

A Strategic Plan for Alternatives to Incarceration (ATI) for Women: Lessons from Abroad

This Fact Sheet outlines women offenders' circumstances and problems in the UK and the comprehensiveness of current efforts to address the inequities they experience. The UK's efforts at reform provide a valuable case-study for many other countries, including the US, as they struggle with escalating prison populations, high rates of recidivism and skyrocketing costs. We hope this information can inform Massachusetts efforts to respond more effectively to women in the criminal justice system.

The Corston Reports and Agency Responses

Women (in the U.K.) have been marginalized in a system largely designed by men for men for far too long and there is a need for a "champion" to ensure their needs are properly recognized and met." (Corston, 2007)¹

In 2006, six women committed suicide in a single UK prison; and other prisons reported disturbingly high numbers of self-harming behavior among women. These events led the UK Home Secretary to appoint Baroness Jean Corston to head a national commission to review the circumstances of women in prison. In 2007, the Commission published *A Review of Women with Particular Vulnerabilities in the Criminal Justice System*. The report called for a **"distinct, radically different, visibly led, proportionate, holistic, strategic, women-centered, integrated approach to women."** The government accepted 40 of the 43 recommendations, and in 2011, a second report was issued by an all party parliamentary group, also chaired by Corston, reviewing the progress that had been made and the challenges that remained. Additional reports emerged that supplemented and responded to Corston's findings. These included, *Equal but Different? An Inspection of the Use of Alternatives for Women Offenders* issued jointly by the chief Inspectors of the Probation, Prison and Prosecution departments, and *Reforming Women's Justice* issued by the Prison Reform Trust, which emphasized the savings to be achieved through effective prison and community-based interventions.

1. The overwhelming majority of women (85%) commit non-violent crimes; and 60-80% of offenses are either alcohol/drug-related or economic crimes resulting from addiction.
2. Current classification systems and levels of security and are designed for men and do not provide the appropriate measures for women.
3. Many women's sentences are shorter than twelve months; but their rate of recidivism is very high (over 40%); many repeatedly cycle through the system without adequate treatment, education, and other resources.
4. Unlike men, once women are arrested, over 30 percent lose their housing and possessions, and their children are placed in care; each time a woman is arrested and held awaiting trial she is more likely to become homeless on release and lose permanent custody of her children.
5. Pre-trial and bail resources are scarce and inconsistent. Two-thirds of the women in prison in the UK are awaiting trial (a greater proportion than men); yet one in five is acquitted, and a half receives non-custodial sentences.
6. Half of the new admissions to the central women's prison are for probation violation.
7. Prison is inappropriate for many women – either awaiting trial or serving sentences –because of poor physical health, mental illness, substance and sexual abuse, and chaotic childhoods.

¹ Corston, 2007. *A Review of Women with Particular Vulnerabilities in the Criminal Justice System*. British Home Office.

The Conference: Women, Crime and Criminal Justice Practice: Diversity, Diversion, Desistance, and Dignity

In January 2012, Erika Kates, Ph.D. director of the Gender & Justice Project on Female Offenders attended an international conference, *Women, Crime and Criminal Justice Practice: Diversity, Diversion, Desistance, and Dignity* at the Institute of Criminology, University of Cambridge, attended by over two hundred people from twenty countries. Much of the conference was devoted to discussing the best practices for women, reviewing the progress made by the UK reform efforts, and outlining the challenges to implementation. Speakers including ministry officials; prison administrators and inspectors; magistrates; prosecutors; probation officers; women's center staff; former offenders; academics; legal service personnel; and mental health providers. The conference reported on developments that have taken place since the Corston report highlighted the problems for women. Although the rate of incarceration for women varies widely among countries (with the US ranking highest)² the circumstances, enormous costs of incarceration³, rates of increase, and family concerns are very similar among women in the US, UK, Canada, New Zealand, and Australia, and other countries. For example:

Key Recommendations (in process)

- ✓ **Leadership.** Appoint a top-level cross-departmental commission, staffed by experts; develop a strategic plan; send a strong message to the public that prison is not the place for most women.
- ✓ **Bail.** Improve access to bail services; provide detailed mental health data to judges at the pre-trial stage; and create diversion programs to avoid criminal justice involvement.
- ✓ **Prisons.** Reduce the number of women in prison in the UK by 10 percent (400); reduce the number of prisons; establish small, regional custodial centers.
- ✓ **Diversion.** Expand Alternative to Incarceration (ATI), and conduct research to measure the impacts.
- ✓ **Funds** were allocated to increase non-custodial programming for women throughout the UK.
- ✓ **Women's Centers.** Create more one-stop community-based women's centers to provide resources to women offenders and other women requiring mental health and substance abuse treatment; foster peer group support; assist all women with housing, child care, education and employment resources.
- ✓ **Gender-specific standards.** Train criminal justice personnel in women-centered risk-needs assessment; and involve women in measuring progress to reaching their goals through user-friendly instruments.
- ✓ **Community sentences.** Use a variety of community supervision measures, including electronic monitoring; and emphasize close coordination between probation and women center personnel.
- ✓ **Feedback to judges.** Provide data on program implementation and outcomes to judges.
- ✓ **Human rights.** Introduce programs for women who are "trafficked" for sex work, and seek compliance with the Bangkok Rules on women offenders' human rights.
- ✓ **Measuring Cost-effectiveness.** Utilize newly developed social and economic cost instruments to estimate long-term costs and savings. Examples of this analysis include:
 - **Community residential drug treatment yields 14 times the value in savings over ten years compared to prison over the offenders' lifetime and reduces recidivism by 43 percent**
 - **Intensive community supervision while an offender is in treatment yield 10 times the value, with 31% reduced recidivism;**
 - **Prison drug treatment, barely breaks even in cost savings, and reduces recidivism 30%.⁴**

Summary

The U.K provides a rich case-study for policymakers, advocates, and practitioners working to provide cost-effective resources to vulnerable women. Although the scale of the problem is different in the US and U.K. both countries are struggling to address the increasing numbers of women offenders through:

1. Greater use of alternatives to incarceration (ATI)
2. Appointing high level leaders to set clear goals
3. Reallocating traditional resources to meet current needs, even in the face of budget cutbacks.

While Massachusetts already has a number cost-effective, women-centered, community-based programs (Fact Sheet #6), there is a need for leadership, greater commitment, clear goals regarding options for "vulnerable" women, and resources to improve data collection to inform stakeholders of the capacity, quality, and results of programs.

² The UK had 4,000 prisoners in 2006, compared to 215,000 in the US, and the rate per 100,000 of the population is 751 compared to 151.

³ The estimated average cost of maintaining an inmate in the US is \$28,000; in Massachusetts, \$47,000; and in the UK, 56,000 GDP or \$80,000.

⁴ UK National Audit Office, Prison Reform Trust Report, 2011.p. 29.