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Female Offender Strategy

Purpose of report

For discussion.

Summary

In June 2018, the Ministry of Justice published the Female Offender Strategy, which sets out the Government's commitment to a new programme of work for female offenders. The Strategy has implications for local government, particularly the level of community support provided to female offenders. This paper seeks member's views on the Female Offender Strategy and proposes the LGA's next steps to progress work in this policy area.

Recommendation

Members are asked to provide their views on the LGA's next steps for taking forward work on the Female Offenders Strategy.

Action

Officers to take forward a programme of work on the Female Offenders Strategy as directed.

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Female Offender Strategy

Background

1. In June 2018, the Ministry of Justice published the [Female Offender Strategy](#), which sets out the Government's commitment to a new programme of work for female offenders. The Strategy has three main priorities: a focus on early intervention; an emphasis on community-based solutions; and an aim to make custody as effective and decent as possible for women who have to be there.
2. Although the proportion of women in the criminal justice system is small (approximately 5 per cent of the prison population), the positive impact of addressing their needs is significant. There are approximately 3,850 women in prison currently. According to the Strategy, female offenders cost the Government approximately £1.7 billion in 2015/16, including estimated police costs of £1 billion. This does not take into account the wider social costs, such as the cost of intergenerational offending.
3. The Strategy found there is a higher prevalence of need amongst female offenders. Many female offenders have experienced chaotic lifestyles, involving substance misuse, mental health problems or homelessness, which are often the product of a life of abuse and trauma. For example, almost 60 per cent of female offenders have experienced domestic abuse.
4. Many female offenders are sentenced for non-violent, low level but persistent offences. This often results in a short custodial sentence and evidence suggests these sentences are less effective in reducing reoffending. (70.7 per cent of adult women released from custody between April to June 2016 following a short custodial sentence of less than 12 months reoffended within a year.)
5. The Strategy also indicates that more female offenders are primary carers than their male counterparts, which means these sentences can lead to a disproportionate impact on children and families. This can also contribute to the intergenerational cycle of offending.
6. The Strategy highlights that tackling and reducing the cycle of offending amongst women could therefore have significant benefits to victims, families and Government, as well as to female offenders themselves.

Female Offender Strategy – Strategic Priorities

7. The Ministry of Justice has outlined the following strategic priorities in its Female Offender Strategy:
 - 7.1. More support for vulnerable women in the community and more measures to divert women coming into contact with the Criminal Justice System, where appropriate.
 - 7.2. Reducing the female prison population, with fewer offenders sent to custody for short periods. Shifting the emphasis from custody to community sentences.

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- 7.3. Ensuring there are better conditions for those in custody, for example by reducing the rates of self-harm and self-inflicted deaths.
- 7.4. Supporting women, when they are released from prison, to transition back into the community. For example, by securing stable accommodation and education and/or employment; along with the necessary support to manage and overcome other needs, such as mental health problems and substance misuse.

Government commitments

- 8. The Ministry of Justice has outlined a series of commitments to improve the collective approach to female offending, these commitments include:
 - 8.1. Investing £5 million of cross-Government funding over two years in community provision for women.
 - 8.2. Working with local and national partners to develop a pilot for 'residential women's centres' in at least five sites across England and Wales.
 - 8.3. If women can be successfully diverted from crime, the Government will use part of the revenue from closing one or more prisons to further the aims of the strategy.
 - 8.4. Publishing guidance for the police on working with vulnerable women, developed in partnership with the National Police Chiefs Council (NPCC).
 - 8.5. Publishing guidance on the development of whole system approaches, which sets out the emerging evidence base for a holistic, multi-agency approach to addressing the needs of female offenders.
 - 8.6. Working across Government and with other national and local partners to develop a National Concordat on Female Offenders.

Parliamentary context

- 9. **Joint Committee on Human Rights Inquiry:** The Joint Committee on Human Rights recently held a series of [evidence sessions](#) to examine how children are affected, both long term and short term, by the imprisonment of their mother and what it is like for women to be pregnant in prison. At least 17,000 children are affected by maternal imprisonment each year. The Minister is due to give evidence to the Committee and update on the Ministry of Justice's work on the Female Offender Strategy.
- 10. **Violence Against Women and Girls Strategy Refresh:** On 6 March 2019, the Home Office published its [refreshed action plan](#) for the Violence Against Women and Girls (VAWG) Strategy. As part of the VAWG Strategy, the Home Office have committed to £2 million of funding explicitly for female offenders who have experienced domestic abuse.
- 11. **House of Commons debate on short prison sentences:** On 7 March 2019, MPs held a [debate](#) in the House of Commons on short prison sentences. In the debate, the Minister highlighted a recent Ministry of Justice study about the value of community

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sentencing in comparison to short custodial sentencing. The study found if there are two offenders, who have both committed the same offences and who have almost identical backgrounds and offending histories, the one who is given a custodial sentence, as opposed to the one who is given a community sentence, is likely to commit one extra offence a year.

12. **Lord Farmer's Review:** Lord Farmer is due to publish his review on the importance of family ties in improving outcomes for female offenders. This review is expected to indicate what specific measures can be taken to help strengthen family ties, especially with children, whilst female offenders serve sentences in the community, in custody or after they are released. This review is expected in the coming weeks.

Progress to date

13. Cllr Kate Haigh raised the importance of the Female Offender Strategy at the LGA's Safer and Stronger Communities Board Meeting in September 2018. During the meeting, members discussed female offenders and the extra pressure this is having on local authorities. Members highlighted particular early intervention work, a more cohesive community solution, and better custody facilities. Members also highlighted the five new women centres around the country.
14. Prior to the Strategy being published, Cllr Haigh attended the joint ministerial group meetings which discussed the Government's priorities and commitments for female offenders.
15. Following publication of the Strategy, the Ministry of Justice convened a National Delivery Board, which brings together Government departments and key agencies, to develop a National Concordat on Female Offenders.

Actions to take

16. The LGA has requested membership of the National Delivery Board, which is currently being considered by the Ministry of Justice. We have also requested LGA representation at any future best practice events.
17. We are seeking members' views on whether the LGA should support guidance on reducing reoffending. The guidance could include examples of best practice and case studies of how areas are taking a holistic, multi-agency approach to reducing reoffending. This would be provide an update to our 'Going Straight' guidance, which was published several years ago.
18. To further the guidance, the LGA could aim to secure funding for pilot areas to test approaches for reducing reoffending, which could then be evaluated and could contribute to the emerging evidence base.
19. Do members think the LGA should refresh its policies around reducing re-offending? Officers could develop the LGA's position on reducing reoffending and return to the Board later in the year with our proposals for member's feedback and clearance.

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Implications for Wales

20. Wales has its own legislative and policy landscape in areas such as health, social care, substance misuse, housing and accommodation, education and skills, and violence against women, domestic abuse and sexual violence. Also, Wales does not have women's prisons. Therefore, the Welsh Government is developing its own strategy for the delivery of appropriate provision for Welsh women in, and at risk of entering the Criminal Justice System.

Financial Implications

21. There may be financial implications if members agree to the LGA supporting guidance and pilot areas and evaluation.

Next steps

22. LGA officers to take forward the actions outlined above, as directed by Board members, to progress the work on the Female Offender Strategy.