

A LOST FOCUS ON COMMUNITY SOLUTIONS

OUR RESPONSE TO THE PRISONS STRATEGY WHITE PAPER

INTRODUCTION

In December 2021, the Ministry of Justice released its [Prisons Strategy White Paper](#), setting out its 10-year vision for the UK's prisons and a two-year action plan.

The White Paper has a strong focus on employment support, as well as a chapter on the approach for women's prisons. Women-specific employment support is vital to help women prison leavers to find a job and move on with their lives. It can also be effective at reducing reoffending. Currently, just 4% of women are in paid employment six weeks after release from custody, compared to 10% of men.¹

The Ministry of Justice invited responses to the White Paper from charities and interested parties. As a charity dedicated to supporting women with convictions into employment, we submitted a response which focuses on the best approach for women in the criminal justice system, employment support, and access to Universal Credit.

Here are our main takeaways and recommendations for the Ministry of Justice.

1. **Halt plans to build 500 new prison places** to prevent the flow of more women into the criminal justice system. Prison expansion plans run counter to the government's own Female Offender Strategy and evidence which recognises the negative impacts of imprisonment on women.
2. **Refocus the Prisons Strategy White Paper to divert women from the criminal justice system** into trauma-informed, gender responsive services in the community. The root causes of women's offending should be tackled in the community where women can retain employment, family relationships, housing, and support systems.
3. **Refocus the proposals in the Prisons Strategy White Paper to meet the aims of the Female Offender Strategy.** The Female Offender Strategy was rooted in evidence and gained wide support across government, HMPPS and the criminal justice voluntary sector. The White Paper represents a rollback from its objectives.
4. **Provide one-to-one employment support tailored to women, that includes support around confidence and self-esteem.** Without the right building blocks in place, prison leavers seeking work will be set up to fail. The government's strategy should include gender responsive, trauma-informed one-to-one employment support.
5. **Ensure that no one leaving prison is locked into poverty or debt on release.** Work with the Department for Work and Pensions to introduce a non-repayable grant for anyone leaving prison who can't afford to see through the five-week wait for the first Universal Credit payment.

¹ Table 11, Ministry of Justice (2020) Community performance quarterly MI, update to March 2020, Employment circumstances, London: Ministry of Justice

These measures would give women leaving prison a better chance of securing employment and thriving.

FULL RESPONSE

Chapter One – A Roadmap to Building the Future Prison Estate

1. Do you agree that these are the right long-term ambitions for the prison estate?

Expansion of the women's estate and the Female Offender Strategy

The Prisons Strategy White Paper (the White Paper) pays too much focus to prisons and custody as a solution to the ongoing problems with women's offending and resettlement outcomes, and does not commit sufficiently to strengthening community support such as women's centres. The spirit of the White Paper runs counter to the government's own strategy and evidence on what works when it comes to women's offending.²

We recommend that the government **halt plans to build 500 new prison places for women**. The government's vision for the prison system, namely prison expansion, contradicts the aims of the Female Offender Strategy and the Concordat on women in or at risk of contact with the Criminal Justice System, to radically reduce the number of women in prison; aims which were built on a strong body of evidence including consultation with service providers from the voluntary sector. Building more prison places will undermine progress made through the Whole System Approach, and will inevitably sweep more women into the criminal justice system. We urge the Ministry of Justice to halt these plans, to allow the effects of the Whole System Approach to be felt.

The government's own evidence shows that many of the measures it is aiming to provide in prisons could be better provided in a non-custodial setting. Support with education, skills, and employment can be effectively deployed in the community, without the need for women to be cut off from their families, housing, and support system. Plus, community support is both more effective at preventing reoffending and more cost effective than prison.

It would be much appreciated if the Ministry of Justice would make public the progress on the 500 new prison places for women.

Investment in gender responsive community services

Given the lack of progress with the Female Offender Strategy, **a renewed focus on community solutions is badly needed**. The National Audit Office found that the Ministry of Justice has not prioritised investment in the Female Offender Strategy, even prior to the Covid-19 pandemic, and that progress on its activities has been limited.³ It found that the Ministry allocated limited funding and resources for the strategy and that the lack of dedicated funding prevents the delivery of its

² Ministry of Justice (2018) Female Offender Strategy
<https://www.gov.uk/government/publications/female-offender-strategy>

³ National Audit Office (2022) Improving outcomes for women in the criminal justice system <https://www.nao.org.uk/report/improving-outcomes-for-women-in-the-criminal-justice-system/>

outcomes. Alongside these findings, Working Chance has been informed by the Minister of State for Justice, Victoria Atkins MP, that the Advisory Board on Female Offenders, a board set up to provide oversight of delivery of the delivery of the Female Offender Strategy, is being dissolved and replaced with two separate groups. These are a smaller Women in the Criminal Justice System Board and a wider expert group. The terms of reference for this new structure are currently unclear. Going forward, **we strongly recommend that the new accountability structure is fully transparent**, enabling the effective scrutiny of external stakeholders such as women-specific frontline services. Transparency would require published minutes of all meetings and progress reports on performance, to ensure accountability of senior officials responsible for the delivery of the Female Offender Strategy.

Chapter Three - The Role of Prisons and Probation in Cutting Crime and Protecting the Public

6. Where can we go further to give prisoners the skills to secure stable employment on release? Specifically, we would like to hear from charities, employers and training providers working with prison leavers or who would like to support our mission of getting more prisoners into jobs. We would also be interested to hear about how schemes that delay the disclosure of convictions during job applications, such as 'Ban the Box', could be enhanced and embedded with employers.

Criminal records and employer discrimination

In reference to the government's plans to make 'prisons designed for employment', we would like to stress our primary concern, which is that such **support could be more effectively carried out in the community**, where women have a stronger chance of gaining employment. As previously mentioned, this is because, firstly, in the community women can maintain the building blocks which are necessary to finding a job, such as housing, family relationships, and their support system. When women go to prison, they are likely to lose all of these.

Secondly, women have a much stronger chance of gaining employment without the burden of a criminal record. The UK has one of the most punitive criminal record disclosure systems in the world.⁴ While women are less likely to have a criminal record than men, the women who do are more likely to face barriers when accessing employment, being almost twice as likely as men to have their criminal records disclosed on a Disclosure and Barring Service (DBS) check.⁵ This is partly because women are overrepresented in professions that require enhanced DBS checks. Half of employers say that they wouldn't consider hiring someone with a criminal record.⁶ The Department of Work and Pensions (DWP) found that 4 out of 5 employers failed to provide a tailored recruitment process

⁴ Unlock (2020) Briefing: Reforming the criminal records disclosure regime
<https://unlock.org.uk/wp-content/uploads/misc/Briefing-Reforming-the-criminal-records-disclosure-regime.pdf>

⁵ Unlock (2021) "Angels or witches": The impact of criminal records on women
<https://unlock.org.uk/wp-content/uploads/2021/10/The-impact-of-criminal-records-on-women.pdf>

⁶ YouGov and DWP (2016) Survey Results
https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/42yrwvixdo/YG-Archive-160126-DWPwaves.pdf

for disadvantaged groups, including women leaving prison.⁷ For the women we support, having to disclose a conviction can create an almost insurmountable barrier to accessing many careers that require an enhanced criminal records check, such as care work, education, nursing or social work.

Going forward, **we recommend that the Ministry of Justice work together with the Home Office to lessen the barrier that a criminal record presents to finding employment.**

Gender-responsive employment support

When women are sent to prison, we know that once they are released employment support is most effective when it is gender-responsive and trauma-informed. **We are concerned at the lack of a distinct approach for women among the employment-related proposals in the White Paper.**

We welcome plans to start resettlement planning from the first days of a prison sentence, making sure that time in prison is geared towards a smooth and successful transition to the community. In our experience, outcomes are most positive when women have a bridge to employment on release, such as a job through Release on Temporary License (ROTL) or through employer-prison partnerships with workshops in prisons. These are most successful when the employment opportunity matches a woman's interests and strengths.

We strongly recommend that the Ministry of Justice **provide employment opportunities for women in prison that match the sectors and roles in which women want to work.** We have found, from our years of experience supporting women with convictions into work, that finding sustainable, long-term employment is most likely when it is meaningful to the woman. We believe that is why 77% of the women we support are still in employment beyond six months.

Working Chance carried out a survey of 600 women in prison in 2020. Of the respondents, 52% were unemployed immediately before being sentenced to custody, and 95% told us that they did not have a job lined up on release. 24% of the prison survey respondents reported never having searched for a job. When asked what sectors they wanted to work in, 'social good' jobs were among the most popular job sectors to respondents. One in three women reported interest in probation and youth support, just under one in three women were interested in health and social care, and one in five women were interested in charity and third sector work. Unfortunately, roles in health and social care are among some of the most difficult for women with criminal records to secure, since they often require an enhanced DBS check.

When in the same survey we asked about their support needs, findings showed that women's top need was housing, followed by employment. One in three also stated mental health as something they needed support with. These findings reflect the fact that employment is not possible without basic building blocks being in place; without safe and secure accommodation, support with mental health, as well as other support needs such as domestic abuse or harmful substance dependency, it can be practically impossible for women to secure a job.

⁷ DWP (2019) From jail to a job: women take bold steps with forward thinking charity <https://www.gov.uk/government/news/from-jail-to-a-job-women-take-bold-steps-with-forward-thinking-charity>

We recommend that the government's new focus on women's prisons designed for employment **include support around confidence and self-esteem**. Due to societal stereotypes about women and criminality, women often have a hard time reintegrating into the community and dealing with employer discrimination. Our survey found that one in five women in prison said they were 'not at all hopeful' about their future, a state of mind that could hold them back from seeking out employment opportunities. This is why it is so important that employment support for women includes a focus on building confidence and self-esteem, so that women feel confident in their abilities.

New Futures Network

The New Futures Network (NFN) sits within the Reducing Reoffending team at the MoJ and is a singular network tasked with brokering relationships between prisons and employers. There is one employment broker responsible for the 12 women's prisons across England. This makes it uncertain how effectively the NFN can scope job opportunities in women's release areas. Since women in prison are held much further from their homes than men in prison, it seems likely that they are at a disproportionate disadvantage.

We recommend that as the work of the NFN progresses, it **publishes data on the number of jobs it secures for prison leavers**, and that this data is disaggregated by gender and by ethnicity, as well as other protected characteristics.

Prison Work Coaches

We are happy to see the Ministry of Justice collaborating with the DWP to support people leaving prison. We are aware that there is one Prison Work Coach stationed in every women's prison. However, **we are concerned that Prison Work Coaches are not fulfilling their purpose of providing women with the adequate amount of employability support and advice**. Each Prison Work Coach, employed by the local jobcentre, has responsibility to provide employment and training support and set up an appointment for every prison leaver on the day of their release. The support that Prison Work Coaches are meant to provide is broader than simply employment, including topics from advice about benefits, to liaising with employers, to providing mock interviews. They even have the freedom to create courses for people in prison to help with work or training. Every woman in prison is supposed to have their first appointment with a Prison Work Coach 12 weeks before their release date.

However, our experience is that in reality Prison Work Coaches are often overstretched by huge caseloads. For instance, before the pandemic there was just one Prison Work Coach for up to 300 women at HMP Downview. Overworked Prison Work Coaches end up prioritising the appointment at the jobcentre and getting women ready to make a Universal Credit claim, so that they at least have a source of income on release, leaving little capacity to deliver employment-related support. That is why we recommend that the government **increase the number of Prison Work Coaches in proportion to the average number of weekly releases at each women's prison**. It should be noted that women on very short sentences hardly benefit from the advice of Prison Work Coaches.

Fair pay

To be successful, the Ministry of Justice's new focus on employment should begin with the benefit to the person in prison and their chances of resettlement, rather than the benefit to businesses. As well as a presumption in favour of adapting the

prison estate and regime to facilitate work, there should be a **presumption towards that work benefitting the long-term resettlement of the individual**. We strongly recommend that as more relationships are forged between employers and prisons, **people in prison who take up work opportunities are paid at least the minimum wage for their labour**. This would enable them to save money and strengthen their chances of thriving on release from prison.

Digital innovation and data

We support the White Paper's emphasis on digital innovation, and recommend that **the government ramps up digital access in all women's prisons, including use of the internet**. Since women are usually convicted of less serious offences and most are on short sentences, internet usage is a useful and appropriate way for them to prepare for release. We know that access to computers and use of the internet is vital in preparing to look for work, whether to prepare a CV, take a look at the job market in release areas, or search for and communicate with employment support services like Working Chance.

We would appreciate clarity on whether plans to transform outdated prison data systems (para. 42) for the management of people in prison is linked to the Resettlement Passport plans. It is unclear where the Resettlement Passport data will be held, and who will be the owner of this data.

7. What are the main issues and barriers that prison leavers face when they are making a claim for Universal Credit? What impact do they have on prison leavers?

Universal Credit and women with convictions

Working Chance's lived experience policy advisory panel, Changemakers,⁸ advocates for a reformed Universal Credit system that meets the needs of women leaving prison. The findings and recommendations in this section have come from the group, who have lived experience of conviction and claiming Universal Credit. **If you would like to hear directly from Changemakers, please don't hesitate to get in touch. We would be happy to facilitate an evidence session or roundtable discussion.**

At Working Chance, since January 2021, 68% of the women we supported were claiming benefits when they registered for our service. Due to the disruptive nature of receiving a conviction, many women are left struggling and have to turn to social security. Universal Credit can be a vital lifeline while women with convictions look for work. Yet the system isn't working well enough for women to keep their heads above water, let alone find work, and women often have issues around accessing the benefit.

Currently, monthly payments fail to cover basic life costs. There is an unavoidable five-week wait for the first payment, while advance loans leave women in debt. Women leaving prison can't start a claim for Universal Credit before release, practically guaranteeing that they will fall into poverty or debt. The hefty deductions that can be pulled back from payments are unpredictable and crippling. Plus, lack of the right support at the jobcentre can lock women with convictions into poverty. These factors can lead to the kind of financial difficulties that trap women in a cycle of crisis and criminalisation.

⁸ See <https://workingchance.org/about-us/our-policy-focus/changemakers/>

We recommend **that the Ministry of Justice work with the Department for Work and Pensions to introduce a non-repayable grant for anyone leaving prison** who can't afford to see through the five-week wait for the first Universal Credit payment. We also recommend that **anyone just released from prison be granted an amnesty from the job searching obligations in their claimant commitment**, in order to get their lives back on track, for instance by pursuing housing or mental health support. The length of the amnesty should be discretionary, depending on their circumstances.

Risk of reoffending

When you are rebuilding your life after a conviction, problems with benefits can only make life harder, putting women at increased risk of reoffending. Often, women with convictions find themselves claiming Universal Credit when they are already at crisis point, such as having just left prison without secure accommodation. This is why it is so disastrous that every woman making a new claim for Universal Credit must wait five weeks for the first payment to arrive.

We are concerned that the proposals in the White Paper do not go far enough to prevent women being locked into poverty or debt on release. Plans for the Ministry of Justice to work together with the DWP to test different approaches to people in prison preparing to make their Universal Credit claim and claimant commitment before release are a positive step, but we are concerned that many of the factors that leave women unprepared to make a claim after leaving prison – including lack of the right documents – won't be addressed, since prisons often lack the capacity to deliver such ambitious projects. In addition, these efforts won't do anything to prevent women falling into debt by having to claim an advance loan.

Women in prison are unable to make a claim for Universal Credit before release, meaning the five-week wait for their first payment is unavoidable. Released with only a one-off subsistence payment of £76 (increased from the previous grant of £46 in August 2021), this practically guarantees that they will fall into poverty or debt immediately. What makes it worse is that applying for Universal Credit is much more complicated for those women, since they are less likely to have the documentation needed to make a claim.⁹ Any delay in obtaining these leaves women without any money. While these should be sorted out with support from the prison before release, in reality women often don't have everything they need. If, for instance, the police have confiscated their documents or fraudulent activity has been attempted in their name while they were in prison, they cannot start a claim for Universal Credit.

Those who can't survive the five-week wait can apply for an advance loan, a Universal Credit payment that people can apply for if they are in financial hardship while they wait for their first payment. Advance loans must be repaid through deductions from future benefits for up to a maximum of 16 months. The DWP can claim back up to 25% of the already meagre Universal Credit payment to take back the advance loan, leaving women struggling to budget and meet basic needs. One Jobcentre Work Coach has told us that there is an overreliance on advance loans, and that it is difficult for claimants to understand the impact of the

⁹ Prison Reform Trust and Working Chance (2020) Working It Out: Improving employment opportunities for women with criminal convictions <http://www.prisonreformtrust.org.uk/Portals/0/Working%20it%20Out%20FINAL%20NEW.pdf>

repayments that will be pulled back later on. But when there is no alternative source of income, women don't have any other choice.

Claiming Universal Credit is already a tricky process. Young Women's Trust has reported that the benefits system is complex and difficult to navigate for young women, with 22% reporting that they didn't understand application process and 23% reporting delays in receiving payment.¹⁰

At Working Chance, we hear from clients who tell us that they are struggling to get by because of advance loan repayments reducing their Universal Credit payments. If women don't finish paying them back in full while claiming Universal Credit, the outstanding amount can lead them into financial difficulty down the line. One client told us that she stopped claiming Universal Credit because she was working. When she lost that job, she went to make a new Universal Credit claim and was unable to claim an advance loan because she hadn't paid back just £60 of the previous loan. As a result, she fell into financial difficulty.

The situation is even worse for women waiting for the Personal Independence Payment (PIP), a benefit to help with living costs for people who both have a long-term physical or mental ill health or disability, and find it difficult to do everyday tasks. We have heard of clients waiting up to 16 weeks to hear back from the DWP about PIP.

Research shows that poverty is a major risk factor for reoffending in women.¹¹ This makes it all the more important that women are not immediately locked into debt or poverty on release from prison.

9. Do you agree with the 'guiding principles' and priority outcomes and areas of focus we have identified for developing the Resettlement Passports?

As a charity that supports women released from prison, Working Chance welcomes efforts to improve the rate of employment for prison leavers, because we know the change it brings about in people's living standards, hope for the future and, crucially, how they feel about their worth and value to society. These are the building blocks necessary for preventing reoffending. But **we are concerned that the Resettlement Passport plans leave out vital resources that people released from prison require in order to thrive.**

We welcome the prioritisation of employment outcomes and a distinct approach for women leaving prison in the White Paper's guiding principles. In terms of the proposed contents of the Resettlement Passport, we acknowledge that preparing a CV and setting a proposed career or training pathway can be extremely beneficial to people released from prison who are searching for work. But for prison leavers to get back on their feet and be in a stable enough position to find a job on release, their basic needs must be met. Nearly half of women leave prison without settled accommodation.¹⁵ This is why we recommend that the government ensures that **every woman leaving prison has access to a smart**

¹⁰ Young Women's Trust (2021) One size fits no one: Young women's experiences of navigating inadequate employment opportunities and the benefits system <https://www.youngwomenstrust.org/our-research/one-size-fits-no-one/>

¹¹ Ministry of Justice and HMPPS (2018) Offending behaviour programmes and interventions <https://www.gov.uk/guidance/offending-behaviour-programmes-and-interventions>

phone, an ID document, a bank account, shopping vouchers, a travelcard, and an appointment to claim Universal Credit at the jobcentre.¹² These basics will ensure that women leaving prison don't fall down at the first hurdle.

Crucially, any resettlement package should include skilled one-to-one support to help navigate the challenges of release and the search for long-term employment. **This support must be tailored to the prison leaver's gender to be effective;** the proportion of women in employment six weeks after release from prison is three times lower than for men — 4% of women compared to 11% of men.¹³

Quality one-to-one support comes with the understanding that barriers to employment are complex. Some of the biggest challenges can include lack of self-esteem and mental ill-health. We are concerned that the Resettlement Passport will take a tick-box approach that glosses over individual need. Employability is intertwined, and dependent on, other provisions like mental healthcare or support with harmful substance use, housing and finances. It is rarely as simple as making sure someone has a CV.

Supporting prison leavers into work is one of the best ways to reduce reoffending and keep our communities safe. Prison leavers who find work on release are 5-10% less likely to reoffend than those who do not.¹⁴ Evidence shows that skilled, supportive relationships are the key to real change for prison leavers. On average, 58% of women are reconvicted within a year of leaving prison.¹⁵ For women Working Chance supports into a job, this number drops to less than 1%, while 77% of Working Chance clients remain in employment beyond six months.

We know from our years of work with prison leavers that these measures would bring about a step change in employment outcomes for women leaving prison, and create a safer society for all of us.

10. How can we implement the Resettlement Passport approach in a way which is most effective for prison leavers and practitioners?

We would appreciate clarity on where the information that forms each Resettlement Passport will be held, whether digitally or otherwise, who owns that data, and who will have access to it. We are concerned that **digital exclusion prevents many women leaving prison from accessing data that is held online or digitally.** Many women who approach Working Chance struggle to search for work for lack of a smartphone, a laptop, access to the internet or access to a private place to use a computer, for instance if they are staying in temporary accommodation.

¹² See Switchback (2021) Reshape Release <https://switchback.org.uk/reshaperelease/>

¹³ Table 11, Ministry of Justice (2021) Community performance quarterly MI, update to March 2021, Employment circumstances

¹⁴ Ministry of Justice (2013) Analysis of the impact of employment on re-offending following release from custody, using Propensity Score Matching https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/217412/impact-employment-reoffending.pdf

¹⁵ Tables 7.09, 7.10 and 7.08, Ministry of Justice (2018) Women and the criminal justice system 2017

We have reservations about the government's ability to execute such an ambitious plan. The Resettlement Passport seems similar in nature to the Personal Circumstance Files put forward by the Farmer Review for Women,¹⁶ which recommended a personal electronic file be developed for each woman through her journey in the criminal justice system, including information relating to any dependants, family and other relationships they may have. The progress on this recommendation is perhaps unclear, but the Personal Circumstance Files have not come to fruition, suggesting that there are logistical obstacles to such a plan. Significant investment in data infrastructure will be necessary to execute the Resettlement Passport plans.

11. How should we encourage prisoners and prison leavers to comply with conditions and expectations in return for support provided, and what consequences should be in place if they do not?

We are concerned that the mention of 'consequences' represents an approach based on conditionality, rather than rehabilitation. **We recommend that the Resettlement Passport be accompanied by gender responsive, trauma-informed one-to-one support to support women through the process of resettlement.** From our years of experience supporting women with convictions into employment, we have found that an empowerment approach combined with such support give women the best chance of securing long-term employment. This means that women are given the tools to enact their own futures, supported through the process, and not punished for any setbacks. The best way to promote compliance is to ensure women aren't set up to fail. With employment, this means having the building blocks in place to make sure women are in a strong, stable position to look for work.

We are concerned that the 'clear consequences if [prison leavers] fail to comply with conditions where appropriate' will risk net-widening, and sweeping more women into the criminal justice system. Women leaving prison tend to be vulnerable to poverty and homelessness, and have many competing needs to address. It is not the time to punish them for setbacks. The White Paper's plans for 'consequences' for non-compliance go against the spirit of the Female Offender Strategy, which focuses on community support and reducing the number of women in prison.

The rising numbers of women recalled to prison due to breaking licence conditions has already seen the women's estate grow and women's chances of resettlement curtailed. Women recalled to prison often have acute support needs that are usually connected to their recall.¹⁷ We are concerned that these poor outcomes may be replicated by any non-compliance consequences attached to the White Paper's proposals. Adding another set of obligations for prison leavers is unnecessary, unrealistic and will not achieve the aims of the Female Offender Strategy or the White Paper.

Chapter Four – A New Approach to Women's Prisons

¹⁶ Farmer Review (2019) The Importance of Strengthening Female Offenders' Family and other Relationships to Prevent Reoffending and Reduce Intergenerational Crime <https://www.gov.uk/government/publications/farmer-review-for-women>

¹⁷ Prison Reform Trust (2018) Broken Trust: The rising numbers of women recalled to prison Trust <http://www.prisonreformtrust.org.uk/Portals/0/Documents/Broken%20Trust.pdf>

14. Do you agree with our long-term vision for women's prisons?

Community support

We support the White Paper's commitment to a women's estate that is 'designed for women', but the White Paper's commitments are much weaker than what is needed to achieve its aims. There are some worthy proposals around support for trauma, domestic abuse, and self-harm. However, this support is positioned in the context of an expanding women's estate, flying in the face of the government's own Female Offender Strategy which makes evidence-backed claims that women are best supported in the community, and that the women's prison population should be greatly reduced.

We are therefore **concerned by the Ministry of Justice's plans to expand the women's estate by building 500 new prison places for women.** We recommend that **the government recommit to diverting the flow of women into the criminal justice system.** Whilst Covid-19 has seen a temporary reduction in the women's prison population in England and Wales, projections forecast a sharp rise from 3,217 in September 2020 to 4,500 by September 2025 as a result of the estimated impact of the Police, Crime, Sentencing and Courts Bill and of an additional 23,400 police officers.¹⁸ This projection discounts any ability for those police officers to identify support needs and divert women into community services such as women's centres, employment support, housing support or drug and alcohol services. The government's long-term ambitions for the prison estate should include tangible measures to divert the flow of women from the criminal justice system into community services, to tackle the root causes of offending and thereby reduce reoffending.

The government's own evidence shows that many of the services it is aiming to provide in prisons could be provided in a non-custodial setting. Support with education, skills, and employment can be effectively deployed in the community, without the need for women to be cut off from their families, housing, and support system.

Recent polling has shown that the majority of the general public (56%) agree that the funding for 500 new women's prison places should instead be used to fund women's support services, such as women's centres. Similarly, fewer than 1 in 5 people (18%) disagreed with the statement: "The government should be reducing, not increasing the number of women in prison".¹⁹

Diverting women from custody, and from the criminal justice system entirely, is a win both for women and for government. Community provision such as women's centres have a proven track record of providing practical, trauma-informed and effective responses, led by the needs of women that use them. Women's centres can provide support with employment, housing, domestic abuse, mental and physical health, finance and debt, and wellbeing, often all under the same roof. Voluntary organisations such as One Small Thing and Women in Prison are doing

¹⁸ Table 4.1: Prison population by age group

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/938571/Prison_Population_Projections_2020_to_2026.pdf

¹⁹ Crest (2021) Guest blog: maternal imprisonment polling shows clear support for better services in the community <https://www.crestadvisory.com/post/maternal-imprisonment-polling-shows-clear-support-for-better-services>

excellent work in this regard. All this for significantly less cost than a prison place; a place at a women's centre ranges from £1,223 to £4,125 per woman depending on needs, while a place in prison costs £52,121.²⁰

We have yet to see the evidence to back up the efficacy of the White Paper's proposals for women's prisons. As well as women's centres being utilised as part of diversion schemes or post-sentence referrals, **we would strongly recommend a refocused approach that centres women's specialist services that are made available from the point of arrest.**

Short sentences

The majority of women in prison are sentenced to short sentences of six months or less. While a short sentence is serious enough for a woman to lose her job, home, or custody of her children, it is not long enough to receive effective resettlement support. Of 169 women with convictions in the community surveyed by Working Chance, just over half (53%) said their arrest or conviction led to them losing their job.

We are concerned that plans for 'smaller, trauma-responsive custodial environments for women on short sentences' serve as a rollback of commitments in the Female Offender Strategy to reduce the number of women in prison. We would appreciate clarification on whether the White Paper is referring to the Female Offender Strategy's plans to introduce Residential Women's Centres, the first of which was due to be piloted in Wales. Given that these plans have been delayed by problems finding a location for the pilot, we are sceptical as to how successful such a rollout would be. If the smaller custodial environments are separate from those plans, we would like clarification about whether the government is proposing a second estate for women on short sentences. We would like to reiterate that **the evidence shows that the root causes of women's offending are best tackled in the community**, preventing the flow of women into the criminal justice system.

In 2020, three in five women were sent to prison to serve less than six months. Short prison sentences have been shown to be less effective at reducing reoffending than community orders for people committing the same types of crime.²¹

15. What more could we do to support women in custody, with particular reference to meeting the needs of women prisoners with protected characteristics?

Working Chance's research into the experiences of racially minoritised women in the criminal justice system²² found that Black and racially minoritised women with convictions, especially those handed prison sentences, suffer more barriers to employment than their white counterparts. We found that racially minoritised women are overrepresented in the criminal justice system and in our client base.

²⁰ Women's Budget Group (2020) The Case for Sustainable Funding for Women's Centres <https://wbg.org.uk/analysis/the-case-for-sustainable-funding-for-womens-centres/>

²¹ Proven reoffending statistics: January to March 2017 <https://www.gov.uk/government/statistics/proven-reoffending-statistics-january-to-march-2017>

²² Working Chance (2021) Worst-Case Scenario: How racism in the criminal justice system harms women's chances of finding work <https://workingchance.org/about-us/our-policy-focus/worst-case-scenario/>

Of the women we support, 62% come from an ethnic minority background. Women of colour are more likely to be arrested, convicted, and handed longer prison sentences, which means that they end up with criminal records that last longer, compared to white women.

We recommend that the Ministry of Justice implement the following measures to level the playing field for women leaving prison, and ensure that racially minoritised women do not suffer worse employment outcomes than white women.

Address racial inequality in the criminal justice system

- The Ministry of Justice should honour the commitments made in the Female Offender Strategy; currently almost all of the commitments that would specifically benefit racially minoritised women remain unfulfilled.²³
- The Ministry of Justice should roll out provision of full written pre-sentence reports for all women and racially minoritised people, including specified targets for their completion.

A new review for racially minoritised women

- The government should carry out a review that focuses specifically on disparities in the treatment of and outcomes for racially minoritised women in the criminal justice system.
- The report should be accompanied by an action plan.
- Progress against the recommendations of the report should be published annually.

Accurate data

- We understand that the Race Action Programme at the Ministry of Justice is working on publication of more diverse justice data. We recommend that data on offences, prison population and resettlement be disaggregated by gender, ethnicity and religion.
- Statistics should be published in a way that enables the public to view and analyse data by gender in combination with ethnic groups and religions as variables.
- In addition, disaggregated data should be published regarding the New Futures Network and probation, including employment outcomes for prison leavers.

Specialised support in the community

- The Ministry of Justice should address the root causes of offending in the community in such a way that includes allocating long-term, sustainable funding to support the development of culturally sensitive services for racially minoritised women.
- These services should be designed to meet women's specific needs and the diverse experiences of different minority groups should be recognised.

²³ Prison Reform Trust (2021) The government has met less than half of Female Offender Strategy commitments almost three years on
<http://www.prisonreformtrust.org.uk/PressPolicy/News/vw/1/ItemID/1011>

- As part of this effort, the Ministry of Justice should continue to partner with and support specialist community organisations already doing this work.

We would be happy to discuss the points raised in this response further. Please contact our Policy and Research Officer, Olivia Dehnavi at olivia@workingchance.org or call 07985 475 493.