

Vulnerable Women: Meeting the needs of female offenders within a gender-specific service.

Dr Maggie Leese is a Senior Lecturer in Criminology & Criminal Justice at Teesside University

Introduction

More than a decade ago, the Corston Report (2007)¹ suggested that custody should only be used for those women who have committed serious and/or violent crimes; striking a balance between “retributive justice” and the inherent vulnerabilities including past abuse and mental illness, prevalent amongst this group. Consequently, there has been a move to promote alternatives to custody for women, recognising that they have different needs to their male counterparts.² Despite this acknowledgement, female incarceration rates remain high, with women more likely than men to receive a custodial sentence for their first offence.³ The increasing numbers of women given a custodial sentence can be linked to harsher sentencing and a reduction in community disposals, with 84% of women in prison serving custodial sentences for non-violent offences.⁴ Almost half of women in prison have been convicted of theft but despite a 4% reduction in convictions for theft between 2009-2013, the number of women given a custodial sentence increased by 17%.⁵

However, female offenders represent a small minority of prisoners and therefore they are ‘easily overlooked in policy, planning, and the provision of support services’.⁶ That being said, when comparing female to male offenders, the reoffending rates following a sentence of 12 months or less, are similar.⁷

¹ Corston, J. (2007) *The corston report*. London: Home Office.

² Gelsthorpe, L. (2007) ‘Sentencing and gender.’ In Sheehan, R., McIvor, G. and Trotter, C. (eds.) *What works with women offenders*. Cullompton: Willan Publishing, pp. 40-60.

³ Prison Reform Trust (2017) Why focus on reducing women’s imprisonment? Prison Reform Trust Briefing. <http://www.prisonreformtrust.org.uk/Portals/0/Documents/Women/whywomen.pdf.x>

⁴ Women in Prison (2017) Key Facts: A round-up and latest key statistics regarding women affected by the criminal justice system. [Online] [Accessed on 1 November 2017] <http://www.womeninprison.org.uk/research/key-facts.php>>

⁵ Ibid, 4.

⁶ Ibid, 3.

⁷ Ministry of Justice (2016) *Statistics on Women and the Criminal Justice System 2015*

A Ministry of Justice publication under Section 95 of the Criminal Justice Act 1991. London: Ministry of Justice.

This paper uses the perspective of views of female prison workers to argue that the impact of custody on women is disproportionate to that of their male counterparts, as result of these different needs and experiences prior to and during custody. Female offenders differ in a number of important ways from their male counterparts, with the majority convicted for non-violent crimes,⁸ but despite this, women are more likely to receive a custodial sentence for a first offence.⁹ Studies suggest that women who offend have frequently experienced domestic and sexual violence,¹⁰ past abuse, loss and addiction.¹¹ This is supported by data from a Ministry of Justice study that highlighted that 53% of female prisoners had experienced some form of trauma, compared with 27% of male prisoners, and were twice as likely to be suffering from a mental illness, alcohol and substance abuse.¹²

A custodial sentence can also lead to the traumatic loss of their children;^{13 14} as well as making it very difficult for them to regain full care of their children on release.¹⁵ Furthermore, due to the smaller number of female prisons, women are often serving their sentence some distance from home, impacting on their ability to maintain family and social ties.¹⁶ Despite these clear differences, gender has frequently been ignored in discussions about the impact of prison on women.¹⁷

Women's experience of custodial sentences needs to be contextualised because 'issues such as power, control and trust have different meanings for female prisoners'¹⁸. Staff working in a gender-specific service need to build therapeutic relationships within the secure environment,

⁸ Michalsen, V., Flavin, J. and Krupat, T. (2010) 'More than visiting hours: maintaining ties between incarcerated mothers and their children.' *Sociology Compass*, 4(8) pp. 576-591.

⁹ Ibid, 3.

¹⁰ Robinson, A. (2011) *Foundations for offender management: Theory, law and policy for contemporary practice*. Bristol: Policy Press.

¹¹ Lempert, L. B. (2016) *Women doing life: gender, punishment and the struggle for identity*. New York: New York University Press.

¹² Ibid, 3.

¹³ Light, M., Grant, E. and Hopkins, K. (2013) *Gender differences in substance misuse and mental health amongst prisoners: Result from the surveying prisoners' crime reduction (SPCR) longitudinal cohort study of prisoners*. Ministry of Justice, [Online] [Accessed on 28th May 2017]

<http://www.justiceacademy.org/iShare/Library-UK/gender-substance-misuse-mental-health-prisoners.pdf>

¹⁴ Cummins, I. (2016) *Mental health and the criminal justice system: A social work perspective*. Northwich: Critical Publishing Ltd.

¹⁵ Ibid, 3.

¹⁶ Rodermond, E., Kruttschnitt, C., Slotboom, A. M. and Bijleveld, C. C. (2016) 'Female desistance: A review of the literature.' *European Journal of Criminology*, 13(1) pp. 3-28.

¹⁷ Crewe, B., Hulley, S. and Wright, S. (2017) 'The Gendered Pains of Life Imprisonment.' *British Journal of Criminology*, 2017 (azw088) <https://doi.org/10.1093/bjc/azw088>.

¹⁸ Ibid, 15, p.17.

¹⁹ in order to support women to deal with past victimisation, abusive relationships and mental health concerns.²⁰ Despite the provision of gender-specific services within prisons²¹ and the Equality Act (2010) requires that women are provided with ‘female-only’ services,²² these have not always been fully evaluated.²³

Previous research has suggested that the support offered to women needs to address both psychological and social factors by taking a strength-based recovery model, that seeks to build the women’s resilience and autonomy²⁴ by engaging with their mental health needs, addictions and past trauma.²⁵ However, the provision of gender-specific support has not gone unchallenged, with some suggesting that these services are based on stereotypical assumptions about female roles²⁶ and female offending, potentially denying the woman’s agency.²⁷

This Study

This small case study has been designed to explore the views of workers in a gender-specific service within a women’s prison in the north of England. While acknowledging that the sample is limited to five members of staff within the service, the findings could inform future research. This study took a social constructivist approach to understand how the support workers ‘construct and make sense of...’²⁸ their work with female offenders. The study is a case study based on a qualitative methodology, offering the opportunity to examine the subjective experiences of the workers.²⁹ The study utilised semi-structured interviews which

¹⁹ Goldhill, R. (2016) ‘Reflection on working with vulnerable women: Connecting cans of worms, closure and coping.’ *British Journal of Social Work*, 46(5) pp. 1336-1353.

²⁰ Holtfreter, K. and Wattanaporn, K. (2014) ‘The transition from prison to community initiatives: An examination of gender responsiveness for female offender reentry.’ *Criminal Justice & Behavior*, 41(1) pp. 41-57.

²¹ *Ibid*, 2.

²² *Ibid*, 3.

²³ Bartlett, A., Jhanji, E., White, S., Harty, M. A., Scammell, J. and Allen, S. (2015) ‘Interventions with women offenders: a systematic review and meta-analysis of mental health gain.’ *Journal of Forensic Psychiatry & Psychology*, 26(2) pp. 133–165.

²⁴ *Ibid*, 19.

²⁵ Golder, S., Engstrom, M., Hall, M. T., Higgins, G. E. and Logan, T. K. (2015) ‘Psychological distress among victimized women on probation and parole: A latent class analysis.’ *The American journal of orthopsychiatry*, 85(4) pp. 382–91.

²⁶ Elfleet, H. (2017) ‘Empowering to be resilient: Neo-liberal penal rhetoric and the Corston report (2007).’ *Prison Service Journal*, Issue 230, March 2017 pp. 33-38.

²⁷ Robinson, A. (2011) *Foundations for offender management: Theory, law and policy for contemporary practice*. Bristol: Policy Press.

²⁸ Robson, C. and McCartan, K. (2016) *Real world research: A resource for users of social research methods in applied settings*. 4th ed., Chichester: John Wiley & Sons Ltd.

²⁹ Yin, R. K. (2016) *Qualitative research from start to finish*. 2nd ed., New York: The Guildford Press.

were designed to be face-to-face, however, for some participants this was difficult, therefore telephone interviews became necessary.

The service studied is located in a women's centre within the prison, with the remit to provide gender-specific services. The role of each study participant differed, however, to preserve confidentiality, it was agreed that a person's specific role would not be identified. The participants included people in leadership roles, specialist domestic violence workers, sex worker support staff and advocates. Each interviewee (n=5) was provided with an information sheet and a consent form before participating in the study.

Participants were given the opportunity to withdraw from the study at any point by emailing or telephoning the researcher prior to data analysis. The interviews were both telephone and face-to-face and lasted between 30-60 minutes. The data sets were coded using NVIVO software to perform a thematic analysis as a method to identify and then analyse patterns within, and across the interview data.³⁰ The analysis included deductive coding with initial codes that were drawn from the literature, and inductive coding enabled the formation of new codes that were data-driven. This process then led to the identification and naming of four themes across the data set. These themes included, the identification of prisoners as 'victims', offending behaviour seen as a response to 'need', the suggestion that for some, prison represents a 'safe haven' and finally the need to support women to 'move forward' with their lives.

Prisoners as 'victims'

Within this theme there was recognition that women have often faced a range of adverse experiences prior to receiving a custodial sentence, supporting the earlier observation about women in custody having a history of domestic and sexual violence³¹, past abuse³² and mental illness, drug and alcohol addictions:³³

³⁰ Braun, V. and Clarke, V. (2006) 'Using thematic analysis in psychology.' *Qualitative Research in Psychology*, 3 pp. 77-101.

³¹ Ibid, 25.

³² Lempert, L. B. (2016) *Women doing life: gender, punishment and the struggle for identity*. New York: New York University Press.

³³ Ibid, 3.

‘I would say that around 85% of women in prison have been abused either as a child or as an adult’ (Participant 1).

‘Women are more complex and they have more things going on for them like domestic violence and sex work’ (Participant 3).

‘They have often had more trauma, either in early life or just prior to the offence... including sexual violence’ (Participant 4).

There was a consensus that female offending is frequently linked to past trauma, and participants suggested that this requires a [therapeutic/treatment] approach that is trauma-informed. The workers were reluctant to discuss the women’s’ offending because they viewed it as a ‘symptom’ of their past experiences. The view that women were first and foremost victims was a recurring theme across all of the interviews:

‘The women that find themselves in custody often have low self-esteem because of the things that they have been through, including domestic violence, child abuse, and sexual violence while working in the sex industry’ (Participant 1).

Participants suggested that the women’s’ experience of trauma can be on going and therefore continue to impact on them while serving a custodial sentence:

‘If it is sexual abuse they might want to make a report [to the police] but the problem is the lack of evidence’ (Participant 5).

‘A lot of the women are really paranoid and some feel that the world is out to get them... because things have always gone negatively for them that is what they expect’ (Participant 4).

The workers emphasised the importance of recognising the women they work with as ‘victims’ of their past experience. This view appears to be appropriate given what is known about women who offend, but it is important to remember that not all victims of abuse go on to commit offences. The identification of women as victims can ensure that they are offered

the appropriate support but it also has the potential to deny her the opportunity to make necessary changes in her life.

Offending as a response to ‘need’

Another recurring theme was the link between the women’s offending behaviour and their social circumstances, with participants suggesting that women often commit crime because they feel they have been left with no other choice:

‘A woman might be here because they have been caught shoplifting, but she might be in a relationship where the perpetrator has full control over her, everything in the house, including the money...she might have stolen food for herself or her children’ (Participant 5).

‘The women have been subject to abuse, control...homelessness, that forces them to stay with people who are engaged in crime including drug use’ (Participant 3).

Within this theme, there was also the suggestion that women often lack agency and that they are simply committing crime to meet the needs of their children, or because they had been coerced by a male partner. Participants highlighted the influence of drugs and alcohol addiction as a common factor in the women’s narrative, but argued that this is frequently a symptom of their past, rather than the cause of their offending:

‘When you talk to women you find out they are just using drugs or alcohol to cope with what is happening to them ...or forget what they have experienced in the past’ (Participant 4).

‘They get to the point where they are just not able to cope ...within the relationship there is so much violence and then they lash out’ (Participant 4).

The participants noted the way that a custodial sentence impacts negatively on the woman's social situation, supporting the argument that it can be difficult to maintain family ties³⁴ and lead to the loss of contact with their children.³⁵

‘When a woman goes into prison, a whole family breaks down (whereas when a man goes into prison nothing much at home changes) the house can be lost, the children can be put into care, family ties can break down and in a lot of cases the woman is actually the breadwinner of the household, so that money goes, she's the recipient of benefits, so that gets messed up
(Participant 2).

Despite concern about custody, there was an acknowledgement that for many of the women receiving a custodial sentence allows them to engage with appropriate support. There was a suggestion by some participants that offending behaviour can be a coping mechanism, and despite concerns that custody is problematic, for some women, they described it as a ‘safety net’.

Prison as a ‘safe haven’

The participants discussed how some of the women they work with have been living very chaotic lives and therefore a custodial sentence can represent a much-needed break from their difficult lives. One participant noted that when a woman comes into custody, it can be the only time where she engages with support because on the outside her life is so chaotic:

‘...if I haven't managed to track them down outside they will [often] speak to me and engage while they are in custody’ (Participant 3).

All participants suggested that the provision of gender-specific services for women was essential because their needs are very different to that of their male counterparts.

All participants discussed engaging with the women in positive ways and they suggested that for some women, custody represents a break from their daily troubles. All of the participants

³⁴ Ibid, 14.

³⁵ Ibid, 11.

agreed that custody can present an opportunity to engage the women in support but they noted that it could take time to build trust:

‘You need to tell them what we can offer... you have to start building a relationship by spending time with them one-to-one, following through on what they have asked you to do’ (Participant 3).

‘...because we are a gender-specific service, we always have empathy for the women, we consider if they have children ...and wider things like if they have been a sex worker’ (Participant 4).

The participants all noted the importance of support with addiction and mental health concerns and one participant noted how for some, custody is the best way to offer them the stability that they need. They suggested that this includes appropriate support, a strict routine, regular sleep and three meals a day:

‘...some tell us that this is the first time in their life they haven't had to look over their shoulder’ (Participant 5).

‘They feel that they can relax and their anxiety levels have dropped because they don't feel like everyone is watching all of the time...and reporting back what they've done.’ (Participant 5).

While discussing the positive impact of feeling safe in custody, the participants expressed concern that some women can feel reluctant to return to their previous life on release. The Together Women Project work with the prisoners to consider what changes they want to make, and link them with a women's centre in the community that can offer them both emotional and practical support on release. The participants noted that despite the appropriate support offered in the community some women could find these changes difficult to maintain:

‘...for the first time [they] have to make choices, these women can have been isolated for years and he could've had full control over the money, control over where to go...the women often don't have any family or friends

to talk to ...they might have some but they might all believe him as well ...it's a quite scary place to be' (Participant 5).

Despite the suggestion that for some women the prison can represent a 'safe haven', a place where they can deal with the difficulties in their life, the participants also identified how the risk of self-harm can increase. Participants suggested that women can hit 'rock bottom' and can struggle to deal with their emotions:

'I think they experience crisis differently...they have a lot more self-harm and suicide because they internalise a lot more things than men ...[the] temperature can be higher in a female prison' (Participant 2).

'They often say, 'I'm not really ready to talk about it' ...and that's obviously completely fine, but if that never gets addressed, to what extent is it affecting that woman in her cell at the end of the day' (Participant 3).

The participants noted that it can be difficult for women to be completely honest about their experiences within the prison environment, but over time they started to build relationships with the Women's Centre staff. Participants also noted that when the women do engage with support, they can feel overwhelmed with the reality of their situation when they understand what needs to change and this can be a major challenge for some.

Moving forward

The Women's Centre works with the women to plan for their release and for some, this includes a period of time working within a social enterprise organisation where they receive training in business administration as part of their education, training and employment pathway:

'We try and help them gain employment at the end of their time there... it doesn't always work because sometimes they're not at the end of their sentence when they leave us so they go on to community work' (Participant 2).

The participants noted changes under the *Transforming Rehabilitation* agenda led to generic resettlement services being located on the prison site, with a responsibility to undertake resettlement services, including initial custody screening and a more in-depth screening, 72 hours after being detained. Through this process, a woman can be referred to the Women's Centre, where there is an identified need and both services will co-work. While acknowledging the strengths of this approach one participant suggested that the generic service ends on release, while the focus of the Women's Centre is to identify on-going support in the community:

'We recognise that the women need to trust the person that they will be engaging within the community and so in their best interests, we will arrange for them to meet while the person is still in custody' (Participant 1).

The release from prison was noted as a critical turning point where women have to make a decision about their future. Participants noted that making changes can be particularly difficult for some women who have not experienced positive relationships in their past:

'Often, they will stay [in a] relationships because they think it is good for the kids. It is hard for them to hear that actually, it is not good for their children because if he is stopping her from being the best mum that [she] can be...' (Participant 5).

'They need help with practical things like getting some food or some clothes if they are not going home' (Participant 3).

'The thing is, you can do all the practical stuff, for example, helping them to find housing [but] what you really need to deal with is their mental health. This is the only way that they will be able to deal with their demons' (Participant 1).

Where there has been a history of domestic abuse, the Women's Centre makes the community support services aware that she is due for release, especially where there is concern about on-going risk:

‘Workers would engage with the women while they were in custody and would then introduce them to workers who would be supporting them after their release’ (Participant 1).

‘We work with other agencies to make sure that there is support there and if there is going to be a prosecution we would work with the police to support them with the case’ (Participant 5).

However, as one participant noted, some women come into custody because of a violent offence against their partner. While recognising that this is frequently in response to provocation, the participant explained that the woman needs to be given appropriate skills through training courses to cope if things get difficult after her release:

‘We talk about what they could do instead of lashing out, talk about how they can calm themselves down’ (Participant 4).

Having the support in place was identified as a crucial for women on release from prison because the first day can be very stressful. The Women’s Centre works with community workers to meet the women at the gate and get her to the appointments that she needs to attend that day:

‘They might have to go to housing options and sit there all day ...they are not going to do it but they might have more chance if they have someone with them to advocate for them’ (Participant 3).

Where women have a history of non-engagement they can be linked with specialist support staff called ‘navigators’ in the community:

‘We link them up with ‘navigators’ who will come in and meet them while they are in custody to build a supportive relationship’ (Participant 3).

Despite these efforts, the participants noted that the woman’s willingness and motivation to engage in support is higher whilst in custody, and that frequently when the women are

released into the community, the positive intentions can be forgotten, especially where there are issues with alcohol and drug addiction.

Discussion

While acknowledging that this is a small-scale study the findings have supported the previous literature in a number of ways. The workers all identified the vulnerability of female offenders and their history of abuse and trauma.^{36 37} The participants noted the negative impact of custodial sentences but there was also an interesting discussion about the positive aspects of imprisonment for vulnerable women. From the data, it appears that the workers focused on meeting the emotional and social needs of the women who received custodial sentences, but they were very reluctant to discuss the offences that had led to the women's imprisonment.

The service provided was based on a strength-based approach as advocated by Bartlett *et al.*³⁸ but it could be argued that a failure to engage with the woman's offending, could deny her the opportunity to address all areas of concern and make necessary changes. There is a danger in labelling female offenders as victims,^{39 40} because it fails to challenge the women about their offending behaviour. While this is appropriate in some instances, treating all female offenders as a homogenous group^{41 42} of 'victims, could lead to missed opportunities to support women in addressing their offending. Participants explained that the 'uniformed staff' (prison officers), have responsibility for the regime and discipline, leaving them to deal with the women's individual needs. As the women's offending was often linked to addiction, it is crucial that staff in the Women's Centre engage with these issues.

The strengths of the service appear to be that the women viewed the workers as 'different to the prison officers', encouraging a supportive and positive atmosphere within the Women's Centre. The provision of 'through the gate' services ensure that women are offered the appropriate level of support on release, having already established a relationship with a

³⁶ Ibid, 21.

³⁷ Ibid, 30.

³⁸ Ibid, 19.

³⁹ Ibid, 8.

⁴⁰ Ibid, 38.

⁴¹ Ibid, 24.

⁴² Sharpe, G. (2016) 'Re-imagining justice for girls: A new agenda for research.' *Youth Justice*, 16(1) pp. 3-17.

community worker or advocate while in custody. Despite this, the participants acknowledged that some women fail to engage with support when released and this, perhaps explains why some participants felt a custodial sentence could be positive step, offering the women access to the support they need.

The work of the gender-specific service in the prison where the study took place did attempt to build therapeutic relationships with women however, the degree to which this work contributes to longer-term desistance was not clear. While the findings support the previous literature, they also open up other areas for further research. In particular, further research could examine the women's journey from custody to the community to understand what barriers can exist that prevents their longer-term engagement with support and their desistance from crime.