



Justice Committee

[Oral evidence: Women offenders: follow-up, HC 314](#)

Wednesday 16 July 2014

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Members present: Sir Alan Beith (Chair); Steve Brine; Jeremy Corbyn; Nick de Bois; Andy McDonald; and John McDonnell

Questions 1–43

Witnesses: **Rt Hon Simon Hughes MP**, Minister of State for Justice and Civil Liberties, and Chair of the Advisory Board for Female Offenders, **Juliet Lyon CBE**, Director, Prison Reform Trust, **Rachel Halford**, Director, Women in Prison, and **Michael Spurr**, Chief Executive Officer, National Offender Management Service, gave evidence.

Chair: I normally have to ask if there are any interests relevant to the public session, but I cannot imagine that there are. No. Minister, I wonder whether you can tell us if we have a Prisons Minister yet.

Simon Hughes: We have not, Chair. The remaining Ministers are being appointed today, but as far as I know I am still the Minister responsible for women offenders, including women's prisons. I hope that meets your purpose for today.

Chair: Thank you very much.

Nick de Bois: Do you want to check your phone?

Simon Hughes: I turned it off, out of respect for the Committee.

Q1 Chair: Welcome to you all. I think that everybody on the panel today has given evidence to us before, but never together in this particular combination. Rachel Halford and Juliet Lyon, you are here in your capacity as members of the advisory board. Michael Spurr, of course, you are here as head of NOMS. One of the issues that came to us in our first report, and which we reflected in that report, was significant evidence from the politicians involved that getting a satisfactory policy for women in custody moved up the political agenda was really challenging, and had only been achieved because a number of Ministers across the previous Government had got together and were women who were determined to make sure that something was done about it. One of the concerns that we expressed was that we did not see quite where the leadership was going to come from. The occupants of your position were all junior Ministers—a former member of the Committee, Helen Grant, was in that position for a time—without an obvious sign of the kind of broader political backing which it had

taken to move the Blair Government to the point of raising this up the agenda. How are you doing it?

Simon Hughes: Chair, thank you for the invitation. Just to put on the record something that I know you know, we were offered the opportunity of my colleagues on the advisory board giving evidence to you separately or of us doing it together. I was very clear that it was better that we should do it together, because I believe that the advisory board is hugely important in answering the leadership question. Obviously, Rachel Halford and Juliet Lyon are not here to echo Government policy. They are here to give you their views, and to give me their views, but I thought it right that you should hear from us together. I regard it as a relatively new institution that is meant to lead policy, and it is doing so, I hope, increasingly energetically.

I shall give you a short answer and then I am happy for you to pursue it. First, the advisory board has representatives on it from many other Departments, who regularly attend. For example, there are representatives from the Department for Business, because making sure that women have employment, ideally to prevent them from going into prison but also having plans for employment when they come out, is crucially important; and there are representatives of the Department for Work and Pensions, because there are really big issues to do with benefits continuing, particularly if people are in prison for a short time and so on. They attend regularly, and many Departments are represented.

Secondly, I have attended the Cabinet Committee on Social Justice, where they are interested in women's affairs. I specifically presented a paper to them on the inter-relationship of women and debt, which is a hugely important issue for women who are either on the margins of the prison system or who have offended in the past. I have worked with Jeremy Wright; he was the regular member of that committee from our Department until yesterday. Thirdly, I have had bilateral meetings with people such as the Women's Minister, to look at the number of projects that are funded for women across Government. I discovered that there were a huge number, and we are trying to make sure that they are rationalised and do the job properly.

Lastly, when I was appointed there was a discussion as to what I should do. The advisory board had been fairly recently formed. It had in some ways quite a difficult start, because there had been a change of Minister twice, which I understand is not helpful in terms of planning a strategy. I thought that the best thing to do was to make sure not only that we were seen to be strongly steering the ship, led by the Minister responsible—me—in the chair, but that we engaged wherever necessary across Government ourselves, rather than having a new structure.

It would be dishonest not to add that, as a Liberal Democrat, I know that coming to our conference this autumn is a proposal that we should have a women's justice board. That is obviously something that happens for the youth estate; there are not exact parallels, but we can discuss that. It may well be that my party in the coalition agree that that should be where we want to go, but it would be in my view wrong to start changing the structure this side of a general election. I want to make sure that the system that Juliet, Rachel and others are part of works well. Perhaps you would be good enough to let them tell you if they think that the leadership is better than it was when you last asked the question.

Q2 Chair: That is more or less what I was going to ask Ms Lyon and Ms Halford: whether the combination of the advisory board, with people on it with wide experience in this area and a committed Minister, can sufficiently provide the leadership within Government, at least for the time being, to keep this thing high on the agenda.

Juliet Lyon: That is two questions in one, but I shall respond to both. For the time being, it keeps it on the agenda. It is inadequate as a method for trying to lead women's justice. It is very much less than what is required.

In preparing for the meeting, I looked very hard at policy development, for example. Back in 2001, this was Government policy: "The best way to reduce women's offending is to improve women's access to work; to improve women's mental health services; to tackle drug abuse by women; to improve family ties and to improve the life chances of young women at school and in the community." That was new Labour justice policy on women. You will note that it is not about prisons, nor indeed about probation.

That policy—the recognition that there has to be leadership across Departments, which I appreciate is complicated—seems to have been in place, as what we feel is very sound policy, for more than a decade. I don't think there is a policy problem. You are absolutely right to focus as a Committee, and we really welcome the fact that you are determinedly focused, on why, given that the policy is good, we are in the position that we are in. Why are so many women in prison? The recognition is that many do not need to be there; they are there for petty offences, and very few will benefit from the current range of recommendations because they are very prison focused.

The difference will be if we could have a dedicated leadership, a dedicated group for whom women in the justice system—wider than that: vulnerable women—are their sole priority. If they had some of the powers that the Youth Justice Board has in terms of commissioning, monitoring and overseeing, it would be a strong group that could reduce the number of women in prison, in much the same way as the number of children under 18 in prison has dropped by 60% in six years.

Q3 Chair: You say a group. Are you talking about Ministers? Are you talking about advisers or civil servants?

Juliet Lyon: The Youth Justice Board model is a good one. It might be a women's justice commission. I do not know how it would be titled, but a board or a commission could have that as a sole responsibility. This is an advisory group, and I very much appreciate the Minister asking me and Rachel from Women in Prison to come here, as independent members of the advisory group, to respond to your questions. But it is solely advisory, and its powers, if there are any, are very limited indeed.

Q4 Steve Brine: We produced our report earlier in this Parliament. I wonder, Minister, whether you accept our conclusion that, for too long, while the needs of female offenders are recognised as different from those of men, the criminal justice system has struggled to reflect the differences.

Simon Hughes: The answer is that it did, but I am very clear now that it does not. I can be categorical about that. Long before I was in the Department, and Michael Spurr will correct me if I am wrong—I am going back to 2004—according to the records there were the

beginnings of identified separate policies intended for women. What is now clear is that two other major things have happened. First, we have legislated, in legislation that has just come into force, to make sure that the needs of women are specifically addressed by the Transforming Rehabilitation programme. The national probation service, now in existence, has 21 companies, still all in the public sector but for which there is a tendering process. Every person involved in the tender—and the team in the Ministry of Justice has obviously been part of that process—is absolutely clear that they need to think about how they provide to meet the needs of women.

We have legislated to deal with one of the biggest challenges where, bluntly, the country has failed. Many women are sent to prison for short times—Juliet’s point—coming out and then going back again, because there are many more women with shorter sentences than there are men. If we can address that effectively by having policy initiatives and interventions that are absolutely focused on the needs of women, we can make progress. That is the first thing.

The second thing is that there are clearly characteristics and considerations that are very different for women, and priorities that are different. Women who are at risk of offending or who have offended and go to prison do not have the same make-up and needs as men. I have been to enough women’s prisons now to see that, even if I did not know it.

There are four things that I put on record in answer to Mr Brine’s question. First, female prisoners are more than twice as likely as male prisoners to suffer from anxiety and depression. There are many very depressed women, and they are twice as likely as male prisoners to report that they need help with mental health issues. That is one very clear issue. Secondly, female prisoners are much more likely to have been using class A drugs in the month before they are admitted. Thirdly, many more women than men have been the victims of abuse—that is sort of predictable, but it is absolutely true—often during their childhood but not only during their childhood, and they report that. Fourthly, many more women have direct dependants, both children and others, often parents as well as partners. Those four characteristics are absolutely understood in my Department and by everybody who works in the Prison Service and in the prisons that I have been to, both public and private sector prisons, by the teams working there. I am satisfied that we do not treat women the same.

It is just a small thing, but Michael told me this morning that there had been an issue about how often and when we could have underwear supplied. It is not a male issue. It is a female issue; the restrictions have now been lifted. There are now no restrictions on the amount of underwear. It has to be women-focused, women-centred, women-specific policy, and I think we have made a lot of progress on that.

Steve Brine: Unless we have a secure estate full of men going commando, men use underwear as well. I do not know whether you have any knowledge of commando.

Michael Spurr: Restrictions have been lifted for both.

Simon Hughes: I was going to refer that question to the boss of NOMS, but you got me out of it.

Steve Brine: Men’s and women’s underpants: excellent.

I turn to Rachel. A “distinct, radically different” approach, as Baroness Corston said in her famous report. Do we have that? Do we have a direction of travel towards that?

Rachel Halford: We have a direction of travel towards it, but there is an awful lot more to do.

Steve Brine: It was a long time ago, was it not?

Rachel Halford: It was a really long time ago.

Q5 Steve Brine: Why are we still only on the road there?

Rachel Halford: No offence, but we had a change of Government. Where we had a lot of movement—Juliet spoke about it before—with the previous Government, it has taken a long time for this Government to get on board in the same way. There was resistance to some of the Corston recommendations. We know from the last Select Committee that there was a lot that was beginning to change, but it has been piecemeal.

There are small changes, and there absolutely is some progress on the review of the estate, which I know we shall come to later, with the suggestion about small custodial units. The biggest thing is that fewer women are being sent to prison, along with the joined-up services and the whole system approach, both outside prison and cross-departmentally. That comes back to the advisory board as well; there is good representation across the board, but what would be fantastic, in case we have another change of Minister, would be to have more Ministers involved. I know that that is really difficult, but there could be others, so that there was more consistency. We are some way from Jean Corston’s whole-system approach. To be quite honest, if we were any closer I would be out of a job because there would be fewer women in prison.

Q6 Steve Brine: Right. Yes, imagine. Linked to what you said about more Ministers being involved—this is probably a question for Simon—and the cross-Government workings of the board, do you find yourselves hugely helped in that respect, or do you find yourself frustrated in that respect? You clearly get it, and I know that the MOJ clearly gets it and the board gets it, but it is not just you that needs to get it, is it?

Simon Hughes: No. The answer is that I have not been hindered. There is a very real issue for many women. Many women who have their own home are tenants. They are often council tenants or social housing tenants. If they get sent away for three or four months, there is a real danger that the local authority does not understand that—the hon Member for Hayes and Harlington and I have had engagements on these sorts of issues in the House—and the tenancy is therefore terminated.

We have to make sure that the benefits system understands that you have to keep the benefits going. The benefits system has mercifully changed so that, instead of just a three-month period of cover, there is the possibility of a six-month benefit cover, including for universal credit. That engagement has worked well. Officials understand it, and Ministers in the DWP understand it. We are going to look at it again; we are going to meet

bilaterally, to make sure that people do not slip through the net. I am satisfied that colleagues understand that.

One other thing is really important. I am not the expert on this, but I will be more of an expert in a month's time because I will have spent a chunk of time up in Manchester. In Manchester, there is what is called a pathfinder project; you may have seen something about it in these papers. Tony Lloyd, in his role as police and crime commissioner for Greater Manchester, chairs it. It brings together all the local authorities of Greater Manchester—there are eight of them—and it brings together all the agencies. Crucial to the success of the joined-up management of women at risk of offending and of women who offend is local government as well as central Government, to be honest. It is imperative if, say, you come from somewhere in Greater Manchester, that the opportunities for a non-custodial disposal are available, so that women's centres work, and the courts know where they are and know which the appropriate ones are. That is the first step.

Secondly, for those who, in the end, the courts send to prison, ideally they should go to prison at Styal, which is in the north-west, so that they can see their children as often as possible. Their families can visit. At Styal we are beginning in some ways to go down the Corston route, because building works are now happening to make sure that there are smaller units that are, if you like, halfway houses between traditional prison and the community.

Thirdly, we need employers to be engaged, and they are. I want them to be engaged much more, so that they start being involved with women when they are inside, long before they come out, so they can start planning for work. Again, Tony Lloyd has been very helpful, as has Keith Bradley who used to be an MP in the north-west; I invited him to come on to the advisory board because of the report that he had done on mental health. We need local authorities to understand that it is not sufficient to have a system where people can drop through the net.

Lastly, I have a clear view that the best way to join up central Government provision of prison arrangements—the MOJ role—and the probation and Transforming Rehabilitation role is to do it within the boundaries of police authority areas. It gives a big enough area to work in, it gives purchase, it allows a bit of edginess between one local authority that might be better and another, it gives a regional focus, and it allows people therefore to understand that they have an obligation to work as a community—to do what Juliet said at the beginning, which is to bring down the number of women in prison.

Most women in prison—50%—are there either for a very short time or for offences that are nothing to do with violence, and nothing to do with what could be perceived as a risk to the public. Although the numbers have come down hugely, as you know, from about 6,000 to under 4,000, my instinct is that they can come down significantly more—by thousands, not by hundreds. We will do that better if we have an all-authorities, all-providers approach working regionally. I am very keen, if the Manchester pathfinder continues to be successful, that we replicate it throughout England.

Q7 Steve Brine: I am not tempting you to make a bid for the Prison Minister's job, but you said that women are in prison who do not need to be there because they are no threat to

society and so on. Is that not a general point across the whole prison population? Is Andy Coulson a threat to society? Should he be in prison? Is that a good use of public money?

Simon Hughes: As a Liberal for nearly as many years as you, Mr Chair—that was meant to be respectful, not comparative—I have argued for us to have many fewer people in prison. Look at comparative numbers across the whole of Europe, and you will see that we have one of the highest prison numbers. I am not responsible for the rest of the estate, but we have brought down the number of young people in custody significantly, and the number of women in custody has gone down. The Secretary of State said at the Dispatch Box the other day that he would wish there to be fewer people in prison overall, and I was very encouraged to hear him say that. It has been my view and our party's view for a long time.

Yes, many fewer people should be in prison. However, that requires there to be effective management and support for women who often live difficult and pressured lives. There is pressure on women from their partners, from peer groups and from the community that they live in, and there is the ability to go from a law-abiding life to one that breaks the law just because the finances require you to do something that breaks the law; any of us could be there in such circumstances. The fact that many more women have many more people to provide for means that there are social pressures on them. We need to recognise how difficult life can be if you do not have work, if you do not have a stable household.

I met a young woman when I was in Bronzefield recently. She was 22, and it was her eighth time in prison. She came from Greater London, though not from west London. On the day I was there, her mother was also in prison. Many of these women are part of families who keep on going to prison, and, unless we have really effective women's centres and support systems, it is not surprising that they end up going to court. We then need to make sure that the courts have the opportunities and the education to know what the alternatives are to sending them to prison. But we absolutely need to make sure that in prison we have other therapies, such as dealing with mental health issues, so that it is not just a place of incarceration but is actively working with them to support them.

Q8 Nick de Bois: Your judgment is not just on us sending fewer people to prison. It must be that those who are offending are not reoffending. Reducing the number of prisoners is no good unless we stop reoffending.

Simon Hughes: That has been a failure across Government, which both parties in Government recognise, and there is absolute commitment, despite the political arguments that we have had, to the Transforming Rehabilitation agenda.

Q9 Chair: We shall come back to that later. Ms Lyon, did you want to come in?

Juliet Lyon: I would like to. It is really interesting that we have a Justice Minister who is a prison reformer, so some of the things that I might have wanted to say to the Committee about women in prison I do not need to say, because that is what the Minister knows and believes. But I think that he is being hampered at every turn. Part of my role here this morning—

Q10 Steve Brine: By whom?

Juliet Lyon: I have looked at my notes. The Minister opened the first advisory board, but this is the third of three Ministers in one year. That is significant in terms of slippage, change and leadership. We have seen the Department reduce massively in terms of the number of officials who are able both to support the board and, much more important, to support the overall drive to take a distinct and radical approach.

Steve Brine: You say that the number of MOJ officials has reduced who work around the board.

Juliet Lyon: Yes.

Steve Brine: Why has that happened?

Juliet Lyon: It is because they have been pulled off to do other things—whether it is Transforming Rehabilitation, whether they are part-time or whether the cuts have bitten deep.

The Minister chaired his first meeting on 1 April, and I have my notes here. He talked for about 10 to 15 minutes on his overarching priority to reduce women's prison numbers. He said, "I am going to tell you up front that that is the thing I am going to try my absolute best to achieve." He noted, of course, that the time period is short between now and purdah for the election. When we got the minutes from the advisory board, they said, "The Minister welcomed new and established board members. He introduced himself as the new chair and set out his vision of the board." They then went on to a set of priorities about prison. There was nothing about reducing women's imprisonment, nothing about alternatives to custody, nothing about community services.

The Minister has not been allowed to visit any women's centres, because of a very immature commissioning process. He has been invited to see women's prisons, which is incredibly important in terms of his overarching responsibilities, but not to see these alternatives.

Q11 Chair: Are you saying that he has not been able to see them because they are engaged in—

Juliet Lyon: Commercial activities.

Chair: I had better let the Minister comment on that.

Simon Hughes: This has been my biggest frustration—one of my two biggest frustrations. From the beginning, I was told that because Transforming Rehabilitation has been a process of tendering, if I go to visit a women's centre that wanted to be a provider not just now but a provider under the new arrangements, and I do not go to all the other people who might be not just bidders for the 21 contracts, or partners among them, but might be the second or third-tier providers of the service, it risks judicial review.

John McDonnell: This is insane.

Q12 Steve Brine: You said that the Transforming Rehabilitation process was good, and a key part of this.

Simon Hughes: It is good, and it is a key part. My frustration is that in England I have not been able to go to see the women's centres that do as important a job as the prisons do. I have been able to go to the prisons; I have had good visits; I have learned a lot and I have enjoyed them, and I hope by the end of the year to have seen every women's prison in the country and had a good time there. As of now, because the actual contracts have gone in, I am pushing to say that I would expect to start visiting women's centres. I am going to Scotland next month to see women's centres there, where they do a very good job, and I have been told about good ones in Ireland, but I want to see the ones in England.

Q13 Nick de Bois: Is the advice that you have to visit them all or none? Is that the advice of your officials, or is it from the Attorney-General or legal officers?

Simon Hughes: No, it is advice from within the Department.

Q14 Chair: We shall return to some aspects of this, but it has brought out an important point.

Simon Hughes: But I have not taken it lying down, and I am not going to continue being prevented, as you would expect.

Steve Brine: I would not expect you to take it lying down. All I say is that there is no use coming before the Select Committee and arguing about the secretariat and the way that your minutes are prepared. You are the board, and you sign off the minutes at the next meeting. If you are not happy, then sign off your minutes better.

Simon Hughes: Of course.

Steve Brine: Do not come here complaining about the way that your minutes are written. That just does not wear.

Juliet Lyon: If I could respond, I used that as an example of the way that I feel that ironing is done. Important points are made by the board, and they are not always carried through. Of course, as members of the board, we do our best to point out and revisit things, because the board at the moment is the only show in town. It is not the kind of body that it should be and that one day it hopefully will be. I did not come here to complain about the minutes. I wanted to show you that quite often things are damped down and not given the level of importance that they need.

Chair: The thought of damping Mr Hughes down is an intriguing one.

Q15 John McDonnell: It is a good reflection that we have a Minister with clear priorities, which need to be reflected in policy as it is implemented. I understand that. The Minister has made his statement on policy, and important issues like that should be reflected, but I find it bizarre that we have to have Ministers going in disguise to places as a result of a tendering process. It is extraordinary.

I come back to the issue of community services for women offenders, which we have focused

on. The most important thing obviously, which you are prioritising, is the development of those services. You mentioned the pathfinder approach in Manchester, which I found interesting. It could be really effective, but it needs funding. Will you confirm that the same level of funding will be available for community services in 2014-15?

Simon Hughes: The funding for this year is secure. I do not know whether you have seen it, but it is worth looking, if you have not already done so, at the stock-take that was done in autumn last year of community provision. It is a review across the country of what exists where.

John McDonnell: Those funding levels will remain the same.

Simon Hughes: The funding for this year is fine. The question is how we make sure that all of that continues next year. By definition, we are starting a brand new system. That system is therefore coming up at this minute with its own proposals, so I cannot give any undertaking as to what provision will be next year, but there has been intensive work by people like Rachel and Juliet, and many people in the Department and others, to make sure that the people who are doing the tendering understand which are the good organisations and which things are worth supporting and continuing.

The bulk of the organisations that already exist have, I understand, indicated that they want to continue doing that sort of work, whether it is educational or day centres, or working with children or whatever. It would be folly for the people wanting to provide Transforming Rehabilitation not to incorporate them. The straight answer is that funding this year is secure; funding next year is dependent on the process of bids, and the current target is that they will be decided before the end of this calendar year and in good time for the beginning of the next financial year.

Q16 John McDonnell: I have the update on the delivery of the strategic objectives. Again, let us get clear what you are saying. To maintain the momentum of what you have commenced will require a further commitment and a rolling-on of that programme as a minimum, and hopefully additional funding, particularly with regard to community services.

Simon Hughes: One of the strategic plans of the Department was to make sure that we did not waste any money, and that we produced more money to put into looking after people who at the moment come out of prison and for the next 12 months have no support. Given that there isn't more money in the round, it is a matter of finding the money. The intended plan was therefore to close the two open prisons in return for making every prison a prison that would be a place from which people would go out into the community—losing the cost of running two prisons. We have not been able to proceed with that, because there has been a judicial review case and I cannot say more about it at the moment. But that is the plan. If that releases more money, as it is intended to do, there will hopefully be the capacity to do the sort of work that you asked for.

Secondly, the whole idea behind having diversity of providers is that people might be able to do some of the provision at lower cost than before, and therefore we might get more bang for our buck, as it were. We might get at least as good a provision, but not necessarily costing as much. It would be helpful if Michael said a little about that, as he was involved in the whole history of that before I arrived at the Department.

Michael Spurr: The encouraging thing is that Tony Lloyd said at the last advisory board that all the potential bidders for the community rehabilitation companies in Manchester had talked to them about the pilot in Manchester; all were supportive and wanted to see it continue. Obviously, there is a bid process going on and a competition, but that engagement is encouraging.

There is a clear requirement for future companies to engage with this agenda, set out clearly in legislation under section 10 of the Offender Rehabilitation Act. It means that they have a statutory responsibility to demonstrate what they are going to do for women. I also point out that there is a strong financial incentive for any new companies. Obviously, part of the rationale for moving to the new arrangements is to have some of the payments to companies linked to results in terms of reoffending.

We know that women's reoffending rates are lower. They are certainly lower overall, and reoffending rates for women in the community are lower, but there is no difference, or hardly any difference at all, in reoffending rates between men and women who get short custodial sentences. The levels are that 56% and 57% reoffend within 12 months. So it would be utterly mad for any new company not to put significant effort into supporting women to stop reoffending, because if they don't do that—even though it is a small number of people, they are statutorily required to do it—it can have a big impact on their overall results because those reoffending rates are high. As the Minister rightly said, there is a greater proportion of women in the custodial estate who are serving short custodial sentences—19% of women compared with 9% of men.

All those things indicate to me that although we cannot be absolutely certain that the same funding is going to be delivered in the same way, because we are going through a process, there is a very strong incentive to maintain it. It is also important to recognise that women's centres generally get funding from a range of different providers; it is not just the CRCs, and what were probation trusts and formerly NOMS, doing that. We are promoting the type of work that can affect women's reoffending. We have guidance for new companies. We have done a study, which we are working through, to demonstrate the effectiveness of the women's centres. We are analysing that with data up to the end of March, and we will publish in due course, again to provide clear evidence and indicators for the new arrangements.

Q17 John McDonnell: That was my next question—how you would measure the impact of the additional funding. You are saying that the study will shortly be available.

Michael Spurr: Yes. It was a question that another Committee asked me about the evidence base. I have to say that the evidence base for what works with women internationally is incredibly poor. Over the last few years, we have done a wide international literature study, eight studies only. Most of them were flawed in the way they studied what works for women against what works for men, largely because they grouped large numbers of women and had not looked at different types of offences, or compared women with particular offences against men.

We are doing two things. Over the last 12 months, we have gathered data from the women's centres; we are analysing it and we will publish it. That is one study. Studies generally tend to have a much better evidence base, but we will publish it. We are also undertaking the biggest international study anywhere of all the data that we have gathered

over a number of years from the OASys risk assessments and others that we have done for women and outcomes. That is being overseen by the Correctional Services Accreditation Panel, which is an international panel of academic experts. It will be the biggest study of what works for women anywhere in the world. We are at the point of completing peer reviews of that study, and we will publish it.

As I said last time, we have been slower than we should have been at ensuring that our interventions are geared specifically to women's needs. We are doing much of that, as the Minister says, and this study will enable us to go further, to make sure that what we are doing is as applicable as it can be for women.

Q18 John McDonnell: Rachel and Juliet, what are your impressions of the impact of the additional dedicated money that has been provided by NOMS?

Rachel Halford: The dedicated money that is going to end at the end of the next financial year? It has been reduced. On the ground, we have a women's centre in Manchester funded through that, but the funding was reduced. That meant that we had to subsidise and be creative in our fund-raising to make sure that we could still deliver services to the same number of women.

What is happening in Manchester is quite outstanding. It is creative, and there is a real push to divert women from custody. It is a great example of joined-up working. The additional funding that we secured came from Manchester city council, so there is great interest, but it is only Manchester. I need to say that; we are talking nationally, but that is just one area. We are going to look at the time to evaluate, so consequently lots of things are going to happen in between and we may not move forward with that. In Wales, there is a pathfinder as well, but there isn't in any other area of the country, so I want to say that it is only a small area, fantastic as it is.

On the ground, we are creative. I go to lots of different places to fund-raise, and I have done a lot of work with the incoming or potential primes. I know that we shall be talking about that later, but the impact is really relevant. Our position as women's centres is very much dependent on what happens with Transforming Rehabilitation. Whilst it is clear within the guidelines that there is a statutory responsibility to show that they are going to work with women, there is quite a bit within it that is open to interpretation. For example, there is a line that says something like, "For those who choose, there should be a female-specific space." There is an implication that, if the woman does not choose to, she can go a generic centre, which then means that a prime could interpret that as, "Oh, I don't have to have just women; I can have a generic centre as well." Maybe later when we talk about TR, without disclosing, I can talk about my experience of working with the primes and their different views on interpreting that, because it is really important.

As we move forward, the sustainability of the women's centres—those which had previously been funded by NOMS—is very dependent on what happens within TR. It is managed very differently financially for us at the moment. While we spent a lot of time in the last six months having to work out price per woman for all the services and so on, we do not know if that is how it will transpire with a successful prime, but this is how it has been suggested. It is not necessarily suggested that we would take payment by results, which is fantastic, because as small organisations we cannot do that.

The successful women's centres will be those that are not funded under this. For example, we have one funded by Woking council, and Lambeth council and MOPAC have funded one, and there are a few others. They are the guarantees that can remain wholly and robustly funded, because we just do not know. It could be fantastic, but it could be disastrous. The jury is out.

Simon Hughes: May I add a couple of factual things? I want to check that you have clear one point that Michael made. Then there is the funding question that is important for this year, although I have said that we do not know what next year will bring.

The reason that we do not yet have the evaluation is, I am sure, obvious to the Committee; you cannot check how successful interventions have been for people who have been inside until you have had at least a year from them coming out to see that they have not reoffended. There is a two-year time lag in terms of getting the data.

Secondly, I want absolutely to check that the funding for 2013-14 was increased overall to £5.8 million; £3.78 million of that was ring-fenced for the provision of women's services, and was spent through trust, contract and partnership arrangements on specific services for female offenders. That money was retained this year, so there was no reduction in the current year overall. What has happened, and Rachel referred to that in relation to the example she gave, is that it has been spread more widely. Some places may have had less money, but the budget from the Department overall has not been reduced. It has been retained this year. As Rachel rightly said, we obviously do not know about next year, and that is why the jury is out.

Chair: Thank you for that. We now move on to the Sentencing Council.

Q19 John McDonnell: Could Juliet speak on the previous point?

Juliet Lyon: It is a quick comment. Prisons are the day job. Prisons are funded. There is no question; they will be funded year on year. They are funded, and it would be useful to hear from Michael about the extent of the funding.

Chair: That is a point that we as a Committee have often made.

Juliet Lyon: I visit women's centres, and I was at Eden House in Bristol last week; it was clear that they were struggling yet again because there is no guarantee. You lose very good staff that way; people are on redundancy notices. You find that right across the country. The women who run these places are dedicated, and they try their absolute best to manage, despite the fact that they have these redundancy notices. It was quite clear from seeing Eden House, which is a good project, that they were anxious about what next year will bring. They also have the threat of the withdrawal of health funding, and their two health workers were very impressive indeed. I do not feel that there has been enough focus on continuity and developing what everybody recognises is exceptional practice. There are examples of good practice, but there are still gaps.

Q20 John McDonnell: Quickly moving on, this question is to everybody. There are sentencers now sitting on the board itself. I wonder what impact that has had on the work of the board. Simon, what progress has been made in relation to the Sentencing Council's

update on the extent to which primary child care responsibilities are taken into account in sentencing decisions?

Simon Hughes: I will deal with the second bit. We have a judge and a magistrate represented on the board. They attend whenever they can. They are regular attenders. They contribute, and we look to them to give the view of sentencers. That works reasonably well. We have not had a session yet at the advisory board to look at sentencing. Having realised that the information that we have back generically from the Sentencing Council has been pretty thin, to be honest—I know that the Committee was really clear that you wanted to get them back, as I do—Juliet, Rachel and I are clear that we want them to come to talk to us at the board, and we will examine exactly what they do.

Q21 John McDonnell: Is that the plan now?

Simon Hughes: That will be in the programme during the rest of this year. We are also very clear that the rights of the child, which is one of the issues, is an obligation across Government. The Joint Committee on Human Rights, which I was on before I was appointed, was very clear that the Government did not always quite understand obligations on the rights of the child. This is a rights of the child issue; they are meant to take into account the child care implications before sentencing.

My formal answer to you, which I can give, is that the Sentencing Council is required by statute to monitor the use of the guidelines. It is done in part through the Crown court sentencing survey, which identifies the factors taken into account in sentencing exercises, but the factors referenced by the committee of the Sentencing Council have not yet been subject to specific analysis. We will have them in and try to get to the bottom of how much it really plays a role. I will be happy to report back by letter to you, Chair, and to colleagues, as you rightly identified it as an issue last time. It is hugely important, and it links to what Juliet said earlier, and which Rachel also mentioned.

The Committee is clear: the job of the Ministry of Justice and the job of the Minister is not just to make sure that prisons are working well, not even just to make sure that we do not have people coming back in who have been to prison; the job of sensible policy of Government is to make sure that we support women so that, whenever possible, they do not end up going to prison at all in the first place. Therefore, sentencing options, and making sure that judges and magistrates know exactly what their non-custodial options are, are imperative. If they are not doing it as much as we would wish, bluntly, we need to be robust with them. If we need you to help us be robust with them, we are quite happy to ask you to do so.

Chair: I turn to Mr Corbyn, but some of the things that you were going to cover have been touched on already.

Q22 Jeremy Corbyn: Indeed. I was going to raise the question of women's community projects, but you dealt with a lot of that in the answers you just gave. Under Jean Corston's proposals, she was keen on women's centres that would support women at risk of offending rather than those who have offended. What progress do you see being made on that—in particular, their funding being separate from the justice system, so that there is a different identity to them, in the sense that you are not dealing with people who have committed crime but people at risk of it, and trying to help them improve their lives?

Simon Hughes: I am happy to answer, but Juliet is much more of an expert than me, so I ask her to go first and I may add to that.

Juliet Lyon: Baroness Corston did say specifically that she saw it as the way forward to have these centres. Michael will probably be able to talk in more detail about the Manchester funding, which is coming from a number of sources, but I can say a little about plans in London across the 32 boroughs. We have been working with the Mayor's office and with NHS England London, and they are working together with the violence against women strategy leads in the Mayor's office to try to pull together a business case, which they will consider themselves in terms of their funding, but they will also be making an application to the Big Lottery to try to get really significant funding across all the London boroughs.

It seems to me that, until and unless we can have guaranteed moneys at a local as well as national level, it is going to be very hard to mouth. That was the pattern that I saw as a member of Baroness Corston's committee when we did the review; you just do not see things that can hold together year on year. Given that the solutions to women's offending lie largely across Departments, both locally and nationally, there is such a strong case for making sure that it is pooled budgeting and shared funding, recognising that it is about housing and about health and so forth.

Q23 Jeremy Corbyn: This is to Simon Hughes. The question follows that, if there is an acceptance by the Government and all others that these centres are a good thing, it seems not very good that the only areas that we have referred to so far are the effective work done by Tony Lloyd in Manchester, who is working very hard at this. We had a meeting with him on these and other issues. In London, we are trying to persuade the Mayor to do it, but we are not looking at a good national picture. It requires some guarantee of funding; otherwise the women's centre will always be victim of whatever problems each local authority has every year with its funding.

Simon Hughes: I am really clear. I hope I indicated earlier that we need to have the same sort of model that is clearly working in Greater Manchester across England. It is no good leaving it to a lottery, with no arrangement happening.

The question I always ask myself when a pilot starts—the Manchester model is a pathfinder—is how long do you have to let it run before you say that it is a good scheme and you apply it. I am impatient, not least because, by definition, I might have this job until May next year, but I cannot guarantee anything—that is my time frame. Let me give an example; it is not to do with prisons. We are doing a pilot at the moment in relation to the family courts, which is to see whether we can have DNA testing, paid for by public funds, to sort out paternity rather than having rows in the courts for three days as to who the dad was. The original idea was for a pilot that would last six months, and we would then evaluate it. I said, “Look, this is ridiculous. Let's have a short pilot. It seems obvious that it is a good thing to do.”

Q24 Jeremy Corbyn: Can you give a cost-benefit analysis of how effective they are? If you have that information, you can use it in arguments in Government.

Simon Hughes: In that case, we will have an answer quickly, and I hope that we will then

be able to apply the policy quickly nationally. What I would like to do by about the end of the summer, having spent some time with colleagues in Manchester, not just discussing the Manchester model in London, is to be able to say that this seems to be what we ought to replicate around the country. London is the only complicated area, because it is 33 local authorities, so it is too big in one sense, and we might have to think of London being divided in a number of logical ways, but all the other parts of England determine themselves, and police authority areas are the logical boundaries.

I would rather start with fixed boundaries, and say, “Let’s quickly get local authorities and other providers together.” I want to press that button as soon as I can this summer or early autumn, and say, “Let’s make sure that those agencies come together.” If we do that, we have the best chance of guaranteeing the continuation of the good practice and the good organisations that are currently doing the work under the present system. I do not want to lose good women’s centres and other provision, some of which have been in place for a long time.

There is one last thing. One of the things that may be different is that, if the new providers of the Transforming Rehabilitation work are going to be planning what they do for people coming out of prison, the obvious thing is to strengthen wherever possible the use of the existing centres as well. Some centres may be inappropriate for people who have been inside and for other women in the community, but many of them are providing the same sort of services and support that are appropriate whether they have been in prison or not, and they actually have the location. I am keen that across England we have the model that works, as far as possible. Wales is slightly different, but we are still responsible for the system in Wales. I have been to Wales to speak about the issues in Wales. There are obviously proposals, under Government policy, to move some responsibilities to the Welsh Government, but Wales also needs a system that works for Wales.

Q25 Nick de Bois: I turn to the custodial estate for a moment, but we shall talk about small custodial units separately. We shall come to those later. If possible, I want a brief answer to make best use of the time. If I may, I will start with you, Ms Halford. What would you consider, in terms of the custodial estate, to be the most urgent priorities for improving the configuration of the custodial estate and regimes for female prisoners? Perhaps we can hear your top two, if it is that simple.

Rachel Halford: In terms of the review that is happening at the moment?

Q26 Nick de Bois: Of course it is implicit in the review, but what would your priorities be?

Rachel Halford: My priorities would be that there were women-specific programmes within each of the prisons and effective programmes that would enable women to move through their sentences. For example, we did some research on domestic violence recently. While there should be domestic violence abuse programmes within all women’s prisons, there were two where we could find no evidence of any, yet 60% to 70% of women have experienced domestic violence. That is really important, as is ROTL—going in and out—the availability to have access to life skills, to have access to employment, to be able to exit the prisons.

Q27 Nick de Bois: I shall come back to that specifically. I wanted to get a flavour of the headlines. Is that something that you agree with or would like to add to?

Juliet Lyon: I like the new emphasis on family and family contact. That is very helpful.

At the risk of being very boring, you have to unload from the prison system the women who do not need to be there. It is hugely problematic. The governor at Eastwood Park presented to the advisory board, and when asked the average length of stay, he said it was about six weeks, so we cannot ask too much of prison. If we could unload the women who are serving very short sentences, it would give the staff and the prisons a much greater chance to create effective and constructive regimes. There are concerns, and they will be true across the prison estate, that a reduction in staffing levels is having a negative impact across all prisons, both men's and women's.

Q28 Nick de Bois: Notwithstanding that, we might touch on that a little when I talk about benchmarking with Mr Spurr. Minister, do you have a sense of your priorities in the context of the custodial estate?

Simon Hughes: I absolutely do. I am clear that there should be three. One is that as soon as possible, from the moment a woman goes into prison, she should be in the prison nearest to the place where she wants to go back. That does not necessarily mean where she was before—a little caveat. On my very first prison visit, which was to Send, the first two women I met did not want to go back to the area that they had come from—one because she had done a terrible crime and made a reputation for herself, and the other had had a gender reassignment and did not want to go back to the community. They wanted to go somewhere else. You have to discover as soon as you can whether they want to go back to where they came from.

Nick de Bois: That would be regardless of family ties.

Simon Hughes: The logic is that you go back to where the family and community are, but one or two people will say no. That is the first thing.

The second is the ability to have a co-ordinated system, which from the moment you are inside helps you to plan a stable opportunity for when you go out. You need to have the interventions to get your life on an even keel, if it is a mental health issue, or if it is a psychological intervention. I saw some very good work in one of the prisons, which was in imaginative ways helping people to develop their creative skills—writing, music and so on—so that they could potentially help with their children and their children's education and upbringing.

The third thing, which we will probably touch on again, is resettlement that works when they go out of the gate. Simply put, I give again the example of the woman who had been inside eight times. She told me that within an hour of getting back to the town where she lived, in Greater London, she was back with the people who had given her grief before.

Nick de Bois: We shall probably touch on that later.

Simon Hughes: We need absolutely to make sure that the system supports people and does not have that gap and women fall down immediately.

Q29 Nick de Bois: The minute that they come out of the gates, yes. Let us dig a little deeper. Juliet and Rachel, you touched on this. Can you be a little more specific about your views on the progress being made in relation to community employment regimes? We are going to touch on maintaining close family ties as well. I sense that employment is one of the greatest things that we can do, but do you feel that, within the custodial estate and the regimes at the moment, we have had sufficient progress—or have you seen some progress? Let us start with some progress on the establishment of community employment regimes—period.

Rachel Halford: Not a lot. There is movement towards. In some prisons, there has been an increase; for example, in Holloway there has been a massive increase. They have London fashion and there is a hairdressing suite. They've got Pret A Manger. There is a big move towards.

Q30 Nick de Bois: Is there a reason why it was Holloway—fill in the gaps for me? Why not elsewhere, or is it that we are getting examples of pockets of best practice?

Rachel Halford: It is in progress. It is new. It is all part of the review of the estate, and it has to be put into the context of the review of the changing estate. For example, Styal is doing some fantastic work; they have employers coming in. There are other examples at other prisons; I think Eastwood Park has Timpsons. There are lots of examples, but it is only just starting. It is a new initiative.

Q31 Nick de Bois: Your assessment is encouraging, but there is no emphasis on what barriers may be preventing it from moving faster. Are there any trends that you have noticed?

Rachel Halford: Not as yet, but it is really important to say that a lot of women are not ready for employment straight away. We have already heard that there are more women on short sentences, and they are not there long enough to access that type of support. It needs to be put into context as to who can access it because of the amount of time that they are there, and, because of the space that they are in, they may well not be ready. For the women we work with, who have been in slightly longer, it is different, because the priority for women when they come in is their families; it is about their housing, about finance and debt. Education and employment is a long way away for them. It is about what stage they are at.

Juliet Lyon: There is also a more recent barrier. I agree with Rachel about the developments around release on temporary licence. This is because of the number of absconds, and the press interest in people absconding. We run an advice and information service that responds to about 5,000 prisoners and their families each year, and we have certainly had drawn to our attention by women contacting that service that they feel restrictions are being imposed on them in a way that they were not before. They feel that it is fundamentally unfair, because they rightly argue that they are less likely to be a risk to the public.

Q32 Nick de Bois: We have heard that before. We have discussed the possibility that we do not want to throw the baby out with the bathwater in response to that; it is a fair point. I think that you are hinting at it, but do you feel that progress has been made on promoting basic life skills—the point you were making? Have you seen evidence of good practice?

Rachel Halford: Our own. The voluntary sector.

Q33 Nick de Bois: But that's it—the voluntary sector?

Rachel Halford: It has to be said. We provide it. The voluntary sector provides support, because the cuts are so huge within prisons. It is predominantly voluntary sector organisations working alongside prisons that provide those life skills—that provide the model. We have the experience and the expertise. That is who Jean Corston went to for her report. It is the voluntary sector, just to keep it simple.

Simon Hughes: This is important. I was surprised too, to be honest, at the lack of initiatives across the estate to the extent that I would have wished. Soon after my appointment, I went to a meeting with Nacro to talk about the engagement of businesses with people while they were still in prison. That was mainly talking about men, and there were some good initiatives, which had already started; Business in the Community was doing one, as were some of the big banks and big solicitors firms in London. They were engaging people when they were still inside, and preparing them; they effectively had probationary job offers immediately they came out, and that was secured. I assumed that it would be at an equivalent level across the women's estate, but I discovered that it is not case. They are in differential positions, as Juliet and Rachel have indicated.

Factually, I want to put two things on the record. First, there is a plan this year to increase and expand life skills training, which is a preparation for all these opportunities.

Q34 Nick de Bois: Is that by the state or the voluntary sector? Will the voluntary sector be used for it?

Simon Hughes: No, it is being done with the Department for Business, Innovation and Skills and the Skills Funding Agency. It is a women-specific core curriculum, with a stronger focus on preparation for employment, and peer support for developing life skills for specific things—independent skills, classroom assistant roles, self-harm support and prevention, advice-giving in other settings and preparation for other activity.

These are basic skills, and Rachel is right that some women are not there. The first thing that you have to do when women come inside, it seems to me, is to sort out the issues that they leave behind. For example, in my book there should be no restriction on the time that you are allowed to use the phone to sort out the housing or the children. That is the first thing. You then have to think how mentally with it they are, how able to cope they are, how stable they are. You then have to think what are their skills. That is a programme across all the 12 prisons in the estate, which will give them basic skills.

To link that to an earlier answer, it seems to me that the way to move this quickly is to engage the employers in the regions, and the employers in London for women in prisons in London, to say effectively, "Look, we want you to adopt this as your social responsibility, not to take women who have been in prison because you have a cuddly duty to do so, but because, if not, society pays a price." If these women are not working, who picks up the bill? The state does. The state pays more benefits and the state has less tax—all the things that you know, Mr de Bois, as well as I do. Do it regionally; do it soon; get the big employers to be big partners. Some are. Timpsons has been cited as an example,

and Sodexo is keen to employ people who have been in their estate, but we can do much better.

Q35 Nick de Bois: I would say use the voluntary sector and contract with them more to do some of those skills.

Mr Spurr, I have a final point on benchmarking. Specifically, what progress has been made in the implementation of benchmarking of female prisons? It has been rolled out a little slower, but correct me if I am wrong. To what extent have the benchmarks for female prisons differed from those for male prisons? Worryingly, looking back at some of the concerns raised in the male estate, what steps are you taking to ensure that the process does not result in a reversal of the—let's face it—welcome falls in self-harm and suicide by women prisoners? That question is just for you, Mr Spurr, if you wouldn't mind.

Michael Spurr: To be clear about what benchmarking is, it is about looking at how we can set delivery requirements, what we expect to be done, and then looking at models of how they are delivered across the estate, taking the best models and ensuring that we are applying them to meet the needs of particular prisoners in particular prisons. The benchmarks differ, depending on the prison population and the geography of the population. They start at a standard level, but then differ to reflect particular needs.

Phase 1 of that was in male adult local prisons and category C prisons. Effectively, you have a starting ratio of how many staff to prisoners you can operate with, and then you look at individual prisons and say, "The staff to prisoner ratio is 1:30. Can you operate with that, given the particular geography of the prison, or do you need to make an amendment to that?" Each prison is looked at like that.

The benchmark for women's prisons reflects the requirement for specific regimes that are required in the female estate. That is part of our phase 2 programme of benchmarking. We are in the process of completing the benchmarking for the female estate, but it is not yet complete. We have had visits to all female establishments, and the governors of female establishments were involved in that process. We are at the point of completing two-day visits, again to each establishment, which will develop the benchmark and say how it would apply in individual sites. I am confident that we will have something that meets the needs of women, not simply a male-applied benchmark. That would be wrong. That is why we have put it into phase 2.

Benchmarking means that we aim to get the most efficient delivery for what is required. That means differential outcomes for different prisons. It is important in the male estate to understand that although of course we are doing this to be able to be as efficient as possible and save money—there is no question about that; it is a requirement, because we have a reduced budget—it has not been the same across the board. For example, Feltham ended up with a greater number of staff required after the benchmark than they had before, because, when we looked at what they were doing and the geography, our view was that they were under-resourced. It was the same at Winchester. The majority of establishments have ended up with fewer resources in the male estate, but open prisons will end up with higher amounts of resources to support risk assessment. It is important to see it in that context. We are going through the female estate now, and our intention is to roll out the outcomes from that over the autumn and winter period.

In terms of self-harm and other issues, the main issue in the male estate, which can be confusing, is not specifically about the benchmark. The problems are where I have staff shortages, so that we are not actually operating at the benchmark in a number of establishments. At the moment, I cannot be as clear as I would want to be about the impact of the changes, because in too many places, for a range of other reasons, I have fewer staff than I need to be able to operate the benchmark. We are therefore in a number of establishments operating regimes that at the moment are not delivering the full benchmark. We are addressing that urgently, and I have additional staff coming in by August; and we are recruiting 1,600 staff across the estate who will be in post by March.

It varies. Some establishments operate to the benchmark, and the chief inspector would say that they are delivering good-quality regimes, but other establishments are struggling, because they are below for a whole range of other reasons. The prison population is higher than we had anticipated, we are running more capacity than we had anticipated, and there has been an upsurge in employment, particularly in the south-east, that has led to us losing a greater number of staff there than we had anticipated, and we are having to respond to all those issues at this minute.

Q36 Andy McDonald: Minister, you have already set out your ambitions for a reduction in the prison population. The Committee did a report last year; how would you respond to the conclusion in that report that the Government's consideration of the estate was too limited? Given that the size of the prison population is static, how would you respond to that observation, that conclusion?

Simon Hughes: As somebody who started this job at the turn of the year, I found the Committee's previous report really helpful; it did not pull any punches, and it was really clear and well informed. Thank you for the work that you have done. You certainly gave me an agenda, and told us where you were focused. I shall give you the numbers and then, in a couple of sentences, try to support my commitment.

When this Parliament began, when the Government were elected, the number of women in prison was 4,328—799 of them were on remand, 3,484 were sentenced and 45 were non-criminal. I am pleased to report that all those figures are now lower. We get weekly figures from Michael. As of last Friday, there were 3,923 women in total. The last breakdown that I have, which was on 31 March, was that 715 were remand prisoners, down by nearly 100; 3,131 were sentenced, down by 300-plus; and 42 were non-criminal, down by three. That is a reduction of something of the order of 400 women. We are going in the right direction, but at this rate it will take much longer than any of the members of the advisory board would wish, so we need to do other things.

The thing that I have not mentioned, which I flag up for you, is the most creative way for liaison in diversion of people in police custody and the courts with the Department of Health in particular, and the Minister of State there. It is to make sure when people first appear in the police station that we know, for example, whether there is a mental health issue or a medical issue, and we try to make sure that all the things that actually mean that people should not go to prison are identified in round one. I remember that when I did prison visits, before I was elected, on our party's home affairs panel we were always told, "These people should not be here. They should be in hospital. They should be dealt with in other ways."

The list of things that will be checked for, as it were, are mental health issues, learning disability, substance misuse and social vulnerabilities. This has been piloted in 10 areas; I am checking to see whether I can find the list; I can supply it later if you want it. If they get supported at an early stage, it may mean that they do not need to go to prison at all. The court can be told that intervention has happened, and they are now getting better treatment. For me, that is the most important first moment of intervention. If it works, having been trialled in 10 areas, it should happen everywhere. Every police station and every court should look at the non-custodial alternatives. Secondly, there is an initiative across seven police areas to work with the police service, again using diversion techniques, to do things that intervene early enough.

May I add a PS? I took part the other day in a discussion at the Cabinet Committee on Social Justice about what we can do to work with Louise Casey and the people doing the Government's Troubled Families programme, which is a good thing on the evidence, and has dealt with 120,000 families around the country. There is a proposal that it should expand to 400,000 families. For the first time, in the bigger group, one of the qualifying criteria is that there is a cycle of offending in the family. Specifically, if there has been offending by the parent and there is then offending by the next generation, they are potential candidates for the Troubled Families regime.

We have been trying to work out how not to fall over each other, as it were, by doing the same work with the same people. I hope I have sorted that out with Louise Casey—I had a meeting with her the other day, as well as the Cabinet Committee—that where there are people in that category, where a parent has been an offender and we are now in the second generation, and the other criteria are met, they will be under the Troubled Families programme and, hopefully, have the intervention on estates in your constituency and mine and everywhere else, rather than us trying to do the other thing. Intervention at the police station, intervention in the courts to try to divert, and widening Troubled Families to include people with family histories of being troubled will, I hope, significantly reduce the numbers of women who ever go through the door of a prison in the first place.

Q37 Andy McDonald: Thank you for that. If we had time, it would be nice to have a discussion about the nurse-family partnership that we saw in Texas, but we must move on. You mentioned the raw numbers on remand. Mr Spurr, I wonder whether there has been any assessment of the effect of the remand reforms on the number of female prisoners.

Michael Spurr: The reforms made clear the requirement not to remand into custody unless there was a clear presumption of custodial sentence, and that has undoubtedly, over the first year of those reforms, reduced the remand population. That was true on the male side and on the female side. It levelled off after about a year, so it had an impact; it reduced the overall remand population.

Since then, the remand population has gone up in both the male estate and the female estate, but for different reasons. We are still trying to analyse what those reasons are, but it looks like it is the complexity of cases now going to the Crown court, with more violence cases on the male side, and particularly more sexual cases. There is some indication that there is an increase in the number of theft and serious retail theft cases, which have increased remand numbers. We are looking at what that means, but there is no question

that the change in legislation reduced remand numbers. In the last six months or more the remand population has gone up again for other reasons.

Q38 Andy McDonald: Minister, we noted the lack of custodial facilities for women in north Wales, and we recommended that it be given some urgent attention. We thought that it might be an opportunity to provide some new accommodation models. What have the Government done to address that situation?

Simon Hughes: Chair, can I make sure that, before we leave the subject, Juliet has the chance to comment to Mr McDonald on that? We are watching carefully to make sure that the courts do not sentence women to prison because they think that it is the best thing for them and will keep them safe. There is a whole issue that we are troubled about and watching carefully, and they should not think that, now we have the opportunity of a Transforming Rehabilitation probation officer when they come out, it is better that they go in. Juliet is the expert on that.

On the Welsh question, there are two answers. One is that most women from Wales who currently go to prison go either to Eastwood Park in Gloucestershire—that is the bulk of them, and they are from south Wales—or to Styal in Cheshire, and they are the north Walian residents. There are people in both who speak Welsh; there are not many prisoners who are first-language Welsh speakers, but there are facilities for both. There is not an overwhelming view that there should be any additional custodial provision in Wales, but there is a plan by the Ministry of Justice to build a prison in Wrexham, as you know, for which the building contract has now been let. We have agreed that the understanding is that the organisations that will be responsible for the services when women are released from Eastwood Park will be the ones looking after services in Wales, because the bulk of the women there, a large number of women from Wales, are in that prison. The people who are doing the through-the-gate provisions for those coming out of Eastwood Park will be managing the services in Wales. I hope that will mean that there is a co-ordinated Welsh-sensitive policy, but there is not currently a plan for another prison for women from Wales in Wales. Bluntly, we do not need it, because the numbers are going down, but my ambition is to keep the numbers going down both in Styal and in Eastwood Park. If that is the case, there would be no logic in building a prison for women in Wales.

Q39 Andy McDonald: The decision has been made to close Askham Grange and East Sutton Park—the open prisons. Will you tell us about the rationale behind that decision?

Simon Hughes: What happened was that Lord McNally, when he did my job, stated the intention of the Government to close them, not because they don't do a great job in preventing reoffending—they do, and I have visited them both—and not because, generally, the staff aren't really effective, but because we do not need the extra capacity if the numbers are coming down, and we want every prison to be a resettlement prison in its region. The logic of going to Askham Grange, which is in rural Yorkshire, or to East Sutton Park in rural Kent, is not great if you are trying to have somebody near where they are going to resettle. They do a great job, but they are not the most logical places. I am not saying that some of the women who are there do not think that it is fantastic, and they are doing really well.

We had three actions for judicial review taken against that decision, and the matter is still before the courts, although I hope that some announcement can be made literally in the next few days, but I am obviously not at liberty to anticipate that. The last policy the Government had was that it was our intention to close, but that is not a statement that we are going to close. Bluntly, we were trying to be helpful and say that that is the long-term plan, because we want to remodel the estate. We shall see whether we, the courts and the applicants can agree where we go next, but I hope that there will be an announcement. I am conscious that there is interest and concern among the staff, the women who are there and the communities, and I have met local councillors and so on.

Q40 Chair: A new Minister will now have to confront these decisions without having been involved in them previously, because presumably these decisions will fall to him—or will they?

Simon Hughes: No, these are my decisions.

Q41 Andy McDonald: Ms Halford, do you have any observations on the open prisons decision or the proposal?

Rachel Halford: Within the structure of a review of the estate, and as an organisation that advocates the abolishment of female prisons as they exist today, we agree that we need to close prisons. However, in creating resettlement prisons, we have to remember that women do not have categories like men. Men have A, B, C, D categories, from high to medium, to low and open. Women do not have that. Closing these two open prisons will completely take out open from the establishment; it will all be closed, albeit resettlement, prisons.

Our concern as an organisation is that, rather than being a priority, which is how the closing of these two prisons initially seemed to be—I hear what the Minister says about it being a suggestion—it is not considered again until the resettlement prisons are established and running as resettlement prisons. If you are going to close open prisons, you have to create a culture that leads to or promotes the responsibility that women would experience in an open prison. It is very difficult to do that. Yes, there are small custodial units being built outside, but they are very small numbers. These new resettlement prisons need to be proven.

There is a big difference, and it needs to be remembered that, although the numbers are smaller in the women's estate, it does not mean to say that there has to be this huge difference between men's experience and women's. There is no semi-secure; it is open or closed at the moment, and then it will just be closed.

Juliet Lyon: It is fair to say that the Women's Justice Taskforce, in their report, clearly recommended that there would have to be closure of women's prisons in order to free up moneys. Fiona Mactaggart asked the Justice Secretary in the House of Commons in July last year, "Will the Secretary of State promise the House that if he were to close a women's prison, he would ensure that some of the savings that arose went towards preventing women from going to prison in future?" In fact, Downview has closed, but it is being re-roled for men. People are short of money, but we are very aware that unless money is ring-fenced for women's provision, it will always inevitably slide into the

overall work that goes on in the prison system. That brings us back to the need for a distinct focus on women and their particular needs.

Michael Spurr: May I add a couple of points of clarification that might be helpful? Rachel is right; we should not close open prisons before having effective resettlement regimes in other prisons that would properly replace them. That was a recommendation from the estate review, and it has always been our clear strategy to develop resettlement regimes that would provide opportunities for women to go out into the community from prisons that are closer to urban communities before we close open prisons. That is quite important.

We are developing open units adjoining closed prisons. In Styal in Cheshire, there will be a unit outside the prison gate where women will live. We are developing facilities, including a restaurant run by Clink, which will provide employment opportunities. That is outside the gate. We are looking to create outside-the-gate opportunities in Drake Hall, again as part of this policy. We will have women who are not behind fences and who have the opportunity to demonstrate trust and so on.

In New Hall and Eastwood Park, we are introducing opportunities for women to have families visit and stay with them outside the gate. That is quite important, because it is a new way of providing opportunity for women to demonstrate trust and be in the community without having to be in Askham Grange or East Sutton Park, which we cannot fill. Women choose not to go to those prisons because they are further away from home; and being close to home for many women is much more important than being in an open prison.

I agree with Rachel that we have to make sure that we can demonstrate the facilities. We are expanding capacity in the way that I described, even though I would not have the money to do it, on the basis that we have to do that first before we close the women's establishment. The point about closing women's establishments is that, once we have expanded capacity at Styal, Eastwood Park and Drake Hall, I will not be able to fill those places—I do not want to fill them—but I will have more places than I need for women. Closing the open prisons was seen as a sensible move, because we have reconfigured the estate. The money that was being spent on them will allow us to run the places we are putting in the closed sites, to support community engagement.

Q42 Jeremy Corbyn: All women's prisons have now been designated resettlement prisons, and they inevitably have large catchment areas. Are you concerned that the CRCs are up for that and that it is possible for both prisoners and CRCs to co-ordinate things properly?

Simon Hughes: We obviously cannot guarantee it because the new system is untried, but that has to be the plan. On the CRCs, all the preparatory work has been explained and gone over with everybody who was bidding—exactly what the profiles of the women are, where they come from, where they will be going. They are not only required to have gender-specific policies and plans; they also need to reflect the group of people, the demography and the profile. They will be chosen on the basis that they can do that best. If we manage to keep on board a lot of the current providers, who know the women and know their area, that will work well. Obviously, I cannot give a guarantee, but it is something that everybody has been very mindful of. Michael, Juliet and Rachel have been part of that negotiation to get the right providers in, and perhaps can tell you anything else that we are doing to make sure that it works as seamlessly as possible.

Rachel Halford: I do not know that it will work seamlessly.

Chair: Nothing ever works seamlessly.

Rachel Halford: No, but there will be a way around it. Essentially, the premise that I understood at the beginning was that wherever you came from—as an individual, I sit in a prison; say that I am in Styal and I come from somewhere over there, across the country—because I am in that tri-borough thing, all the organisations that I need for support will come to me in that prison, and that will be run by the CRC.

Logistically, it would be bonkers if that was to be the case for every single woman in prison, because you could end up with I don't know how many voluntary organisations or smaller organisations coming in. As we move forward, it is about joint working if women go across the bordered areas. Although at the moment we are hearing that there will be these—I have lost the word for what the three prisons are called. The prison groups?

Jeremy Corbyn: Cohorts?

Rachel Halford: Clusters—such an easy word. Prison clusters. Quite possibly women may be outside the clusters, and the clusters are quite big areas, so it is tricky to negotiate, but it is not a no-brainer. It cannot not be done. It is going to be about communication and working together.

Juliet Lyon: We now have a legislative foothold, and that has been recognised; it is in section 10 of the Offender Rehabilitation Act. I want to put it on record that we tried very hard to have that legislative foothold in the Legal Aid, Sentencing and Punishment of Offenders Bill and in the Crime and Courts Bill, but it was resisted absolutely by everyone. The Government were adamant that they were not prepared to legislate, so we are very pleased that now, particularly as a result of Lord Woolf's work in the Lords, we have that legislative foothold.

When you look at the requirement on the CRCs, in terms of how they are going to respond to the particular needs of women, there is still quite a lot of what you would call wriggle room. The specification for them is that they need to provide women with the option “where practicable.” In many cases, it may in the view of the CRC not be practicable for her to have a woman officer, for example, or to attend a women-only environment. There is a caveat in each case that allows for slippage. That brings me back to the point about leadership. You have to have within the probation service and the CRCs people who are designated leads on women, who are focused entirely on women, with a central group that oversees and monitors all of that. Without it, they are such a small proportion—6% of the prison population and 15% of the population of offenders in the community—that they will be overlooked.

Simon Hughes: May I put one thing on the record to answer Jeremy Corbyn's point? Juliet referred to the fact that there are three gender-specific outputs in all the contracts. So that what Juliet referred to is clear, providers will be required to give female offenders the option of three things—and, yes, there is the qualification “where practicable”: having a female supervisor or responsible officer, attending meetings or appointments in a female-only environment, and not being placed in a male-only environment for unpaid work or attendance requirements. In addition, guidance has been made available so that probation

providers fully understand the particular needs of female offenders and how to respond, and this includes information and data on the likelihood of female offenders having child care responsibilities, a history of domestic violence or sexual abuse, having been a victim of human trafficking or involvement in prostitution. Both requirements and guidance are written in. It is pretty clear, and I hope that anybody who gets a contract understands not just that the law requires them to deal with women separately, but that it puts specific obligations on them.

Q43 Andy McDonald: Should the tightening of conditions for release on temporary licence apply equally to women?

Juliet Lyon: No. The consolidated figures for 2012 show that there were 435,000 releases on temporary licence. Of those, 26—I think none were women—resulted in an arrest for suspicion of committing a further offence.

Chair: Of the 26, you said that none were women.

Juliet Lyon: I don't think any those 26 were women. If you look at the profile of women in custody, you find that, even among those serving long sentences, many are not there for serious or violent offences as such. Certainly, women are saying to us through the advice and information service, "We are really disadvantaged by this. We need leave to learn work skills, to do voluntary work, to make contact with our families, to readjust to life outside." They feel that they are being adversely penalised. In fact, many people released on temporary licence are being adversely penalised by press focus on a very few.

Rachel Halford: What is really important with the resettlement prisons as they are being formed is that, if there is an impact on ROTL, they will not be able to fulfil their role as resettlement prisons. If women cannot go out—to increase their responsibility, and go out to work—it just becomes a closed prison. Women have to be able to access ROTL.

Chair: Thank you very much indeed Minister, Mr Spurr, Ms Halford and Ms Lyon. We are very grateful to you for your assistance this morning. Thank you.