

# 'Making It On The Out': the resettlement needs of women offenders

Loraine Gelsthorpe describes structural hurdles – and notable developments – in the area of women's resettlement.

It is widely acknowledged that the women's prison population has been growing at an unprecedented rate, so much so that three establishments for men have had to be re-designated as prisons for women and two new institutions are being established too. Clearly, women offenders are bearing much of the brunt of the recent trend of 'prisoncentricity'. This has major implications for women's resettlement in the community.

The aim of resettlement or re-entry as it is sometimes known, is the effective reintegration of imprisoned offenders back into the community. As indicated in this edition of *Criminal Justice Matters*, it is recognised that this encompasses a broad spectrum of work both within and outside prisons and in partnership with statutory and voluntary organisations. It has been acknowledged that the prison system impacts differently on women and men

- a high proportion are mothers and lone parents;
- many have lived on state benefits;
- few have been in paid employment;
- many have large debts;
- about one in ten will have experienced homelessness;
- and two in five will have experienced the 'child care' system prior to imprisonment.

A high proportion have experienced sexual and/or physical abuse; a significant number will have self-harmed or attempted suicide or experienced other kinds of psychological stresses and illnesses. When women are asked why they offend, the most common reasons given relate to the use of drugs and/or alcohol, the need for money for these substances, or lack of financial support more generally (see McIvor, 2004,

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and warrants a distinct response (Carlen, 2002, and McIvor, 2004, for example). It has also been recognised that women offenders face particular challenges on resettlement into the community after prison.

What clues of the problems to come can we gain from looking at women in prison? A large proportion of the adult women's prison population serve short sentences; 71 per cent received sentences of less than one year in 2002 (Home Office, 2003). Thus at present, the release policy means that the majority of women leaving prison do so free of licences and conditions so there is no statutory duty to provide any assistance on their release from prison. Women, can of course, seek help from the Probation Service, but relatively few women know of this entitlement to voluntary after-care and may in any case not perceive the Probation Service as their first choice of a helping agency. So there may be unmet resettlement needs.

We also know that:

- the majority of women in prison are young and criminally unsophisticated (in terms of previous convictions);

and Carlen, 2002).

Research evidence and women's stories relating to their release from prison highlight accommodation and housing entitlement problems in particular. Some of women's problems relate to education and training. Indeed, a recent survey of released female prisoners found only 25 per cent were in employment when interviewed five to nine months after discharge and a 2001 resettlement survey found that only 18 per cent of women had employment or a training course arranged for their release compared with 30 per cent of males (Home Office, 2003; see also Hamlyn and Lewis, 2000).

Women themselves have indicated that one of the major problems they face upon release from prison is obtaining money. Many women return to live on benefits, many report delays in obtaining these, and there are confusions about entitlements and discharge grants and differences between areas in the way in which loans and grants are paid out. They have also pointed to the need for more opportunities to improve literacy and numeracy in community-based programmes, not just in prison, so that they can increase their employment potential.

Women's relationships do not always survive their imprisonment (Morris *et al.*, 1995). Where this is unexpected it compounds the difficulties in developing independent living and often leads to depression. Moreover, some women face huge difficulties in re-establishing relationships with their children after release from prison, especially where children have been taken into care or where the separation has been long-term. Rachel Chapman's interviews with some lifers led her to emphasise that because only three prisons offer open conditions (arranged as a prelude to release), women lifers are often located far from their home communities, just when they need to prepare for release and reintegration (Chapman, 2002).

The collective findings of various researchers, echoed by the Prison Reform Trust (2000) and Nacro (2001) have pointed to the need for resource centres both within prisons and outside in the community to help women break free of the grinding poverty and patterns of life that have led them into prison. These proposals are based on the recognition

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that women's offending is inextricably linked with their life experiences and their social exclusion.

It would be unfair not to acknowledge a number of recent developments both within and without prisons. Some of the most notable efforts have come from prison governors concerned to set standards for resettlement. The government's Women's Offending Reduction Programme (WORP) is attempting to co-ordinate work across departments and agencies to ensure that women's needs remain at the forefront of policy-making. Given that we know that some sentencers see prison as the 'best' option for women who are experiencing a drug or mental health problem, links between WORP and the Department of Health's Women's Mental Health Strategy and the Home Office Drug Strategy are critical to the provision of community resources and to the possibility of women breaking out of patterns of offending behaviour and 'making it' in the community. Moreover, various housing trusts and organisations have highlighted the need to help women with housing issues, SOVA have focused on helping women into employment, Rape Crisis Centres have been doing sterling work in relation to women's experiences of sexual trauma and abuse. Although still very new, Centre 218 in Glasgow (supported by the Scottish Executive), aims to link women offenders who have experienced custody with local services.

All of this work in the direction of rooting women in the community in order to address their resettlement needs is to be applauded. The Social Exclusion Unit's report *Reducing Re-offending by*

*Ex-prisoners* (2002) concluded that "The problems in prisoners' lives are often complicated and inter-related. They require a co-ordinated multi-agency response, within prison, across the crucial transitions between community and custody, and sustained long after release." Certainly we can see signs that this message is beginning to be taken on board.

But at the same time, it is possible that new penalties and sentencing arrangements contained within the *Criminal Justice Act 2003* may see the undoing of positive work on resettlement issues. Elaine Player has already outlined some of the factors that may militate against a reduction in women's imprisonment as a result of the sentencing provisions in the Act (see *Criminal Justice Matters* No. 53). I would emphasise here that not only is it the case that the provisions may lead to some women who would otherwise receive a community sentence receiving intermittent custody (the sentence having been described by policy-makers as particularly useful for women offenders), but that the sentence may 'undo' resettlement work. The new Intermittent

Custody sentence (section 153(2)) allows the courts to impose a custodial sentence that is not served as a continuous custodial period, but rather is interspersed by periods when the offender is released on licence in the community. The court, if it deems fit, may also impose additional requirements, which must be fulfilled during the licence period. The intermittent nature of custody may well work against attempts to root the offender in a network of community resources. The new risk discourse which recent legislation reflects could mean that women's social, economic and welfare needs are translated into 'criminogenic and risk factors' with concomitant stringent requirements upon release that discourage women from revealing the full nature of their social problems. Yet unless these problems are known, resettlement plans may be superficial.

At the same time, the Act allows the court to recommend the conditions that should be imposed by the Probation Service upon an offender's release from custody (section 238(1)). But at the point of sentence, the court will not know with any certainty when the offender will be released (because of the possibility of early release on Home Detention curfew), to what extent the offender's behaviour may have been addressed in custody, and what the offender's health and other personal circumstances might be upon release. Thus there is a very real question as to how the court can make an effective recommendation as to the terms and lengths of any licence conditions in a way that is going to be helpful

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to women. Although the Probation Service will still have some power to make decisions it is not clear what influence the court's forecasting of needs will have when it comes to make such decisions. Departure from the court's recommendation may be seen to undermine the authority of the courts. There are other concerns relating to the content of programmes in prison too, particularly for those serving short sentences. Will sufficient attention be given to resettlement needs? Or will longer sentences be imposed precisely so as to allow time for resettlement needs to be addressed? (This would be an absolute irony if it proved to be the case). One further problem relates to the idea that programmes will run 'seamlessly' from prison to the community; this is hard to imagine when many women are imprisoned at long distances from their homes.

One key aim in the legislative changes is to promote better pre-release planning and to make decisions more transparent. This is to be welcomed. But whilst a great deal of attention has been given to new administrative arrangements in both the Act and in the Carter report (2003) there has been little news of additional resources to help the Probation Service in particular discharge its extended duties in relation to provisions for offenders released from prison. The emphasis of the *Reducing Crime, Changing Lives* is on the greater use of community penalties for lower risk offenders and reserving custody for serious, dangerous and highly persistent offenders. The National Offenders Management Service (NOMS) introduces the notion of end-to-end management which entails ensuring a joined-up response to offenders' needs throughout the criminal justice process. Arguably, 'joined up-ness' can only work if the different agencies involved are equal partners and this means giving them sufficient resources to run programmes that are sensitive to women's needs; cost-effectiveness, whilst important, is perhaps not as important as investing in ways of addressing women's resettlement needs.

Individual choice and decision-making are obviously integral to women's commitment to avoid re-offending, and as Mary Eaton has described (1993) relational and emotional aspects of women's lives are also important. But enough is known about women's resettlement needs to support community-based resources and help for women which will increase both their human and social capital. The current challenge is to make sure that we do not lose sight of these in debates about new sentencing and sentence delivery arrangements.

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