

Written evidence from Sue McAllister CB, Prisons and Probation Ombudsman

I understand that the Justice Select Committee is holding an inquiry into Women in Prison. I am grateful for the opportunity to provide our comments for the Committee to consider.

My role

The Prisons and Probation Ombudsman (PPO) carries out independent investigations into deaths and complaints in custody. Our role and responsibilities are set out in our Terms of Reference¹.

We have two main duties:

- To investigate complaints made by prisoners, young people in detention (young offender institutions and secure training centres), offenders under probation supervision and immigration detainees.
- To investigate deaths of prisoners, young people in detention (including residents in secure children's homes), approved premises' residents and immigration detainees due to any cause, including any apparent suicides and natural causes.

The purpose of these investigations is to understand what happened, to correct injustices and to identify learning for the organisations whose actions we oversee so that we can make a significant contribution to safer, fairer custody and offender supervision.

My submission to the inquiry

The PPO receives very few complaints from women in prison. We stated in our Annual Report 2019/20 that prisoners in women's prisons made up 4% of the total prison population but only 2% of the complaints we completed. In 2019/20, we completed 48 investigations into complaints from 26 different prisoners in the women's estate. The issues raised in these complaints were broadly similar to those we received from the male estate, including missing property and staff behaviour. We have seen that a number of complaints from women relate to adjudications. There is nothing in the nature of the complaints that suggests there is anything intrinsically different in how adjudications happen in the women's estate. It might be that women are told at adjudication that the PPO is the final route of appeal.

We do not see as many complaints as we might expect about family visits or access to dependent children.

Even in light of COVID-19 and the impact of restrictions we have still received very few complaints from women.

We will be exploring why the number of complaints from women prisoners is so low. In 2015 we published "Why do women and young people in custody not make formal complaints?"² This report found that "there were high levels of mistrust in the complaints

¹ www.ppo.gov.uk/about/vision-and-values/terms-of-reference/

² https://s3-eu-west-2.amazonaws.com/ppo-prod-storage-1g9rkjhkjmjgw/uploads/2015/03/Why-do-women-and-young-people-in-custody-not-make-formal-complaints_final.pdf

system, especially among some of the women.” We have some more recent anecdotal evidence about why women don’t complain to the PPO including a lack of awareness about our service and fear of retribution or consequences.

We do not know how the number of complaints to the PPO compares with the number of complaints to HMPPS. Neither do we know if HMPPS does any analysis of complaints data beyond the top-level total of complaints made to them each month. We think this would be an important step in understanding the concerns of women in prison.

In 2019/20, six women died in prison. This was a lower number than in the two preceding years. Four of the deaths were self-inflicted, one was drug related and in one case the cause of death was not ascertained.

Our analysis of data on the deaths of women in prisons over the past 3 years shows that the most frequently made recommendations relate to healthcare, emergency response and the ACCT process.

Earlier this year we submitted evidence to the APPG on Women in the Penal System. In that, we highlighted a case we investigated of a self-inflicted death of a woman who had a diagnosis of bipolar affective disorder and had been sectioned under the Mental Health Act on three occasions. I have reiterated below the points we made to the APPG.

On arrival at prison the woman was monitored under ACCT because she spoke of hopelessness and wanting to end her life. On moving to another prison, she was unsettled by the move and monitored under ACCT as a result. The woman referred to being distressed that her son did not want to have contact with her and she told staff that she would take her own life when she was released. A few days before she died, her close friend on the wing was moved to another wing in the prison, leaving her feeling isolated. Despite again telling staff that she intended to take her own life on release from prison, staff decided to monitor her rather than start ACCT procedures. She was found hanged in her cell four days later.

The PPO raised concerns that the prison staff focused on the woman’s assertions that she would take her own life after release, and on that basis, assessed that she was not at imminent risk of suicide in prison. There was no recognition that she had a range of risk factors for suicide and self-harm.

This case illustrates the impact of a loss of family ties, support and stability.

I hope that this is helpful. Please contact me if you require additional information.

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