

‘From Vision to Reality – Transforming Scotland’s Care of Women in Custody’

**International Symposium to consider the future direction of custody for
women in Scotland**

Edinburgh, 27-29 May 2015

Symposium Report

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All the presentations and other supporting papers are available at www.sps.gov.uk/corporate/information/women-in-custody.aspx

Foreword

I am pleased to introduce this report of the International Symposium which was held on 27-29 May 2015 in Edinburgh to consider the future arrangements for the custody of women in Scotland. I am very grateful to all of the participants who joined us from 12 countries and gave generously of their knowledge and expertise throughout the event. I would like to thank the speakers, presenters, facilitators and the scribes who recorded the discussions. The symposium was enriched by videos of women currently in custody in Scotland who bravely shared their experiences and stories and I am grateful to them for their important contribution to the event.

The symposium generated an impressive and rich source of material which is being made available on the SPS website. This report draws together the evidence presented at the symposium, the issues explored and the advice that emerged from the lively and challenging discussions.

My thanks go to Dr Gill Robinson for compiling this report, and Dr Kirstin Anderson, Annie Crowley and George Walters-Sleyon for their contributions to the work. This document will provide an important point of reference as we move from vision to reality, ensuring that the next, detailed, stage of planning and development of an innovative new model of custody of women in Scotland is based upon solid foundations and takes place in a thoughtful, informed way. I hope it will also be of interest to colleagues from other jurisdictions as they review their penal policy. My hope is that, ultimately, women, their families and communities will benefit from the collective knowledge and expertise which was shared at the symposium.



Colin McConnell
Chief Executive
Scottish Prison Service

1. Introduction

The Symposium was held in Edinburgh on 27-29 May 2015. It brought together 58 academics and expert practitioners from across the UK, Europe and Canada together with stakeholders from Scotland (see Appendix A).

The purpose of the symposium was:

to engage in professional debate based upon international research and best practice to address identified key issues and so inform the emerging Scottish Government proposals for the future custodial estate for women.

Its task was:

to produce evidence and advice on practice to inform future thinking on the development and implementation of a Scottish Approach to the custody of women.

1.2 Background and context

The Cabinet Secretary for Justice had announced in January 2015 that “the current plans for a prison for women in Inverclyde should not go ahead. It does not fit with my vision of how a modern and progressive country should be addressing female offending. We need to be bolder and take a more radical and ambitious approach in Scotland”. At the time of the symposium, therefore, the Scottish Government and Scottish Prison Service were engaged in consultation and rethinking their approach to the custody of women.

The recent history relating to the custody of women in Scotland was set out in the pre-symposium pack which can be found at www.sps.gov.uk/corporate/information/women-in-custody.aspx. The pack also contains detailed statistics about the population and characteristics of women in custody in Scotland (such as offences, sentence length, age, health, drug and alcohol use and home area). In summary, at the time of the symposium, there were 400 women in custody in Scotland in four prisons, with 100 of the women being on remand.

At the time there was a proposition that the future women’s custodial estate would include a small national facility for women who pose a high risk to themselves or to the community, a separate facility for young women, and a range of smaller, regional and local facilities which could include community-based residential facilities. Subsequently, on 22 June 2015, the Cabinet Secretary announced that “a new small national prison with 80 places would be created, alongside five smaller community-based custodial units each accommodating up to 20 women across the country”.

“The smaller community-based custodial units will provide accommodation as women serve out their sentence, with access to intensive support to help overcome issues such as alcohol, drugs, mental health and domestic abuse trauma which evidence shows can often be a driver of offending behaviour. The units will be located in areas close to the communities of female offenders so that family contact can be maintained.

“There will also be more use of community-based alternatives to short-term prison sentences, including restricting liberty through the increased use of electronic monitoring, combined with support in the community, and more funding will be made available for community-based services which provide robust and effective alternatives to custody.”

1.3 Symposium programme, themes and processes

The programme is provided as Appendix B. On day 1, participants were offered the opportunity to visit HM Prison & Young Offenders’ Institution (HMP&YOI) Cornton Vale to meet prisoners and staff and learn about current facilities, practice and support for women in custody there. The activities on days 2 and 3 involved plenary and group presentations and discussions on the following themes:

- New approaches to custody for women: learning from progressive policies and practices
- Services working together to support women before, during and after custody
- Assessment to support decisions about a woman’s needs and where she should be placed
- Young women (16-21) and custody
- Family and social ties
- Best practice in working with women in custody
- Implementing a vision for progressive change, and sustaining it

The symposium used a deliberative approach, seeking to understand different social, legal and policy contexts and probing practice and policy across different jurisdictions. Keynote speakers addressed the first and last of these themes. The other five themes were considered in workshop groups. Each group heard and discussed video clips from women currently in custody and presentations from academics and practitioners. The group then identified key evidence, issues and advice which they presented to the group as a whole, followed by plenary discussions to explore issues and add further examples of practice or evidence. There were reflective summing-up sessions by local academics at the end of days 2 and 3.

Throughout the symposium, participants contributed a wide and rich range of observations and insights into practice and research. This report aims to distil the lines of argument and summarise the most relevant examples, issues and advice from all of the deliberations. It is constructed in the order of the symposium programme and themes.

Quotes from the video clips of women currently in custody are placed in boxes throughout the report to illustrate relevant points. Individual examples of international practice are added as ‘insights’, highlighted in blue, at relevant points. Some experts who had been unable to attend provided written submissions and where relevant their contributions have been incorporated into the report.

2. Scene-setting contributions

Following a welcome and introduction by Dr Gill Robinson, who chaired the symposium, there was a series of introductory contributions to provide a backdrop to the discussions, including to set out the Scottish Government's position and priorities in relation to women in custody.

2.1 Nicola Sturgeon MSP, First Minister of Scotland

In a video recorded for the symposium, the First Minister welcomed the participants and stressed the importance the Scottish Government ascribes to how women are treated in prison and to enabling them to reintegrate successfully and so make positive contributions to their families and their communities. She acknowledged recent developments and improvements in the care of women in custody in Scotland, such as a new programme for staff working with women in prison which recognised that many of the women will have experienced trauma and mental ill-health, and the introduction of Throughcare Officers who were now working with community-based mentors to support women after they were released.

Agreeing that 'you can tell a great deal about a country by the way it treats its prisoners', Ms Sturgeon said that she wished Scotland to be at the forefront of international penal reform. The Scottish Government was resolved to be imaginative and radical as it decided on the future arrangements for the custody of women. To achieve this, she was committed to learning from the very best of research and practice internationally. She therefore looked forward to hearing the outcomes of the symposium discussions, which would help to shape the Scottish Government's thinking and plans. Finally, she thanked the participants for giving of their time and expertise at the symposium.

2.2 Colin McConnell, Chief Executive, Scottish Prison Service Scottish Prison Service perspective

Colin McConnell welcomed attendees, warmly acknowledging the body of expertise, spanning twelve nations, within the room. He reiterated the task of the symposium: to generate clear and concise advice that would inform future development. He encouraged participants to explore both what was possible, and what was not yet possible, in order to provide realistic advice to inform the future care of women in custody.

Welcoming visitors to Scotland, he said that they had come at a time when Scotland was increasingly a vibrant democracy. The Government was serious about developing meaningful initiatives for those for whom it is necessary to spend time in custody. There was a real commitment from the Scottish Government and Cabinet Secretary for Justice to do things differently.

For its part, the Scottish Prison Service was changing to reflect the ambitions of the Government: listening, learning and responding. He emphasised that the SPS could not do what was necessary to care for women in custody on its own but would rely on working

with others. Humility would be required. In addition, it was important to recognise the media's keen interest in the issue and potential to influence debates.

He concluded by emphasising that the symposium demonstrated Scotland's commitment to penal reform as part of the international community, and that the discussions over the coming two days would play an important part in translating vision to reality.

2.3 David Strang, HM Chief Inspector of Prisons for Scotland Messages from inspection: practice to build on and issues to be addressed

David Strang praised SPS and the Scottish Government for addressing issues of women in custody. His first observation was that **there were too many women in custody in Scotland**, and that this had been a concern for the last 10 to 20 years. Too many women were held on remand, and some women sentenced by courts to imprisonment did not need to be in custody to assist them to reduce their reoffending. He suggested there was a disconnection between policy and sentencing practices. He believed that it should be possible to find better, creative, more radical responses and solutions at key decision points within the criminal justice system, whether at prosecution, remand or sentence.

He invited participants to consider two points:

1) **What do we communicate to women in prison about how we value them as individuals?**

The conditions in which women are held and the way they are treated have a profound impact on their lives, their own sense of worth and outcomes after imprisonment. The time women spend in prison should not do further damage to them and any custodial and security levels should be commensurate with the risks they pose.

As Chief Inspector, he had seen very good examples of women and men working compassionately with women in custody, and excellent care and support for health, for addiction, for mental health and for families. He recognised that it was a major challenge to have individualised care for everyone in custody. In planning for the future, however, it would be important to ask how proposed processes, systems and facilities would 'enhance the value' of those individual lives in custody.

2) **The importance of relationships**

Imprisonment has a devastating impact on children with parents in prison, repeating cycles of harm and damaging relationships. He had observed that prisons in Scotland were at their best when they supported those in prison to restore relationships with partners and families or build new ones where these did not exist. If people in custody are to make journeys to 'becoming positive citizens,' relationships are key to supporting them in that journey. The notion of supporting women in their relationships is the opposite of the abandonment that many people experience in custody. He posed the question: **how can what happens to women in custody help them to maintain and build positive relationships, or at least avoid further damage?**

He encouraged participants to consider these two questions and his initial observation about the numbers of women in custody during the discussions. He closed by saying that he felt encouraged by this opportunity to develop creative, radical solutions for women in Scottish prisons.

2.4 Michael Matheson, MSP, Cabinet Secretary for Justice Ministerial Address

The Cabinet Secretary thanked the Scottish Prison Service for organising the symposium and the participants for attending. He explained that one of his first tasks as Cabinet Secretary for Justice had been to consider the plan for the proposed new prison for women at Inverclyde. He paid tribute to the skills of the Scottish Prison Service and its detailed work to develop those plans. His view, however, was that a different approach was needed.

He reflected that when he had come into his role he felt as if he was stepping into an ‘echo chamber’ within which voices over many years had called for reform. Despite this, the number of women in custody had more than doubled between 1997 and 2008. He wished to ensure that whoever followed him in his role did not also find themselves in the ‘echo chamber’. There was an exciting opportunity to do things differently in Scotland.

Mr Matheson then set the work on reform for women within the wider context of penal reform in Scotland, including progress with alternatives to custody. Examples included a Vision for Young People in Custody, underpinned by the ‘Whole System Approach’. There had been a 70% reduction of young people in custody over the last eight years. Such examples offered lessons and showed that Scotland possessed the skills and ability to bring about improvements.

Turning to the specific purpose of the symposium, the Cabinet Secretary recognised that courts would continue to issue custodial sentences for women. He was keen to hear the advice and views of participants to help to find the most effective solutions: this would require imagination and vision. In his view, a small national facility was necessary as well as community facilities and custodial sentences that would be carried out in a community setting. He also recognised that it would be essential to ‘take the people and Parliament with us’.

He wanted Scotland to play an active part within the international community in developing penal policy. He invited the group to share their expertise and experience to address the needs of women in custody and their families, and so help to create a fairer, more equal and prosperous Scotland.

3. Learning from progressive policies and practices

3.1 Professor Gill Mclvor, University of Stirling

New approaches to custody for women: learning from progressive policies and practices

Professor Gill Mclvor began by saying that she saw the symposium as a tremendous opportunity for Scotland both to do something different for women in the criminal justice system and to be seen as leading the way in this area.

She highlighted the need, when looking at international examples, to remember that each jurisdiction has its own unique political and policy context so practice is not necessarily transferable, or transferable without problems. She started by summarising emerging examples of good practice, in particular a number of international examples drawn from a literature review of good practice for women in Australian prisons (Bartels & Gaffney, 2011).

Location and Design

In terms of **location of prison facilities**, Scottish practice can learn from other jurisdictions: urban locations enable more women to maintain family relationships (especially with children), and to have access to community services both in prison and upon release. Good transport links are very important for the same reason. The location of facilities needs to enable women to establish the networks with communities which are vital in order to provide them with support both in prison and upon release.

The **buildings** should provide natural light and fresh air, privacy and access to land and should be environmentally sustainable. Surroundings should follow a spacious design with clear demarcation for segregated areas (with segregation at a minimum) and, where necessary, should make use of design and technology to control the movement of women requiring security or protection. Outdoor spaces should be provided for walking and meeting other women as well as time alone for personal reflection. Facilities also need to be designed so that they accommodate women with disabilities and hearing or visual impairments.

An example was given of cottage style living, as opposed to prison wings, in some **Australian** prisons. This provides facilities much like a home environment, where women have their own rooms but share living and cooking facilities and responsibility for budgeting, cooking and household tasks. Some jurisdictions have individual living units with their own bedrooms and cooking facilities.

Boronia Pre-Release Centre for Women in Western Australia has a thoughtful layout based around a small cottage-unit design, where women can move around freely and have autonomy.

Management and operation

The distinctiveness of women's needs should be a starting point for management and operational policies. However, it is also important that women's strengths and capacities are recognised and enhanced as a way of improving their circumstances and experiences, rather than solely focussing on their deficits.

Gender-specific needs need to be considered in relation to many different areas of the prison experience: reception, transportation, physical and mental health facilities, education, employment and programmes, security, pregnancy and parenting.

The **gender ratio** of the staff working with women in custody is the subject of debate, and varies widely from setting to setting. In some settings, there is a minimum percentage set for female officers in prisons. Where men are employed, their roles are relatively circumscribed in comparison to female officers (there is a further discussion of this point in Chapter 6).

In some **Australian** settings, there is a requirement for at least 70 – 80% of officers in women's prisons to also be women.

As it is well recognised that many women in custody will have **drug-related problems**, there should be effective mechanisms in place to provide support to address substance misuse, and to address issues of drug demand, drug supply, and harm reduction in a balanced way.

It is important that well evidenced theories regarding women and custody, such as pathways research, relational theory, trauma-informed approaches and addictions research, are reflected in **strategies for management and operation**, for example, adopting different search methods to avoid the potential re-traumatising impact of practices like strip searching.

The international literature points to the potential of different types of **design and technology** to make the custodial environment less oppressive for women by limiting the unnecessary use of overly stringent security measures (for example through the use of smart cards).

Programmes and services

Women in custody have complex and distinctive needs which demand **holistic service provision**, including issues such as housing, parenting, relationships, legal issues, health and supported reintegration.

Recreational facilities should be female-centric rather than assuming that those based upon the needs of men will be appropriate. However, employment and educational opportunities should not simply reflect gender stereotypes: they should enable women to gain skills in non-traditional areas and be geared towards the external job market.

The example was given of 'the structured day' regime at Bandyup Women's Prison in Western **Australia**, where women are encouraged to take part in activities aimed at self-improvement and a sense of wellbeing, for 5 hours a day, 5 days a week. These activities include work, education, visits from agencies and families, medical appointments, recreation and personal time. Research there found this to result in improvements in the

women's sense of safety, in their relationships with each other, and in the morale of prisoners and staff.

In a number of Australian prisons, café facilities have been opened and run by prisoners for both prisoners and visitors, which give prisoners the opportunity to acquire new skills and qualifications, such as barista skills, and equip them better for the job market upon leaving prison.

Dillwynia Correctional Centre for Women, New South Wales, Australia, has a call centre in which women can be employed.

Health

The complex health needs of women in custody are outlined in the Kiev Declaration (World Health Organisation, 2009). The evidence that women in prison tend to have **more complex physical and mental health needs** than their male counterparts points to a need for appropriate resources. This should include: comprehensive and detailed health screening upon admission to prison; individualised primary and specialist care and treatment whilst in prison; and pre-release preparation to enable continuity of healthcare into the community.

The Marmak Integrated Mental Health Unit, Dame Phyllis Frost Centre (DPFC), Victoria, **Australia**, delivers specialist treatment services for women prisoners who experience mental illness through a specialist mental health in-patient unit, as well as out-patient, outreach, consultancy, and training services at DPFC.

Given that older women are a relatively small but proportionally the fastest growing part of the prison population, consideration should be given to their specific needs.

Security and classification

Women rarely commit offences requiring maximum security treatment. **Generic / gender neutral assessment tools** tend to over-classify the risk that women pose, so care should be taken with the use of these (see Section 3.2 below for a description of the arrangements for the custody of women in Slovenia and chapter 5 for a discussion of assessment tools.)

Preparation and **support for release and post-release** need to reflect the different levels of security required by different women. For example, halfway houses / transitional centres can be used for phased reintegration.

Remand prisoners should be treated with the minimum security strategies commensurate with security, safety and order.

Women as parents

The majority (two thirds) of women in prison are parents of dependent children. **Maintaining bonds with children** is a critical concern for women and there is scope for improvement in this area. Purpose-built visiting areas with dedicated indoor and outdoor play areas should be provided. Consideration needs to be given to the nature and availability of mother and baby / child units and who should decide about their use. In some countries this decision is made by professional experts, in some countries by the mothers.

In **Denmark**, it is possible for family units to live together in prison. Photographs were shown of the children's play area in the family department and playground in the visitors' area of Horserød State Prison, Denmark.

As has been mentioned earlier, some prisons for women in **Australia** are deliberately located within urban areas where there are excellent transport links, to make it possible for women to remain in contact more easily with families and others.

Concerns over (older) children living with mothers in prison might be mitigated by providing external mother and baby units, located in the community, or by providing suitable opportunities for occasional residency for children with their mothers in prison.

Chapter 7 explores further the matter of women in custody who are parents and provides additional examples of different arrangements for contact between mothers and their children.

Drivers of progress / reform

Drivers of reform include recent **international legislation** aimed at improving women's experience of imprisonment, for example, the World Health Organisation (2009) report on Women's Health in Prison, also known as the Kiev Declaration, and the United Nations (2010) Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).

In Scotland there has been considerable **policy interest** in developing more appropriate resources and services for women, not only in prison but also in the community context. However, despite earlier policy work over the last 15 – 20 years, repeated calls for innovative approaches and growing recognition of the harm of imprisoning women, there has been a continued increase in the rise in the female prison population. The majority of women who go into prison are convicted of relatively minor offences and receive short sentences, and it is widely acknowledged that most women in the criminal justice system in are more 'at risk' than risky. This all indicates a need to do things differently.

In **Norway**, there is a normative commitment to treating women in prison in such a way that their experience reflects as far as possible normal life outside prison.

In Scotland, **public attitudes and the media** can be fairly hostile in matters of justice, although some in the media have been adopting a more reflective stance. In order to gain public acceptance of (and support for) penal progress and reform, there is a need for sustained public engagement to convey the message that these reforms are not about undermining public safety but very much about improving security in Scotland in the longer term.

Questions for future discussions

- How should 'custody' in Scotland be conceptualised and operationalised?
- What should be the underlying philosophy/aims/normative perspective?

- What principle and methods should underpin the classification, allocation and 'treatment' of women?
- How might technology be harnessed to minimise intrusiveness and enhance communication?
- What lessons can be learned from other jurisdictions and how might policy transfer be influenced by public/media/judicial/political attitudes

3.2 Other international points of interest

Amongst the many examples of international practice given at the symposium there were two detailed examples of models of custody: the **Slovenian** model is described in outline below and further elaborated in Chapter 7; and Chapter 9 provides an in-depth case study of the **Canadian** context.

The **Slovenian**¹ system includes a range of different forms of custody for women. Slovenia has one prison for women, the IG Prison, with a capacity of 86. It is at full capacity after a recent increase in the numbers of women in custody.

At the point of sentencing, women receiving a sentence of up to 9 months can be sentenced to 'house prison'; those receiving up to 2 years, can receive a sentence of 'working for general benefits' with social services controlling the sentence.

For women who are placed into custody, there are 3 different regimes: closed, semi-open and open. In all cases, emphasis is placed on building relationships (between the woman and staff who work with her, with her family, and with the services that work with the prison to support her), and on establishing the expectations that she is expected to meet.

If a woman is being held in custody, whether in closed or open conditions, there is often the possibility that she can spend weekends at home after she has served a particular proportion of her sentence (this varies from 20% to 50% depending upon the circumstances of her offence and sentence). Some women are allowed prison leave (called 'leaves with purpose') to be an 'active mother', for example to take a child to the doctor. Provided her sentence is not for a sexual offence and that she is in regular employment or attending educational programmes, a woman who has a sentence of less than three years can serve her sentence at weekends only, allowing her to be in the community during the week.

The closed regime in Slovenia is for women on long sentences, those who have not obeyed the house rule and/or those with drug or alcohol misuse issues. Women on this regime have the freedom to walk about within the prison. They have the potential to spend 2 weekends at home per month.

The semi-open regime is used for those who have not been in pre-trial custody and who 'come to prison by themselves' (for example, a woman sentenced in May might be required to present herself at prison to begin her sentence on, say, 1 August). These women must not have drug/alcohol issues (and must prove their abstinence). The semi-open regime allows

¹ For comparison, Slovenia's land area is 20,273 km² while Scotland's is 78,387km²; its population is of the order of 2 million against Scotland's ~5 million

women to move around in close range of the prison and to spend up to four weekends per month at home.

Most women serve their sentences in open conditions. Records show a very low (0.07%) abuse rate of these circumstances, accredited to the strict, clear rules and opportunities afforded by the open conditions. The open regime allows women to move around within a wider, specified, range of prison and to spend up to five weekends at home per month. In some cases the open regime can be granted by the court. Decisions about when a woman will move from one regime to another depend only on the achievement of objectives in the woman's personal plan.

Two interesting observations emerge from **Norway**, from material which Dr Cecilie Basberg-Neumann submitted to the symposium, based on her article 'Imprisoning the Soul' (2012). First, she cautions against drawing conclusions about the applicability of Nordic standards to other settings.

A further point of caution relates to the potential **strain of open conditions**: 'An open prison, however, challenges both prisoners and prison officers The prisoners are forced to impose on themselves the image of prison discipline and to conduct a self-control that can be extremely challenging. The prison officers, on the other hand, have to acknowledge the fact that these prisoners, to a much larger extent than prisoners in high-security department, experience the imprisoning of the soul. Whether they suffer more or less than their fellow inmates in similar (open) British prisons is hard to say as long as we have no cross-cultural and context-specific prison research to support such claims. This argues for careful monitoring of any perverse effects of more open, community-based custodial settings.'

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4. Services working together to support women before, during and after custody (Workshop 1)

Presenters: Professor Anette Storgaard, Aarhus University, Denmark and Jean O'Neill, INSPIRE Project Manager, Probation board for Northern Ireland

Facilitator: Professor Lesley McAra, University of Edinburgh

Scribe: Caitlin Gormley, University of Glasgow

The group was asked to discuss the following questions:

- How have other jurisdictions/facilities achieved consistent provision of services from community and public sector/municipal/civil society partners for women in custody and throughout their re-integration?
- How do they achieve a shared culture of responsibility for women in custody across the different services?
- What are the levers or drivers which encourage services to work together successfully in the best interests of the women?

Evidence

Professor Anette Storgaard described how **Denmark** has demonstrated commitment to continuity of care from prison into the community through the 'Good Release Programme'. This approach sees release as a process, not an event, starting when a woman enters prison. Its aim is to 'lower recidivism and to secure rights for ex-prisoners'.

The ethos of the **Danish** Good Release Programme is that no authority should let go of the responsibility for an individual until someone else has taken on responsibility. The approach includes:

- a 'good arrival' in prison and action to clear up problems that the woman may have;
- duties and responsibilities allocated to appropriate authorities and case workers;
- strengths-based approaches to working with women in prison;
- supportive action planned and agreed with and for each woman and laid out in a coordinated plan of action;
- agencies and authorities working in cooperation to ensure seamless transition for the women in receipt of services.

Contracts for services are established between the Prison Service and the relevant municipalities.

However, the Good Release Programme does not include about 70% of female prisoners: those aged under 18; those on sentences of four months or less; and those released from court, expelled or not paroled.

Jean O'Neill gave a presentation about the INSPIRE Project, set up by the Probation Board for **Northern Ireland**. The aim of the INSPIRE Project is 'to develop and deliver in the community an enhanced range of women-specific services which contribute to reducing women's offending through community based interventions'.

The INSPIRE Model in **Northern Ireland** is a partnership project between criminal justice responses and the community, interacting with the voluntary sector. Its range of services includes probation supervision for women who are subject to community supervision and support for resettlement for women leaving prison.

INSPIRE encourages women to address their complex needs through a holistic and women-centred approach, and includes opportunities for training and employment, confidence building, cognitive skills programmes, anger management, family matters, domestic / sexual trauma work, restorative justice, financial advice, stress management, accommodation, and work to address alcohol / drugs issues.

In terms of resettlement from prison, the model provided arrangements between Ash House, the women's prison within Hydebank Wood, and local community projects. This involves both day release from prison to enable women to participate in programmes and services in the community, and included visits by community partners to prison to provide advice and information and link women into services within their own community. Women are able to leave custody having established relationships to help sustain contact and support. It was reported that women accessing the service valued the non-judgmental attitudes and empathy demonstrated. The project provided evidence of reduced re-offending. In the words of one woman accessing the project, 'I've been out of jail now a year and I'm sober the first time in 19 years and there is light at the end of the tunnel.'

Success factors for the project were summarised as:

- Continuous promotion of the project
- Strategically led
- Structure for partnership in place, led by local area
- Participation of women
- Research led
- Shared funding.

The group agreed that when considering how services should work together to support women before, during and after custody it is important see the women within their wider contexts: as women; as citizens; as having relationships; as having complex needs; and only then as offenders. The need is for services to work together to provide holistic support tailored to the individual and her identified needs, with the woman playing a full and active role in the process. Evidence points to the need for systems, standards and objectives to be specific to women, rather than women being expected to fit into a male-oriented system where women are often likely to fail from the outset. For example:

Evidence from **Northern Ireland** showed that women's recall to custody was not because they were committing new offences but because they were not adhering to probation conditions. Out of 53 cases, 25% of women on probation were brought back to custody within the first month of liberation and a further 50% returned within 75 days.

Evidence demonstrates that the Whole System Approach (WSA) in Scotland, which is based on maximising diversion and early and effective intervention by services working together, has had a number of positive benefits for young people (up to age 18) in terms of reducing youth crime and the YOI population, as well as improving wellbeing for those involved

(Murray et al., 2015). A preventative approach for women, modelled on the successes of the WSA, would be welcomed in terms of providing holistic and person-centric services alongside a systemic approach to diverting people at every possible stage. Lessons can be learned from the factors that have led to the success of the WSA, including clear expectations upon all authorities and services involved and shared protocols.

An additional interesting model of joint agency working to achieve positive outcomes for women in custody is provided from the **Canadian** setting. Service Agreements are exchanged between agencies, with shared performance indicators also established between agencies, and built-in reward systems. In some jurisdictions (such as the province of Ontario) there has been restructuring of government systems, so that social service, mental health, and justice orientated agencies all report to the same Minister.

When discussing the myriad complex needs women may have before, during and after custody, it was clear that women's mental health needs ought to be given early priority given the wealth of evidence regarding mental illness, trauma and offending. The group heard that the Glasgow-based project, Tomorrow's Women, often found that women with mental illness were being excluded from other services for this reason.

In **the Netherlands** there is a commitment to providing treatment for mental health and addiction issues in the community, prior to imprisonment.

In **Spain**, prisons work with organisations (non-governmental and religious organisations) to tackle issues including substance misuse, employability and health. One example related to accommodation upon leaving prison, where organisations could help to find foster placements for women who would otherwise be homeless, or without support. There are a number of therapeutic communities for drug treatment outside prison which can be accessed by women in open conditions, prior to release.

The relationships which women form with their support workers, prison and community-based staff were highlighted as extremely important. The video testimonies heard during the symposium from women in custody made clear that when these relationships broke down, or there was a lack of trust, the women disengaged from services. This was illustrated by a young woman at Cornton Vale:

'Time for Change is a company I work with when I've been in and out ... I was working with them like three, four times a week, taking me out to different appointments and support if you need it. Doing stuff like that has kind of calmed me down, helping me grow up, 'cause I was young when I first came in so ... if I didn't like them when I first met them then I wouldn't engage with them whatsoever. But ... now I've been like – 'right I need the help, so I need to work with these people whether I like them or not'. ... it depends what kind of person you are if you can work with them, because the agencies are good, so like if you want to engage with them it's your choice not theirs.'

Being able to change workers, for example, made a huge difference to what some women got out of the service, as demonstrated by the following quote:

'When I first started working with [outside organisation] the worker that I had at the time she wasn't very great to be honest with you, it was kind of, you know, a kind of right laid back attitude, as if she didn't care, which made me find it quite difficult to open up to her. But then I kind of went along the route of speaking to my personal officer about that and he brought in the manager of that organisation and she said that she obviously wasn't the woman for me to be speaking to. And then I got readdressed with another worker which I found was great. So, I think you've got to be able to communicate with these people.'

Evidence from Northern Ireland demonstrates that strong partnership working between the prison staff and community-based probation team can also improve these relationships while also dissipating some of the anxiety around attending a service after liberation.

In **Northern Ireland**, having community workers accompany a woman from inside prison to the community to attend meetings prior to liberation was a useful way to ensure a more smooth release and reintegration transition.

Tomorrow's Women were seeing increasingly positive results from working with throughcare staff within the prison who were keen to visit the community setting to where women were returning.

Women's relationships with their peers, and the role of peer mentoring, were also identified as an extremely important resource in terms of gender-specific service provision. The example from Northern Ireland shows that this can be used in community settings by setting up women-only spaces in local centres to deliver a range of probationary programmes to all women, not only those who were on probation, based on need. Women who were on probation were able to decide whether and/or when to share this fact with the group, and this was important in terms of addressing stigma around offending. One woman at Cornton Vale talked about the value of peer involvement in services:

'Open Secret; these are women that have kind of experienced what I've experienced so, aye they get that as well. That's really important, really important.'

Issues

Given that the topic of the group discussion was services working together, the group emphasised the need for **conversations to take place involving all key people / agencies** (for example Judiciary, Police, Crown Office & Procurator Fiscal Service (COPFS), National Health Service (outside prison), education, housing, addictions, employment, benefits).

One of the biggest issues with regard to supporting women before, during and after custody is the backdrop of austerity. As there are comparatively few women in custody compared to men, services and resources can be particularly vulnerable to cuts. The impact of this varies in neighbouring nations. For example, in Denmark the model ensures that funding to support identified need is appropriated from the wider budget, but the practical impact of cutbacks in Northern Ireland has been more serious.

In times of austerity, community services may come and go, but prison remains constant. It was highlighted that a report from Audit Scotland (2012: 15) showed that less than 10% of the budget was allocated to support services beyond custody². Arguably, there needs to be a **shift in resource allocation which will reduce reoffending** and improve the quality of lives for women. The group considered that there are still ways to ensure that good services are delivered to those who need them without a large price tag, and that there was scope for savings: one example shared was that short-term custodial sentences are 30% more expensive than community-based orders.

There were concerns that **diversion from prosecution** was not being used consistently across the country.

Resources that are available to, and accessed by, women in prison are not always available in the community. This means that women may experience a lack of continuity / connection when leaving prison, a factor which often plays a role in reoffending, as their needs are no longer being met. As described by a woman at Cornton Vale:

'It's actually better in here you get people... you don't get enough people to speak to outside you know, like for mental health and things like that and how you are feeling, you know they tend to help you a little bit better in prison. And I can see that's why a lot of girls come back in you know, there's not a lot of help outside. I think there's more help in prison than there is out.'

'..come your liberation date nothing's changed, you're still getting liberated NFA (No Fixed Abode), so you've still got nowhere to go. They tell you to go to the Hamish Allan Centre in Glasgow, you go there, and they hand you a phone number for a sleeping bag because they've not got anywhere to put you, so you are getting right out of prison, and expected to live on the streets'

There are issues which need to be tackled around **labelling and stigma**, and perceptions in the media of women who have offended. It is imperative to find ways to change the way in which the 'female offender' is considered.

Whilst working in partnership is key, it is complicated by the issue of **data sharing and siloed working**, coupled with agencies and services working in competition. As information is often not shared between organisations, women are continually being assessed at various points of the justice journey to the point that they may experience assessment saturation. Staff from Tomorrow's Women explained that they had been granted access to the SPS prisoner records system (PR2), as well as health and care information, and said that this made a huge difference to how they worked with the women in their service.

² Audit Scotland (2012: 15) reported that, of the sum spent in 2010/11 on dealing with people sentenced in court 'a third of expenditure was on reintegration and rehabilitation', with 16% of the total (£66.7 million) spent on reintegration. Of that figure, £52m was spent by SPS on 'services to support prisoners move back into the community'. Community Justice Authorities spent £11.9 million on services and activities such as supported accommodation and employment training. The remaining £2.1 million was spent by the Scottish Government on funding services and activities that contribute towards reintegration, such as the work of voluntary organisations.

Not knowing the full landscape of services available (where, to whom, and under which circumstances) means that there is difficulty in achieving a fully comprehensive, joined-up approach, and there is scope to develop a 'census' of such resources.

The group also discussed the **implications for children of having a mother in prison**, which may increase the chances of those children becoming drawn into the system. Services and practices that have a strong focus on building, rebuilding and sustaining family relationships have an important part to play when considering community links. The group also felt strongly that children should never spend a night in custody, and that since few women who offend pose a risk to others in the community, alternative residential arrangements should be made available in the community for women and their children. In developing these kinds of arrangements and facilities, the wellbeing of the child would need to be paramount.

Advice

Drawing from the evidence that early and effective intervention is successful with young people, **a Whole System Approach for women, involving statutory and third sector organisations, should be developed.** The group summed up its advice as: no-one should let go until the next has picked up responsibility. The group chose the following image to illustrate the need for service providers to truly 'join up' in partnership working:



Experience suggests that **levers and drivers which would enable services to work together** successfully in the best interests of women include:

- common purpose and commitment across services and relevant policy areas, led by Ministers
- clear principles, guidance and expectations (possibly set out in national standards and objectives for women in the justice system), with formal agreement about respective contributions of the different partners
- joint planning and evaluation
- shared resources
- clear lines of accountability

There will be a need for engagement with the judiciary, and judicial training.

There is a need to improve data linkage and communication across and between services and agencies, and to have a portfolio of services which women can access before, during,

and after custody, to obviate the need for multiple assessments and ensure that women are able to access the support they need.

When reimagining custody, a key priority should be to sustain core relationships and ties to the community (including work and family). Continuity of service (and also of relationships) between custody and the community is important, and services which are available in prison need also to be available, and accessible, within communities.

Consideration should also be given to establishing appropriate residential child-centred settings where mothers may stay with their children, where this will be in the best interests of the children.

There is a need to ensure that diversion and alternatives to custody are being used to the greatest extent possible. Diversion from prosecution and effective alternatives to custody are also likely to be cost-efficient. Prison should be used only for those who present a risk to others because of their offending. The use of custody for short prison sentences, petty offences and women who present a risk to others because of mental health needs should cease.

Data from Northern Ireland on recalls to custody shows a clear need for appropriate and suitable community conditions for women. This information gives insight into why women may not fulfil conditions placed upon them in the community and the difficulties they have in meeting conditions. It may have relevance to the design and support of community-based custody for women in Scotland in the future.

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5. Assessment to support decisions about a woman's needs and where she should be placed (Workshop 2)

Presenters: Dr Anne-Marie Slotboom, VU University of Amsterdam; Yvonne Gailey, Risk Management Authority, Scotland

Facilitator: Dr Sarah Armstrong

Scribe: Ruth Brown, University of Glasgow

The group was asked to consider:

- How can we achieve effective multiagency assessment and information sharing to support decision making about where a woman would best be placed and the support and opportunities she needs?
- What progress is being made in developing appropriate tools to support decision making?
- What evidence is there of the outcomes from these assessment processes?

Evidence

Anne-Marie Slotboom's presentation drew upon research on the life courses of women in prison, work which established for the first time the range of needs of the population of women in custody in the **Netherlands**.

There were significant contextual differences between the Netherlands and Scotland. In particular, in the Netherlands penal policies and practices are not gender-specific, and drug use and prostitution are not punishable by law. Other contextual factors were the social security system, ease of access to mental health and addiction services in the community, with most individuals being treated prior to imprisonment. Ready availability of social housing and very low rates of teenage pregnancy occur in the Netherlands. A high proportion of women prisoners are foreign-born. This may complicate interpretation of data on pathways into prison since some factors (such as prevalence of mental health issues) may vary between groups.

There had been reductions in the crime rate and very large decreases in the populations of both men and women in prison in the Netherlands, from 15206 prisoners in 2005 to 9909 in 2014. The reduction in numbers of prisoners meant that some prisons had been closed. As a result, some women were being held further from their homes because accommodation for women was now available in only 3 prisons rather than the previous 5.

The research on women's pathways into prison identified risk factors that are uniquely important to women's offending trajectories: the interplay of disadvantages resulting from their intimate relationships, victimisation, addiction and parenting. These findings are critical for designing interventions that women in custody need to effectively reintegrate into society and reunite with their families.

The tool used for assessment in the Netherlands is the 'Recidivism Risk Assessment Scale' (RISc). This is based on the English Offender Assessment System (OASys). For most imprisoned men and women, with short periods of detention, RISc is not used. RISc is used with some women when they have 4 months left of their sentences. (If they refuse to take part, they are not permitted to access all the programmes available in custody.) The aspects identified as the most important criminogenic factors for women in the Netherlands are:

- Education, work and learning
- Relationships with partner and (extended) family
- Emotional wellbeing
- Thinking patterns, behaviour and skills.

For women in TBS (detention under hospital order), the HCR-20 with the Female Additional Manual (FAM) (Vivienne de Vogel, et al.) is used to assess and manage risk of violence in women. This includes new items for women, reflecting higher scores amongst women for risk factors including self-destructive behaviour and victimisation. Analysis of the findings from the use of this instrument identified factors that should be considered when seeking to address women's needs and risks, notably relationships, victimisation and emotional wellbeing.

Professor Slotboom closed by stressing that much work remained to be done in the Netherlands to address the lack of gender-specific policies there, while noting at the same time that there had been substantial reductions in the numbers of imprisoned men, women and young people. She suggested that this implies that it is important to look at how, when and where gender-specific policies are needed.

Yvonne Gailey began by providing principles for assessment of needs, stating that it should be evidence-based, defensible and ethical.

She gave an overview of the development of assessment tools for use with women, either by revising tools which had been designed for men or by building a tool for women from first principles, involving women themselves (as in Cincinnati University's Women's Needs Risk Assessment (WRNA)).

She explained that the Level of Service/Case Management Inventory (LS/CMI) is used in Scotland both for individuals who are in the community and in prison, within a Framework for Risk Assessment, Management and Evaluation (FRAME) with standards and principles of practice and an emphasis on professional judgement³.

The LS/CMI tool is intended to be used to identify the levels of services that an individual may need; it is not primarily a means of classification. There is evidence from data gathered over 10 years of use in Scotland that practitioners are largely identifying gender-informed concerns; and preliminary evidence from the early years that the tool performs equally well for males and females.

³ The Risk Management Authority had explored with partners the potential to use the WRNA. It was decided not to go ahead with a pilot of WRNA and to consider the evidence emerging from the use of LS/CMI in Scotland. In the interim, WRNA has been further revised and its validation studies are promising.

Given this, and the major investment by Scottish Government and criminal justice services in implementation of LSCMI, she advised that it would be wise to consider the advantages in using this method before looking for or developing a new tool.

This routine assessment practice can be used to build individual care plans through robust assessment of risks and needs, strengths, social and health needs and gender-informed responsiveness issues.

It can also inform service planning and policy, and provides important information to guide the future national/regional/local community model. In the new model, the purpose of each tier will need to be translated into evaluation criteria for placement decisions. The woman's needs can then be determined through the assessment process, leading to an identification of the required services and whether these can be met from existing provision or represent unmet needs.

As with the work in the Netherlands, the collated information from assessment produces rich data about needs and circumstances. An analysis has been carried out of the assessments of 2740 women completed between 2011 and May 2015 in Scotland (664 individuals who had a history of custodial sentence and 2076 who did not). Those who had a history of custodial sentences had:

- higher general risk/needs level
- higher criminal history score
- greater needs in relation to:
 - companions
 - engagement/compliance
 - alcohol and drugs
 - behavioural needs
- higher prevalence and diversity of violence

Such analyses identify the overall scale and range of need and so can inform the development of service planning and policies, including community-based preventive services.

While recognising the overarching issues of trauma and recovery, safety and stability, such analyses can identify groups within the sample of women with experience of custodial sentence, for example those with:

- higher risks and needs, with engagement/compliance issues and behavioural needs
- lesser risk but substantial needs
- lower risk and needs

and so help in modelling the new arrangements for custody and in targeting resources. The analyses can also inform and support the development of a gender responsive strategy, a trauma-informed, recovery-, needs-based approach to working with women.

The information can also help to inform the development of future evaluation criteria for placements.

Kelley Blanchette provided a written submission about assessment practices in **Canada**. There, initial custody placement decisions are based upon a gender-neutral, static risk factor tool. In addition, a security reclassification tool was developed specifically for women (SRSW). This considers their unique needs and strengths (for example, recognising that pro-social family contact aids in positive adjustment). It is a dynamic tool in that it considers behaviour between security reviews. Staff members have the opportunity to use their professional discretion to recommend a different level of security, if they provide a strong rationale for their recommendation, with the final decision resting with the warden (governor). The SRSW has been validated and regularly re-validated for predictive accuracy, with results published in government and in peer review journals.

Issues

The following issues were raised during the small group and plenary discussions.

A few participants felt that the **term 'assessment'** denoted something clinical rather than a two-way process.

When and where should assessment start? Under the proposal of a tiered system would (multi-disciplinary) assessment take place prior to placement within the custodial estate? It is important to achieve continuity of care or pathways where possible, which might mean assessment in the community prior to arrival in prison. It was recognised that many women will have been assessed in the community using the LSCMI method, and this is something that should be built upon.

One of the women from HMP Cornton Vale who spoke in a video clip highlighted the need for assessment to take account of how she had changed:

'She's judging me as the way I was, not by the way I am just now'

The same woman spoke of concerns about **having enough time for assessment and working with the right person:**

'They've always got a certain time to speak to you, say half an hour, and you might take a little bit longer, you know, they're always kind of looking to see their time limit'.

'You've no choice in different people you can relate or speak to. I think you should have a choice of people, you know.... because not everybody gets on – clash of personalities you know.'

The assessment needs to be holistic, enabling a rounded picture to be drawn of the woman and her circumstances (e.g. family relationships) and covering both the community and custody.

Assessment practice should be trauma-informed, and thus sensitive to how previous trauma may be compounded by the distressing effect of having to talk about personal circumstances repeatedly, as described by another woman:

'Takes me all my time to open up to people about my past, about my life, about things I've went through and when you open up to a certain extent with one person instead of that person like sharing information about you to another agency they expect you to re-live it again and again. They go home, then you're left to sit in that room... so it's like you're reliving it again and again'.

A question was raised about whether or not the LS/CMI assessments cover victimisation and trauma, and the answer was that they do. These, and other gender-informed matters, are included as part of a comprehensive, holistic assessment, rather than being identified as risk or criminogenic need factors.

There are different systems in place for information sharing, and often information is not shared well enough between the different partners in prison and the community.

Effective assessment requires meaningful engagement: women should be collaborators on their assessment. Additionally, security needs to be commensurate with risk, and risk assessment makes this transparent. Risk and needs assessment forms part of the criminal justice report provided to the judge in order to advise on the suitability of various disposals, but **it is important that someone is not sentenced on the basis of needs.**

At the moment women who have chaotic lives may be remanded in custody yet **little assessment of need is done during a period of remand**, when it would be helpful to do so. (Over 50% of the intake of women into custody are on remand and 70% of them do not get a prison sentence. All are known to criminal justice social work services). It is important to recognise and seek to meet their individual needs.

Assessment takes place within a system of harm infliction. **Does assessment assess the harms that are being caused by imprisonment?** These may be matters of human rights. For example, prisoners may lose their house when they enter prison: should they be given a tenancy on release? Such harms need to be considered and plans made to mitigate them.

Not all services are available, or sufficiently available, in all parts of the country. Similarly there is a need for equity of access between prison and the community. This will require discussions with Health Boards in particular. Provision should not be dependent upon where an individual is or the length of their sentence.

What might be the consequence if prison became the best place to be assessed for need? Is there a risk that the sentence of 'last resort' becomes the 'first resort'? In the words of one of the women who spoke on the video:

'There should be a different jail for people with medical mental health issues and psychological issues, definitely, they should not be in with mainstream prisoners for their safety as well as the mainstream prisoners' safety' 'They should not be in here. This is not helping them, their mental health at all'

Advice

Assessment is the cornerstone for describing, understanding and responding to women's needs. It is important that assessment is carried out proportionately and sensitively and that the findings are interpreted and communicated responsibly to ensure that allocation of support and services is informed by need. Sentencers require advice on risks and needs to inform their decisions, but a custodial sentence should not be a means to meet needs.

In the new model of custody, **a woman's placement at any stage in her sentence within the range of different settings should be informed by the outcomes of the assessment** and review process, linked to the purposes and characteristics the different custodial settings.

It takes time and trust to explore in depth the issues a woman may be facing and to identify strengths and assets as well as risks and needs. This argues for assessment that:

- treats each woman who is entering custody as an individual regardless of status or sentence
- is kept to the minimum needed to gather the information and draws upon existing sources of information
- relies, as far as possible, on a relationship of trust involving a key individual working with a woman rather than a series of assessments with different people (to avoid the re-traumatising that can occur when multiple assessments take place); that individual should pass the relevant information to providers of services for the women so that she does not have to undergo repeated assessments
- is as collaborative as possible, with the woman actively engaging to co-produce a plan
- is a process that may take place across a period of time if necessary (while seeking to identify urgent matters, such as caring responsibilities, as quickly as possible)
- enables the woman to have a say in who should work with her in the assessment process
- takes place when needed during a sentence (not at pre-determined stages) to recognise changing circumstances, enabling different placements and contact with relevant services at different times if appropriate.

The environment in which assessment takes place is also important and should aim to enable a woman to 'reconceptualise' herself.

More radically, **the assessment and review process which should guide the planning for a woman's time in and beyond custody should also monitor the effects of the potential harms of imprisonment** on the woman and seek to mitigate these, including the potential impact of assessment itself.

Current tools, and professional expertise in using them in Scotland, provide a good foundation for gathering relevant information, making individual plans for support and providing the necessary support and opportunities for women.

It will be important to continue to develop and improve the assessment tools and processes, engaging with women in co-design of development and research, and taking account of the views of partners, together with emerging evidence.

The collated information from assessments forms a rich source of data to inform planning for the new model of custody and the services that will be required.

Effective assessment and support require a multi-disciplinary team approach, within which there is a professional culture which is able to create a holistic approach to working with women, as well as clear and efficient information sharing, transfer and access protocols. (There is experience to support such changes from the Whole System Approach and developments in assessment from HMYOI Polmont, which include 'SHANARRI' (safe, healthy, achieving, nurtured, active, respected, responsible, included) indicators from 'Getting it Right for Every Child' (GIRFEC).

It would be worth exploring having a key worker from the multi-disciplinary team whose job would be to make others aware of a woman's circumstances and needs.

Recent changes will support this, e.g. health board responsibility for health care provision in prisons and involvement in addiction services in prisons. Key points:

- Continuity of care
- Pathways to be assessed before prison.
- Partners need to be part of the discussion.

Having assessed the need for a service in a particular case it is important that that service should then be available to that woman in whichever setting she has been placed. Assessment therefore needs to be closely linked to (and help to inform) service provision inside and out.

It will be important to build in appropriate ways of gathering evidence and feedback about how well the assessment process operates and the services and opportunities being provided, and, where needed, to take action in response. Providing this evidence clearly to the public will be an important element of ensuring public trust in, and support for, the new approach to women in custody in Scotland.

The new arrangements will require training for staff from the different services.

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6. Young women and custody (Workshop 3)

Presenters: Carole Dearie, Centre for Youth and Criminal Justice; Kate Donegan OBE, Project Executive, Women Offenders, Scottish Prison Service

Facilitator: Professor Michele Burman, Scottish Centre for Crime and Justice Research, University of Glasgow.

Scribe: Annie Crowley, University of Glasgow

Evidence

At the time of the symposium there were very few young women aged 16 to 21 in the custodial estate in Scotland, as referenced by **Kate Donegan** in her presentation.

Number aged 16 or 17	0
Number aged 18-20 convicted	12
Number aged 18-20 on remand	4

Young women 16-21 in custody in Scotland are held in two Young Offenders' Institutions, HMP & YOI Cornton Vale (9 of the young women), and HMP & YOI Grampian (7).

These figures represent a decrease in recent years, although at the same time there has been an increase in the number of younger women in secure care (note, however, that young women may be in secure care for welfare as well as offending reasons). There has been a decrease in (recorded) youth crime. It is likely that GIRFEC has played a significant part in this.

Internationally too, the proportion of young women held in custody as compared both to older women, and to young men, is small.

The young women in custody are largely from areas of social and economic deprivation. Their presenting problems and needs were significant, with little or no employment experience, poor educational experience and erratic school attendance, and complex emotional, mental and physical health needs.

Whilst some research suggests that young women can be a difficult group to work with and are sometimes labelled 'manipulative' and 'sly', there is the need to acknowledge that this perception is exacerbated (and to some extent arises from) the small number of young women in the system, as not many staff have specific experience of, or training for, working with this group.

Most young women are in custody for minor offences, on short sentences. Mrs Donegan drew attention to a common misconception that most young women coming into custody are previous offenders, whereas of those in custody currently, one third were first time offenders. Most young women are in custody for minor offences and on short sentences (the sentences of those in custody at the time of the symposium ranged from 14 days to 2 years 10 months).

Research evidence (in particular the Edinburgh Study of Youth Transitions) shows that a key driver of later offending is contact with the criminal justice system, and that early exclusion from school is the best predictor of who will end up in prison by age 24. This reinforces the view that maximum diversion, and early and effective intervention and prevention, should be the focus of work with young women.

Kate Donegan also described the ethos and approach to the care of young women in custody and the SPS Strategy for the Management of Women in Custody which stresses gender sensitivity and responsiveness, trauma-informed care, using strengths-, assets- and desistance-based approaches, and individual case-management. The aim is to nurture growth of self-esteem and self-confidence in the young women, and it is recognised that the approach requires specially selected and trained staff.

Young women in custody have one-to-one support from a Personal Officer and provision can include education, drama, art, music and vocational training and certification; programmes and interventions; healthcare (mental health, addictions, 'well woman'); youth work support and activities; personal safety and relationships; and parenting and life skills.

Carole Dearie outlined key research on the characteristics of young women. For example Bateman & Hazel's (2014) 'Beyond Youth Custody' describes key differences between young females and males in contact with the criminal justice system: the different pathways of young women; the compounding of their problematic behaviours by criminal justice responses; how their relationships are damaged by custody; the high levels of vulnerability and poor mental health which make the experience of being held in custody particularly arduous; the interpersonal focus that is needed in their resettlement support; and the different barriers to desistance.

She quoted research evidence showing that, when compared to young men, young women may be more likely to demonstrate engagement in self-debasing distortions such as self-blame, and internalising behaviour; demonstrate excessive sociotropy (concern about disapproval and acceptance); and display an emotion-focused coping style that makes them more prone to anxiety or depression.

The resilience and relational literature that relates to young women is a key resource in understanding how young women respond, and the issues that staff working with them might have to deal with. For example, girls' social, emotional and behavioural problems may often be traced to disconnections or violations within relationships, and the experience of broken or absent attachments may manifest itself in risky behaviours.

There was agreement in the group discussion that a robust body of research evidence regarding young women in the criminal justice system has developed, particularly over the last 10 years or so. This evidence is key to informing practice with young women, and emphasises the importance of well-trained, properly selected and committed staff.

Issues

The small number of young women in custody internationally raises many issues related to their treatment, for example: where they are accommodated (prison / young offenders' institutions / secure care / community) and whether they are held separately or with adult women. The way in which custody is arranged for young women varies widely from country to country.

Young women are often marginalised in research, debates, policies and strategic action plans. They are often missed out in discussions of youth offending, where the focus is on boys / young men, and of women offenders, where there is little differentiation by age. Additionally, young women may act and function at a level younger than their chronological age due to neglect and trauma. Gender, age and stage of the maturational development of young women in custody need to be taken into account when working with them. Sometimes uncritical translation of gender-awareness into practice can result in interventions / programmes that gender-stereotype young women and dictate the opportunities available to them.

Whilst recognising the commonalities in this group of young women, it is important to recognise their differences and different needs: that **they are not one homogeneous group**. Overall, the focus must be working with each young woman as an individual.

Advice given from **Canada** is to recognise that trauma-informed interventions may only be necessary and in fact, 'work' for those young women who have followed a trauma-induced pathway to crime. Being trauma-informed does not preclude targeting other factors that directly influence the risk of offending.

There are major challenges arising from the success in reducing numbers of young women in custody, such as unintended isolation or segregation or lack of appropriate services, often due to attempts to provide a separate regime / living environment. Owing to the small numbers involved the funding landscape for services for young women is particularly fragile, and there is pressure to demonstrate results, which is problematic with small sample sizes.

There are several issues relating to the staffing of services for young women. As with older women, research shows that **relationships are key**. This group of young women have usually experienced poor or non-existent positive relationships, and for many, their time in secure care or prison is the first time that a meaningful relationship may be formed. Because of this, the quality of the relationship with staff is crucial. This was illustrated by a young woman at Cornton Vale who said that:

'I think the education staff some of them has got a bit more patience than teachers at school obviously because we're in here so, I think they had a lot more time for us, well for me personally I think they had more time for me and want to help me with stuff.'

Or in the words of another woman,

'People have helped me the most, people that's been there for me and try and guide me to be a better person, do better things with my life.'

The often high levels of male perpetrated abuse / victimisation that young women have experienced also means that **careful consideration is needed with regard to the gender of staff** in custodial settings.

Examples were given in the group: in prisons in **Belgium** the ratio is 60:40 as a minimum for the number of female staff working with women; in the Good Shepherd Secure Accommodation Centre the ratio is also 60:40, based upon the rationale of aiming that young women build positive and healthy relationships with male staff; the ratio that had been decided upon for the proposed Inverclyde Prison was 75:25, an agreement supported by the trade unions.

Staff working with young women often do not have the sufficient specialised knowledge or practice support to provide an appropriate service. For example, staff need to be able to understand and recognise the residual effects of trauma upon behaviours and mental health, and the skills to manage these symptoms of trauma. SPS is currently developing education courses for staff to develop these skills.

In the group discussions, as in wider debate, there were mixed views on **whether young women should be accommodated separately from adult women** in prison. Consultations with young women also show a range of views. For example, in the words of a young woman at Cornton Vale Prison:

'Young women, I think they should be in on their own, I think it works better. When I first came in, it was scary because there were so many older women about, they were mixed at that point, and, I was sixteen and I think it was a twenty one year old I'd been put in with, and, like, it was scary, because they've been in and out and they know like the bullying or whatever. I don't go outside and hang about with forty year old women, and in here it's the same, you don't, different experiences they've had in life and whatever.'

However, **separation of older and young women can result in isolation**, as there are often very few young women in YOI custody.

In **Belgium**, there is currently no specific approach (specific activities or education, etc.) for young women, and they are accommodated with older women. It was stated that in consultation they had requested for this to be the case.

In contrast, advice from **Canada** is that formal recognition is needed that age does matter when considering where young people are housed, and that young women should not be housed with adult women. However, that being said, Canada recognises that the decision to house adult and adolescent women together requires further consideration and that there are both strengths and weaknesses associated with housing youth and adults together.

In **Sweden**, those aged between 15 and 18 who have been convicted of a crime are not imprisoned with adults, but are subject to youth custody, and held in the same secure care setting as those referred by social services. Very few young women are sentenced each year to secure care on a youth custody order (between 1 and 5) as it is reserved for fairly serious crimes. Due to the low number, they are usually held together in the same units / wards as those sentenced on welfare grounds. The debate in Sweden is currently not about if girls

should be cared for separately from adult women but if young people who are sentenced to youth custody because of committing a crime should be cared for together with youth placed in compulsory care because of severe behavioural problems.

Transitions between different kinds of custody and into the community can be particularly difficult or disruptive for young women. One young woman now at Cornton Vale described her experience of moving from secure care to prison:

'I think see coming from a secure unit, there's a lot of support in there, and there's 24/7 support, and then coming to here from there, it's totally different because, aye there is support but it's a different support from what you were getting, like what you used to get, and the habits and stuff you've picked up in there and then you've come in here completely different.'

Young women often return into the custodial system very quickly, having experienced an inadequate reintegration process. They often have a notable lack of practical skills (e.g. paying bills, maintaining tenancies, etc.), and without these, the likelihood of returning to custody, either intentionally or as a consequence, is high. As one young woman at Cornton Vale described,

'I think you get more support in here than you do on the outside, and, I didn't have that support, so, I'd come back in and then out, and in and out, and I've done that since, I'm twenty one now, that's been five years.'

'I think there should be a thing for young offenders where they can be outside, like a slow path to getting back out into the community, because I think it's hard for people when they come in here and then they just get out, straight out the door and they've been in for months and months or years. They don't know what it's like. [Older prisoners] would go to the 'houses' and they would get that chance of going out to the shop for an hour or going home for an hour but [young offenders] don't get that'.

Advice

A key priority for this group should be ensuring alternatives to custody, and an emphasis upon diversion. If custody is the only solution, it should take the least restrictive form possible, with planned and supported access to the community if possible.

It is important to understand each young woman's needs, strengths and risks through careful assessment. The misconception that young women are 'high risk' and hence in need of secure settings needs to be refuted. Research and practice indicate that they have high needs which, with appropriate investment in resources, can be addressed in the community.

Advice from **Canada** is that it is important to be wary of criminalising young women's survival strategies and inadvertently pushing young women deeper into the criminal justice system. This requires policies and practices that de-escalate such trauma-induced externalising behaviours. (e.g., physically acting out, being hyper-vigilant if staff makes physical contact without proper warning). Thus, for example, if a young women is placed in protective services for childhood abuse, and she responds with aggression to perceived

threats from staff or peers, she should not be charged with a criminal offence but rather the matter should be dealt with internally in a fair and consistent manner.

The extension, or adaptation, of GIRFEC and the Whole System Approach should be considered for those over 18, as should retaining young women in the Children's Hearing System for as long as possible. The strong partnerships, reciprocal communications and understandings that are integral to the working of GIRFEC/WSA are necessary for best practice in supporting young women who have come into contact with the criminal justice system.

Young women who come into contact with the youth or criminal justice system are not one homogeneous group. There needs to be potential in the services and activities provided to respond appropriately to different ages and different maturational stages (so to be developmentally informed as well as gender informed). This is a key time for identity and personality formation and it is important to avoid inhibiting or curtailing this process as far as possible.

Young women in custody have often experienced a high degree of trauma and victimisation and this has implications for practices, relationships, services, staffing and staff training.

It is crucial to avoid re-traumatisation, which can take place for example through strip-searching and by having to repeat stories to different people or at multiple hearings. Reactions to such treatment can result in further offences where a young woman becomes upset and aggressive. Measures to avoid re-traumatisation include the use of new technologies to replace strip-searching, creative methods to avoid the re-telling of stories, and consistent panel members and other key workers allocated to young women.

The damaging and fracturing effect that being placed into secure care or custody has upon relationships initially / at the end of the placement, needs to be considered. Increasing the upper age limit of secure care would allow factors such as relationships and continuity to be considered when deciding where a young woman should be placed, rather than chronological age.

There is a need for sufficient mental health provision for young women both in the community and custody, with improved and supported specialist training on mental health and wellbeing available for staff working with young women across services.

Most of the young women (but not all), are experiencing both mental health needs (post-traumatic stress disorder symptoms, depression, anxiety, self-harming behaviour) as well as **other needs traditionally related to offending** (family issues, substance abuse, anger and aggression, criminal associates—romantic partners in particular). Both sets of factors must be addressed holistically to enhance successful reintegration.

It is important to avoid gender-stereotyping of young women when planning the opportunities which will be available.

Young women need consistent staff and high-quality transitional packages of support to prepare them and see them through the transition from secure care or custody back into the community, possibly through phased, supported contacts. They need to feel valued through this period.

There was a strong theme from the young women themselves that they need **support to learn the practical things they need to be able to do** when they are in the community.

Young women also said that they need staff to understand their behaviour and ‘not just see us as criminals’. Staff working with young women require a **body of specialist knowledge and skills.** In particular, the knowledge that these young women have often experienced a high degree of trauma and victimisation is key to informing work carried out with them.

Implications for staff and staffing include:

- Ensuring that staff are specially selected, trained for the role and committed to it, possibly applying selection and training principles and practice used in secure care settings to other custodial settings
- Giving careful, evidenced consideration to the gender breakdown of staff working with young women
- Planning for the support needs of staff who may experience vicarious traumatisation as a result of working with young women with histories of complex trauma, for example through reflective practice.

There could be benefit in using the Care Inspectorate’s Inspection Standards in inspections of YOI units where young women are held.

Given the very small numbers of young women entering the prison estate and the risk of isolation, the question of whether to accommodate them separately as a group or with older women is not easily resolved and will probably require flexibility depending upon the mix of individuals at any time. The actual arrangement could be at the discretion of the Governor, taking account of circumstances, risks and relationships and the best interests of the individuals, through a transparent, consultative decision-making process.

Finally, it is important to remember the sense of hopelessness these young women feel, but also their potential. Often their deficits are focused upon, with little recognition of their strengths and resilience in the face of difficult circumstances. These young women need, and want, hope for the future and we must not let them down.

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7. Family and Social Ties (Workshop 4)

Presenters: Professor Nancy Loucks, Families Outside; Ms Danijela Mrhar Prelic, Prison Director, Ig (Women's) Prison, Ljubljana, Slovenia.

Facilitator: Dr Kirstin Anderson, Scottish Prison Service

Scribe: Rebecca Foster, University of Glasgow

Evidence

The SPS Female Offenders 2013 survey states that:

- 65% of female prisoners reported having children.
- 38% of female prisoners reported receiving visits from their children.
- 57% of female prisoners said that they were involved with caring for their children before they came into prison.
- 48% reported that they would be caring for their children when they are released from prison, 27% stated that they would not, leaving 25% who were unsure or did not say whether they would be caring for their children.

In her presentation, **Professor Nancy Loucks** gave an overview of the significant body of research that highlights the many adverse impacts of parental imprisonment upon children of imprisoned parents. For example, The COPING research project, a pan-European study, (Jones et al., 2013) looked at the characteristics of children with imprisoned parents, their resilience, and their vulnerability to mental health problems. This research revealed the 'triple jeopardy' that these children are exposed to: family breakup, financial hardship, stigma and secrecy, all of which can lead to adverse social and educational repercussions.

She gave insights into the experiences of children who have a parent in prison and observed that in many cases no particular person may be responsible for the child's welfare in these circumstances. In spite of the stresses and harms they may be experiencing, three quarters of families who manage to visit prisons are not accessing support or help.

Although there have been many smaller scale research projects there is a lack of robust, large scale evidence exploring how best to minimise the impact of custody on family bonds, and how best to take account of the interests of children and family members. Professor Loucks highlighted Scottish Government research (2012) which estimates that there are 27,000 children in Scotland who are affected by parental imprisonment. However, despite a recent positive addition to the Scottish Prisoner survey which asks people in prison if they have children, the number of children in Scotland affected by *maternal* imprisonment is not known. These children have the same human rights as all other children, as enshrined in Scots and UK law, (e.g. Children and Young People (Scotland Act) 2014), and applied in policy (e.g. GIRFEC), but they also have particular needs related to parental imprisonment. Professor Loucks quoted Justice Albie Sachs (2007) to emphasise that these children 'cannot be treated as a mere extension of his or her parents'. The work of Sir Harry Burns also underlines the wider impact of imprisonment, including the potential effect of traumatic

experiences on a child's development (even while in the womb) (Scottish Government, 2010) and their subsequent life.

There was a suggestion that there may be need for 'Child in Need' or specifically designed Child and Family Impact Assessments to be carried out at the point of sentencing. This would identify the impact of decisions on a child's Right to Family Life, under the Human Rights Act 1998. An example was given by Professor Loucks of a case, *Slovakia v Denise Srponova* (2013), where the extradition and imprisonment of a woman following her breach of a probation order was prevented, as it would have resulted in her son's placement in an orphanage. Mary Fee MSP recently submitted a Private Member's Bill which calls for, among other things, child impact assessments to be made at the point of sentence.

Legislation, for example, the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measure for Women Offenders (the Bangkok rules) (2010) and the Kiev Declaration (2009), highlights that achieving equal outcomes for men and women does not necessarily mean treating them in the same way. Instead, there is a need to ensure that women's individual and gender specific needs are properly recognised, prioritised and met. This has relevance to the issue of family ties, as imprisonment has been found to impose greater practical strains on the families of women prisoners where women are the main caregiver. For example, children of mothers in prison may have to relocate and change schools. These practical issues mean that women tend to receive fewer visits than men in prison, which has implications for how family contact is promoted.

Professor Loucks highlighted some recent developments and good practice by SPS, including Family Contact Officers in prisons, parenting work, prison visitors' centres, the role of theatre and arts groups in maintaining positive family bonds and, importantly, active steps to provide opportunities for 'memory making' for families.

There is evidence from other jurisdictions of positive practice with regard to maintaining family and social ties, particularly related to the potential of open and/or flexible prison conditions.

In her presentation **Ms Danijela Mrhar Prelic** gave an overview of the **Slovenian** prison system, where most women serve sentences in open conditions (more than 60%). Here, the very low abuse rate of open conditions by the women (two incidences of abuse within the ~ 2700 unsupervised weekend leaves and ~18000 unsupervised daily leaves from prison in 2014) is accredited to the strict, clear rules and opportunities afforded by the open conditions. This includes spending weekends at home, or being allowed leave to be an 'active mother', for example, to take children to the doctor.

Ms Prelic described the facilities available for visits and contact for the women who are in custody, with family contact being a major focus and staff being aware of the family circumstances of each woman. If a mother gives birth during her sentence she has the right to keep her baby with her in prison up to the age of 1 year. If there are special circumstances (for example health or social circumstances) or if a mother already has a baby, the mother may be allowed to keep a baby up to the age of 2 (the decision is made by Director General on the advice of the Prison). Collaboration between the prison and centres of social care and other services that can offer support and assistance for mothers and their families is a key component.

Women who have sentences under 3 years, provided these are not for a sexual crime, can serve their sentences at weekends if they are regularly employed or involved in regular education programmes. This allows them to be in the community during the week. Such decisions are taken by the court.

In Slovenia, prison governors have the autonomy to decide to suspend sentences, for example, if a woman needs to take on urgent caring responsibilities (e.g. if both parents are in prison, because of medical issues of a child), or is more than 5 months pregnant.

In **Canada**, there are institutional mother-child programs, which include case preparation and supervision of women offenders with children residing at a community-based residential facility. Children aged up to 4 years can reside full time, and those up to 12 years, part time. The mother-child programme has been recently expanded to include video visitation for mothers with their children who do not reside with them.

Such flexibility would be welcomed by women in Scottish prisons. For example, in the words of a woman serving a sentence in Cornton Vale:

'I think for certain crimes that there should be other ways, not prison for certain individuals for certain crimes. It has punished me slightly but it has punished the people outside more than me.'

In **Spain**, mother and baby units are provided which are external to the rest of the prison, and in which children up to the age of three years can live with their mothers.

As was mentioned earlier, in **Denmark**, it is possible for family units to live together in prison.

Both Scottish and international examples were given of how the quality of family visits might be improved with relatively simple measures:

In some prisons in **Belgium**, such as Berkendael prison, private family visits can take place over a six-hour period, in apartment style accommodation with cooking facilities and gardens.

'In Cornton Vale they've got such a thing called 'Lifer's Barbeque', and that is all about bonding with your grandchildren, your sister, son, daughter, whoever, you know and they make a great time with that, and it just kind of takes you away from prison life.'

Issues

The quality of family contact is crucial, but often is not as frequent, positive, meaningful or as stress-free as it could be. This is illustrated by one of the women featured in the short clips,

'It's a struggle for people, especially people that are on benefits, to travel, even to Stirling when I was in the Vale (Cornton Vale), to travel, do you know what I mean?'

The environment in which family visits take place can also impede the quality of the contact, for example:

'It's a kind of false environment at visits and things so let's give more kind of contact where you know, we're not so watched by staff, more freedom I suppose, to just be a mother and daughter, mother and son.'

While there is no substitute for 'face to face' contact in the visit room, families tend to welcome the opportunity to communicate with each other in other ways, such as through video calls. SPS are currently using this technology in some prisons in Scotland; this could be used more widely, particularly with women prisoners (given the particular practical difficulties the families of women in prison experience).

Family contact is very important to most families. However, **women and their families are not a homogeneous group, and contact may not always be appropriate**, or may need to be addressed sensitively or creatively. For example, some relationships may have been abusive, and some cultures or religions discourage contact with family members in prison due to factors such as family shame.

Families are much broader, and can be more complex, than the stereotypical notion of the 2 plus 2 nuclear family. Women who do not fit into the nuclear family model should not be discriminated against in sentencing or family contact. The needs of extended families, women who do not have children, lesbian women, women who are carers, women who have non-biological responsibility for children, etc., all need to be taken into account.

Families of prisoners are often stigmatised by the imprisonment of their relatives. For example, as expressed by another woman from the video clips,

'I'm not sure the impact was as huge on me as it is on them. I feel that they have suffered more with me being in here than I've actually suffered in here.'

Any penal reform will need to also tackle the challenge of this public perception. This is a challenge which will require to be addressed collectively by all of those with a part to play in the criminal justice system.

It was recognised that many organisations within the justice community collect information about women and their children, but are very poor at disseminating this information with each other in order to join up their services as effectively as possible. Criminal justice social work reports contain (or should contain) information about the families of women in custody, but these are not always utilised fully or shared sufficiently. For example, such reports are not shared when a woman is placed on remand.

Much of the information about the family circumstances of a woman in custody will be self-reported. However, many prisoners (and their families) have negative views of, and consequently distrust, services and institutions, particularly social work and so **the information they provide may not be complete or fully accurate**. Prisons may also have some concerns about having their information shared with these partner agencies, so any changes to improve data sharing need to be sensitive to this.

Advice

Discussions on this theme strengthened the view that the use of imprisonment for women should be reduced.

Evidence about the successful use of open and flexible conditions in other jurisdictions offers scope for further exploration. Where women do pose a risk to the public, thus warranting a custodial sentence, minimally restrictive conditions (preferably with 'open' conditions as a starting point) should be imposed.

The collection and storage of data regarding the family composition of individuals in prison, especially women, should be a priority. The number of children affected by maternal imprisonment in Scotland is currently not known, merely estimated, which is a major flaw. There are barriers to gathering fully-accurate information given that some women will not be willing to share such information with authorities, but it is important to be able to gather information about all dependents (not limited to children) and parental responsibilities (whether biological or not). The principle purpose of having and sharing such information would be to ensure that children receive necessary help and support.

Pre-sentence preparation with families is very important and consideration should be given to how this could be improved. Without it, the trauma of a mother's imprisonment might be made all the greater through, for example, a sudden and unexpected move to foster care. Postponing the start of sentences for the sake of the children to allow orderly transition to care should be considered.

More could be done to ensure that children whose parent is in custody are able to have support and help if they need it. There is a role here for schools, in particular.

It would be desirable for both judges and prison governors to have greater discretion to take account of individual circumstances in how and when a sentence is served. Better (but sensitive) sharing of information between services both at point of sentence and entry to custody could allow increased consideration of the impact upon families as well as the individual.

There should be continued improvements to visiting room environments, as well as increased opportunities for family focused visits which include doing activities together or sharing meals (thus, importantly, providing consistent, frequent opportunities to 'create memories'.) Evidence, and advice from women in prison, points strongly to the importance of the quality of visits in the maintenance of family bonds.

The recognition that women and their families are not one homogeneous group reinforces the need for more creativity in how family contact is achieved, for example, by widening the use of video calls across prisons. In the next stage of development it will be vital to

actively seek the views of prisoners and their families about family contact and how to improve it, given that they are the ultimate experts in this area, as was conveyed by the women in the videos shown.

The undisputed need to better meet the needs of mothers in prison, and their children, should not be at the detriment of the needs of women who are not mothers, or who no longer have contact with their children. Instead the specific, individual gendered needs of all women should be given their due attention throughout, including supporting women who have lost contact with children or other family members due to their imprisonment or its contributing factors.

In planning different forms of custody for women, there is a need to explore better the impact of community sentences on mothers, children, carers and family life more broadly. There is little research evidence regarding the impact of community sentences upon family life. It may be assumed that because they disrupt everyday life less than custodial sentences, there will be a less significant impact or strain on children and families, but this may not be the case.

Finally, the discussion showed that **it is important to be able to probe beneath the surface of international practices** and recognise that there may be fundamental differences in other countries that allow certain practices (e.g. a very low incidence of drug addictions in Slovenia) as well as examples from which to learn.

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8. Best Practice in Working with Women: What lessons can we learn on desistance-supporting interventions, trauma-informed and recovery-focussed practices? (Workshop 5)

Presentations: Professor Loraine Gelsthorpe, University of Cambridge and Professor Azrini Wahidin, Nottingham Trent University.

Facilitator: Dr Margaret Malloch, University of Stirling

Scribe: George Walters-Sleyon

The presentations by Professor Loraine Gelsthorpe and Professor Azrini Wahidin, together with video clips of women currently in custody, set the context for the discussion. The discussion took place in the context that, with a reformed approach to custody for women in Scotland, with a small, relatively stable prison population, there will be opportunities to apply, develop and evaluate best practice in new kinds of setting.

Evidence

In her presentation, **Professor Gelsthorpe** began by exploring the concept of **desistance**. This process of stopping and refraining from offending may be spontaneous or 'natural'; it may require assistance; it may be primary (the achievement of an offence-free period), or secondary (for example through moving away from labelling oneself as 'an offender'). Desistance is not easy to measure and is the product of a range of interacting factors.

Desistance journeys were discussed, with the acknowledgement that people's resources for the journey are often limited, change pathways are often blocked, and temptation and provocation are very challenging. These journeys are complex processes, not events, often characterised by ambivalence and vacillation. They may be affected by life events, with the impact depending on the meaning of those events for the offender. Above all, each individual faces a unique journey.

Desistance journeys involve more than learning new cognitive skills; they involve changing identities and new narratives.

Key aspects of desistance journeys are:

- Hope: being prompted or sustained by someone who believes in the individual
- Agency: discovering and exercising the capacity to act
- Social capital: opportunities, capacities, skills
- Redemption/reparation: restoration, finding purpose

Consistent messages from research literature and from experience show that women in contact with the criminal justice system often have **unmet needs** relating to sexual and violent victimisation; physical and mental health (including the impact of traumatic events and experiences); housing and income; training and employment; and substance abuse. Victimisation can lead to reduced resilience, and thus to greater risk. Psychological consequences of victimisation can also lead to offending behaviour. Women who commit

offences often have low human and social capital, and are often driven to offend by the complexity of the demands made upon them (Worrall, 2002).

Professor Gelsthorpe drew upon a systematic review of the literature regarding desistance, and how it may be different for women. Many of the existing studies are small scale, with cross cultural differences, and meta-analyses are needed, but they are all important in building up a picture.

The following factors which may help or support women in their journeys towards desistance emerged from the studies quoted:

- Human agency (having 'resolve', and timing)
- Supportive relationships (emotionally and materially supportive relationships which encourage interdependence)
- Severing relationships with abusive partners/offending peers
- Understanding and acknowledging trauma... (through the environment, relationships, services and supervision, opportunities to change, and comprehensive and collaborative community services)
- Dealing with practical problems (housing, finance, debts, childcare) (Bui and Morash, 2010)
- Having reasons to stop offending and continue desistance.

Anne-Marie Slotboom, Associate Professor at VU University Amsterdam, shared in plenary discussion that she, along with Elaine Rodermond and other colleagues, had recently completed a review on desistance for women. This has now been published in the European Journal of Criminology. Their paper examined, through a review of 44 quantitative and qualitative studies on female desistance, how male-based theories of desistance could also apply to women, and whether there are any gender-specific differences in desistance for men and women. They concluded that that male-based theories of desistance seem also to apply to females.

Their study showed that having children and supportive relationships were important in supporting female desistance, in addition to economic independence, the absence of drugs and individual agency. The review found gender differences in **'the influence of children, supportive relationships, employment and the absence of criminal peers'**. In terms of children, the authors suggest that it may be care-giving, rather than parenthood itself, which may be more of a factor in desistance, but also that 'the stress that accompanies motherhood sometimes led to failed desistance.' Employment appears to be less of a factor in supporting desistance in women than in men but the authors suggest that this could relate to the relatively lower-status employment of women than men. Women appear to be less influenced by criminal peers, and potentially more influenced by pro-social peers in ceasing from offending, than men. Overall, the authors emphasise the importance of the interaction of individual and social factors during the process of desistance.

One of the video clips played during the workshop illustrates the importance of relationships to one woman in custody:

Probably the thing that's helped me the most is the people in my unit and my officers. That's people that I can talk to and trust, people there to listen and people that are non-judgemental. I think that's a big thing, people that don't think, how can I say it, 'you're a piece of ... on their shoe because you're in prison', from officers they just treat you as normal, normal, normal people you've, you've done a crime, but they don't judge you on it. You're here to make the best of what they can make and make your life easier while you're here, while you stay with them.

The evidence also pointed to the importance of recognising women's individual favoured ways of learning (such as a preference for collaborative work). One of the women described how she enjoyed spending her time and the help that she could provide to other women:

'We've got a shop here, a cosmetics shop, and I work in there for the girls, which is great, because they come in with a lot of low self-esteem. And you just help them with like hygiene, and just showing them how to put make-up on, plus they've got a receipt they can show their family that they are spending their money on themselves and it's not drugs'.

Research has also shown the benefits of mentoring as a tool to build personal agency, to help women to deal with the shame they have experienced, and to help to shape a 'replacement self' (Brown & Ross, 2010).

Some examples of **hindrances to desistance** were also given (Cobbina, 2010):

- Finding it difficult to sever ties with other family members who were offending and abusive partners
- Lack of attention from parole officers (probation officers) who had very large caseloads
- The variety of competing demands for time and energy upon release from prison.

Whether desistance is different for young women and young men was illustrated by the inclusion of a Scottish study (McIvor, Murray & Jamieson, 2004), which found that the young women were more likely than young men to cite moral rationales for stopping offending. They were also more likely to emphasise relational aspects and dissociation from offending peers was important in the process for young women.

Professor Gelsthorpe then outlined the potential of women's community services to promote desistance. A number of **benefits of community-based centres and services for women** were set out, including that they are women centred, they offer mixed provision (i.e. for both offenders and non-offenders), with a focus on empowerment and attention given to preferred learning styles. They take a holistic stance, and have links with mainstream agencies. They provide a supportive milieu and offer practical help, such as with transport and children.

An example was given of the 218 Centre in Glasgow, a service which encompasses such approaches. Here women can meet their social workers/probation on site, which helps to promote compliance with bail conditions / community based orders, etc., and thus helps to promote desistance.

Features of community-based services which have the potential to promote desistance include supportive relationships, opportunities to provide pro-social modelling, learning new skills (and new ways of being), practical management of life, empowerment and positive psychology.

More evidence is required to learn more about what works and does not work with women offenders: on models of change, and through consistent monitoring and evaluation, measuring distance travelled and changes within individual support plans, studies of comparative groups and monitoring reconvictions.

Lessons can be drawn from the existing evidence on how women might be supported in new forms of custody: these are summarised in the advice section of this report.

Finally, becoming trauma and gender informed means supporting safety, trustworthiness, choice, collaboration, empowerment (Covington, 2008)

Professor Gelsthorpe's and Professor Wahadin's presentation on issues relating to older women (see Wahidin, A., 2004) and Deaton et al., 2009), then provided a snapshot of the situation regarding older prisoners in the UK and in Scotland.

- The number of prisoners aged over 50 in Scotland increased by 71% from 387 in 2001 to 660 in 2011.
- In England and Wales currently:
 - 12% of the prison population (nearly ten thousand people), are aged 50+
 - People age 60 and over and those aged 50-59 are the first and second fastest growing age groups in the prison population.
 - On the 31st March 2014 there were 102 people in prison aged 80 and over. 5 people in prison were 90 or older.
 - 2 in 5 (37%) of those over the age of 50 in prison have a disability.

When invited to give their views on best practice, two women in custody from HMP Edinburgh and HMP&YOI Cornton Vale referred to their need to use their time productively, for example:

'I'm used to working so for me to get up in the morning I need a structure in my day. I need to get up in the morning and know that I am going to work, that's what I done on the outside so I created that on the inside to keep me sane basically.'

'I never went into education until this time in, and I think it's a big change in me. Like usually I would just sit in a block and do nothing or I'd be in a work party, but this time I go out and I do my education, I've got qualifications, it's giving me confidence and something to do for the future, not just sit about a block.'

There were different views, however. A further woman stated:

'I would change the lassies' morale in the jail because there's nothing for you to do, so I would like to see like activities and that to keep them going, to use their head, to use their brain, because see if you've got the smaller units and you've got activities to do, you're keeping your mind off all that other stuff, do you know what I mean? And you're engaging, you engage better with staff, but, there's nothing, there's nothing down here, at all for women'

They emphasised the importance of relationships:

I deserve to be here but the staff and the girls that I am on the block with have made it more bearable than what it possibly could have been.

One woman referred to the importance of support for drug addictions:

'And with a lot of lassies they're still on drugs or still in that sedated state of mind, they're not going to see it unless they get straight. And this is the ideal place to help them.'

In discussion, members of the group referred to research and reports (e.g. Inspectorate Reports, Thematic reviews, Commissions and Inquiries) that demonstrate the damage that imprisonment can inflict upon women. Key points were as follows:

- The normalisation of imprisonment impedes women's rehabilitation process.
- Prisons are not places of healing
- Prisons potentially model abusive relationships (i.e. submission to authority).
- Prison should be reserved for the most dangerous persons
- Attempts at normalisation, in the sense of attempting to make the prison experience as close as possible to the normal lives of prisoner, do not always have a view of the whole person. This was discussed this in relation to practices in Denmark where access to services and resources is based on the principle of being able to access services in a similar way as one would in the wider community.

'People have helped me the most, people that's been there for me and try and guide me to be a better person, do better things with my life. When you're in here you need people, you can't do it all on your own.'

Issues

A number of issues were raised by the group, ranging from the existential discussion of the concept of custody, to the concrete and practical. Some of the issues are detailed below, whilst others that are covered more fully elsewhere in the report are signposted.

The possibility of being more creative in how custody is conceptualised was explored, thinking beyond 'imprisonment' and residential location. Benefits would be gained from

reducing the separation between custody and community. With new models of custody - involving overnight custody (or other attendance patterns), or new forms of community custody - this separation could be reduced.

The group was concerned that prisons should not be 'invented' to 'create' resource and services, a situation which can result in women being sent to prison in order to access these resources and services. These services should be available in the community.

Internationally, it was observed **security in prison is often determined by the male estate,** and this can be a barrier to developing therapeutic environments for women. There are examples of models which we might use to determine minimum requirements for security.

The group noted the **challenges of engaging the judiciary in discussions** about changing sentencing policy or the meaning of custody and questioned how far this may be possible.

The group discussed **the incapacitating nature of imprisonment and harms associated with imprisonment.** Imprisonment can compound traumatic experiences and mental health problems and reinforce stigmatisation, and be largely counterproductive to the development of self-confidence and self-motivation. It was felt that the experience of prison impedes desistance. Professor Fergus McNeill returned to this theme in detail in his summing up of the Symposium (see Chapter 10.2).

A number of issues arise for **older women in custody.** One of these is whether integrating older women with younger women, or segregating them, would better meet their needs. Older women have particular health, social care and wellbeing needs, which have associated cost and delivery implications. Additionally, for women nearing the end of their lives, palliative care, and the right to Dignity in Dying needs to be planned for (see Aday and Wahidin, 2015). There will be a need for careful consideration to where such specialist facilities for a small number of older women might be placed within the new custodial estate in Scotland.

Advice

Establish new principles for custody for women that take due account of public safety and also offer sustainable levels of care for women. Within this, **custody might be envisaged as a spectrum** of forms which might include overnight custody, weekend custody and/or other patterns which would enable contact with the community.

Reduce the use of remand, finding ways to support women who fail to attend court and implementing bail supervision schemes consistently across Scotland (as recommended in the Report of the Commission on Women Offenders).

Apply what is known from the body of research on women's desistance and about good practice in community-based support for women, including:

- Adopting holistic approaches which recognise that offending may be the least of a woman's problems

- Actively seeking to foster positive relationships
- Providing a supportive milieu
- Adopting positive psychology
- Enabling women to experience empowerment
- Being sensitive to trauma, acknowledging trauma and not repeating it through the custodial experience, recognising potential triggers such as searches, seclusion and restraint.

It is important to provide opportunities for women to use time well, to learn and develop skills, to contribute to others' wellbeing and so create a sense of self-worth as well as self-efficacy. This may aid resistance to crime and self-development where necessary skills are missing. The voices of women in custody showed that the **education, training and other activities** that women undertake in custody are critical for them and their wellbeing.

There should be an emphasis on prevention and early intervention to divert women offenders away from the criminal justice system wherever possible and channel those convicted of low-level offences towards non-custodial community-based sentences. This will involve services working with women to build their resources and collaboration between those involved in this 'front-end' work and throughcare and after-care provision in the community.

As far as possible, women in custody should have access to and use services that are based in the community. This will need to include resources for addressing substance misuse.

Close connections and good communication between the new forms of custodial facilities and community resources such as general practitioners and other healthcare services, would reduce stigmatisation and enable continuity of care for women.

The links between custodial facilities and communities should also enable women to maintain, sustain and form a range of pro-social relationships.

Specific legislation and guidance, addressing such matters as sentencing, security measures, access to support and resources, release and re-integration of women, **may be required in order to underpin the intentions of reform.**

As part of the planning for the reforms, **there is a need for gender and age sensitive programmes, policies and facilities geared towards older women.**

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9. Implementing a vision for progressive change, and sustaining it: What can Scotland learn from international experience?

9.1 Dr Shelley Brown, Carleton University, Ottawa, Canada

Dr Shelley Brown offered an account of how custody for women in Canada has evolved in recent decades following a radical change in approach, highlighting successes as well as pitfalls from which Scotland can learn. Key features of the Canadian system are an emphasis on classification of prisoners and the principle of engaging women as opposed to *doing things to them*.

The Canadian Context

Canada is 127 times bigger than Scotland, and very culturally diverse, with a population of just under 37 million. Both federal and provincial governments have jurisdiction over correctional services, with the provincial/territorial system including community and custody (sentences of 2 years or less, and adolescent offenders aged 12 - 17) and the federal system applying to sentences over 2 years.

In 2013/14:

- Of the 21,000 youths (12-17) admitted to correctional services nationwide, 23% were young women.
- Of the total of 342,000 of adults admitted to correctional services,
 - 15% of those admitted to the provincial/territorial system were women (13% of the custody admissions and 20% of the community admissions)
 - 5% of those admitted to federal system were women.

History of women's corrections in Canada

Canada's Prison for Women (P4W) was opened in 1934. The first calls for its closure came just four years later with a Royal Commission highlighting problems including the isolation of prisoners from their families and reintegration difficulties due to the location of P4W, the fact that all prisoners were housed in a maximum-security environment regardless of their actual security classification, and the inability of P4W to serve the needs of Francophone and Aboriginal women.

In 1989 a task force on federally-sentenced women was established. Its ground-breaking report *Creating Choices* (1990) made a number of recommendations including the closure of P4W, the establishment of regional facilities for women offenders, and the establishment of a Healing Lodge with a design and operational philosophy based on Aboriginal teachings, spirituality and traditions (Aboriginal women are dramatically over-represented in federal custody). The federal government unanimously endorsed all recommendations contained in *Creating Choices*, and all developments in the correction system since 1990 have been guided by its five overarching principles:

1. Empowerment
2. Meaningful and responsible choices

3. Respect and dignity
4. Supportive environment
5. Shared responsibility

In 1995 the first cottage-style facility was built. P4W finally closed in 2000, but the last cottage-style facility was not built until 2014 – highlighting the importance of champions who will continue to press the case for reforms over a long period of time.

The five new institutions can hold 50-100 women and accommodate those classified at the minimum-, medium- and maximum-security levels. However, the original vision did not include perimeter fence.

Women classified as minimum- and medium-security live in standalone, house-style accommodation. In this accommodation, there are regular staff rounds, but no security staff members are posted within the houses.

Women classified as maximum-security are housed in secure units divided into pods, with four to six traditional-style cells in each. In any given day approximately 60 women are held in secure units, and 85% of women spend no more than 10 days there. There has been an increase in women classified as maximum-security, and as a result additional bunk beds have been installed in some cells.

At each site the main building houses staff, health services and programme facilities. Women are responsible for their own budgets, groceries, cleaning, cooking and laundry. There is a mother-and-child house at each facility, but these are not used very frequently. At the time of the symposium there were 500-600 women in custody and only two children.

In addition, each facility for women has a Structured Living Environment (SLE) in house-style accommodation. The SLE offers mental health treatment and 24 hour staff support and supervision for women who have significant cognitive limitations and/or mental health needs and who are classified as minimum- and medium security.

Gender-informed policy and legislation

It is notable that legislation is used in Canada to enshrine gender-informed policy and practice, principally through the Corrections and Conditional Release Act (2002) (section 77) and Commissioner's Directives. The wording is very precise and covers, for example, cross-gender staffing (see later), women-centred programmes and a range of strategies (including the SLE, the National Employment Strategy for Women Offenders, a Community Strategy for Women Offenders and a Mental Health Strategy).

Programmes cover aspects such as employability and parenting in addition to a range of correctional programmes. Correctional programmes are research-based (using the Risk-Needs-Responsivity model and gender-informed research) and culturally informed. They address multiple factors contributing to women's criminal behaviour. The aim is to reduce re-offending by helping women make positive changes and acquire skills, and to address emotional regulation needs, cognitive functioning and problematic behaviours leading to crime. The programmes are constantly evolving in response to new evidence and experience.

Key correctional programmes include:

- Women offender substance misuse (70% of women enrolled)
- Anger and emotions management (29% of women enrolled)
- Dialectical Behaviour Therapy (DBT) (28% of women enrolled)
- Survivor of abuse and trauma (23% of women enrolled)

Staff and staffing

In **Canada**, instead of prison guards/ correctional officers, women's facilities employ Primary Workers. This role is a hybrid between social worker and security. All staff interacting with prisoners (from warden / governor down to front-line) must demonstrate an ability to work in a women-centred environment, which is assessed at the time of appointment, and all new front-line Primary Worker recruits must complete two weeks of women-centred training. There is an abridged version of the women-centred training (three days) for other staff at women's sites. This training includes (though is not limited to): elements of trauma-informed care, as well as the interplay between mental health, trauma, and addictions; recognition of the potential impacts of vicarious trauma; provide an understanding of women's unique needs and learning styles; and guidance on adherence to gender-informed policies and practices.

Cross-gender staffing in women offender institutions took a long time to evolve. Men can supervise women but about 85% of primary workers are women and there are strict rules about what men can and cannot do. The strip-searching and re-traumatising of women by an emergency response team following a "riot" at P4W in 1994 prompted the "Commission of Inquiry into certain events at the Prison for Women in Kingston", headed by Justice Louise Arbour, which has directed subsequent policy.

Measuring successes (and failures)

There is a strong commitment to both internal and external gender-informed evaluation, research and monitoring.

- **Internal monitoring** is carried out by the women offender research and evaluation divisions of the Correctional Service of Canada, including both process and outcome evaluations and work to develop and validate assessment processes.
- **External monitoring** is carried out by the Auditor General, the Correctional Investigator, the Canadian Human Rights Commission, the Cross-Gender Monitoring Project (which had initially recommended that no men supervise women) and Coroner's Inquests (notably, the inquest into the death of Ashley Smith, who died in custody under suicide watch in 2007, made 142 recommendations).

Promoting success

Key factors which have contributed to successful change in the Canadian context are:

1. People

- The women themselves
- External advocates, such as the Elizabeth Fry Societies of Canada
- Internal advocacy: Correctional Ombudsman
- Devoted staff, with their grass root efforts
- Champions at all levels

2. Systemic support

- Women-centred legislation and policy
- A centralised women offender sector within the national corrections agency, led at a senior level
- Women-centered evaluation and research
- Formalised Partnerships (e.g. Exchange of Service Agreements)
- Women-centered training for staff
- Feminist scholarship.

Lessons learned

- **Know your population, recognising that women in custody are not a homogeneous group.** It is necessary to really understand the different needs and risks of the population, including those women who present the greatest needs and risks. The current Canadian model incorporating multi-level security within individual institutions was developed following a series of incidents including walkouts, prisoner assaults (on staff and each other) and a homicide in 1995/6 at a time when all women were accommodated in cottage-style units with no maximum security facilities. Following these incidents, security in women's facilities was reviewed and changes made.
- **Media can be both friend and foe.** The Ashley Smith inquest was a driver of changes that Correctional Service Canada might not otherwise have made, or made as quickly.
- **Partnerships are critical to success.**
- **Women-centred legislation and policy support is needed to ensure long-term success.** If champions leave, it is essential to have something in place to ensure continuity.

- **Not everyone believes in the cause, or the concept that women offenders are different and require a relational approach.**

Persistent challenges

- **Nurturing positive relationships** with and between all of those who have a part to play. Front line staff need to feel support and trust from their immediate managers and immediate managers need to feel support and trust from their institutional heads who in turn need to feel support and trust by national headquarters. Importantly, without positive interactions between all levels of staff there is no way that positive and healthy interactions will trickle down to the staff-prisoner level.
- **Conducting evidence-based evaluations of gender-informed practices.** It is difficult to achieve methodologically rigorous evaluation designs, given small sample sizes, and so evaluations can be an easy target for cynics.
- **Meeting the needs of an increasingly diverse and complex population with shrinking resources** (particular challenges: mental health, victimisation history, access to community resources, aboriginal women).

Dr Brown concluded by quoting the words of the Hon Louise Arbour, in the Preface to the Commission of Inquiry, 1996, *“The chances of success for a progressive correctional experiment are highest in women's corrections”*

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10. Concluding contributions, next steps and participants' reflections on the symposium

10.1 Professor Richard Sparks, University of Edinburgh

At the end of the first day of the symposium, Professor Richard Sparks summarised the major themes and issues addressed during the day and offered observations on how custody for women in Scotland could be re-imagined. He chose the form of a UN resolution to do this, and his points are set out in full below.

'The Cabinet Secretary's decision not to proceed with the new prison at Inverclyde was both brave and fundamentally correct. The decision creates an environment filled with both opportunities and uncertainties.

'Very large bodies of research, international experience and practical wisdom exist which point to interventions, practices and relationships that make a positive difference in women's lives (and that are both better in all relevant senses and sometimes much less costly than current practices). It would be irresponsible and irrational not to seek to act in a way that is consistent with what we think we know.

'The broad direction of travel implied by the Inverclyde decision – which presumes a very much reduced requirement for secure custody on grounds of public safety, and that the great majority of women currently sent to custody by the courts can readily be accommodated in other, smaller, more permeable, more supportive settings – but the devil is in the detail! There are also knotty questions of principle and institutional creativity yet to be addressed. (One thing we do know, however, is that creating women's units in existing male prisons is what we have in mind when we speak about more local provision.)

'What is custody, what justifies its use, and what range of living circumstances may it include?

1) "Custody" generally suggests a residential environment, under the direction of a competent authority, to which people are required to go and to remain for all or some of their daily time because of their conduct.

2) Custody therefore entails a degree or degrees of restriction of liberty and loss of autonomy, and therefore is only defensible as a proportionate penalty or on grounds of vivid danger to the public, and this needs to be clearly distinguished from interventions that are primarily intended for the benefit of the individuals themselves (even if they also sometimes restrict liberty and look in some respect quite similar).

3) Custody, however, also entails care and concern towards those who are subjected to it – their safety, their needs, their rights etc. Nonetheless the services implied by these need not all be provided within the residential setting. There can be services within, and services outside; activities within, activities outside; time spent within, time spent outside. Custody is a *spectrum*, and not a *thing*. There are different routes between different points on that spectrum, and different degrees of interaction with the outside world.

'The history of incarceration is one of perverse and unintended consequences, and women's imprisonment historically has tended to become overbearing and infantilising in the face of benign intentions. There is therefore a need to design in from the outset safeguards both against net-widening and against the infliction of other foreseeable harms and perverse outcomes.

'Relationships within and beyond the custodial setting – between residents themselves, between them and staff – are critical to building (or destroying) trust, to developing (or corroding) legitimate authority, to creating (or damaging) people's capacity to live a flourishing life in the future. Education, training and professional recognition for people working in custodial/residential settings are as crucial as redesigning the institutional architecture. As such (and in the spirit of the Whole System Approach), such training should be, where possible, joint and inter-professional, not exclusive to the core residential staff of those institutions.

'In the Scottish context, the interactions between a national prison service and 32 local authorities create complexities and raise testing questions of integration and consistency. There is therefore a crucial need:

a) for engagement with a range of services in partnerships, and

b) to see to it that current debate on the new landscape of community justice that is soon to emerge is capable of interacting positively with custodial/residential institutions.

'Dialogue with sentencers must be developed as a matter of urgent priority, and we vigorously encourage improvements in judicial training informed by current knowledge. We must systematically restrict the circumstances under which custody can be imposed on women in light of our knowledge.

'All of the above creates specific obligations on the academic members of this group in terms of creating resources that can be shared with practitioners, policy makers and the wider public.

'We therefore resolve that Scotland seizes an historic opportunity to build consensus for a future framework for the custody of women that is at the leading edge of international best practice, focused on building capacity for desistance from crime and fully consistent with the highest international standards, smaller and in every way more advanced than the system that we have at the moment.

'We further resolve that any such centres be understood as a very scarce and limited resource, not merely as a way of re-distributing the current population.

'Finally, is "normalisation" the aim of this programme (as would be the principle in some other jurisdictions)? Maybe, in fact, we should aim to create environments that are in some respects "extraordinary" and in any case strikingly different from any "normality" which many of the women who experience them have been subjected to before. The principle at stake might be not normalisation, but hope.'

10.2 Professor Fergus McNeill, University of Glasgow

Professor Fergus McNeill presented a summary of the themes and advice provided by all the groups and in plenary discussions, from which emerged seven key principles, outlined below. He began by reflecting that an event such as the symposium, involving a diverse mix of people and experience, can lead to a levelling up towards broad principles and resolutions and away from concrete prescriptions; translating these seven principles into practice would therefore require much further work. **He suggested that a second workshop/symposium, involving women with experience of custody as well as frontline staff,** could help with the next steps. He noted that the women's voices heard via video at the symposium had been powerful, even among those who had heard them before and often. A third stage might be aimed at public engagement and securing support for progressive reform.

Summing up the advice: seven themes

Parsimony - being extremely unwilling to use custody: using alternatives to custody, rethinking custody, and moving towards whole system approaches.

Individualisation: holistic services reflecting the identified needs, risks, harms and strengths of individual women, and provided before, during and after (and, wherever possible, instead of) custody.

Continuity: avoiding the repetition and re-traumatising of women which happens when they are required to tell and re-tell their stories to different professionals; sharing and linking data; developing the role of lead professionals.

Equality: seeing the women as women first, prisoners second; applying the Gender Equality Duty to the implementation of sentences; considering the use of child impact assessments

Evidence-based: Sharing data for learning; using evidence-based practice, and reflecting, monitoring and evaluating our approaches.

Human: having the right people, with the right values, trained in the right way and subject to appropriate appraisals; achieving the right skill-sets and the right gender balance.

Publically engaged: engaging bravely; challenging and changing (mis-) representations and working to reduce stigma.

Professor McNeill argued that it was clear that Scotland's approach to female custody would have implications not only for the physical estate and the way we imagine custody but also for institutional culture and regimes, services and supports, staff training, partnerships and the whole of the criminal justice system. His analysis of the major issues emerging from the symposium discussions is set out below.

How can prison impede or support desistance?

We now have a broad understanding of desistance: factors such as age and maturity, social bonds and relationships; identities and narratives; and situational aspects. By its nature, prison is an exceptionally difficult place to support desistance: development can be stalled and delayed there, social ties are broken and negative social ties can be fostered and forged. Prison and imprisonment convey the message that “you are an offender”, so do not serve to promote the identity change that might be a critical factor in an individual’s desistance journey. **Those who work with people in custody can seek to address factors that are known to support desistance, but the very fact that a person is in custody presents a major hurdle.**

Reality check: harm

Imprisonment by its very nature involves forms of legitimated harm. It says: “You are not fit to be among us” – imposing a meaning on a person’s behaviours which may feel grossly unfair to them, and physical coercion always lies behind any institutional regime.

Prison is inherently incapacitating, depriving people of liberty, privacy and autonomy. In imprisoning people, we may intend harm (as a form of punishment), but **imprisonment does much more harm than we intend**. There are enormous collateral consequences, especially with the imprisonment of women. According to Hippocrates: ‘If you must do harm, take all possible steps to minimise it, to mitigate it and, wherever illegitimate harm remains, to compensate it.’ This **requires a continuing commitment to study and reflect upon the good and the harms that we do**.

- Imprisonment responds to harm with harm, and *then* seeks to reduce both harms.
- We should harm only as much as is absolutely necessary, and seek to repair as much as possible
- (But it cannot be compulsory for those who are being harmed through imprisonment to engage with processes of repair. Rejection is a reasonable response to being harmed.)
- It cannot ever be right that in order to receive help (for example to provide for their mental health needs) people must submit to more harm (and more control) than their actions deserve - that models an abusive relationship, not a trusting, legitimate one.
- Therefore, equal help must be available inside and out, and also outwith the context of the sanction

A proposal on sentence implementation

Assuming that custody is used as sparingly as possible and is proportionate, **might we create a variant of problem-solving justice where a juge d’application des peines (JAP), or sentence implementation judge, oversees how a prison sentence is served?** This is not solely down to discretion of a governor (although that has its merits). Although they may know about the harms of imprisonment, judges have a public duty to denounce a crime, to reflect suffering of a victim, so sometimes feel that they must impose a custodial sentence irrespective of risks posed to the individual who has been sentenced. An implementation judge, on the other hand, might then have a role to play in mitigating the harms of custody. Such a judge might, for example, have a legal duty to mitigate the unintended harms to

children (e.g. child impact assessment) and have a strong form of gender equality duty. That would not be privileging women or giving them less harsh treatment – it would reflect a key principle of equality; not confusing equal treatment with the same treatment

Support and help inside/outside prison

As far as possible, services for women in custody should be located within the community. Locating within the prison estate the support/help that women need may be inefficient, since it requires duplication of services; it may be ineffective, since community based interventions tend to produce better outcomes; it may be unjust (in its net-widening effects if women must be in prison to receive the support); and (most often) it may be unnecessary, since public safety rarely relies on keeping women away from the community, even if justice requires that. (However if women can come out for work, childcare/family, support and help, it begs questions about why a custodial sentence is required ... except for reasons of retribution, irrespective of the low risk of harm.)

For a few people, services within prison will probably be necessary – they will be going nowhere for a long period, and they must have access to services inside the walls.

Relationships

Relationships must be key to our approach to female custody – both social relations and working relationships. More fundamentally **our approach must involve rebuilding trust and enabling reciprocity (and kindness) in the troubling contexts of harm being done and repaired.**

We must also find the right relationships between values/principles, evidence and pragmatism.

A common purpose?

It cannot (often) be in the public interest to respond to women's offending in ways that make their situations worse and frustrate their change efforts. Could we imagine a way of explaining this to the wider public so as to allow us to draw together constituencies in support of a more progressive system? **It must be all of our jobs to make the public case that we owe duties to 'them', and that this will ultimately be for the good of our communities.**

Civic engagement

There is a need to enhance public dialogue and democratic deliberation about penal reform. This process needs to engage people both emotionally and cognitively, and to involve the women themselves (in ways that enable the women's voices to be heard publicly without identifying them and risking stigmatising them and their families). In addition to women who have experienced custody, the process would include professionals, policymakers, media, faith communities and artists, who have a particularly valuable role to play in terms of providing alternative representations of women with convictions (as opposed to "female offenders").

In concluding, Professor McNeill spoke of Scotland being at a point of cultural revival of “Scottishness”, Scots identity and nationhood and asked: ‘can we build on this to form a consensus for social justice?’

Finally, he reiterated the importance of confronting the harms and costs of imprisonment: for the women, for their loved ones, for their communities, and for our civic wellbeing.

10.3 Michael Matheson MSP, Cabinet Secretary for Justice

Mr Matheson began by acknowledging that the approach to custody for women that the Scottish Government was committed to taking posed some political risk. It was essential to recognise the views of the public and to make progress in a way that would take people with us. Without doing this, there would be resistance to the progress that he wished to make.

Professor McNeill's presentation, he said, encapsulated the wide range of issues that would be at the heart of the thinking as the model was developed. That model would represent a bold step change, and this was the beginning of a journey that would lead to very significant changes in attitudes towards the custody over the next 10 years.

Mr Matheson explained that after his decision not to proceed with Inverclyde he had discussed with officials whether a better approach existed elsewhere that Scotland might follow. It had become clear that there was no ready-made solution ‘on the shelf’. The symposium had shown, however, that there was a tremendous variety of practice from which it was possible to learn and so help to shape the model that would be best suited to Scotland. He was encouraged by this, and the advice and principles he had heard would help to give focus to the process.

The Cabinet Secretary was clear that in order to achieve his ambitions a Whole System Approach was required for women in the justice system. That approach would continue to place responsibilities on the different component parts of the justice system to work collectively together but, importantly, would extend beyond justice into other services, agencies and policy areas. He saw parallels from his previous role in health, where it had been recognised that health inequalities are a product of social inequality and that health inequalities would continue to grow unless social inequalities were tackled.

A whole system approach within government would require a collective, cross-Cabinet approach and policy thinking to address what was often termed social justice. If issues of social justice could be addressed more effectively – getting it right in early years, helping to close gaps and reduce inequalities – the consequences would be felt for generations to come, in health, in justice and in every aspect of life. There was now an opportunity to take a unique, bold approach in Scotland to achieve this and the Government would set out its intentions.

Mr Matheson believed that the right foundations were in place to make progress. The new Sentencing Council was an important building block and he would be having initial discussions about this soon. The development process would be driven by engagement with

those in the sector and with those affected by present arrangements, taking their views on how best to move forward.

Officials from SPS and the justice department would now take what had been gathered at the symposium alongside the outcomes of recent consultations and prepare a range of options for him to consider. Mr Matheson would then take a paper to the Cabinet for decision on the approach that would be taken, and he would then announce the decision.

The Cabinet Secretary acknowledged that investment would be challenging during this time of austerity and so the changes might take longer than he would have intended. It was encouraging, however, that, although the new prison would have been a less expensive option, the Cabinet was very clear about the wider societal benefits of the model now being adopted which they saw as a demonstration of the new approach they wished Scotland to take.

In closing, Mr Matheson welcomed the symposium as a fresh approach to considering the complex issues associated with custody for women. He thanked Colin McConnell and all those who had brought the programme together for what had been an inspiring two days. He was convinced that the path was the right one and would lead to a point that would serve Scotland well.

10.4 Closing remarks: Colin McConnell, Scottish Prison Service

Colin McConnell closed the symposium by thanking the Cabinet Secretary, the presenters and discussants and all participants for their contributions.

10.5 Participants' reflections on the symposium

A full analysis of the feedback is provided as Appendix. This section summarises those reflections and comments which relate to outcomes and impact of the symposium.

'For me the symposium was very well organized with both professionals and researchers, not only from Scotland but also from abroad. It resulted in some interesting advices, based on the different workshops, which was a very fruitful work-format to me.'

Participants noted their interest in 'the next stage to see how it [informs] the SG proposals.' The majority of survey participants (71%) reported that they thought the evidence and advice produced at the Symposium will inform future thinking on the development and implementation of a Scottish Approach to the custody of women 'very well.' Twenty-nine per cent of participants felt that the Symposium will inform future thinking 'well'. No participants chose 'partially' or 'not well' for this question. Participants suggested that 'all the developed suggestions and ideas should make it possible to produce evidence about female imprisonment in Scotland.'

'Capturing all the learning is key'. It was suggested that 'more detail is needed to flesh out practical steps towards practice. However, a strong ethos is present.' Participants felt that 'the final advice produced by the Symposium was based on the solid evidence and experience of the group.'

Participants reported that they found Scotland's approach to the development of policy and practice for women in custody 'professional', 'positive' and 'moving in the right direction.' Participants found it important that change is being supported by Scottish government, 'otherwise it will be hard to work on changing policies and practice.' The 'openness' of 'wider discussions' with external agencies and the academic community was favoured than doing something purely 'in house', especially as development of how women are supported in custody cannot 'separated from the wider debate on development of policy and practice for women who offend.' In doing this, we must engage with multiple agencies if we are to have a genuine 'Whole Systems Approach' (e.g. housing, health, police, Crown Office, 3rd sector).'

It was mentioned often that the need for change for how women are treated in custody is overdue and as 'it is a long journey'. It was suggested that the Scottish Prison Service, and Scottish Government, will need to 'stay thoughtful and brave.'

Many participants suggested that the symposium impacted on their own learning and they found it valuable to 'make contacts' from people 'both abroad and the UK' and 'to gather further evidence from other countries' to use in their own practice. Further comments include:

'I will start new discussions with the justice system in NL about how we can change the focus slightly from gender-neutral to more gender-sensitive – at least be gender-informed'

'Important also for the prison system in the Netherlands is our study of female desistance after imprisonment.'

'I have found debate, discussions and conclusions valuable and will be bringing both wider and practical solutions back with me to implement (e.g. discussion of children in custody – possibly localised in other sites).'

'The Robertson Trust is happy to be included in this journey and continue to contribute to discussions. Potentially, subject to the usual application process and Trustee decisions, there might be resources which would be used to undertake demonstration projects/ test theories of change etc.'

'I have been transformed and inspired myself here today. It's been very inspirational being with all this wonderful group of people with passion and inspiration and it has made me very hopeful. I wish I were Scottish right now. I wish I was here to embark on this transition.'

'Challenged me on my responsibilities in relation to public engagement.'

Two main pieces of advice for next steps included the need to disseminate 'the results of the symposium to the policymakers and practitioners' and, as suggested by Professor Fergus McNeill, have a similar symposium with 'front-line prison staff, practitioners and the women themselves.' We have chosen some of the final remarks from participants to sum up the Symposium:

'I think the last few days have been an exciting opportunity to rethink the way in which we deal with female offenders in the Scottish prison estate. And hopefully some innovative and progressive results will be achieved from it.'

'It's been an excellent opportunity to think about how to move things forward. I think the Scottish Prison Service has been very brave in bringing together Scottish Government, the Prison Service with some academics and other people who have different views on the purpose of imprisonment and what it should be doing. And bring them together and having this dialogue with a view to some constructive developments for the future. And I think the optimism we had at the beginning has carried through the two days. That's something that is quite exceptional. It's been brilliant.'

'It's been remarkable in terms of hearing from people's experiences in terms of different jurisdictions and from Scotland. Coming from [where I'm from], we're struggling with the process of prison change. I'm just struck by what an incredible opportunity that the people of Scotland have now to make a real difference. I was heartened to hear the Minister saying that the Government is prepared to think about radical change. And with the energy that's been at the conference I just really hope that that opportunity is taken. What's clear from the conference is that the evidence is there. The evidence has been there for the last twenty, thirty years. What it takes is for someone to be bold, radical to actually implement it. I really hope that's what happens.'

11. Summary of Advice

The advice was generated through a deliberative process involving presentations, contributions (by means of video clips) from women currently in custody and group and plenary discussions. The advice which emerged from this process is encapsulated in the following seven themes:

Parsimony - being extremely unwilling to use custody: using alternatives to custody for sentence and remand, rethinking custody, and moving towards whole system approaches

Individualisation: holistic services reflecting the identified needs, risks, harms and strengths of individual women, and provided before, during and after (and, wherever possible, instead of) custody

Continuity: avoiding the repetition and re-traumatising of women which happens when they are required to tell and re-tell their stories to different professionals; sharing and linking data; developing the role of lead professionals

Equality: seeing the women as women first, prisoners second; applying the Gender Equality Duty to the implementation of sentences; considering the use of child impact assessments

Evidence-based: sharing data for learning; using evidence-based practice, and reflecting, monitoring and evaluating our approaches

Human: having the right people, with the right values, trained in the right way and subject to appropriate appraisals; achieving the right skill-sets (for assessment, for young women) and the right gender balance

Publically engaged: engaging bravely; challenging and changing (mis-) representations and working to reduce stigma

The more detailed advice which emerged from each of the themes is summarised below against each of the symposium themes in turn.

1. New approaches to custody for women: learning from progressive policies and practices

In terms of future models of custody, the advice generated from the symposium argues for:

Viewing custody as a *spectrum*, and not a *thing*, with services within, and services outside; activities within, activities outside; time spent within, time spent outside. There could be different routes between different points on that spectrum, and different degrees of interaction with the outside world.

Clearly **distinguishing custody from interventions that are primarily intended for the benefit of the individuals themselves** (even if such interventions also sometimes restrict liberty and look in some respect quite similar to custody)

Designing in from the outset **safeguards both against net-widening and against the infliction of other foreseeable harms and perverse effects** upon, say, mental health
Treating remand prisoners with the minimum security strategies commensurate with security, safety and order.

Exploring different patterns for custody: weekend, weekday, leave to attend to caring responsibilities, delaying the start of a custodial sentence following sentencing.

Considering creating a variant of problem-solving justice where, for example, a **sentence implementation judge** might oversee **how a prison sentence is served**. Such a judge might have a role to play in mitigating the harms of custody, including a legal duty to mitigate the unintended harms to children (e.g. child impact assessment) and have a strong form of gender equality duty.

Continuing commitment to study and reflect upon the good and the harms that we do. Prison is inherently incapacitating, depriving people of liberty, privacy and autonomy. There are enormous collateral consequences, especially with the imprisonment of women. We should harm only as much as is absolutely necessary, and seek to repair as much as possible.

Rebuilding trust and enabling reciprocity (and kindness) in the troubling contexts of harm being done and repaired. Relationships within and beyond the custodial setting – between residents themselves, between them and staff – are critical to building (or destroying) trust, to developing (or corroding) legitimate authority, to creating (or damaging) people's capacity to live a flourishing life in the future.

Being bold Maybe, we should aim to create environments that are in some respects “extraordinary” and in any case strikingly different from any “normality” which many of the women who experience them have been subjected to before. The principle at stake might be not normalisation, but hope.

The following five sections summarise the specific advice from the five workshops.

2. Services working together to support women before, during and after custody

Adopting a Whole System Approach for women, involving statutory and third sector organisations, with no service or individual ‘letting go’ of the woman’s support until the next has picked up responsibility

Levers and drivers to enable services to work together successfully in the best interests of women:

- common purpose and commitment across services and relevant policy areas, led by Ministers
- clear principles, guidance and expectations for partnership (possibly set out in national standards and objectives for women in the justice system)
- participation of women with experience of the justice system
- formal agreement about respective contributions of the different partners and the lines of accountability
- clear strategic leadership
- joint planning and evaluation
- shared resources
- research led
- continuous promotion of the project

Improving data linkage and communication across and between services and agencies, and having a portfolio of services which women can access before, during, and after custody, to obviate the need for multiple assessments and ensure that women are able to access the support they need

Giving priority to sustaining core relationships and ties to the community (including ties with both work and family), and maintaining continuity of service (and also of relationships) between custody and the community, and services which are available in prison need also to be available, and accessible, within communities

Ensuring appropriate and suitable arrangements and conditions for community-based sentences for women, informed by research about why women may have particular difficulties in meeting conditions

3. Assessment to support decisions about a woman's needs and where she should be placed

Recognising assessment as the cornerstone for describing, understanding and responding to women's needs. Sentencers require advice on risks and needs to inform their decisions, but a custodial sentence should not be a means to meet needs.

Using the outcomes of assessment and review processes to inform a woman's placement at any stage in her sentence within the range of settings in the new custodial estate, linked to their purposes and characteristics

Recognising that it takes time and trust to explore in depth the issues a woman may be facing and to identify strengths and assets as well as risks and needs, ensuring that the assessment process:

- is undertaken sensitively and treats each woman who is entering custody as an individual regardless of status or sentence
- is proportionate and kept to the minimum needed to gather the information, drawing upon existing sources of information

- enables the woman to have a say in who should work with her in the assessment process
- relies, as far as possible, on a relationship of trust involving a key individual working with a woman rather than a series of assessments with different people (to avoid the re-traumatising that can occur when multiple assessments take place); that individual should interpret and communicate the findings responsibly and pass the relevant information to providers of services for the woman so that she does not have to undergo repeated assessments
- is as collaborative as possible, with the woman actively engaging to co-produce a plan
- takes place across a period of time if necessary (while seeking to identify urgent matters, such as caring responsibilities, as quickly as possible)
- takes place when needed during a sentence (not at pre-determined stages) to recognise changing circumstances, enabling different placements and contact with relevant services at different times if appropriate
- takes place in an appropriate environment which should aim to enable a woman to 'reconceptualise' herself.

Using the assessment process also to monitor the effects of the potential harms of imprisonment on the woman and seek to mitigate these, including the potential impact of assessment itself

Using current tools, and professional expertise in using them, as a foundation for improved processes for gathering relevant information, making individual plans for necessary support and opportunities for each woman, and providing that support and those opportunities.

This means **continuing to develop and improve assessment tools and processes**, engaging with women, and taking account of the views of partners and emerging evidence.

Adopting a multi-disciplinary team approach to assessment and support, within which the professional culture creates a holistic approach to working with women and there are clear and efficient information sharing, transfer and access protocols. Experience from the Whole System Approach and developments in assessment in HMYOI Polmont, which include 'SHANARRI' indicators from 'Getting it Right for Every Child' (GIRFEC) might help to support such changes.

Having assessed the need for a service in a particular case, ensuring that that service is then available to that woman in whichever setting she has been placed.

Using the collated information from assessments to inform planning for the new model of custody and the services that will be required.

Gathering evidence and feedback about how well the assessment process operates and the services and opportunities being provided, and, where needed, taking action in response

4. Young women (16-21) and custody

Understanding each young woman's needs, strengths and risks through careful assessment. The misconception that young women are 'high risk' and hence in need of secure settings needs to be refuted. They have high needs which, with appropriate investment in resources, can be addressed in the community.

Recognising that young women who come into contact with youth or criminal justice system are not one homogeneous group. There needs to be potential in the services and activities provided to respond appropriately to different ages and different maturational stages (so to be developmentally-informed as well as gender-informed). This is a key time for identity and personality formation and it is important to avoid inhibiting or curtailing this process as far as possible.

At all stages being wary of criminalising young women's survival strategies and inadvertently pushing young women deeper into the criminal justice system through policies and practices that de-escalate such trauma-induced behaviours

Extending or adapting GIRFEC and the Whole System Approach for those over 18, and retaining young women in the Children's Hearing System for as long as possible. The strong partnerships, reciprocal communications and understandings that are integral to the working of GIRFEC/WSA are necessary for best practice in supporting young women who have come into contact with the criminal justice system.

Young women in custody have often experienced a high degree of trauma and victimisation and this has implications for practices, relationships, services, staffing and staff training, for example through:

Avoiding re-traumatisation, which can take place for example through strip-searching and through having to repeat stories to different people or at multiple hearings. Reactions to such treatment can result in further offences where a young woman becomes upset and aggressive.

Having consistent panel members and other key workers allocated to young women
Recognising the damaging, fracturing effect that being placed into secure care or custody has upon relationships initially and at the end of a placement. Increasing the upper age limit of secure care would allow factors such as relationships and continuity, rather than chronological age, to be considered when deciding where a young woman should be placed.

Addressing the need for sufficient mental health provision for young women both in the community and custody, with improved and supported specialist training on mental health and wellbeing available for staff working with young women across services

Recognising that most of the young women (but not all), are experiencing both **mental health needs** (post-traumatic stress disorder symptoms, depression, anxiety, self-harming behaviour) and other **needs traditionally related to offending** (family issues, substance abuse, anger and aggression, criminal associates—romantic partners in particular). **Both sets of factors must be addressed holistically to enhance successful reintegration.**

Avoiding gender-stereotyping of young women when planning the opportunities which will be available

Providing support for young women to learn the practical things they need to be able to do when they are in the community

Ensuring that young women have the consistent staff and high-quality transitional packages of support they need to prepare them and see them through the transition from secure care or prison back into the community. They also need to feel valued through this period.

Enabling staff to understand the young women's behaviour and 'not just see us as criminals' and recognising that **staff working with young women require a body of special knowledge and skills:**

- Ensuring that staff are specially selected, trained for the role of working with young women and committed to it, possibly applying selection and training principles and practice used in secure care settings to other custodial settings
- Giving careful, evidenced consideration to the gender breakdown of staff working with young women
- Planning for the support needs of staff who may experience vicarious traumatisation as a result of working with young women who have histories of complex trauma (support for staff might be achieved through reflective practice, for example).

Considering using the Care Inspectorate's Inspection Standards in inspections of YOI units where young women are held.

Given the very small numbers of young women in custody and the risk of isolation if young women are accommodated as a separate group, **taking decisions about where young women should be accommodated in the best interests of the individuals, based on an assessment of circumstances, risks, relationships, facilities and opportunities available**

Finding ways of offering young women hope for the future, remembering the sense of hopelessness these young women feel, but also their potential

5. Family and social ties

Exploring in depth the range of open and flexible conditions adopted in other jurisdictions and the arrangements they make for family contact both in the community and in custody

Establishing minimally restrictive conditions (preferably 'open' conditions) as a starting point where a custodial sentence is warranted

Gathering and storing more comprehensive data regarding the family composition of individuals in prison, especially women, to give better understanding of the numbers of dependents affected by imprisonment and, most importantly, to ensure that children receive necessary help and support (while recognising the barriers to gathering the information)

Improving pre-sentence preparation with families to seek to reduce, if possible, the trauma of a mother's imprisonment (if, for instance, a child experiences a sudden and unexpected move to foster care). **Postponing the start of sentences for the sake of the children** to allow orderly transition to care should be considered.

Ensuring that children whose parent is in custody are able to have support and help if they need it. There is a role here for schools, in particular.

Judges and prison governors having greater discretion to take account of individual circumstances in how and when a sentence is served. Better (although always sensitive) sharing of information between services, both at the point of sentence and entry to custody, could enable increased consideration of the impact upon families as well as the individual.

Continued improvements to visiting room environments, as well as increased opportunities for family-focused visits which include doing activities together or sharing meals

Using creativity in how family contact is achieved, recognising that women and their families are not one homogeneous group, actively seeking the views of prisoners and their families about family contact and how to improve it

Recognising the needs of women who are not mothers, or who no longer have contact with their children, giving due attention to the specific, individual gendered needs of all women, including supporting women who have lost contact with children or other family members because of their imprisonment or its contributing factors.

Gathering evidence of the impact of community sentences on mothers, children, carers and family life. It may not be the case that sentences based to a greater or lesser extent in the community will have a less significant impact or strain on women, children and families.

6. Best practice in working with women in custody

Establishing new principles for custody for women which take due account of public safety and also offer sustainable levels of care for women. Within those principles **custody might be envisaged as a spectrum** of forms which might include overnight custody, weekend custody and/or other patterns which would enable contact with the community.

Emphasising prevention and early intervention to divert women offenders away from the criminal justice system wherever possible and channel those convicted of low-level offences towards non-custodial community-based sentences. This will involve services working with women to build their resources and collaboration between those involved in this 'front-end' work and throughcare and after-care provision in the community.

Reducing the use of remand, finding ways to support women who fail to attend court and implementing bail supervision schemes consistently across Scotland (as recommended in the Report of the Commission on Women Offenders).

Applying what is known from the body of research on women's desistance and about good practice in community-based support for women, including:

- Adopting holistic approaches which recognise that offending may be the least of a woman's problems
- Actively seeking to foster positive relationships
- Providing a supportive milieu
- Adopting positive psychology
- Enabling women to experience empowerment
- Being sensitive to trauma, acknowledging trauma and not repeating it through the custodial experience, recognising potential triggers such as searches, seclusion and restraint.

Providing opportunities for women in custody to use time well, to learn and develop skills, to contribute to others' wellbeing and so create a sense of self-worth as well as self-efficacy. This may aid both resistance to crime and self-development where necessary skills are missing. Women in custody emphasised that the **education, training and other activities** that they undertake in custody are critical for them and their wellbeing.

As far as possible, ensuring that women in custody have access to and use services that are based in the community, including resources for addressing substance misuse

Building close connections and good communication between the new forms of custodial facilities which are established and community resources such as general practitioners and other healthcare services, to reduce stigmatisation and enable continuity of care for women

Enabling women to maintain, sustain and form a range of pro-social relationships through links between custodial facilities and communities

Considering whether specific legislation and guidance, addressing such matters as sentencing, security measures, access to support and resources, release and re-integration of women, is required in order to underpin the intentions of reform

Developing gender and age sensitive programmes, policies and facilities geared towards older women as part of the planning for the reforms.

7. Implementing a vision for progressive change, and sustaining it

Consideration of factors which have contributed to successful change, and lessons learned.

Success factors include:

People: the women themselves; external and internal advocates; devoted staff, and their grass root efforts; and champions at all levels (with measures in place to ensure continuity)

Systemic support:

- Women-centred legislation and policy
- A centralised women offender sector within the national corrections agency, led at a senior level
- Internal and external gender-informed evaluation, research and monitoring.
- Formalised partnerships (e.g. Exchange of Service Agreements)
- Women-centered training for staff
- Feminist scholarship.

Lessons learned include:

- **Know your population, recognising that women in custody are not a homogeneous group.** It is necessary to understand fully the different needs and risks of the population, including those women who present the greatest needs and risks.
- **Not everyone believes in the cause, or the concept that women offenders are different and require a relational approach.**
- **Media can be both friend and foe**
- **Partnerships are critical to success**
- **Nurturing positive relationships** with and between all of those who have a part to play is key. Without positive interactions between all levels of staff, positive and healthy interactions will not trickle down to the staff-prisoner level.

Key points on implementation for the Scottish context

Continuing the deliberative process through a second workshop/symposium, involving women with experience of custody and frontline staff, to help with the next steps; a third stage might be aimed at public engagement and securing support for progressive reform.

Working with all partners to ensure that the **new landscape of community justice that is soon to emerge is capable of interacting positively with custodial/residential institutions**

Having **dialogue with sentencers** as a matter of priority, and encouraging improvements in judicial training informed by current knowledge

All staff demonstrating the ability and commitment to working in a women-centred environment, with selection, induction, and ongoing development to ensure this. Education, training and professional recognition for people working in custodial/residential settings are as crucial as redesigning the institutional architecture. Such training should be, where possible, joint and inter-professional.

Using a **model of change that involves small tests of change with evidence and feedback** loops built in, enabling adjustment in light of evidence and outcomes. Arrangements which might on the surface appear to be more humane and less harmful may not in fact be so.

Continuous monitoring and evidence-gathering to identify any perverse effects of more open, community-based custodial settings and so inform the change process.

Making the public case that we owe duties to women in custody, and that this will ultimately be for the good of our communities.

Enhancing public dialogue and democratic deliberation about penal reform, engaging people both emotionally and cognitively and involving the women themselves, with academic members of the group considering how they can create resources that can be shared with practitioners, policy makers and the wider public.

APPENDIX A: LIST OF ATTENDEES AND CONTRIBUTORS

Name	Organisation
Bruce Adamson	Scottish Human Rights Commission
Kirstin Anderson	Scottish Prison Service
Maria Andersson Vogel	University of Stockholm
Sarah Armstrong	Glasgow University
Ruth Brown	Glasgow University
Shelley Brown	Carleton University, Canada
Andy Bruce	Scottish Government
Michele Burman	University of Glasgow
Pat Carlen	University of Leicester
Jim Carnie	Scottish Prison Service
Peter Conlong	Scottish Government
Shona Craven	Glasgow University
Annie Crowley	Glasgow University
Carol Dearie	Centre for Youth and Criminal Justice
Kate Donegan	Scottish Prison Service
Rebecca Foster	Glasgow University
Yvonne Gailey	Risk Management Authority
Anne Gallacher	Tomorrow's Women
Loraine Gelsthorpe	University of Cambridge
Fiona Gordon	NHS Forth Valley
Caitlin Gormley	Glasgow University
Laura Hoskins	Confederation of Scottish Local Authorities
Saira Kapasi	Scottish Government
Nancy Loucks	Strathclyde University
Lesley McAra	Edinburgh University
Colin McConnell	Scottish Prison Service
Gill McIvor	Stirling University
Fergus McNeill	Glasgow University
Margaret Malloch	Stirling University
Michael Matheson MSP	Scottish Government
Teresa Medhurst	HMP Edinburgh
Jayne Miller	NHS Greater Glasgow and Clyde
Alan Mitchell	Scottish Human Rights Commission
Jane Moffat	Scottish Government
Linda Moore	University of Ulster
Marie Mornard	Berkendael Women's Prison, Brussels
Margaret Mowat	Soroptimists International
Danijela Mrhar Prelic	IG Women's Prison, Slovenia
Jean O'Neill	Probation Board for Northern Ireland
Ruth Parker	Scottish Prison Service
Bodil Philip	Statsfængslet i Ringe Prison, Denmark
Anne Pinkman	Community Justice Authority

Allister Purdie	HMP&YOI Cornton Vale
Neil Rennick	Scottish Government
Gill Robinson	Scottish Prison Service
Bethany Schmidt	Cambridge University
Christine Scullion	Robertson Trust
Anne Marie Slotboom	VU University of Amsterdam
Richard Sparks	Edinburgh University
Brenda Stewart	Scottish Prison Service
Sharon Stirrat	SHINE Mentoring
David Strang	HM Chief Inspector of Prisons
Anette Storgaard	University of Aarhus, Denmark
Ruth Sutherland	Scottish Prison Service
Sylvia Vansteenkiste	Department of Justice, Belgium
Azrini Wahidin	Nottingham Trent University
George Walters-Sleyon	University of Edinburgh
Tim Ward	West Lothian Council
Peter Wilcox	Community Justice Authority
Contributors who could not be present	
Cecilie Basberg Neumann	Oslo and Akershus University College of Applied Sciences
Kelly Blanchette	Correctional Service Canada
Esther Montero Perez de Tudela	Huelva Prison, Spain

Support/communications team

Angela Archibald	Scottish Prison Service
Tom Fox	Scottish Prison Service
Sharon Lawson	Scottish Prison Service
Joanna Watt	Scottish Prison Service

APPENDIX B SYMPOSIUM PROGRAMME

27 May	
1130	Registration and lunch, Marriott Hotel
1300	Depart to visit HMP&YOI Cornton Vale to hear about current developments and the views of women currently in custody.
1800	Opportunity to attend SCCJR Annual Lecture, 'Populism and Penal Policy', Professor David Garland, Playfair Library, University of Edinburgh, followed by SCCJR reception and return to hotel
2030 (approx)	Dinner on return to Marriott Hotel

28 May			
0815	Registration for participants arriving on Day 2		
0900	<table border="1"> <tr> <td>Welcome and opening</td> <td> <p>Introduction Dr Gill Robinson, Symposium Chair Scottish Prison Service</p> <p>Nicola Sturgeon MSP First Minister of Scotland (video message)</p> </td> </tr> </table>	Welcome and opening	<p>Introduction Dr Gill Robinson, Symposium Chair Scottish Prison Service</p> <p>Nicola Sturgeon MSP First Minister of Scotland (video message)</p>
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0910	<table border="1"> <tr> <td>Scottish Prison Service perspective</td> <td>Colin McConnell Chief Executive Scottish Prison Service</td> </tr> </table>	Scottish Prison Service perspective	Colin McConnell Chief Executive Scottish Prison Service
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0920	<table border="1"> <tr> <td>Messages from inspection: practice to build on and issues to be addressed</td> <td>David Strang, QPM HM Chief Inspector of Prisons</td> </tr> </table>	Messages from inspection: practice to build on and issues to be addressed	David Strang, QPM HM Chief Inspector of Prisons
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0930	<table border="1"> <tr> <td>Ministerial Address</td> <td>Michael Matheson MSP Cabinet Secretary for Justice</td> </tr> </table>	Ministerial Address	Michael Matheson MSP Cabinet Secretary for Justice
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0940	<table border="1"> <tr> <td> <p>New approaches to custody for women: learning from progressive policies and practices</p> <p>What progressive practices are being developed across the world? What outcomes have been achieved? What cultural/social conditions have made this possible? What challenges might there be to transferring the policy or practice to Scotland?</p> </td> <td>Prof Gill McIvor Co-Director: Programme Development University of Stirling</td> </tr> </table>	<p>New approaches to custody for women: learning from progressive policies and practices</p> <p>What progressive practices are being developed across the world? What outcomes have been achieved? What cultural/social conditions have made this possible? What challenges might there be to transferring the policy or practice to Scotland?</p>	Prof Gill McIvor Co-Director: Programme Development University of Stirling
<p>New approaches to custody for women: learning from progressive policies and practices</p> <p>What progressive practices are being developed across the world? What outcomes have been achieved? What cultural/social conditions have made this possible? What challenges might there be to transferring the policy or practice to Scotland?</p>	Prof Gill McIvor Co-Director: Programme Development University of Stirling		
1010	<table border="1"> <tr> <td>Scene setting for workshop tasks</td> <td>Dr Gill Robinson</td> </tr> </table>	Scene setting for workshop tasks	Dr Gill Robinson
Scene setting for workshop tasks	Dr Gill Robinson		
1015	Coffee		
1045	Working groups each address one of the key themes. Each session starts with two expert contributions, together with the voice of women currently in custody (video). After discussions, the groups refine their evidence and advice and prepare a short		

	<p>presentation using a PowerPoint template: (1) key evidence; (2) advice from the group; (3) issues requiring further consideration/challenges</p>
<p>1. Services working together to support women before, during and after custody How have other jurisdictions /facilities achieved consistent provision of services from community and public sector/municipal /civil society partners for women in custody and throughout their re-integration? How do they achieve a shared culture of responsibility for women in custody across the different services? What are the levers or drivers which encourage services to work together successfully in the best interests of the women?</p>	<p>Prof Anette Storgaard Aarhus University Denmark</p> <p>Jean O'Neill INSPIRE Project Manager Probation Board for Northern Ireland</p>
<p>2. Assessment to support decisions about a woman's needs and where she should be placed How can we achieve effective multiagency assessment and information sharing to support decision making about where a woman would best be placed and the support and opportunities she needs? What progress is being made in developing appropriate tools to support decision making? What evidence is there of the outcomes from these assessment processes?</p>	<p>Dr Anne-Marie Slotboom University of Amsterdam, Netherlands</p> <p>Yvonne Gailey Chief Executive Risk Management Authority</p>
<p>3. Young women (16-21) and custody How should we care for young women and girls (16 to 21 years old) sent to custody in a way which takes account of their individual needs and development issues as well as recognising their status as young people sentenced to detention and not imprisonment? Should young women be cared for separately from adult women?</p>	<p>Carol Dearie Practice Development Adviser Centre for Youth and Criminal Justice Strathclyde University</p> <p>Kate Donegan, OBE Executive Lead Women Offenders Team Scottish Prison Service</p>
<p>4. Family and social ties What is the optimal model for minimising the impact of female imprisonment on children, families and social ties? What relevant factors should be taken into account when planning a system of custody for women?</p>	<p>Professor Nancy Loucks, Strathclyde University</p> <p>Danijela Mrhar Prelic, Director, IG Women's Prison Ljubljana, Slovenia</p>
<p>5. Best practice in working with women What lessons can we learn on desistance-supporting interventions, trauma-informed and recovery-focused practices?</p>	<p>Prof Loraine Gelsthorpe, Professor of Criminology and Criminal Justice Cambridge University</p> <p>Prof Azrini Wahidin Professor of Criminology and Criminal Justice</p>

		Nottingham Trent University
1245	Lunch	
1330	Presentation from Workshop Group 1 on their theme, followed by challenge/discussion in plenary.	
1415	Group 5 as above	
1500	Break	
1530	Group 2 as above	
1615	Implementing a vision for progressive change, and sustaining it What can Scotland learn from international experience?	Dr Shelley Brown Carleton University - Ottawa, Canada
1700	Commentary/reflection on emerging themes and issues so far	Prof Richard Sparks Professor of Criminology University of Edinburgh
1715	Close for the day	
1830	Depart for Ministerial reception and evening dinner at Edinburgh Castle	Ministerial welcome
2200	Depart for Marriott Hotel	

29 May		
0845	Introduction to the day including video clips from women currently in custody	Dr Gill Robinson
0900	Group 3 presentation as above	
0945	Group 4 presentation as above	
1030	Coffee	
1100	Final discussion addressing outstanding issues and aspects to be taken into account in change processes , including How can we engage the community? How have other jurisdictions managed issues of public acceptability and media perceptions? What can Scotland learn from international experience of implementing changes in penal policy, including steps to reduce the population	Orchestrated discussions Commentary/summary Prof Fergus McNeill Professor of Criminology and Social Work University of Glasgow

	of women in custody?	
1215	Reflections, next steps	Michael Matheson, MSP Cabinet Secretary for Justice
	Thanks and close	Colin McConnell Chief Executive, SPS
1245	Lunch and depart	

APPENDIX C Additional quotes from women currently in custody in Scotland

Arrival in custody:

When I first came off the bus that brought me from court I didn't know where I was. I had no idea in the country where I had been taken from court. I was absolutely terrified, absolutely terrified. I was booked in, and then brought over to my unit, still not knowing where I was in the country, because I wasn't able to ask anybody, because I was too frightened. I was terrified, too frightened to ask anything.

It's a frightening experience obviously because I've not been here before. Can I say very frightening coming in. I really don't know what more to say on that.

It is pretty hard when you first come in you don't know what to do, you're just put in a cell and told what time it's for your breakfast, your dinner and your tea, and you're in the cell all day until you find a job, you get access to a job. And before that there's nothing, you're just in the cell.

Apart from crying for about a week, shocked, didn't sleep, realised that the world wasn't against me eventually once I came out myself and started speaking to the other girls. When I first walked on to the unit I'm in I was quite shocked at some of the girls were saying, "Oh we've opened your cell door, and we've opened the window for you, and we've turned your mattress"... and I thought, 'what!' You know, it was like, people are actually going to help you here.

The experience of custody

You are all new to each other and you're always getting ones who are trying to be...because there's quite a lot of bullies when you first come in. When I first came in I got a black eye from four lassies. You kind of work your way through, you're trying to be, just, keep to yourself to yourself, don't get involved in things. But now, it's a lot better as I say, I'm here four years so I get to know things, know what to do and what to say sort of thing.

Being separated from my mum, my husband, kids, that was a huge challenge. I feel that they have suffered more with me being in here than I've actually suffered in here. My experience has been relatively good. My freedom has been taken away from me, but I feel that they've been punished more than me because I'm not there. And we've had to rely on other people to take up the slack.

Loneliness sometimes that's been a big hard thing for me. And being locked up at certain times at the weekend because it's quite a long weekend, you're locked up from six to nine o'clock on a Sunday morning, which is quite hard.

Long termers are put in with people who are in, out and in constantly, and that affects your state of mind as well. You are seeing people getting out, and they're you know all getting out and coming back in again. Whereas, I think long termers should all be put together so they're all together and they've not got different people coming out and in.

Now, thirteen weeks on, I'm a different person, I can't actually believe that I'm sitting here now, because if you had come ten days into my sentence I wouldn't have been able to talk to you. I have had a relatively pleasant experience here because of the nice unit I'm in, the staff have been first class, really looked after us, but the girls that I'm in with have been amazing, and we all help each other through, I want to say ordeal but to be perfectly honest, it's not been that much of an ordeal.

Probably the thing that's helped me the most is the people in my unit and my officers, that's people that I can talk to and trust. People there to listen and people that are non-judgemental. I think that's a big thing, people that don't think, how can I say it, 'you're a piece of... on their shoe because you're in prison'... from officers they just treat you as normal, normal, normal people you've, you've done a crime but they don't judge you on it, you're here to make the best of what they can make and make your life easier while you're here, while you stay with them.

Looking ahead

For the future I just, I'm so positive I want to write and I want to do things, and my family see me better, so I'm quite happy.

Sometimes I don't feel ready to get liberated. I don't feel ready in my own mind, do you know what I mean? And then when I go out as I say there's nothing set up, there's no help put in place, so you are left to your own devices. I'd say it has made me worse, it didn't scare me or anything like that, if anything I kind of looked forward to coming back to the jail. I know that's quite sad but it doesn't do what it is meant to do. I think I'm a bit institutionalised to be honest

Appendix D Principles to underpin decisions about future arrangements for the custody of women

The statement of principles below has been derived from the UN Bangkok Rules⁴, international research, existing statements of policy in Scotland such as recent Ministerial statements and current Scottish Prison Service Strategy for Women in Custody, and the report of the Commission on Women Offenders⁵.

The starting point is that the arrangements for the custody of women in Scotland should **recognise the distinctive needs and circumstances of women in custody** and should **promote the likelihood of desistance**. This means:

- treating each woman as an individual, maintaining and building her assets and supporting her to address her needs
- fostering supportive, positive relationships
- operating with fairness and perceived fairness
- providing a safe, secure environment within which women's privacy is safeguarded
- using gender-responsive practice that is based upon evidence, including understanding of trauma and women's routes into and out of offending;
- providing facilities that are as close as practicable to those available in the community, enabling responsibility and choice in daily life
- maximising access to services and activities that promote wellbeing and increase levels of confidence and skill
- building self-efficacy including through phased, supported access to the community where possible
- minimising the impact of the custody on family bonds (taking account of the best interests of children and family members)
- recognising that women present relatively less risk to others than men and using appropriate assessment to support decisions about where a woman will be placed
- Continually evaluating and improving in response to evidence.

⁴ United Nations [2010] Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)

⁵ Commission on Women Offenders [2012] *Final Report 2012*, Scottish Government

APPENDIX E PARTICIPANT FEEDBACK

Participants were invited to complete an evaluation form and/or submit their reflections on the symposium. Fourteen participants completed a form (collated below) and 14 participants offered individual comments by correspondence (collated at the end).

1. How well did the Symposium achieve its purpose [to engage in professional debate based upon international research and best practice to address identified key issues and so inform the emerging Scottish Government proposals for the future custodial estate for women.]?

Very well	Well	Partially	Not well
12 (86%)	2 (14%)	0	0

The majority of participants who returned the survey reported that the symposium achieved its purpose ‘very well’ (86%) to engage in professional debate and address key issues to inform the Scottish Government on the future custodial estate for women. Remaining survey participants (14%) suggested the Symposium achieved its purpose, well’. None of the survey participants reported ‘partially’ or ‘not well’ in the first questions.

Participants wrote that the symposium was ‘excellent’ and ‘progressive’, ‘well structured’ with the ‘activities and inputs simply outstanding’. Many participants reported on the ‘excellent contributions from experts, academic and practitioners over the two days of the symposium that delivered with ‘impressive energy, focus and commitment.’ Participants reported:

- ‘For me the symposium was very well organized with both professionals and researchers, not only from Scotland but also from abroad. It resulted in some interesting advices, based on the different workshop, which was a very fruitful work-format to me.’
- ‘The symposium was very well prepared and organised. As a guest you felt warmly welcomed and appreciated. The topics for the workshops were well chosen and made good sense. The debate in my workshop was very good but I lost track when it was referred to in plenary (maybe partly a language issue).’

While many participants ‘found the debate honest and meaningful’, it was mentioned that ‘a wider range of representation would have been more helpful (e.g. more voluntary sector, mental health and health, etc.), although the conversation was excellent.’ Finally, participants noted their interest in ‘the next stage to see how it [informs] the SG proposals.’

2. How well do you think that the evidence and advice produced through the presentations, workshops and discussions will support the Symposium’s aim to produce evidence and advice on practice to inform future thinking on the development and implementation of a Scottish Approach to the custody of women?

Very well	Well	Partially	Not well
10 (71%)	4 (29%)	0	0

The majority of survey participants (71%) reported that they thought the evidence and advice produced at the Symposium will inform future thinking on the development and implementation of a Scottish Approach to the custody of women 'very well.' Twenty-nine per cent of participants felt that the Symposium will inform future thinking 'well'. No participants chose 'partially' or 'not well' for this question.

Participants found the Symposium to be 'uniformly interesting' with 'well-chosen speakers'. Participants suggested that 'all the developed suggestions and ideas should make it possible to produce evidence about female imprisonment in Scotland.' Participants reported:

- 'Interestingly the conclusions seem to echo the findings of reports and enquiries produced in Scotland since 1997. I would hope this produces a clear roadmap as to what needs to be done and the international good practice we might emulate.'
- 'It was said several times that you do have very good Scottish academics ... and during the symposium I experienced a willingness to dialogue between practice, academia and (not least) responsible decision makers (politics and admin high level) which I have never seen before. I find the symposium and the open mindedness very, very courageous indeed.'

'Capturing all the learning is key'. It was suggested that 'more detail is needed to flesh out practical steps towards practice. However, a strong ethos is present.' Participants felt that 'the final advice produced by the Symposium was based on the solid evidence and experience of the group.'

3. We would be glad to have your views on how Scotland is approaching the development of policy and practice for women in custody.

Participants reported that they found Scotland's approach to the development of policy and practice for women in custody 'professional', 'positive' and 'moving in the right direction.' Participants found it important that change is being supported by Scottish government, 'otherwise it will be hard to work on changing policies and practice.'

The 'openness' of 'wider discussions' with external agencies and the academic community was favoured than doing something purely 'in house', especially as development of how women are supported in custody cannot 'separated from the wider debate on development of policy and practice for women who offend.' In doing this, we must engage with multiple agencies if we are to have a genuine 'Whole Systems Approach' (e.g. housing, health, police, Crown Office, 3rd sector).'

It was mentioned often that the need for change for how women are treated in custody is overdue and as 'it is a long journey', 'recovery is a helpful principle.' It was suggested that the Scottish Prison Service, and Scottish Government, will need to 'stay thoughtful and brave.'

4. Please let us know any outcomes or impact the Symposium is likely to have for your own learning, practice, policy area or research or in your own country.

Many participants suggested the Symposium impacted on their own learning and they found it valuable to ‘make contacts’ from people ‘both abroad and the UK’ and ‘to gather further evidence from other countries’ to use in their own practice. Further comments include:

- I will start new discussions with the justice system in NL about how we can change the focus slightly from gender-neutral to more gender-sensitive – at least be gender-informed.
- Important also for the prison system in the Netherlands is our study of female desistance after imprisonment.
- I have found debate, discussions and conclusions valuable and will be bringing both wider and practical solutions back with me to implement (e.g. discussion of children in custody – possibly localised in other sites).
- The Robertson Trust is happy to be included in this journey and continue to contribute to discussions. Potentially, subject to the usual application process and Trustee decisions, there might be resources which would be used to undertake demonstration projects/ test theories of change etc.
- The major outcome/impact will be to what extent this shapes the future of policy and practice in Scotland for women in the criminal justice system.
- This will lead to better partnership working looking at key areas that can be worked on to improve many areas for future service provision
- Some of the presentations from the group sessions gave me further ideas for curriculum development
- Challenged me on my responsibilities in relation to public engagement

5. Please offer any advice you would like to give us for the next steps of the process of developing penal policy and practice for women in Scotland.

Two main pieces of advice for next steps included the need to disseminate ‘the results of the symposium to the policymakers and practitioners’ and, as suggested by Professor Fergus McNeill, have a similar Symposium with ‘front-line prison staff, practitioners and the women themselves.’ Furthermore, it was suggested:

- Make re-integration an important aspect of the penal policy and practice
- Importance of policy led, and resourced, approaches. No use in having changes that cannot be sustained
- Be aware of children – also for preventive reasons. Clear and firm guidelines for services to collaborate and to include the client as having the main role
- Continue to be brave and do what evidence says will have the best chance of working but don’t forget the victims and their needs

- Create a safe space to talk with the judges

6. How would you sum up the experience of participating in this Symposium?

Participants reported that the symposium was ‘well-organised’, ‘very open and positive’ and ‘engaging, honest and exciting.’ Further comments include:

- ‘It was a well-organized symposium with very good work done by Gill Robinson in asking the right questions to the audience and a fruitful way of using knowledge from both academics and practitioners.’
- ‘Absolutely a valuable step on the road.’
- ‘I have found it stimulating and incredibly encouraging that people are all aiming for the same medium-term outcomes.’
- ‘Positive experience for me. Challenged some of my thinking. Useful to hear of the experience of other countries.’
- ‘Excellent event. Proud to be part of it and I leave feeling very hopeful for young girls/women in custody.’
- ‘Inspirational and very encouraging.’
- ‘Energising and exhausting!’

7. Please say how we might improve similar events in the future.

Participants reported that the ‘whole event was very well organised’ but in future should allow more time for discussion and time to develop arguments.’ Participants also reported the following suggestions:

- Inclusion of women and practitioners
- Better facilities
- ‘Trigger questions’ for smaller sessions in case there is a lull in conversation

Reflections by Interviews:

- 'I think this has been very good occasion to share information and it's a quick way to get results to get results to do this. I'm impressed that I have been apart [of this].'
- 'I think the last few days have been an exciting opportunity to rethink the way in which we deal with female offenders in the Scottish prison estate. And hopefully some innovative and progressive results will be achieved from it.'
- 'It's been remarkable in terms of hearing from people's experiences in terms of different jurisdictions and from Scotland. Coming from [where I'm from], we're struggling with the process of prison change. I'm just struck by what an incredible opportunity that the people of Scotland have now to make a real difference. I was heartened to hear the Minister saying that the Government is prepared to think about radical change. And with the energy that's been at the conference I just really hope that that opportunity is taken. What's clear from the conference is that the evidence is there. The evidence has been there for the last twenty, thirty years. What it takes is for someone to be bold, radical to actually implement it. I really hope that's what happens.'
- 'It's been an excellent opportunity to think about how to move things forward. I think the Scottish Prison Service has been very brave in bringing together Scottish Government, the Prison Service with some academics and other people who have different views on the purpose of imprisonment and what it should be doing. And bring them together and having this dialogue with a view to some constructive developments for the future. And I think the optimism we had at the beginning has carried through the two days. That's something that tis quote exceptional. It's been brilliant.'
- 'I have been transformed and inspired myself here today. It's been very inspirational being with all this wonderful group of people with passion and inspiration and it has made me very hopeful. I wish I were Scottish right now. I wish I was here to embark on this transition.'

Reflections by correspondence

- 'Please once more receive my warmest thanks for the invitation and for a most interesting and inspiring symposium. I was very happy to attend it. The overall atmosphere was very positive, constructive and open minded.'
- 'I think the event was really interesting but probably threw up even more questions than answers... which is always the way when academics get involved!'
- 'I just want to take this opportunity to say thank-you for organising such a thought-provoking and interesting symposium. It was a great privilege to be part of it. I look forward to being involved in other events organised by the SPS.'
- 'Many thanks for inviting me to the symposium last week. It was a really fantastic experience, made exceptional by dinner at the castle.'
- 'Well done on a very interesting event. Thanks also for the wonderful hospitality. I hope that some good comes from the event – it should be an exciting time for penal reform in Scotland.'

- ‘The International aspect of the Symposium gave all of us much food for thought and was a unique opportunity to share practice.

I found the event interesting, stimulating and very encouraging. I do hope that the outcome from the meeting will be a new small National Prison for women in Scotland and a range of community facilities which can be used to divert women from custodial sentences, for remand and to provide community support for women who leave prison. We look forward to remaining connected with this work as it moves forward on its journey within the Scottish Government.’

- ‘Really enjoyed the conference, great line up of speakers and very thoughtful discussions. Can I also thank you in particular for your outstanding organisation and hosting! Everything was meticulous in detail. The conference dinner was memorable. A good few days for Scotland and hopefully for women who come into conflict with the law.’
- ‘It was a great experience to take part in the symposium and I am grateful for having the opportunity to attend.’
- ‘Very impressed with how cheerful and energetic you kept the workshop vibe.’
- ‘I just wanted to say thank you again for the wonderful experience.’
- ‘First, I have to say THANK YOU - all of you, who have organised such a wonderful symposium. For the first time in my five years of leading the women's prison, I have been on the symposium that was related only to women.
- It was also very challenging for me, our Prison Administration and for the future of women's' prison in Slovenia. The practices worldwide are different and meetings like this are always the chance to overlook your own practice, to see what are the good practices abroad, what are the strongest points at home and what more can you do for a higher goal - reducing reoffending and better life for women and their families.

Personally, I have learned a lot. I know that the Slovenian practice was very interesting to hear, but as I have said - we still have to do and learn a lot of things (and a lot of ideas came up when we have visited Cornton Vale). There are some things that you cannot compare, but there are some things where you question yourself if you can do more. And also important - what works in one country, it doesn't mean that will work in another. We should do more for women and it should be our goal to be better and better. In July I will present the good practice of Scotland at the meeting with Director General and other directors of Slovenian Prison.’

- ‘I was and am delighted to be involved. I was impressed by the quality of organisation and the structure of the symposium, both of which facilitated learning and innovation. I know the next phase of hard work follows now, and please know that you have my continued offer of support and assistance.’
- ‘I'm really inspired by all the things I've heard in Scotland and I'll bring a lot of it back home. Incredible things are happening over here.
- ‘The last couple of days have been very thought provoking...Learning about Scotland and the possibility of change and transcending the penal landscape as we know it has not only been thought provoking but has reenergised and revitalised how I think about the incarceration of women.’