

Cyflwynwyd yr ymateb i ymgynghoriad y [Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol](#) ar [Profiadau menywod yn y system cyfiawnder troseddol](#)

This response was submitted to the [Equality and Social Justice Committee](#) consultation on [Women's experiences in the criminal justice system](#)

WECJS 12

Ymateb gan: The Nelson Trust | Response from: The Nelson Trust



Experiences of the criminal justice system: Women's experiences in the criminal justice system

The Nelson Trust

- 1) The Nelson Trust is an award-winning registered charity, bringing belief, hope and long-term recovery to people whose lives have been torn apart by addiction and the multiple and complex needs that come with it. We have been delivering services for over 36 years including residential treatment for drug and alcohol addiction and services in the community for women at risk of involvement and involved in the Criminal Justice System (CJS). We run five Women Centres and have been delivering women's only, trauma-informed services in the community in Gloucestershire, Swindon, Somerset, Bristol & South Wales. We support over 3,000 women every year. Our Women's Centres provide a female-only space where women can address a wide-range of support needs in a safe-and-supportive environment. Services are trauma-informed and gender-responsive providing holistic practical and emotional support to justice-involved women and women with multiple, complex needs. More than 70% of the women we work with are survivors of domestic violence and abuse.
- 2) Women account for less than 5% of the prison population. In Wales, on average women represent 17% of all arrests and around 12% of the Probation caseload (approximately 1,800 cases). In 2017, 849 women were sent to prison from Wales, of these 74% were sentenced to less than 6 months. With no prison in Wales, around 40% of women held at HMP Eastwood Park (EWP) are returning to Wales. The average time held at EWP is 42 days. Imprisonment can cause a woman to lose her job, home, or custody of her children, resulting in long-term disruption to her life and having a devastating impact on the lives of her children. Short sentencing provides no opportunity for resettlement or rehabilitative support. Research indicates that children who have experienced maternal imprisonment are at greater risk of unemployment, addiction and of coming into contact themselves with the criminal justice system in later life. Prison can also be traumatising – the rates of self-harm in custody are nearly five times higher for women than men. Sixty percent of women leaving prison are homeless on release. It is unsurprising that 73% of women leaving prison are reconvicted within one year for sentences of less than 12 months (Prison Reform Trust, 2020).

Question 1. Any progress being made on the implementation of Female Offending Blueprint

"The Committee will consider the progress being made, if any, by the Welsh Government in realising its ambitions for the transformation of services for female offenders including implementation of the Female Offending Blueprint"

- 3) The joint Ministry of Justice and Welsh Government Female Offending Blueprint, published in May 2019, sets out an ambition to accelerate the transformation of services for women in Wales through creating sustainable community-based solutions to keep women and communities safe and free from crime.
- 4) The Nelson Trust applauds the approach taken by the Welsh Government in setting out a clear vision and strategy for women in Wales alongside, measurable objectives across its main components through multi-agency workstreams.
- 5) However, we know that too many women remain swept up in a system that fails to identify the root causes of offending behaviour and address the women's needs or circumstances. Whilst there has been a recent decline in the number of women in prison, this is in part due to the pandemic and court closures and there is a steady uphill trend. The women's prison population currently stands at 3,210 and is projected to increase to 4,300 by July 2025 (Prison Reform Trust, 2022).
- 6) The way prison health and social care in Wales is funded, commissioned, and delivered is a complex and confusing picture resulting in a very mixed bag of services across Wales. It can also lead to 'catch 22 situations'; for example, a Housing Policy in which 60% of women are released homeless from EWP.
- 7) There is still a lack of joined-up revision between custody and the community. For example; NHS England funds 'reconnect' which is a support service ensuring that women remain connected with

- health services whilst in HMP Eastwood Park and following release back to England. This needs to be commissioned for women returning back to Wales.
- 8) We want to see a shift away from prisons towards solutions that support women in their communities. But recognise that to create a truly integrated system of community alternatives for women, the model needs to be aligned closely to health, and housing, and closely monitor its development and progress.
 - 9) There is still some way to go in ensuring that all departments and essential partners are brought in to create a true whole systems approach. For example, housing, substance misuse, domestic abuse, children and families, and health services.
 - 10) We would like to see a continued, long-term commitment to the implementation of policies, pooling of resources and co-commissioning alongside investment in community-based Women's Centres across Wales.
 - 11) The role of Women's Centres is recognised in The Female Offender Strategy as effective in providing a Whole-System Approach response to the multiple and complex challenges women face, reducing reoffending, and intercepting the intergenerational cycle of trauma and abuse.
 - 12) We know that Women's Centres are more effective than short prison sentences and come at less cost to women and their families as well as the public purse ([Why Women's Centres Work: An Evidence Briefing - The Tavistock Institute \(tavinstitute.org\)](#))
 - 13) However, until recently, North Wales Women's Centre has been the only Women's Centre in Wales. Whilst other Women's provision exists, to our knowledge, there has been no other exclusively women-only centres providing 'one-stop-shop' services including onsite free creche facilities that break down barriers for women who have caring responsibilities. Access to and visibility of Women Centred Community Services as an alternative to custody remain under-funded and patchy. Thus, too many women continue to be sentenced to ineffective short custodial sentences. Lack of community-based provision and high thresholds for mainstream services, such as mental health and substance misuse, make prison often the only place considered where women will get support. Indeed, The Corston report (2009) found that some women were being sent to prison as a "place of safety or for her own good", as well as a way of accessing services such as detoxification. We welcome the review of legislation regarding the imprisonment of women for their own safety.
 - 14) Since 2021 The Nelson Trust has been operating a Women's Centred Service working across South Wales, Gwent and Dyfed Powys Police and Crime Commissioner regions, through HMPPS commissioned women's contracts. The intention of these contracts is to deliver a holistic women's service, however resource provided through this contract is inadequate to truly achieve this. Investment would be welcomed from cross departments including health, housing, social care. This year we have opened a new Women's Centre in Cardiff with capital funding from Welsh government, which provides a safe women's only space and onsite creche. From January to June 2022, we received 418 referrals to support women involved in the criminal justice system. We are working with partners to strengthen the whole systems approach, to remove barriers women face when accessing services. For example, we are inviting services to co-locate in our safe women-only space, contributing to a more joined-up provision of services placing women at the heart of their support.
 - 15) The holistic, gender-responsive and trauma-informed approach taken by Women's Centres enables women to achieve positive outcomes in multiple areas of their life to address the drivers of offending, for example health, education, relationships, resilience, and social integration.
 - 16) We believe that the solutions to addressing women's offending lie in Women's Community Centres, where women can remain in their communities and rebuild their lives by addressing their needs by accessing holistic and trauma-informed services. This can only be achieved by working as one system, ensuring that women have access to services that wrap around her. Such as safe and suitable accommodation, access to treatment (substance misuse and mental health), and support to address wider needs.
 - 17) Whilst progress has been made in transforming services for women involved or at risk of involvement in the criminal justice system there are several areas where progress is yet to be made. For example:
 - 18) Further development, investment, and access to Women's Centres across Wales
 - 19) Engagement and access to health services, specifically mental health services, many services remain fragmented, siloed and not readily accessible
 - 20) Intercepting women at the earliest opportunity to divert from the criminal justice system. Engagement with 'first contact services' e.g., children and families, GPs/health, violence and abuse agencies, food

banks, advocacy, and religious organisations where preventative interventions can divert women who have complex needs and their children from contact with the criminal justice system.

- 21) Development of a shared system understanding of women's experiences. Women need to be understood in the context of their experiences or abuse and disadvantage and the through trauma-informed lens.

Question 2. Evidence for development of women's rehabilitation centres and arguments for reducing custodial sentences. Views on the Women's Centre in Swansea

"The Committee will consider the evidence for the development of Women's Rehabilitation Centres and arguments for reducing custodial sentences for women in Wales"

- 22) The Nelson Trust Women's Centres focus on early intervention for women who face multiple, complex challenges, diverting women from the criminal justice system and providing community-based alternatives to custodial sentences. As mentioned previously, there is extensive evidence that highlights the benefits and positive outcomes for women accessing Women's centres, including wider benefits for health, social care, and criminal justice systems. The role of Women's Centres is recognised in The Female Offender Strategy as effective in providing a Whole-System Approach response to the multiple and complex challenges women face, reducing reoffending, and intercepting the intergenerational cycle of trauma and abuse. The holistic gender responsive and trauma informed approach taken by Women's Centres enables women to achieve positive outcomes in multiple areas to address the drivers of offending, for example health, education, relationships, resilience, and social integration.
- 23) There is extensive testimony and qualitative evidence of the effectiveness of women specific support services that can be applied to the above. Women who attend and receive support from a Women's Centre are less likely to reoffend than those who do not (Prison Reform Trust, 2018). A Social Return on Investment analysis conducted by Women's Resource Centre and the New Economics Foundation (WRC, 2011) found that for every pound invested into their services, women's organisations can generate, over five years, between £5 and £11 worth of social value to women, their children, and the state. This figure was calculated based on data from a range of five frontline women's organisations. The New Economics Foundation's Women's Community Services: A Wise Commission (NEF, 2012), showed that women's community services support clients in making positive changes to their lives and for their children. The same study noted that "Women's Centres produce improvements in wellbeing and can be a viable and effective setting for providing mental health interventions to meet client needs" and concluded that: "Women's community services can significantly improve the well-being of vulnerable women, and in doing so help them achieve long-term changes in their lives".
- 24) The Nelson Trust welcomes the initiative to provide an alternative to custody for low level offending women as short custodial sentences deliver poor outcomes for women and the average annual cost of a woman's prison placement is £52,000. It is unclear how the Residential Women's Centre (RWC) model will compare to the prison cost or to the estimated average cost of providing a woman with a standalone holistic community-based service costing in the region of £2,000-4,000 per woman.
- 25) Furthermore, our experience of working with women suggests that a stay in the proposed RWC for three months could replicate the harms of short-term prison sentences. This would affect particularly women who already have a settled home and women with children. Access to community-based one-stop-shop Women's centres alongside specialist housing provision would be better than an alternative institution (RCW) for women to be held in.
- 26) As well as running Women's Community Centres, The Nelson Trust runs Residential Drug & Alcohol Rehabilitation Services for people affected by substance dependence. We recognise that not everyone can recover and rehabilitate in the community and not everyone is suited for a residential placement. Therefore, a range of suitable options for women, which improves life outcomes, reduces crime and offending whilst providing assurance to sentencers, should be available.
- 27) We believe that women should only be sent to prison for serious and violent offences. Women who have committed low level, nonviolent offences should be rehabilitated in their community, and provided with a suitable package of support; preferably with access to a women's community centre.
- 28) However, we recognise that for some women, where there is increased complexity and a risk of re-offending, a different model of support, one which includes access to suitable women's only trauma-informed accommodation and intensive wrap around support, should be made available. However,

there are already several alternative specialist support options that could be offered within the current infrastructure. For example, where drug and alcohol use is the primary offending driver, women should have the option to access Drug & Alcohol Residential Rehabilitation Services. These specialist services provide a safe detoxification from substances and an intensive therapeutic programme of support to address women's experiences of trauma that often underly addiction and offending. The Nelson Trust Women's Residential Rehabilitation Treatment centre was cited in the Cabinet Office Social Inclusion "Short Study on Women Offenders" (pg. 29, 2009) paper as a model of best practice and innovation when working with female offenders. This led to The Nelson Trust developing women-only community services opening our first Women's Centre in Gloucestershire in 2010.

- 29) Women Centred Services have been commissioned outside of probation services recognising that voluntary organisations, such as The Nelson Trust, are specialists at overcoming access barriers, engaging women and helping achieve positive rehabilitative outcomes. Women place considerable weight on trust & relationships, this is a core component of gender and trauma-informed approaches. The model works because skilled staff take a non-judgemental, collaborative approach to supporting women who face multiple issues. Equality between women and staff within the model enables women to make their own choices about their support they need (Hidden Hurt, 2016). Therefore we would recommend that any residential alternatives are not run solely by HMPSS and should utilise specialist expertise e.g. from the 3rd sector.

June's story (pseudonym) illustrates how the equal relationship between the woman and her keyworker is key when empowering women to make changes in their lives.

At the time June was referred to The Nelson Trust she was not accessing any services for her substance misuse, mental ill health and was involved with county lines. Her two children staying with family due to safeguarding concerns. June was financially exploited resulting in debt that led to her offending.

At the start of support, she would often get very overwhelmed, often talking about an array of things that made little sense. Her keyworker allowed her time and space to talk, not interrupting but just picking up on key points. June felt that people were always telling what to do and what was wrong with her, so it was important to work with her in a women-centred and holistic way, giving her control of the support she wanted and exploring impact and consequences. This approach worked well with her and gradually enabled the building of a trusting working relationship with her keyworker.

June had neglected her health needs, with her keyworker's support and encouragement June started to book and attend GP and hospital appointments. Some June would attend herself and some she was accompanied by her keyworker. June also agreed to seek support for her mental ill health and is now accessing support from her Community Psychiatric Nurse. Her life is less chaotic as she has developed a better understanding of her support needs and she is taking her medication as prescribed, improving her day-to-day life and ability to cope.

Progressively, June has felt more able to engage with her offender manager and drug and alcohol worker. She now prioritises these appointments. Although June still smokes cannabis, she no longer drinks the 8-10 daily cans of cider.

Together, they also worked on June's debt and benefit claims, enable June to have a more stable home life that facilitated visits from her children after school. June also started attending parenting classes.

Next for June is to look at her past trauma, she is getting ready to start a 6-week Trauma and Stabilisation group with the local Mental Health Team. Her keyworker is still supporting her and advocating for her. June says she now see a more positive future for herself and her children and believes she can do it.

- 30) There is uncertainty around how a RWC, a probation-led service that would be 'compulsory', could embed the key elements of consent and choice within its model. If a woman has a choice to either go to prison or to a RWC, will that be perceived as a real choice by the women? There seems to be an inbuilt power imbalance between women and probation staff within the RWC model and consideration to how this could impact on women's outcomes needs to be considered. We do not

want to replicate the power and control dynamics of the prison estate which can retraumatise women.

- 31) The currently proposed model for the RWC in Swansea includes an onsite Hub where women living in the community can also access support. There is also an assumption that support will be provided via the Hub by community providers who hold relevant contracts. However, it is not clear how these providers will be involved and what financial envelope would be available for this key partnership working. There is also an understanding that women on community orders will also be able to benefit from community services provided by the RWC. As others have highlighted, this public facing side of the RWC could be a risk for women who are residents who are survivors of Domestic abuse as the address of the RWC would be public.
- 32) We undertook extensive scoping work around accommodation for women with complex needs with a number of voluntary and statutory partners across the Southwest of England. This exercise concluded that an effective RWC should be linked to a Women's Community Centre, for continuity of support following completion of placement.

*We want to provide more residential support options in the community that offer the accommodation and holistic support that will allow these women to successfully complete community orders as a diversion from custody and prevent them from being recalled to custody. **This should help reduce their reoffending in the long term and could be linked to existing women's community service provision such as Women's Centres.***

(Ministry of Justice, 2018)

- 33) We recommend that any residential women's accommodation provision is situated within close proximity to a community Women's Centre. This would :
- Provide sustained community integration through engagement in safe gender-responsive holistic support on offer at the Women's Centre, whilst offering robust models of supervision from the RWC.
 - Increase the offer of support to women, and create additional capacity, through the local Women's Centres established links and 'one-stop-shop' multiagency safe hubs which women can access throughout their stay and beyond supporting women to safely address and overcome problems faced in real life.
 - Improve move-on accommodation and transition to independence planning as the service would last beyond the residential stay period.
 - Overcome stigma associated with centres only for those involved in the justice system as Women's Community Centres provide services also for women with complex needs referred by Social Services, Mental Health services, etc.
- 34) The proposed Swansea RWC model will only serve women from Swansea. This could be problematic, as many women are intrinsically linked through relationships and social networks which are not always healthy. This could be unsettling for women and could counteract the therapeutic environment.
- 35) In our experience many women do well within a structured and safe environment. However, we often see women who have maintained abstinence, and disengaged from dangerous partners, relapse into drug and alcohol misuse, old relationships, and re-offending within hours of community reintegration.
- 36) A danger of providing all support and activities onsite within a RWC is that women are wrapped in a bubble of support and find themselves unable to cope during move on, resulting in a return to previous coping mechanisms. We must therefore ensure that the RWC model does not recreate the harms of custody. Although it was acknowledged that to manage levels of risk and sentencing confidence, robust supervision through the RWC model may be required.
- 37) Instead of a Residential Women's Centre, our scoping exercise pointed to a modular Women's Centred accommodation model with 24 hours staff on site and direct access to the local Women's Community Centre where women could work on their community sentence requirements within their communities.

