

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](#)

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Equality & Social Justice Committee Consultation

Women's experiences in the criminal justice system

Response from The Wallich

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.

1. We are broadly supportive of the Female Offending Blueprint for Wales, in particular the focus on early intervention and prevention, understanding that women who come into contact with the criminal justice system have often experienced trauma, and are themselves often the victims of crime. It does appear to us looking from the outside that HMPPS and other public sector partners in Wales are indeed dedicating some time and resources to service transformation work, and we remain hopeful that partnership working, rather than a siloed approach, will help embed the principles of this work. There are excellent examples of working in a trauma-informed way from across a number of different sectors, so there is no need to 'reinvent the wheel' if training or resources for example could be adapted from what is available in different settings.
2. One specific example of this is the [Trauma-Informed Wales Framework](#), a model recently developed by the ACE Hub Wales and Traumatic Stress Wales to be used across all public services. [We fed into the consultation on the draft framework](#), and are keen to see trauma-informed approaches develop and become embedded in all sectors, but particularly the CJS where people have been failed and retraumatised in the past.
3. There are additional complications when considering women in the criminal justice system, as of course there are no women's prisons in Wales, so we would be concerned that any efforts to embed trauma-informed approaches (for example) could be undermined by inconsistencies between services on either side of the border. This is just one of a number of issues arising from the fact of Welsh women being sent to English prisons, but to be clear we do not advocate for more prison places for women within Wales, rather we would like to see a significant reduction of short custodial sentences in favour of community-based solutions.
4. A further factor in the transformation of services is the level of uncertainty around future services which may or may not be commissioned through the dynamic framework for probation. At present it is difficult for us to know whether probation services for women will be more aligned with services for men in the future, and this can make it difficult to plan our work with service users.

5. We note that the Blueprint includes a focus on research and evaluation to develop an evidence base for what works in Wales, and look forward to seeing more progress in this area. For example, we feel that the Women's Pathfinder project – the whole system approach to prevention and reducing reoffending – has been successful so far, however we would like to see a properly resourced, rigorous evaluation of work done to date, to embed good practice and share lessons learned.
6. Another specific programme that we believe is working well is [the 'Visiting Mum' project led by PACT](#). This project was relaunched in August 2021 to help Welsh mothers maintain positive relationships with their children throughout their prison sentences, despite being imprisoned in England, away from their local communities and support networks. This project has been identified as being part of the 'community-based solutions' and 'custody and resettlement' strands of the Blueprint, so needs to be supported and funded to be sustainable, and to expand further if possible.
7. We note that there are not currently any approved premises accommodation options in Wales for women released from prison on license. It is difficult to say whether there is a need for these options to be made available, but given the choice we would probably prefer to see additional investment directed towards residential projects for women leaving prison into homelessness, where they can be provided with wrap-around support. Whether in Wales or England, people leaving prison are more likely than the general population to have support needs such as mental health, substance use, or around skills for employment, and by putting the right support in place we will see more successful reintegration into society, and lowered incidents of homelessness or reoffending.
8. Overall, the key to success for transforming services for women in the criminal justice system will be building effective partnerships and collaborations based on trauma-informed principles, working with women and families at risk of offending or reoffending. The benefit of the whole-system approach is that we can take more of a public health approach, bringing into line housing, mental health, and substance use services with the CJS.

The evidence for the development of Women's Rehabilitation Centres and arguments for reducing custodial sentences for women in Wales, including views on the Women's Centre that will open in Swansea.

9. One of the strategic objectives of the Blueprint is to reduce the number of women in the system, yet we remain very concerned that the Ministry of Justice itself is now predicting an increase in the female population by more than a third over present levels in the next three years.
10. A number of studies have compared the effects of short-term imprisonment with those of community-based solutions. Data from England and Scotland suggests that community sentences are more effective in reducing reoffending than short-term prison sentences (of less than 12 months). This may be due in part to the fact that offenders on community sentences have more opportunities to access rehabilitation services compared to offenders on short-term prison sentences. This is compounded in Wales due to release of Welsh women from English prisons, into Welsh communities that the prison knows little about and the links to rehabilitation support are not in place.

11. Women leaving prison are often dealing with a wide range of social, financial, and psychological issues that should be taken into account in the design and provision of community-based solutions. As mentioned above, we need to provide wrap-around support across health, housing, and the justice sector to achieve positive results.
12. *“Most of the people we support and most of the women in prison are low risk offenders, and they reoffend because their needs are not met. Their ‘crimes’ are often a result of abuse and exploitation by others and that is not addressed. Sometimes they are even released back into the home of their abuser.”* [REDACTED] Service Manager.
13. We are happy to see the investment into the Women’s Centre in Swansea, but are disappointed that the initial five centres announced by the MOJ have not progressed beyond their initial announcement. We would also like to see greater detail on how the centre will operate in practice, specifically how it will differ from mainstream custody.
14. We note that with resettlement support, the onus is on us as third sector providers to reach out and push our services and that there is little collaborative working. We hope that the pilot of the Women’s Centre will put partnership working at the forefront and provide useful evidence to replicate this much-needed service in other parts of Wales as a matter of urgency.

The availability of appropriate custodial provision and support for different groups of women including girls under the age of 18, disabled women, those with mental health problems, women from ethnic minorities, those who have experienced sexual violence or domestic abuse, women -with alcohol or drug problems and Welsh speaking women.

15. As outlined above, our number one priority ought to be reducing custodial sentences, for both men and women. Further, we know that some of the groups identified above are disproportionately more likely to come into contact with the criminal justice system: Black, Asian and non-white ethnicities, women who have experienced sexual violence or domestic abuse, and women who use drugs and alcohol are all more likely both to be victims of crime, and to receive custodial sentences for crimes committed. We also believe that the overwhelming majority of people in contact with the CJS have some degree of mental health difficulties.
16. We do not support any girls under the age of eighteen, and we have limited experience supporting Welsh speaking women in contact with the CJS, particularly women for whom Welsh is their first language. The absence of Women’s prisons in Wales means it is likely that women sent to prisons in England will not be able to communicate in Welsh, but we are unclear of the numbers of women that are affected by this, and we would not argue that this in itself is a sufficient argument to create more prison places for women within Wales. It is also unclear the extent to which other parts of HMPPS that do operate in Wales are able to do so fully bilingually, in line with the Welsh Language Standards.
17. There are a couple of other points we would make on the topic of services that are inclusive and appropriate. Firstly, in line with the wider population, the population of people in contact with prison and probation services are aging, creating additional challenges and pressures related to physical health and mobility. Services both in and out of prisons need to take seriously the additional needs that arise when supporting older people, including older women.

18. Secondly, there does need to be thoughtful consideration of how HMPPS and related services are prepared to provide appropriate service for people who are trans, non-binary or gender nonconforming. At present, services are very strictly organized along binary gender lines, and this creates risks of avoidable harms that ought to be considered and mitigated against. It is highly likely that the actual number of trans, NB or nonconforming people in contact with the criminal justice system is masked as a result of people choosing to keep their identities secret as a defense in a hostile environment. We also know that people in these groups are at greater risk of self-harm and suicide, so considered work is needed to develop more inclusive practices in order to save lives.
19. Finally, we believe that there is work to be done alongside the transformation of services, to tackle stigma and the unfair judgement of people who have been in contact with the criminal justice system. Despite having completed their sentences, whether in prison or in the community, people with criminal records can face real barriers to accessing employment, housing, and even public services. If we believe in rehabilitation and have confidence in resettlement work to break the cycle of reoffending, then spent convictions should be left in the past and individuals should be allowed to move on with their lives.
20. In order to break the stigma, we must reconsider the language we use, in particular the use of words such as 'offender' and 'prisoner', which define people by their mistakes or what has happened to them, rather than what they might hope for their futures. Wherever possible we try to be neutral, so rather than talking about 'female offending' as the Blueprint does, we prefer to talk about women in contact with the criminal justice system, or about their specific experiences. As it says in the Blueprint, we ought to respond "to the specific, individualized needs of this diverse population (rather than as one homogenous group) to reduce reoffending."