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# National policy activity to improve outcomes for women in contact with the Criminal Justice System

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## Introduction

Increasingly there is a recognition of the distinct needs experienced by women in contact with the Criminal Justice System (CJS) and that they often require the support of gender specific services to achieve positive outcomes, both for themselves as well as the communities they live in. This increased recognition is largely due to the lobbying and campaigning work of voluntary sector organisations and has resulted in a range of policy and practice initiatives driven by government, statutory services and the voluntary sector alike, which aim to respond to women's distinct needs.

A range of work is being undertaken across government and the voluntary sector to ensure that this recognition translates into action and better outcomes for women in contact with the CJS. In order to inform the sector and support appropriate links to be made between organisations and activities this briefing provides a summary of this work. It focusses on initiatives being taken forward by government and the voluntary sector, and summarises what opportunities there are for you to get involved in them. To provide context for this activity we have also included details of recent policy changes likely to have an impact on voluntary sector organisations working to support women in contact with the CJS and their beneficiaries, as well as things to look out for in the future.

## 1. National policy announcements and changes

This section gives information about national policy announcements and changes that have had or are likely to have an impact on services supporting women in contact with the CJS and their beneficiaries. The following includes information about Transforming Rehabilitation, the Emergency Summer Budget, and the extension of the Troubled Families programme.

### Transforming Rehabilitation- implications for women's community services

The Transforming Rehabilitation (TR) programme is the largest reform to the CJS in recent history. The reforms have replaced the previous 35 individual Probation Trusts with the National Probation Service (NPS), responsible for the management of high-risk offenders; and 21 Community Rehabilitation Companies (CRCs) responsible for the management of low to medium risk offenders in 21 areas across England and Wales. The CRCs will also have a new responsibility for supervising short-sentence prisoners (those sentenced to less than 12 months in prison) after release.<sup>1</sup>

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The Offender Rehabilitation Act came into force on 1st February 2015 and accompanies the TR programme, placing in statute the extension of supervision for an extra 45,000 people a year who are released from short term prison sentences.<sup>2</sup>

Importantly for those organisations supporting women in contact with the CJS, the Act also includes an amendment which outlines that the Secretary of State must “identify anything in the arrangements that is intended to meet the particular needs of female offenders” and comply with the Equality Act 2010 as it relates to women who have offended. This is especially important given that women are overrepresented in terms of those serving short term sentences.<sup>3</sup>

The new probation providers are therefore required to deliver services that meet the distinct needs of women in contact with the CJS. Clinks is currently delivering a project that tracks the voluntary sector’s involvement in the reforms through our Track TR project (please see page 9 for more details), and we will monitor the involvement of the voluntary sector in delivering these services, as well as their quality.

Funding for women’s community services has become increasingly unstable and short term. In 2013/14, £3.78m was spent by the Ministry of Justice (MoJ) and NOMS on women’s community services, through probation trust contracts and partnership arrangements. This funding continued and was provided by the CRCs under transferred contracts until March 2015. Since then most, but not all, of the CRCs have chosen to extend contracting arrangements with women’s community services until the summer or early autumn of 2015. It is too early to know exactly how new services will be designed or commissioned by the CRCs.

### The Emergency Summer Budget 2015

On 8th July 2015 the Chancellor of the Exchequer, George Osborne MP, gave a speech to the House of Commons where he launched the Emergency Summer Budget.<sup>4</sup> The impact of these policy changes will be far reaching and commentators have outlined the likelihood that they will have a disproportionate impact on women.<sup>5</sup> Indeed, our report Who Cares outlined that there was an emerging crisis experienced by women in contact with the CJS, as they are disproportionately affected by changes to the welfare and benefits system.<sup>6</sup>

As has been documented widely, women at risk of offending and those in contact with the CJS often experience complex needs, including poor mental health, homelessness and drug and alcohol misuse and many have a lack of formal education or qualifications.<sup>7</sup> Coupled with the fact that women are likely to undertake caring responsibilities, they are often unable to access employment opportunities, making it likely that they will be accessing out of work benefits. The Government’s announcement that there will now be a cap on the total amount of benefits an out of work family can receive, which will be reduced from £26,000 to £20,000 per annum, except in London where it will be capped at £23,000 is therefore likely to have disproportionate impact on women and could lead to increasing numbers experiencing poverty and deprivation.

As well as this, most working-age benefits will be frozen for four years from April 2016, which will apply to: Jobseeker’s Allowance; Employment and Support Allowance; Income Support; Child Benefit; Local Housing Allowance rates; and applicable amounts for Housing Benefit. Reducing further the amount of money women on out of work benefits will be entitled to receive is likely to both push increasing numbers of women into poverty and increase the needs of women already experiencing deprivation. This is likely to contribute to an increase in poverty related crime and re-offending. Further to this, women’s needs are likely to become more complex,

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which is likely to exert increasing pressure on services supporting them.

The Emergency Summer Budget also detailed that the child element of universal credit and tax credits will no longer be awarded for third and subsequent children born after April 2017. The Department for Work and Pensions and HMRC will develop protections for women who have a third child as the results of rape, or other exceptional circumstances. Again, this will have a disproportionate impact on women, who are more likely to have caring responsibilities for children than their male counterparts, and could lead to them experiencing increased financial hardship. Positively however, the Government will extend free childcare entitlement to 30 hours a week for working parents of 3 and 4 year olds.

As part of the emergency budget the government announced an increased focus on addressing domestic violence, and has set up a £3.2 million fund to encourage innovative approaches, including refuge provision to help those suffering domestic abuse. The fund invited bids for work in 2015/16 to be led by Local Authorities working in partnership with service providers.<sup>8</sup> As many women in contact with the CJS and those at risk of offending have been victims of domestic abuse it is also important to note that the Government are working to refresh the Violence Against Women and Girls strategy to be published in the autumn and are currently drawing “together evidence from frontline professionals to review how services for victims of violence against women and girls are funded and delivered.”<sup>9</sup>

The final announcement in the Emergency Budget of relevance to women in contact with the CJS is the announcement of the introduction of a ‘youth obligation’ for 18 to 21 year olds receiving Universal Credit from April 2017. This will stop the automatic entitlement to housing benefits for this group and require them to apply for an apprenticeship, traineeship, or undertake a mandatory work placement. This could result in young women being unable to access secure, stable housing and lead to them becoming homeless.

### Extension of the Troubled Families programme

The Troubled Families programme was launched by the Prime Minister David Cameron in 2011 and is overseen by a national team based in the Department of Communities and Local Government (DCLG). It applied to England only and local authorities were paid up to £4,000 per family on a payment by results basis for ‘turning around’ troubled families. Troubled families were defined as:

- being involved in youth crime or anti-social behaviour;
- having children who are excluded from school or regularly truanting;
- having an adult receiving out of work benefits;
- costing the public sector large sums in responding to their problems.

Due to the broad nature of the definition, it is likely that many women at risk of offending or in contact with the CJS received interventions and support through the Troubled Families programme. However, as outlined in the Queen’s speech delivered on the 27th May 2015, the programme is being expanded to work with a further 400,000 families in the next five years.<sup>10</sup> It is intended that this work will be mandated through the introduction of the Full Employment and Welfare Benefits Bill.<sup>11</sup>

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To be included in the expanded Troubled Families programme, a family will have to be referred by specialist agencies as having two of the six following problems:

- parents and children involved in crime or anti-social behaviour
- children who have not been attending school regularly
- children who need help
- adults out of work or at risk of financial exclusion and young people at risk of worklessness
- families affected by domestic violence and abuse
- parents and children with a range of health problems

As many women in contact with the CJS are likely to experience these challenges, and given the explicit inclusion of 'parents involved in crime', this extension of the Troubled Families programme will have an impact on an increasing number of women's lives.<sup>12</sup>

We are expecting more clarification about the specific details of the programme in the forthcoming Spending Review, which is due to be published on 25th November 2015.

## 2. National government initiatives and future policy

### Advisory Board for Female Offenders

The Advisory Board for Female Offenders was established in March 2013 alongside the publication of the Coalition Government's Strategic Objectives for Female Offenders which the board advises on implementation.<sup>13</sup> It meets four times a year, bringing together key stakeholders, criminal justice partners and senior officials from across Government to address the needs of female offenders and ensure that they are embedded in policy making.

In March 2014, the Government published an update on the board's delivery of their strategic objectives. Key achievements include, but are not limited to: the publication of a stocktake of women's community services which reviewed the spread and availability of community services specifically for women; making guidance available for the new providers of probation services to ensure they fully understand the needs of female offenders and how to respond to them; and improving prison capacity near to urban areas so that women are as close as possible to where they will live on release, and better able to keep in contact with their families where appropriate.<sup>14</sup>

The Justice Select Committee, in a follow up report to their publication 'Women Offenders: after the Corston report',<sup>15</sup> concluded that positive steps are being made to meet the needs of women offenders and welcomed the cross-government working of the advisory board. However, the Committee outlined their concern that the high turnover of chairs of the board might "have impeded progress against the priorities set out in March 2013."<sup>16</sup>

Since Caroline Dinenage MP, Parliamentary Under Secretary of State for Women, Equalities and Family Justice, was appointed chair of the board in May 2015, the board's membership and terms of reference has been refreshed.<sup>17</sup> The board has also reviewed its strategic priorities and workplan to take account of progress in delivering the women's estate review implementation<sup>18</sup>, the Transforming Rehabilitation reforms and the Government's 2015 manifesto commitment to explore the use of new technology to enable more primary carers to serve their sentences in the community.<sup>19</sup>

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There is continuity in the board's activities too. Since 2013, the board has been working on developing a 'whole systems approach' to female offenders, working with partners both within and outside of the CJS to ensure the profile and needs of women are recognised and responded to. This has resulted in the development of two pilots: one in Greater Manchester and the other in Wales.

- **Greater Manchester Pathfinder project** - This works across all stages of the CJS; from arrest to release from prison and aims to develop a gender specific approach to women who have offended. The project has support from a range of partners, including the Chief Constable, Police and Crime Commissioner, Community Rehabilitation Company (CRC), National Probation Service (NPS), prisons, Association of Greater Manchester Authorities and Greater Manchester Public Service Reform. A network of women's community services are at the centre of the model and female problem solving courts have also been introduced (based in Manchester and Salford). The Hallam Centre for Community Justice at Sheffield Hallam University has been commissioned to evaluate the model, with an interim report expected to be published in the autumn of 2015.<sup>20</sup>
- **Integrated Offender Management (IOM) Cymru Women's Pathfinder** - This is led by the National Offender Management Service (NOMS) in Wales and the Four Police Forces, with support from the Welsh Government. It aims to develop a women-specific integrated approach to working with women who come into contact with the CJS in Wales to improve outcomes in relation to women, families, victims and communities. The pathfinder has three key elements: the diversion scheme which works towards diverting women, where appropriate, away from the CJS at point of arrest; a case management model which brings together a range of statutory and non-statutory partners who provide gender-specific support to create a 'hub'; and work to improve the availability of robust community options for women<sup>21</sup>

The board is continuing to support the development of these locally driven, multi-agency whole systems approaches to female offenders, and is now exploring the possibility of supporting pilots in other areas too, including London.

### What is on the horizon?

Although there has already been a raft of policy announcements, government consultations and calls for evidence over the summer of 2015, there are some other announcements on the horizon that are likely to have an impact on the work of organisations supporting women in contact with the CJS and their beneficiaries, including:

- A refresh of the Violence Against Women and Girls strategy which is expected to be published in Autumn 2015
- The Spending Review which will be published on the 25th November 2015.
- We are also hoping that NOMs will announce the CRC supply chains by the end of 2015. However, there is no official timeline that NOMS have published in relation to this.

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### 3. Voluntary sector initiatives

This final section outlines national policy work being taken forward by voluntary sector organisations working to address the needs of women in the CJS.

#### Agenda

Agenda is a new alliance of organisations and individuals who have come together to campaign for change for women and girls at risk. Agenda was brought together by a group of trusts, foundations and voluntary sector organisations building on work started with Baroness Corston's 2007 report into women in the criminal justice system. Agenda's focus, however, is not just criminal justice but on a broader group of women and girls facing multiple disadvantage.

Agenda believes society is failing to adequately protect and support women and girls who face the most extensive violence, abuse, trauma and extreme inequality. We are calling for systems and services to be redesigned with women and girls at their heart so that they can access the support they need to rebuild their lives and reach their full potential.

The planned launch for Agenda is in early 2016. In the meantime, for more information or if you are interested in joining the alliance, please contact Katharine Sacks-Jones [katharine@weareagenda.org](mailto:katharine@weareagenda.org)

#### The Centre for Crime and Justice Studies

The Centre for Crime and Justice Studies works to advance public understanding of crime, criminal justice and social harm. They believe that the UK's over reliance on policing, prosecution and punishment is socially harmful, economically wasteful, and prevents us from tackling the complex problems our society faces in a sustainable, socially just manner. They are independent and non-partisan, though are motivated by their values.

Lady Edwina Grosvenor established One Small Thing to champion trauma-informed practice with criminalised women. It is run by the Centre for Crime and Justice Studies. The name reflects the value of those small things – such as compassion, understanding, respect – and their power to make a big difference. The project works with staff in women's prisons and in the community to develop trauma-informed practice. During September 2015, Dr Stephanie Covington visited women's prisons in England and Scotland to deliver trauma-informed training to frontline staff and those from women's groups in the community. The training materials are on the organisations' website to be [downloaded here](#).

The project's priorities for next year are to:

- Embed a trauma-informed approach in the day-to-day practice of prison officers and front line staff across the United Kingdom.
- Nurture and sustain an open and inclusive network of practitioners and policy specialists in the criminal justice custodial and non-custodial settings who are committed to trauma-informed practice.
- Build recognition of the value of a trauma-informed approach in prison among ministers, civil servants, MPs, civil society organisations, journalists and opinion formers, and convert this into

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concrete legislative, policy and practice change.

For further information visit the project's website: [www.onesmallthing.org.uk](http://www.onesmallthing.org.uk) or contact [info@onesmallthing.org.uk](mailto:info@onesmallthing.org.uk)

### The Howard League for Penal Reform

The Howard League is the oldest penal reform charity in the world. Its primary charitable purpose is public education and the charity campaigns for less crime, safer communities and fewer people in prison. The charity has a legal team that provides advice and representation to children and young adults in custody.

The Howard League services the All Party Parliamentary Group on Women in the Penal System, chaired by Baroness Jean Corston. The Group is launching an inquiry into how the CRCs are functioning with regard to women.

The charity is working with Sian James, the former Swansea MP, to run a campaign in Wales aimed at reducing the number of women entering the Criminal Justice System. The focus will be on policing women with a target of reducing arrests of women. The Howard League launched a 10 Point Manifesto for women in Wales in the House of Commons and in the Welsh Assembly that you can access [here](#).

For further information concerning the APPG please contact Eleanor Butt, Policy Adviser, on [eleanor.butt@howardleague.org](mailto:eleanor.butt@howardleague.org). For further information concerning Welsh women in conflict with the law please contact Ursula Tebbet-Duffin, Public Affairs Officer, on [Ursula.Tebbet-Duffin@howardleague.org](mailto:Ursula.Tebbet-Duffin@howardleague.org).

### The Prison Reform Trust

The Prison Reform Trust (PRT) works to create a more just, humane and effective penal system through applied research, public education, policy and parliamentary work, and an advice and information service for prisoners.

In October 2015, PRT commenced a renewed drive to reduce the number of women imprisoned for minor non-violent offences, supported by a major grant from the Big Lottery Fund. The three-year UK-wide initiative, 'Transforming lives: Reducing women's imprisonment', will promote diversion, early intervention and non-custodial responses to women in trouble, working with national and local governments, statutory agencies, and voluntary and community sector organisations in England, Wales, Scotland and Northern Ireland. The programme will identify and encourage the spread of good practice in working with women in the CJS, gathering and disseminating evidence to underpin innovation. Working with User Voice and other partners, strategies will be informed by the insights of often-marginalised women.

Priorities in the next year include: publishing a discussion paper on improving sentencing of mothers; identifying high custody areas in England where PRT will target their support and advocacy; convening panels of women to inform and shape local strategies; commissioning a robust economic analysis of the costs of women's imprisonment; publishing briefings on domestic violence as a driver to women's offending and on housing.



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For information on the women's programme including PRT's updated briefing Why Focus on Women's Imprisonment see <http://www.prisonreformtrust.org.uk/ProjectsResearch/Women> or contact Jenny Earle, Programme Director, on [jenny.earle@prisonreformtrust.org.uk](mailto:jenny.earle@prisonreformtrust.org.uk)

### Women's Breakout

Women's Breakout is a dynamic and robust organisation that exists to shape national approaches to working with vulnerable women who are in contact with, or at risk of becoming involved in, the Criminal Justice System. A national umbrella organisation with a membership of 56 organisations, Women's Breakout holds a unique position in providing a collective voice for the women who are working to support this cohort of women - using their collective knowledge and experiences to bring strategic change in respect of women impacted by the Criminal Justice System.

Women's Breakout supports the women's sector through the provision of timely, targeted information; through sharing and fostering innovation; through the provision of opportunities for networking and collaboration; and through providing strategic challenge to influencers. Women's Breakout have been working to develop a Social Impact Bond which has enabled them to frame a message to commissioners and others in positions of strategic influence about the value of their members work and the potential savings that are possible when quality, gender-specific services are delivered. This is a continuing priority.

From October 2014 the organisation, in partnership with Anawim, hosts the Re-Unite network which supports families to reunite and resettle when a mother is released from prison. The approach to family reunification is adopted by established charities and offers a package of support and housing.

For further information please contact Rebecca Young on [Rebecca.Young@womensbreakout.org.uk](mailto:Rebecca.Young@womensbreakout.org.uk)

### Women Centred Working

A project of WomenCentre, Women Centred Working is an initiative to encourage the design and delivery of more effective approaches for women and girls whose needs remain invisible or unmet. Women centred ways of working can get to root causes of complex problems by integrating and tailoring services around women's specific needs. It recognises the effectiveness of the holistic approaches of women's centres and exists to share good practice, change thinking and to promote women centred working on a wider national basis. For more information please visit the website [www.womencentredworking.com](http://www.womencentredworking.com)

### Women in Prison

Women in Prison (WIP) is a women-only organisation that offers gender-specialist support to women affected by the criminal justice system and campaigns to expose the injustice and damage to women and their families by imprisonment. WIP provides advice to women across the estate in England and delivers resettlement and through-the-gate support services. WIP's engagement continues into the community with outreach and their three women centres - WomenMatta in Manchester, the Beth Centre in Lambeth and the Women's Support Centre in Woking.





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All of WIP's support work is holistic, their women's centres are one-stop-shops operating across all the difficulties and barriers commonly experienced by women affected by the criminal justice system - domestic and sexual violence, poor mental and physical health, addiction, homelessness, debt, and unemployment. The latest additions to their frontline programmes include an Independent Advocacy Project which, using trauma-informed practice, provides intensive one-to-one support for a small number of women in prison who are identified as restricted status or with complex needs. WIP has also expanded its social inclusion programme which enables women to access education, training and employment.

WIP's 30 years' experience working directly with women in the system informs their campaigns work. Their core campaign aim is for the radical reduction in the women's prison population with their focus to show short sentence failings and to promote effective models for alternatives to custody.

WIP also continues to publish their quarterly national magazine which goes into all women's prisons in England and aims to inform, entertain, promote creativity and spark debate. WIP's magazine is an extension of their support services and campaigning work and most importantly is a platform for women affected by the criminal justice system to have their say.

For further information please contact Claire Cain on [Claire.Cain@womeninprison.org.uk](mailto:Claire.Cain@womeninprison.org.uk) or visit [www.womeninprison.org.uk](http://www.womeninprison.org.uk)

### 4. Clinks activity

This last section of the briefing gives details about some of the current projects and activities taking place at Clinks relating to the needs of women in contact with the CJS and the organisations supporting them. If you would like to engage with any of the following work, we would like to hear from you.

#### National policy work

Our national policy work has two functions: to represent the views and experiences of our members to policy makers; and to inform our members of any key policy changes that will impact them, outlining what this impact is likely to be. Throughout all of this work we will continue to ensure that we are able to represent and support our members who work with women in contact with the CJS.

This briefing forms a part of this work. In addition we will be publishing a collection of in-depth case studies of voluntary sector organisations providing gender specific support to women and girls both at risk of offending or in contact with the CJS. If this is something you would like to be part of, please contact Nicola Drinkwater at [Nicola.drinkwater@clinks.org](mailto:Nicola.drinkwater@clinks.org).

#### Tracking the voluntary sector in Transforming Rehabilitation

We have partnered with NCVO and Third Sector Research Centre (TSRC) to track the voluntary sector's involvement in and experience of TR, and will be working to ensure that this represents the experiences of organisations working to support women in contact with the CJS. Indeed, our interim report highlights the challenges an organisation working to support women is experiencing - "Core funding for our Female Offender services expired at the end of March



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2015...some of this has been extended by three months but we have not got any assurance of continuity thereafter.”<sup>22</sup>

The report also found that there is currently little clarity about what services the voluntary sector will be delivering or how they will be resourced to do it and that the pace of change has been slower than many anticipated, leaving organisations in a state of limbo. This makes strategic planning and staff retention challenging.

We will be launching further surveys in the coming year and if the TR reforms have impacted your work supporting women in contact with the CJS, we want to hear from you. Please contact [Nathan.Dick@clinks.org](mailto:Nathan.Dick@clinks.org)

### London Women’s shared evidence project

Clinks has been funded by [Trust for London](#) to work with stakeholders in London to explore the development of a shared evidence approach to measuring impact. Shared evidence is an innovative, collaborative approach to defining outcomes and ways of measuring them. Women-specific organisations, projects and services working with women in contact with the Criminal Justice System in London, current and former users of these services (including prison and probation services), and commissioners and funders of these services, are all essential partners in the shared evidence process and are warmly invited to take part in this project.

Over the course of a year, the project aims to:

- Enable each of the above groups to define and articulate its particular needs for evidence, outcomes and impact from services for women
- Understand the needs of the other groups; and
- Produce a shared outcomes framework.

If you would like to take part in the project or would like some more information please contact Jilly Vickers at [Jilly.vickers@clinks.org](mailto:Jilly.vickers@clinks.org)

### Conclusion

Clinks will continue to highlight and make the case for the specific needs of women in contact with the CJS and provide support to our members who work with them. We will also continue to track the impact of the TR reforms on our members and their beneficiaries, keeping a focus on the provision of services for women.

If you have any questions about the information included in this briefing or would like to engage with any of the projects/work we are taking forward please do not hesitate to contact Nicola Drinkwater at [Nicola.drinkwater@clinks.org](mailto:Nicola.drinkwater@clinks.org)

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## End notes

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