



## **Safer, Not Yet Safe**

### **Submission to the Harris Review into Self-Inflicted Deaths in NOMS Custody of 18-24 Year Olds**

30 June 2014

#### **About Women in Prison**

Founded in 1983 by former prisoner Chris Tchaikovsky, Women in Prison aims to reduce the number of women in prison and prevent the damage done to women by imprisonment. We do this by providing information, advice and support services and campaigning for the rights of women in the criminal justice system. We work out of bases in London, Manchester, Halifax and Woking.

Women in Prison's submission and recommendations are based on our experience of delivering support services to over 4,000 women in the criminal justice system (in prison and in the community) every year.

For more information see [www.womeninprison.org.uk](http://www.womeninprison.org.uk)

## Summary

This is an important review and we hope that the recommendations will benefit everyone in custody regardless of age.

Key Points:

- Being a young woman is an additional vulnerability
- There are still too many young women with vulnerabilities in custody, more must be done to divert women from custody
- The following factors are key to increasing the safety of young women in custody:
  - o Relationships
  - o Culture of prisons
  - o Staffing levels
- Prisons and prison staff should be gender responsive and trauma informed
- Young women's self awareness is the most useful tool in identifying and managing risk, it should be nurtured

## Recommendations

Recognise that being a young woman is an additional vulnerability

Ensure that processes for recognising and responding to vulnerability in young women are gender responsive and trauma informed

Build on post-Corston progress to divert more young women away from the criminal justice system

Use continuity to develop trust between young women and those assessing their vulnerability

Put systems in place for ongoing participatory risk/vulnerability assessment processes

Recognise, respect and resource the contribution that voluntary sector organisations make to the safety of women in prison by identifying vulnerability and supporting women

Place an emphasis on respect and prisoner safety to help create a culture that values prison staff and prisoners and ensures the confidence to whistleblow when needed

Ensure that staffing levels provide for sufficient time to input information and read, digest and respond to the information that others have inputted into data sharing systems

Mandatory ACCT Assessor training for all staff

Increased staffing levels throughout the prison

Additional, ongoing mental health training for all staff

Clinical supervision for all staff

Therapeutic units to replace segregation for the management of risk of self-harm and suicide, staffed by specialists and offering women opportunities for specific activities and association.

## Introduction

Women in Prison welcomes the opportunity to contribute to this review. The questionable legitimacy of incarceration of the majority of young women in prison is undermined by the failure of the state to ensure their safety. We believe that the ACCT process and the women-specific policy changes brought in since 2007 have made prisons safer for women but that they are clearly not yet safe. We are very pleased to see the fall in incidents of self harm amongst women in custody but this is no reason to become complacent, any incident of self harm is one too many just as any self inflicted death is one too many.

We hope that the findings of this review and the recommendations made as a will be adapted and used to the benefit of all prisoners regardless of age.

We are pleased that the review asks questions about the role of gender in vulnerability. We urge the authors of this Review to include a specific, detailed, chapter on young women and specific recommendations for this cohort. It is now widely accepted that the experiences of young women are different from those of young men because of their gender. Whilst there has been progress in the recognition of and the response to the specific needs and characteristics of women in the criminal justice system since the publication of the Corston Report, there is still a long way to go to overcome the discrimination against women caused by a criminal justice system designed for its majority male population. This Review offers the chance to build on the work already done and to further deepen the knowledge of gender differences and advance the implementation of reforms needed to fully deliver a gender responsive and trauma informed criminal justice system and to restate the vital importance of diverting young women away from the criminal justice system.

### Young women as a proportion of the prison population (aged 18-20)<sup>1</sup>

<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
23.7%	23.8%	22.7%	23.3%	21.6%

Young men were consistently around 27% of the prison population until a similar 2% drop in 2011 to 25.9%.<sup>2</sup>

### Deaths of women in custody from 2007 to 2013 (not disaggregated by age)<sup>3</sup>

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<sup>1</sup> Statistics on Women and the Criminal Justice System 2011 (Ministry of Justice, 2012)  
<https://www.gov.uk/government/publications/women-and-the-criminal-justice-system--2>

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<https://www.gov.uk/government/publications/women-and-the-criminal-justice-system--2>

<sup>3</sup> Statistics from Inquest: <http://www.inquest.org.uk/statistics/deaths-of-women-in-prison>

<b>Year</b>	<b>Self-Inflicted</b>	<b>Non-Self-Inflicted</b>	<b>Other Non-natural causes</b>	<b>Awaiting Classification</b>	<b>Total</b>
<b>2013</b>	2	2	0	2	<b>6</b>
<b>2012</b>	1	3	0	0	<b>4</b>
<b>2011</b>	2	3	0	0	<b>5</b>
<b>2010</b>	1	4	3	0	<b>8</b>
<b>2009</b>	3	4	0	0	<b>7</b>
<b>2008</b>	1	3	1	0	<b>5</b>
<b>2007</b>	8	0	0	0	<b>8</b>
<b>Total</b>	18	19	4	2	43

#### Deaths of 18-24 year old women in prison (England & Wales) 2011- 2013<sup>4</sup>

[Personal information provided as part of this submission has been redacted for publication purposes].

#### Identification of Vulnerability

##### *Defining Vulnerability*

We believe that incarceration does damage to women, the severity of the harm it does may depend on the “vulnerability” of the individual. Therefore, vulnerability is the increased likelihood that incarceration will cause greater harm (emotional, psychological and physical) to the individual.

The formalised disempowerment and infantilisation of prison recreates and reinforces women’s experiences of vulnerability and powerlessness in the community, re-traumatising women and contributing to feelings of hopelessness and helplessness. This is not an environment that is conducive to learning resilience and self-worth.

How this is different for young women:

Young women experience particular widespread and entrenched disempowerment and inequality throughout their lives as a result of their gender. Young women’s experiences of inequality in the community impact on how they experience custody. The vulnerabilities they bring with them into custody are exacerbated by the unequal power relations between staff and prisoners. This dynamic their lifelong experiences of powerlessness.

The age range covered in this review is a time of significant hormonal change for young men and young women. The impacts of these hormonal changes and the way they affect behaviour, resilience and feelings of being able to cope in both young men and young women should be further explored and considered in the identification of and response to vulnerability.

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<sup>4</sup> Excerpt from: *Deaths of 18-24 year olds in prison (England & Wales) 2011-date* (Inquest, 2014)  
[http://inquest.gn.apc.org/pdf/briefings/Deaths\\_of\\_18-24\\_year\\_olds\\_-\\_table\\_for\\_website.doc](http://inquest.gn.apc.org/pdf/briefings/Deaths_of_18-24_year_olds_-_table_for_website.doc)

### *Factors increasing vulnerability*

The following factors make the codified power dynamics of prison particularly hard to withstand:

- Trauma, victimisation (particularly domestic violence, child abuse, sexual violence)
- Alcohol or substance misuse
- Mental health issues (diagnosed and undiagnosed)
- Separation from children

How this is different for young women:

Women have higher rates of each of these factors than men. Proportionally more women are identified as having complex needs which refers to the interplay of multiple forms of vulnerability.

<b>Characteristic</b>	<b>Women in Prison</b>	<b>Men in Prison</b>	<b>General Population</b>
Taken into care as a child	31%	24%	2%
Experienced abuse as a child	53%	27%	20%
Observed abuse as a child	50%	40%	14%
Have symptoms indicative of psychosis	25%	15%	4%
Identified as suffering from both anxiety and depression	49%	23%	15%

Crucially for this review more than twice the proportion of women in prison have attempted suicide at some point: 46% of women and 21% of men. <sup>5</sup>

### *Gender as a risk factor*

We believe that being a young woman in custody is an additional vulnerability in and of itself because young women are a small minority of the prison population and as such are expected to benefit from and conform to a system designed with the male majority in mind. Some progress has been made post-Corston towards recognising women's particular needs and adapting prison regimes to meet them. However, this is not enough and it continues to be based on adapting a model of incarceration designed for men rather than establishing a women-specific form of detention for the few women for whom imprisonment may be necessary.

How a system designed for men disadvantages young women

- there continues to be only one women-specific accredited offending behaviour programme (the CARE programme) and this is not specifically designed for young women. This is only available in one prison and can only take a cohort of 10 women at a time.

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<sup>5</sup> Bromley Briefings Prison Factfile (Prison Reform Trust, 2013)

- the (ever-increasing) focus on work and work-readiness militates against many women's focus on family and improving their parenting skills.
- despite repeated policy commitments to provide support and interventions for women who have experienced domestic or sexual violence and women involved in prostitution there is still inadequate provision.
- the lower-risk posed by the majority of incarcerated women is not reflected in the prison places available and therefore women are often held a security categorisation higher than that which is required. This is in contravention of international prison rules<sup>6</sup> and detrimental to their wellbeing as it places greater restrictions and controls on their lives than needed. The government's current plans for the women's estate will further exacerbate this if implemented by reducing the women's estate to a single security categorisation requiring all women to be held in closed conditions.

#### Recommendations:

Recognise that being a young woman is an additional vulnerability

#### *Experience of Trauma*

In her work on gender responsive and trauma informed services Dr. Stephanie Covington refers to the Adverse Childhood Experiences (ACE) Study.<sup>7</sup> This study carried out in the US with over 17,000 participants showed a correlation between adverse childhood experiences and health outcomes, including heart disease, lung cancer and obesity and also increase an increase in alcoholism and substance misuse. A simplified version of the study asks whether or not the individual has experienced any of the following:

##### Before age 18

- Recurrent and severe emotional abuse
- Recurrent and severe physical abuse
- Contact sexual abuse
- Emotional neglect
- Physical neglect

##### Growing up in a household with

- Both biological parents not being present (i.e. one or both parents are not present)
- Your mother being treated violently
- An alcoholic or drug-user
- A mentally ill, chronically depressed family member or family member attempting suicide
- A family member being imprisoned

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<sup>6</sup> European Prison Rules, Rule 18.10: Accommodation of all prisoners shall be in conditions with the least restrictive security arrangements compatible with the risk of their escaping or harming themselves or others. UN Standard Minimum Rules for the Treatment of Prisoners, Rules 8, 27, 57,63, 67, 68

<sup>7</sup> <http://www.stephaniecovington.com/>

The study showed that anyone answering yes to four or more of these questions will have serious negative impacts health outcomes including addictions.<sup>8</sup> These factors can be used to recognise the likelihood of trauma and increased vulnerability. Those with an ACE score of 6 (i.e. answer yes to 6 of the statements) are 30 times more likely to have attempted suicide. Dr Covington advocates for and designs “universal precaution” systems, which treat everybody as if they have experienced trauma, this is beneficial to those who have and has no negative impacts for those who have not. Learning from her work and becoming gender responsive and trauma informed would help the prison service detect and respond to vulnerability.

Recommendations:

Ensure that processes for recognising and responding to vulnerability in young women are gender responsive and trauma informed

#### *Diversion of vulnerable young women from the criminal justice system*

There are women who tell us (and told the Justice Select Committee) that they offend with the intention of getting sent to prison because for them prison is a place of safety. Prison is not a safe place but it is a place of more safety for some women and that should tell us everything we need to know about their vulnerability in the community. It should also make clear where the focus should be for young women; the support needed should be available in the community. The criminal justice system and prison in particular is not the right place to address the problems they face and the vulnerabilities they present with.

Whilst there has been progress in this area, including a significant expansion in community support following the Corston Report, this progress is fragile and there is not national coverage of the type of support services most beneficial to women and most effective in diverting them away not just from custody but from the criminal justice system as a whole. There is a need to replicate and expand the network of women’s centres, respecting, recognising and resourcing their expert provision, including specialist provision for young women.

We recommend that community based gender responsive and trauma informed therapeutic residential centres be established specifically for young women to provide a stable base from which to develop their resilience, life skills and address the problems they are facing. The few young women for whom a custodial sentence might be appropriate could reside in the centre and access services in the centre and in the community.

We believe it is vital that there is recognition that solutions are often outside the criminal justice system and that criminalising young women exacerbates their problems without providing much in the way of “rehabilitation” or even being effective in terms of reducing likelihood of further offending.

Recommendations:

Build on post-Corston progress to divert more women away from the criminal justice system

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<sup>8</sup> <http://www.cdc.gov/violenceprevention/acestudy/>

## *Better identification of vulnerability and risk of self-inflicted death, bespoke tools for identifying vulnerability*

### Encouraging and Respecting Self Identification of Risk

We believe that young women's self identification of risk is a powerful and under used tool in identifying and reducing risk. In order to make better use of this, women's self awareness needs to be nurtured and their self identification of risk must be taken seriously. We have heard that that the young women who recently died in segregation at HMP Peterborough had stated that she would kill herself if she was held in segregation. Despite this clear self identified vulnerability the response did not ensure her safety.

Taking women's self identification of risk seriously is not just a reactive process (such as responding to statements of suicidal ideation) but also a proactive one. At Women in Prison we use a Participatory Risk Assessment; working with women to identify the risks they perceive for themselves (this is not limited to suicide and self harm, it also includes risks of relapse, reoffending, unsafe relationships etc.). Despite some initial resistance from staff because this is a time consuming and in-depth process this is now used across the organisation and is yielding positive results for staff and the women we work with. The beneficial impact for women comes not only from being able to plan to mitigate, manage and avoid risk but also creates a virtuous spiral encompassing decreased risk, increased sense of control and ability to manage, increased self awareness, increased resilience. We can supply a copy of our Participatory Risk Assessment Form, however, whilst what is on the form is important how the assessment is conducted is far more important and depends on the establishment of a relationship of trust.

It is vital to gather information at the earliest possible stage after women come into custody but many women are in crisis at this point and the longer term vulnerabilities may not surface or be raised in this initial period. To be done effectively assessment of vulnerability needs to be ongoing and based on relationship of trust. The initial identification of and response to vulnerability must lead into long term processes as new risks related to ongoing sentence (or pre-release) arise and need to be responded to. We recommend that all women be offered the option of a woman officer to do their assessment with. We would also recommend that the same officer carry out the ongoing assessment to enable a relationship of trust to develop (unless a woman states that she is uncomfortable with the officer assigned in which case a new officer should take over).

The contribution that voluntary sector organisations make to the safety of women in prison should be recognised, respected and resourced. For many of the women we support our independence from the prison makes it easier to discuss concerns or disclose information. Women in Prison staff then highlight any concerns about safety (ensuring that women know what we must communicate to the prison and maintaining confidentiality in other regards in order to maintain trust) this brings to light information that may not otherwise be known and contributes to responding to young women's vulnerability.

### *Staff attitudes*

The culture of prison and attitudes of staff are hugely influential. As in any organisation there is good practice and bad practice. Staff should receive further training in working with women and should be trained in gender responsive and trauma informed ways of working.

We do not underestimate the challenge of creating a shift in culture but it is needed. As all women's prisons become Resettlement Prisons a shift in culture at many prisons will be necessary to prevent a situation where all women are held in closed conditions for their entire sentence.

Recommendations:

Utilise participatory vulnerability assessment processes

Use continuity to develop trust between women and those assessing their vulnerability

Put systems in place for ongoing participatory vulnerability assessment processes

Recognise, respect and resource the contribution that voluntary sector organisations make to the safety women in prison

Place an emphasis on respect and prisoner safety to help create a culture that values prison staff and prisoners and ensures the confidence to whistleblow when needed

### Information sharing and Effective Communication

Information sharing mechanisms in place are good on paper but not as good in practice. Staffing cuts will impact on the effectiveness of current information sharing protocols because of the impact of decreased staffing levels on the time that the remaining staff have available to input information and the time they have to read, digest and respond to the information that others have inputted.

Recommendations:

Ensure that staffing levels provide for sufficient time to input information and read, digest and respond to the information that others have inputted into data sharing systems

### Management of ACCT

ACCT has reduced risk but there is further to go. ACCT Assessor training should be mandatory for all staff and regular refresher training should be provided. This training is more comprehensive than the ACCT training that all staff currently undertake. It is important that all staff have this level of understanding of identification of vulnerability and appropriate response because of the heightened risk that can result from the time delay in accessing an assessor. Moreover, staff are better able to assess women they have an established relationship with, women may not be as open about their sense of their own vulnerability with someone they have not built up any trust with.

We also recommend additional mental health training and clinical supervision for all staff. Staff working in the Primrose Unit get clinical supervision and additional training and we understand that they take fewer sick days and staff have told us they feel better able to cope with the severe trauma some of the women are in and the vulnerabilities they present. All Women in Prison frontline staff are offered clinical supervision in recognition of the levels of

trauma they are hearing about and responding to. One to one clinical supervision, delivered by specialist accredited counsellors helps ensure that our staff are able to continue to work with deeply traumatised and vulnerable women without becoming desensitised and it decreases the risk of secondary trauma.

The Personal Officer scheme, like the ACCT process is good in theory but does not always live up to this in practice due to the quality of staff, the culture of a prison, the training staff receive and the staffing levels.

Cuts in staffing in the last two years (there have been cuts of 25% of staff in some prisons) have a detrimental impact on the ability of prisons to ensure the safety of the women they detain. Relationships are harder to develop, there is less time with each individual, staff are under strain and crucially for this review there has been an increase in the amount of time women spend locked up in cell. This increases the risk of self harm and suicide amongst those that are vulnerable.

Recommendations:

Mandatory ACCT Assessor training for all staff

Increased staffing levels throughout the prison, ensuring that inadequate staffing levels do not result in increased amount of time in cell

Additional, ongoing mental health training for all staff

Clinical supervision for all staff

### Management of Vulnerability in Custody

Staffing cuts are also likely to increase the use of segregation as a response to risk of self harm and suicide as segregation should guarantee higher staffing ratio and more frequent observation. No matter what the motive for using segregation it is perceived as a punishment by women in prison and (as the recent death of a young woman in HMP Peterborough shows) it cannot guarantee safety. We believe that segregation is not an appropriate response to risk of self harm and suicide; it serves only to increase vulnerability without ensuring safety. There needs to be a genuinely therapeutic response, one that involves time spent with other women and participating in activities if at all possible, rather than isolation and more time with little to do. The therapeutic units or wings should be staffed at higher levels and staffed by those with specialist training.

We have been told that high levels of observations, for example every 15 minutes and up are equivalent to 8 officers per woman. We believe that it is essential to invest more in staffing throughout the prison to decrease the likelihood of women requiring such intense levels of observation.

Recommendations:

Therapeutic units to replace segregation for the management of risk of self harm and suicide, staffed by specialists and offering women opportunities for specific activities and association.

Increased staffing levels throughout the prison

### Staff Training

#### *Staff recruitment and training*

The recruitment and training of staff is key to running safer prisons. Staff need to have pride in their role, to understand the social care elements of the role not just the security elements.

Recommendations:

More training for staff working in women's prison, including on gender responsive and trauma informed ways of working

Additional mental health training for all staff

Mandatory ACCT assessor training for all staff

Clinical supervision for staff

### **Further Information**

This submission was prepared by Laurel Townhead (Policy & Campaigns Manager) in consultation with Julie Marriott (Deputy Director) and Rachel Halford (Director)

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