



APPROPRIATE SENTENCING OF NON-VIOLENT WOMAN OFFENDERS

Resolution Shortlist Briefing Notes



Appropriate Sentencing of Non-Violent Woman Offenders

Women in prison are some of the most vulnerable in society. The majority have committed non-violent offences, and many have been victims of much more serious offences than those they are accused of committing. Prison can do enormous lasting damage to women's mental health, and research shows that community support and management can be far more effective and produce better reoffending outcomes than custodial sentences, as well as mitigate the negative impacts on children and their wider families. The NFWI therefore urges government to renew its focus on early-intervention and community-based solutions for women who have committed non-violent offences as a matter of urgency.

Proposer's position

The proposer is concerned about the serious negative impacts custodial sentences can have on women's mental health, their children and families and their prospects of rehabilitation. She recognises that most women given custodial sentences have committed non-violent offences, and the many are themselves victims of some form of abuse. She would like these non-violent women offenders to be sentenced to alternatives to prison such as community management.

The scale of the problem

Most women are sent to prison for non-violent offences, and serve sentences of 12 months or less.

According to the Prison Reform Trust, women in prison are highly likely to be victims as well as offenders. Over half the women in prison (57%) report having suffered domestic violence. 53% report having experienced emotional, physical or sexual abuse as a child.

Prison can have a host of negative impacts for the women themselves, as well as their children, families and wider society.

Women are much more likely than men to self-harm whilst in prison. Rates of self-harm in women's prisons have risen by 20% in the last decade, and 99 women have died in prison in England and Wales since 2010. Nearly two in five deaths were self-inflicted.

Nearly three in five women in prison report that they have children, and women are far more likely than men to be primary carers of children. An estimated 17,000 children are affected by maternal imprisonment every year.

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

The current situation

Community support and management can be far more effective and produce better reoffending outcomes than custodial sentences. Community orders support women to engage in employment and to secure stable accommodation, both of which are factors in reducing reoffending. They also reduce disruption to families.

The Female Offenders Strategy, launched in 2018, recognised that women offenders are amongst the most vulnerable in society. It set out an aspiration to see fewer women in prison for short sentences. It also prioritised early intervention to prevent offending and disrupt the cycle of reoffending, as well as use of community-based solutions rather than custodial sentences.

However, research published by the Prison Reform Trust in 2021 found that the Government had fully implemented only 31 of 65 commitments in the Strategy. The majority of the promises made were unachieved or partially unachieved nearly three years after the Strategy was launched.

In January 2021, the Government announced up to 500 new prison places would be built for women, a move that has been criticised as contrary to the goal of reducing the number of women sent to prison. The Government also said it was anticipating a temporary increase in the female prison population due to the recruitment of an extra 20,000 police officers.

In addition, £2 million was announced to support community services that work with vulnerable women to help address the issues which can lead them to commit crimes. The funding will be used to help cover the running costs of charities, many of which have seen the demand for their services increase during the pandemic.

However, several charities said the measures do not go far enough. Responding to the announcement, the charity Women in Prison said it was a 'far cry from what is needed', while the Prison Reform Trust said 'instead of planning for a rise (in women prisoners), the government should redouble its efforts to ensure women are not being sent to prison to serve pointless short sentences'.

How could the WI work on this issue if it was passed?

A full campaign would be developed by the NFWI if the resolution is passed, taking into account developments since then. To help inform your discussions, here are some ways the WI could consider working on this issue.

At local and regional levels, WI members could raise awareness about the negative impacts of custodial sentences on women, their children and families.

Federations and WIs could also establish links with local centres providing community-based support for women who have committed non-violent offences.

Nationally, the NFWI could launch a national campaign targeted at non-custodial sentences for women who have committed non-violent offences.

The NFWI could also build on the work the WI is doing supporting women offenders through its network of prison WIs.

Points to consider:

- This resolution is a chance to shine a spotlight on an issue that is not well known, and supports the NFWI strategy by offering the WI an opportunity to speak out strongly for some of the most vulnerable and marginalised women in our society.
- The resolution would be a positive next step from the WI's successful Care not Custody campaign, which was about ensuring people experiencing mental health problems get the right care for their condition through safer alternatives to prison.
- As part of the Care not Custody campaign, the NFWI has in the past supported investment in community-based provision and non-custodial alternatives for female offenders. Do we therefore need a mandate on this issue, or would there be value in it to enable the WI to launch a dedicated campaign and to have this as one of our key areas of focus on a national level?

Further information

Prison Reform Trust:

www.prisonreformtrust.org.uk/Portals/0/Documents/Women/Why%20women%202021%20briefing%20FINAL.pdf

UK Government Female Offender Strategy:

assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719819/female-offender-strategy.pdf

Women in Prison:

<https://www.womeninprison.org.uk>

Video content

Hampshire & Isle of Wight Community Rehabilitation Company:

www.youtube.com/watch?v=Z2Fn5gPKLaI

Pact - Not Just a Prisoner: Voices of Mothers in Prison: www.prisonadvice.org.uk/not-just-a-prisoner

Public Affairs Department Contacts

If you have any questions about the resolutions or the resolutions process then please get in touch with the NFWI Public Affairs department.

Post: National Federation of Women's Institutes, 104 New Kings Road, London, SW6 4LY

Telephone: 020 7371 9300

Email: publicaffairs@nfw.org.uk

Website: thewi.org.uk