

Written submission of evidence to the APPG on Women in Prison's Inquiry on Girls in the Penal System

Our Organisation

Women's Breakout

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Executive Summary

Women's Breakout welcomes this inquiry and the opportunity to submit evidence. We believe that the needs of girls have largely been ignored in the youth justice system and we are concerned that there is no national gender specific programme for girls involved in the criminal justice system whether individually or as part of gangs. We believe that the Youth Justice Board and the Ministry of Justice need to roll out national gender specific provision that is based on a holistic approach to addressing the specific needs of girls through a multiagency approach. We believe that the approach of Women's Community Services to working with women offenders is transferable to work with girls over the age of 15.

Recommendations

- 1) **Early intervention** needs to be prioritised so that young women are supported in the community before coming into contact with the Youth Offending Service, or any other part of the Criminal Justice System, thereby avoiding any negative labelling.
- 2) **Alternatives to custody** which contain provisions for gender specific programmes should be prioritised above custody.
- 3) **Gender specific services** which are holistic and developed from an understanding of girl's needs and offending behaviour must be mainstreamed through the Youth Offending Teams and custody. Adequate resources should be provided to ensure a gender specific approach is sustainable in all areas to bring an end to the patchy post code lottery provision.
- 4) Where custody is the only option, **smaller units** with a wider geographic coverage need to be established.
- 5) Greater **collaboration** between YOTs and third sector organisations is needed, both in service design and delivery, in order to save resources and improve services.
- 6) Current youth justice systems and policies need to be reviewed to eliminate **gender inequality** and to ensure that the specific needs of girls are met.
- 7) **Training modules and briefings** which clearly articulate the unique needs of girls, their offending patterns and vulnerabilities needs to be developed and delivered to appropriate staff involved in the criminal justice system. This will help address the existing myths around girls offending and ensure girls' specific needs are catered for.

About Us

Women's Breakout is the representative body for a national network of 45 women-centred services offering effective gender specific community alternatives to custody that support vulnerable women to take control of their lives and make good choices based on improved opportunities.

Women's Breakout exists to shape national approaches to working with vulnerable women who are in contact with or at risk of becoming involved the Criminal Justice System. Women's Breakout works to provide a credible, influential voice for the Women's Community Services sector at a national and international level and supports the development and sustainability of the sector by improving and demonstrating a high standard in the quality of services and by sharing learning and fostering innovation.

Women's Breakout provides a point of contact for consultation for a wide range of statutory and voluntary sector organisations interested in researching and evaluating the Women's Community Project model of working. Working together under a Memorandum of Understanding, our member organisations agree to work in co-operation and with other agencies and organisations to develop and implement women-centred community-based strategies that offer alternatives to custody and divert women from offending and reoffending behaviour. We work to address the causes and risk factors associated with offending behaviour by promoting solutions that are tailored to each woman's needs, holistic and empowering, and that support women to take control of their lives and make good life choices. Our projects work on building relationships with women that foster engagement in programmes and services that address their multiple and complex needs in a safe environment thereby helping them to break the cycle of offending.

While our member organisations work primarily with women who are over 18 years of age, a significant number of projects do have experience of supporting young women. Further, we have a clear understanding of routes into offending for women, which often start in teenage years. We believe that the Women's Community Services approach could be effective with girls over the age of 15.

Understanding girls offending

Girl's needs

Girl's pathways into offending are different from boys and their needs are distinct. They are more likely to come from a seriously deprived family and home background and have specific mental health, emotional and educational needs¹.

Whilst in general they are more likely than their male counterparts to be victims of abuse with 59% of girls, compared to 25% of boys having experienced domestic violence² this is only one facet of their complex needs. They also are more likely to be in care³ or have turbulent family lives,⁴ scarred by bereavement and abandonment,⁵ and have fractious relationships with their mothers⁶. Also they are more likely to suffer from mental health problems such as depression (35% girls vs. 13% boys), and post-traumatic stress disorder (19% girls vs. 6% boys).⁷ "It is the clustering of factors which appears most predictive, along with the absence of significant protective factors"⁸ demonstrating the complex and multiple needs of girls who offend.

The gendered nature of needs of vulnerable girls relates directly to their own identity as women and the sets of distorted expectations and norms they have developed within dysfunctional and abusive situations. This brings about a greater vulnerability to sexual exploitation and low self esteem.

These pathways are also evident in our work with women offenders with significant numbers of women experiencing sexual, emotional and physical abuse and evidencing mental health issues. Women's Community Services recognise the trauma associated with such pathways into offending, and provide empathetic support to complex and interconnected needs.

Women's Community Services can play an important role in providing girls with an experience of a confident and empowering women's environment. The services provide positive female role models and convey messages and opportunities that enable girls and young women to have confidence in their own skills and qualities and to make positive choices for their future.

¹ Sharpe, 2011, *Offending Girls: Young Women and Youth Justice*, Willan :Cullompton, Prison Reform Trust, 2010, 'Punishing Disadvantage', Prison Reform Trust: London, Arnull et al, 2005, *Persistent Young Offenders: A Retrospective Study*, Youth Justice Board:London.

² Prison Reform Trust, 2010, 'Punishing Disadvantage', Prison Reform Trust: London, p53

³ Tye, 2009, 'Children and young people in custody 2008-2009: an analysis of the experiences of 15-18 year olds in prison', HM Inspectorate of Prison:London.

⁴ Sharpe, 2011, *Offending Girls: Young Women and Youth Justice*, Willan :Cullompton p55

⁵ Sharpe, 2011, *Offending Girls: Young Women and Youth Justice*, Willan :Cullompton p58

⁶ Sharpe, 2011, *Offending Girls: Young Women and Youth Justice*, Willan :Cullompton p61

⁷ Harrington and Bailey, 2005, 'Mental Health Needs and Effectiveness of Provision for Young Offenders in Custody and Community' Youth Justice Board:London.

⁸ Youth Justice Board, 2009, *Girls and offending – patterns, perceptions and interventions*, Youth Justice Board:London

To reduce reoffending and to stop girls from offending due to these multiple and complex needs which span emotional, social, psychological and educational domains their needs must be addressed holistically in a setting where they can build relationships and trust.

Girl's Behaviour

Girl's offending behaviour also differs from boys. Despite the recent discourse around 'ladetts' who emulate boys in their behaviour girl's violent offending is more likely to be tied up in relationships with friends or family, reflecting a different origin to the behaviour than boys violent offending⁹.

The link between victimisation and crime is complex but "violent girls report significantly higher rates of both fear and experience of sexual assault, coercive sex with boyfriends, and physical assault in the home, than both non-violent girls and violent boys."¹⁰

Girls coping strategies to their stressful lives are also different with (53%) compared to 16% of boys¹¹ having engaged in self-harm. We see this behaviour drawn through to adulthood with 30% of female prisoners self harming, and with women leaving custody being 36 times more likely to commit suicide than the general population.

Sentencing

Evidence shows that there has been a modest increase in girls offending but the response has been "disproportionate panic."¹² There has been significant negative press around the increase in girls offending¹³ and "the youth justice system responses to girls and young women have been significantly influenced by broad socio-political and religious expectations of 'appropriate' female behaviour."¹⁴

There was a sharp rise in the number of girls sentenced to custody between 1996 and 2006¹⁵ but this does not reflect a rise in offences.¹⁶ Additionally evidence shows that "the courts treated the girls more punitively than the boys, as they tended to receive custody for

⁹ Nacro, 2009, Review of provision for girls in custody to reduce reoffending, CfBT Education Trust:

¹⁰ Silverthorn and Frick, 1999, 'Developmental Pathways to Antisocial Behavior: The Delayed Onset Pathway in Girls', *Development and Psychopathology*, 11: 101–26

¹¹ Prison Reform Trust, 2010, 'Punishing Disadvantage', Prison Reform Trust: London, p62

¹² Burman, 2004, 'Breaking the Mould. Patterns of Female Offending', in McIvor (ed.) *Women Who Offend*. London: Jessica Kingsley

¹³ Sharpe, 2011, *Offending Girls: Young Women and Youth Justice*, Willan :Cullompton

¹⁴ Gelsthorp and Sharpe, 'Gender, Youth Crime and Justice' in Goldson and Munice, 2006, *Youth, crime and justice: critical issues*, Sage:London, p49.

¹⁵ The total number of custodial sentences for juveniles rose by 54.6%, with those imposed on girls increasing by 297 Nacro (2008) 'Some facts about children and young people who offend – 2006', *Youth Crime Briefing*, March 2008. Nacro

¹⁶ The Self reporting figures for offences during 2001 and 2005 found no increase in the number of girls reporting offending. Youth Justice Board, 2006, *MORI Five year report: an analysis of Youth Survey Data*, Youth Justice Board: London.

less serious offences”¹⁷ This suggests that actually it is not girl’s behaviour but another factor such as harsher sentencing policies which has changed. It should be noted that the number of women in custody also rose significantly during this period.

Currently breach is the third most common reason why a young person is serving a custodial sentence.¹⁸ This figure is very high and Gillian Sharpe argues that a key factor in this could be the dearth of gender specific programmes leading to girls participating in standard programmes which fail to meet their needs and engage them.¹⁹ In a study by the New Economics Foundation it was found that better communication between courts and Youth Offending Teams (YOTs) and increased diversion from courts through better use of available systems can save £60 million a year²⁰.

To ensure gender equal sentencing it is essential that those sentencing understand the gender differences that are at play in the Criminal Justice System and the differential impact of these differences on boys and girls. They should also be fully aware of the sentencing options open to them. Training and communication is essential for the current systems to be fully utilised. This is of special importance given the media hype around girl’s behaviour getting worse as there is some evidence that this has infiltrated the Criminal Justice System.²¹

Given these concerns, it is critical that there is a review of how policies and practices such as the National Crime Reporting Standard and the Crime and Disorder Act 1998 have impacted on the sentencing of girls.

Custody

Just as with women, girls needs are multiple and complex and need to be addressed to prevent offending and stop reoffending but custody is not addressing their offending behaviour and merely puts them at greater risk of emotional and physical damage. Custody puts girls at further risk of self-harm in 2007 69% of girls in custody harmed themselves.

Due to the location of female units girls, on average, have to travel a lot further than boys, resulting in girls being less likely to be able to maintain personal contact with family members. Girls on remand travelled 22 miles further from home to their institution than boys (mean average 58 miles for girls compared to 37 miles for boys).²² In a survey of young people’s experiences of custody 47% of young women, compared to 30% of young men, had

¹⁷ Prison Reform Trust, 2010, ‘Punishing Disadvantage’, Prison Reform Trust: London, p20.

¹⁸ Sharpe, 2011, *Offending Girls: Young Women and Youth Justice*, Cullopmton: Willan, p37.

¹⁹ Sharpe, 2011, *Beyond Youth Justice: working with girls and young women who offend* in Sheehan, *Working with Women Offenders in the Community*, Willan: Abingdan p156.

²⁰ New Economics Foundation, 2010, ‘Punishing costs: How locking up children is making Britain less safe,’ New Economics Foundation: London.

²¹ Sharpe, 2011, *Offending Girls: Young Women and Youth Justice*, Cullopmton: Willan, p127.

²² Prison Reform Trust, 2010, ‘Punishing Disadvantage’, Prison Reform Trust: London, p40

no visits in the last month, or never had any visits²³. It has been established that relationships play an important part in girls likelihood of offending²⁴ so this disruption to existing relationships can only have negative consequences and potentially increase reoffending.

Additionally given the evidence that most girls offending is transitory in nature²⁵ but that the more “(t)he more custodial sentences a woman has served, the more likely it is that she will reoffend”,²⁶ it is unclear whether an interventionist policy works for girls.

Alternatives to custody need to be prioritised and fully utilised and smaller units with a wider geographic coverage need to be established.

Gender specific services

Gender specific services which are designed specifically for girls, not just adapted from mainstream programmes, are needed because girls routes into offending , their criminalisation behaviour, their socialisation, and their response to learning and engagement differs to boys.

The current limited gender specific services offered by YOTs in the UK are based on the Oregon model. This model states that girls respond better to one to one work whereas boys respond better to group work, girls place an emphasis on communication for relationship development and they compete for attention not personal power, unlike boys.²⁷ Research shows that girls wanted a female only case worker and responded better to a female only environment.²⁸

The Asset assessment system is used to identify need and predict reoffending, and is also the tool for establishing the level of risk, including risk of self harm. It is based on male

²³ Cripps,2010, HM Inspector of Prisons and Youth Justice Board, Children and Young People in Custody 2009-2010, an analysis of the experiences of 15-18-year-olds in prison, HM Inspectorate of Prison: London, p7.

²⁴ Sharpe, 2011, Offending Girls: Young Women and Youth Justice, Cullopmtton: Willan, Nacro, 2009, Review of provision for girls in custody to reduce reoffending, CfBT Education Trust:

²⁵ Graham and Bowling, 1995, Young People and Crime Survey, 1992-1993, Home Office Research Study no. 145:London.

²⁶ Cabinet Office & Ministry of Justice , 2009, Short Study on Women Offenders; London, Social Exclusion Task Force, p20

²⁷ Patton and Morgan, 2002, How to Implement Oregon’s Guidelines: for effective gender responsive programming for girls, Oregon Criminal Justice Commission: Oregon.

²⁸ Sharpe, 2011, Beyond Youth Justice: working with girls and young women who offend in Sheehan, Working with Women Offenders in the Community, Willan: Abingdan, p161.

offending patterns and thus its relevance to females is limited²⁹ and a gender specific assessment system based on female patterns of offending is needed.

A female only environment is clearly needed. All community based and custody based programmes run by the Youth Offending Teams, including Intensive Supervision and Surveillance Programmes or activity requirements of a Youth Rehabilitation Order, should be gender specific.

Early intervention

According to the Women's Justice Taskforce early intervention of vulnerable girls and women is "crucial if the problem of intergenerational crime is to be addressed."³⁰

The needs profile of girls who are involved in the criminal justice system indicate that a particular groups of girls can be identified as being vulnerable to being at risk of offending and successful intervention with these girls will have a wider social and economic benefit, including the avoidance of unnecessary labelling and stigmatisation. Additionally as the pathways to offending include low education achievement, difficult social relationships, undetected mental health issues and emotional problems which affect the individual but also have larger social and economic impacts, it is essential that early intervention work be a multi-agency collaboration to ensure that at risk girls do not fall through the gaps.

Although there is a body of research that shows most girls 'grow out' of offending³¹ it is not acceptable to process them through the CJS and wait for them to 'mature' as this will not only have individual negative consequences for the girls but will also have economic and social costs. A woman whose offending became entrenched during her teenage years is predicted to cost various government departments £378,313 over 5 years with no intervention and £114,205 if she receives gender specific, holistic intervention to address her needs³².

A Holistic approach

Research suggests that given the multiple and interrelated needs which make up a girl's offending profile a holistic approach that addresses both behavioural and attitudinal factors

²⁹ Hedderman, 2004, The 'Criminogenic' Needs of Women Offenders in Mclvor, Women who Offend, Jessica Kingsley Publications: London.

³⁰ Prison Reform Trust, Reforming Women's Justice: final report of the Women's Justice Taskforce, 2011, Prison Reform Trust: London, p9

³¹ Graham and Bowling, 1995, Young People and Crime Survey, 1992-1993, Home Office Research Study no. 145:London.

³² Revolving doors, 2011, Counting the Cost, Revolving Doors: London, p25.

is necessary if girls are to desist from offending.³³ This includes addressing emotional, psychological and educational needs covering relationship issues, parenting, drugs and alcohol, abuse, attitudes and confidence building.

A 2009 report by the Youth Justice Board criticised current gender specific programmes for “having little direct relationship to offending behaviour”.³⁴ This appears to show little understanding of the need to adopt a holistic approach that focuses on an individual’s multiple and complex needs, and that it is the “clustering of factors”³⁵ which is likely to cause girls offending behaviour. The one stop shop model developed for women offenders has direct relevance for girl offenders so all their needs can be addressed in one place and a relationship of trust can be established.

Greater collaboration between YOTs and third sector providers is necessary as the third sector can offer long term support and relationship building which may not be achievable by YOTs alone. Additionally a consistent approach throughout their experiences with the criminal justice system would be more effective especially when dealing with girls who often feel “that no one cares”³⁶ as they have had little continuity in their lives. The voluntary sector also has established programmes for addressing offending behaviour which can be used by YOTs. This will prove to be cost effective and avoids replication of work.

Sustainable provision of services

We have not, to date, seen strategic provision of gender specific services for girls involved in the criminal justice system. The case for gender specific, community based interventions for women has been well made, and accepted, and we have already been working in partnership with commissioners to deliver on this approach. There has already been a significant investment over the last four years. Despite the steps taken to support such programmes for women girls have been forgotten with very limited provision and no investment in evaluating and developing models.

There has been no significant delivery of gender specific work for girls in the secure estate, and no accredited gender specific programmes.³⁷ Steps have been taken by some YOTs to deliver gender specific programmes³⁸ but these have been local initiatives developed on an

³³ Mclvor, G., Murray, C. and Jamieson, J. (2004) ‘Desistance from Crime: Is it Different for Women and Girls?’ in Maruna, S. and Immarigeon, R. (eds.) *After Crime and Punishment: Pathways to Offender Re-integration*. Willan: Cullompton

³⁴ Youth Justice Board, 2009, *Girls and offending – patterns, perceptions and interventions*, Youth Justice Board: London

³⁵ See note 8

³⁶ Sharpe, 2011, *Offending Girls: Young Women and Youth Justice*, Willan:Cullompton

³⁷ Youth Justice Board, 2009, *Girls and offending – patterns, perceptions and interventions*, Youth Justice Board: London, p79.

³⁸ Youth Justice Board, 2009, *Girls and offending – patterns, perceptions and interventions*, Youth Justice Board: London, p77 and for an example of such a programme see Matthews and Smith, 2009, *The Sustainability Of Gender Specific Provision In The Youth Justice System*, The Griffin Society: London.

ad-hoc basis and have often suffered from sustainability issues³⁹ as they have not been prioritised or placed into a national action plan.

Birmingham youth offending team has developed a gender specific programme for girls under the intensive supervision and surveillance programme compliant with the Oregon guidelines for effective gender responsive programming for girls⁴⁰ but funding has been inconsistent and a comprehensive evaluation has not been undertaken. As with the services for women offenders, both statutory and voluntary organisations are often supported by ad hoc short term funding for innovation and it is difficult to gather an evidence base.

The argument that there is not sufficient evidence of “what works with girl offenders”⁴¹ is often given as a reason for not investing in gender specific programmes. Meanwhile girls continue to be drawn into a criminal justice response that has not evidenced that it works. What is needed is a national strategic delivery plan that includes scope for evidence gathering and modelling so that interventions can be properly evaluated and then nationally implemented.

It is essential that a gender specific approach is rolled out nationally with provisions and adequate resources for partnerships between YOTs and voluntary organisations.

³⁹ In 2004 45 YOTs offered some form of gender specific interventions but in 2007 only 11 offered such services. Youth Justice Board, 2009, Girls and offending – patterns, perceptions and interventions, Youth Justice Board: London, p77.

⁴⁰ Presentation by Birmingham Youth Offending Team for Women’s Breakout Forum, 7th December 2011.

⁴¹ Youth Justice Board, 2009, Girls and offending – patterns, perceptions and interventions, Youth Justice Board: London, p90.

The Executive Board of Women's Breakout considered and agreed this submission. They are:

Stella Vickers (Chair)	Inspire, Brighton
Bernie Bowen-Thomson (Vice chair)	Safer Wales
Clare Jones	Womencentre, Calderdale and Kirklees
Joy Doal	Anawim, Birmingham
Rokaiya Khan	Together Women Project, York and Humberside
Ruth Epstein	New Dawn New Day/Just Women Project, Leicester
Jill Rogerson	Together Women Project, Salford
Diane Martin	Trust, London
Emma Stazaker	Brighter Futures, Stoke on Trent
Sarah Swindley	The Women's Centres (Blackburn and East Lancashire)
Lynne Fyfe	Asha, Worcester
Dionne Reid	Women's Work, Derby
Lynda Dearlove	Women@thewell, London
Dave Bagley	Eve's Space, Bolton
Charley Wilkinson	Blackpool Women's Centre
Felicity Gerry	Barrister, 36 Bedford Row
Liz Hogarth	for Jean Corston
Kate Aldous	CLINKS
Jackie Russell	Director, Women's Breakout
Emma Newbury	Coordination Worker, Women's Breakout

The Member organisations of Women's Breakout are:

Addaction Lincolnshire	Lincoln
Advance/Minerva	London
Asha	Worcester
Anawim	Birmingham
Blackpool Women's Centre	Blackpool
Brighter Futures	Stoke on Trent
Brighton Womens Centre Limited, (The Inspire project)	Brighton
Cambridge Resource Centre	Scarborough
Cambridge Women's Resource Centre	Cambridge
Catch22 Women's Service	Southampton
Clean Break	London
Cyrenians (WOW) Women outside Walls Project	Newcastle upon Tyne
Dawn Project	Peterborough
Eden House	Bristol
FPWP Hibiscus	London
Hafan Cymru	Camarthen
Halton Women's Centre	Halton
Isis	Gloucester
Jagonari Educational Resource Centre	London



WOMEN'S
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New Dawn New Day	Leicester
North Wales Women's Centre	Rhyl
Nottingham Women's Centre	Nottingham
One 25	Bristol
PACT Alana House	Reading
Pankhurst Centre/Women MATTA	Manchester
Platform 51	National
Promise	Plymouth
Re-Unite South London	London
Safer Wales	Cardiff
Salford Foundation	Eccles
SWAN (Northumberland)	Blyth
Together Women's Project	Yorkshire and Humberside
Tees Valley Women's Centre	Middlesbrough
Together (Working For Wellbeing)	London
Trust (The Trust Womens Project)	London
Urban Outreach	Bolton
Well Women Centre (Evolve)	Wakefield
Women@theWell	London
WomenCentre	Blackburn and East Lancashire
WomenCentre	Halifax
Women In Prison	London
Women's Turnaround Project	Liverpool
Women's Work	Derby
Working Chance	London
4women resource centre	Norwich