

## Women in prison in Scotland: an unmet commitment

### 1998

'The number of women offenders who are sent to prison could and should be reduced...The only relatively sure method...is to make a significant reduction in the number of women being imprisoned, via a twin track strategy [of] more options in the community [and] fewer prison places...the aim of these joint strategies should be to limit the female population at Cornton Vale from over 170 to 100 or less on a daily basis by the end of the year 2000. There should then be regular reviews with the aim of keeping the numbers in prison restricted to those who pose a real threat to the community rather than themselves'. *Women Offenders: A Safer Way* .

### 1999

'I suggest that the only relatively sure method of dealing with the problems associated with women in prisons is to make a significant reduction in the number of women going to prison or undergoing any kind of prison service. That should be the core policy objective'. [Angus MacKay, Deputy Minister for Justice. *Official Report*, Vol 3, c 1774. 16 December 1999.]

### 2002

'The Ministerial Group on Women's Offending was established in December 2000 with a remit to: "build on the work done by the Inter-Agency Forum to take forward and implement a package of measures designed to reduce significantly the number of women held in custody in Scotland"'. *A Better Way: The Report of the Ministerial Group on Women's Offending*.

### 2005

'I am particularly disappointed that Scotland's female prison population continues to rise year on year... It surely cannot be beyond us, working together, radically to reform how we manage women offenders in Scotland'. [Cathy Jamieson, Minister for Justice. *Scottish Parliament Official Report. Debate on women offenders. Col 15898 - 15903. 13 April 2005*]

## 1. Too many women in prison?

On 12 May 2006 the number of women in prison in Scotland was the highest ever, at 365.

Yet, since the year 2000 the Scottish Executive has been concerned to reduce the number of women in prison, and this objective commands cross-party support <sup>1</sup>. In 1998 a report from the Prisons and Social Work Inspectorates, *A Safer Way*, called for fewer women to be sent to prison <sup>2</sup>. After the establishment of the Scottish Executive, Scottish

Ministers set up a further group to take forward *A Safer Way* which reported in 2002. The report of this group, entitled *A Better Way*, noted the 'policy commitment from Scottish Ministers to reduce the use of imprisonment' and that 'the number of female prisoners in Scotland continues to rise, **even when many of these women pose very little risk to the communities in which they live.**' <sup>3</sup>. In a debate in Parliament in 2005 the Justice Minister re-affirmed the commitment to find a better and a safer way to deal with many of the women who currently go to prison.

Unfortunately, in the years since the matter was first raised and a commitment made to reduce the unnecessary use of imprisonment for women, the numbers have steadily increased.

- The average number of women in prison on any one day in 1996-7 was 189. In 2004-5 it was 332, an increase of 75%.
- Between 2003-4 and 2004-5 the average number of women in prison on any one day went up from 314 to 332.
- Since many of the women who are sent to prison are sent there for short periods the actual number of women who experienced imprisonment in 2004-5, was 3126 compared with 2280 in 1996-7 <sup>4</sup>.

## 2. Some facts about women's imprisonment

### High numbers of women are remanded to prison before their cases come to trial:

- Between 1996-7 and 2004-5 the number of women on remand on any one day nearly doubled from 46 to 84.
- The number of women remanded in the course of a year rose from 1009 in 1996-7 to 1807 in 2003-4, an increase of 80%.

### The offences for which women are imprisoned show that women are:

- Less likely to be in prison for violent offences (31% compared with 41% for men).
- More likely to be in prison for dishonesty offences (27% compared with 14% for men).
- More likely to be in prison for drugs offences (28% compared with 14% for men) <sup>4</sup>.

### Women's sentences are mostly short

- Seven out of ten prison sentences passed on women over 21 are for less than 6 months.
- Only 14 sentences of more than 4 years were passed on women in 2004-5.
- In 2004-5 one life sentence was passed <sup>4</sup>.

### Women often go to prison for failing to pay a fine

- In 2004-5 442 adult women went into prison because they had failed to pay a fine, a reduction from the year before when 552 were sent to prison.
- Of these 442 women, 331 were sent to prison for 14 days or less.
- Of these 442 women, 230 owed less than £200 each in unpaid fines.

### International comparisons

In Scotland a lower proportion of prisoners are women than in many countries in Western Europe. In Scotland 4.8 % of prisoners are women. In England and Wales the proportion is 5.7% and in the Netherlands at the top of the European Union table it is 8.8%. However, the proportion in Scotland is more than double that in Northern Ireland. (see Table 1)

### Women's prisons

Women in prison in Scotland are normally held in one prison, Cornton Vale Prison for Women in Stirling which has 330 places. There are also places for a small number in Inverness, Greenock, Dumfries and Aberdeen. These are all male

prisons holding small numbers of women and although their use enables women to stay nearer their homes it has the disadvantage that facilities are inadequate. Writing of Aberdeen prison the Chief Inspector of Prisons said in 2003-4:

*'Where the numbers are small, the provision for women is very limited: the Report on Aberdeen is typical. The accommodation is now quite shabby, especially the dormitory accommodation. Although they are not locked up for very long periods, it is still a very empty day for women prisoners in Aberdeen: the only provision of work is tedious, offers no training, and is completed in a short time each day' <sup>5</sup>.*

The latest inspection of Cornton Vale prison by HM Chief Inspector in February 2005 <sup>6</sup> found improvements:

- The provision of a family centre.
- Better access to toilets at night in one living unit.

Yet the Inspector also noted :

*'For prisoners in Younger House the arrangements for access to toilets at night are as humiliating and degrading as they were last year' <sup>7</sup>.*

The Inspector also found inadequacies in the provision for visits. The visits and waiting room were designed when the prison held 100 <sup>8</sup>. On 12 May 2006 the prison held 362 women.

EU Country	percentage of women prisoners	date
Netherlands	8.8	2004
Spain	7.8	2006
Portugal	6.9	2006
Finland	6.3	2006
Greece	5.9	2004
England and Wales	5.7	2006
Austria	5.3	2005
Sweden	5.2	2005
Germany	5.0	2005
<b>Scotland</b>	<b>4.8</b>	<b>2006</b>
Italy	4.7	2004
Denmark	4.6	2004
Belgium	4.4	2004
Luxembourg	4.4	2005
France	3.7	2005
Ireland	3.2	2004
Northern Ireland	2.3	2006

TABLE 1

Note that these figures show what percentage of the prison population is female. They do not show what proportion of women are sent to prison.

### 3. Characteristics of women in prison

In his 2003-4 Annual Report the Chief Inspector said:

*'Most women who come in to prison are in a desperate state...Their life stories are consistently and overwhelmingly sad' 9.*

His latest report on Cornton Vale notes of the women held there:

- 98% have drug addiction problems.
- 80% have mental health problems.
- 75% have a history of abuse and very poor physical health <sup>10</sup>.

He concludes by asking:

*'This is not a cross-section of society: these are very damaged women. What will prison do for them?' 11.*

The position in 2006 has not changed since the report *A Better Way* concluded in 2002 that of women prisoners:

- Most are mothers or have the main responsibility of caring for someone.
- Most do not work outside the home.
- Most left school with few educational qualifications.
- Most were on state benefits and in debt.
- Most have problems with their housing.
- Most have experienced some form of abuse in their lives.
- Most have serious problems with alcohol and drug misuse.
- A substantial proportion have been in local authority care as children.
- Some have lost the care of their own children <sup>3</sup>.

### 4. Action for change

#### The 218 Centre in Glasgow

The outcome of one of the recommendations of the inter-agency work carried out in 2001 and 2002 aimed at reducing the number of women in prison was the establishment of the 'Time Out' Centre, now called '218', in Glasgow. The Centre was to provide residential and non-residential support for women. It opened in December 2003. In May 2006 the first evaluation of the Centre was published <sup>12</sup>.

It found that between April 2004 and March 2005 493 referrals were made of 343 women (some more than once). The referring agencies included:

Procurator Fiscal	11%
Criminal Justice Social Work	10%
Sheriff Court	8%
Drug Court	4%
District Court	2%
Other criminal justice	3% <sup>13</sup>

Of all the referrals, 143 women engaged with the project. Of these:

- 30 spent time only in the residential part of the project.
- 55 spent time in the day part of the project.
- 58 spent time in both.

The past offences of the women who engaged with the project included:

Shoplifting and theft	70%
Violence	48%
Other offences	46%
Breach of the peace	43%
Drug offences	36%
Breach of a criminal justice order	25% <sup>14</sup>

The pattern of substance misuse showed the following current or past use:

Heroin	84%
Diazepam	70%
Alcohol	52%
Cannabis	59%
Cocaine or crack cocaine	47%
Other substances (eg temazepam, illegal methadone)	57% <sup>15</sup>

The women who attended the project were 'universally positive' about it. They 'actively praised' the regime and believed it addressed their needs. One woman told the researchers:

*'...218 saved my life. It really saved my life, because I don't think I would be here anymore...'* <sup>16</sup>.

When asked if the impact would last after they left the project a woman said:

*'...I think it will...obviously I could probably have a lapse, because everybody could go through a bad time in their life, because I used to think I wasn't good enough to lead a good life, and I didn't think I could do it ...I think this time it will work. You have got to want to do it and I do, I want to do it'* <sup>17</sup>.

The project was set up in response to a series of reports that looked for answers to the problem of the inappropriate use of prison for women. So the researchers tried to assess the impact of the project on use of imprisonment. They conclude that the statistical evidence after one year is inconclusive:

*'For the most part we cannot say whether the clients who engage with services at 218 would otherwise have ended up in Cornton Vale. What we can say is that they have previously been in custody and that the lifestyles and overall characteristics of these women are the same as those who do end up in prison...Statistical evidence for any impact on sentencing patterns has thus far been inconclusive...women who have engaged in services at 218 ...fit the profile of female offenders in prison'<sup>18</sup>.*

## 5. Conclusion

The number of women in prison in Scotland continues to rise although this is not an aim of Government policy. On the contrary the Government has all-party support for measures to reduce the inappropriate use of prison for women. Much discussion and analysis of the problem led to the establishment of a well-resourced model centre model in Glasgow (the city from which many women prisoners come). The 218 Centre is successful and highly regarded by all connected with it.

The Centre opened in December 2003 and in its first year of operation dealt with 143 women. It provides an alternative path, the path of treatment and rehabilitation for women with many problems. Its contribution to reducing women's custody in Scotland however will be small unless it is part of a strategic effort in which all parts of the criminal justice system are involved. Eight years after the first report it is time that a coherent plan to reduce the level of inappropriate women's imprisonment in Scotland is developed.

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