Both felt more confident and better able to make positive choices about how they behaved, rather than returning to destructive behaviour and offending.

- 6.10 Communication was generally good between all three approved premises and probation staff, as well as with other agencies providing crucial links and services. All had reasonable three-way links between offender managers, key workers and residents, with the strongest links being evident at Crowley House, where offender managers had weekly face-to-face contact with their offenders. Relationships with the police were particularly good at Crowley House, where there was a designated

'link' police officer. Weekly exchanges of information with police were used both to manage and to support the women.

### **Practice example**

Staff in the approved premises worked hard to ensure that communication with other agencies was effective. One such example concerned a resident who had failed to return one evening to Crowley House. The staff contacted the police who investigated their intelligence sources and identified an incident where there had been a report of an assault on a woman. The staff at the approved premises suspected it was the missing woman who was known to be a victim of domestic abuse and the key worker provided the police with the address of the woman's partner so that they could check on her well-being. She was found at the address. Although the woman did not want to make a formal complaint against her partner, she used the police's visit to help her leave and returned to the approved premises.

- 6.11 All the approved premises had good links with many other agencies and local services, including general practitioners. They were well placed to ensure that women received the attention they needed from mainstream service providers; this enabled these marginalised women to become better integrated into the life of their local communities, which in turn would undoubtedly have assisted with reducing their reoffending. Like other community projects, the approved premises faced financial pressures, but they had a real sense of 'never giving up' with the women, which engendered a spirit of sustainability as well as credibility for those who lived and worked there.

### **Conclusion**

- 6.12 Although the range of non-custodial options was relatively limited for women compared with men, those which did exist generally offered a viable alternative. Those women who had had the opportunity to access such women-specific provision usually appreciated and benefited from it, particularly within the approved premises, which provided a credible alternative to custody and where the level of support available for women and the effective links with other community resources proved invaluable.

### **Recommendation**

*It is therefore recommended that Probation Trusts should:*

- *explore the opportunities to establish viable women-specific provision for both unpaid work and offending behaviour programmes, working across Trusts where appropriate.*

## 7. PROBATION TRUSTS: DEVELOPMENT OF AND ACCESS TO MAINSTREAM SERVICES

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### Summary

**This chapter examines how probation staff work with community partners in order to meet women's needs.**

### Key Findings

- Impressive efforts were being made across Probation Trusts in developing relationships with partner agencies who could support their work with women.
- Provision for mental health and housing was generally poor; provision for drugs and alcohol and education, training and employment (ETE) was mixed but generally better.
- Provision for children's social care was variable across the regions visited.

### Partnership arrangements

- 7.1 One of the prerequisites for successfully working with offenders is having good quality partnerships with key agencies within the local community. This is equally true for both male and female offenders, but work with women brings additional dimensions, linked to their potential vulnerabilities.
- 7.2 Good partnership working is characterised by:
- ▶ open communication
  - ▶ shared objectives
  - ▶ a common understanding about their 'target customer group'.

These characteristics were demonstrated by some of the partnerships seen during the course of the inspection. It was clear to us that Probation Trusts had understood the importance of nurturing partnerships – and they were evidently good at this.

- 7.3 As outlined in chapter 5, the women's community centres thrived where they were well integrated into their local community and had established effective partnerships with other organisations. Most of the centres relied on input from a range of other community agencies, including housing, finance and debt advisors, education providers and drugs agencies, many of whom provided their services free of charge. For the agencies, the centres allowed them contact with a hard-to-reach section of their client group in the one location; for the women, it provided easy access to a wide range of services.
- 7.4 We interviewed a range of partners during the course of the inspection, and examined, via individual case files, the practical results of this partnership working. The following practice example typifies what we found.

### Practice example

One of the many instances we found of excellent partnership working occurred in Blackpool, Lancashire. The Blackpool women's centre had recently been set up with the support of the charity, Blackpool Advocacy. It considered its relationship with the Lancashire Probation Trust to be 'refreshingly open' and particularly valued the ease of access to their probation partners.

- 7.5 Also in the North West, we encountered a very healthy partnership between Merseyside Probation Trust and their local Primary Care Trust. These two agencies had 'joined forces' upon the demise of the area's previous women's community centre, the Together Women project in 2009. They had worked closely together to develop its successor, the Turnaround project, which was being launched at the time of our visit. We met with key partners associated with the project, as well as with probation managers. We were particularly impressed by their common understanding of women's needs, and their recognition that these should be catered for via mainstream provision. They felt it was critical to make working differently with women 'core business'; we saw this commitment as a real strength which would support the sustainability of the new provision.
- 7.6 In Cambridgeshire & Peterborough, we gained insight into how that particular Trust was developing its community partnerships through meeting with the Chair of the LCJB. He recognised that the Trust had made significant progress over a relatively short space of time in becoming more outward facing and better 'connected' with other agencies. The thriving existence of the Dawn Projects at both Cambridge and Peterborough women's community centres was practical evidence of this approach.

### Practice example

Relationships with community partners were clearly robust in Norfolk & Suffolk, at both a strategic and operational level. They had overcome the setback suffered through not being able to gain 'Corston funding' to support their '4women' partnership and were working hard to keep relationships with a range of partners vibrant. Seconding a probation officer to the local housing and bail services provider, Stonham, had clearly assisted in this respect. The Trust had since secured funding from the MoJ.

## Provision to tackle offending-related needs

### Mental Health

- 7.7 The statutory definition of 'mental disorder' given in the Mental Health Act 1983, as amended by the Mental Health Act 2007, refers to '*any disorder or disability of the mind*' as determined by the court on the evidence of medical practitioners. Despite the amendments introduced by the 2007 Act, the definition still only applies to those people who fit the criteria for treatment and admission to hospital under the appropriate legislation. As we discovered in our inspection of offenders

with mental disorders<sup>27</sup>, the definition allowed for different interpretation within the medical profession.

- 7.8 Many women offenders who appear before the courts are vulnerable but the issues which they present with are not sufficiently serious to necessarily amount to a mental illness. However, over half of the women in our case sample had mental health issues and we were concerned that women who self-harmed, or had other mental health issues, such as depression, could potentially go untreated because of the lack of provision and resources. Given the high incidence of women with mental health concerns in custody<sup>28 29</sup> and the imperative of keeping lower risk women out of custody, we were disappointed to find that, in our judgement, the mental health services provided to the women in our sample were unsatisfactory in more than half the individual cases examined (53%).
- 7.9 As with most other provision, the availability of mental health services differed from region to region and from Trust to Trust; some areas were well served whereas many more described it as a gap in provision. Not surprisingly, the bigger urban areas had better access to mental health services. Merseyside had some of the best provision we saw, and Birmingham was also reasonably well served. However, even where services were generally good, as in Merseyside, accessing them could at times prove problematic and offender managers often had to rely on local networks. There was an effective service provided to the courts in Liverpool and Birmingham, with which the judges were content. The Crown Court in Liverpool had direct links with local specialists based in the Scott clinic from whom psychiatric reports could be obtained speedily and cost-effectively. Obtaining psychological reports was much slower, as there was no equivalent arrangement and psychologists appeared to be in short supply.

#### **Practice example**

The Criminal Justice Liaison team in Merseyside included a number of community psychiatric nurses (CPNs) who were available to the police and the courts so that, where appropriate, cases could be diverted out of the criminal justice system. The CPNs were an active part of the process, in the Crown Court and magistrates' courts and the 'problem solving courts', being on hand to provide advice and assessments in a timely fashion.

- 7.10 Norwich was another area with a CPN present in court, but practitioners nonetheless experienced difficulty there in accessing mental health services. The police worked with the community mental health teams to divert offenders from the criminal justice system before charge, but once the offender was in the system their access to services was limited by lack of funding. The LCJB in Kings Lynn was keenly aware of the limited provision locally and was pursuing new protocols with the relevant community agencies.
- 7.11 Mental health provision was not always considered adequate by the prosecutors interviewed. We found a lack of appropriate mental health provision in the other courts which we visited: Preston, Blackpool, Hereford, Worcester, Cambridge and Peterborough. None of these courts had the benefit of a CPN at court to assist in cases where mental ill health may have been an issue. Insufficient funding for



psychiatric services in the local community often made it difficult for these courts to obtain psychiatric assessments. The affected Trusts were all acutely aware of this gap in provision as it particularly impinged upon issues that arose later during probation supervision. One area, Wisbech, suffered the additional difficulty associated with having two distinct PCTs responsible for their offenders as a result of how their boundaries were designated.

- 7.12 These issues also, of course, affected male offenders but had a disproportionate effect on women offenders because of the prevalence of mental health concerns in the female offending population. Strategic groups were in place to try and tackle the problem, but had had little success to date. The new Health and Wellbeing Boards, once operational, should impact on this work and, hopefully, provide a way to take these issues forward.

### Drugs and alcohol services

- 7.13 Services for both drugs and alcohol were generally found to be better on the whole than those for mental health. We rated services used with the women in the sample as 81% and 70% satisfactory or better in relation to drugs and alcohol respectively. Alcohol problems were more prominent in our case sample (with six out of ten women having such issues), compared with drugs (where half had problems).
- 7.14 As with our OMI 2 programme, we found a certain acceptance or tolerance in relation to alcohol misuse amongst offender managers. This finding was also corroborated by those of our thematic inspection on alcohol abuse amongst children and young people who offended, *Message in a Bottle*<sup>30</sup>, published in June 2010. We also noted a tendency to underestimate the connection between alcohol abuse and offending. Many of the services provided for alcohol abuse were seen as supportive, rather than being focused on the priority of reducing reoffending. The same applied to the majority of drugs services. One area at least, experienced significant delays in accessing alcohol services, even in cases where a specific 'alcohol treatment requirement' formed part of the court order. One such woman had to wait three months to start formal work on her alcohol problems, a situation with which the offender manager was understandably dissatisfied.
- 7.15 Arrangements for the delivery of Drug Rehabilitation Requirements (DRRs) were generally satisfactory. Some Trusts, such as Norfolk & Suffolk, were aware that they had problems with compliance in relation to DRRs, which they attributed primarily to the environment at the delivery site. Many offenders across the country told us that they did not like attending DRR appointments as it brought them into direct contact with other drug users who they were trying hard to avoid.

#### Practice example

In an attempt to tackle compliance on DRRs, Norfolk & Suffolk Probation Trust was building into the specification for the new contracts the need to make specific arrangements for women. Through this, the Trust hoped to improve its rate of compliance with DRRs in respect of women offenders. This seemed to be a sensible approach to this particular problem.



## ETE

- 7.16 Problems with ETE feature in many offenders' cases. In our sample of cases, 59% of women had problems of this nature. Many were the sole carers of dependent children so had to ensure adequate childcare arrangements before engaging in any form of ETE. Of all the services used in relation to our sample, ETE was judged to be satisfactory in the highest proportion of cases, i.e. 88%.

### Practice example

We found many examples of good provision, including an interesting project, 'Choices for Women', run by two very enthusiastic probation service officers (PSOs) in Solihull and supported by Staffordshire & West Midlands Probation Trust's 'innovations' fund. The PSOs had noticed that women often struggled to engage with standard ETE provision, due to lack of self-esteem, so had developed a detailed 14 week course which included practical sessions on assertiveness, as well as more generic topics such as disclosing convictions and interview techniques. A specialist job advisor for single parents was involved in this course and mock interviews were held (conducted by the head of Solihull Local Delivery Unit), with feedback given to the women. A key aim of the course was not only to develop literacy and numeracy but to turn these into job-related skills that an employer could identify and utilise. Plans were also in hand to develop social enterprise schemes linked to this course.

- 7.17 In Lancashire, ETE was regarded as a 'male dominated' activity, which seemed to have influenced the rate of referrals to this particular provision. Managers were alert to this and were working hard to try and increase the rate of referrals.
- 7.18 We also saw evidence of progress in other areas:
- ▶ In Norfolk & Suffolk Probation Trust, 'Move on East' delivered a range of qualifications, including literacy, numeracy and many others. Given their rural nature, they made good use of gardening, with work on a number of allotments used in particular to develop women's self-esteem.
  - ▶ The Cambridge & Peterborough Probation Trust was making effective use of the 20% portion of unpaid work which could be used to enhance ETE skills. Women were screened for basic skills needs early in their sentence and referred directly to ETE providers, with no time delays.

## Accommodation

- 7.19 Housing was an issue of concern to some degree everywhere we visited, although we found something of a mixed picture. There were some valued agencies providing an important service, such as Novas in Merseyside, but there was a general shortage of available housing and in particular emergency accommodation, especially for women with children. This was particularly marked in Norfolk & Suffolk, where those dealing with higher risk cases found the lack of provision very frustrating. One manager in Cambridge summed up the problem:

*"accessing the housing agencies isn't a problem, but getting a house is!"* From our case examinations, we rated the accommodation services used as sufficient or better in three-quarters of relevant cases.

## **Domestic abuse services**

- 7.20 Most, if not all, of the women's community centres focused on the issue of domestic abuse, with many delivering the 'Freedom' programme. Where no such provision existed, women were signposted to another agency, such as Women's Aid, which could deliver the same or similar services. We were surprised to find in some areas a low level of information exchange between probation staff and their counterparts at the various domestic violence units; information flow could be slow and in some areas bureaucratic procedures delayed the process.
- 7.21 Knowledge about domestic abuse was generally good amongst offender managers, although some recognised only the more obvious signs, rather than picking up more subtle clues. Women were also, of course, perpetrators of domestic abuse; 21 (18%) of the women whose cases we examined exhibited this behaviour. There was a marked underuse of some of the assessment tools associated with domestic abuse, such as the Spousal Assault Risk Assessment, although multi-agency risk assessment conference (MARAC) processes appeared to be used appropriately. We were impressed that the Senior Probation Officer in Peterborough had access to the police-led MARAC database, which clearly assisted probation staff with their work.
- 7.22 One of the priorities of the LCJB in Norwich related to domestic abuse. They had a strong emphasis on arresting perpetrators at the scene of such incidents, on prosecuting where there was a realistic prospect of a conviction and on prioritising such cases through the specialist domestic violence courts. They had also lent their support to the national 'violence against women' days in November 2009 and 2010, giving publicity to the main message of encouraging women to report domestic abuse. Similarly, there was significant interest around domestic abuse within the Merseyside LCJB, with a performance framework in place to develop an end-to-end process to support women at risk.

## **Links with children's social care services**

- 7.23 We identified child safeguarding concerns in half of the cases we examined; the woman was the source of these concerns in three-quarters of relevant cases. As with many other types of service, we found significant regional variations in work with children's social care services, often dependent on the quality of the individual offender manager or social worker. In Norfolk and Suffolk, we sensed that children's social care services kept children 'on the radar' for reasons of need as well as risk, which we thought was healthy and encouraging. In some Trusts, such as Staffordshire & West Midlands and Merseyside, we found offender managers who were alert to child protection issues and reacted appropriately. Elsewhere, we found staff managing cases without detailed child protection training. In most areas, information exchange was at times painfully slow and many offender managers were very vocal about the problems they encountered in dealing with children's social care services. We found probation staff focusing on parenting work which, although valuable, might have been more appropriately

delivered by another agency. Children's social care services did not appear to be a very prominent partner, e.g. they were not involved with the steering groups for the various women's centres, which seemed to be a missed opportunity.

## Conclusion

- 7.24 In summary, we were impressed with the effort which was being made across the various Trusts visited in developing relationships with partner agencies who could support their work with women. All recognised that in the current financial climate joint commissioning arrangements were preferable for delivering mainstreamed services to women. However, despite their best efforts to forge effective partnerships, Probation Trusts – and in turn their offenders - did not always experience consistent or quality provision. This varied hugely around the country, and was not necessarily a reflection on the degree of effort which had been put into the particular partnership. Where provision was poor, offenders of both genders suffered the consequences, but sometimes this impacted disproportionately on women offenders due to their multiple needs.

## Recommendation

*It is therefore recommended that Probation Trusts should:*

- *work with LCJBs, Community Safety Partnerships, the new Health and Wellbeing Boards and the Police and Crime Commissioners, when established, to engage with providers and coordinate a joint local approach to reducing reoffending by women.*

## 8. DECISIONS AT THE REMAND STAGE

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### Summary

This chapter outlines how women are dealt with when they first come into contact with the court process and examines alternatives to prosecution, the use of bail and custodial remands.

### Key Findings

- Sentencers were generally amenable to imposing non-custodial sentences on offenders where they posed only a low risk of harm to others. However, those who failed to comply with community penalties were ultimately likely to be sentenced to custody, often for short periods.
- The workload of courts had decreased significantly recently, possibly linked to an increase in out of court disposals, including conditional cautions. The use of the conditional caution with a women-specific condition was relatively low at the time of fieldwork for the inspection.
- Awareness of, and access to, bail and accommodation services, including the Enhanced Women's Service (EWS) was mixed and generally under-developed.

### Use of conditional cautions

- 8.1 The Criminal Justice Act 2003 introduced the conditional caution for offenders aged 18 years and over, defining this as 'a caution which is given in respect of an offence committed by the offender and which has conditions attached to it'. Effectively, the conditional caution built on the pre-existing but non-statutory 'simple' caution and provided for an ensuing prosecution in the event of the offender's non-compliance without reasonable excuse. It was an attempt to reduce the burden on the courts system of low level offending but, unlike the simple caution which the police had discretion to issue, the conditional caution could only be given on the advice of the prosecutor.
- 8.2 Each of the courts visited reported a significant drop in their workloads compared with previous years. They attributed this to an increase in the use of out of court disposals, including conditional cautions. In some areas a conditional caution was available with a requirement to attend a women's community centre for an assessment of need. This type of caution was piloted with women in Leeds, Bradford and Liverpool during 2008 and 2009. It was reported to have had a 73% compliance rate in the Liverpool pilot and a 75% compliance rate overall. We did not see examples of this particular conditional caution being used in Liverpool, however, due to the closure of the women's community centre, but it was to be reintroduced at the time of our inspection, in conjunction with the new centre, the Turnaround project. Merseyside Probation Trust has since started to develop a strategy to improve awareness amongst police officers of this type of caution, recognising that they are key to the success of such a disposal. Other Trusts,

notably, Norfolk & Suffolk, were hoping to introduce a conditional caution with a women-specific condition linked to the Norwich-based 4Women project in the spring of 2011. Since our inspection, we understand that NOMS are also refocusing their attention on this particular disposal for women offenders.

### **Decisions at the remand stage**

- 8.3 The majority of women offenders commit relatively minor offences and therefore pose a low risk of harm to others. The court takes a number of factors into account when considering an application for bail including the gravity of the offence, the defendant's conduct, how soon the offence occurred after any previous offending and previous convictions. Bail is normally only withheld if there are reasons to believe that the offender, whether male or female, might fail to attend court, commit further offences on bail or interfere with prosecution witnesses. Occasionally an offender might be remanded into custody for their own protection.
- 8.4 The court considers each application for bail on a case by case basis and is particularly mindful of any issues in relation to dependent children. Wherever possible, the court would try to avoid children's social care services becoming involved with the family (which a remand into custody would often inevitably prompt), although in some instances, children's social care services were already involved. Generally the CPS would only oppose bail in cases where the woman offender had committed a very serious offence or repeatedly offended. We saw no contested bail applications during the course of this inspection.

### **Bail Accommodation and Support Services (BASS)**

- 8.5 According to the Bail Act 1976, a defendant can be refused bail if they do not have a suitable address and there is reason to believe that they are likely to commit further offences whilst on bail or that they may fail to attend their next court appearance.
- 8.6 Support for those who lacked a suitable address for bail and who would otherwise be remanded into prison custody was provided through BASS. This service also supported those requiring an address for their early release from prison who were deemed suitable to serve the last part of their sentence at home under electronic monitoring, that is, under 'home detention curfew' (HDC). BASS was available to both men and women. The service was subject to a national contract and, historically, had been provided by Clearsprings but, from June 2010, Stonham became the new provider.
- 8.7 Stonham were, at the time, purportedly the largest provider of housing-related support for socially excluded people, including offenders, in England and Wales. On taking over the contract, Stonham also began offering an additional enhanced service specifically and exclusively for women – the EWS – in order to provide additional practical and social support to women with multiple or high levels of need. Funding for the EWS had been agreed from June 2010 to the end of March 2011. The enhanced service could be provided on its own, where the woman already had suitable housing, as a condition of bail, or as part of an accommodation package.

- 8.8 BASS, including the EWS, had many positive features. It offered a flexible and responsive service to women in need. Women with children could be accommodated in a family home and every effort was made to promote compliance, including welcome packs on arrival at the accommodation and collecting women from prison on release on HDC. Information sharing protocols had been established with key partner agencies and relations with the police were reported to be good, particularly in the West of Midlands region. Similarly, in the East of England, relations between Stonham and children's social care services appeared strong.
- 8.9 At the time of our visit, 29 women nationally were engaged with the EWS, whether accommodated via Stonham or in their own homes. Stonham were rightly proud of some of their successful case stories; in particular, they managed to make good progress when they targeted those women who were likely to spend long periods on bail.
- 8.10 Given that many women offenders had multiple or complex needs, the enhanced service seemed to offer a useful and much needed provision. Yet, the take-up of this service, both by the courts and the women themselves, was both surprisingly and disappointingly low. The 'drop-out' rate for both the accommodation and support services was also high. Stonham appeared to have little available data against which to measure their success and consequently experienced problems in identifying their potential target group: many of the women going into custody appeared to be 'slipping through the net', and occupancy rates for the various houses were under the target of 90%. (The occupancy rate at the time of our visit was 72%.) Most surprising was the low usage of the 'support only' service. The enhanced 'support only' service could provide a woman with up to ten hours per week of help with such responsibilities as claiming benefits, liaising with children's social care services or attending court. On average, over 11 hours had been provided to each of the 120 women who accessed the 'support only' service between July 2010 and March 2011, although one individual had had more than 90 hours of this type of support.
- 8.11 BASS was not as readily accessible or as visible a part of the court process as might have been expected, given the nature of the provision. The courts in Birmingham and Liverpool were very aware of BASS and the facilities available, including the enhanced women's service described above; this was undoubtedly aided by the presence of a resident BASS team in Birmingham magistrates' court. This provision was, however, unusual. In many other parts of the country, awareness of BASS was at a much lower level, to the extent that many probation staff deployed to court either thought that Clearsprings still had the contract, or did not know about the EWS. Efforts were ongoing to promote the service but with only limited success and time was running out on the 'life' of the funded project. Some defence lawyers were reported to be reluctant to use the scheme because of the length of time it took (two hours) to process a referral.
- 8.12 Where women were engaged with BASS, there was huge potential for progress to be made, and for information about this progress to be communicated to the court and taken into account at the point of sentencing. The ideal vehicle for this flow of information was the pre-sentence report, but it was disappointing to note the lack of input from Stonham into these reports. This was a missed opportunity. Contact between probation staff and Stonham appeared very limited, although there were

some isolated examples of effective joint working, e.g. in the West of Midlands region. In this region, we met some very committed and keen staff from Stonham who appeared to be well supported by both probation and regional NOMS staff. They were working hard to raise awareness of their services with courts, prisons and probation practitioners, but the process was slow due to the number of courts involved and the 'spread' of women around the custodial estate.

- 8.13 Stonham were also experiencing problems with accessing remand information from the courts or the prisons and had to rely on information from the escort contractor which was not entirely satisfactory. Links between local prisons and Stonham were more advanced; there was good evidence of a strong link between HMP/YOI Peterborough and Stonham, with BASS usage (for both bailees and HDC releases) being higher on the female side of the prison than on its male side. However, data flow from the courts to the prison was sometimes poor; for instance the prison reported that they often struggled to obtain information in relation to the success of bail applications.
- 8.14 We speculated whether BASS, including the EWS, may have been wrongly targeted, hence the low usage. The services were designed to cater for women posing either a low or medium risk of harm to others, but such women should not need to go to custody, therefore remanding them or bailing them to BASS run accommodation at the pre-sentence stage ought to be unnecessary. Where breaches occurred, they tended to relate to, often alcohol-related, further offending or infringement of the 'house rules'. The distance of the bail address from the woman's home area was often a key factor in her ability to comply; in such circumstances, women often felt isolated, both physically and socially.
- 8.15 The position on future funding of BASS and the EWS was unclear at the time of this inspection. We have since learned that BASS has been retained, but that the more intensive EWS has lost its funding, although the EWS has apparently been incorporated into the main BASS contract in relation to women offenders, and is now known as 'BASS4Women'. We understand that BASS4Women aims to negotiate specialist services for women, build links with the women's community centres, provide support workers trained in dealing with women and a female support worker where practicable and promote engagement in peer mentoring.

## Conclusion

- 8.16 Although we acknowledged that new initiatives can take time to become established, the degree to which the conditional caution with a women-specific condition had been implemented across the regions visited, and perhaps nationally, was disappointing. This was a missed opportunity for alternative handling of low level offending by women, which would not only serve the purpose of rehabilitation but would also introduce such women to their local women's community centre. Similarly, use of the EWS was disappointing, but not altogether surprising given the low level of risk presented by most women offenders. We felt that the 'support only' service on offer from Stonham had regrettably become lost within the overarching housing service for bailees. We hope that the new arrangements ensure that the women offenders for whom the provision is appropriate receive the service they require.



## 9. SENTENCING WOMEN OFFENDERS

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### Summary

**This chapter outlines the views of sentencers on issues relating to the sentencing of women and addresses the contribution of court based agencies to this process.**

### Key Findings

- Whilst sentencing guidelines do not allow for women offenders to be treated differently to men, mitigating circumstances, often linked to complicated domestic situations, permitted sentencers to apply different approaches to many women's cases. This enabled them to achieve equivalent outcomes for women and men via different court disposals.
- Sentencers were generally confident in the work of the probation service and valued pre-sentence reports. Whilst apparently meeting the needs of the court, reports often did not meet the needs of the offender or assist probation staff in managing the risk of harm to others, vulnerability and likelihood of reoffending posed by the offender.

### The views of sentencers

- 9.1 We interviewed judges, district judges and lay magistrates in the six Probation Trusts visited. Sentencers were consistent in the view that the criminal justice system was based on equality of treatment. They were all clear that it would be unlawful to treat women differently to men. The sentencing guidelines are offence rather than gender specific. However, as women tend to have different patterns of offending, and as their mitigation tends to be dissimilar and often more compelling than that of their male counterparts, it follows that they often receive different outcomes at court compared with men for the same type of offending. This was confirmed from evidence from the case files in our sample and in our court observations. It was evident that sentencers tried to balance the woman's personal circumstances with the gravity of the offence and the risk of harm she posed.
- 9.2 Sentencers reported that they would not send any offender to prison lightly but would look at the options available for addressing their offending. The courts visited appeared to work well with probation and generally seemed amenable to imposing non-custodial sentences where appropriate. They said it would be very unusual for a woman who had committed a low level offence to be sent to prison for a first or even second offence. More commonly, women were sent to prison for failing to comply with a community sentence; in such cases, the court would examine the nature of the original offence and the woman's response to the court order, before deciding on a course of action. When Baroness Corston reported in 2007, she noted that half of the new receptions into HMP/YOI Holloway were for breaching community penalties.



- 9.3 A commonly held view, particularly but not exclusively amongst judges, was that a woman's offending was more likely to be bound up with her domestic situation, e.g. childcare and poverty or relationships and abuse. They thought these factors were more likely to provide a reason for the offending, which in itself could strengthen the mitigation put forward by the defence. Typical crimes that have characterised female offending patterns over a number of years, and continued to do so, included benefit fraud, shoplifting and breach of trust such as theft from an employer. Such offences were often driven by the woman's need to provide for her family or to fund an addiction, whether her own or that of her partner. However, alcohol-fuelled public order and violent offences were becoming more prevalent. Sentencers were of the view that it was often easier in 'borderline custody' cases to use personal mitigation to avoid custody but where the offending was so serious that custody was the only sentence available to the court, mitigation only served to determine the length of that sentence.
- 9.4 Sentencers were aware of the fact that there were far fewer prisons for women than for men and that when a woman offender was sent to custody she would find herself in a prison some distance from her home, often in another county. The courts maintained that they were therefore sensitive to the impact that short-term sentences, in particular, might have. Although a small number of magistrates seemed to be less attuned to the fact that women might need a different approach, many others were more enlightened. One bench chair summed up the position that he adopted with women offenders: *"equality has to be tempered with humanity"*.
- 9.5 In most areas visited, sentencers felt they had access to a reasonable level of resource in the community to address those needs of both men and women which led to their offending, although inevitably this varied from one Trust to another. Where specialist 'women-only' resources existed, these were generally well known to the sentencers – but not always. This seemed to us to be something of a missed opportunity on the part of the Trusts; such resources were almost exclusively considered to be credible by sentencers.
- 9.6 From the cases we read sentencers did seem to be looking for provision to address individuals' needs and to be making use of it in suitable cases. In some areas, referral to a woman's community centre was treated almost as a sentencing option, even where it was not a formal requirement of the order as in a specified activity requirement. In such cases, details of the referral were included in the outline sentence plan proposed within the pre-sentence report. We considered it encouraging that sentencers were using the women-only resources in such a proactive way, although we had some concerns about the sustained credibility of this option: if the woman was to cease to engage, such an option would not be 'enforceable' from either the court or the probation service point of view.

### Practice example

In the Norfolk & Suffolk Probation Trust, a specified activity requirement relating to women's emotional well-being (known as the WEWSAR) had recently been introduced and was being piloted. It appeared to be very successful, judging from the testimony of a group of women who had engaged with it in Norwich. The WEWSAR consisted of five group work sessions, followed by a one-to-one session between the woman and her offender manager. We met one woman who had stopped 'binge drinking' since starting the course, and another whose self-esteem and confidence had been raised to the point at which she was able to go out shopping alone for the first time in several months. We considered that it was an example of how much could be achieved with a clear focus on this important aspect of a woman's character.

- 9.7 Similar but more broadly based SARs were available to sentencers or being developed within Merseyside and Cheshire Probation Trusts.
- 9.8 It was clear, from our observations in court and our discussions with all those involved in managing women offenders through the court process, that many sentencers and professionals were working hard to prevent women from going into custody, unless the level of offending or risk of harm to others posed by the woman made custody desirable and/or inevitable. Where courts were considering cases likely to attract a community order or a long custodial sentence, we did not find evidence of women being remanded into custody or sent to prison in an unnecessary or overly punitive way. Nonetheless, we picked up a trend where women who appeared repeatedly for offences that in isolation would not pass the seriousness threshold for custody, received custodial sentences. The cumulative impact of their behaviour, coupled with their often difficult life circumstances, led them inexorably along the path to prison. Such custody impacted disproportionately on these women and in particular on their dependents. The same applied to the use of custody for repeated breach of an order, which is detailed further in chapter 10 of this report.

### The contribution of pre-sentence reports

- 9.9 The *National Service Framework – Improving Services to Women*<sup>31</sup> had an objective in relation to pre-sentence reports, with a key outcome that women offenders should be given the right sentence. The fundamental requirement was that PSRs should be timely and accurate and set out the risks and needs the offender presented to help the court to decide on the appropriateness of their sentence, and that the court was encouraged to consider community penalties.
- 9.10 Sentencers generally had confidence in the work of the probation service and the assistance lent to them in court by probation court duty staff and were positive about the quality of pre-sentence reports. However, concerns, where they existed, usually related to the availability of fast delivery reports; this applied equally to men and women.

## Fast Delivery Reports (FDRs)

- 9.11 The probation service is expected to deliver 70% of its pre-sentence reports as FDRs and is funded accordingly. FDRs are usually completed within one to five days of the request, subject to the requirements of the sentencing court. Most Trusts routinely achieve this.
- 9.12 A report had been prepared in over 90% of cases selected for examination. We thought that most of the reports were of the appropriate type, although 14 cases where an FDR or oral report had been produced would have benefited from a more detailed standard delivery report (SDR), given the complexities of the case. Conversely, there were four cases where an FDR would have sufficed in lieu of the SDR which had been provided. On more than one occasion, we saw cases where an SDR had been specifically requested by the court, but an FDR had been provided; these tended not to meet the needs of the court concerned. Tight staffing resources, or perhaps inappropriate deployment of scant resources, appeared to be at the root of this problem.
- 9.13 The quality of the FDRs examined varied from Trust to Trust; in some they were literally a checklist regarding the offender's suitability for a certain sentence, whereas others contained more useful information. Whilst they may have enabled a speedy outcome in court, we thought that many did not adequately prepare the offender for the community sentence, nor did they particularly assist the offender manager in planning the work to be done with the offender over the course of the order. This was usually due to the absence or inadequacy of the necessary assessment of risk of harm to others and likelihood of reoffending in the reports. In some of the Trusts visited, the practice was for no such assessment to be made to support FDR proposals, regardless of the need. In one area, sentencers said that they would have liked to see SDRs on all women offenders in order to ensure that a full risk assessment was included. Their view was that they needed to know about previous violence, or whether the woman had suffered any violence herself, in order to help them assess and predict future behaviour and offending.

## Standard delivery reports (SDRs)

- 9.14 The majority of women who were the subject of an SDR were considered to be vulnerable, both in terms of their propensity to self-harm or to be exploited or harmed by others. Such issues were outlined in the report in only one-third of relevant cases. We found that report writers tended to overlook these issues in addressing the potential impact of custody, particularly if the woman had been to prison before. In much the same way, we found that diversity issues were not always well addressed or analysed within reports, other than perhaps the more obvious ones such as where the woman lived in a remote part of the country or had particular childcare issues. The extent to which report writers recognised that women offenders were often also victims themselves varied from Trust to Trust. In some areas, this aspect of risk and need was not only acknowledged but also fully taken into account when planning the work to be done with the woman, whereas elsewhere, its importance was sometimes neglected or ignored.
- 9.15 We heard comments from some sentencers about the national format tending to lead to overlong reports and we saw several examples of this in our file sample,

where the length of a report did not necessarily add to its quality. Similarly, we saw occasions where irrelevant details were included within reports, which potentially detracted from the main issues being presented.

- 9.16 The report writer's ability to analyse the often complex needs of women offenders, in terms of their likelihood of reoffending, varied from Trust to Trust. We read some good and analytical reports, particularly within Merseyside and at the Hereford probation office, but considered that others showed a degree of naivety on the part of the authors, particularly in making the links between the various factors related to offending.
- 9.17 We found the overall quality of preparation for sentence as sufficient in only 40% of cases inspected. This contrasted markedly with the average findings from the first three regions of our main OMI 2 programme, where we judged the overall quality of preparation for sentence to be sufficient or better in nearly three-quarters of the 256 women's cases examined.
- 9.18 Our analysis of the quality of SDRs showed that:
- ▶ over 80% of the reports contained a clear proposal for sentence, usually for a community order, with nearly three-quarters of these being followed by the court. Generally, the proposals seen were proportionate to the seriousness of the offence
  - ▶ although two-thirds of reports contained a brief sentence plan, objectives within these plans related to the intended purposes of the proposed sentence in a little over half of the cases, and less than one-third of the plans specified desired outcomes for the order
  - ▶ the quality of the RoSH analysis and assessment of the likelihood of reoffending, both of which 'underpinned' the pre-sentence report, was inadequate in around half of the reports we read. This was usually because they lacked details of previous offending and/or relevant behaviour, or because they were more descriptive than analytical.
- 9.19 In summary, pre-sentence reports appeared to meet the needs of the court. However, in terms of meeting the needs of the offender and preparing them for any future intervention, we felt there was much room for improvement. We felt that more attention to quality assurance or 'gatekeeping' of reports, which ranged across the Trusts visited from non-existent, through perfunctory to good, would assist in this respect.

### **Probation court duty staff**

- 9.20 We were able to interview a number of probation court duty staff in most, if not all, of the areas visited. They provided an interesting perspective on how women offenders were dealt with in court. Some felt that there was no discernible difference in how women and men were treated, while others felt that sentencers, particularly Crown Court and district judges, tended to be more flexible with women and were sensitive to their problems. Some expressed the opinion that judges were less quick to activate suspended sentences on breach when compared with magistrates. This perception was strongly disputed by the judges and magistrates we interviewed who were firmly of the view that, where an

offender breached a suspended sentence order, the court had to activate the custodial element of the sentence.

- 9.21 Probation court staff keenly felt a lack of specific training on how to deal with women, together with a lack of available resources for women, often in the areas of mental health, accredited programmes to address offending behaviour and services to deal with substance misuse. Nonetheless, most were very passionate about their role and often took the initiative to intervene or to assist the court as necessary, as the following example shows.

#### **Practice example**

On one occasion, the court duty probation officer gave an eloquent explanation in Birmingham magistrates' court of how the female defendant could be managed in the community, in support of a pre-sentence report written by one of her colleagues. As a result of her intervention, immediate custody was avoided.

### **Prosecution lawyers**

- 9.22 We spoke to prosecution lawyers in five of the six areas visited about how women fared within the court process. They expressed a range of opinions, generally considering that there had been some recent success in diverting women from the court system. They attributed this success to the police using alternative 'disposals' for women, where appropriate.
- 9.23 Prosecutors felt that the courts exercised leniency in relation to women offenders but only until this was found to be displaced. Some felt that women offenders were 'given more rope' than men. In some cases they considered that community resolutions were used to deal with women offenders where a male offender might not receive a community order for the same offence. Prosecutors indicated that they rarely opposed bail for women offenders, given the low level of their offending. In the North West region, there was a firmly held view that more cases could be diverted from court if information was routinely shared across the respective agencies. For example, if probation shared their knowledge of the offender's circumstances, the CPS would be better informed to advise on the level of charge, whether proceedings should continue and whether the offender should be diverted out of the system post charge.
- 9.24 From the point of view of some prosecutors, the courts did not always pick up on women's vulnerabilities and it was not always clear why a particular sentence was given. However, we did see one example, detailed below, where the court was particularly alert to issues of vulnerability, more so than the author of the pre-sentence report.

### Practice example

We read a case involving a vulnerable woman with learning difficulties who had committed an offence of sexual violence on another woman, in conjunction with her older male partner. The SDR overlooked the degree to which she was herself damaged and vulnerable. However, the court recognised both the extent of the learning disability and the extreme vulnerability issues where the author seemingly did not.

## Defence lawyers

- 9.25 We spent a good deal of time in a variety of courts during the fieldwork for this inspection, but found it impractical to interview defence solicitors in the court environment due to the pressure on their time. We therefore attempted to glean their views subsequently via a series of telephone interviews and questionnaires, but succeeded in gaining a response from only three firms, two based in the North West and one in West Mercia. Their general view was that women, especially mothers, were more likely to be treated leniently in relation to bail decisions and sentencing than men. The picture was more mixed in relation to breaches; one lawyer felt that men and women were treated equally on breach, whereas others considered that, unlike men whose breaches were often blatant, women tended to be able to offer more in mitigation.
- 9.26 One lawyer based in the North West cited the case of a woman who was bailed with conditions not to approach the witness in her case. She completely disregarded this and not only went to the home of the witness but assaulted them. For this, she had further stringent bail restrictions imposed. The lawyer was firmly of the view that, had the offender been male, they would have faced a remand into custody for their actions.
- 9.27 The defence lawyers we interviewed were reasonably positive about the quality of pre-sentence reports. They clearly recognised the pressures which probation staff were working under, which they felt led at times to FDRs being substituted for SDRs, and believed that at times the reports lacked analysis in relation to issues such as domestic abuse or the potential impact of custody on their clients. Where PSRs were focused on the woman's needs, they felt that this assisted the defence especially in cases which bordered the custody threshold.

## Conclusion

- 9.28 Despite the fact that many women who pose only a low risk of harm to others find themselves in custody, often for breaching a community order or licence, it was evident that sentencers were working hard to try and establish the right balance, when taking decisions in court, between the needs of the woman, the gravity of her offence and the risk of harm she posed to others. Sentencers generally felt they were well served by pre-sentence reports, although we formed a less positive impression about the quality of those we read. Our view was that, although apparently satisfying the courts, most reports did not form a particularly sound base on which to plan the work to be done during the sentence.

## 10. OFFENDER MANAGEMENT

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### Summary

**This chapter outlines how women offenders subject to community orders and licences are managed by the probation service.**

### Key Findings

- Given the chaotic and potentially volatile nature of the lives of many women offenders, the level of attention paid to their potential to cause serious harm was disappointingly low.
- Vulnerability and diversity issues were described in assessments and reports, but not analysed to any great extent or considered in relation to the woman's offending.
- Purposeful home visits were an effective way of monitoring a woman's progress in relation to her vulnerability, but were underused.
- Despite Trusts having strategies in place for dealing with women offenders, many practitioners lacked the awareness and underpinning knowledge to work with them effectively.
- Process and performance measures appeared to dominate the thinking of some offender managers, hindering them from working more flexibly with women. Some offender managers seemed to work with the index offence and to overlook the differences presented to them by women.
- Opportunities were being missed by probation staff to work more cohesively with community agencies, mainly due to a lack of shared understanding about each other's function and objectives.

### Managing women offenders within a male-oriented system

- 10.1 Those involved in the criminal justice system seldom have the opportunity of acquiring a detailed knowledge about women offenders in general, because there are proportionately so few of them. That is not to say that they do not understand or acquire knowledge of the individual women they are dealing with, in just the same way as they would do with male offenders, but opportunities to develop and apply ways of working with women can be few and far between.
- 10.2 In much the same way, this inspection provided us with a completely different perspective on this group of offenders. Reading more than 100 cases and pre-sentence reports and interviewing scores of women, both in custody and the community, gave us a vivid picture of a group of offenders who normally remain almost hidden or marginalised within the criminal justice system. The vast majority we met or read about had complicated and chaotic lives and it was hard not to be moved by descriptions of their circumstances.



- 10.3 During the course of the inspection, we saw examples of professionals working together to cater for this somewhat marginalised group. Generally the attitude to women offenders amongst offender managers was positive, with four out of five developing productive relationships with them over the course of their orders. We were encouraged by the priority which most if not all of the Trusts visited were dedicating to the women's agenda, and felt that there was a real momentum in many areas to drive forward a different approach when working with women.
- 10.4 However, although we met some enthusiastic offender managers who were well-informed about working with women offenders, many lacked such knowledge. We felt that opportunities were being missed by practitioners to work more cohesively and cooperatively with partner agencies, and in particular with the women's community centres, mainly due to a lack of a shared understanding about each other's function and objectives. We found some attitudes towards women amongst some offender managers to be indifferent or even insensitive. Their approach to offender management was process driven. They worked with the index offence, rather than with the woman and seemed to overlook the differences presented to them by women. Overall, we considered that the knowledge amongst some offender managers and other relevant probation practitioners about how best to handle women offenders was at a surprisingly low level in most of the Trusts visited.
- 10.5 Individual practitioners were more knowledgeable where they had either a personal interest or undertaken study or, as in Merseyside, a 'culture' existed of women's needs being recognised. In many Trusts, individual 'champions' had been identified to provide a focal point for advice to colleagues about working with women and to drive the 'Corston agenda' forward. In Hereford, where the knowledge base was high, middle management took the view that 'we are all champions' in terms of dealing with women.
- 10.6 At the time of fieldwork for the inspection, most Trusts had either started or were planning a rolling programme of training on working with women, primarily aimed at offender managers. We considered this was urgently needed.

### **The risk of harm posed by women offenders to others**

- 10.7 Almost half of the women in the sample were classified as posing a medium RoSH. Only just over three-quarters of these cases were correctly classified in our view; in 15 cases, we felt the classification was too low and in six cases too high. A relatively small number (16 cases) met the criteria for referral to MAPPAs at some stage during the order or licence: none of these required the highest level of MAPPAs involvement.
- 10.8 One-third of the women in our sample were convicted of violent offences, including assaults, many of which resulted in injuries. Thefts and drug offences were the next most common feature of the cases, with 13% of each in the sample. Many of the violent offences were committed against partners or family members and one-third of the cases were racially aggravated. Much of the violence occurred when the women were drunk. Many offences were aimed at figures of authority, such as arresting police officers or store detectives.
- 10.9 Whilst only seven of the cases were assessed as posing a high RoSH, it was clear to us that offender managers were dealing with a volatile group. Despite this, we



did not find the level of attention paid to the individual women that their potential for serious harm warranted. RoSH analyses were usually completed in a timely fashion at the start of the order or licence period, but only 28% were of sufficient quality. This compares very poorly with those relevant women's cases from the first three regions of the OMI 2 programme where the quality of RoSH analyses was sufficient in 56% of cases. Where analyses were lacking, this was mainly due to lack of detail or the offender manager not drawing on all available sources of information. We found a number of examples where key information, such as that contained within witness statements supplied by the CPS, was not taken into account, or where previous behaviours were missed, such as alcohol abuse or being the victim of domestic abuse.

- 10.10 Risk management plans were required and completed in nearly two-thirds of cases. However, they tended to be lists of activity that did not describe a plan to protect the public in the majority of cases; similarly they were not well integrated with objectives within sentence plans.
- 10.11 There were child safeguarding concerns in half of the cases examined. Although the woman herself was a source of these concerns in three-quarters of the cases, it was not always evident from the sentence plan how the concerns were to be addressed. Child safeguarding procedures were used effectively in three-quarters of relevant cases. As outlined in chapter 7 of this report, relationships and joint working between children's social care services and probation staff were mixed. Information sharing was slow in some areas and the alertness of staff to issues of child safeguarding and their ability to deal effectively when such problems arose was variable.

#### **Practice example**

We read one case where the offender's teenage daughter had moved in with the offender's mother (her grandmother) but no referral to children's social care services had been made despite the grandmother having been initially responsible for introducing the offender to both heroin and prostitution when she was of a similar age. This omission was promptly rectified when brought to the offender manager's attention.

### **Likelihood of reoffending – characteristics of the women whose cases we examined**

- 10.12 An assessment of the likelihood of reoffending was required in all 107 cases; this was carried out in all but six cases, but was sufficient in only 41% of cases. Sections were sometimes incomplete or OASys had been pulled through and was out of date.

### Practice example

One example of poor practice within a likelihood of reoffending assessment occurred in a case where the woman's engagement in the 'family business' was included in the 'employment' chapter of OASys. On the face of it, this seemed reasonable – until we learned that the 'family business' was a brothel. The significance of the nature of this 'employment' had not been fully explored or analysed within the OASys assessment and therefore did not inform plans for interventions.

- 10.13 Some of the women offenders in our sample had multiple needs which were clearly linked to their offending. Half abused illegal substances and six out of every ten had alcohol problems. Problems with finances, education and employment also featured in six out of every ten of the cases. More than half had mental health concerns and one-third had physical health issues. Sentence plans generally sought to address these issues which would otherwise potentially lead to reoffending, and relevant interventions were delivered in eight out of ten cases. However, when assessments of the individual factors linked to reoffending were reviewed, they often did not influence the planning or delivery of future work.

### Vulnerability

- 10.14 In nearly three-quarters of all the cases and reports examined, the woman involved was seen as vulnerable in some way. Most of these women were, or had been, a victim of domestic abuse. (Conversely 21 women were considered to be perpetrators of domestic abuse). Some were subject to sexual exploitation. There were concerns about self-harm in around one-third of all cases and of suicide in around one-quarter of the cases. They were therefore a very needy group of offenders who clearly required both careful monitoring and active input during supervision.
- 10.15 Some of the staff we met were very sensitive to women's vulnerabilities. Others were less so. We heard and read examples of offender managers being proactive, but, more often, we had the impression that, unless something very obvious occurred, offender managers would not recognise addressing vulnerability as falling within their professional remit. Not all staff routinely checked with domestic violence units when assessing or reviewing cases and they were sometimes naïve about the nature of the woman's vulnerability, e.g., believing risks of domestic abuse had subsided when an abusive partner left. Similarly, many offender managers did not routinely consider the possibility of the woman being involved in the sex trade, particularly in more 'respectable' parts of the country.
- 10.16 In some areas, effective use was made of home visits, which we considered an excellent tool through which to monitor progress in relation to vulnerability. Some Trusts confined the use of home visits to those cases assessed as a high risk of harm to others. Some offender managers were uncomfortable with the fact that this largely excluded women; we found examples of concerned staff undertaking home visits in their own time, typically on their way home from work, in order to support the women on their caseload. Whilst we admired their commitment, we felt that this should not have been an acceptable solution to this resourcing problem.

### Practice example

In order to improve the quality of home visiting, Lancashire Probation Trust had developed a specific training tool, with a 'mock up' of an offender's home, complete with many clues relating to their offending. Although originally designed for those working with sexual offenders, the house was to be used with those working with women. The staff who had gone through this training were particularly struck with its impact.

- 10.17 Vulnerability was often described in assessments or reports, but was not analysed to any great extent or considered in relation to the woman's propensity to offend. In some cases, we felt that this could lead to sentencers imposing lengthy periods of supervision to provide time for the issues of concern to be tackled, when a less intrusive or shorter order might have sufficed. We found other examples where unexplained injuries were not properly explored, suggesting a certain tolerance to levels of abuse towards women offenders.
- 10.18 Further offences were often linked to the woman's vulnerability, e.g. in cases where the woman used violence against an abusive partner or where she stole to fund her partner's substance misuse habit or was at risk of sexual exploitation. Some offender managers did not always seem to see the link between offending and vulnerability; they addressed the index offence and sometimes the presenting issues, but often did not address the underlying problems. Despite the enthusiasm and knowledge of the women's champions, we did not find many offender managers who were looking for and recording what was different about women offenders.
- 10.19 The specification for delivery of 'managing the sentence for community orders and suspended sentence orders' (part of the NOMS SBC programme) indicates that women offenders who are at risk of victimisation should be helped to prepare a 'safety plan'. We had not expected to see any such specific plans in place, since this was a relatively recent initiative in comparison to our chosen sample. However, we did expect that the offender manager should plan to manage vulnerability. Only a small proportion of sentence plans (less than one-quarter) included and addressed issues of vulnerability.

### Diversity

- 10.20 As with vulnerability, the diversity issues involved in women's cases tended to be dealt with most effectively when they were obvious. The more subtle issues were less well handled. When women had childcare needs, for example, or where they lived in very rural areas, offender managers tended to make special arrangements to accommodate them. But the number of occasions on which an adequate assessment of potential diversity issues was made was low – only 35% of cases – and learning styles were not well assessed.
- 10.21 The women whose cases we examined often had multiple problems. Offender managers were good at seeing each individual problem and making referrals to available provision, e.g. for alcohol misuse, but such interventions were sometimes disjointed or unconnected from one another. Often, offender managers simply monitored attendance and engagement with other services. We would

argue that effective offender management requires more than that. It was not surprising therefore that we found that full attention was paid to the methods most likely to be effective with only a little over half of the women.

- 10.22 Provision of suitable childcare was an issue throughout the criminal justice process, for both women and men with primary care responsibilities. However, as most primary carers were female, it impacted disproportionately on women offenders. When the defendant was required in court, it was important that someone could look after their children; otherwise they could not readily attend. This accounted for a number of warrants being issued in relation to missed court appearances by women, which in turn could lead to potentially harsher ultimate penalties in court. Some of the women's community centres, detailed earlier in this report, had ideal childcare facilities, but for others this was a problem.

#### **Practice example**

Blackpool women's centre had found an innovative way to tackle the issue of childcare. The centre had managed to negotiate a significantly reduced hourly rate with a nearby private supplier of childcare for use by their clients.

#### **Practice example**

In Merseyside, we learned of a mentoring scheme designed to support black and minority ethnic offenders which was particularly effective with women. The scheme was widely used by offender managers throughout the Trust and with good results. One woman assisted by mentors and the project workers had been returned to her homeland in Lithuania, to her complete satisfaction.

### **Management of orders and licences**

- 10.23 Cases in the sample of 107 cases were spread across the tiering range with approximately half being managed at Tier 3 and one-third at Tier 2. We disagreed with the tiering decision on 24 occasions (22%). This was significantly more often than in OMI 2 programme, where we disagreed with the tiering in women's cases in only one in ten cases.
- 10.24 We felt at times that a more flexible approach to tiering in particular and national standards in general would have improved the management of many of the cases examined; where this occurred, the response from the offender and their potential progress was marked. When we talked to some offender managers, particularly those who were relatively newly qualified, we had a real sense of them focusing on processes and performance measures around, for example, OASys assessments, rather than on more flexible ways of engaging with offenders, which were crucial in terms of working with women. This approach was, of course, being promoted by the recent introduction of revised national standards which was likely also to impact on the tiering arrangements. The new Offender Engagement Project, with its emphasis on using professional judgement in deciding on how to work with offenders, should afford offender managers greater flexibility in their work with women.

- 10.25 Overall, we found that sentence plans and reviews were completed within the required timescales; only one case did not include an initial sentence plan. However, the quality of plans was less impressive. In two-thirds of cases, sentence plan objectives were not sufficiently focused on outcomes. Even though they focused on risk issues in two-thirds of cases and on factors linked to likelihood of reoffending in eight out of ten cases, they often failed to address safeguarding concerns. Although the woman was usually consulted about the contents of the sentence plan, the discussion was not necessarily undertaken in a meaningful and active way in nearly two-thirds of cases.
- 10.26 In order to meet the then national standard for completing an initial sentence plan we found OASys assessments which had technically been carried out, but sometimes by someone who had not met the offender or who only had sketchy information about them from the court appearance or previous records. As a result, some sections were not completed so there was still no actual thorough assessment. In one Trust, the task of completing various elements of the OASys was split, with a PSO completing the likelihood of reoffending sections, the RoSH screening and the sentence plan, before handing the case to a probation officer to undertake the RoSH analysis and draw up the risk management plan. We felt that this practice tended to produce disjointed assessments and could potentially lead to issues being missed.
- 10.27 Sentence plans were generally reviewed as a matter of routine in line with the timescales laid down by national standards. However, we read a number of cases (52 in total) where significant events occurred, such as a woman resuming a relationship with an abusive partner, which should have prompted a review of the OASys assessment and planning but did not. Reviews tended to be 'pulled through' from previous plans and assessments and did not have an impact on the management of the case.
- 10.28 One of the elements within the service specification for delivering probation supervision, as drawn up via the SBC programme within NOMS, relates to women offenders being given a choice as to the gender of their offender manager. This element is not mandatory, but is seen as desirable. Not all the Trusts we visited were aware of this aspect of the specification, and it followed that not all were affording this choice to their women offenders. We found six cases managed by a male offender manager where no such choice had been offered and many more where the position was not clear. That said, the majority of women's cases were managed by female offender managers, but this appeared to be as a result of accident rather than design, helped, no doubt, by the gender balance amongst probation staff being significantly in favour of women. Some offender managers took the view that this policy would preclude the positive role model which the male offender manager could bring into the woman's life, but we did not particularly share this view. We felt it important that the woman should be able to choose the gender of the person who they were encouraged, as a natural part of the supervision process, to open up to and discuss often sensitive issues.

## Conclusion

- 10.29 We were somewhat surprised and disappointed by the generally low knowledge base amongst some offender managers on how to deal with women offenders and

found, in some areas, some unsympathetic attitudes displayed towards women. We were pleased to see that specific training for existing staff was underway and that there were modules within the foundation training for new probation officers on working with women. However, we thought that training on this subject should have been given greater priority at an earlier stage. The training needed to focus on how to analyse vulnerability and to encourage offender managers to move away from a 'process oriented' approach to their work with women in order to deal more creatively and holistically with their needs and risks.

## 11. ENGAGEMENT AND COMPLIANCE/BREACH AND RECALL

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### Summary

**This chapter describes the way in which the probation service engages women offenders and encourages their compliance; it also examines the impact of breach and recall on those women who fail to comply with community orders, suspended sentences or licences.**

### Key Findings

- Effective engagement with women often began with helping the woman to 'stabilise' early in her period of supervision; where practitioners were alert to this and took time to do it, this paid dividends later in their working relationship.
- Where required, breach action was usually taken efficiently, with appropriate judgements – flexible and realistic – being taken in most cases.
- More attention needed to be given to promoting compliance.
- Sentencers regarded imposing custodial sentences upon breach as a 'last resort'.

### Effective engagement and compliance

- 11.1 It was clear from our inspection that offender managers needed a great deal of patience when working with many of their female offenders; some were clearly struggling with alcohol or substance misuse or subject to violence or sexual exploitation. They were frequently late for appointments or missed them. Such absences were often treated as acceptable, when a male offender might have been breached for similar misdemeanours. In some Trusts, women at risk of breaching were given extra support, with additional work being done to focus on barriers to compliance; in others, nothing more was done other than issuing another appointment.
- 11.2 Trusts varied in their understanding of the need to 'stabilise' women offenders, as with other offenders, at the start of their licence or community order. In particular, staff in Merseyside demonstrated their ability to do this, as did those working in Hereford.

### **Practice example**

One case managed by the Hereford probation office demonstrated effective 'stabilisation' of the woman during the early part of her supervision. It concerned a woman who had been issued with an eviction notice to take effect in less than two weeks. She had fallen behind with her rent payments for a number of reasons including her emotional ill-health and inability to manage problems. Homelessness would have increased the woman's likelihood of offending and made her more vulnerable to domestic abuse and alcohol use. The offender manager took swift and direct action with the housing agency to defer eviction then helped to coordinate an appeal against the decision, in conjunction with the Citizen's Advice Bureau. Although the housing agency contested the appeal, the eviction notice was overturned in court and the woman retained her home. Offence-focused work was then able to follow.

### **Practice example**

In another case, a woman was released from prison to Adelaide House, the approved premises in Liverpool. Rather than make immediate demands of her, the offender manager gave the woman plenty of time to adjust to her new surroundings, whilst ensuring continued close contact with the key worker at the approved premises. This allowed an effective three-way relationship to develop, from which further progress could be made.

- 11.3 Norfolk & Suffolk Probation Trust had developed a 'compliance order' which could be awarded by the court at the first or subsequent breach stage; it comprised an additional requirement but was often a more favourable option than others available, since it did not just impose 'more of the same'. Nonetheless, its rate of use was relatively low.

### **Practice example**

We were particularly impressed with the 'compliance workbook' which had been developed by a couple of practitioners in Staffordshire & West Midlands Probation Trust. This outlined methods of re-engaging a woman with her offender manager, and included some useful guidance, with examples of relevant sentence planning targets for those at risk of being breached. The workbook was both practical and sensitive to the fact that there might be underlying issues interfering with the woman's ability to comply and engage.

- 11.4 The probation service no longer routinely provided fares for offenders to travel to their appointments with the exception of those needing to attend several times a week. A reason for missing appointments was often 'no bus fare'. Whilst we could not gauge how truthful this was, many of the women had current and previous offences for theft; they had serious alcohol and/or drug problems, physical and mental health problems and childcare responsibilities. This combination of financial pressure and chaotic lifestyle did not lead to them prioritising spending on bus fares or walking potentially very long distances to keep an appointment. Failures to attend were somewhat inevitable. Where appointments were organised



around the woman's other needs to come into 'town', or at an alternate venue with more to offer, they were more likely to be kept.

- 11.5 There were absences in eight out of every ten cases examined. This was broadly in line with the OMI 2 data where there were absences in 75% of male and 79% of female cases. In just under three-quarters of relevant cases, effective action was taken to secure compliance and in nearly nine out of ten cases, we considered the acceptability of the absence to have been appropriate.
- 11.6 Not surprisingly, we found that the key to effectively engaging the woman offender was the same as that which applied to all offenders – being able to establish an effective rapport with the offender – but there was often an added element in relation to trust, given the chances of the woman offender also being a victim herself. When such trusting relationships developed, the offender management of women worked well. In eight out of every ten cases examined, we saw evidence that such a positive and productive working relationship had been developed between the offender and the offender manager. Often there were other workers also involved in the case. They also developed effective working relationships with the offender in eight out of ten cases.
- 11.7 In most of the cases examined it would have been appropriate to undertake victim awareness work with the offender at some stage; this was done in only half of relevant cases. Sufficient work on reintegrating the offender into the community and on re-establishing local ties occurred in around two-thirds of the cases.

### **Breach and recall**

- 11.8 Our examination of cases showed that offender managers mostly, but not always, took breach and recall action when required. However, there were a number of occasions when it might reasonably have been avoided, mainly by greater attention to compliance. One of the defence lawyers we interviewed felt that probation staff were very quick to instigate breach proceedings and that their shift of emphasis towards public protection had hampered their ability to support the offender, to the detriment of their clients. Nonetheless, we felt the approach to breach and recall was reasonable: flexible, but not unrealistically so.
- 11.9 We discussed breach proceedings in respect of community orders and suspended sentence orders with sentencers and lawyers and observed breach proceedings in a number of courts. The general view was that the probation service either had no discretion or chose not to exercise it and that orders were enforced 'rigorously'. Two unacceptable failures would automatically return the offender to court and sentencers found themselves dealing with the same woman in breach time and again. Some courts felt that probation were a little 'soft' on acceptable absences, however, this view was not supported by our examination of the sampled cases. We considered that offender managers' judgements about acceptability of absences were appropriate in most cases (88%) and that breach was generally appropriate (in 71% of relevant cases). The volume of breaches in the larger areas we visited was such that the magistrates' courts had dedicated breach courts on particular days of the week and a number of Crown Court judges carried out monthly reviews of community orders which they had imposed.

- 11.10 The approach to what to do with an offender in breach of an order for an offence that in itself did not warrant custody varied between sentencers. Those we met were all aware that a number of the women who appeared before them had chaotic lives. Whilst we did not see this in the cases in the sample, we heard from sentencers and lawyers that women were given short custodial sentences for 'blatant disregard' of a court order. This was very much regarded by sentencers as a 'last resort'.
- 11.11 Going into custody following a breach obviously had a huge impact on the lives of such women, and on that of their families. The short nature of their sentences often meant that there was little time for resettlement planning for their subsequent release to take place. We met a number of women in the prisons we visited who had been sentenced following breaches of community orders. Most felt that too little was being done to assist them upon release. Nonetheless, we found examples of a great deal of effort being put into release preparation, e.g. at HMP/YOI Peterborough and HMP/YOI Styal where women could take advantage of the range of agencies available at well used 'drop in' centres.

## Conclusion

- 11.12 Although we had concerns about some offender managers' attitudes towards women offenders, we generally found that the vast majority had positive relationships with the women they supervised. Those who concentrated on 'stabilising' the woman at the start of her order or licence reaped the benefit later on, with a trusting relationship likely to be formed which in turn influenced positive outcomes. Some Trusts had taken innovative steps to improve compliance, which was often problematic amongst women offenders, and with some success. Breach action was generally taken promptly where required.

## Recommendation

*It is therefore recommended that Probation Trusts:*

- *expedite training for practitioners and other relevant staff on working with women offenders, paying particular attention to developing their staff's professional judgement in relation to compliance and enforcement.*

## 12. WHAT DID WOMEN SAY?

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### Summary

This chapter provides the women's 'voice', describing their experiences of the criminal justice system as a whole and being managed by the probation service in particular.

### Key Findings

- Many offenders did not understand the role of their offender manager or found them unduly judgemental or punitive, particularly in relation to breach and recall.
- The environment of the probation office, with its male dominance, did not encourage women to attend and potentially affected compliance rates. Where women met their offender manager elsewhere – e.g. in a women's community centre – they were more likely to attend and engage.
- Those women offenders who had experienced the women's community centres were hugely positive about the staff working there and about the range of services on offer.

12.1 We interviewed around 90 women offenders around the regions visited in a variety of different locations including the various women's community centres, the approved premises in Bedford, Birmingham and Liverpool, a women-specific unpaid work group in Merseyside, the specified activity requirement group in Norwich, and in three 'local' women's prisons (Eastwood Park, Peterborough and Styal). Some were interviewed as a group, others individually. Most had an offender manager and experience of being supervised in the community.

12.2 Few women spoke particularly positively about their offender manager; most either did not seem to understand the role of their offender manager or struggled to see the point of the meetings with them. Many openly admitted to not being 'in the right place mentally' to deal with the issues the offender manager wanted to discuss. Others said that they had 'gone along with things', such as agreeing to sentence plans, when under the influence of drugs or alcohol. It seemed that the relationship between many women and their offender managers was fairly superficial. Women would often 'go through the motions' in order to comply, but did not really feel they were gaining much from the interaction. One woman told us "*my offender manager is easy to talk to, we have a good relationship, but she is not good at getting things done!*" Sometimes women felt they were being taken seriously and that their offender manager was genuinely interested in them, but often they felt they were rushed because of the pressure of other appointments. Many complained about their offender manager being judgemental, which appeared to be a real barrier to establishing an effective and trusting working relationship. Others felt that the turnover of offender managers did not help in this respect, particularly as it was often necessary to repeat things when offender managers changed. Understandably, those who had been recalled or sentenced to

custody on breach were more critical of their offender managers than those who remained in the community.

- 12.3 Those who had the opportunity to meet their offender manager at a different location such as at a women's community centre, rather than having to come to the probation office, appreciated this. Some described being afraid of going to the office, so sometimes did not go. This did not surprise us at all. Many of the offices visited were intimidating places, particularly for a lone woman. We met one woman who felt she had been followed from the probation office, and we read of another who was being pestered by a male offender in the waiting room. On one occasion, we had first hand experience of how a woman offender might have felt: we found ourselves having to 'run the gauntlet' past some male offenders and their rather ferocious dogs to gain access to the reception area. Some Trusts recognised the potentially negative effect on engagement associated with such 'environmental' issues and responded well to them. The office where we encountered the dogs was highly aware of the problems faced by women in their reception and ensured that they were only left to wait for the minimum time possible. Others had proactive reception staff who kept a close eye on women in reception, ensuring they sat where they could be seen, for example. Some offices had no such arrangements which not only left women more vulnerable, but also posed a potential barrier to their compliance and engagement.

#### **Practice example**

Cambridgeshire & Peterborough Probation Trust had developed a simple but effective audit tool to assess the ease with which their offices could be accessed by women, e.g. those with pushchairs. We felt this was worthwhile, but could be expanded to include questions for women regarding their personal safety in the office environment and whether there were any other offenders who they needed to avoid.

- 12.4 There was resounding support for the various women's community centres and the project workers. The women told us that the difference for them in going to the centres was that they were not frightened and they were listened to there. The workers understood their problems and signposted them to services as well as delivering individual counselling and support. They said the workers had helped them to change their lives; as examples they told us about being to see their children again, obtaining their own accommodation, becoming drug free and improving their physical health. The impact of the women's community centres is described in more detail in chapter 5 of this report.
- 12.5 Despite the availability of provision for women offenders being variable around the country, we found that sentences had been delivered by probation staff as intended by the sentencing court in 83% of the cases examined, although in only six out of ten cases had sentence plan objectives been either fully or partly achieved. We assessed that there had been a demonstrable and positive change in the offender's lifestyle in 45% of the cases examined, but felt that more work needed to be done to reduce the potential threat to victims and to keep to a minimum the offender's risk of harm to others.

## Conclusion

- 12.6 Many of the women offenders we met, particularly those in prison, were less positive about their relationship with their offender manager than the offender manager might have wanted or expected. From reading the files and interviewing offender managers, we felt that the quality of their working relationships with their women offenders was generally satisfactory. However, many offenders interviewed appeared to be 'going through the motions' with their offender managers, which brought into question their motivation to change. Support for the women's centres from the women who used them was resounding.

## Glossary

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BASS	Accommodation and Support Services for Bail and Home Detention Curfew: provides accommodation and support to defendants and offenders in privately rented shared houses in the community
CPN	Community Psychiatric Nurse: a fully trained psychiatric nurse, with several years experience of working on a ward, based in the community as an integral part of the mental health team
CPS	Crown Prosecution Service
DOM	Director of Offender Management: National Offender Management Service (former) regional commissioner of services for the rehabilitation and resettlement of offenders from each Probation Trust and prison in their region
DRR	Drug Rehabilitation Requirement: a requirement imposed by the court as part of a suspended sentence or community order that the offender takes part in a drug rehabilitation programme. The requirement may involve residential care, drug treatment and testing as well as counselling
ETE	Education, training and employment: work to improve an individual's learning, and thereby to increase their employment prospects
EWS	Enhanced Women's Service: a service accessible through BASS whereby a dedicated female support officer provides up to 10 hours support per week to female defendants and offenders
FDR	Fast delivery report: a short format pre-sentence report, as distinct from a standard delivery report
HDC	Home Detention Curfew: the means by which prisoners serving sentences of over three months but less than four years imprisonment may be released early to spend a proportion of their sentence confined to their home, usually during night time hours. The prisoner is required to wear an electronic tag for the required period which is monitored by a company contracted to the Prison Service to ensure that they do not breach the curfew
HMCPSI	HM Crown Prosecution Service Inspectorate
HMP	HM Prison
HMI Prisons	HM Inspectorate of Prisons
HMI Probation	HM Inspectorate of Probation
HMP/YOI	Her Majesty's Prison/Young Offenders' Institution: some custodial establishments have the dual function of being a prison, holding adults, aged 21 upwards, and a young offender's institution, holding young people aged between 18 and 21
Index offence	The offence for which the period of custody or community penalty is imposed
LCJB	Local Criminal Justice Board: these boards bring together the chief officers of the local Criminal Justice Service agencies to coordinate activity and share responsibility for delivering criminal justice in their areas
Lucy Faithful Foundation	A child protection charity committed to reducing the risk of children being sexually abused, whose staff work with adult male and female sexual abusers; young people with inappropriate sexual behaviours; victims of abuse; and other family members
MAPPA	Multi-Agency Public Protection Arrangements: where probation, police, prison and other agencies work together in a given geographical area to manage offenders who are considered to pose a high risk of harm to others
MARAC	Multi-Agency Risk Assessment Conference: part of a coordinated community response to domestic abuse, incorporating representatives from statutory, community and voluntary agencies working with victims/survivors, children and the alleged perpetrator
MoJ	Ministry of Justice
NOMS	National Offender Management Service: the single agency responsible for both prisons and Probation Trusts
OASys	Offender Assessment System/electronic Offender Assessment System: the nationally designed and prescribed framework for both probation and prisons to assess offenders, implemented in stages from April 2003. It makes use of both <i>static</i> and <i>dynamic factors</i>

Offender management	A core principle of offender management is that a single offender manager takes responsibility for managing an offender through the period of time they are serving their sentence, whether in custody or the community. Offenders are managed differently depending on their risk of harm to others and what <i>constructive</i> and <i>restrictive interventions</i> are required. Individual intervention programmes are designed and supported by the wider 'offender management team or network', which can be made up of the offender manager, offender supervisor, key workers and case administrators
Offender manager	The term for the officer with lead responsibility for managing a specific case for its duration
OMI 2	Offender Management Inspection: the second inspection programme led by HM Inspectorate of Probation to examine the delivery of offender management by Probation Trusts and other relevant partner organisations
PSO	Probation Services Officer: an offender manager who was originally recruited with no qualification but who, from 2010, may access locally determined training to 'qualify' as a Probation Services Officer or to build on this to qualify as a probation officer. They may manage all but the most complex cases or those posing the highest risk of harm to the public depending on their level of training and experience
Risk of harm to others	Risk of harm to others is the term generally used by HMI Probation to describe work to protect the public. In the language of offender management, this is the work done to achieve the 'control' purpose, with the offender manager/supervisor using primarily restrictive interventions that keep to a minimum the offender's opportunity to behave in a way that is a risk of harm to others
RoSH	Risk of Serious Harm: used for classifying levels of risk in <i>OASys</i> , where offenders are classified as either 'low', 'medium', 'high' or 'very high' Risk of Serious Harm, where serious harm is defined as "an event which is life-threatening and/ or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible." (Chapter 8 of the Offender Assessment System Manual, July 2006). In this report this term is used solely to refer to this process of <i>OASys</i> classification
Specified Activity Requirement	A requirement of either a suspended sentence or a community order which may cover any one of a number of activities. The court may specify the maximum number of hours the offender has to complete in order to meet the requirement
SBC	Specification, Benchmarking and Costing programme: responsible for the development of costed specifications for the services funded by NOMS for defendants, offenders, victims and the courts. It supports improvements in the effectiveness and efficiency of these services by defining the clear outcomes and outputs required by NOMS
SDR	Standard delivery report: a 'full' pre-sentence report, as distinct from a fast delivery report. A written document prepared at the request of the court. It usually contains an analysis of the offender's risk of harm to others and their likelihood of reoffending, and proposals for sentence
SPOC	Single Point of Contact
SSO	Suspended sentence order: a sentence of less than 12 months imprisonment suspended for between six months and two years. It can include a number of requirements. Offenders who breach their order are returned to court where all, or part, of the original prison sentence may be imposed or, in some cases, the order allowed to continue and the requirements made more onerous.
WEWSAR	Women's emotional well-being specified activity requirement – as introduced into Norfolk & Suffolk Probation Trust

## Appendix

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### Statement of Purpose

HMI Probation is an independent Inspectorate, funded by the Ministry of Justice and reporting directly to the Secretary of State. Our purpose is to:

- report to the Secretary of State on the effectiveness of work with individual offenders, children and young people aimed at reducing reoffending and protecting the public, whoever undertakes this work under the auspices of the National Offender Management Service or the Youth Justice Board
- report on the effectiveness of the arrangements for this work, working with other Inspectorates as necessary
- contribute to improved performance by the organisations whose work we inspect
- contribute to sound policy and effective service delivery, especially in public protection, by providing advice and disseminating good practice, based on inspection findings, to Ministers, officials, managers and practitioners
- promote actively race equality and wider diversity issues, especially in the organisations whose work we inspect
- contribute to the overall effectiveness of the criminal justice system, particularly through joint work with other inspectorates.

HMI Probation aims to achieve its purpose and to meet the Government's principles for inspection in the public sector by:

- working in an honest, professional, fair and polite way
- reporting and publishing inspection findings and recommendations for improvement in good time and to a good standard
- promoting race equality and wider attention to diversity in all aspects of our work, including within our own employment practices and organisational processes
- for the organisations whose work we are inspecting, keeping to a minimum the amount of extra work arising as a result of the inspection process.

The Inspectorate is a public body. Anyone who wishes to comment on an inspection, a report or any other matter falling within its remit should write to:

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London SW1P 2BQ*

<http://www.justice.gov.uk/inspectorates/hmi-probation>



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