



## Make Justice Work

Third Floor, 26a Ganton Street,  
London, W1F 7QZ  
Phone: 020 3538 8365  
[www.makejusticework.org.uk](http://www.makejusticework.org.uk)

### Parliamentary Briefing For Members Of The House Of Lords

**TO :** Members of the House of Lords    **Date:** Friday 6 July 2012

**CC :**

**From :** Roma Hooper, Director, Make Justice Work

**Subject :** Oral Question Lords, Tuesday 10<sup>th</sup> July 2012 Re: Mothers In Prison

**Purpose of briefing: To highlight the concerns of Make Justice Work about the high number of women in prison and the importance of alternatives to custody for the majority of women offenders.**

**About Make Justice Work** - MJW was established by the Director, Roma Hooper in 2009 and is a campaign to boost public support for a change in how Britain deals with non-violent offenders – a switch from expensive and ineffective short prison sentences to intensive and effective sanctions delivered in the community.

It aims to raise public awareness of the ineffectiveness and expense of locking up lower-level offenders, only for them to re-offend again following their release. Crucially, the campaign identifies the community alternatives to custody that are the most effective both at reducing re-offending and cutting costs.

On Tuesday 10 July 2012, Lords, 2.30-3.00pm, Baroness Benjamin will ask the following oral question:

- **To ask Her Majesty's Government what action they have taken to reduce the number of mothers imprisoned with their infants in England and Wales.**

The Justice Minister Lord McNally will respond on behalf of the Government.

#### **Key Statistics (Sourced From The Bromley Briefings Prison Factfile, June 2012):**

- **Women Prisoners** - On 29 June 2012 the number of women in prison in England and Wales stood at 4,139. It is estimated that more than 17,240 children were separated from their mother in 2010 by imprisonment.
- **Mothers In Prison** - Only 9% of children whose mothers are in prison are cared for by their fathers in their mothers' absence.
- **HMP Styal** - 61% of women interviewed at HMP Styal had partners; however a third of these partners were currently also in prison. The same study showed that children

had been taken away from 70% of the mothers, and that the remainder were with family.

- **Children** - Maintaining contact with children is difficult because of the distance that many prisoners are held from their homes. The small number of women's prisons means that in 2009 there were 753 women held over 100 miles from home.
- **Home Office** - One Home Office study showed that for 85% of mothers, prison was the first time they had been separated from their children for any significant length of time. It also showed that 65% of mothers in prison were serving their first custodial sentence.
- **ICM Opinion Poll** - An ICM public opinion poll, commissioned by SmartJustice in March 2007, found that, of 1,006 respondents across the UK, 73% thought that mothers of young children should not be sent to prison for non-violent crime.<sup>1</sup>

**Corston Report** – Following the deaths of six women prisoners at Styal prison, the previous Government asked Baroness Corston to undertake a review of vulnerable women in the criminal justice system. The review was published in March 2007 and made some 43 recommendations to improve the criminal justice system for women in prison or at risk of offending.<sup>2</sup>

Baroness Corston considered women offenders in terms of their “vulnerabilities” around three categories. **Domestic** – Issues such as domestic violence, child-care issues and being a single-parent. **Personal** – Issues such as mental illness, low self-esteem, eating disorders and substance misuse. **Socio-economic Factors** – Issues such as poverty, isolation and unemployment

Baroness Corston's report stated that “When women are experiencing a combination of factors from each of these three types of vulnerabilities, it is likely to lead to a crisis point that ultimately results in prison. It is these underlying issues that must be addressed by helping women develop resilience, life skills and emotional literacy.”

**Alternatives To Custody** - Chapter five of the Corston report focussed on alternatives to custody for women offenders and states that “Problems that lead to offending - drug addiction, unemployment, unsuitable accommodation, debt - are all far more likely to be resolved through casework, support and treatment than by being incarcerated in prison.

“The vast majority of women offenders are not dangerous. Because most women do not commit crime there is no deterrence value and the cost to society is enormous, not simply the cost of keeping women in prison (each prison place represents a capital investment of about £77k annually) but also the indirect cost of family disruption, damage to children and substitute care, lost employment and subsequent mental health problems. The continued use of prison for women appears to offer no advantages at huge financial and social cost.”<sup>3</sup>

### **Recommendations in the Corston Report included:**

- Custodial sentences for women must be reserved for serious and violent offenders who pose a threat to the public.

<sup>1</sup> <http://www.prisonreformtrust.org.uk/Portals/0/Documents/FactfileJune2012.pdf>

<sup>2</sup> <http://www.justice.gov.uk/publications/docs/corston-report-march-2007.pdf/>

<sup>3</sup> <http://www.justice.gov.uk/publications/docs/corston-report-march-2007.pdf/>

- Defendants who are primary carers of young children should be remanded in custody only after consideration of a probation report on the probable impact on the children.
- Community solutions for non-violent women offenders should be the norm.
- Community sentences must be designed to take account of women's particular vulnerabilities and domestic and childcare commitments.
- Sentencers must be informed about the existence and nature of those schemes that do exist and should support and visit them.

Make Justice Work deeply regrets the lack of progress made since 2007 to reduce the overall number of women in prison - the overall female prison population has fallen by just over 200 in the last five years. MJW believes effective, robust and demanding community sentences should be used more widely by sentencers when dealing with women offenders who have committed lower level and non-violence offences.

Community sentences are better placed to enable women to tackle the triggers of their criminal behaviour – such as substance abuse and mental health issues – while at the same time reducing the level of disruption caused to their parenting and family responsibilities. Research also shows that children who have experienced the imprisonment of a parent are more likely to become offenders themselves<sup>4</sup>. Family members will often have a vital role to play in helping women offenders rehabilitate their lives and move away from criminal behaviour. Community sentences also cost less to the taxpayer and have lower rates of re-offending compared to short term prison sentences.

### **Suggested Supplementary Questions For Peers To The Minister**

- In light of the recommendations made in the Corston Report, what steps are the Government taking to ensure that women offenders who commit non-violent offences undertake robust, demanding and effective community sentences instead of going into prison?
- What steps are the Government taking to ensure that sentencers such as Magistrates and Judges are better informed about the vulnerabilities and specific needs of women offenders and the options available to them in terms of robust, effective and demanding community sentences, as alternatives to custody?
- What steps are the Government taking to ensure that newly elected Police & Crime Commissioners are fully aware as the circumstances in which women offenders commit crime and the value of community sentences in helping to reduce rates of reoffending for women offenders?

#### **Contact Details**

##### **Roma Hooper**

Director, Make Justice Work. Tel: 020 3538 8365.

Email: [RomaHooper@makejusticework.org.uk](mailto:RomaHooper@makejusticework.org.uk)

**There are 3 (three) pages to this briefing.**

<sup>4</sup> Murray, J (2003) *Fathers in Prison*, Institute of Criminology, University of Cambridge