



Prison Reform Trust response to the Consultation Draft of the Mayor of London's Police and Crime Plan (MOPAC) 2013 – 2017

Introduction

The Prison Reform Trust welcomes the opportunity to comment on the draft MOPAC, and supports the Mayor's commitment to deliver 'a capital city where all public services work together and with communities to prevent crime, seek justice for victims and reduce reoffending.'

The Prison Reform Trust is an independent UK charity working to create a just, humane and effective penal system. We do this by inquiring into the workings of the system; informing prisoners, staff and the wider public; and by influencing Parliament, government and officials towards reform.

The Prison Reform Trust's main objectives are:

- Reducing unnecessary imprisonment and promoting community solutions to crime
- Improving treatment and conditions for prisoners and their families

Reforming Women's Justice

The Prison Reform Trust, supported by the Pilgrim Trust, has launched a three year strategy to reduce the unnecessary imprisonment of women in the UK.¹ This strategy is grounded in evidence that women are an overlooked minority in the criminal justice system, that most women's offending is low-level and non-violent, is commonly linked to abusive relationships and other problems in women's lives, and that imprisonment in these circumstances causes disproportionate harm to women, their children, families and the wider community. London has the dubious privilege of being home to the largest women's prison in Western Europe, HMP Holloway, and there are a number of other women's prisons in close proximity to London. We believe that the Mayor's Office for Policing and Crime has a critical role to play in developing a more effective and less costly approach to women's offending.

Consultation questions

What if any other objectives and goals would you add to the Mayor's objectives and goals?

¹ For information about this programme www.prisonreformtrust.org.uk/women

The Director of the Prison Reform Trust, Juliet Lyon CBE, has written to the recently elected Police and Crime Commissioners to ask them to consider including the following four objectives in their police and crime plan, which we would also like to see reflected in the MOPAC:

1. A clear commitment to work together with your local Health and Wellbeing Board to ensure that liaison and diversion services are provided for vulnerable suspects while in police custody, and that effective links are made between these services and local social care providers. This should include the provision of Appropriate Adults for vulnerable suspects in police custody.
2. An objective to ensure that police services have appropriately trained officers and the right facilities to meet the specific needs and circumstances of women offenders. For example, over half the women in prison have suffered domestic violence and one in three has experienced sexual abuse. This could include an understanding of a person's caring responsibilities for dependents, or providing a therapeutic environment for vulnerable women with access to female staff where possible. The model of a gender specific assessment being developed in Manchester, and 'triage' pilots being established by a number of police authorities (eg in Hull) are examples of good practice in this area.
3. A commitment to work with your local Youth Offending Teams and YOT Management Boards to ensure the needs and circumstances of young people who offend are taken into account. This would include ensuring that children aged 17 are given access to an Appropriate Adult while in police custody and that liaison and diversion services are available for young people in your area.
4. An undertaking to commission and fund restorative justice from your policing, community safety and victim budgets. As you know, restorative justice brings together offenders and victims of crime enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward. Victims who take part in restorative justice strongly support its use, with 85% victim satisfaction and four out of five recommending it to victims of similar offences. Ministry of Justice research examining restorative justice with adult offenders convicted of serious offences found that restorative justice reduced reoffending by 14-27% leading to £9 savings for every £1 spent.

We enclose for your interest the latest edition of our publication, the Bromley Briefings Prison Factfile, an up-to-date overview of the prison and criminal justice system. This factfile is drawn largely from Government figures and fully referenced. It is distributed widely and is also available as a pdf on our website: www.prisonreformtrust.org.uk.

I also enclose copies of both the PRT's recent submissions to the Ministry of Justice consultation on Transforming Rehabilitation, and our recent report *Out for Good*, as I note that you are actively engaging with the government's reform programme and will be appointing a Director of Offender Management.

Developing a strategy on women offenders for London

As stated above, PRT would like the MOPAC to include recognition of the different characteristics of women's offending and of the need for a gender-sensitive response. This would include recognising the links between women's offending and their experience of domestic violence and associated mental health and drug and alcohol problems.² We welcome the fact that the Mayor has designated it a priority to 'create a safer London for women' and note that a second violence against women

² *Reforming Women's Justice*, Report of the Women's Justice Taskforce, Prison Reform Trust, 2011, p.13

strategy will be published this summer. It is important that this recognise support for women who have been raped or abused as a 'reducing reoffending pathway', and that the strategy to reduce women's offending is linked to London's VAW strategy. We note that Women's Aid was commissioned by the MoJ /Home Office to produce guidance on *Supporting Women offenders who have experienced domestic and sexual violence*, which includes a toolkit of good practice. However, it is not clear how widely this has been disseminated across criminal justice agencies and service providers.³

Specifically, we would like to see a commitment to diverting women from the criminal justice system where appropriate. As the first point of contact, there are a number of ways in which the police can assist women to get out of trouble. Helping women gain access to support services in their area could enable them to tackle the underlying causes of their offending. A number of police forces around the UK are piloting a pre-charge assessment system in relation to women's offending and the drivers of their offending, to identify and utilise support and diversion opportunities. These Pathfinder projects are based in part on successful programmes to reduce youth offending, and involve partnership working between specialist women's services, health services and the police.

Cost-savings and improved outcomes can be achieved by diverting women who commit non-violent and minor offences out of the criminal justice system at the first opportunity. For the minority of women whose offending is more serious, greater use of community sentencing options, in particular women's centres or other gender-sensitive interventions where they exist, are both significantly more cost-effective and have better outcomes than short prison sentences. Getting the intervention right in the first place is key.

We note the findings of our recent YouGov opinion poll which revealed strong support for public health measures to tackle women's offending. Treatment for drug addiction, help to stop alcohol misuse and mental health care were the top three measures to get public backing.⁴

Effective co-ordination and cooperation between health and criminal justice services is critical given the high proportion of women offenders with mental and/or physical health problems. In its scrutiny of offender management, the Criminal Justice Joint Inspection report *Equal but Different* found that *"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. Some were subject to sexual exploitation. There were concerns about self harm in around a third of all cases and of suicide in around one quarter of the cases. They are therefore a very needy group of offenders who clearly required both careful monitoring and active input during supervision."*⁵

We also draw your attention to recent research on the numbers of women who are victims of trafficking but are dealt with as offenders and end up in prison rather than in receipt of help and

³http://www.womensaid.org.uk/core/core_picker/download.asp?id=3409&filetitle=Supporting+women+offenders

⁴ November 2012, YouGov poll of 1,500 people across Britain
<http://www.prisonreformtrust.org.uk/PressPolicy/News/vw/1/ItemID/174>

⁵ Criminal Justice Joint Inspection (2011) *Equal but different? An inspection of the use of alternatives to custody for women offenders* London: CJI

support.⁶ This is a particular issue for London, as evidenced by the fact that a quarter of the women in Holloway are foreign national women, compared to a national average for women's prisons of 15%. The research reveals that whilst there is an official mechanism for identifying victims of human trafficking, only a quarter of the women identified by researchers as having been trafficked were referred and processed through it, and in two instances, this didn't happen until *after* their sentence was completed. For most of the women there was no recognition of their victim status and no access to support. The Prison Reform Trust would welcome the opportunity to work with the Mayor's Office for Crime and Policing to improve the detection of trafficking and to break down the fears and 'culture of disbelief' that prevents women from disclosing their experiences to police.

MOPAC Draft Commissioning principles (p.35)

We refer you to the the Prison Reform Trust's submissions to *Transforming Rehabilitation* for detailed comments on proposed changes to the provision of offender services. The problems that women's services have been encountering in a range of commissioning regimes (including health, housing, domestic and sexual violence, employment) were considered in an Equality and Human Rights Commission report published last year.⁷ The report findings suggest that commissioning procedures have disadvantaged women's service providers because:

- Larger providers are better resourced for preparing bids
- Large generic providers are thought to be more cost-effective
- Commissioning processes may be more inclined to place emphasis on short-term direct costs and immediate measurable benefits rather than 'whole life' value for money of the service or wider social return on investment.

The report also found that service specifications could be too prescriptive for small holistic services that tailor their support to individuals, the tender documentation too onerous and time-consuming, the time frame for submitting bids too tight to allow for the development of local partnerships or consortia and the payment terms and conditions unrealistic for smaller organisations.

We recommend that the findings of this research be carefully considered in developing funding and commissioning frameworks, so as to ensure opportunities for participation by smaller specialised providers and to enable the formation of consortia where appropriate. This is particularly important, as the EHRC report points out, for the providers of culturally appropriate services to women from ethnic and religious minority backgrounds.

Prison Reform Trust, 6 March 2012

⁶ Hales L and Gelsthorpe L, *The Criminalisation of Migrant Women*, Institute of Criminology, University of Cambridge, 2012

⁷ Hirst A & Rinne S (2012) *The impact of changes in commissioning and funding on women-only services* London: EHRC