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***Issues in Criminal Justice***

***The University of Sussex***

**WOMEN IN PRISON: CORSTON FIVE YEARS ON**

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**29 February 2012**

*This lecture will reflect on developments in the UK since the 2007 Corston Report, a review of women with particular vulnerabilities in the criminal justice system, which outlined "the need for a distinct radically different, visibly-led, strategic, proportionate, holistic, woman-centred, integrated approach".*

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Thank you.

We can't go on like this.

In one thirteen month period over 2002/3, six women killed themselves in Styal women's prison. It was these terrible events that triggered the Corston review.

A few months ago, the inspectorate was back In Styal prison. Let me read to you from part of the report into what we found:

*Overall this was a positive inspection of a prison which has had a chequered history, and it was apparent that the upward curve of improvement in recent years had been maintained.*

*However there are two important caveats to this, which deserve national attention. The deaths of six women at Styal between 2002 and 2003 led to the commissioning of the review of vulnerable women in prison led by Baroness Corston. Published in 2007, it recommended a drastic reduction in the use of women's imprisonment.*

*It was therefore disappointing to find, and to be told of by the governor, too many cases of women, some of whom were clearly mentally ill, serving very short prison sentences which served little purpose except to further disrupt sometimes already chaotic lives.*

The report goes on:

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*Second, despite the best efforts of the staff at Styal, the Keller Unit remains a wholly unsuitable place to safely hold and manage very seriously damaged and mentally ill women.*

*My inspectors noted bleakly that, 'Officers, particularly on Keller Unit, often had to use force to remove ligatures from women intent on harming themselves.'*

*In 2005 my predecessor noted such concerns about its forerunner, the care and separation unit, and was still concerned in 2008 that, despite the change of name, 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.*

End quote.

I said at the time we published the report that the circumstances of the women on the Keller Unit were more shocking and distressing than anything I had yet seen on an inspection. That is still my view.

So the point I want to make tonight is this.

In many ways, what we found at Styal prison a few months ago epitomises my view of women's prisons as a whole.

First, and significantly, there have been real improvements since Baroness Corston reported almost exactly five years ago. These improvements are a testimony to the hard work and care of a lot of people within the prison service and without.

But second, despite those improvements, and despite so much dedicated work by prison staff and others – prisons – particularly as they are currently run, are simply the wrong place for so many of the distressed, damaged or disturbed women they hold.

And third, I think the treatment and conditions in which a small minority of the most disturbed women are held is - in relation to their needs – simply unacceptable. I think - I hope - we will look back on how we treated these women in years to come, aghast and ashamed.

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And I want to be clear where responsibility lies. It does not lie with the officers, staff and governors on the ground – many of whom are simply humbling in the dedication and care with which they approach their work - or the officials and others trying to improve things in the centre. This is a responsibility that lies squarely at the door of successive governments and parliament.

The fact of the matter is that the recommendations Baroness Corston set out would be an effective response to this scandal. Some of her recommendations have been accepted and implemented – but others, particularly her strategic recommendations for smaller prisons and greater visible senior leadership have not. In my view, without these two strategic changes, further progress will be very limited.

In advancing that argument, there are five areas I want to cover.

First, I thought I should explain my remit, the work my inspectorate does and how we come to our findings.

Second, I want to address the crucial point that Baroness Corston made, which sounds obvious but seems to need repeating, that the circumstances of and offences committed by women are different to men.

Third, I want to talk about her recommendations concerning the use of imprisonment and community alternatives.

Fourth, I will look at what happens in prison itself, using our inspection findings to do so, and how that matches up to what she recommends.

Finally and fifthly, I will turn to her recommendations about the structural changes that are necessary to progress her vision.

For those of you who want to look at this in more detail, you may be interested in our short thematic report on women in prison, published in July 2010, that looked at our findings from inspections of women's prisons between 2006 to 2008 and the joint thematic report we produced with the probation and crown prosecution inspectorates in October last year entitled 'Equal but different' and which looked at the use of alternatives to custody for women offenders. Both of these, together with our individual inspection reports of all women's prisons, can be found on our website.

Let me also say, so there is no misunderstanding, that there is an important caveat to much of what I am going to say tonight. I do not seek to minimise the harm women offenders do to their victims of their crime and of course imprisonment will sometimes be the appropriate response to that. Nor do I want to suggest that all women in prison are victims. Some are unambiguously the victimiser whose actions cause distress and harm to others. But it is, as we shall see, a much more complicated picture than that.

So, first, the inspectorate of prisons.

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My responsibilities are set out in the Prison Act of 1952.

That requires me to inspect or arrange for the inspection of prisons in England and Wales and report to the Secretary of State on the treatment of prisoners and conditions of prisons.

What that means in effect is that that I report on outcomes for prisoners not the management of prisons.

Subsequent legislation has extended my remit to immigration detention facilities and escorts, police cells and court custody. I also inspect military custody by invitation.

All of these, of course, hold women alongside men but I am going to concentrate my remarks today on adult women's prisons and adult women offenders.

All our inspections of women's prisons are undertaken by a specialist women's inspection team.

Our inspection methods are now enshrined in a comprehensive and systematic inspection approach.

We inspect against standards known as Expectations that are all based on international human rights standards. It's important to be clear about this point – we are not auditors checking whether the procedures the prison service has agreed are being applied – we are inspecting against independent standards based on international human rights norms.

We inspect every prison regularly and most inspections are unannounced. Our inspection methodology is based on the experience of prisoners expressed through surveys and individual and group discussion, talking to staff and other visitors, looking at records and data and observation. Many of the figures I quote will be from the survey data we have now collected in all prisons for many years and which is a unique resource.

As well as reports on individual institutions, we also produce thematic reports on cross-cutting issues on our own or with other criminal justice inspectorates.

All our inspection reports are published.

The most important feature of our inspections is that they are independent.

We decide what we will inspect when. Once at the prison we require access and keys. We go where we want, speak to who we want and see what we want. The reports are published at my discretion.

That independence is now underpinned by the Optional Protocol of the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment or OPCAT to which the UK became a signatory in 2003.

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OPCAT requires each signatory state to establish process of regular, independent, preventative inspections to all places of detention.

It is with that mandate I want to address my topic today, beginning with the ways in which the circumstances of and offences committed by women are different to men.

As I have said, it sounds obvious but I am not sure it is really understood.

Like my predecessors, I was appointed from outside the prison service. So I was really shocked on the first inspection of a woman's prison I went to – Bronzefield, a private prison just outside West London in October 2010.

The vulnerability of the women held was very visibly obvious. So many looked physically unwell. A third of the women had a drug problem when they arrived at the problem. Half had children under 18 and about 1 in 7 told us they had a problem ensuring their dependent children were looked after when they were taken into custody. Levels of self harm were very high. I remember being shocked by how many women had scarring on their arms. New arrivals were visibly distressed.

According to the data the prison itself gave us, almost two third of the women were on remand or sentenced to six months or less. Less than 15% had been convicted of violent offences.

I don't say that you don't get prisoners with all these characteristics in a male prison but it is the extent of the need and vulnerability in women's prisons that is so striking.

What Corston said was:

*I have been dismayed at the high prevalence of institutional misunderstanding within the criminal justice system of the things that matter to women and at the shocking level of unmet need....*

She goes on:

*There can be few topics that have been so exhaustively researched to such little practical effect as the plight of women in the criminal justice system. The volume of material might lead one to suppose that this is a highly controversial area, which might account in some way for the lack of progress and insight in the way women continue to be treated. This is not the case. There is a great deal of evidence of fundamental differences between male and female offenders.*

Let's look at the differences she points to.

Numbers.

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The first point she makes is that women commit far less crime than men. They make up half the population but in 2004/5 were only 17 % of those arrested for recordable offences. 4400 women were in prison at the time she prepared her report making up 5.5% of the prison population. The latest MOJ statistics I have indicate that women still make up a little under 1 in 5 of those arrested for recordable offences. Last week, there were 4200 women in prison – 200 less than Corston recorded, making up 5% of the population.

What remain the same therefore, is that the overwhelming majority of prisoners in the system are men and it would stretch credulity to believe that system is not therefore overwhelmingly geared to a male population.

### Victims

She notes that women with histories of violence and abuse are overrepresented in the criminal justice system. For example, she quotes a figure of 50% of women having suffered violence at home compared with a quarter of men.

And now?

These are the figures we were given by one women's prison we were in recently (the report is not yet published, so I won't name the prison) from their own needs analysis of the women they held:

- About three quarters had identified some sort of trauma
- Just under half had experienced physical or domestic abuse
- About one in three had experienced emotional abuse
- And about one in three too had experienced sexual abuse or rape
- And about one in three had a history of self-harm or suicide attempts
- One in five had been involved in sex work

We have detected no significant change in the extent to which the women we find in prison are victims of abuse and exploitation since Baroness Corston published her report.

### Biology

Baroness Corston says:

*'it is clear to me that these biological factors have direct bearing on the way in which women experience stressful events during their lives. Women's physical and emotional health and well-being is damaged by their experience within the criminal justice system in a way that differs from men's experiences and is beyond the comprehension of some men.'*

Surely, that is not a contentious point – if anything she understates it.

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And if that is the case, it should surely be a concern that the decision making hierarchy for a woman at Styal for instance could today contain only men – a male wing officer, reporting to a male SO, reporting to a male assistant governor, reporting to a male governor in charge, reporting to a male regional Deputy Director, reporting to a male Chief Executive of NOMS, reporting to a male Prisons Minister, reporting to a male Secretary of State, reporting to a male prime Minister. Not to mention inspected by a male Chief Inspector.

Baroness Corston only needs to be a little bit right for it to be incontrovertibly the case that this long chain of men may not be the best structure to respond to the physical and emotional needs of some very troubled women.

Generally speaking, our reports consistently note that the ratio of male to female staff in women's prisons is too high.

Let me give you a practical example of how this manifests itself from our police custody inspections. We say that detainees should be offered the basic necessities, subject to risk, without having to ask for them – toilet paper and hygiene products for instance. Hardly any forces do this. Women who need sanitary products often have to ask a male custody officer for them. The men in charge, and it is usually men, have just not comprehended that this is an unnecessary indignity.

### Criminogenic factors

Corston said it came as no surprise to her that relationship problems feature strongly in women's pathways into crime. She also noted that alcohol and drug problems were also more significant factors for women than men.

It is similarly no surprise that this remains the case.

Our report on alternatives to custody for women offenders found that typical crimes that have characterised female offending patterns over a number of years, and continued to do so, included benefit fraud, shoplifting and breach of trust such as theft from an employer. Such offences were often driven by the woman's need to provide for her family or to fund an addiction, whether her own or that of her partner.

The report also noted alcohol-fuelled public order and violent offences were becoming more prevalent. That echoes our thematic on alcohol which found that 29% of the women prisoners we surveyed had a problem with alcohol compared with 19% of the prison population as a whole. This disparity is important because, although the situation is improving, alcohol abuse has not had the same attention as drugs and so that affects disproportionately more women than men.

### Mental health

Mental health problems remain, as Corston found, far more prevalent among women in prison than in the male prison population. Half the women whose

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survey responses we looked at for our women's thematic told us themselves they had a mental health problem and that significantly understates the scale of need. I am not going to labour the point – a high level of need is obvious as you walk round a women's prison - but even more is invisible and unidentified.

### Suicide

High levels of suicide amongst women prisoners were a trigger for the Corston review. Here there is good news. The level of self inflicted deaths in women's prison has fallen pretty steadily (albeit with some spikes) from 14 in 2003 to a provisional figure of 2 in 2011. Of course, one death is one too many but then so is a reduction of just one greatly to be welcomed.

Our women's thematic reported that improvements in the treatment and management of women with substance use problems, significant proportions of those entering prison, has undoubtedly contributed to the drop in self-inflicted deaths.

### Self-harm

Although women make up only 5% of the total prison population, they account for almost half the self-harm incidents in prison. The Corston report noted that 16% of women in prison self-harm compared with 3% of men.

Our report on Bronzefield described a shocking level of self-harm (although not one that is untypical in a women's local prison). In the 12 months before the inspection there had been 2,771 self-harm incidents – more than seven a day. Of those, six out of 10 had involved tying ligatures and just over half of the women involved had harmed themselves more than once. One woman had harmed herself 93 times in one month. Records for the use of force by staff showed that a high proportion were interventions to prevent women tying ligatures to themselves.

In addition to a high number of women self-harming overall, Corston describes 'persistent severe self-mutilation' by a small number of women and I think that is an accurate description of what some women are doing.

### Family

Of course, women in prison have different relationships with their family than men. These range from all the issues surrounding pregnancy and mothers and babies in custody, to the disruption of many women's role as the primary carer when they are taken into custody, to contact with family once a woman is in prison. These issues are vastly different in type and scale to those experienced by men.



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### Employment and accommodation

Corston found that 40% of women entering custody had had no employment in the last five years. She found that 20% had no adequate accommodation before entering prison compared with 14% of men.

Our findings suggest these are still major issues. We found that 55% of women expected to have problems finding a job on release (this was in the period 2006-8 don't forget, before the recession) and 44% thought they would have a problem finding accommodation.

Corston noted more broadly that women's resettlement needs were different to men and recommended work on resettlement that specifically addressed firstly the needs of women who had been raped, abused or suffered domestic violence and secondly the needs of women who have been involved in prostitution. This recommendation was accepted and now forms part of the resettlement work in some women's prisons but in many it is only nascent.

The fundamental point that Corston made and that the evidence still so vividly supports today is that women are different to men and so simply treating them the same will not create the equality of opportunity that criminal justice agencies now have a statutory duty to promote.

So, given those differences, how far are they recognised in the use of custody or its alternatives and how far is it recognised in what actually happens in prison itself?

I will start with the use of custody and its alternatives.

Baroness Corston is not one of those who say custody for women is never appropriate but she does say this:

*'Custodial sentences for women must be reserved for serious and violent offenders who pose a threat to the public' and 'Women unlikely to receive a custodial sentence should not be remanded in custody'.*

So what's happened?

The key facts and figures seem to me to be these:

Although small, there has been a reduction in the number of women in custody which has fallen by 200 since Baroness Corston wrote her report – at a time of general growth in the prison population.

In her own interim review, Corston reported that since 1997, the number of women entering prison on remand had increased by 12% to about 5,750 in 2009.

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In the 12 months to October 2011, the number women remanded in custody was significantly higher - about 7200 – although this figure was affected by the riots last year.

Be that as it may, it remains the case I think, that about 60% of remanded women do not go on to get a custodial sentence. At any one time, remand prisoners make up about 1 in 5 of the total number of women in prison.

82% of women serving an immediate custodial sentence have committed a non-violent offence compared to 70% of men.

Our joint report with the probation and prosecution inspectorates found that most women sentenced to custody in 2009 received relatively short sentences, generally under 12 months, and were consequently not subject to any form of statutory supervision on release.

We found that a strong lead had been given by the Ministry of Justice and NOMS. This includes some funding for community alternatives, piloting some important community resources and instigating guidance and performance measures designed to promote community alternatives.

Probation trusts had responded to this but they did not have systems for effectively measuring the impact they had. The report warned that the much tighter financial climate threatened the sustainability of some of the measures that had been put in place and emphasised the importance of effective local partnerships in response. There has, for instance been funding for women's centres, which Baroness Corston thought had a vital role to play – but that funding now looks very uncertain. I pay tribute to the work of the Corston Independent Funders Coalition in supporting this work – but they cannot and should not be relied on indefinitely.

We expressed our concern in the report that sentencers did not always have the information they needed in pre-sentence reports to consider properly alternatives to custody.

And we were disappointed by the lack of empathy shown by some for the women that probation staff supervised and their low level of knowledge about how to work differently with this group of offenders. Some probation officers lacked understanding about the range of resources available to them or otherwise failed to engage women positively in the supervision process. Too often they allowed process and performance measures to dominate their thinking and, despite the work that had been undertaken at a strategic level, often within their own region, lacked the awareness and underpinning knowledge to work with women effectively.

Fundamentally, despite the valiant efforts by some, the crucial recommendations that 'Custodial sentences for women must be reserved for serious and violent offenders who pose a threat to the public' and 'Women unlikely to receive a custodial sentence should not be remanded in custody' have not been adequately met.

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So now let me turn to what happens to women when they are in prison.

There have been real improvements. What we found at Styal was typical – outcomes for most women prisoners have improved or at least been maintained in all the adult women's prison we looked at.

Routine strip searching of women on entry into prison, which Baroness Corston described as 'humiliating, degrading and undignified and a dreadful invasion of privacy' has ended. We do still find examples of unnecessary strip searching however. In one case a girl – a child under 18 - in a Young Offenders Institution who had a history of abuse was held down and had her clothes forcibly removed from her. Overall though, the end of routine strip searching is very welcome.

Reception and first night arrangements have generally improved. New Hall for instance now has a more supportive first night centre which women told us made them feel much safer and more secure.

In my view, the introduction across the prison system of the Integrated Drug Treatment System, IDTS, where properly applied, has been very beneficial and because women in prison are more likely to have a drug problem than men, has been particularly helpful in women's prisons. Appropriate detoxification and maintenance arrangements at Styal transformed safety there.

As I have said, that has had a significant impact on the level of self inflicted deaths. However despite improvements in care, levels of self harm, though reduced, still remain distressingly high as the Bronzefield example I gave illustrates.

Generally, physical healthcare in prisons has improved and this is the case in women's prisons too – although we have found disturbing exceptions to this, including, surprisingly Bronzefield where the healthcare provision at the time of the inspection was shockingly poor. This was epitomised by a notice in the dentist's surgery that stated treatment would only be offered if a woman had been – quote - 'in pain for at least three days'.

Very importantly, a set of gender-specific standards for women's prison (PSO 4800) was introduced in April 2008 and this was a genuine attempt to meet the needs of women in prison.

All of these are significant improvements that have made a real and positive difference to many women's experience of imprisonment.

My biggest concern is the number of specialist women's prisons that have been lost because they have been re-roled to provide for the expanding male population.

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All our evidence is that women do best in smaller open or semi-open conditions.

Corston notes that levels of security in women's prisons are generally those required to stop men escaping or uniting together to overthrow the authority of the prison. Very few women pose the same the same threat. Open and semi-open prisons allow the levels of human contact between prisoners, mutual respect between prisoners and staff and contact between women and their families that is simply not possible in closed conditions.

Sadly, the only two semi-open prisons no longer operate. Both were previously open prisons, then became semi-open – one is now a closed prison for women (Drake Hall) and the other is now a male Immigration Removal Centre (Morton Hall.) The only two open resettlement prisons – East Sutton Park and Askham Grange are both excellent (although it's worth noting that neither have the facilities for women in wheel-chairs).

What struck me about East Sutton Park, was the extent to which women provided positive support to each other – both informally and as peer supporters in a well-organised and effective induction and resettlement service.

However, East Sutton Park and Askham Grange are the exceptions. Women's prisons are increasingly becoming multi-functional and holding women further away from home.

For example, Bullwood Hall had provided a good service for young adult women and those serving indeterminate sentences. It was then re-rolled to take male foreign national prisoners. Cookham Wood and Brockhill, other small establishments that were for women now also have different functions.

We subsequently found that Peterborough prison had now taken on Bullwood Hall's previous role of holding some young adult and indeterminate sentenced women in addition to its primary function as a local prison. Although the prison provided reasonable or good outcomes for most of the women it held, it understandably struggled to provide for the very different needs of these minority groups.

This is an example where PSO 4800 which sets standards for women's prisons appears to be widely ignored. An outcome the PSO requires is that the different needs of young women are understood and addressed.

Young adult males are very clearly seen as a distinct group with distinct needs – not least because they are often regarded as particularly troublesome to prisons and their staff. Young women on the other hand, perhaps because the harm they do is to themselves, are almost invisible as a group and do not receive the same focus young adult men receive. Previously, young adult women lived in separate units from older women but now in almost all women's prisons they have been absorbed into the general population.

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But as we all know, the emotional needs and the type of education and activity that will be suitable for an 18 or 19 year old will usually be very different for the majority female prison population, half of whom are over 30 in our surveys.

The PSO states that women should be held as close to their home as possible.

Peterborough's very wide catchment area is typical and meant that women had long journeys to the prison and were held a long way for families and friends. And the wide area covered made linking up successfully with community resettlement service very difficult for many women.

While the accommodation at Brockhill was far from ideal, its closure for women means there is no local prison for the large Birmingham/West Midlands area and many of the established links with community groups were lost. There is no women's prison in Wales.

There are other examples where the needs of women just don't figure. Take escorts for instance. The new escort contracts allow women and men to be transported together although the van must be partitioned. Nevertheless, women at New Hall told us that they felt threatened and intimidated on their journey to the prison by the abuse and harassment directed at them by the men with whom they shared the van.

Then there are dormitories. The only dormitories I have seen are in women's prisons. How can that be right?

It is a historical legacy I suppose - but I suspect that if the same proportion of men were accommodated in dormitories, it would have been treated as a much greater priority. In Holloway, the shared dormitories were cramped, lacked privacy and were unsuitable for five people and they made some women feel very insecure. In other prisons, East Sutton Park for instance, the problem with the dormitories was not so much insecurity but the emotional and personal impact so little privacy had on the women held and the frustrations that caused.

Foreign national women make up a disproportionate 20% of the women's prison population. What we have seen recently is that some of the services provided to foreign national women, such as that provided by the excellent Hibiscus organisation, are being cut back and that is very regrettable.

Probably the most significant way in which women prisoners are different to men is that they become pregnant, give birth and care for their children as they grow.

We have found that most mother and baby units provided a safe and supportive environment with good care planning for mothers and babies. But across prisons there was a need for better care planning for pregnant women,

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and support for mothers who would be separated from their baby after the birth.

There is generally a very high level of unidentified distress among women in prison many of whom have lost their children through fostering or adoption. Some have made precarious arrangements to have their children looked after which they are unwilling to disclose for fear they will lose their children. Even where prisons are aware that women are suffering the trauma of separation there is often little understanding about the emotional affect this will have on them and its repercussions which often just attract a disciplinary response. In one case we found a woman was given disciplinary warnings for ringing her cell bell for her expressed milk to be taken to the fridge. Foster carers brought the baby (from whom she was about to be separated) to the prison to be fed in general domestic visits which she was required to do under a blanket.

At the time we produced our thematic report there were a total of 75 places for mothers and 82 places for children in prison mother and baby units. None could take babies older than 18 months.

Most units, but not all, employed specialist childcare staff – but these worked alongside prison staff who in my view were often inappropriately in uniform. I have been particularly concerned about the practice of leaving one, male operational support grade in charge of a mother and baby unit at night. It is also a shame that very few units allowed mothers to cook for their children.

Visits obviously play an important role for mothers with older children as do phones and mail. At Bronzefield, visits were well organised and there were a variety of specialist family days. For a small fee, families could hold children's birthday parties with their mother during family visits – they had pirates and princesses parties. I remember speaking to one very vulnerable young woman who positively glowed when she described the positive impact this provision had on her self-esteem and wellbeing.

But I will tell you about another prison I was at recently. I went into the visits hall during visits. The first thing that strikes you is that the women were required to wear an orange reflective sash - the sort of thing you might wear on a bike to help you be seen at night. It seemed to me a particularly humiliating requirement for women meeting their children.

I noticed one young woman – a girl really - sitting on her own after everyone else's visitors had come in. It is always a poignant moment – you hope they are not going to be stood up publicly by their visitor. Then an older woman came in through the visitor's entrance with a baby in her arms and she sat down next to the younger woman who took the baby with great tenderness.

It was quite a touching scene I thought – grandmother bringing the baby in to be reunited with its mother.

That wasn't what was happening at all I was told.

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In fact, this was a separation visit. The older woman was a social worker bringing the baby in so its mother could say goodbye one last time before it was adopted. All this took place in full view of everyone else until the mother, who quickly became distressed, was moved with the baby and social worker into a side room. How could they have thought that a crowded visits hall was the appropriate place to deal with such a situation? It was normal practice.

My final concern is that overall, there is still a very high level of unmet mental health needs. It seems to me to go to the heart of the issue – a very significant part of the women's prison population need a level of care that a prison simply cannot provide and indeed, common sense would suggest that prison is likely to make their condition worse.

Within the general prison population there are some women – a relatively small number – with much more extreme levels of need. I have seen a lot of pretty grim things in my working life but what I saw at the Keller Unit kept me awake at night. The levels of self mutilation and despair were just terrible. Men who are as repeatedly violent to others in prison as these women are to themselves are treated as a national responsibility and managed with resources and attention from the centre. These women, whose disturbance is turned inwards, are left to a local prison to manage as best they can. If nothing else, for pity's sake, something should be done urgently to try and provide a proper place and care for these lost souls.

Overall then, our inspections have found that there is evidence that Baroness Corston's report has driven real and significant change in the experience of women in prison.

However, despite these changes and despite the hard work of those involved, the structural problems to which Baroness Corston points remain almost untouched.

The different needs and circumstances of men and women prisoners remain as stark today as they did when Baroness Corston wrote her report – little has changed.

The number of women in prison has remained almost constant and too little has yet been done to develop and fully utilise community alternatives to custody – and what has been done is not secure. There are too many women in prison who simply do not need to be there.

And inevitably, despite the improvements I have listed, prisons are still run largely with the 95% male population in mind and because practice on the ground too often fails to recognise the difference between women and men prisoners, the outcomes for women prisoners are worse than men.

So that brings me finally to the structural changes that Baroness Corston proposed, that have not been carried through and without which I think it is going to be difficult to make much more progress.

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Firstly, she recommended the establishment of dispersed, small, multi-functional centres to replace large existing prisons.

That has not happened – although interestingly it is how Young Offender Institutions for girls under 18 have developed – and they generally work very well - but the overall national population is very small – under 100.

However, on the adult side, there has been no progress at all. The financial situation and the rising male prison population don't make this any easier but I am not convinced a start cannot be made. For example, I think it would be interesting to examine the current estate and see if within that, using existing facilities, some small, multi-function units of the sort Baroness Corston describes could not be established. The work the Youth Justice Board is doing to develop their estates strategy, that will be published shortly I believe and in the same financial climate, might be a model that could be followed for women's prisons.

These changes – and the others that are required, need leadership and Baroness Corston called for the establishment of a Commission with senior leadership for women who offend or who are at risk of offending. There is an amendment before the House of Lords at present, as part of the consideration of the Legal Aid, Sentencing and Punishment of Offenders Bill, that proposes just such a Commission.

In the same debate, Lord Ramsbotham, my predecessor, suggested establishing an equivalent to the Youth Justice Board - which has had success in reducing the number of young people in custody – a Women's Justice Board.

The Ministerial Board on Deaths in Custody, attended by Minister from all the relevant departments, senior officials and interest groups is, I think, a successful model for focussing attention on a particular issue within the justice system.

I am not too concerned about the precise structure, what I am absolutely convinced by is that we have not made sufficient progress, we can't go on like this, and we will not make further progress on Baroness Corston's agenda without senior, visible leadership, with real authority and resources to push things through.

I think the proposals now before the House of Lords are compatible with Minister's own stated policy agenda. I hope these proposals will be given the most serious consideration and that we will use the five year anniversary of Baroness Corston's report to make the strategic and structural changes required.

Thank you.



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