

Women's experiences in the criminal justice system

March 2023



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Women's experiences in the criminal justice system

March 2023



About the Committee

The Committee was established on 23 June 2021. Its remit can be found at:
www.senedd.wales/SeneddEquality

Current Committee membership:



**Committee Chair:
Jenny Rathbone MS**
Welsh Labour



Jane Dodds MS
Welsh Liberal Democrats



Altaf Hussain MS
Welsh Conservatives



Sarah Murphy MS
Welsh Labour



Ken Skates MS
Welsh Labour



Sioned Williams MS
Plaid Cymru

The following Member attended as a substitute during this inquiry.



Jack Sargeant MS
Welsh Labour

Contents

Chair’s foreword	5
Recommendations.....	7
1. Introduction	10
Background.....	10
Evidence gathering	10
Policy background.....	11
The Corston report.....	12
The UK Government	13
The Welsh Government.....	14
2. The Women’s Justice Blueprint.....	15
Early intervention and prevention	16
Women’s Pathfinder Whole System Approach	18
Women’s Centres	19
Welsh Government position.....	21
Our view.....	23
3. Reducing custodial sentences	27
The proposed Residential Women’s Centre	29
Out-of-court disposals	33
Pre-sentencing Reports.....	34
Welsh Government position.....	35
Our view.....	36
4. Custodial provision and support.....	39

Impact of maternal imprisonment on children.....	40
Health care and substance misuse.....	42
Residential detoxification.....	43
Welsh Government position.....	43
Our view.....	45
5. Resettlement support	48
Accommodation.....	49
Welsh Government position.....	50
Our view.....	51
Annex A: List of oral evidence sessions	52
Annex B: List of written evidence	53
Annex C: additional information.....	54

Chair's foreword

In 2007 a landmark report by Baroness Corston called for a radically different approach for women in the criminal justice system. Most women received short prison sentences; long enough to negatively impact their lives but too short to deliver proper support and rehabilitation. Corston proposed the use of a network of community provision to address female offenders' complex needs.

Over fifteen years later, progress with implementing Corston's recommendations has been disappointingly slow. Far too many women continue to receive short custodial prison sentences, eye wateringly expensive and with very poor outcomes.

Our inquiry investigated what the Welsh Government is doing to support women in the criminal justice system in the hope of identifying areas for speeding up the pace of change. In particular we looked at the Women's Justice Blueprint, published in 2019. This recognised the need to prevent women from entering the criminal justice system as its top priority.

While justice is not devolved, women routinely rely on support from devolved services such as health, education and social care. We are particularly grateful to the women who shared their personal journeys and experiences with us.

Most women in the criminal justice system are victims themselves. Custodial sentences are traumatic for women who are already extremely vulnerable. This trauma is not just experienced by women; it generally has a devastating impact on their children.

An important theme was the valuable role that community-based Women's Centres can play in providing a collaborative, tailored approach to supporting women; and helping to divert individuals from a path into the justice system. We also learned more about proposals for a pilot Welsh Residential Women's Centre. More community sentences are essential, but more clarity and engagement is needed to ensure a successful project for both the women and the communities involved.

We heard about the multiple difficulties facing women in prison. We were shocked to learn that short custodial sentences, even as short as a week, continue to persist despite having little to no benefit. We were concerned to hear that Welsh women experience additional challenges in custody to obtain consistent health care and prescribed medicines. We were disappointed to learn that, on release, many women do not have access to suitable accommodation and support; without it, many swiftly end up back in the criminal justice system.

What the Welsh Government has set out to achieve through its joint Women's Justice Blueprint with the Ministry of Justice is commendable and we applaud this collaborative approach. However our inquiry helps to illustrate why the current arrangements around the governance and administration of criminal justice in Wales are unsustainable. Frustration around the limitations of what is within the power of the Welsh Government is evident. The First Minister has spoken of a "moral hazard" in terms of Welsh Government funding much needed justice-related initiatives in Wales which would be financed by the UK Government in England. Our report recommends the need to clarify who is responsible for what under the current settlement.

More consistent provision of support services for women at risk of entering or already part of the criminal justice system across Wales is needed, including a suite of community sentencing options for non-violent offences. Without this consistency, women will continue to receive ineffective short prison sentences, with devastating implications for their children. We welcome what is being done to stop this cycle of trauma and waste of public money. We hope the recommendations set out in our report will help accelerate delivering the vision that Corston set out all those years ago.

Jenny Rathbone MS

Chair of the Equality and Social Justice Committee

Recommendations

Recommendation 1. The Welsh Government should map out the cost of the services it provides to identify those that it is responsible for as part of the current devolution settlement and those that currently fall within the responsibility of the Ministry of Justice. This work should be carried out by June 2023 and the Welsh Government should keep us informed of progress. Page 24

Recommendation 2. The Welsh Government should endeavour to obtain devolved responsibility for women’s involvement in the criminal justice system..... Page 24

Recommendation 3. To ensure the Women’s Justice Blueprint is embedded, the Welsh Government should build on its visual explanation of the work of the Blueprint and provide an in-depth overview of all on-going schemes and pilots, setting out who is responsible for delivery, timelines, actions taken and reports, to ensure that all organisations with an interest in supporting women in the criminal justice system are aware of what is happening on the ground. This work should be concluded by June 2023. Page 24

Recommendation 4. The Welsh Government should publish implementation updates on an annual basis, which include:

- a more detailed account of progress against the stated aims of the Blueprint; and
- the status and timelines of the pilots that are being carried out including next steps. Page 25

Recommendation 5. The Welsh Government should set out how it plans to work with partners to scale up its Women’s Pathfinder Whole System Approach activity on early intervention and prevention so that it reaches all parts of Wales. Page 25

Recommendation 6. The Welsh Government should work closely with HMPPS and local partners to identify where further Women’s Centres should be developed. Further, the Welsh Government should set out the plans it and other partners have to develop sustainable funding streams to support the creation and work of these Centres. Page 26

Recommendation 7. The Welsh Government should work with the Ministry of Justice and HMPPS to identify gaps and to ensure there are sufficient community-based alternatives to custody available specifically for women across Wales. Page 37

Recommendation 8. The Welsh Government must work with counterparts in the Ministry of Justice and with HMPPS to more clearly articulate the purpose and services the proposed Residential Women's Centre will offer..... Page 38

Recommendation 9. The Welsh Government should work with the Ministry of Justice to ensure that Wales is represented in the development of the operational instructions and guidance relating to Residential Women's Centres..... Page 38

Recommendation 10. The Welsh Government should set out what financial contribution it will be expected to make to supporting women at the pilot centre, should it go ahead, and what the funding implications might be for the City and County of Swansea and the Local Health Board..... Page 38

Recommendation 11. The Welsh Government should work with HMPPS to monitor the use of Pre-Sentencing Reports and identify inconsistencies, including on the impact on children's welfare. The Welsh Government, with HMPPS, should set out how it plans to ensure a more consistent and improved use of Pre-Sentencing Reports across Wales..... Page 38

Recommendation 12. The Welsh Government should liaise with PACT to ensure prisoners are made aware of the support available to them, including how to contact elected Members from their home constituencies, to ensure people have equitable access to services they are entitled to..... Page 45

Recommendation 13. The Welsh Government should work with the Ministry of Justice and HMPPS to:

- carry out a formal evaluation of the Visiting Mum project;46
- assess whether there are sufficient resources in place to facilitate work that enable families to stay connected such as the 'purple visits'. Page 46

Recommendation 14. The Welsh Government should create tailored guidance for local authorities to ensure that women are reunited with their children in a child-focused way following a custodial sentence. Page 46

Recommendation 15. The Welsh Government should set out what residential detoxification provision is available for women in the criminal justice system, and how it is delivered. Page 47

Recommendation 16. The Welsh Government should share its view on the forthcoming NHS England review once it is published and set out any action it plans to take as a result of its findings.Page 47

Recommendation 17. The Welsh Government should work with HMPPS and local authorities to obtain Service Level Agreements with the remaining 16 local authorities, explore options for supported accommodation for low-risk women who are vulnerable and work with HMPPS to provide approved premises for high-risk women. This work should be carried out before Autumn 2023.Page 51

Recommendation 18. The Welsh Government should look at examples of best practice and innovation to see what accommodation solutions could be developed in Wales.....Page 51

1. Introduction

Women who commit crime are generally some of the most vulnerable and disadvantaged in society, often with multiple and complex needs. Women now make up around 5 per cent of the prison population, estimated to be twice as many as twenty years ago.¹

Background

1. The Equality and Social Justice Committee agreed to carry out an inquiry into women's experiences in the criminal justice system at its meeting on 16 May 2022. The purpose of the inquiry was to focus on the services for women in the criminal justice system, and to better understand the distinct needs and vulnerabilities of women who offend.
2. Full details regarding the background to the inquiry, including the terms of reference, are available on the [inquiry homepage](#).

Evidence gathering

3. The Committee gathered evidence through a public consultation, oral evidence sessions, focus groups and visits to HMP Eastwood Park in Gloucestershire and HMP Styal in Cheshire. Further details regarding the prison visits and engagement activities undertaken are available in the summary of engagement work.²
4. The Minister for Social Justice (the Minister) gave evidence to the Committee on 12 December 2022.³
5. See the Annex for a full list of the evidence gathered.
6. The Committee would like to thank all those who contributed to this inquiry, in particular the women who engaged with us during the focus groups and shared their lived experiences with such honesty.

¹ [Prison Reform Trust, Why focus on reducing women's imprisonment?, July 2021](#)

² [Summary of Engagement](#)

³ [Equality and Social Justice Committee, 12 December 2022](#)

If you or someone you know are affected by any of the issues dealt with in this report, there are a number of organisations that can provide you with free and impartial advice:

The Nelson Trust: 01453 885633

North Wales Women's Centre: 01745 339331

Prison Advice and Care Trust (Pact): 0808 808 2003

Policy background

7. The Prison Reform Trust⁴ states:

- 99 women have died in prison in England and Wales since 2010; nearly two in five deaths were self-inflicted;
- 600 pregnant women, on average, are held in prison each year; and
- rates of self-harm in women's prisons have risen by 20 per cent in the last decade.

8. The Prison Reform Trust highlights that women in prison are more likely than men to:

- report having mental health issues (71 per cent of women compared to 47 per cent of men), with around half of women suffering from anxiety and depression in prison;
- report experiencing emotional, physical or sexual abuse as a child (53 per cent of women compared to 27 per cent of men);
- commit their offence to support someone else's drug use (48 per cent of women compared to 22 per cent of men); and
- be in prison for a first offence (23 per cent of women compared to 14 per cent of men).

9. Justice and prisons are currently reserved responsibilities of the UK Parliament and the UK Government; but in many areas the criminal justice system interacts with devolved responsibilities and service provision, including education and training, health services, housing, local government, social welfare and the Welsh language.

⁴ Prison Reform Trust, [Why focus on reducing women's imprisonment?](#), July 2021

10. Adult offenders who receive community or custodial sentences are the responsibility of His Majesty's Prison and Probation Service (HMPPS)⁵, which operates across England and Wales. It is also responsible for rehabilitation services. HMPPS in Wales works in partnership with the Welsh Government to deliver offender management services in prisons as well as probation and rehabilitation and support to reduce reoffending.

11. There are no women's prisons in Wales. Women sentenced to prison from South Wales are usually held in HMP Eastwood Park in Gloucestershire; and North Wales women sent to HMP Styal in Cheshire.

12. On 3 February 2023 HM Chief Inspector of Prisons published a report on an unannounced inspection of HMP Eastwood Park.⁶

13. The inspection took place in October 2022, prior to our visit on 7 November; we were not aware that the inspection had taken place. It identified major concerns including acute staff shortages, high numbers of women reporting mental health problems, an "appalling environment" in one of the residential units and slow reintroduction of support to help women maintain relationships with their children and families. The Minister for Social Justice issued a written statement in response to the inspection report on 8 February 2023.⁷

The Corston report

14. In 2007, Baroness Corston published a landmark report. The *Review of Women with Particular Vulnerabilities in the Criminal Justice System* (the Corston report)⁸ identified that women generally present as extremely vulnerable with a range of complex needs that are distinct from the needs of men who commit crime.

15. The Corston report transformed thinking about women's involvement in the criminal justice system, recognising the lasting effect on the women themselves as well as their children. It recommended more consistent use of community sentences, with custodial sentences reserved for the most extreme and violent offenders.

⁵ Formerly the National Offender Management Service

⁶ HM Chief Inspector of Prisons, [Report on an unannounced inspection of HMP/YOI Eastwood Park](#), February 2023

⁷ Welsh Government, [Written Statement: HMP Eastwood Park – report on an unannounced inspection](#), February 2023

⁸ UK Government Home Office, [A report by Baroness Jean Corston, a Review of Women with Particular Vulnerabilities in the Criminal Justice System](#), March 2007

16. Ten years after the Corston report, the charity Women in Prison reported that little progress had been made to replace women's prisons with multifunctional custodial centres and that custodial sentences were still being imposed for non-violent offences.⁹

17. The Farmer Review in 2017 examined the importance of family and other relational ties to prisoners' rehabilitation.¹⁰ While the review predominantly focused on male prisoners, part of Lord Farmer's remit was to learn from what works well for women in prison and their families. A follow-up review, the Farmer Review for Women, published in 2019, found family and other relationships "utterly indispensable" for the rehabilitation of female offenders.¹¹ A progress report on the Farmer Review for Women was published in January 2023.¹²

18. In its 2021-22 inquiry, Women in Prison, the UK Parliament's Justice Committee reported that limited progress has been made in developing alternatives to custodial sentences for women and called for a focus on the specific challenges faced by women who enter the prison system, including more action to ensure that vital family relationships are maintained.¹³

The UK Government

19. The UK Government published the Female Offenders Strategy in 2018.¹⁴ The Strategy aimed to reduce women's contact with the criminal justice system and in particular, the number of women subject to short-term prison sentences. It sought to increase the opportunities to divert women away from custody through the use of schemes such as Out of Court Disposals (OOCs), which allow police to deal with low-level offending without recourse to the courts. The strategy set out three priorities:

- fewer women coming into the criminal justice system;
- fewer women in custody (especially on short-term sentences) and a greater proportion of women managed in the community successfully; and
- better conditions for those in custody.

⁹ [Women in Prison, The Corston Report: 10 years on, June 2017](#)

¹⁰ Ministry of Justice, [The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime](#), August 2017

¹¹ UK Government, [Importance of strengthening female offenders' family and other relationships to prevent reoffending and reduce intergenerational crime](#), June 2019

¹² Ministry of Justice, [Progress Report: Farmer Review for Women](#), January 2023

¹³ [UK Parliament Justice Committee, Women in Prison inquiry, July 2022](#)

¹⁴ [UK Government, Female Offenders Strategy, June 2018](#)

20. The UK Government published a Delivery Plan for the Female Offender Strategy 2022-25 on 31 January 2023.¹⁵

The Welsh Government

21. The Welsh Government published the Women's Justice Blueprint jointly with the Ministry of Justice in 2019.¹⁶

22. The Women's Justice Blueprint is the Welsh Government's attempt at recognising the distinct needs of women in the criminal justice system. It sets out how it will work with devolved and non-devolved partners to reduce the number of women in the criminal justice system by intervening earlier to keep them safe and address the vulnerabilities that often lead to crime.

23. Delivery of the Blueprint is overseen by the All Wales Criminal Justice Board,¹⁷ through specialist programme and advisory groups commissioned by the All Wales Women in Justice Group, and through Local Criminal Justice Boards.

24. The Blueprint focuses on five key areas:

- early intervention and prevention;
- working with courts and sentencers;
- community-based solutions to support women;
- supporting resettlement back into the community; and
- research and evaluation.

25. An Implementation Plan update for the Blueprint was published in May 2022.¹⁸

26. The Welsh Government also published its approach to reforming the justice system, *Delivering Justice for Wales*, in May 2022.¹⁹ In it, the Welsh Government sets out its commitment to pursuing the devolution of justice and policing, and what it believes are the 'core components' of a devolved justice system. This includes a focus on prevention and reducing the size of the prison population.

¹⁵ UK Government, [Female Offender Strategy Delivery Plan 2022 to 2025](#), January 2023

¹⁶ [Welsh Government, Female Offending Blueprint for Wales, May 2019](#)

¹⁷ [IOM Cymru, Governance](#)

¹⁸ [Welsh Government and UK Government Home Office, Female Offending Implementation Plan, May 2022](#)

¹⁹ [Welsh Government, Delivering Justice for Wales, May 2022](#)

2. The Women's Justice Blueprint

The Blueprint is central to the Welsh Government's policy agenda for women in the criminal justice system. Praised for its good intentions, some raised concerns about both a lack of awareness and progress with implementation.

27. Witnesses widely praised the Blueprint for its collaborative approach. Safer Wales highlighted in particular the involvement of key partners and people with lived experience, which "continually informs the work being delivered through the Blueprint".²⁰

28. Andrea Coomber KC said:

*"[...] it's not just an aspirational piece of text but is based in partnership working with a clear implementation plan, with timelines and deliverables; it is encouraging, to say the least"*²¹

29. The Welsh Local Government Association (WLGA) pointed to "a number of interesting and positive areas of work underway as part of the Blueprint", including the Women's Pathfinder Whole System Approach introduced in Gwent and South Wales.²²

30. While we heard broadly positive feedback about the intentions and the approach of the Blueprint, some witnesses raised concerns over a lack of progress and any detailed updates on its implementation.

31. Welsh Women's Aid welcomed promises made by both UK and Welsh governments since the publication of the Corston report but noted "little progress has been made to fulfil them to date".²³

32. Chwarae Teg said that a lack of disaggregated data made it difficult to get a "full picture of women from Wales' experiences of the criminal justice system". They were critical of the general lack of detail on the workstreams contained in the implementation plan update in May

²⁰ Safer Wales, [written evidence](#)

²¹ [Equality and Social Justice Committee, 24 October, Record of Proceedings, paragraph 9](#)

²² Welsh Local Government Association, [written evidence](#)

²³ [Welsh Women's Aid, written evidence](#)

2022, and called for reporting on the implementation of the Blueprint to be "more regular and more detailed".²⁴

33. The Magistrates' Association commended the Blueprint for "its succinctness and its clarity, and taking a whole-person approach to the issue of female offenders", but told us that in a snapshot survey of the Association's members in Wales "only about 50 per cent of the magistrates who responded said that they knew about the Blueprint".²⁵

34. Dr Robert Jones argued that Wales is a "policy taker rather than a policy maker". He said that Welsh Government's efforts to transform services for women are frustrated by the constitutional structures that underpin the Welsh criminal justice system:

*"Even in those areas of criminal justice policy where it [the Welsh Government] has a clear focus ... the ability of devolved government to act as an effective policy maker is constrained and, ultimately, undermined by the fact that the UK Government controls most of the key criminal justice policy levers."*²⁶

Early intervention and prevention

35. Clinks suggested that the work being carried out on intervention and prevention "is probably an area where the progress on the Blueprint has perhaps been better than across the UK". They commended the Whole System Approach in particular but added that "more needs to be done to ensure that that level of activity can be maintained".²⁷

36. The Independent Monitoring Board at HMP/YOI Eastwood Park highlighted a lack of community-based support:

*"Both prisoners and prison healthcare staff with whom the Board had spoken were of the view that there were insufficient mental health services in the community to meet the high levels of need, resulting in early warning opportunities being missed and acutely mentally unwell individuals being sent to prison. The Board found that this was a particular issue with the services in Wales, compared to those in other areas."*²⁸

²⁴ Chwarae Teg, written evidence

²⁵ Equality and Social Justice Committee, 21 November 2022, Record of Proceedings, paragraphs 6 & 7

²⁶ Dr Robert Jones, written evidence

²⁷ Equality and Social Justice Committee, 24 October 2022, Record of Proceedings, paragraph 11

²⁸ Independent Monitoring Board at HMP Eastwood Park, written evidence

- 37.** The Royal College of General Practitioners (RCGP), explained that a lack of community services can lead to incarceration and the removal of support systems generating a “cycle of offending and incarceration without prospect for proper rehabilitation”.²⁹
- 38.** Contributors to our focus groups told us that they had not sought community-based support prior to receiving a custodial sentence. Some women said they were unaware of what support was available and others told us they had not accessed support due to the risk their children would end up in the care system. One contributor with experience of Child and Adolescent Mental Health Services (CAMHS) described the support she received as a “tick-box exercise”. She said that had she been listened to, she could have avoided ending up in prison.
- 39.** Witnesses widely acknowledged the complexities that often surround a woman’s pathway to offending, with many highlighting that females who find themselves in the criminal justice system have been victims themselves. Nearly 60 per cent of women who offend have experienced domestic abuse according to the Prison Reform Trust.³⁰ Research from ACE Hub Wales shows the prevalence of violence against women and domestic abuse in the lives of women who offend is substantial.³¹
- 40.** The WLGA noted the important role the criminal justice system can play in supporting women who are victims of violence against women domestic abuse and sexual violence (VAWDASV), and referred to the specialist Domestic Abuse Court at Cardiff Magistrates Court as an example of best practice.³²
- 41.** The Nelson Trust said more needs to be done to create opportunities through engagement with ‘first contact’ services (for example, health services, violence and domestic abuse agencies, advocacy and religious organisations).³³
- 42.** In November 2022 ACE Hub Wales published research which identified gaps in “knowledge around women who offend in Wales and the evidence base to inform the development and targeting of successful primary prevention and early intervention initiatives to prevent offending”.³⁴

²⁹ [Royal College of General Practitioners](#), written evidence

³⁰ [Prison Reform Trust](#), [Why focus on reducing women's imprisonment?](#), July 2021

³¹ ACE Hub Wales, [Identifying Women's Pathways to Offending and the Primary Prevention and Early Intervention Opportunities for Women at Risk of Offending in Wales](#), November 2022

³² Welsh Local Government Association, [written evidence](#)

³³ The Nelson Trust, [written evidence](#)

³⁴ ACE Hub Wales, [Identifying Women's Pathways to Offending and the Primary Prevention and Early Intervention Opportunities for Women at Risk of Offending in Wales](#), November 2022

43. South Wales Deputy Police and Crime Commissioner (PCC), Emma Wools, confirmed that commissioning partners across Wales were extensively engaged in investing in diversion services. While an initial focus had been on early intervention at point of arrest or for those who have stepped into the criminal justice system as a first-time offender, the PCC is now exploring the key drivers that contribute to increasing a women's risk of entering the system:

"[...] from our perspective, that's going to be a forward priority for the Blueprint programme. So, how can we get in, educate and support our wider universal services—so, as we've talked about, mental health, accommodation, social services, et cetera—around those key indicators that present and put women at a vulnerable risk of entering the criminal justice system?"³⁵

Women's Pathfinder Whole System Approach

44. Key elements of the Blueprint include the Women's Pathfinder Whole System Approach (WSA) and 18-25 Early Intervention Service.³⁶ Several witnesses including the WLGA, the Royal College of Psychiatrists and The Wallich welcomed these initiatives.³⁷

45. The Women's Pathfinder WSA is being delivered in Gwent and South Wales police force areas; it provides a range of person-centred, needs-led support to women including one to one support, interventions, signposting and referrals to specialist agencies.³⁸ The 18-25 Early Intervention Service also aims to divert young adults away from the criminal justice system and into interventions and support, based on assessed individual needs.

46. An independent evaluation by Cordis Bright in 2022³⁹ showed that between January 2020 and June 2021, 1,287 women were referred to the Women's Pathfinder WSA. A summary of the evaluation suggested that the programme is successfully engaging a range of people and providing them with positive experiences of support. The evaluation also revealed that the vast majority of those coming through the 18-25 Early Intervention Service were male (97 per cent).

³⁵ [Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraphs 219-220](#)

³⁶ Both programmes are funded by Gwent Police and Crime Commissioner (PCC), South Wales PCC, the Welsh Government and His Majesty's Prison and Probation Service (HMPPS).

³⁷ Welsh Local Government Association, [written evidence](#); Royal College of Psychiatrists, [written evidence](#); The Wallich, [written evidence](#)

³⁸ Welsh Government, [evidence paper](#)

³⁹ Cordis Bright, [The impact of the Women's Pathfinder Whole System Approach and 18-25 Early Intervention Service in Gwent and South Wales](#), April 2022

47. Safer Wales said:

"...delivering a more comprehensive WSA model such as that in South Wales and Gwent, beyond South Wales and Gwent would benefit all women in Wales."⁴⁰

48. Deputy PCC Emma Wools said that the PCC's office was in discussions to expand the WSA model into the Dyfed-Powys and North Wales areas and was exploring grant funding from the Ministry of Justice to achieve this.⁴¹

Women's Centres

49. Women's Centres provide a one-stop shop where women can access support on a range of issues including housing, mental and physical health, and domestic abuse. They offer a gender-specific, community-based, multi-agency approach to support all women, including those in contact with the criminal justice system. They can play an important role from early intervention through to post-release support. Most witnesses were supportive of community Women's Centres.

50. Clinks said:

"There is very strong evidence about women's centres, as mentioned in Baroness Corston's report—women's centres based in the local community, looking at the needs, providing holistic long-term voluntary and voluntarily entered into support."⁴²

51. The Nelson Trust highlighted their new Women's Centre in Cardiff, which was supported through capital funding from the Welsh Government and a contribution from the Ministry of Justice. The Centre received 418 referrals to support women involved in the criminal justice system between January and June 2022.⁴³ Witnesses including Clinks and HMPPS cited the North Wales Women's Centre as an example of good practice.⁴⁴ The North Wales Women's Centre works with partners in the public and third sectors to provide services to around 400

⁴⁰ Safer Wales, [written evidence](#)

⁴¹ [Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 157](#)

⁴² [Equality and Social Justice Committee, 24 October 2022, Record of Proceedings, paragraph 50](#)

⁴³ [The Nelson Trust, written evidence](#)

⁴⁴ [Equality and Social Justice Committee, 24 October 2022, Record of Proceedings, paragraph 61](#); [Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 222](#)

women each year, with 70-80 women attending the Centre daily. It is funded through a mix of grants, donations and contracts.⁴⁵

52. During the course of our inquiry it was announced that the North Wales PCC was withdrawing funding for delivery of the Women's Pathfinder project from the North Wales Women's Centre. We raised this with the North Wales PCC; he confirmed that from April 2023 a diversionary programme overseen by the Commissioner's office, Checkpoint Cymru, would deliver the Women's Pathfinder service.⁴⁶

53. Women in Prison's report, *The value of Women's Centres*, states that Women's Centres generate a nearly threefold return on public investment, by keeping women out of prison and easing demand for other services. However it also argued that:

*"due to persistent underfunding and increased demand for services over and since the pandemic, the network of specialist Women's Centres remains geographically patchy, and struggling to meet the levels of need."*⁴⁷

54. HMPPS confirmed plans to scope and launch additional centres across Wales:

*"That would be available for women who are participating in diversion schemes, women who are serving community sentences, women from the community who want to access services to support them, and women leaving prison. So, we are hoping to be able to build on the success of other women's centres—so, examples of women's centres that exist in Cardiff and in north Wales—to build on their success and from their lessons learnt, and to invest resources into developing those."*⁴⁸

55. Safer Wales called for further co-location arrangements for women's services across all parts of Wales.⁴⁹

56. Clinks said Wales could learn from the ways of working in Scotland, particularly as the demographic challenges are similar.⁵⁰ We heard that the Scottish Government is funding the Lilius Centre, which is made up of four houses with capacity for six women in each. Women will

⁴⁵ [North Wales Women's Centre](#)

⁴⁶ [Letter to the North Wales Police and Crime Commissioner, 12 January 2023](#); [Letter from the North Wales Police and Crime Commissioner, 16 January 2023](#)

⁴⁷ Women in Prison, [The value of Women's Centres](#), September 2022

⁴⁸ [Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 222](#)

⁴⁹ Safer Wales, [written evidence](#)

⁵⁰ [Equality and Social Justice Committee, 24 October 2022, Record of Proceedings, paragraph 149](#)

be encouraged to shop, order groceries and cook for themselves and it will build on the Bella Centre which opened in the summer and accommodates eight women.⁵¹

Welsh Government position

57. The Minister's paper stated that "significant" progress has been made "in designing and testing approaches that support the whole system approach vision of the Blueprint; it has already illustrated the benefits of a collaborative approach between devolved and non-devolved agencies and Non-Government Organisations (NGOs)."⁵²

58. The Welsh Government said that the Blueprint has developed an integrated data-set/single repository of evidence in relation to women:

"We have established quarterly pan Wales partnership reports produced to improve understanding and monitoring of trends in relation to women in the CJS. This is being supported by regular deep dives into data, where there is a need to further understand critical issues/areas."⁵³

59. We asked the Minister if she could provide data which evidences the impact of the Blueprint. She told us that discussions with Blueprint partners are underway and that further clarification would be provided in due course.

60. First Minister Mark Drakeford acknowledged good working relations between UK Government and Welsh Government officials, but pointed to the resourcing that the Welsh Government has provided in this area:

"[...] many of the other advances we've seen in Wales—a drug and alcohol court, a family dispute court—there wouldn't be examples in Wales if the Welsh Government wasn't putting funding into making those things happen, whereas they're fully funded by the UK Government when they happen in England. So, that takes me back into that sort of moral hazard territory. We do it because it's the right thing, we do it because we know it will make a positive difference to families and to the system in Wales, but we are paying for things that, in other places, the UK Government pays for fully and properly, whereas here in Wales, the Welsh Government finds itself always being expected to not just play our part in terms of joint working and so on,

⁵¹ Scottish Government, [New custodial unit for women](#), October 2022

⁵² Welsh Government, [evidence paper](#)

⁵³ Welsh Government, [evidence paper](#)

*but funding things that really are not for us to fund in order to make them happen."*⁵⁴

61. The Minister's paper emphasised the Welsh Government's support for the devolution of justice:

*"[...] the justice system and these fundamentally important services for women in Wales are split over two separate governments and two separate mandates. Despite our current effective partnership working, only the devolution of justice will allow us to take a truly integrated approach to supporting women and girls in Wales."*⁵⁵

Women's Pathfinder Whole System Approach

62. The Minister highlighted the Women's Pathfinder WSA (and 18-25 Early Intervention Service) as examples of how the Blueprint is being operationalised in South Wales and Gwent. She cited the Cordis Bright evaluation, which she said found that those referred to the WSA engaged well with it, and that they might not otherwise have engaged at that point in their involvement with the criminal justice system. She noted key features of positive engagement, including support being perceived as independent from the criminal justice system, and a tailored approach to location, type, intensity, and formality of engagement.⁵⁶

63. The Minister noted the importance of holistic support for women:

*"[...] at every level, it needs to be not just early intervention but how we support women to ensure that they don't have to certainly have a custodial sentence: use our day services, use our one-to-one services, but also work on all of the issues that we are responsible for in the Welsh Government, which, of course, is Violence against Women, Domestic Abuse and Sexual Violence, mental health, substance misuse. It's very much a cross-Government response."*⁵⁷

64. The Welsh Government's Delivering Justice for Wales strategy notes its intention to work with partners on the next steps for the Women's Pathfinder programme and further embed prevention and diversion activity in Wales.⁵⁸

⁵⁴ Committee for Scrutiny of the First Minister, 9 December 2022, Record of Proceedings, paragraph 67

⁵⁵ Welsh Government, [evidence paper](#)

⁵⁶ Welsh Government, [evidence paper](#)

⁵⁷ Equality and Social Justice Committee, 12 December 2022, Record of Proceedings, paragraph 7

⁵⁸ Welsh Government, Delivering Justice for Wales, May 2022

Women's Centres

65. The Minister recognised the value of community-based Women's Centres, and noted that the Welsh Government had previously provided one-off funding to the North Wales Women's Centre,⁵⁹ and funding from its community facilities programme for the Nelson Trust's Centre in Cardiff.⁶⁰ She acknowledged that a more sustainable model of funding is needed, and her official confirmed:

"Emma Wools, who has given evidence but is also the project manager for the Women's Justice Blueprint, has confirmed that they will be looking at funding and at the funding model as part of the Blueprint moving forward, as part of the roll-out of the diversionary system across Wales."⁶¹

Our view

The Women's Justice Blueprint

We commend the intentions and aspirations of the Blueprint. However, it is disappointing that, more than 15 years since the publication of the Corston report, there is still a lot of work to be done to prevent women being sent to prison unnecessarily for offences that could be dealt with more effectively in the community.

Whilst criminal justice is not devolved, the Welsh Government is responsible for services which intersect with the criminal justice system, including substance misuse, physical and mental health, and housing. The success of these services rely to a significant degree on collaboration and partnership working across devolved and non-devolved spheres. It is clear that awareness of the Blueprint is still patchy and ownership can be inconsistent. This needs to be better addressed by the Welsh Government working with its partners. The Magistrates' Association snapshot survey, which suggested that only around 50 per cent of the magistrates who took part were aware of the Blueprint, is of particular concern. While we appreciate the survey may not necessarily be representative of all magistrates, it does suggest that a lot more work is needed to improve awareness, and buy-in. It is an important task for the Welsh Government to rectify.

While the number of on-going schemes and pilots are indicative of the work being carried out in this area, we found it difficult to navigate. We believe there is a clear need to ensure this

⁵⁹ Equality and Social Justice Committee, 12 December 2022, Record of Proceedings, paragraphs 32-33

⁶⁰ Equality and Social Justice Committee, 12 December 2022, Record of Proceedings, paragraph 28

⁶¹ Equality and Social Justice Committee, 12 December 2022, Record of Proceedings, paragraph 34

information is easily accessible for all those involved in the criminal justice system. The Welsh Government should carry out a mapping exercise to ensure that all organisations involved have a clear understanding of what is happening on the ground.

The implementation update appears to be a comprehensive and succinct document; however it lacks the detail necessary to fully understand the progress made. Better use of data will also be key in terms of taking the Blueprint forward, to assess the work carried out so far and to inform future policy-making. We note that the Minister will be providing further clarification on data relating to the Blueprint and we call on the Welsh Government to publish data that evidences the Blueprint's impact, alongside updates on its implementation.

On the criminal justice system more broadly, we acknowledge and welcome the fact that the Welsh Government is pursuing a women-centred approach. However, we note the comments made by the First Minister in relation to resources and the "moral hazard" of providing Welsh Government funding for things that are not devolved. The question therefore arises of whether this approach is sustainable in the longer term, in an era of continuing pressure on budgets for public services.

The Welsh Government should map the cost of the services it provides to identify those which it is responsible for as part of the current devolution settlement, and those that currently fall within the responsibility of the Ministry of Justice.

This inquiry did not consider the devolution of powers over the criminal justice system in depth, and we note that the First Minister has indicated a preference for a "practical approach" to the issue. Given the harm to women arising from the current devolution settlement evidenced in this report, we believe that the Welsh Government should endeavour to obtain devolved responsibility for women's involvement in the criminal justice system as part of this practical approach.

Recommendation 1. The Welsh Government should map out the cost of the services it provides to identify those that it is responsible for as part of the current devolution settlement and those that currently fall within the responsibility of the Ministry of Justice. This work should be carried out by June 2023 and the Welsh Government should keep us informed of progress.

Recommendation 2. The Welsh Government should endeavour to obtain devolved responsibility for women's involvement in the criminal justice system.

Recommendation 3. To ensure the Women's Justice Blueprint is embedded, the Welsh Government should build on its visual explanation of the work of the Blueprint and provide an

in-depth overview of all on-going schemes and pilots, setting out who is responsible for delivery, timelines, actions taken and reports, to ensure that all organisations with an interest in supporting women in the criminal justice system are aware of what is happening on the ground. This work should be concluded by June 2023.

Recommendation 4. The Welsh Government should publish implementation updates on an annual basis, which include:

- a more detailed account of progress against the stated aims of the Blueprint; and
- the status and timelines of the pilots that are being carried out including next steps.

Early intervention and prevention

Throughout this inquiry, the importance of engaging with women as early as possible to divert them from potential criminality and a path that leads to the criminal justice system has been emphasised. Most women who enter the criminal justice system are victims themselves and it is vital that the services who encounter these women early on are able to recognise the warning signs and support or re-direct women to appropriate services.

Women's Pathfinder Whole System Approach

We commend the Women's Pathfinder Whole System Approach. It is a powerful example of collaborative working, and engaging with women to take account of individual needs and offer tailored support. We are encouraged to hear that the next steps for rolling out the programme across Wales are being addressed. We note that the 18-25 Early Intervention Service is aimed at all young adults, but with only 3 per cent of females going through the scheme, we question why it is so skewed towards males.

Given the crucial role of early intervention and prevention strategies in effecting change, the Welsh Government should set out how it plans to work with partners to scale up the Women's Pathfinder Whole System Approach so that it reaches all parts of Wales.

Recommendation 5. The Welsh Government should set out how it plans to work with partners to scale up its Women's Pathfinder Whole System Approach activity on early intervention and prevention so that it reaches all parts of Wales.

Women's Centres

It is evident that community Women's Centres play an important role at all potential stages of a woman's contact with the criminal justice system. Their links with local communities and support services demonstrate the collaborative approach that is necessary to assist women at risk of, or already part of the criminal justice system on their pathway to rehabilitation. It is also clear that women are more comfortable accessing these services which are deemed to be separate from the institutions directly linked to the criminal justice system.

Funding for these centres is often precarious, however. We note for example that the North Wales Police and Crime Commissioner plans to redirect funding from the North Wales Women's Centre for delivery of the Women's Pathfinder to an in-house operation, Checkpoint Cymru. This contrasts with the evidence we heard in support of the role played by Women's Centres. So we intend to monitor any potential impact on the sustainability of the North Wales Women's Centre in the longer term.

Identifying more sustainable sources of funding for Women's Centres must be a priority for the Ministry of Justice, the Welsh Government and HMPPS. We welcome HMPPS's work to scope and launch additional Women's Centres and the Welsh Government should work closely with them and local partners to identify where further Women's Centres would be beneficial, and develop sustainable funding streams to embed their development.

Recommendation 6. The Welsh Government should work closely with HMPPS and local partners to identify where further Women's Centres should be developed. Further, the Welsh Government should set out the plans it and other partners have to develop sustainable funding streams to support the creation and work of these Centres.

3. Reducing custodial sentences

Figures show that around 70 per cent of women given custodial sentences of under 12 months reoffend within a year.⁶² The Prison Reform Trust says that 60 per cent of the prison sentences given to women in Wales in 2021 were for less than six months, and 70 per cent were for less than 12 months.⁶³ There are questions regarding what these shorter sentences are delivering for women and our communities.

66. There was clear support from our evidence for the reduction of short custodial sentences in favour of community-based sentences and other measures.

67. Clinks suggested for a start, there should be "a preventative attitude within the system, so that we have a presumption towards diversion".⁶⁴

68. HMPPS agreed:

*"As a sector we should not wait for women to be embedded in the justice system to provide support and guidance. The earlier women at risk of entering the justice system can be identified and helped, the more families can stay together, and lives be improved."*⁶⁵

69. The Independent Monitoring Board at HMP/YOI Eastwood Park highlighted data from 2019 which showed that in the South Wales Police Force area, there was an imprisonment rate of 62 per 100,000, compared to 14 per 100,000 in Devon and Cornwall, the lowest in the prison's catchment area.⁶⁶

70. HMPPS pointed to work being done on discrepancies in custodial sentences, including passports for information for women:

⁶² Ministry of Justice, *Female Offender Strategy: Supporting data tables*, 2018

⁶³ Prison Reform Trust, [written evidence](#)

⁶⁴ Equality and Social Justice Committee, 24 October 2022, [Record of Proceedings, paragraph 132](#)

⁶⁵ HMPPS, [written evidence](#)

⁶⁶ Independent Monitoring Board at HMP Eastwood Park, [written evidence](#)

"We've targeted a couple of individual courts that seem to have higher than the national average rates to track the women through. So, we're able to provide information at point of arrest that then follows them through, so that we can be more proactive at accompanying them into court and providing court assessments to be able to be more likely to ask for pre-sentence reports, and provide assessments that recommend community sentences rather than them being sentenced without reports"⁶⁷

71. The Magistrates' Association stressed the importance of having consistently available alternatives to custodial sentences. They said the availability of community sentence rehabilitation treatment orders is "very patchy". They added that other non-custodial options are even more limited; citing the example of unpaid work where all that is available would mean women going into a situation dominated by men, and the challenges this presents.⁶⁸

72. HMPPS said they were trying to break the habit of sentencers imposing short-term prison sentences. They highlighted engagement work carried out with sentencers, which looked at custodial sentences for women and provided evidence about how they can be ineffective, raising the profile of community sentences and other alternatives to custody and how they can be more effective.⁶⁹ They advised that a lot of community sentences have been difficult for women to engage with, because their specific needs have not been taken into account.⁷⁰

73. Data provided by HMPPS suggested that there have been improvements in reducing the number of women given custodial sentences, but they acknowledged that longer-term analysis was needed:

"Internal management data from 2019-2021, has pointed towards an improving picture in terms of a reduction in the overall volume of female custodial sentences and short custodial sentences (of 12 months or under). Local data indicates that there were 552 custodial sentences of women in Wales in 2019. In 2021, the figure had dropped to 380. This data has also indicated a reduction in custodial sentences of women of 12 months and under, from 439 in 2019 to 278 in 2021. Longer-term analysis of the data, and

⁶⁷ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 204

⁶⁸ Equality and Social Justice Committee, 21 November 2022, Record of Proceedings, paragraph 24

⁶⁹ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 203

⁷⁰ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 211

*a review of the most recent full year data for 2022, will be required to provide assurance of positive long-term trends in sentencing.*⁷¹

The proposed Residential Women's Centre

74. In 2018 the UK Government set out plans to pilot 'residential women's centres' in at least five sites across England and Wales.⁷² Residential Women's Centres are part of the government's approach to addressing the root cause of women's offending behaviour and offer an alternative to prison sentences.

75. It was announced that the first Residential Women's Centre (RWC) would be in Wales and it was due to be opened by the end of 2021. The Ministry of Justice considered a number of sites across south Wales; the proposed sites included Sunnyside House in Bridgend and the Atlantic Hotel in Porthcawl, and both plans were withdrawn following opposition by Bridgend Council.⁷³ In May 2022 the UK Government announced that, subject to planning permission, the centre would be located in Swansea.

76. The 12 bed centre is due to open in 2024 with a £10 million UK Government investment over three years. It will accommodate 48 women a year who would otherwise have been given a prison sentence of 12 months or less. It will be run by HMPPS which will procure specific interventions from women's services providers. Women at the centre will be on community orders⁷⁴ passed by sentencers. They will sign an agreement on joining, to include rules about behaviour on and off site; failure to comply with their agreements will lead to their place being withdrawn and a return to court. The women will receive one-to-one mental health therapy, counselling and support to overcome addictions and help to find a job and maintain family relationships.

77. In a statement supporting its planning application, HMPPS cited the Eden House Approved Premises in Bristol and the Anawim Residential Women's Centre in Birmingham as existing similar provision, noting that Anawim receives referrals including women released from custody as well as community referrals.⁷⁵

⁷¹ HMPPS, [additional evidence](#)

⁷² UK Government, [Female Offenders Strategy](#), June 2018

⁷³ Bridgend County Borough Council, [Sunnyside House no longer on list of possible locations for offenders centre](#), May 2021

⁷⁴ Sentencing Council, [Community sentences](#)

⁷⁵ City and Council of Swansea, [Final Committee Report](#), September 2022

- 78.** The planning application was rejected by Swansea Council in November 2022 but Lord Bellamy, Parliamentary Under-Secretary of State for Justice, confirmed on 5 December 2022 that the UK Government was working with the Welsh Government to appeal the decision.⁷⁶
- 79.** The Prison Reform Trust, Clinks, the Royal College of General Practitioners Wales and the Howard League for Penal Reform were all unclear about the purpose of the RWC. The Howard League for Penal Reform feared that the centre would “become a prison in all but name”, and warned that the centre “risks being an opportunity squandered”.⁷⁷
- 80.** The Nelson Trust highlighted the important role that third sector organisations play in supporting women. They argued that residential alternatives should not be run solely by HMPPS and recommended the use of specialist expertise.⁷⁸
- 81.** The Prison Reform Trust questioned the residential element of the centre:

“[...] given that the centre is only intended to serve the women in the local community, we're unclear as to what the residential requirement is designed to achieve because the residential requirement disrupts home and family life and caring responsibilities in similar ways to a short prison sentence.”⁷⁹

- 82.** When asked whether women in the centre would be incarcerated, HMPPS explained: “It's purely a residential facility, so it would be more akin to supported accommodation”.⁸⁰ They clarified:

“[...] the target group that we are looking at to support with the Residential Women's Centre would be that low and medium risk of harm group of women who may have committed an offence that meets the threshold of a custodial sentence but don't actually require a custodial sentence to protect the public. [...] what we're trying to do through the Residential Women's Centre is to provide a safe environment for women who may otherwise be very vulnerable to give them an intensive support to engage with a community sentence.”⁸¹

⁷⁶ Legislation, Justice and Constitution Committee, 5 December 2022, Record of Proceedings, paragraph 134

⁷⁷ Equality and Social Justice Committee, 24 October, Record of Proceedings, paragraph 24

⁷⁸ The Nelson Trust, written evidence

⁷⁹ Equality and Social Justice Committee, 24 October 2022, Record of Proceedings, paragraph 29

⁸⁰ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 181

⁸¹ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 178

- 83.** Clinks questioned whether the RWC would mean “the diversion of prioritised resources and money from existing services”.⁸² The Prison Reform Trust said that investment in the centre “should not lead to the neglect of, and reduction in funding for, existing women’s centres”, which they said require long-term funding in order to establish community provision for women on a sustainable basis.⁸³
- 84.** The Nelson Trust highlighted “the assumption that support will be provided via the Hub by community providers who hold relevant contracts” and said “it is not clear how these providers will be involved and what financial envelope would be available for this key partnership working”.⁸⁴
- 85.** The location of the proposed RWC and who it would serve were raised by the Nelson Trust and Welsh Women’s Aid. They warned that the provision of services for local women only could be problematic. The Nelson Trust explained that many women are “intrinsically linked through relationships and social networks which are not always healthy” and that this could “counteract the therapeutic environment.”⁸⁵ They highlighted the risks associated with having a “public facing” women’s centre located on the same site as the RWC “for women who are residents who are survivors of domestic abuse as the address of the RWC would be public.”
- 86.** The Nelson Trust suggested that an alternative to an RWC could be “a modular Women’s Centred accommodation model with 24 hour staff on site and direct access to the local Women’s Community Centre where women could work on their community sentence requirements within their communities.”⁸⁶
- 87.** HMPPS, the South Wales PCC and Public Health Wales all articulated arguments in support of the RWC. The South Wales PCC said the RWC will accommodate women close to home, in a “secure, homely environment with intensive rehabilitation support”. Women in the local community will be able to benefit from services provided on a non-residential basis.⁸⁷
- 88.** HMPPS said women will be offered one-to-one mental health therapy and counselling to address trauma and addictions, and support to secure employment and maintain family relationships. They confirmed that the RWC would serve women from the Swansea Neath Port

⁸² Equality and Social Justice Committee, 24 October 2022, Record of Proceedings, paragraph 37

⁸³ Prison Reform Trust, [written evidence](#)

⁸⁴ The Nelson Trust, [written evidence](#)

⁸⁵ The Nelson Trust, [written evidence](#)

⁸⁶ The Nelson Trust, [written evidence](#)

⁸⁷ South Wales Deputy Police and Crime Commissioner Emma Wools, [written evidence](#)

Talbot local delivery area.⁸⁸ Discussing the delays, they argued that ongoing support from the Welsh Government and other partners is “vital” to get the RWC established.⁸⁹

89. HMPPS said the proposed 12-week stay for women is supported by research which shows that is the optimum time to support someone intensively before allowing them to access services independently; “after the 12 weeks, they would still be subject to support from the centre and from the probation service”.⁹⁰

90. We asked HMPPS for further information on the research used to support the proposal for 12-week stays. They told us that the Ministry of Justice had looked at similar existing good practice in determining the length of time women should reside at the RWC. They highlighted their expectation that women attending the RWC would otherwise have received a custodial sentence of up to a year. They noted that existing provision at the time of their initial research included:

- Changing Lives model in Northumbria where individuals are initially placed in an assessment centre for up to 12 weeks;
- Willowdene Farm in West Mercia where attendees reside at the farm for between 7 and 12 weeks; and
- The Nelson Trust’s therapeutic residential addiction treatment for women, which lasts about 12 weeks.⁹¹

91. Public Health Wales spoke of their aspirations for the RWC:

“[...] we hope that the publication of the National Trauma Practice Framework will support the development of the Swansea RWC as trauma informed from the start, building in relevant training, expertise and support for the women depending on their needs and taking into account the principles of the framework.”⁹²

⁸⁸ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 189

⁸⁹ HM Prison and Probation Service Wales, [written evidence](#)

⁹⁰ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 187

⁹¹ [HMPPS, additional information](#)

⁹² Public Health Wales, [written evidence](#)

92. The Wallich set out its hope that the RWC will “put partnership working at the forefront and provide useful evidence to replicate this much-needed service in other parts of Wales as a matter of urgency”.⁹³

93. The WLGA noted the importance of considering the concerns of local communities when deciding the location of any centre, and added that local authorities should be fully involved, consulted and engaged in the development and operation of such schemes.⁹⁴

94. Public Health Wales recommended learning from existing practice, and highlighted Trevi House, a residential rehabilitation centre in Plymouth:

“We can learn from examples such as Trevi House in Plymouth, where this has been done very successfully and these facilities are just part of the community itself, so that we don't 'other' people, label people or accidentally, without intention, create something that wasn't there before and just keep going with the generation of a lack of understanding of the experience of these women and what supports them most.”⁹⁵

95. In its 2022 report, the Justice Committee recommended that the Ministry of Justice should set out how RWCs will operate in practice in greater detail, including how they will differ from custody. It also called for the Ministry of Justice to set out how it intends to evaluate and report on the effectiveness of the pilot.⁹⁶ The Ministry of Justice accepted the recommendation, and noted that the operating model for the centre was under development. It confirmed:

“Once that work is complete, we will develop operational instructions and guidance for staff, providers, courts, and the judiciary as appropriate. We are about to run a feasibility study to assess best options for evaluating the RWC in Wales.”⁹⁷

Out-of-court disposals

96. Out of Court Disposals (OOCs) are a way of concluding criminal investigations without proceeding to a formal court prosecution. They are administered to offenders to enable the

⁹³ The Wallich, [written evidence](#)

⁹⁴ [Welsh Local Government Association, written evidence](#)

⁹⁵ [Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 23](#)

⁹⁶ [UK Parliament Justice Committee, Women in Prison inquiry, July 2022](#)

⁹⁷ House of Commons Justice Committee, [Women in Prison: Government Response to the Committee's First Report](#), October 2022

police to deal proportionately with mainly (but not exclusively) low-level, often first-time offending.

97. The UK Female Offender Strategy makes a commitment to improve the use of OOCs. The Strategy states that “under the current system, too many disposals are simply warnings not to reoffend and fail to address underlying causes of the offending behaviour through attaching conditions”. However, the Justice Committee’s 2022 report said there is no clear evidence to suggest that more women have been diverted away from custody through improved use of OOCs since publication of the strategy.⁹⁸

98. Deputy PCC for South Wales, Emma Wools, told the Committee that OOCs are being used across all four police forces and over 2,000 women have been referred into those services over the past two years.⁹⁹

99. The Magistrates’ Association said:

“[...] it is very important that there is consistency in the way that they are used, as far as the offences that they are used for, and also the nature of the out-of-court disposals as well”.¹⁰⁰

100. The Magistrates’ Association wanted OOCs to be consistently monitored and scrutinised to make sure that they are working well with other parts of the justice system.

101. The UK Government’s response to the Justice Committee’s report *Women in Prison* in October 2022 confirmed that the use and effectiveness of OOCs is under review.¹⁰¹

Pre-sentencing Reports

102. The aim of Pre-sentence Reports (PSRs) is to provide the courts with a clearer understanding of the background and context of an individual’s behaviour. In Wales, in 2019 the total number of PSRs prepared had fallen by 25 per cent since 2014.¹⁰²

⁹⁸ UK Parliament Justice Committee, *Women in Prison inquiry*, July 2022

⁹⁹ Equality and Social Justice Committee, 21 November 2022, Record of Proceedings, paragraph 200

¹⁰⁰ Equality and Social Justice Committee, 21 November 2022, Record of Proceedings, paragraph 12

¹⁰¹ House of Commons Justice Committee, *Women in Prison: Government Response to the Committee’s First Report*, October 2022

¹⁰² Wales Governance Centre, *Prison, Probation and Sentencing in Wales: 2019 Factfile*, September 2020

103. We heard that a push for 'on the day reporting' and for 'speedy justice' often leads to PSRs being completed on the day of sentencing. This timescale limits the level of detail that can be provided.¹⁰³

104. The Magistrates' Association referred to the snapshot survey of Association members, which indicated that PSRs have improved in recent times. However, they noted that the view of PSRs specifically to do with female offenders was less positive:

*"[...] about a third rated them as 'good' or 'very good' and two thirds 'okay' or 'poor'. It's clear that there's still an issue there about provision. There were comments about 'little provision', 'not aware of anything in my local area', which were very frequent as far as the detail of the feedback. And around about three quarters were unaware of any local women's centre in their local area as well."*¹⁰⁴

105. In terms of sentencing decisions, the Magistrates' Association argued that PSRs play a key role:

*"[...] the key is through the pre-sentence report, both in terms of what it contains, understanding the needs and the particular circumstances of the offender, and of the options that are available."*¹⁰⁵

Welsh Government position

106. Reducing the numbers of women going to prison is a key aim of the Women's Justice Blueprint. The Welsh Government says:

*"The Women's Blueprint project is seeking to reduce the number of women sentenced to short-term custody through a Whole System Approach focus. This has included strengthening early intervention and diversion opportunities so as to reduce escalation in complexity and prevent formal entry into the Criminal Justice System, whilst also strengthening the wider community-based provision for women to ensure there are robust community-based solutions in place to address needs relating to female offending."*¹⁰⁶

¹⁰³ Women's experiences of the criminal justice system Note of Meeting – His Majesty's Prison and Probation Service (HMPPS) January 2023

¹⁰⁴ Equality and Social Justice Committee, 21 November 2022, Record of Proceedings, paragraph 9

¹⁰⁵ Equality and Social Justice Committee, 21 November 2022, Record of Proceedings, paragraph 23

¹⁰⁶ Welsh Government, evidence paper

107. The Minister told us:

"[...] it is part of the work stream of the Women's Blueprint, and it's a devolved and non-devolved blueprint, to ensure that sentencers do fully understand the impact of unnecessary custodial sentences for those short-term sentences."¹⁰⁷

The proposed Residential Women's Centre

108. Speaking about the proposed RWC, the Minister told us that it would "complement the aims of the Blueprint in strengthening community-based provision for women", and that evidence gathered through the work of the Wales Women's Partnership Report had helped to inform the decision to pilot the new RWC in Swansea.¹⁰⁸ She said:

"[...] we've worked hard to get this women's residential centre in Wales, and it is the pilot. If you look back to when this was agreed [...] it was regarded as a ground breaking residential women's centre. [...] We are being piloted for England and Wales as an alternative to women's prison, so it is vital that we get this right [...]"¹⁰⁹

Pre-sentencing Reports

109. The Minister highlighted the focus of the HMPPS Pre-sentence Report pilot, that all women ought to be considered for a Pre-sentence Report, to ensure that an individual, trauma-informed approach is taken from the outset. The aim is to encourage alternatives to custody to be considered and imposed.¹¹⁰

Our view

We recognise that some women are in prison by virtue of the seriousness of their crimes. However, the detrimental impact of short custodial sentences is clear. We were shocked to hear anecdotal evidence of prison stays that lasted less than one week, including over Christmas. The average stay for a woman at HMP Eastwood Park is 42 days. This is just enough time for a woman to lose her home, her job, and her family; but not enough time for any meaningful intervention which aims at rehabilitation or tackling underlying issues.

¹⁰⁷ Equality and Social Justice Committee, 12 December 2022, Record of Proceedings, paragraph 68

¹⁰⁸ Welsh Government, [evidence paper](#).

¹⁰⁹ Equality and Social Justice Committee, 12 December 2022, Record of Proceedings, paragraph 57

¹¹⁰ Welsh Government, [evidence paper](#).

While the evidence we received was overwhelmingly in favour of reducing custodial sentences, particularly short sentences, it was also clear that there is limited availability of alternatives across Wales. This is hampering the ability of sentencers who too often think they have little choice but to imprison women who could respond better to community or non-custodial alternatives.

The engagement work being carried out by HMPPS with sentencers is vital in terms of improving the understanding of alternatives to custody, but it will bear no fruit if alternatives are not consistently available. Custodial sentences should be a last resort; women who do not pose a threat to society should not be going to prison for minor offences. The Welsh Government should work with the Ministry of Justice and HMPPS to identify gaps and to ensure that there are sufficient community-based options available specifically to women across Wales.

Recommendation 7. The Welsh Government should work with the Ministry of Justice and HMPPS to identify gaps and to ensure there are sufficient community-based alternatives to custody available specifically for women across Wales.

The proposed Residential Women's Centre

We recognise that the proposed Residential Women's Centre offers sentencers an alternative to sending a woman to prison. We heard differing views on the centre, and were grateful for the additional clarity offered by HMPPS and the Deputy Police and Crime Commissioner around how it will operate and the geographical reach of the centre (Swansea and Neath Port Talbot). However, we heard concerns about the residential element; the funding and management arrangements; the definition of the catchment area; and questions about efforts to involve the local community. Engagement with local authorities, stakeholders and local communities will be key to its success.

Without greater clarity from government regarding the purpose of the pilot and the services to be offered to women by the RWC, there are risks that stakeholders' concerns will be realised. To ensure the success of the pilot, should it go ahead, it is vital that it is made clear to sentencers that it exists as an alternative to a prison sentence; that it should not replicate the harms of sending a woman to prison far from home; and that women can access specialist support both during their stay at the centre and over the longer term. We note that the UK Government has confirmed it will develop operational instructions and guidance for courts and the judiciary and the Welsh Government should work with the Ministry of Justice to ensure that Wales is represented in this work.

In terms of funding arrangements, the Welsh Government should set out what financial contribution it will be expected to make to supporting women at the centre, should it go ahead,

and what the funding implications might be for the City and County of Swansea and the Local Health Board.

We are also keen to establish that the development of the Residential Women's Centre should not be to the detriment of community Women's Centres planned or already operating in Wales.

Recommendation 8. The Welsh Government must work with counterparts in the Ministry of Justice and with HMPPS to more clearly articulate the purpose and services the proposed Residential Women's Centre will offer.

Recommendation 9. The Welsh Government should work with the Ministry of Justice to ensure that Wales is represented in the development of the operational instructions and guidance relating to Residential Women's Centres.

Recommendation 10. The Welsh Government should set out what financial contribution it will be expected to make to supporting women at the pilot centre, should it go ahead, and what the funding implications might be for the City and County of Swansea and the Local Health Board.

Pre-sentencing Reports

Pre-sentencing Reports can be key in helping sentencers understand a woman's situation (including impact on any children and any other extenuating circumstances that may be relevant) and provide a range of options for sentencing. Pressures on the criminal justice system, including court backlogs and the need for 'speedy justice' are leading to inconsistent application of pre-sentencing reports and we were disturbed to learn that their use has fallen in Wales by 25 per cent since 2014. The Welsh Government should work with HMPPS to closely monitor the use of PSRs.

Recommendation 11. The Welsh Government should work with HMPPS to monitor the use of Pre-Sentencing Reports and identify inconsistencies, including on the impact on children's welfare. The Welsh Government, with HMPPS, should set out how it plans to ensure a more consistent and improved use of Pre-Sentencing Reports across Wales.

4. Custodial provision and support

“The prison system as a whole is designed around the needs of the male majority. Prison rules and prison policy neither support nor prioritise women’s health and well-being.”¹¹¹

110. The Nelson Trust state:

“The way prison health and social care in Wales is funded, commissioned, and delivered is a complex and confusing picture resulting in a very mixed bag of services across Wales.”¹¹²

111. Welsh Women’s Aid (WWA) told us that women’s experiences are not considered in a needs-led, trauma-informed manner and the support provided is often siloed.¹¹³ The need to provide holistic support was echoed by the Royal College of Psychiatrists Wales, Chwarae Teg and The Wallich.¹¹⁴

112. WWA called for the development of clear strategies which not only address criminal behaviour and provide support for women in contact with the criminal justice system, but also identify and support those who are exploited by criminal gangs or forced into criminal behaviour by perpetrators of all forms of violence.¹¹⁵

113. HMPPS and the Deputy PCC confirmed that an Independent Domestic Violence Advisor (IDVA) is in place in HMP Eastwood Park who is also supporting those in HMP Styal.¹¹⁶

114. The Royal College of Speech and Language Therapists (RCSLT) noted that women with communication needs “will face barriers at all stages of the criminal justice pathway”.¹¹⁷

115. Fair Treatment for Women in Wales (FTWW) argued that ableist attitudes persist in the criminal justice system, as in society more widely. They note that a lack of awareness of the varying types and impact of impairment and a failure to offer appropriate support have the

¹¹¹ [Howard League for Penal Reform, written evidence](#)

¹¹² [The Nelson Trust, written evidence](#)

¹¹³ [Welsh Women’s Aid, written evidence](#)

¹¹⁴ [Royal College of Psychiatrists Wales, written evidence](#), [Chwarae Teg, written evidence](#), [The Wallich, written evidence](#)

¹¹⁵ [Welsh Women’s Aid, written evidence](#)

¹¹⁶ [Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 235](#)

¹¹⁷ [Royal College of Speech and Language Therapists, written evidence](#)

potential to make custodial settings particularly challenging for those affected, and they call for mandatory training on disability awareness, which should incorporate female-specific health issues.¹¹⁸

116. The Independent Monitoring Board (IMB) at HMP Eastwood Park referenced a survey of minoritised prisoners which was carried out in June 2021, in a joint project with the Criminal Justice Alliance and IMBs across the women's prison estate. The survey included foreign nationals and Gypsy, Roma and Traveller women. At the time of the survey, there were 44 prisoners within scope at Eastwood Park and the Board received 30 survey responses. While there were some examples of positive interactions between prisoners and staff, almost half of the respondents said that the prison understood their cultural or other additional needs poorly or very poorly.¹¹⁹

117. Contributors to our focus groups had little knowledge about their rights and their entitlement to support, and who could support them to access those entitlements. They suggested that awareness raising around the role of elected Members and support to access them could be beneficial.¹²⁰

Impact of maternal imprisonment on children

118. Figures from the Prison Reform Trust state that an estimated 17,000 children are affected by maternal imprisonment each year.¹²¹ Figures also suggest that an average 600 pregnant women are held in prison each year.

119. There are six Mother and Baby Units in prisons in England where women can apply to stay if they have a child under 18 months old when they enter prison or give birth in prison. Both HMP Eastwood Park and HMP Styal have Mother and Baby Units.

120. The impact of custodial sentences on families was widely acknowledged by our witnesses. With no women's prisons in Wales, women in custody will be 100 miles from their homes on average; this distance between mother and child, the associated costs and time pressures on carers impacts on the number of visits and the trauma experienced by children.

¹¹⁸ Fair Treatment for the Women of Wales, [written evidence](#)

¹¹⁹ Independent Monitoring Board at HMP Eastwood Park, [written evidence](#)

¹²⁰ [Summary of Engagement](#)

¹²¹ [Prison Reform Trust. Why focus on reducing women's imprisonment?. July 2021](#)

121. Public Health Wales said:

"[...] one of the things that we're very clear about from a public health perspective is that the experience of motherhood in custody, whatever that may look like, whether it's pregnancy, whether it's actually having the child or whether there are children at home who need to maintain access, at the moment, with women being placed in prisons in England, it's not working for women."¹²²

122. Several witnesses, including the Royal College of Nursing pointed to the additional challenges posed as a result of maternal imprisonment.¹²³ The Royal College of Psychiatrists Wales noted: "Women need to retain links with their children in order to break the cycle of trauma which too often leads to the disintegration of lifetimes and families."¹²⁴ This was echoed by the Nelson Trust:

"Research indicates that children who have experienced maternal imprisonment are at greater risk of unemployment, addiction and of coming into contact themselves with the criminal justice system in later life."¹²⁵

123. Clinks and Public Health Wales highlighted the Visiting Mum service, which provides support to children in Wales to visit their mothers in prison. Public Health Wales told us that while it is showing positive signs in terms of the experience of women who have access to their children, it needs to be formally evaluated.¹²⁶ The service is based on a three-year pilot, which was created by PACT (Prison Advice and Care Trust) and run in partnership with HMP Eastwood Park between 2014 and 2017.¹²⁷

124. Contributors to our focus groups were broadly positive about the Visiting Mum service, and we heard specific examples of how it had helped to re-build family relations. However, others raised concerns about distance and travel costs. One noted: "My family are on benefits ... how can they come up here."¹²⁸

¹²² Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 101

¹²³ Royal College of Nursing, written evidence

¹²⁴ Royal College of Psychiatrists Wales, written evidence

¹²⁵ The Nelson Trust, written evidence

¹²⁶ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 102

¹²⁷ Cardiff University, Final report June 2017: Evaluation of Visiting Mum Scheme, June 2017

¹²⁸ Summary of Engagement

125. Clinks argued that there is a “dearth of flexibility” around models, which does not allow for consideration of an individual child’s needs.¹²⁹

Health care and substance misuse

126. The Royal College of Nursing noted the difficulties of accessing healthcare for women who live in Wales but are in prison in England, citing problems with the sharing of patient records, delays in receiving treatment and continuity of treatment in Wales prescribed while in prison in England.¹³⁰

127. Figures from the Prison Reform Trust state that women in prison are more likely than men to report having a drug or alcohol problem on entry into prison (46 per cent/ 28 per cent for women to 27 per cent / 17 per for cent men).¹³¹

128. Prisoners in our focus groups explained that many women with existing substance misuse issues experience withdrawal upon arriving at the prison due to the delay in being given medication. One explained that she needed methadone but had to wait; she described “rattling” whilst waiting for the methadone.

129. We raised a specific concern with the Minister that women from Wales had been unable to access Buprenorphine (a medicine used to treat dependence on opioid drugs) when in custody in England, as a consequence of different provision across NHS Trust areas. The Minister confirmed she had raised the issue with Damien Hinds, Minister of State at the Ministry of Justice, and that officials “are taking forward work in this area to improve how pathways are operating”. She told us she would continue to pursue this as part of her ongoing engagement with the Minister.¹³²

130. The UK Health Security Agency (HSA) said that prisons which hold a higher proportion of Welsh women have some of the poorest performance in terms of women successfully completing drug and alcohol treatment programmes.¹³³ Dr Chantal Edge referred to a forthcoming NHS England review into women's prison health and social care, due to have been published in autumn 2022, and confirmed it will have a chapter on substance misuse.¹³⁴ She noted that the UK HSA was a partner in the review, which had been “very multi-disciplinary”. She added that she had not been privy to specific information around women from Wales as

¹²⁹ Equality and Social Justice Committee, 24 October 2022, Record of Proceedings, paragraphs 119-120

¹³⁰ Royal College of Nursing, written evidence

¹³¹ Prison Reform Trust, *Why focus on reducing women's imprisonment?*, July 2021

¹³² Letter from the Minister for Social Justice, 19 January 2023

¹³³ UK Health Security Agency, written evidence

¹³⁴ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 74

part of the review, but noted that did not mean Welsh women had not been considered as part of other working groups.¹³⁵

Residential detoxification

131. Several witnesses raised the need for residential detoxification. The Nelson Trust said that there should be a range of suitable options for those with substance dependency. It suggests that where drug and alcohol use is the primary driver of offending, women should have the option of residential rehabilitation.¹³⁶

132. HMPPS referred to the Gellinudd Recovery Centre, a residential mental health facility run by Hafal in Neath as an example of good practice.¹³⁷

133. Referring to residential detoxification Clinks explained:

"There is also very good evidence around residential detoxification and rehab centres for women, including one run by the Nelson Trust, just at the other side of the English-Welsh border. [...] there is very strong evidence about having good community-led, community-based services meeting the identified needs of women in contact with your local criminal justice system."¹³⁸

Welsh Government position

Maternal imprisonment

134. Supporting women from Wales to build and maintain positive family relationships and to help mitigate the impact of parental imprisonment on children is a key priority within the Blueprint.

135. The Welsh Government's written evidence highlights the Visiting Mum service, which is jointly funded by the Welsh Government and HMPPS and run by PACT.¹³⁹ The Minister told us that the service identifies women who are at risk of losing contact with their children and offers

¹³⁵ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 84

¹³⁶ The Nelson Trust, [written evidence](#)

¹³⁷ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 265

¹³⁸ Equality and Social Justice Committee, 24 October 2022, Record of Proceedings, paragraph 50

¹³⁹ Welsh Government, [evidence paper](#)

specialist support to preserve and strengthen family ties. The service supported 68 families and 130 children between July 2021 and the end of August 2022.¹⁴⁰

136. The Minister also noted that remote 'purple visits' were introduced during the pandemic to ensure continued as well as remote contact between mothers in the criminal justice system and their children.¹⁴¹

137. We asked the Minister whether practice guidance is available to local authorities and social services to ensure that children and women are reunited in a child-focused way. She confirmed that no specific practice guidance existed but that guidance was provided in line with the *Social Services and Well-being (Wales) Act 2014*, Part 6 Code of Practice (Looked After and Accommodated Children). She elaborated:

*"This Code of Practice includes principles that Local Authorities should work in partnership with the family and the child or young person to enable them to be reunited with the family where possible, provided that this is consistent with the individual child's well-being. The child's well-being is the paramount consideration at all times and each child's views, wishes and needs for contact should be individually considered and regularly assessed."*¹⁴²

Healthcare and substance misuse

138. We asked the Minister about the level of support for women coming into the criminal justice system, whose main presenting factor is their drug addiction. She told us:

*"The main substance misuse services within Wales for women entering the criminal justice system are commissioned by HM Prison and Probation Service (HMPPS). HMPPS is represented on all the Area Planning Boards (APBs) who are responsible for conducting needs assessments and the commissioning and monitoring of substance misuse services."*¹⁴³

139. The Minister noted that the Welsh Government has recently consulted on a Substance Misuse Treatment Framework (SMTF) for Prisons, which specifically covers the needs of women, and this includes actions to ensure continuity of care both at the start of a custodial sentence

¹⁴⁰ [Letter from the Minister for Social Justice, 19 January 2023](#)

¹⁴¹ Welsh Government, [evidence paper](#)

¹⁴² [Letter from the Minister for Social Justice, 19 January 2023](#)

¹⁴³ [Letter from the Minister for Social Justice, 19 January 2023](#)

and on release. She added: "Given that custodial sentences mean women will serve their sentences outside Wales, we are aware of the challenges this presents."¹⁴⁴

Our view

Women who do have to serve a custodial sentence need to have access to appropriate support. We were concerned to learn of the conditions reported as a result of the inspection of HMP Eastwood Park and note that the Minister has sought urgent meetings to address the issues raised.

We were disappointed to hear of how few of the women we spoke to had a clear idea about their rights and their entitlement to support. Exploring the role of Members of the Senedd, the women had not considered this would be an option available to them and said awareness-raising around elected Members' role and support to access them could be beneficial. The Welsh Government should liaise with PACT to ensure prisoners are made aware of the support available to them, including how to contact elected Members from their home constituencies, to ensure people have equitable access to services they are entitled to.

Recommendation 12. The Welsh Government should liaise with PACT to ensure prisoners are made aware of the support available to them, including how to contact elected Members from their home constituencies, to ensure people have equitable access to services they are entitled to.

Maternal imprisonment

The detrimental impact of maternal imprisonment on the individual and their families cannot be overstated.

The Visiting Mum service plays a vital role in keeping women connected with their children. However, it is not a solution that will suit every family. The service should be formally evaluated with a view to learning from women's experiences and exploring how greater flexibility can be woven into it to account for the needs of individual families.

The Minister also referred to the 'purple visits' which are designed to ensure families stay connected remotely and were set up during the pandemic. We heard mixed views from women in prison about the service, with some telling us they had problems with connections and others noting that there were not enough staff to support the activity. Such connections are crucial for

¹⁴⁴ Letter from the Minister for Social Justice, 19 January 2023

families who are unable to travel and so the Welsh Government should engage with the Ministry of Justice and HMPPS to ensure that adequate resources are available to give greater priority to this work.

In terms of supporting women's resettlement into family life in a child-focused way, we note that guidance is available to local authorities through the Social Services and Well-being (Wales) Act 2014. However, given the specific nature of reuniting women with their children following a custodial sentence, we consider there is scope for more tailored guidance to be made available.

Recommendation 13. The Welsh Government should work with the Ministry of Justice and HMPPS to:

- carry out a formal evaluation of the Visiting Mum project;
- assess whether there are sufficient resources in place to facilitate work that enable families to stay connected such as the 'purple visits'.

Recommendation 14. The Welsh Government should create tailored guidance for local authorities to ensure that women are reunited with their children in a child-focused way following a custodial sentence.

Healthcare and substance misuse

We were particularly concerned to hear of the difficulties being faced by women in accessing medicines to support drug rehabilitation treatment. It is vital that there is a more joined up approach.

We were pleased that the Minister has already taken steps to address the specific issue of access to Buprenorphine with the UK Government and the Welsh Government should continue to keep us updated on this issue.

We heard of the benefits of residential detoxification, and women we spoke with suggested they did not have ready access to detoxification schemes. We are aware that such schemes do exist in Wales, such as the Brynawel Residential Centre. These can play an important preventative role, as well as supporting women on release from prison. The Welsh Government should set out what residential detoxification provision is available for women in the criminal justice system, and how it is delivered.

We were disappointed that we were not able to consider the NHS England review into women's prison health and social care as part of our evidence gathering. We also have concerns that the

review will not pay sufficient regard to clinical best practice in Wales and the needs of Welsh women in prison. The Welsh Government should share its view on the review once it is published and set out whether it intends on taking action as a result of its findings.

Recommendation 15. The Welsh Government should set out what residential detoxification provision is available for women in the criminal justice system, and how it is delivered.

Recommendation 16. The Welsh Government should share its view on the forthcoming NHS England review once it is published and set out any action it plans to take as a result of its findings.

5. Resettlement support

Data compiled by Women in Prison highlights the stark reality for women when they leave prison, particularly those who serve shorter sentences who they say “are more likely to be swept back into the criminal justice system than those serving community sentences”.¹⁴⁵

140. Figures show that 56.1 per cent of women who have served a custodial sentence will reoffend within one year. This figure rises to 70.7 per cent of women who have been released following a short custodial sentence of less than 12 months.¹⁴⁶

141. Contributors to our focus groups with experience of being released from prison, explained that there is very little support for women once their sentence ends. Some cited the lack of support upon release as the main reason for re-offending.

“I feel like we, as prisoners, should be given more services . . . Many a time I think to myself, why can't I go back? I was safe in there [prison], I had people around me, my mental health was better.”¹⁴⁷

142. Another contributor told us:

“Some women I've come across who have re-offended, have re-offended because they see the women inside as their family. . . because they haven't really got much on the outside.”¹⁴⁸

143. We also heard concerns that services would not engage with women until a few days prior to their release,¹⁴⁹ and contributors noted the importance of any support available whilst women are in prison being reflected once they leave.

¹⁴⁵ Women in Prison. The Corston Report: 10 years on. June 2017

¹⁴⁶ Ministry of Justice. Female Offender Strategy: Supporting data tables, 2018

¹⁴⁷ Summary of Engagement

¹⁴⁸ Summary of Engagement

¹⁴⁹ Summary of Engagement

Accommodation

144. When a woman receives a custodial sentence, even one which is short, they often face losing their home. Consequently many will face difficulties accessing suitable accommodation when they leave prison. This can make it harder for them to access support services, enter employment, re-establish contact with children and families and re-integrate into the community.

145. Accommodation upon release was identified as a significant issue during our focus group sessions. Many contributors explained that they were anxious about where they would live on being released, with one contributor describing the situation as “being thrown to the sharks.”¹⁵⁰

146. Approved Premises (APs) are premises approved under Section 13 of the *Offender Management Act 2007*, which provide intensive supervision for those who present a high or very high risk of serious harm. They are mostly used for people on licence, but they also accommodate small numbers of people on bail or community sentences. There are currently no APs in Wales for women; there is one in Bristol. HMPPS told us that most women are deemed low risk and APs are mainly for those who are deemed high risk on release, therefore to meet Welsh women's needs they should be able to access both APs and supported accommodation.¹⁵¹

147. Safer Wales noted:

“Barriers to appropriate accommodation, such as women's specific needs (e.g. substance use, mental health) and the stigma relating to women who have been involved with the CJS, reduce opportunities for women to live safer, healthier lives. The demand for housing in Wales is huge, however unsuitable accommodation for women when they are at their most vulnerable creates a toxic situation. The availability of appropriate accommodation, with attached specialist services is essential.”¹⁵²

148. When contributors to our focus groups discussed the type of support they would like to see for women upon release from prison, possible solutions varied. Some contributors were of the view that funding should be available to cover essentials such as first month's rent and

¹⁵⁰ [Summary of Engagement](#)

¹⁵¹ [Note of Meeting – His Majesty's Prison and Probation Service \(HMPPS\) January 2023](#)

¹⁵² Safer Wales, [written evidence](#)

bond, whilst others said that self-contained accommodation similar to that offered in women's refuges should be made available.¹⁵³

149. HMPPS acknowledged the problem with housing stock across Wales and confirmed that HMPPS was working with local authorities to help solve the problem.¹⁵⁴

150. HMPPS later confirmed they are working on obtaining Service Level Agreements with the 22 Welsh local authorities to provide accommodation for 84 days.¹⁵⁵ However they noted that progress had been slow and that few local authorities had engaged with them to date. HMPPS said this would force them to use private sector accommodation, often in competition with local authorities, or explore ways to construct additional housing.

Welsh Government position

151. The Minister's paper notes:

"Custody and Resettlement is one of the thematic areas of the Blueprint. This workstream is providing a specific focus on Welsh women in prison and those being resettled back into Wales."¹⁵⁶

152. It adds that this workstream includes:

- working with rehabilitative services to deliver effective pre- and post-release interventions in prisons where women are located;
- strengthening pathways into support for Welsh women leaving prison and being resettled into Wales - this includes building on the existing women's pathfinder infrastructure in Wales; and
- working with health partners to ensure the health needs of women are met with released from custody.

153. We asked the Minister about her plans for access to housing for women leaving custody. She pointed to work currently being carried out by Glyndŵr University and Llamau to look at accommodation needs, and noted that the findings were due to be published early in 2023.¹⁵⁷

¹⁵³ Summary of Engagement

¹⁵⁴ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 154

¹⁵⁵ Women's experiences of the criminal justice system Note of Meeting – His Majesty's Prison and Probation Service (HMPPS), January 2023

¹⁵⁶ Welsh Government, evidence paper

¹⁵⁷ Equality and Social Justice Committee, 14 November 2022, Record of Proceedings, paragraph 101

154. The Minister confirmed that the Welsh Government now has a new health and justice co-ordinator for their Blueprints, which she described as “a dedicated women's resource”. She added: “...because we've got to make sure that we get it right in Wales, not just through diversionary work, to keep women out of prison, but, when they actually are resettled”.¹⁵⁸

Our view

It is vital that resettlement support is effective. The figures around recidivism are stark and will only be changed if women are better supported on their release from custody. We were extremely concerned to hear from women who would either be homeless on release from prison or could be placed in accommodation which was unsuitable, including where they could be placed with perpetrators of abuse.

We understand the pressures on existing housing stock and demands placed on local authorities. However, women released from prison are an extremely vulnerable group of people and further action is required to ensure they are not placed in situations which expose them to danger and/or at risk of reoffending.

We heard repeated concerns about the lack of accommodation in particular and note that work is underway to address this. The Welsh Government should share the findings of the work looking at accommodation needs and set out how it will influence future policy and provision. As a priority, the Welsh Government should work with HMPPS and local authorities to obtain Service Level Agreements, explore options for supported accommodation for low-risk women who are vulnerable and work with HMPPS to provide approved premises for high-risk women.

The Welsh Government should also look at other examples of best practice and innovation to see what could be developed in areas where housing shortages are particularly acute, for example modular housing.

Recommendation 17. The Welsh Government should work with HMPPS and local authorities to obtain Service Level Agreements with the remaining 16 local authorities, explore options for supported accommodation for low-risk women who are vulnerable and work with HMPPS to provide approved premises for high-risk women. This work should be carried out before Autumn 2023.

Recommendation 18. The Welsh Government should look at examples of best practice and innovation to see what accommodation solutions could be developed in Wales.

¹⁵⁸ Equality and Social Justice Committee, 12 December 2022, Record of Proceedings, paragraph 90

Annex A: List of oral evidence sessions

The following witnesses provided oral evidence to the committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed on the [Committee's website](#).

Date	Name and Organisation
24 October 2022	<p>Anne Fox Clinks</p> <p>Emily Evison The Prison Reform Trust</p> <p>Andrea Coomber KC The Howard League of Penal Reform</p>
14 November 2022	<p>Dee Montague-Coast Fair Treatment for Women in Wales</p> <p>Jo Hopkins Public Health Wales (Adverse Childhood Experiences Hub)</p> <p>Dr Chantal Edge UK Health Security Agency</p> <p>Nicola Davies His Majesty's Prison and Probation Service</p> <p>Victoria Harries His Majesty's Prison and Probation Service</p> <p>Emma Wools Deputy Police and Crime Commissioner for South Wales and Chair of the Women in Justice in Wales Group</p>
21 November 2022	<p>Tom Franklin Magistrate's Association</p>
12 December 2022	<p>Jane Hutt, Minister for Social Justice Welsh Government</p> <p>Karin Phillips, Deputy Director for Community Safety Welsh Government</p> <p>James Searle, Head of Crime and Justice Team Welsh Government</p>

Annex B: List of written evidence

The following people and organisations provided written evidence to the Committee. All Consultation responses and additional written information can be viewed on the [Committee's website](#).

Reference	Organisation
WECJS 01	Welsh Women's Aid
WECJS 02	Royal College of Psychiatrists
WECJS 03	Royal College of General Practitioners Wales
WECJS 04	Independent Monitoring Board at HMP Eastwood Park
WECJS 05	Chwarae Teg
WECJS 06	Royal College of Speech and Language Therapists
WECJS 07	Howard League for Penal Reform
WECJS 08	Fair Treatment for the Women of Wales
WECJS 09	Welsh Local Government Association
WECJS 10	Dr Robert Jones, Cardiff University
WECJS 11	Children's Commissioner for Wales
WECJS 12	The Nelson Trust
WECJS 13	The Wallich
WECJS 14	Royal College of Nursing Wales
WECJS 15	Public Health Wales
WECJS 16	Prison Reform Trust
WECJS 17	South Wales Deputy Police and Crime Commissioner Emma Wools
WECJS 18	HM Prison and Probation Services Wales
WECJS 19	UK Health Security Agency
WECJS 20	Welsh Government

Annex C: additional information

Title	Date
HMPPS – Additional information following evidence session	January 2023
Public Health Wales – Identifying Women's Pathways to Offending Report	November 2022
ADSS – Applications to mother and baby units in prison: how decisions are made and the role of social work	November 2022
North Wales Women's Centre – Women's Pathfinder Newsletter	October 2022
Summary Report for the Evaluation of the Women's Pathfinder Whole System Approach and 18-25 Early Intervention Service	April 2022
Safer Wales – Additional evidence	January 2023
Note of meeting with HMPPS in January 2023	January 2023