

Written evidence from Miss Katherine Malyon

I am submitting evidence as an individual with lived experience of the criminal justice system. Regrettably, in 2018 I committed an offence and in January 2019 I received a sentence of 28 months, which I served across two prisons. In March 2020, I was released into the community under the supervision of the National Probation Service.

The custodial environment is not appropriate for many of the women who experience it; in lieu of reducing reoffending, it directly serves to increase it, worsening the social problem.

Reducing the number of women in custody

What has been done to reduce the number of women serving short prison sentences?

- **Do community sentences currently offer a credible alternative to custody? (If no, why not?)**
- **What more could be done?**

Based on my personal experience of the criminal justice system, little is being done to reduce the number of women serving short prison sentences.

The announcement earlier this year to build 500 new places in existing women's prisons is not in adherence to the Female Offender Strategy's recommendations to reduce the numbers of serving custodial sentences. Lucy Frazer MP announced that the funding boost 'will allow frontline services to continue the incredible work they do with some of the most vulnerable women in our society to prevent them being drawn into crime'¹ however little or no attention is being paid to addressing the root causes of women's involvement in crime. Women consistently account for approximately 25% of the offending population and 5% of the prison population, and are typically involved in less serious offences. Preventative measures to reduce this would undoubtedly be more effective than combative ones.

Kate Paradine, CEO of Women in Prison, commented that 'prisons are a dead end that won't solve the poverty, domestic abuse or mental ill-health in our communities which underlies offending'² so energy and funding should be channelled into resources that will. The Corston Report states that: 'when a woman has been arrested for minor theft in order to feed a drug habit, common sense dictates that a swift referral into drug treatment and support for as long as necessary to get the woman off drugs permanently is more likely to produce a better result than a short spell in prison, notwithstanding the greatly improved drug detoxification and maintenance programmes now operating in all women's prisons. And it makes sense for this to happen before the expensive machinery of prosecution and courts swing into action'³ – this should be paid close attention to. The financial injection should instead be channelled into women's centres, substance misuse services, and youth work. It is vital that we look towards alternative means of reform if we seek a positive judicial impact. In early 2021, it was also declared that 38 organisations will receive almost £2 million in government funding⁴ however this is entirely insufficient.

Women's centres assist in leading healthy and supported pro-social lives. A place at a centre ranges from £1,223 to £4,125 per woman depending on needs, whilst a place for a woman in prison costs £52,121

¹ <https://www.gov.uk/government/news/extra-funding-for-organisations-that-steer-women-away-from-crime>

² <https://metro.co.uk/2021/04/17/women-in-prison-why-building-more-cells-isnt-the-answer-14416934/>

³ <https://webarchive.nationalarchives.gov.uk/20130206102659/http://www.justice.gov.uk/publications/docs/corston-report-march-2007.pdf>

⁴ <https://www.gov.uk/government/news/extra-funding-for-organisations-that-steer-women-away-from-crime>

per year and adds to the social crisis, rather than removing from it. It is estimated that £1.7 billion is spent on issues linked to female offending, whilst in the long term an average of £2.84 is saved for every £1 spent on women's centres; the model shows making a saving of £18 million over a 5-year period⁵. Whilst there are key issues for debate, on balance it is hard to disagree with the model. It is more financially viable to rehabilitate in the community than to incarcerate unnecessarily for limited impact.

Women's centres should be available for individuals who are at low and medium risk of re-offending – those who might currently receive a short prison sentence. Individuals seeking support from women's centres will often have 'a range of multiple, complex, and gendered needs, and will sit across a spectrum of risk, both of reoffending and of harm'⁶; support must therefore be specific and tailored to the needs of the individuals – it is more accessible to provide this support in the community than in custody. The centres have the common goal of supporting, encouraging and crucially, enabling women to find a better quality of life, where they feel safe and free from harm; they offer the provision of safe, women-only spaces, making available specialist support and advice, and also the crucial support of peers. Building positive supportive networks in these spaces promotes empowerment; women-only environments work to encourage independence and agency, and 'create a 'safe space', both physically and emotionally and deliver better outcomes for women, which then have even wider societal and economic impacts'⁷. To ensure optimum impact, these centres are robustly monitored. The holistic aims mean that women are presented with the appropriate resources in supporting them to heal trauma safely, using accredited programmes to build assertiveness, emotional intelligence and emotional resilience for example, and tackle problems such as substance misuse. They are centres of excellence where the service users can develop soft skills such as confidence, encouraging them to believe that they have more of a stake in society, and to become an active agent in their own lives. These services forge the most impactful path for reform in our society, removing women from the trauma of short, unnecessary prison sentences.

Women in Custody

Since the publication of the Female Offender Strategy, what work has been done to improve conditions for those in custody?

The conditions vary between, and even within, establishments. The government has announced the investment to build 500 new places in pre-existing women's prisons – almost the amount of places at HMP Bronzefield, the largest women's prison in Europe with a capacity of 527. Reportedly, the new accommodation is designed to 'increase availability of single cells and improve conditions. These will include in-cell showers and will allow more women to be held in open conditions, providing greater opportunities for employment and education while completing their sentence'⁸. From personal lived experience, when I was living in open conditions accommodation, there were invariably numerous empty rooms along the corridors as there were no other offenders within the estate who met the threshold for promotion to open conditions units, usually due to unsatisfactory behaviour or proven substance misuse (that they were not being supported with due to lack of resources and funding in that area). It would be more appropriate to instead announce funding for additional resources in prisons and in the community to tackle low-level and repeat offending, and a drive to radically reduce short sentences for women.

⁵ <https://wbg.org.uk/analysis/the-case-for-sustainable-funding-for-womens-centres/>

⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/427388/womens-centres-report.pdf

⁷ <https://rightsofwomen.org.uk/about-us/what-do-we-do/why-women-only/>

⁸ <https://www.gov.uk/government/news/extra-funding-for-organisations-that-steer-women-away-from-crime>

Does the female prison estate take a Whole System Approach (that considers all of the offenders needs) to those in their care?

- **What does this look like in practice?**
- **Are there any barriers in achieving a Whole System Approach to female offending?**

During my personal experience of custody, I did not see evidence of a successful whole system approach as departments within the estate did not communicate effectively, they lacked the resources to be able to offer meaningful and impactful support, and as a result, the system seemingly lacked cohesion. For example, this could be between the education and activities departments, or within the healthcare and mental health departments – all key aspects of the custodial environment. IMB reports regularly raise awareness of key issues and more must be done to follow the recommendations.

How are women supported to maintain family ties in prison? What progress has been made on improving family ties since the Farmer Review? What effect has Covid-19 had on maintaining family ties for women in custody?

- **What support is available for mothers to maintain contact with dependent children?**

Despite the difficulties and challenges brought on by the pandemic in the prison environment, Covid-19 has had a considerable impact on maintaining family ties in the female estate for the better. Although social visits had been removed, opportunities such as Purple Visits video calling has enabled individuals to maintain regular family ties where perhaps before they were unable to do this on account of the distance or availability of visits. Furthermore, I understand that telephones have been connected in the majority of individuals' cells where before this was not the case estate-wide.

What factors contribute to the high levels of self-harm in the female estate?

- **What is being done to address the high levels of self-harm in the female estate?**
- **What more could be done?**

The prison environment enhances the (often compound) trauma experienced by many women in custody. The Corston Report states that 'the majority of self-harm is to relieve feelings of anger, tension, anxiety or depression and, in most cases, is without suicidal intent. Intent is very individual and varies between individuals and also from incident to incident within the same individual'⁹ and the UK Government provides the following information on self-harm in prisons: self-harm may occur at any stage of custody, when prisoners are trying to deal with difficult and complex emotions. This could be to punish themselves, express their distress or relieve unbearable tension or aggression. Sometimes the reason is a mixture of these. Self-harm can also be a cry for help, and should never be ignored or trivialised¹⁰. The key contributing factors include: separation from children and families; limited opportunities for contact with family units; trauma and lack of mental health support.

At present, the prison system does not deliver the appropriate support to tackle the problem. There is limited mental health support due to the chronic lack of funding and resources. Razors have been removed from the canteen list in many establishments however this action can have the adverse effect on reducing self-harm. In some establishments the 'personal officer' scheme is effective however it is not utilised across the whole estate. The Samaritans' Listener Scheme is particularly effective (and should exist as a 24-hour service

⁹<https://webarchive.nationalarchives.gov.uk/20130206102659/http://www.justice.gov.uk/publications/docs/corston-report-march-2007.pdf>

¹⁰ <https://www.gov.uk/guidance/suicide-self-harm-prevention-in-prison>

across the estate) whereas Safer Custody teams have varying degrees of impact. Having access to phones in offenders' rooms allows for greater accessibility to support services.

Consider the following steps:

1. Take all information seriously
2. Ensure that multi-agency relationships are robust and that information is shared appropriately; involve prisoners in decisions about them
3. Champion and share good practice; challenge and expose bad practice
4. Ensure that all staff have received relevant, robust and up-to-date training; support staff wellbeing
5. Make provisions for 24/7 healthcare in all establishments; ensure phones in cells across all establishments

Does the custodial estate offer a trauma-informed environment for females? (a trauma informed environment, being that which is about putting experience, behaviours and needs first, and creating a safer, healing environment that aims to reduce and prevent trauma and retraumatising an individual)
• **Could more be done? If so, what?**

The custodial estate does not offer a trauma-informed environment. In my personal experience of the women's estate, I rarely saw specific needs catered for unless it fulfilled an additional box-ticking objective. Some individual staff members went above and beyond to ease trauma for some individuals if it was within the scope of their day job however as a whole, the prison estate does not consider the behaviours and needs that result from trauma therefore does not deliver an appropriate environment conducive to healing and recovery.

It is imperative that staff receive robust training on the behaviours and needs of women who have experienced trauma, and the appropriate methods of dealing with them, to avoid retraumatising individuals. This is particularly pertinent with those in positions of responsibility such as safer custody teams. I have witnessed officers tease and laugh at vulnerable individuals and these behaviours should be challenged under disciplinary procedure, rather than being ignored and swiftly dismissed when valid complaints are raised. Individuals' needs should be listened to and, where possible, accommodated for.

What support is available to ensure that women are successfully resettled into the community upon release and reduce reoffending?

• **Are there any barriers to effective resettlement, and reduced reoffending?**

There are excellent services available for women upon release, offering support with resettlement however these services are poorly signposted, and often not known about. Through the Gate services require much improved advertising within the prisons as individuals rely on signposting from OMUs and this is not reliable.

Regarding time under community licence, the Corston Report stated that 'women's breach often amounts to no more than a missed appointment. There is a distinction to be drawn between serious breach of licence and poor time-keeping. I believe that there needs to be more tolerance for women who fail to meet appointments because, for example, a child is ill, or public transport is delayed or even non-existent in rural areas (many women do not have their own private transport) and orders for women must take account not only of their domestic responsibilities, school holidays and so on but also their underlying anxieties which affect compliance such as lack of self-esteem, lack of confidence and distrust of conventional service providers. An initial home visit by probation staff could serve to assess and find solutions to any particular problems that might prevent compliance'. My personal experience of probation was entirely traumatic and very nearly

led me to commit suicide; with no hyperbole, I consider that the most significant barrier to my personal effective resettlement was the NPS.

There are countless barriers to resettlement and reducing reoffending, many of which are manageable if given the correct support however primarily due to lack of funding, this has become abstract.

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