

May 2012 Issue 104

# INDEPENDENT MONITOR

THE ASSOCIATION OF MEMBERS OF INDEPENDENT MONITORING BOARDS



WOMEN IN THE CRIMINAL JUSTICE SYSTEM

**W**hen AMIMB decided that the *Monitor* would go quarterly and that one issue a year would have a themed section, choosing women offenders as the first one seemed a relatively arbitrary choice, albeit an important theme. But in the last few months, the heat has risen under the topic.

The chief inspector of prisons Nick Hardwick was frank, as he is, in a recent speech. Britain should be 'aghast and ashamed' at the way it is treating some of the most disturbed women in its jails. He had been kept awake at night by scenes at Styal women's prison: 'more shocking and distressing than anything I have seen.' He also highlighted a 'private prison near London' which recorded more than seven cases of self-harm a day, and the case of one woman who had harmed herself 93 times in one month.

And talking of Styal, when its governor Clive Chatterton retired in February, he wrote to Justice Secretary Ken Clarke, expressing his bewilderment at conditions for the women, half of whom he thought shouldn't have been in prison at all.

Styal is just one of 13 women's prisons in England and Wales. This *Monitor* gives a run-down of them all, before launching into a series of article about different aspects of the challenge presented by women offenders. There are three main themes.

How far have we come in the five years since the Corston report made its rational recommendations – and why not far enough? What needs to happen next to keep already damaged women out of jail, where they and their families will be further damaged? Then, faced with their complex needs in prison, there are articles from the various non-statutory organisations who take up the slack left by the Prison Service.

The *Monitor* welcomes feedback on these 12 pages from IMB members in women's prisons. But there should be plenty of meat here also for those who don't come into contact with women prisoners, as many of their issues apply to men too.

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**Membership** of AMIMB is open to serving members of IMBs in prisons and immigration removal centres in England and Wales. Associate membership is open to anyone interested in penal affairs.

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AMIMB represents board members by presenting their views wherever they need to be known. AMIMB campaigns for change, both through its own efforts and by liaising with other groups, including via the Criminal Justice Alliance. Membership of AMIMB allows board members to have a say in the direction of boards and penal policy generally.

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Views expressed in the *Independent Monitor* are not necessarily those of AMIMB.

ISSN 1746-1197

# Overcrowding under scrutiny

**Two contrasting but complementary analyses of a record prison population – 89,656 and rising on 20 April**

## Symptoms and remedies

In order to produce *Crowded Out*, the Criminal Justice Alliance drew on the experiences of those of its 67 member organisations with direct experience of prison conditions. This, of course, includes AMIMB.

There are sections detailing the political context and the reasons for and scale of overcrowding (we have 155 prisoners per 100,000 people – the highest in Western Europe). The effects of overcrowding are also chronicled.

- More prisoner movements – wherever there is space, often nowhere near home, regardless of family ties and educational commitments. Onley and Bullingdon IMBs were quoted.

- Worse conditions in prison – Pentonville IMB: ‘the decrepit physical environment of the entire prison is aggravated by overcrowding and urgently needs to be upgraded to reach acceptable standards of decency.’ Increasingly, prisoners must share toilet cells.

- Strain on staff – ‘...if we continue as we are - warehousing prisoners, not being able to build the relationships between prisoners and prison officers that have been successful in the past - we will see riots in our prisons in which we will not be able to cope.’ Prison Officers’ Association national chairman, Peter McParlin, January 2012.

- Restricted access to education, training,

work and courses – Reading YOI and Lewes IMBs are quoted. Also, not enough staff for the escorts.

- Mental health and drug and alcohol treatment – rationed by weight of numbers.

- More frequent and longer lock-downs – restricting association etc.

The report offers no quick fixes. But it does focus on groups of offenders who could be diverted from prison ‘immediately and altogether’ with no risk and even possible benefits in terms of reoffending:

- fine defaulters
- parents of truant children
- the mentally ill
- people possessing cannabis
- immigration detainees.

### Women scorned

The women’s prison estate has been put under significant additional strain which is having a negative impact on wellbeing and care for women. For example, a woman prisoner reported not being allowed a compassionate telephone call to her mother who had a heart problem. Overcrowding and short staffing was seen as the reason for this. There are reports of more lockdown and time spent in cells, rather than on rehabilitative courses. Anecdotally, staff report that levels of self harm and suicide are likely to increase in the women’s prison estate.

## The roots of the problem

A new report from the Centre for Crime and Justice Studies argues that we need to look beyond sentencing and criminal justice reform to get the the bottom of the UK’s reliance on ever-increasing prison numbers. *Reducing the numbers in custody: looking beyond criminal justice solutions* highlights:

- the striking correlations between income inequality, welfare spending and prison numbers

- how different countries’ social welfare arrangements and approaches to marginalised groups correspond to reduced demands on the prison system compared with England and Wales

- that while imprisonment increases have

occurred across much of the western world since the 1990s, countries such as England and Wales, which spent less on welfare, experienced the greatest increases to imprisonment.

- that to get to grips with a use of prison dramatically different from that of a generation ago we need to look outside an exhausted debate about community sentences and tinkering with criminal justice policy.

Helen Mills, research associate at the CCJS and co-author of the report said: ‘The size of the prison population is an indicator of certain political decisions about our social arrangements. If we want to address the record numbers in prison then we have to consider issues such as income inequality and wider social and welfare arrangements as an important part of a response to this.’

## Children’s deaths in custody

15-year-old Alex Kelly died in hospital in January, after being found unconscious in his cell at Cookham Wood YOI. He was serving a 10-month sentence for burglary and theft from a car. It happened in the same week as the death of 17-year-old Jake Hardy, found hanging in his cell at Hindley YOI.

Andrew Neilson, director of campaigns at the Howard League for Penal Reform said, ‘We are shocked to hear the news of a second child dying within a week at young offenders institutions in England, and this should be a matter of major public concern. Cookham Wood prison has had a chequered past. Bullying is rife and children are repeatedly restrained by staff, far more than elsewhere in the children’s prison estate. Children were physically assaulted and subject to verbal intimidation. The last inspection report found the prison to be unsafe. So why do we continue to send children there, and places like it? We lump young people in trouble with the law together under one roof, exposing them to violence, substandard education provision and long periods of boredom and expect them to alter into law abiding citizens.’

‘The truth is that warehousing children in large prisons is completely inappropriate and ignores the fact that young people in conflict with the law often present many complex needs that a prison simply cannot provide for. Banging children up simply exacerbates those needs and puts them in touch with other troubled children, rather than the support and care that is desperately needed. Deaths and other signs of distress are sadly inevitable while we persist in sending vulnerable children by the hundreds into these dismal institutions.’



On the roof at Cookham Wood

## The conference

Once upon a time the IMB Secretariat organised two conferences a year – one for prisons, one for the immigration estate. AMIMB would be invited to attend. After each, there would be an issue of IMB News all about the conference. There was also an IMB website with news of the conference and other issues. All that remains of this is one all-in conference (titled *Shifting Sands – Changing Times*) held this February at a hotel in Leicestershire. Here are some rough and ready notes from delegates.

### **Crispin Blunt** (*Prisons minister*)

- Main thrust – create employment for all prisoners, 29 clusters of prisons based on the needs of local employers. A pilot of 13 centres is working now. A code of practice will ensure work in the community unaffected. Prisoners not exploited.

### **Karen Abdel Hardy** (*head of detention ops, UKBA*)

- UKBA's 3 aims: secure border, control migration, reduce costs and improve 'customer service'. 9 teams in prisons conducting deportation and asylum enquiries. Families and pregnant women not usually detained unless removal imminent.
- IMB access to 32 holding rooms. Four deaths in 2011 – 3 natural causes, 1 hanging.

### **Peter Selby** (*President, National Council*)

- Agreement with Noms that IMBs can access security info re serious incidents

- IMB now involved in procurement of materials/food to prisons

- The Minister wants IMB assistance in finding the numbers of foreign nationals who want to return home. Where is home? Country of citizenship? Place where partner/children live?

- Dangers to independence in shifting to outcomes? Might lead us to change our ways of working. Some cherished practices might need to be revised.

- Secretariat/NC should not spend time with the playground quarrels of individual boards.

- People in detention should have the support of a board which asks difficult questions. If information is asked for via a Freedom of Information Act request, IMB notes not protected.

### **Baroness Stern** (*AMIMB president etc*)

- IMBs are clearly independent EXCEPT for the fact that we share a website address with gov.uk. IMB members are human rights workers and as outsiders MUST encourage those who work inside to maintain standards of dealing with detainees' properly

- Independence essential: beware political interference, substandard food and healthcare and control methods such as pepper and tazer

### **John Weightman** (*ex NC on the Juvenile Estate*)

- Prison is not a place for children. In

2010/11 more than 200 places were decommissioned. As a result more children (30%) are more than 50 miles from home. 20% have no visits from friends or family. Between 2005 and 2010 178 children were subject to IPP sentences. Only 11 were released before their 18th birthday. Concerns about deaths, self-harm, restraint, lock-up, strip searching

### **Brian Pollett**

(*Noms deputy director, private prisons*)

- The competition programme : the Prison Service will bid against the 6 private companies – bids go in April 2012, contracts will be announced Autumn 2012. Competition has brought in new ideas, made efficiencies and focused more on prisoners.

### **Nigel Newcomen**

(*new prisons ombudsman*)

- High Security prisons are over-represented (25%) in complaints. In 2011 22% of eligible complaints were upheld, 8% partially upheld, 4% mediated.

- Fatal incidents: 1,500 deaths since 2004 – 54% natural causes, 38% apparently self-inflicted. Self-inflicted deaths are decreasing.

- Increase in drug-related deaths – often methadone and other illegal drugs.

- In 20% of self-inflicted deaths evidence of bullying was found. Almost half of the cases investigated showed that even when staff were aware of bullying their management was inadequate.

## Women, consultations and awards

### **AMIMB chair, Angela Clay**

AMIMB is glad to devote special attention to the subject of women in this Monitor. One of the suggestions made in the Corston report was to replace the existing style of women's prisons with more suitable accommodation and AMIMB has been invited by Woman in Prison to participate in a roundtable discussion on small custodial units for women. Nick Hardwick and Baroness Jean Corston will give keynote addresses and debate will follow on how such units could be run. Looking at the success of small supportive units, like the Therapeutic Community at HMP Send, this promises to be an interesting and productive exercise.

The Ministry of Justice has launched two consultations, one to look at community sentences and the other at the future of the

Probation Service (see [www.justice.gov.uk](http://www.justice.gov.uk)). I suggest that money invested now in community sentencing will pay dividends long into the future. Community sentences are perceived by some as ineffectual and a soft option but in cases where the offender does not pose a threat to society, a robustly run community sentence can be far more effective than a term in prison. Enabling a family to stay together is a key factor in reducing re-offending.

Finally, information about a new award for which we would like your nominations

### **The AMIMB Award 2012**

The AMIMB award is an opportunity for IMBs to use their unique experience to raise awareness of outstanding examples of best practice within our prisons and IRCs – things that improve the quality of life for people in custody and reduce reoffending.

We want AMIMB members to submit a brief report – about 500 words – on the project or activity that is making an important difference, including how success may

be evaluated. It can be anything from a reading scheme to work with prisoners suffering from Parkinson's disease to a through the gate project.

There will be three judges, one from AMIMB's Executive Committee and two independent people working within criminal justice and prison reform. Judges may wish to visit projects, which (with the relevant permission) we would like to feature in the Monitor and on our website.

The winning project and two runners up will win a framed certificate of excellence and book tokens, to be presented at our AGM and conference this October.

Entries are invited from AMIMB members. If the project is through the gate and operates with another organisation in the local community, the entrant should visit that organisation. Entries should be A4 format and can be emailed to [angela.clay@amimb.org.uk](mailto:angela.clay@amimb.org.uk) or posted to AMIMB Award, 3 Forsham Cottages, Forsham Lane, Sutton Valence, Maidstone, ME17 3EW. Entries by 31 July please.



# Women in the criminal justice system

**There are 4,231 female prisoners in England's 13 women's prisons. That's 5% of the total prison population, 1 in 20. It's also the European average: Montenegro imprisons the least in Europe (1.6%), Andorra the most (16.4%). Hong Kong and the Maldives top the international list with just over 20% (Bahrain is close behind).**

**The first four pages of this special 12-page report give a picture of what Noms rather euphemistically calls the female estate – with random snapshots of life in some of the prisons. These include extracts from recent IMB and Her Majesty's Inspectorate of Prisons (HMIP) reports. Just one – Askham Grange – is top-rated (level 4) by the Prison Service. The rest are level 3, as are 109 of the 131 prisons in England and Wales. Bronzefield and Peterborough are privately run – both by Sodexo Justice Services.**

## **Askham Grange**

*Open prison for 128 women and young offenders*

*Near York*

*Mother and baby unit for 10 women*

**HMIP** ... an impressive prison...high standards... still room for improvement.

**IMB – a personal view from Dick Hubbard** The rural setting and the architectural beauty of the buildings are an important part of the regime that works so hard on resettling women prisoners. The focus of all departments is a co-ordinated programme to maximise the opportunities for the residents on release. Indeed the latest

statistics suggest that the re-offending rate is only about 7%.

There is clearly a basic difference between the attitude of males and females when they serve their sentence. I remember being moved as a new member when I came into contact with a prisoner (we call them residents) who every week rang a shopping list to her partner so that he could keep the family together in anticipation of her release. Most of the residents have children, many quite young, and the family team works hard to maintain contact, with visits, family days and overnight visits for children. This is compassionate but realistic and maintains the well being of the children without losing sight of the needs of the mother. Visits to the

mother and baby unit and nursery are a joy to us and an eye opener to visitors.

Women prisoners have more medical needs than men. Askham tries hard to address these problems, and not only in the short term. By the time prisoners come to Askham, a lot of their substance and alcohol abuse has been addressed but there is a robust system in place to ensure that this work is enhanced, supported and reinforced. Our offender supervisors make sure that support is continued after release.

Learning and skills work encompasses basic skills and also academic and vocational courses. The prison tries to access funds from charities which give grants for this sort of thing. The Pathways department prepares

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women for work. The care in placing residents first in community work then in paid work is tremendous, and in the present climate not at all easy. They are made aware that the programmes are not just about earning money but must be seen as developing their skills and enhancing their opportunities after release. This can sometimes cause a little friction. Any behaviour which adversely affects the whole community is frowned on as much by the residents as it is by the staff.

The work of an IMB member in a women's open prison is very different from that in a male closed prison. It is less prescribed and one certainly has to be much more flexible in dealing with prisoners. When you are in the prison you are available to the residents constantly. We get perhaps two or three written applications a month and only a few more on the hoof. This could lead us into complacency and we continually ask ourselves in our monitoring whether we are missing anything and what should we be checking on to make sure that we are not.

There are certainly high spots. Spending some time with a resident of mature years who had just learnt to read and talking to her about what she was reading. Watching the care and compassion of staff dealing with a woman whose mother had just died and the rush to get her a compassionate licence so she could get home. Two residents were released to me on licence and talked to my Rotary Club; they wowed members who had very fixed ideas about prisoners, and gained from being treated in the same way all our speakers are.

Now I am sure that these examples will offend some IMB members and they will consider I have crossed the boundary. I can assure them that I have not and that staff and residents still know that I am forensic in any investigation that I have to do, but it is made easier because they equally know I will be positive when it is appropriate.

### **Bronzefield**

*Local prison for 500 women*

*Ashford, Middlesex*

*Private: Sodexo Justice Services*

*Mother and baby unit for 12 women*

*Pact Integrated Family Support Service*

**HMIP** 'the overall culture of the prison provided an appropriate and positive foundation to help meet the requirements of most of the women... one major exception to this generally positive picture was health care – which was shockingly poor. It was surprising that this should be so given the obvious needs of the women, the effective

arrangements the prison had made to meet the other needs of the women and that concerns about health care had been forcibly raised by the local Independent Monitoring Board.'

**In the news** The Women's Institute has established a branch at Bronzefield. It allows prisoners on resettlement programmes to learn about baking cakes, crafts etc, and have talks on things like bee-keeping. Prisoners even hosted a coffee morning for toffs from Virginia Water WI. One ex-prisoner set up a bakery business on the outside, inspired by the WI inside.

### **Downview**

*Training and resettlement prison for 365 adults and a unit for up to 17 juveniles*

*Sutton, Surrey*

**HMIP** Further opportunities to drive forward progress were derailed when allegations were made against staff and management attention focused on dealing with these... There are signs that the prison is beginning to get through this crisis, but it needs a period of stability in staffing and management to allow it to build on its strengths and drive through improvements.

**Mike Reynolds, Downview IMB** In its 2011 report, the IMB commended Downview regime staff for their humane treatment of prisoners, despite having to operate with chronic staff shortages caused by long-term sickness, suspensions and delays in recruiting new officers. However, as HMIP prophesied, things are stabilising, largely owing to the governor's decision to take necessary economy measures early in the budgetary cycle.

The residential and security regimes are well run but, mostly for staffing reasons, prisoners are still being locked down too much when many of them could be doing more purposeful activities. The IMB believes that a women's resettlement prison like Downview should be helped to revolutionise its means of achieving the best post-release outcomes, with programmes designed to tackle specifically women's issues rather than adaptations of those prescribed for men. We would like to see closer joint planning between learning & skills staffs, community and charitable providers, and the prison management with as few top-down impositions as possible. The IMB is also working with other boards in its cluster to try to improve the monitoring of what we would like to see as a seamless progression from sentence to release. We hope that imaginative management, social instruction and through the gate support will achieve that outcome.



### **Drake Hall**

*Eccleshall, Staffordshire*

*Resettlement prison for 315 women and young offenders (one-third foreign nationals)*

### **John Sutcliffe, 12 years on the IMB**

Inside the fences the layout is as it was when Drake Hall was an open prison. Within each of the 15 residential houses there are toilet and washing facilities and an association room. Prisoners have keys to their own rooms. Apart from the Care and Support Unit – which, unlike most of the female estate, Drake still has – prisoners cannot be confined to a cell and, during the day, there are no physical barriers to their moving between houses, workshops, gym, dining room and healthcare. There are rules of course, which prescribe where they should be for most of the day and where they shouldn't go; these are enforced by the discipline system but the onus is on the prisoner to take responsibility for being in the correct place at the right time.

At the time of the change to 'semi-open' status in 2002 the board felt that this was meaningless and, therefore, confusing. I am sure that many of the officers felt the same. But in time some benefits of the status became evident. It was an environment where prisoners could be given a measure of responsibility for their own lives while still contained in a secure location, a step on the way to resettlement.

The change to closed status in 2009,



apparently because Noms were unable to find a definition for 'semi-open', threw things into some confusion. The status had changed but the environment was the same, the regime was the same, the staffing was the same – so what would be the effect? The answer is that Drake has become eligible to take higher risk, more volatile prisoners. The board was concerned about this. In the event, the effects have not been as dramatic as we feared, though a number of prisoners have been transferred back out within days of arrival because they were not suitable.

A new Governor arrived this February and the challenge he has is to manage the prison's adjustment to the realities of the closed status while retaining the resettlement ethos in an environment unique in the female estate. This is also a challenge for many staff (and IMB members) who are not yet fully adapted to the changes.

Education is an issue. The women's estate is lumped together with the male estate. Many of the courses are unsuitable for women and little consideration seems to be given to what might be useful both personally and within the job market for them on release.

Throughout the changes Drake has maintained a safe and secure environment where prisoners are treated with decency and humanity. It is a credit to the Prison Service; it is just not always evident that the leaders of the Service, political and apolitical, quite know why.

#### **East Sutton Park**

*Maidstone, Kent*

*Open prison for 100 women and young offenders*

**IMB** East Sutton Park prisoners in paid work have built up an excellent reputation for professionalism with local employers in areas such as catering, care work and office based administration... The Board again expressed concern at the imminent implementation of the Integrated Drug Treatment System (IDTS) at great cost and without apparent consideration of the fact that it would be of little benefit to women at ESP. The prison is virtually drug free and our understanding is that the women do not want such an intervention, particularly those who have worked long and hard to address their substance misuse problems.

#### **Eastwood Park**

*Wotton-under-Edge, Gloucestershire*

*Local prison for 360 women, young offenders and girls*

*Mother and baby unit for 12 women*

*Pact Integrated Family Support Service*

**IMB** The Board is satisfied that prisoners at HMP Eastwood Park are treated fairly and humanely. The prison has a good atmosphere and feels safe and calm.

#### **Foston Hall**

*Foston, Derbyshire*

*Local prison for 310 women*

**IMB** Foston Hall lacks the facilities in-house to provide an adequate service to women prisoners who have mental health problems. In acute cases, it is necessary for mentally ill prisoners to be segregated and their mental health needs are not properly met in these conditions.

#### **Holloway**

*North London*

*500 remand and sentenced women and young offenders*

*Mother and baby unit (and Birth Companions – see page 15)*

*Pact Integrated Family Support Service*

**IMB** A decent prison where the majority of staff are hard working, doing their best to support prisoners in a caring and clean environment where diversity is fully recognised. In the 2009 and 2010 Annual Reports the Board expressed major disquiet concerning women with serious mental health needs being held in custody. There has been no improvement in this situation during 2011.

#### **Low Newton**

*Brasside, Durham*

*Local prison for 340 women and young offenders*

*Pact Integrated Family Support Service*

**IMB** The Board considers Low Newton an impressive establishment where prisoners are treated with fairness and decency, and the Governor and his managers do everything within their resources to meet demands and challenges arising from working with women prisoners.

**HMP** For most women the prison was a safe environment but many more than previously said they had felt unsafe at some time during their stay. The level of illegal drug use was commendably low but there were indicators that some women were pressurised for prescription drugs.

#### **New Hall**

*Wakefield*

*Local prison for 420 women and young offenders*

*Mother and baby unit*

**IMB** The Board asks the Minister again if he can guarantee that the safety and welfare of both staff and residents will not be compro-

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mised in any way due to excessive budget restrictions, not, quote 'should not be affected by any budgetary restrictions' unquote and could he suggest how this might be achieved with the current and continuing severe restrictions.

### Peterborough

*On the left of the railway line, a mile north  
Local prison for 360 women (male prison is  
separate)*

*Private – Sodexo Justice Services  
Mother and baby unit for 12 women*

**IMB** On the male side, phones and drugs have continued to be thrown over the perimeter wall but have reduced due to various initiatives being in place. Mobile phone/sim cards continue to be a major focus. The main issue on the female side is the trading of prescription drugs for personal use.

**HMIP** The women's prison had improved significantly since our last inspection. However, the wide range of women held created a structural barrier to further progress. The prison provided good or reasonably good outcomes across the range of the healthy prison areas, but it struggled to provide the necessary range of inputs to meet the needs of young adult women and those serving indeterminate sentences, particularly those at the beginning of life sentences.

### Send

*Woking, Surrey*

*Training prison for 280 women*

*Addictive treatment unit and a therapeutic  
community (see below)*

**IMB** The Board is satisfied that HMP Send treats its prisoners humanely and justly

**HMIP** Send had improved since our last visit, particularly in terms of safety and stability... However, there was still a need for a better senior management grip on a number of remaining areas of weakness, including confronting low level bullying, improving staff-prisoner relationships, addressing deficiencies in health care, and focusing more fully on the needs of the large life-sentenced prisoner population.

**Therapeutic community** Demand is high for one of the 24 places despite the commitment of up to two years; there is a waiting list at Send itself and other prisons. Because of its success there are plans to increase the number of places to 32 this year.

Those eligible to apply (stage 2 lifers and determinate sentenced adults with at least 18-24 months to serve) undergo a thorough

assessment to determine their suitability. They must not be at risk of self-harm and have been drug free for at least two months with a commitment to remain so while in therapy. They must have accepted responsibility for their offences and not be involved in an appeal or an ongoing court case – but the most important factor is a genuine desire to change and the willingness to accept the challenges ahead.

The therapeutic community is within the main prison and is a safe environment where residents and staff work together in large and small groups with the aim of resolving individual problems and those that affect the rest of those on the programme. The aim is to learn to develop healthy relationships without the need to take on the role of either victim or aggressor, as might have happened in the past. They look at problem behaviours, destructive attitudes and past experiences – and how to change direction towards a responsible and non-offending lifestyle with a happier future.

The women live and work together on a dedicated wing where accommodation is single cell with TV and en-suite toilet and shower. Future plans are to move to a new wing with kitchen and space for everyone on the programme to get together for a meal sometimes. An art therapy course is already proving very successful and psychodrama therapy will soon be on the programme.

It's no easy fix. Many of the women will have suffered things like abuse in childhood, rejection by the people who should have

cared for them, time spent in the care system and domestic violence. They may have committed very serious crimes and find it tough to suddenly look all their demons in the eye and face up to all hurt, failures, mistakes and their own anger. The programme is intensive – five mornings a week and in the afternoons work parties.

Graduation is a cause for celebration not only for the individual student but for the staff and the other women who have shared her journey. The rewards for each graduate will be an increase in self-esteem and the confidence to take charge of her own life. Already the therapeutic community has exceeded KPTs but more importantly it has empowered the women and changed lives for the better.

### Styal

*Wilmslow, Cheshire*

*Local prison for 460 women and young  
offenders*

*Mother and baby unit*

**IMB** Year after year, the IMB at Styal has raised concerns about the lack of appropriate treatment for women with serious mental health issues in Styal, the most seriously ill of whom are located on the Keller Unit... housing women who are high profile prisoners, prisoners with extreme challenging behaviour, and women with psychiatric conditions who are often awaiting transfer to outside Mental Health Units. To add to this mix these women regularly have Learning Difficulties / Disabilities, and many have significant substance misuse issues. In the opinion of the Board this is a toxic and brittle mix of some of the most vulnerable women in the Estate. It is not unknown for a woman on GOOD (Rule 45) to leave ligatures or blades in the bathroom or exercise yard to enable/encourage self-harm among the mentally ill in this 10 bedded Unit. Without the vigilance and care of experienced and often outstanding staff members, the consequences of these actions could be fatal.

**HMIP** ... despite the change of name [from care and separation unit], the Keller Unit was insufficiently resourced to provide a suitable therapeutic regime. In 2009 the Prisons and Probation Ombudsman also raised concerns about the role of the unit following an investigation into a death there. A review by the North West Regional Offender Health Team in 2010 concluded that the building was not fit for purpose and the unit could not deliver appropriate services for the women it held. Our inspection found that very little had changed in the management of these challenging women.



# Lords and ladies

**Baroness Vivien Stern,  
International Centre for Prison  
Studies and AMIMB President,  
reports from Westminster**

A rare event occurred in the House of Lords on 20 March. A vote calling on an amendment to the Legal Aid, Sentencing and Punishment of Offenders Bill, moved by the highly-respected Labour peer Baroness Corston, resulted in a tie. Tied votes are most unusual and in such circumstances the government is deemed to have won. So the amendment, which would have introduced into the bill just one brief clause about women, was defeated. This defeat was a great disappointment to many in the House of Lords who have campaigned persistently for a recognition that current policies for dealing with women in the criminal justice system are unjust and ineffective. The defeated amendment was modest in its demands. It called for a unit to be set up in the MoJ to oversee policy on women and bring together other government departments in an effort to deal with the social and health problems faced by women in the criminal justice system. It would not have involved additional expenditure but might at least have given some statutory force to the imperative to have distinctive policies for women.

The points made in the debate on the amendment will be familiar to anyone who has had any involvement with women in court, in prison or on probation. Lord Judd described a visit to Holloway prison where a prison officer said 'These women's lives are a story of chaos, and all we do by having the women in here for a short term is to increase the chaos in their life.' Lord Wigley reminded the House that '37 per cent of women prisoners have attempted suicide, 51 per cent have severe mental illness, 47 per cent have a major depressive disorder, and 50 per cent have been subject to domestic violence and 33 per cent to sexual abuse.' Baroness Lister, the lifelong anti-poverty campaigner, pointed out that 'Many women get caught up in the criminal justice system because their crimes are crimes of poverty.' The Minister, Lord McNally, was reminded of his own words at an earlier stage of the bill's passage: 'one does not need to visit many women's prisons to see that far too

many prisoners should not be there.' His point was echoed by the former Director of Public Prosecutions, Lord Macdonald. 'I do not know of a single lawyer, prosecutor, judge or prison officer who does not believe that women's prisons are full of people who should not be there and, worse, who are being further damaged by being held there.' In spite of such widespread support the vote was lost. Even if it had succeeded it would no doubt have been thrown out by the House of Commons when the Bill returned there. But to have won would have been a moral victory and some encouragement to those who have worked so long for change.

## Not enough progress

The debate took place in the month of the fifth anniversary of the publication of the Corston Report, the report by Baroness Corston on women in the criminal justice system that has been noted and admired around the world. The report called for an understanding that equal treatment does not mean the same treatment, and for a very radical change in the way women are treated, both by the agencies in the criminal justice system and other social and welfare bodies. The report had a good chance of being influential. Its author had been chair of the Parliamentary Labour Party. The case for change was supported by a number of prominent members of the Labour government. The financial situation was more positive than it has since become and £3.2bn had been allocated to increasing the number of prison places.

Sadly, this one-off opportunity for a new policy direction was missed. After five years of huge effort and determination by many dedicated people the way women are treated in the system has not fundamentally changed. Many good women-specific projects have been set up and have been shown to be effective. Routine strip searching, which the Corston report describes so eloquently as 'humiliating, degrading and

undignified and a dreadful invasion of privacy, has been stopped although the Chief Inspector of Prisons still reports on cases of unnecessary strip-searching – at Bronzefield and New Hall for example. The reduction in the number of women sent to prison has been tiny: 1.5% in 2011.

The Chief Inspector of Prisons reported in January that the Keller unit at Styal prison constitutes 'a wholly unsuitable place to safely hold and manage very seriously damaged and mentally ill women.' He also said in a lecture on 29 February on Women in Prison: Corston Five Years On, 'We cannot go on like this ... without senior, visible leadership with real authority and resources to push things through.'

How we treat imprisoned women is a human rights issue because of the unjustified discrimination inherent in the system and also because to impose punishment on someone who manifestly needs help and treatment is inhuman and degrading. What happens to women when they encounter the criminal justice system persistently fails to meet the basic standards of justice, humanity and good public policy. It is extraordinary and shameful that we have failed so dismally for so many years to reform a system that responds with such injustice and inhumanity to some of society's most poverty-stricken and victimised women.



# A strategy for keeping women out of prison

**The Criminal Justice Alliance (CJA), to which AMIMB belongs, has always campaigned on behalf of women offenders. CJA Policy Officer, Stephen Moffatt, outlines current policy**

The Legal Aid, Sentencing and Punishment of Offenders Bill is in its final stages through parliament. Ever since the release of the government green paper, *Breaking the Cycle*, CJA has expressed serious concerns about the lack of provision for women offenders within the proposed legislation. We have supported proposals for a cross-government strategy on women in the

justice system. Although the vote in the Lords was defeated, we continue to campaign on this important issue. Earlier this year the Sentencing Council released its guidelines on drug offences.

The CJA was delighted to see they had chosen to adopt a number of our proposals within them, most notably greater leniency in the sentencing of often vulnerable,

exploited drug mules.

More recently, CJA produced a briefing paper, *Crowded out? The impact of prison overcrowding on rehabilitation* (see page 3). This highlighted the continuing overcrowding in the penal system and called for the government to do more to divert minor and non-violent offenders out of prison into services that better address the underlying causes of the offending behaviour. The paper included reports from CJA members around the issue of women: a reduction in support for those on short sentences; additional strain placed on staff leading to more vulnerable and pregnant women reporting feeling unsafe; lower levels of well-being combined with increased anxiety and fear; more lockdown and time spent in cells, rather than on rehabilitative courses.

The report described below pursues this issue.

## Political failure

To mark the fifth anniversary of the Corston report and its radical new approach to vulnerable women in the justice system, CJA commissioned a report monitoring progress made. Its author is Carol Hedderman's, Professor of Criminology at Leicester University and her report, *Empty Cells or Empty Words?* is available to view on [criminaljusticealliance.org](http://criminaljusticealliance.org).

The report criticises both the the previous and present governments for not tackling the increasing use of short custodial sentences for women whose offences are theft and handling, fraud and forgery and breach of court orders (very often, court orders for offences that often couldn't have attracted a custodial sentence in the first place). Two-thirds of women serving less than 6 months come into those categories. Half the women going to prison are on remand (most commonly for theft only) and less than half of them, after an average 6 weeks in custody, receive a prison sentence. No wonder that, although the numbers of women in prison went up by only 3% between 2007 and 2008, the number actually received in custody went up by 10%.

Here is an edited version of *Strategies to reduce the number of women going to prison*, the final section of Hedderman's report.

The rise in the number of women going to prison seems to be a side effect of a generally tougher climate. Short spells in prison disrupt women's lives, and those of their families. They get little help inside and no statutory supervision on release. Unsurprisingly, as the use of short prison sentences has increased, so have their reconviction rates. This use of imprisonment is ineffective as well as more expensive than other options. The case for trying to reduce the number of women sent to prison on short prison sentences is strong whether the argument is couched in terms of financial waste, ineffective public protection or simple inhumanity.

There is broad agreement across the political spectrum that sending so many women to prison each year is unnecessary and undesirable. Achieving a reduction, however, requires a new approach because the current strategy of simply offering sentencers more and better community options has not been successful. New, higher tariff options, which were introduced as 'alternatives to

custody', have in practice been used mainly in place of lower tariff and less costly options. When these new options are breached (which is more likely as they are more demanding), this has added to, rather than reduced, the number of women going to prison.

The development of community-based holistic support for women involved in crime has been a necessary, but not sufficient condition for reducing the use of custody. Three more radical, but practical changes are needed

First, the speedier recourse to custody for breaching a community order, introduced under the 2003 Criminal Justice Act, should be repealed. Few of the women imprisoned following a return to court for breach committed offences which were serious enough to lead directly to a custodial sentence, so this measure has added significantly to the number of women going to prison, at considerable cost and without making the community any safer. Repeal could reduce receptions on short prison sentences by around 800 women.

Second, rather than simply repealing the 2003 Criminal Justice Act power allowing magistrates and district judges to impose sentences longer than six months, their powers to impose unsuspended sentences of imprisonment for women should be withdrawn. Magistrates' courts are sending most of the women to custody on short sentences and it is their use of custody which has increased the most. This could reduce receptions by a further 500.

Third, as this measure, by itself, could lead to more cases being remitted to the Crown Court, and add to time on remand, fresh sentencing guidance is also needed to ensure that, for example, no cases are remitted for sentence involving first time, non-violent offenders. In these cases several previous lower tariff options must have been tried (and failed) first, including Suspended Sentence Supervision orders.

After allowing for the cost of providing appropriate supervision and support in the community, all this would save more than £4 million each year in prison costs alone. This figure takes no account of the potential financial and human savings which might accrue from the reductions in reconviction which are likely to result from such a move.

# Equal rights for women prisoners?



**Women prisoners should not be disadvantaged compared to men, argues Camilla Pandolfini of the Prisoners' Advice Service (PAS)**

Perhaps because women make up just 5% of the prison population in England and Wales, too great a proportion of resources have been targeted at men's prisons, where considerations of security are paramount. The women's estate continues to suffer from lack of consideration of female prisoners' particular circumstances and requirements, and the impact of male-centred policies on imprisonment and rehabilitation.

For example, there are four categories for male prisoners that determine to which prison they will be allocated: A, B, C and D. Ostensibly, women also have four categories: A, Restricted status, closed and open. This is misleading, however, as there are currently no category A women prisoners and only a few of restricted status. PSI 39/2011 now ensures that, regardless of their conviction, women will generally not be re-categorised to an open prison until two years from their release date, unless they can show exceptional circumstances. This is despite the fact that about 30% of women in prison have no previous convictions – more than double the figure for men. And 80% of women entering custody had committed a non-violent offence, compared with 70% of men.

Women's prisons also suffer from a lack of resources and courses, which often means that the women have no mechanism to demonstrate a reduction in risk in the manner that the Parole Board often expects.

Altogether, it is perhaps no surprise that women account for nearly half of all incidents of self-harm in prison.

## Special consideration needed

PSO 4800 was introduced in May 2008 and is essentially guidance as to best practice for the prison service in relation to women prisoners. The PSO recognises the particular issues that women in prison face. Two-thirds of women prisoners are mothers and women

prisoners are far more likely to be sole carers and single parents. For 85% of mothers, prison is the first time they have been separated from their children for any significant period of time. The detrimental impact on a child of losing a mother to prison has been well documented.

Around one-third of women prisoners lose their homes, and often their possessions, while in custody. The average distance women are held from their home is 55 miles. While there are many women-only organisations that assist with housing, demand far outstrips supply and women often fail to be released on home detention curfew, release on temporary licence or even parole due to lack of suitable available housing.

There are some particular rights that women have in prison. The Equality Act 2010 and the Human Rights Act impose a number of duties on the prison service, as a public authority, in relation to women prisoners. Sex is a protected characteristic under the Equality Act and accordingly discrimination, harassment and victimisation on the basis of gender is unlawful. Public authorities also have a positive duty to have due regard to the need to eliminate unlawful discrimination and harassment, and promote equality of opportunity. The prison service has a duty to conduct an equality impact assessment in relation to each new

policy issued, such as a new PSI. The impact assessments tend to be quite brief, however, and often demonstrate a failure to have due regard to the issues that impact on women prisoners.

Article 8 of the European Convention on Human Rights (ECHR) protects the right to family and private life. Any restrictions or interference with this right must be proportionate and justified. This article may be relevant in relation to where a woman is located, an application for temporary release on licence to visit family, or visits. The UN Convention on the Rights of the Child may also be relevant to decisions by the prison service about the children of imprisoned women. Earlier this year PAS backed a successful appeal by two women prisoners against a refusal of childcare resettlement leave. The court held that the prison should have heeded Article 8 of ECHR, and the UN convention: primary consideration must be given to the rights of the child and the views of the child must be ascertained.

## Reform

Five years on from the Corston report, very little has changed for women in prison and few radical changes have been made. The solution does not necessarily lie in improving prisons to make up for failings in other public services, as this will only make prison more attractive to sentencers. Instead, a radical change is needed to prevent women ending up in prison at all. A proper consideration of alternatives to prison will have a much more positive effect on women caught up in the criminal justice system, and ultimately the wider community.



# A mother and a daughter

My daughter is 27 and is serving an 18-month prison sentence in New Hall. I have been bringing up her 3-year-old son since his birth. This is her fourth sentence; they have all been around 18 months. This one is for drugs and two were for violence but almost all of her offending has been fuelled by her alcohol and substance misuse (her first offence was at 11 years old).

My daughter was excluded from primary school and lasted in secondary school for 2 weeks aged 11 and was permanently excluded in 1998, aged 13. She was abusing alcohol by the time she was eleven and heroin by the age of 15. We do not fit the government notion of a troubled family: my other three daughters are very well educated and have good jobs; me too. So what went wrong?

Some bad decisions were made by social services about my daughter when she was allowed to live with her abusive father for eight months when she was nine, totally against my wishes. He did not send her to school but was not challenged about this. When she eventually returned home she was an extremely disturbed child. My pleas for help and support from agencies were ignored, other than Children's Services with 'boundary management'.

While my daughter was on youth offending and probation orders, she was placed in immediate proximity to the same young men who were exploiting her vulnerabilities. I did manage to get my daughter a statement of Special Educational Needs when she was fourteen. She was sent to a unit where she was in a tiny minority of females and for a period was the only female. She was excluded from the special unit as a result of an alleged sexual incident with a male pupil (the male remained at the school). From that point, aged around 14 she had no schooling.

From that point my daughter's life has mainly been chaotic. She has severe alcohol and substance misuse problems, she has been consistently abused by male partners, been involved in prostitution to fund her habit (and theirs), she has been raped twice that I know of – once by a gang. She has been admitted to hospital more times than I can count for overdosing. For much of the time she has been homeless. When she has been housed in hostels they have been heavily populated by men who also use alcohol and



substances, so she hasn't stood a chance from day one. If I hadn't been in a position to care for my grandson, he would have been removed from the hospital immediately into foster care and then placed for adoption.

I have read Nick Hardwick's recent speech about women offenders and I have mixed feelings. My daughter thrives very well in prison. Within a matter of days, her physical appearance and mental composure improve dramatically. She has told me it is the only time she ever feels safe. My daughter began the present sentence in Low Newton and she, myself and my grandson benefited from services from the North Eastern Prison After Care Society. This was the first time my daughter had contact with her son without me present. When she was able to build a closer bond with him the difference in their relationship was remarkable. Sadly these services abruptly came to an end when it transpired that my daughter had an association with the son of a member of prison staff and she was transferred to New Hall half-way through her sentence. Family bonds are very difficult to maintain at New Hall.

As Dreda Say Mitchell said at the Action for Prisoners' Families conference, 'its not being in prison that is the problem, it is coming out' My daughter's prison sentence ends in August, and I am dreading it. In Low

Newton, my daughter's release plans were being co-ordinated by a team involving housing, probation and the police and there was firm acknowledgement of the importance of family support. The release arrangements being proposed in New Hall bear no reference to this and have included tagging in a women's bail hostel in Bradford, miles away from her son and family. As it now stands, Durham Probation Service have agreed to tagging in the Tyne and Wear or Durham, sensibly so that my daughter is near to known agencies and her son. However, the only available women's bail hostel have refused to house my daughter – because again she is known to the family of one of the staff. In the meantime my daughter has started suffering panic attacks as a result of the uncertainty surrounding her release.

Crispin Blunt MP quoted a figure of 1,700 women's centres across the country and the £3.5 million that the MoJ has put into female-only services for women offenders. Well there are no such services available for my daughter in Tyne and Wear or Durham, nor are there likely to be. The North East has the lowest number of women's voluntary and community organisations of all the English regions. And there is increasing uncertainty about the future of those that there are.

# Women and families

**Angus Mulready-Jones is director of integrated family support at the Prison Advice and Care Trust (Pact)**

Pact have been working with prisoners' families for over 100 years, and in visitors' centres and visits halls for nearly 30 years. It was through our work in visitors' centres that we realised that, to support those families with complicated or ongoing needs, prisons and local authorities needed to work more closely together. So we designed a new role, unconnected with social visits, to provide casework support to offenders and their families, and co-ordinate links with the communities that prisoners ultimately have to return to. This Integrated Family Support Service (IFSS) was established in three prisons in 2009, but is now in 12 prisons including four for women – Bronzefield, Eastwood Park, Holloway and Low Newton. We cover a whole range of issues, but predominantly support, mediation and referrals on issues of relationships, finance and housing.

## Loss of a mother

A key priority for this new service is meeting the needs of offenders' children: through no fault of their own, they are three times more likely to suffer from poor mental health than their peers. Studies show that children of

offenders also tend to have poor educational outcomes and are far more likely to be involved in anti-social behaviour and ultimately be imprisoned themselves. When mothers go to prison the impact on children is enormous, with only 5% able to stay in their home following their mothers' imprisonment. Many are placed in the care of family members or the local authority; only 9% are cared for by their father.

No single agency is responsible for these children; no-one systematically counts them, asks them what they think, or offers them support where they live. So we don't really know how big the problem is. We have estimated, using information from our first night in custody service, that over 17,000 children experience the imprisonment of a mother each year. When people are remanded or sentenced to prison in the UK there is no system in place to identify whether or not they have children dependent on them, which results in Pact workers in the women's estate regularly having to deal with children who have been left at school waiting to be picked up, or with a neighbour, or sometimes at home alone. In light of this problem Pact worked with Action for Prisoners' Families and the NSPCC to launch the Left Behind campaign. This makes magistrates, district judges and everyone involved in the courts system aware of the issues concerning the immediate welfare of children and dependents of people being placed in custody.

Another problem that children of offenders face is the culture of secrecy surrounding the issue of parental imprisonment. Pact regularly encounters children who have been told that 'mummy is at work' or 'in hospital', when they can clearly see the signs, keys and officers during visits. Other

children don't even see their mother during a sentence: they simply disappear one day leaving their children wondering why. Those that are told the truth often have pressure put on them to not tell their friends or teachers.

This culture of secrecy often leaves children experiencing emotions similar to bereavement, but with none of the outlets that children experiencing bereavement have to show their emotion, none of the understanding when they are upset at school and none of the support they need to deal with the root cause of their problems.

## Our services

In prisons we provide play-based parenting programmes, homework clubs, fortnightly parent-baby groups, peer support-groups for prisoners and families, and we have pioneered family conferencing in prisons to enable prisoners and families to meet with support services before a prisoner is released. Our workers use these conferences to facilitate an open discussion between the prisoner and their family, and enable the family to be involved in the resettlement process.

In the community we have been working with local authorities to provide training for professionals (teachers, health visitors, youth workers etc) on the issues that families of offenders face. We are also working to map out care pathways for children in the community. Our community advocates have been working with integrated offender management teams to pilot the routine use of the Common Assessment Framework process for all of the offenders in their cohorts. This ensures all families have their needs met.

In 1992 the UK adopted the UN Convention of the Rights of the Child, but 20 years on, we are behind other European countries in this area. For many children the right to a relationship with their parent is conditional on their parent's behaviour, children are not routinely told the whereabouts of their mother, and their needs are not considered during the court process. The MoJ accepts that family relationships are crucial to rehabilitating offenders, but allows many prisons to deny mothers contact with family through phone calls and visits as well as access to relevant courses.

Our interventions are not costly but they do work. Families are supported through the key stress points of arrest, imprisonment and release. We have proved over the last 3 years in delivering this service that one member of staff with support from the prison can revolutionise the support that children and families receive. Our ultimate aim is for every case of parental imprisonment to generate an adequate response from the state.



# Foreign national prisoners

There are about 650 non-UK women in our prisons – about one in seven of the total. For many reasons, not least that they may have been trafficked or coerced into offending, they are a special case. The Corston report recognised them as ‘a significant minority group who have distinct needs and for whom a distinct strategy is necessary’. Not surprisingly this is one of the report’s unfulfilled recommendations. In fact things have if anything got worse, thanks to the expansion of the immigration removal estate, automatic deportation of foreign offenders sentenced to 12 months or more and fast track removals. Many women faced with deportation have children old enough to regard the UK as their home country.

Many are in prison for offences connected with attempts to enter the UK, or stay here, without authorisation. Nigeria tops the list, but Eastern Europe is an increasingly significant source of women prisoners. Many of these women are driven by harsh conditions in their home countries.

Dealing with all these factors is difficult, requiring political action internationally. But dealing fairly with foreign women in our criminal justice system should be easier. These are the recommendations of a Prison Reform Trust briefing paper, *No Way Out*.

### Instead of prison

Nationality should not prejudice court decisions; diversion from prison should be considered.

Sentences for drug couriers should be more proportional.

Coercion should be taken into account in sentencing.

Women returning home without proper papers should not normally be arrested.

Women with uncertain immigration status should be given independent advice, certainly in advance of any court proceedings.

Children’s welfare must be honoured; courts should be fully informed of such circumstances.

### Problems in prison

(much applies also to male foreign national prisoners)

Immigration: paperwork from the UKBA Criminal Casework Directorate is all in English; difficulties accessing legal advice; the interview process for asylum seekers in prison is intimidating.

Language and culture: some women simply don’t understand the working of an alien environment and who they can trust; shame can inhibit them from seeking the proper help

Family contact: foreign national women prisoners are more likely than residents to have dependent children, yet contact is more difficult, often for geographical reasons; children may be uprooted on deportation

Resettlement: formal interventions are limited, especially for those on sentences of less than a year.

## Reforming justice for women

The Prison Reform Trust established the Women’s Justice Taskforce in 2010. Seventeen members, 83 references and a year later, the task force report published *Reforming Women’s Justice*. These are its main recommendations in summary.

- A cross-government strategy should be developed to divert women from crime and reduce the women’s prison population, which includes measures of success and a clear monitoring framework. Responsibility for implementation to lie with a designated minister and accountability for the strategy to be built into relevant roles within government departments and local authorities.
- Reform of the women’s justice system should reflect planned changes to the governance and oversight of youth justice. This may include the appointment of a director of women’s justice and the establishment of a women’s justice agency.
- Planned closure of women’s prisons should be accelerated and the money reinvested to support women’s centres and other effective services for women offenders and vulnerable women in the community.
- The new national network of mental health and learning disability diversion schemes in police stations and courts should take account of the particular needs of women.
- Professional training for staff in criminal justice agencies including police, probation, Parole Board, judiciary and court services, should include specific material on women’s offending and effective ways to reduce it.
- The national Audit office should produce a regular audit of provision for women offenders and its effectiveness.

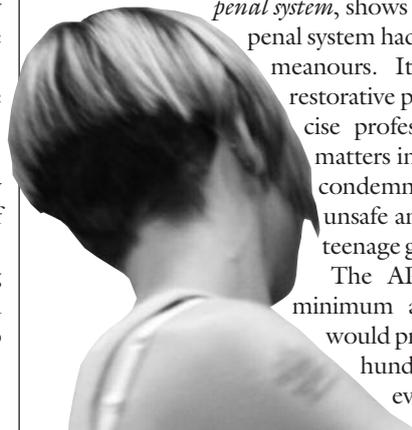
## Girls in the criminal justice system?

Research carried out for the All-Party Parliamentary Group on Women in the Penal System reveals that girls are becoming less violent and committing fewer crimes, despite common misconceptions that they have become increasingly criminal.

The APPG heard that the number of girls arrested each year has been falling since 2008; the number of disposals given to girls for offences has fallen from 59,236 in 2006/07 to 43,186 in 2009/10; and girls are not becoming more violent. The number of violent offences committed by girls has fallen from 17,415 offences in 2006/07 to 12,291 offences in 2009/10, a fall of 29%.

A briefing released by the Howard League, *Keeping girls out of the penal system*, shows that the majority of girls in the penal system had committed only minor misdemeanours. It recommended a return to restorative policing where officers can exercise professional discretion and resolve matters informally and immediately, and condemned police custody suites as unsafe and unsuitable environments for teenage girls.

The APPG believes that lifting the minimum age of criminal responsibility would provide significant protection for hundreds of girls and their families every year.



# Hard labour

## Annabel Kennedy, Director of Birth Companions

In 1995, a story about a woman from Holloway prison being chained during childbirth hit the headlines. The campaigner Sheila Kitzinger drew it to the attention of the media and Parliament. Following a public outcry this practice was changed, but it led to a group of North London antenatal teachers and midwives coming together to talk about what could be done to reduce the isolation and distress of these women. The Holloway Doula Group was formed from this meeting and expanded to become Birth Companions, now a registered charity with a team of staff and volunteers. In 1996 we supported our first woman through labour and have been working in Holloway ever since.

Since then our services have developed: we visit the prison once a week and run a pregnancy group and a postnatal group on the Mother and Baby Unit. We also support women in similar circumstances, who have either been released from prison or are living in the community and are at risk of being detained. Last year Birth Companions supported 90 women.

### Our services

The service offered to pregnant women in Holloway includes a group facilitated by an experienced and qualified birth companion. The group enables women to learn about pregnancy and birth, alongside discussing how they are feeling. Women report that these groups help them to focus on the baby and help to lessen their anxiety about the birth.

We also offer one-to-one sessions, where trained and skilled volunteers provide birth support for women who do not have anyone else to be with them. They may be foreign nationals, or have family living too far away or caring for their other children. By providing emotional and practical support at birth we are able to help women have a positive birth experience, and give a good start to the mother and baby bonding process.

Our postnatal support is delivered through a weekly group on the Mother and Baby Unit which holds up to 12 women and their babies. The group is delivered by a qualified breastfeeding supporter who can offer specific advice to women. We also offer one-



The birth companion told me all I needed to know about pregnancy, birth and afterwards. It really gave me lots of confidence.

The encouragement... helps me to be strong, although I was so depressed. Birth companions comfort me. I think you are fabulous. Everything you do for me here is great. I actually felt like I was with my own family member with the birth companion.

to-one support to women who have been separated from their babies on their return from hospital to the prison.

### Issues for prison mothers

Apart from the usual concerns about pregnancy, women in prison worry about whether they will be unlocked in time to get to hospital before they give birth, whether their partner or family will arrive in time for the birth, and what their experience will be as a prisoner in the hospital. There is anxiety about whether they will get a place on the prison Mother and Baby Unit. If they do get a place, many women worry whether this is going to be the right start for their baby. Some women consider handing their baby out to family rather than keep it with them in prison. Many pregnant women have not yet been to court so they do not know how long they will be in prison; often they are released from court or receive a short sentence and so are released before the birth.

Some women who have given birth from prison have not got a place on a Mother and Baby Unit, so have been separated from their babies after birth. This can be very isolating and highly distressing.

In addition to these stresses and uncertainties, the women in Holloway are more likely to be high risk in terms of their medical and social history. The Corston Report highlighted the vulnerability and complex needs of women prisoners. The report quotes an unpublished 3-month study at Holloway which suggested that 85% of women received into the prison had a substance misuse problem. The Prison Service website quotes up to 80% of women in prison having a diagnosable mental health problem and up to 50% having experienced physical, emotional or sexual abuse.

### The future for Birth Companions

We plan to expand our services to further prisons; our vision is that all pregnant women and new mothers in detention in the UK will have the support they need. We are also expanding our community support to provide a group for pregnant women and new mothers who have been in prison. We are providing input into relevant training courses delivered by Noms and continue to believe that a PSO detailing the needs of pregnant women in prison would make a positive difference.



# Empowering women prisoners

**Laurel Townhead describes how Women in Prison work with 'the most hurt people' in society**

What the familiar statistics about domestic violence, abuse, time in care, exclusion from school, homelessness and self-harm show – and what you will know from your work – is that the majority of women have had experiences that have damaged their self-worth and the way they relate to others. As our founder Chris Tchaikovsky, herself a former prisoner, said:

'Taking the most hurt people out of society and punishing them in order to teach them how to live within society is, at best, futile. Whatever else a prisoner knows, she knows everything there is to know about punishment because that is exactly what she has grown up with. Whether it is childhood sexual abuse, indifference, neglect; punishment is most familiar to her.'

Prison for many women reinforces the disempowerment and lack of control that they have already experienced. As a result many have low expectations of how they deserve to be treated and lack confidence in challenging the genuine unfairness they may experience. For example, one woman we work with had the wrong tooth removed but didn't make a complaint because she didn't see anything surprising in this and thought this was the level of care she deserved. This is also borne out by the lower proportion of women in prison who write to the Prison Ombudsman. There are also proportionally more disciplinary proceedings against women than against men. The Ministry of

Justice itself has said: 'women may be less able (due for example to mental health issues) to conform to prison rules.' So women are finding it harder to conform with prison life but less likely to use formal channels of complaint.

Part of what we do is to try to build women's sense of self-worth and self-efficacy – sometimes for the first time – to help them speak up and speak out effectively when they need support or are unfairly treated.

### Empowerment

Women in Prison provides frontline support services in all 13 women's prisons. This ranges from one-off advice to personal through-the-gate support. Our approach to providing support is underpinned by our commitment to working with women rather than doing to. In essence this means that we recognise that only one person can make a change in a woman's life and that is her, but we can provide support to enable her to make the changes she wants to make.

None of our support is mandatory (it is never part of someone's sentence plan) and the offer of support remains open even when women have disengaged. For example if we arrange a meeting at the gate on the day of release but the woman we are working with does not engage with her support worker, we will nonetheless remain open to supporting her at a later date, or if she returns to prison.

This model of working increases women prisoners' self esteem, confidence and assertiveness – but it takes practice, and their first attempts may not go well and may not be well received. Increasing women's assertiveness in an environment focused on control and disempowerment is difficult and can lead

to women being perceived as challenging, disruptive, troublesome, 'manipulative'. It is important that women are encouraged to find a way through this, not be discouraged and further disempowered.

Assertiveness and self esteem are vital on release as well as in prison, not least in terms of accessing housing, benefits, medical care etc. By building women's skills in this way we are supporting them to be more self-sufficient on release and to make and stick with the changes they want to make in their lives.

### Corston progress: marks out of 43

Women in Prison have formally evaluated what progress has been made on the 43 recommendations of the Corston report (which was accepted in principle by the government at the time).

No progress 18  
Some progress 18  
Implemented 7



## HMIP reports

**Summarised by Helen Banks, AMIMB associate member**

### **Dartmoor** (Cat C)

Progress but in almost every area considerably more to do. Signs that sustained improvement was now within reach.

### **Ashfield** (Young offenders)

Lengthy waits at court and serious problems with late arrivals. A local agreement in the oversight of safeguarding and child protection had not been implemented and there had been no changes in practice.

### **Bedford** (Local)

Continues to rise to most of the challenges facing an old, crowded local prison, and generally safe and respectful, but scope to improve, particularly the resettlement of short-term prisoners.

### **Brinsford** (Young offenders)

Brinsford is now able to concentrate on its challenging and potentially volatile population. Despite our criticisms, the gradual improvement continues. Three more priorities: reducing violence, a better environment and resettlement.

### **Chelmsford** (Local)

Historically, unable to shrug off a negative and outdated culture. So it is reassuring to find a management and staff that has at last fundamentally improved the prison.

### **Dovegate** (Cat B, privately managed by Serco)

We have identified some key areas that require further work, but the director and staff can be proud of progress. A short follow-up inspection found the therapeutic community on a much sounder footing than in 2008.

### **Downview** (Women)

See page 6

### **Erlestone** (Cat C)

A more stable environment than the last inspection - despite serious concern about illicit drugs and bullying.

### **Featherstone** (Cat C)

Some key areas require further work, but the governor and staff can feel proud of the progress they have made in introducing a properly integrated working day.

### **Feltham** (Young offenders)

This unannounced full follow-up inspection soon after the summer riots focused solely on the younger age group. It found some useful and effective work despite the inevitable disruption

### **Grendon** (Cat B therapeutic community)

Clear progress in developing a national strategic approach for locating and resettling prisoners with personality disorders. Funding is crucial to continue this.

### **Haverigg** (Cat C)

Improvements in safety, purposeful activity and resettlement for this difficult prison. More work still needed to become a training prison, not least dealing with foreign national and cat D prisoners.

### **Hindley** (Young offenders)

Impressive range of quality assurance procedures recently reviewed and revised. When embedded and tested, it is hoped that the intended outcomes are achieved.

### **Isis** (Young offenders, Cat C adults under 25)

The prison has already made commendable progress, in the face of formidable challenges, in resettlement, self-harm and the supply of drugs. Next: training, safety and decency.

### **Kennet** (Cat C)

The number of prisoners locked down during the core day had fallen by over 50%; 75% of the prisoners were now engaged in full-time purposeful activity. Overall, a good inspection.

### **Lancaster Farms** (Young offenders)

It is now a safer place, although with continuing levels of violence. It is now also a decent place, with a more engaged staff, and in a sound position to re-role to a training function.

### **Maidstone** (Cat C)

Reasonably good outcomes for most prisoners; some significant gaps - particularly work and training, foreign national prisoners and sex offender programmes.

### **Manchester** (Local)

'Strangeways' is now completely transformed and in many ways provides a model to which other local prisons should aspire.

### **Rye Hill** (Cat B training, privately managed by G4S)

A decent, safe and secure environment; important areas eg health care continue to improve. Attention still needed on how to get a job on release; also tackling offending behaviour and drug and alcohol problems.

### **Shrewsbury** (Local)

Safe and respectful; the regime is much improved, although more needs to be done. Reducing the risk of reoffending among a potentially high-risk group needs urgent attention.

### **Stafford** (Cat C)

Reasonably safe and respectful with purposeful training; sustained improvement in the quality of the regime. Neds to sort out consultation with prisoners and the negative perceptions of minority groups.

### **Styal** (Women)

See page 8

### **Swaleside** (Cat B)

A safe prison; good staff/prisoner relationships. But it still needs to improve purposeful activity and training.

### **The Mount** (Cat C)

Now a much safer place but further work is needed on activity and regime resources, and the prison needs to improve resettlement.

### **Warren Hill** (Young offenders)

Despite ongoing work repairing recent damage, this inspection found improvement and much to commend.

### **Wealstun** (Cat C)

Outcomes for prisoners remain reasonably good in most areas, but some significant concerns - particularly safety, which has deteriorated sharply.

### **Wormwood Scrubs** (Local)

An improving prison that has now got many basics - eg safety and decency - right and has innovative plans to address learning and skills and resettlement.

### **Wymott** (Cat C)

An effective training prison with notable progress in managing sentences and improving resettlement. But it needs to improve safety and respect and in particular diversity.

# All change at Morton Hall



**IMBs are going to have to be prepared for change on all sorts of fronts. Governor then Centre Manager Jamie Bennett on the change from prison to immigration centre (and a contribution from the IMB)**

In the last 50 years Morton Hall has had many roles, including an open borstal, a centre housing Vietnamese refugees, an open young offender institute, an open men's prison, a semi-open women's prison and then a closed women's prison. The latest transformation in May 2011 saw it reopen as an IRC for men. It is operated by the Prison Service under a contract with UK Border Agency. This article will focus on the ways that the professional identity of staff has changed.

Generally, staff appreciate that they confine people as a punishment for their actions and in their management of them they have to balance security, control, care and rehabilitation. However, the role of IRCs is less clear cut. They ostensibly hold those who may not comply with the removal process, which can include people who have committed offences and completed their sentences but also those who have not been convicted of any criminal offence.

Services for detainees have some prison-

like features, for example institutional dining, lock up and unlock times, roll checks and periods where they are confined to their rooms. However, in other respects services are different, reflecting that detainees are undergoing a civil rather than a criminal form of detention. For example, detainees have access to mobile phones and internet, they work only if they wish to and they have greater opportunities for visits, use of the shop and association.

These changes have inevitably been introduced within an existing site with its own distinct architectural features and also an established culture and set of practices. As a result these changes can initially feel grafted on and piecemeal and only gradually do they become absorbed and integrated. There are other services that have had to be adapted and developed. A new set of external links have been established with voluntary sector and non-governmental organisations interested in migration. Planning for the resettlement of detainees has had to be

considered. In prison, the end of the sentence is fixed and therefore planning can be geared around that date, but in immigration removal, there is less certainty about the timing of deportation and therefore planning becomes more complex. This uncertainty can leave many detainees feeling in limbo, distressed and anxious, or with a sense of grievance about their situation. There is also an ever-changing mix of nationalities, cultures and languages as each new international crisis, conflict or natural disaster has a trickle-down effect. This presents a constant challenge in reviewing and revising services to meet the needs of a shifting population.

## **Discipline**

One issue that has been particularly testing for some staff has been the change to the disciplinary framework. In an IRC there are no adjudications, incentives and earned privileges are less extensive, access to segregation and transfers are more restricted and there is no conditional release. As a result, many staff have felt the absence of the levers that they had available in a prison for controlling and managing behaviour. For many, they have felt that their power has been reduced or at least has been changed. This has happened at a time when they have been working with a population who have displayed more challenging and difficult behaviour than those held in the past. New methods for managing behaviour have been introduced, including case conferences and compacts, the use of temporary and partial exclusions from particular activities and a strengthened incentives and earned privileges scheme.

## **Culture**

It is important to reflect on how staff feel about the people they are responsible for. As

## **Personal observations from Margaret Smith of Morton Hall IMB**

Physically the establishment has changed. There are more locked doors, more fences, razor wire and increased CCTV coverage. The once well-kept, attractive grounds have been grassed over as there is no longer a prisoner workforce. No obligation for detainees to work and that work limited to 15 hours a week has meant the loss of the farm and some workshops. The remaining workshops are struggling to adjust. Education has worked hard to provide useful short-term courses for an ever-changing population. Mobile phones, internet access, open visiting 7 days a week and 24-hour reception are also noticeable changes.

After the closure of the women's prison and before the opening of the IRC, IMB members were invited to join the staff and attend the many courses designed to help everyone understand the change. Some members visited the IRC at Dover, some the IRC at Haslar. However, nothing can quite prepare for reality. Most prison

staff welcomed the challenge, reacted to the change with the professionalism expected and have shown great patience and flexibility. A few are still struggling to manage the transition from a prison to an IRC culture and a population with which they do not relate or sympathise. Lack of sanctions makes discipline a problem which is being actively addressed.

The nature of IMB applications has changed. Main concerns are currently food, victimisation and lost – probably destroyed – documents. Short stays mean that some applications are overtaken by events when a detainee is transferred or deported. There is also some uncertainty as to which issues should be pursued by the Prison Service and which by UKBA.

The transition took a lot of planning and hard work. On the whole it went smoothly. I feel confident that it will continue to progress.

with crime and punishment, migration is a high-profile, emotive and controversial issue. Media, political and public discourse often has a great deal of heat in it. Staff are not immune to this and many will import existing personal and political views and will also be shaped to some extent by what they read and hear. Much of the training and development provided for staff prior to opening was directed towards challenging myths and distortions about migration and exploring the personal biographies of those in detention so as to strengthen empathy and understanding. Moving from seeing those they work with as prisoners to understanding them as detainees not only involves learning about the legal framework and administrative processes but also about the histories, experiences and expectations of those in detention. This is important for finding ways of deploying the strengths staff have in building relationships, managing risks, securing co-operation and demonstrating care. Such shifts in perception and understanding emerge through a personal journey of reflection and adaptation.

Moving from a women's prison to a men's immigration centre has presented some significant challenges. There are many ways in which successful adaptation is being facilitated, including training, team meetings, open dialogue and individualised support. However, the very nature of immigration removal involves greater flux than prison, particularly as a result of the short-term, shifting population and looser organisational structures. Prison staff are therefore having to construct a new working identity in which they have to live with greater uncertainty not only as part of a change process but also as an integral aspect of their work.

As with any large organisation, individuals respond to change in different ways. There are a small minority of staff who struggle to adapt and require additional support, either because they have to build their confidence and skills or because they have negative and resistant attitudes. Many more are positive about change and have eagerly embraced the opportunities to find new professional challenges and develop themselves. What is most striking about those who work at Morton Hall is their openness about the challenges and opportunities and their willingness to rise to them with a sense of realistic optimism; adapting, learning and growing as they seek to meet the full potential of themselves and the Centre as a whole.

*Since writing this, Jamie Bennett has changed again: he's now governor of Grendon prison*

## How old are you really?

**Margaret Johnson of Brook House Immigration Removal Centre IMB on age disputes**

For those of you working in prisons this will not be a category you have had to deal with but for those of us in the immigration estate, detainees who claim to be minors are a concern. So who are they, why do they give extra concern and how is this managed?

Typically, they will be young Afghans who have been detained either with false documents or none. They are likely to have been trafficked and money will have changed hands to enable them to take the hazardous route to England. It is certainly possible that they will be fleeing torture. They may have never had a birth certificate which would prove their age. Indeed, recently one young man did have a passport stating him to be over 18 but an age assessment decided he was 16. They are also unlikely to be able to speak or understand much English. Their aim is to remain here to have what they believe to be a better life. It is illegal to detain a minor so that if they claim to be under 18 they will have to be age assessed by specially trained social services staff. If they are deemed under 18 they will then be released to the care of social services. However they do still remain subject to immigration control.

### **IMB involvement**

When one of these cases arrives in the centre the IMB is informed and will then monitor their welfare. Age assessment is a tricky and inexact science and hard-pressed social services personnel may well not be over-eager to come and see someone who is, after all, held in what is deemed to be a place of safety. Ironically in an IRC they are being detained with a high percentage of foreign national ex-pris-

oners convicted of the full spectrum of crimes.

On one occasion a youngster, not from Afghanistan, arrived from school, with GCSE work. Despite the efforts of the IMB he was detained for more than a month, waiting while the age assessment was done.

Caring for these people is a problem for staff. For the reasons already mentioned they should not be allowed to mix with the general population of detainees. I have observed a number of different ways centres have managed this care. They may be kept, with their fellow countrymen, on the wing but in a single room and with extra supervision, being escorted by an officer to activities. If the centre has a healthcare centre with beds they may be kept there, with a female officer in charge. Most worryingly, they could be in the Care and Separation Unit. It is a difficult call for management.

Quite often on the next rota visit you will find that age assessment has taken place and the young man, judged to be over 18, is back with his mates waiting for the next charter. As IMB members we have a duty of care towards these vulnerable youngsters but this is an emotive issue, closely related to the detention of children. There seems no easy answer. It is an interesting dimension to the work of those of us in IRCs.

### **X-rays?**

The UK Border Agency has announced a 3-month trial of the use of dental X-rays to settle age disputes – arousing considerable opposition. Young asylum seekers who have been judged by Croydon Council to be over 18, but who dispute this, will be offered the opportunity to be X-rayed. UKBA say that refusal will not adversely affect their claim. Even if that is true, the idea – abandoned by the last government three years ago – is opposed by the Children's Commissioners, on the grounds that it exposes youngsters to unnecessary radiation. There are legal doubts too, and medical uncertainties about even the accuracy of the procedure.

**Troubled? Confused? Uncertain? Harassed?**

## **AMIMB Helpline**

**For support or advice from AMIMB contact**

**Angela Clay (01622 844481, [angela.clay@amimb.org.uk](mailto:angela.clay@amimb.org.uk))**

**Susan Dyas (01262 469339, [susandyas@hotmail.co.uk](mailto:susandyas@hotmail.co.uk))**

**Michael Watson (01995 640437, [michael.watson3@ukonline.co.uk](mailto:michael.watson3@ukonline.co.uk))**

## LAST WORD from Carp

### An issue of interpretation

What are IMB members' impressions of the interpreting service supplied by Applied Language Solutions? They now have the contract previously held by Big Word, and are the sole supplier of interpreters to prisons, courts and the police. The new contract attracted some public scrutiny, as ALS was bought recently by Capita, who claim to be 'the UK's leading provider of business process outsourcing.' That role has attracted some bad publicity in the past, and it is said that as a result ALS is having difficulty recruiting interpreters for the new service. Let us know.

### Incentive or more punishment?

Prisoners leaving jail who go on to seek job seeker's allowance will be referred immediately to the government's work programme, and lose benefit if they refuse to cooperate. This was announced by the employment minister, Chris Grayling. The government believes that this measure will help to reduce reoffending. At present most claimants are not referred to the work programme until they have been on benefits for 9 to 12 months. The MoJ will also set up payments by results system for former prisoners so that employers will be paid according to the number of ex-offenders recruited. Work programme participants will receive a fee of £5,600 if they succeed in placing a former offender into work, and help them stay in employment for more than two years. Employers will be expected to start providing guidance about job opportunities to prisoners while they are in custody, in preparation for release.

### The future of community sentences

The government has set out plans to make community sentences 'credible, robust and demanding punishment'. In the context of the future of the probation service, justice secretary Ken Clarke trailed some of the ideas prior to their official announcement. The centrepiece of the proposals is greater enforcement, in the form of tags, longer curfew orders and enforced sobriety. But the MoJ's own impact assessment, published alongside the proposals, admits that UK evidence on electronic tags indicates a likely 'neutral impact' on reoffending. This raises the question of why this new package focuses on these external control measures to the exclusion of what we know helps people go straight, such as strong family relationships, taking responsibility and constructive supervision or mentoring. A notable exception is the welcome expansion of restorative justice (at last; believe it when it happens) which can reduce reoffending by between 14% and 27%, repair harm in local communities and help victims.

### More cells for children

Frances Crook, the chief executive of the Howard League for Penal Reform, said has criticised the Youth Justice Board's decision to commission more accommodation for children. 'The YJB has made the wrong decision to squander millions of pounds of taxpayers' money on building more prison cells for children. Children leave custody more, not less, likely to commit crime when they are released. The YJB is trying to put lipstick on a pig by introducing so-called enhanced units into prisons.'

### Lowdham Grange Olympics

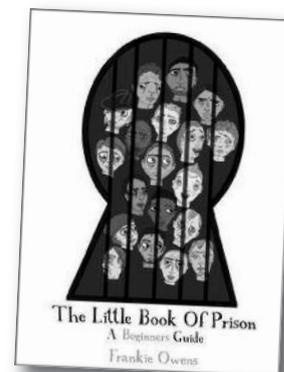
Prisoners at Lowdham Grange in Nottinghamshire have premiered a piece of music composed for the Cultural Olympiad. It was written in the prison by the celebrated composer Mark-Anthony Turnage and rehearsed with input from the 15 prisoners who performed it on the education wing. The prisoners helped write the four movements, including reggae and a rap song delivered by one of the inmates and featuring a female prison officer on backing vocals. 'We work on it together and it's a true collaboration' Turnage said. 'That's where it gets quite emotional because it's a really nice bunch of guys.' No-one in the prison is serving less than a four-year sentence. Said a drummer and bass guitarist prisoner: 'It's a good opportunity – it's a shame to have to come to prison to have to work with Mark Turnage.'

### We may have told you so

Andrew Farnon recently escaped from two prison officers when being taken from Highpoint prison to hospital in Bury St Edmunds, with a stab wound. He was caught in Scotland two days later. Highpoint IMB had already warned in its annual report about the effect of budget cuts. 'At present staffing levels permit a prompt and effective response to any incident that may occur. With staff stretched this may not be possible and safety and security could be compromised.' However, board chair Marion Twitchett was not prepared to gloat. She was quoted in the *East Anglian Daily Times*: 'It is difficult to comment on the incident at the moment while there is an ongoing inquiry and we do not know how long that is going to be so it would be unfair of us to jump in at this present time.'

### A little book with big sales

A 'beginners guide' to prison life has proved a surprise best-seller for specialist penal publisher, Waterside Press. The Little Book of Prison was written by Frankie Owen before and after his release from prison last August. It consists of information and advice of the sort he reckons would have been useful to him when a first-time offender. But the element that lifts the book from worthy to really worthwhile, that has attracted good reviews and a Koestler award, is its frank, direct and often humorous approach. It has been bought by prisoners' families for their loved ones inside, and by prison libraries etc. It could also be a useful source book for IMB members. Here are a few extracts.



'The first letter you send out, ask for stamps and envelopes. You can use these to trade for tobacco, then if you don't smoke, buy some luxuries.'

'Taking a dump, dropping the kids off at the pool, this needs to be humane to your cell mate. Choose association and leave the windows open to air the room. On a few occasions I have had a screw peer into the cell and catch me in the turd act.'

## AMIMB statement of purpose

**AMIMB works to maximise the effectiveness of its members by providing:**

- encouragement in the robust and efficient performance of their duties
- training support
- best practice advice on the treatment of prisoners and the administration of prisons
- information on relevant developments in penal affairs
- support for members who seek advice in times of difficulty.

**AMIMB also helps to enhance public awareness of the work of Independent Monitoring Boards.**