



acjrd

13th Annual Conference 2010

**Women in the Criminal
Justice System**

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WELCOME ADDRESS

Maura Butler, Chairperson, ACJRD Ltd

It is my pleasure to welcome each of you here today to the Camden Court Hotel for the 13th annual conference of the ACJRD. The topic, *Women in the Criminal Justice System*, is an area of interest in which I personally place huge importance and I was therefore delighted that my fellow Council Members were in agreement that we dedicate this annual conference to place a spotlight on it. We are delighted that you have further endorsed the topic by your attendance here today and we are certain that you will both enjoy and benefit from the range of talented speakers and presenters who will share their expertise, experiences, research findings and opinions with you throughout the day.

During today's conference, we will focus on a wide range of topics, some of which will be dealt with during the plenary sessions, the others, during the breakout workshops. We have made every effort to cover as many areas as possible to maximise the diversity of the theme, to include the various roles that women play within it. Therefore, the perspectives that will be explored by experts within their field will encompass careers, criminal procedure, various sanctions and their effects, women as victims of crime and the impact of imprisonment, issues of prostitution, gender mainstreaming, media influences, mental health issues, homelessness and education. We could have had more topics – but we have just one day.....

The speakers include: Chief Inspector Kathleen O'Toole, the Garda Síochána Inspectorate; Professor Loraine Gelsthorpe, Institute of Criminology, University of Cambridge; Eimear Fisher- Executive Director of Cosc; Dr Azrini Wahidin, Reader in Criminology & Criminal Justice, Queens University Belfast; all of whom will address the conference during plenary sessions. The eight workshops will benefit from expertise from the following fifteen presenters: Faith Gordon, PhD student Queens University with Lynsey Black, DIT Postgraduate MA Criminology; Hilkka Becker, Solicitor, Immigrant Council of Ireland with Sarah Benson CEO Ruhama; Mary O'Rawe, Senior Lecturer, University of Ulster; Jean O'Neill, Manger, INSPIRE Women's Project; Kate Mulkerrins, Head of Prosecution Policy Unit, Office of the DPP with Margaret Martin, Director, Women's Aid; Janice Kelly, Senior Probation Office, Dochas Centre with Maria Mulpeter, Probation Officer, Dochas Centre and Áine Hynes, Solicitor, Chairperson of the Irish Mental Health Lawyers Association; Anne O'Sullivan, Principal of Oberstown Education Centre; and Dr Christina Quinlan, Dublin City University with Dr. Paula Mayoock, Lecturer in Youth Research, Trinity College Dublin and Sarah Sheridan, Trinity College Dublin.

Of course, this conference could not just happen and our magnificent Council have given generously of their time in relation to the preparations. It is a team effort and their names and the organisation that nominated them to the Council of the ACJRD are: Finbarr O'Leary, Vice-chairperson (Revenue Commissioners); Norah Gibbons, Treasurer (Barnardos); Jane Farrell, Secretary (Office of the DPP); Brendan Callaghan (Department of Justice & Law Reform); Eugene Corcoran (An Garda Síochána); Geraldine Hickey (Courts Service); Gerry McNally (The Probation Service); Professor Ian O'Donnell (UCD); Kathleen O'Toole - represented by John Brosnan, (Garda Síochána Inspectorate); and Brian Purcell, represented by Kieran O'Dwyer, (Irish Prison Service). Our Manager Danelle Hannan and Administrator Karen Thompson have ensured, that the vision that all Council members had for a stimulating conference, was implemented.

We look forward to your participation throughout what I'm sure will be a stimulating day for each of us and do remember that we apply Chatham House Rules to facilitate a free exchange of views.

I'd now like to invite The **Hon. Mrs. Justice Catherine McGuinness, retired Judge of the Supreme Court and current President of the Law Reform Commission to launch the conference** and we thank her most sincerely for taking the time out of her busy schedule to share with us this morning.

LEADERSHIP IN THE CRIMINAL JUSTICE SYSTEM, A PRACTITIONER'S PERSPECTIVE

Chief Inspector Kathleen O'Toole- Garda Síochána Inspectorate

Introduction

I have been asked to draw on my personal experiences and speak today on the issue of leadership in the Criminal Justice System. I will focus on a new paradigm of criminal justice and, in particular, highlight the importance of principled leadership.

I am a graduate of Boston College and the New England School of Law and was admitted to the Massachusetts Bar in 1982. I was appointed to the Boston Police in 1979, and rose through the ranks of policing in Massachusetts, serving in field, investigative and administrative roles. I served as Chief of the Metropolitan District Commission Police, Lieutenant Colonel in the Massachusetts State Police, Massachusetts Secretary of Public Safety and Boston Police Commissioner.

I then spent some time working in Belfast as a member on the Independent Commission on Policing in Northern Ireland (the Patten Commission) which developed a new framework for policing and security in the North.

I was appointed as Chief Inspector of the Garda Síochána Inspectorate in May 2006.

The Early Days

In the early days of my career, the thinking was very much focused on "the war on crime" and we all wanted to be "real cops" as opposed to "social workers". Our training reinforced this notion, as the focus was on a rapid response to 911 calls with emphasis on enforcement and arrests. We worked hard and our hearts were in the right place, but we failed. The crime rate skyrocketed and the quality of life deteriorated, particularly in our urban centres.

Also, our police forces were autocratic with insular cultures and little transparency or oversight. There was no inclination to engage the community or to work collaboratively with

other organisations.

Farewell to the War on Crime

A significant shift in thinking took place in the late 1980's and early 1990's with the emergence of a new criminal justice paradigm centred on collaboration. We came to realize that we could accomplish so much more by breaking down barriers and harnessing resources. Prevention and intervention become our priorities, backed up by focused, effective enforcement.

Some examples to highlight this are:

1. Public Safety Secretariat

I was appointed Secretary of Public Safety in Massachusetts in 1994. In that capacity, I was responsible for twenty agencies, more than 10,000 employees and a budget exceeding \$1 billion. Among the agencies in the Secretariat were the State Police, the Department of Correction, Parole, Emergency Management, Fire Services, and the Registry of Motor Vehicles. I often recall my baptism by fire during the first few months on the job. During week one, a woman died tragically in one of our prisons. She was misdiagnosed by the prison staff. They thought she was detoxing from heroin when she actually had pneumonia. Around the same time, a man who had been released by the Department of Parole murdered someone in the State of Washington. We also had four line-of-duty deaths of police officers and fire fighters. I believe it was week seven when a Boston Globe reporter called me to ask for my comment about the front-page Spotlight Team story that morning about elevator and escalator inspections. I said, "I think you have the wrong number. I'm the Secretary of Public Safety." He responded, "Yes, and you're responsible for the inspections." "In that case," I said, "I'm outraged!"

It soon became clear that I could spend all of my time responding to crises. My team and

I were determined, however, to operate more strategically. We vowed to step aside from the inevitable crises whenever possible to focus the Secretariat on four general themes:

1. Partnership
2. Technology
3. Re-engineering
4. Violence Prevention (particularly youth violence and domestic violence)

By harnessing our vast resources and focusing more effort on prevention and intervention, we produced very positive outcomes. We operated more efficiently, our crime rate declined significantly, and the quality of life improved for many people in our state.

2. Boston Gangs Strategy

During this same period of time, federal, state and local law enforcement made a conscious effort to apply a similar strategic approach to gang violence in Boston. We reached out to our partners in the community - education, social services, and health services - to join in our efforts. That collaborative effort also paid off. In 1990, there were 154 homicides recorded in Boston. That number declined very significantly to 31 in 1999. That year was an anomaly and the homicide rate has fluctuated a bit since, but it has never risen beyond 74, less than half the number of 1990. President Clinton travelled to the city to celebrate "The Boston Miracle" and noted that the great collaborative approach that led to it should be replicated by cities across America.

Unfortunately, following 9/11, the US Government's priorities changed and emphasis shifted from collaborative community policing to homeland security. The Boston Police Department lost significant funding and did not have as many resources to dedicate to prevention and intervention programs. For instance, when I was Police Commissioner, the Department operated with 12% to 15% fewer police. There were days when my operations commander complained that we didn't have enough police to answer 911 emergency calls. We were determined, nonetheless, not to abandon entirely our strategic and collaborative approach.

In anticipation of a violent summer in 2005, the Boston Police Gang Unit was tasked with

working with our partners to identify the 1000 young people in the city most likely to pull a trigger or to be shot. Within two months, the police, working with partners from the Probation Service, Social Services and Education, compiled the list. Before school let out that summer, multi-disciplinary teams were able to visit over 850 households where those identified lived. Parents and guardians were asked what would be helpful. For instance, "Does the young person need tutoring, a job, or job training? Do the younger brothers and sisters need educational programs or summer camp? Does the family need food, improved shelter, medical services, or other social services?"

It is impossible to quantify how many lives were saved that summer, but there is no doubt in my mind we saved some. Despite limited funding, we did not abandon our commitment to collaborative approaches. If anything, we realized that it was more important than ever to harness our resources and focus them with greater precision.

Lessons Learned

I have learned and benefited from some exceptional mentors during my career and I am very grateful for their influence and example. A few notable figures worth mentioning and the main lessons I learned from them are:

1. **William Bratton**, Former Police Chief in Boston, New York and Los Angeles - "Face a crisis head on. Stand up immediately and take responsibility."
2. **William Weld**, Former Massachusetts Governor - "Principle trumps politics. Always do the right thing."
3. **Chris Patten**, Chair, Independent Commission on Policing in Northern Ireland - "Follow the truth."

Case Examples

1. Anthony Powell

Shortly following my appointment to the position of Police Commissioner, I was informed of a wrongful conviction that happened more than a dozen years earlier. A man, Anthony Powell, who had been convicted of rape, had served over a decade in state

prison. DNA evidence had just confirmed his innocence. When hearing the news, I knew there would be serious legal implications for the Boston Police Department. I had three choices. I could have said, "No comment." I could have said, "Didn't happen on my watch." However, recalling my mentors' examples, I chose a third option. I talked to the District Attorney (prosecutor) and we agreed to hold a news conference. In addition to releasing all the facts that we had available to us, I sincerely apologized to Anthony Powell and his family.

More than a year later, as it was getting dark one evening, I left a community meeting in one of our more challenging neighbourhoods in Boston. I had ditched my security detail earlier and was heading to my car alone. As I walked down the darkened street, I noticed a man approaching in the opposite direction. He was staring - didn't take his eyes off of me. I stared back. Though a bit apprehensive, I wasn't about to back down. When he had nearly passed me, he stopped short and said, "You're O'Toole, right?" I stopped abruptly and replied, "Yes, that's right. Who are you?" "Before I tell you that," he said, "I want to thank you." "Thank me for what?" I said. "Thank you for apologizing to me. I'm Anthony Powell." I reached out, shook his hand and asked how he was doing. He told me that it had been difficult, but he had worked hard to get his life back on track. He said that the apology was a turning point that meant a lot to him and his family.

The wrongful conviction of Anthony Powell will always be a tragedy. The man was robbed of more than a decade of his young life. If I provided even the slightest bit of comfort to him and his family with that apology, then I am pleased I stated it.

2. Boston Red Sox – ALCS

Victoria Snelgrove was twenty-one years old. She was a bright, young college student from Boston. She was also an avid Red Sox fan. When the team overcame all odds to beat the arch-rival New York Yankees in the playoffs, the celebrations began immediately. Eighty thousand college students converged in the area of Fenway Park.

Unfortunately, celebration turned to bedlam

and some in the crowd became riotous. Store windows were shattered. Cars were torched. Someone even lit the tail of a police horse on fire. Another horse was stabbed. Dangerous projectiles were thrown, particularly in the direction of the police.

Concerned for their own safety and that of innocent bystanders, the police deployed "less-lethal" devices in an attempt to gain control. Tragically, a small pellet discharged from one of the weapons struck Victoria Snelgrove in the eye. She was standing near the car park, waiting for the crowd to clear so she could drive home. The pellet not only penetrated her eye socket, but lodged in her brain. Within hours, she died.

I was devastated. My own daughter was twenty-one at the time and I tried to fathom her parents' grief. I felt compelled to call them right away and did. I asked if I could meet them personally and they agreed. Walking alone to the door of their home that day was the hardest thing I've ever done. I spent the next few hours with Rick and Diane Snelgrove, two absolutely incredible people. I shared with them all of the information I had at the time and promised to keep them apprised of all developments.

After leaving the Snelgrove's home, I returned to Boston Police Headquarters and called a press conference. The most important statement I made was, "The Boston Police Department takes full responsibility for the death of Victoria Snelgrove."

Those are just two examples of challenging situations during which I applied the important and valuable lessons of my mentors. In the end, it is always best to stand up, accept responsibility and go where the truth takes us.

Conclusion

Is what I have learnt through my experience of universal application, or is it limited to a person, specific time and culture?

When completing our Patten Commission work, we published 175 recommendations. Only a small percentage of them apply to the unique challenges in Northern Ireland. Most of them would apply anywhere in the world,

including Boston and Dublin.

The Boston lessons of collaboration, prevention and intervention have been replicated in countless jurisdictions around the world.

As Chief Inspector of the Garda Síochána Inspectorate, I am required to benchmark the Irish police against international practice. I then make recommendations to improve effectiveness and efficiency. While it is

important to culture-proof suggestions to be certain they fit in the Irish environment, most of the recommendations would apply to policing in any democracy.

I believe that the principles I have spoken about are indeed of universal relevance and that through collaboration and principled leadership we can further improve what is already an outstanding justice system in Ireland.

THE PROMISE AND CHALLENGES OF SOME RECENT DEVELOPMENTS REGARDING WOMEN OFFENDERS AND COMMUNITY PROVISION IN ENGLAND AND WALES

Prof. Loraine Gelsthorpe- Institute of Criminology, University of Cambridge

Introduction

Thank you for the kind invitation to be here and to share in this day of exchanging knowledge and ideas about women and criminal justice. Like others, I consider it an honour to be here. My plan is to tell you something about developments in England and Wales regarding provision for women in the community, what has gone well and what has gone less well. Of course, Ireland has experienced its own innovations such as the Dóchas Centre in Dublin and *Inspire* in Belfast, and I know that they have been important learning experiences, so I come to share thoughts, certainly not to suggest that England and Wales have got things right!

My comments and observations are based on my role as advisor to the evaluation team on the 'Together Women' initiative and as a member of the evaluation team for Centre 218 in Glasgow. I have also been conducting research in this area directly, having authored the Fawcett Society's report on 'Provision for Women in the Community' and having recently completed a report called 'ReUnite' (sponsored by Commonweal Housing) which looks at the needs of women and their children upon prison release.

The key questions which form the background of what I want to say revolve around whether it is legitimate to treat women differently from men, and if so, on what grounds and how, and then whether it is legitimate *not* to treat women differently from men in the pursuit of justice. I'm going to leave you to ponder those thoughts as I speak.

Interest in women in the community

The story in England and Wales is certainly one of past neglect in relation to women, whether this be neglect in what used to be called social inquiry reports (now pre-sentence reports) or in relation to what used to be called Community Service Orders (now called

community payback or unpaid work). Indeed, it is arguable that stereotypical assumptions about women's capabilities and suitable work placements have limited the use of Community Service Orders. One Howard League report entitled 'Can women paint fences too?' challenged this notion and added fuel to existing criticisms within Her Majesty's Inspectorate of Probation Reports in 1991 and 1996. There were some creative initiatives on the ground to meet women's needs more directly, especially in the form of group work with women. These practitioner-led attempts to recognise women's distinctive needs have been important (see Worrall and Gelsthorpe, 2009) but did not really change the face of national policy and provision. However, concerns about the lack of provision or suitable provision for women were highlighted by increases in women's imprisonment from the early 1990s. A mere glance at the statistics shows an upward trend in the use of custody. Following careful analysis, this increase can only really be explained by increased punitiveness (there are no major changes in crime or in the profile of women offenders); the upward trend suggests changes in sentencing behaviour rather than in criminal behaviour with one of the arguments being put forward by sentencers being that there were no real alternatives to custody for women (Gelsthorpe and Morris, 2002).

Well, the situation has now changed and the prison population for women has reached a plateau (since 2004), but short sentences are still being given (in 2009 the percentage of women received into prison under sentence for under 12 months was 72%). Moreover, 2008 data shows that of those women appearing at Magistrates' Courts who were remanded in custody, 80% went on to receive a non-custodial sentence or were acquitted (compared with just 25% of men). Only a small percentage of women were assessed as being of high or very high risk of serious harm to others in the community (3.2% of women

compared with 11.4% of men). A slide of the women's prison population (June 2008-June 2010) shows very clearly a downward trend in the women's prison population – to reach 4276 on 10th October 2010, but it is arguable that this figure is still too high given the above facts.

How do women do on community options?

Essentially, women do well on community sentence options. There is a higher percentage of positive outcomes for women on community orders and suspended sentences than for men. Where intensive alternatives to custody projects (pilot projects which the Government is monitoring) show a surprising one per cent increase in reconvictions for women (compared to a 7.1 decrease for men) this is widely thought to be because the projects have not been well adapted for women. To complete the picture, we can see that a higher proportion of women than men are on supervision, a lower proportion of women on unpaid work (Community Service) and that there are fewer accredited programmes for women (indeed there is only one such programme for women – relating to 'acquisitive crime'). The compliance rate for women is 53%; nearly all women on community orders are assessed as being low to medium risk of harm; the most frequent offence groups are violence and acquisitive crime.

The case for a different approach

The case for a different approach so far perhaps revolves around low risk, and the use of short custodial sentences both of which raise questions as to whether these women offenders need to be in custody. The case for a different approach also revolves around the fact that women do well on community penalties (although it is not clear that intensive alternatives to custody have been designed with women's needs in mind – it may be a case of 'one size fits all' – only it doesn't). We can add to all of this what we know about women in prison and their *high needs* which go alongside their low risk. For instance, women tend to be in prison for non-violent, prolific offences. 29% report an alcohol problem, and 30% a drug problem. Female prisoners who

self-harm do so more frequently than male prisoners (with an average of seven incidents for each female prisoner self-harming, compared to three incidents for each male self-harming). 57% of women in prison have children under the age of 18 – so there is enormous impact there. 59% report problems in relationships (35% of men); around half of women in prison have experienced domestic violence and up to a third have been victims of sexual abuse (information drawn from published Ministry of Justice data).

Calls for change

If these background data create a momentum for change we can also see that there have been specific calls for change from pressure groups. In 2000 the Prison Reform Trust published a hard-hitting and powerful review of the evidence (The Wedderburn Report, 2000). In Scotland, the tragic suicides of six women in Cornton Vale Prison and the reports which ensued (*A Safer Way*, 1998 and *A Better Way*, 2002) led to the setting up of a community based centre (with a small residential unit for those with high drug or alcohol-related needs) as an alternative to custody (Malloch et al, 2008). The emergence of a new framework – the National Offender Management Service (NOMS) – from a Correctional Services Review, which created a single correctional organisation with a primary purpose of reducing reoffending and placing particular emphasis on co-operation and co-ordination between prisons and probation has also been important in facilitating change. The vision here included a probation system underpinned by market competition through a process of what came to be known as 'contestability'. NOMS Commissioners were charged with the task of choosing service deliverers (rather than probation staff delivering everything). The pros and cons of this restructuring have been hotly debated of course, but it is arguable that they have facilitated greater links with the Voluntary Sector which has a lot of experience of working with disadvantaged women. In other words, the restructuring and 'contestability' opened up the possibility of creative partnerships with a wider range of service providers than hitherto. National policy developments have played their part too, with the Reducing Re-Offending

National Action Plan of 2004, the Women's Offending Reduction Programme (WORP) in 2004 and the creation of a 'Together Women Programme' – initiatives in the community sponsored by the Government to the tune of £9.15m to demonstrate the merits of community-based, holistic services for women. These demonstration projects in two areas of England and Wales focus on women at risk of crime as well as women at risk of custody.

Recent prompts

Recent prompts for change include the Equality Act 2006 (with its notion of gender impact assessments) and Baroness Jean Corston's Review of Vulnerable Women in the Criminal Justice System (Corston, 2007) which included 43 recommendations for change. There have been many previous reports which have said much the same thing, but Jean Corston's report really caught the imagination of everyone – including some politicians. She recommended the setting up of 'one stop shop' services in the community in centres for women so that they could receive 'wrap-around', holistic services to meet their needs. We've also seen a National Service Framework for Improving Services to Women Offenders (2008) and an Offender Management Guide to working with women offenders (2008) with additional resources being committed for community based programmes for women by the Labour Government shortly before their demise.

In addition, there have been challenges to existing knowledge about 'what works'. Recent research on general offending programmes acknowledges that what works for men may not work for women (Martin et al., 2009), the findings of desistance studies based on men and men's experiences have been questioned as to their applicability for women, and there has been more effort to listen to service users. This latter point has been very important in getting policy makers to question received wisdom as to 'what works'.

What does work for women?

In addition to these cumulative calls for change, in 2007, in an attempt to summarise

what we know about what works for women and in an attempt to look at community-based possibilities, I produced a list of nine challenges for Commissioners of Services. These nine points are really 'lessons' which revolve around what we know about what women offenders need. Provision for women offenders should:

1. be women only
2. integrate offenders and non-offenders
3. foster women's empowerment
4. utilise what is known about women's effective learning styles (non-authoritarian co-operative problem-solving approaches are better)
5. take a holistic and practical stance (to deal with unmet needs relating to housing, drugs and so on and not just narrowly conceived 'cognitive deficits')
6. facilitate links with mainstream agencies (debt counselling, housing, drugs support agencies)
7. allow women to return to the centre or programme for 'top ups' of continued support (bearing in mind that people often 'zigzag their way towards desistance, they don't just 'stop')
8. ensure that women have a supportive milieu or mentor
9. provide practical help with transport and childcare

(Drawn from Gelsthorpe, Sharpe and Roberts, 2007, *Provision for Offenders in the Community*).

Recent developments

At present, the Ministry of Justice is focusing on the need for early intervention to divert women from crime and the courts. Initiatives here include the women's specific caution (which can include referral to a community programme/women's centre), specialist provision for women via BASS and enhanced bail options, and the creation of more community based programmes for women (a further 29 programmes having been created). There have also been some developments regarding the treatment of women in prison, with challenges to the approach to strip searching and gender specific standards for women's prisons. But the key aim has been to build sentencers' confidence in community provision for women – without undermining

their independence of course, but it is arguable that it is quite possible to suggest detailed plans for dealing with women in the community – via a community programme for women – without challenging judges' and magistrates' independence.

Learning from the ground

What do we know about what is working thus far in the Together Women demonstration projects and in the other 29 projects which have been created?

Women only space; This has received very positive feedback (especially among women who have experienced domestic violence). There has been local adaptation so as to facilitate access for suppliers and contract managers (e.g. by either restricting the 'women only space' to certain hours or by managing the issue sensitively by making women aware and asking for their consent whenever there are male visitors.

One stop shop; In practice, as well as delivering a number of services in this way (which obviously makes it easier for women with complex needs, children, and little money) it seems that Together Women has proved to be as much about encouraging women to attend and engage with the most appropriate services - even if outside the centres - and key worker and mentor/volunteer support has been crucial to this. Work based in the centres would arguably benefit from greater statutory health provision, especially in relation to mental health and substance misuse. Needless to say, services which are delivered from a variety of providers and sectors, in different locations, with different specialisms and with different funding arrangements, is exceedingly complex. One centre was able to attract a GP and nurse to work at the centre for two days a week, with positive effects in terms of increasing women's confidence in using other local services.

Other outside services; When services such as Debt Advice, Legal Advice and Domestic Violence Support are provided women are seemingly more inclined to use them because they are readily accessible. As Jackson (2009:11) describes, 'What is proving particularly effective is not just the signposting

and 'hand holding' into other services but those services having a 'face' or a presence within Together Women which increases women's confidence in that service and encourages them to attend the service on another site'.

Holistic Support; The 'wrap around' service for each woman involved in Together Women starts with a robust needs assessment covering: accommodation, substance misuse, poverty and debt, children and families, employment and education, mental and physical health, domestic abuse, and prostitution. The assessment is converted into a support plan which is reviewed every six weeks to measure progress and track changes. The 'wrap around' service has proved to be particularly successful with Probation clients who have attended the centres for standard appointments connected with their Community Order, but then have chosen to engage with other aspects of the centres' provision as well.

Empowering and enabling culture; The centres have been established and marketed with a positive culture, so that those using the centres or visiting can see the environment and service is enabling and empowering. Working in this kind of culture and spirit also makes for good team work (amongst key workers, crèche workers, mentors, volunteers, managers, external providers and reception staff) and service users have reported that they feel attached to the centre rather than just to individuals. The approach also avoids the difficulties where there is strong attachment to a particular staff member who then leaves.

Mentors and volunteer; Volunteers and mentors appear to play a key role in supporting the work of the centres and in supporting women (accompanying them on outside appointments for instance). They also encourage women to maintain the changes they have made and act as a link between the women and the centre; this role supports confidence building and skills development when the woman has begun to complete some tasks on her support plan. Some service users have gone on to train as mentors and volunteers.

Practical and emotional support; Counselling has proved to be in high demand, but the range

of support and advice offered can range from budgeting and cooking, to personal hygiene. There are structured group work programmes which promote self-esteem and self-worth, but in practice these aims are woven into the culture and philosophy of the centres and not confined to the group work.

Multi-agency provision; Probation partnerships – probation staff using the centres for appointments with offenders has reduced the rate of breaches for non-attendance. In one area there is a prison partnership where a Together Women worker is based full-time in a women's prison. The worker delivers services to women in custody and thus increases the chances of engagement with the centre upon release.

Voluntary sector involvement The evidence thus far is that Together Women benefits from being led by third sector (voluntary sector) organisations. Women feel less stigmatised than they do when being involved directly with the criminal justice system.

Mix of women eligible; The focus on women offenders alongside other vulnerable women has served to promote the idea of the Together Women work being for women and not just a reducing reoffending project. It is thought that the mix of clients has allowed the women to challenge their perceptions of themselves, each other and indeed, agency perceptions of the women have been challenged too.

Drop in and peer support; Another principle relates to women being allowed 'top ups' of support. From the outset, the centres involved in Together Women have functioned as drop-in centres to reinforce the structured services available. This facilitates both problem sharing and problem resolution via peer support. Some of the centres have been able to offer internet access, breakfast clubs, and promotional material too. Service user meetings and focus groups also serve to reinforce the philosophy and practice of the centres.

Children and families; The initial plans were to offer crèche facilities to increase women's access to the centres and their services (mirroring the practice at Centre 218 in Glasgow). However, work relating to children

and parenting has become a major focus of the work in the centres (direct positive play with children under eight, parenting skills, healthy eating, teenage pregnancy and other health information). Staff in the centres have also worked in partnership with a range of agencies to deliver services to women and their children, including Surestart, Children's Services, and Education and Health providers. In some cases staff have been able to work with the mothers and agencies to facilitate being 'reunited' after the mother has been imprisoned.

Education; Women have also had access to education through taster sessions within the centres, and through group work on parenting, self-esteem and confidence building, motivation and thinking skills, managing money and coping with loss (a significant feature of vulnerable women's lives).

Women themselves have given many positive indications about the benefits of such specially designed provision for them in the community: As one service user put it:

'I sometimes think about going back to drugs...but when I do I come here instead...it's a good replacement...'

Another service user has said:

'I thought it'd be like another authority...like the police, probation, Social Services...making all these rules, setting down I must do this and I must do that, and it's not been anything like that...obviously they're not going to put up with my blooming nonsense ...but they just tell me what I should be doing really.'

And finally,

'They wrote twice in four days when I didn't turn up...asking if I'm alright. Someone does care. I was thrilled to bits when I opened the letter...'

What comes over here is very much a story of accessibility and engagement. The community based programmes have succeeded in reaching women and maintaining their engagement.

(See Hedderman et al., 2008 and Gelsthorpe, 2010 for full discussion of the impact of the projects)

Two steps forwards, three steps backwards?

Policy advances are never without reverses, hiccups in implementation or unintended consequences. On the positive side we can see that the new developments have strong commitment and high motivation from staff and the level of support for the women is high. But it is too early to say whether or not there has been impact on custody rates and diversion from crime. There has been no measurable effect on the number of women going to prison or on reconviction rates just yet. There are also some worries. The Criminal Justice Act 2003 made it hard for anyone to avoid imprisonment for breach of community penalties, moreover, we need to look out for expansion in the sentencing powers of magistrates (we don't know what the Coalition Government will do in this regard).

We might think that the involvement of the voluntary sector has been a very positive thing in regard to women, but we need to be aware that the statutory involvement with the voluntary sector may overshadow the distinctive identity and skills base of voluntary sector providers. Voluntary sector providers are not always best equipped to deal with Government requirements regarding monitoring and evaluation although such monitoring could be simplified and more help could be given. Moreover, funding for community programmes for women has come from the 'centre' and it may be that local knowledge has been neglected to some extent, this raises questions as to whether the partnership money for community programmes has always been given to the right providers. And provision across the country is very uneven; in this regard, the 29 projects reflect 'justice by geography' since there are issues of access for women offenders if some areas have community programmes and others do not. Finally, there has been relatively low throughput so far. This means that the unit cost per woman seems high. However, cost benefit analyses show longer term savings in relation to health care, child care and so on. That is, investment now can avoid huge cost in the future – especially if children have to be taken into care.

Concluding thoughts

The developments in England and Wales reflect a number of positive challenges and hopes for the appropriate treatment of women offenders. Let there be no misunderstanding, there have been very many positive indications on how things are playing out so far in terms of the new 'one stop shop' community based programmes. However, at present, there is huge funding vulnerability (many of the projects may have to close in March 2011 unless funding can be found). There are big questions about sustainability in the context of the recession, notwithstanding the notion of 'invest now for longer term gains'. Also, we have yet to see whether or not there are any net-widening effects through the strategy of integrating women offenders and other disadvantaged women in the programmes. Some critics, of course, are raising questions about the use of the voluntary sector to shore up the criminal justice system (and see it all as an extension of control). Nevertheless, voluntary sector involvement suggests engagement with a social agenda. Overall, there is much promise (and unexpected hope perhaps because the Government has too little money to maintain the current prison budget and so will be looking very carefully at alternatives). I want to suggest that the community based programmes for women which have been developed are a hugely radical and important step in the right direction; they promise much in terms of having real impact on women's lives and thus on women's pathways into crime. If we can show that such programmes are important for women, in due course, it may be possible to show that they are a workable and legitimate option for men too.

References and resources

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WORKING TOGETHER AGAINST DOMESTIC AND SEXUAL VIOLENCE

Eimear Fisher- Executive Director of Cosc

Cosc is the national office for the Prevention of Domestic, Sexual and Gender-based Violence. Cosc is an Irish word and means "to stop" or "to prevent".

Following a Government decision, Cosc was established in June 2007 with the key responsibility to ensure the delivery of a well coordinated "whole of Government" response to domestic, sexual and gender-based violence. The work of Cosc covers issues relating to domestic and sexual violence against women and men, including older people in the community.

The office is an executive office of the Department of Justice and Law Reform. It is situated within the Department, but has been given a remit to address domestic, sexual and gender-based violence from a cross-governmental perspective rather than solely from that of the justice sector. Cosc's role covers coordination across the justice, health, housing, education, family support and community sectors. This work includes close interaction with non-governmental organisations (NGOs) supported by Government funds.

We work to improve the delivery of a well coordinated effective response to domestic, sexual and gender-based violence in Ireland. We do this by facilitating action for the prevention of these crimes, the protection of victims and the provision of services for those affected. Our tasks include:

- Awareness raising strategies
- Intervention Strategies in line with best international practice.
- Standards for service delivery and for training programmes
- Perpetrator programmes.
- Supporting structures (NSC)
- Research
- Representing Ireland at international fora.
- Proposing legislative/policy change.

All of this action required a plan – the National Strategy on Domestic Sexual and Gender-based Violence 2010-2014 has been developed in consultation with our partners and was approved by the Government in February & launched in March 2010. The National Strategy is a resource document and an action plan. It sets out the key bodies which have committed to achieving the actions by working together against domestic and sexual violence and all of this is driven by Cosc.

The high level goals set out in the National Strategy are:

1. To promote a culture of prevention and recognition through increased understanding of domestic, sexual and gender-based violence;
2. To deliver an effective and consistent service to those affected;
3. To ensure greater effectiveness of policy and service planning ;
4. To ensure efficient and effective implementation of the strategy.

In relation to **high level goal 1**, *to promote a culture of prevention and recognition through increased understanding of domestic, sexual and gender-based violence*, the key objectives are:

- To increase understanding, recognition and practical information throughout society in Ireland
- To increase understanding and recognition in state-sector organisations
- To raise awareness among young people

Actions relating to attaining this goal include a targeted programme for the publication of articles to raise media awareness. Cosc is working with NGO's to agree messages and priorities.

We aim to provide practical guidance for those most at risk and facilitate training and

awareness in third level curricula, particularly in legal studies, social science, medicine, nursing etc, embedding in schools programmes and justice sector training including cross-sectoral training.

At **high level goal 2**, to deliver an effective and consistent service to those affected by domestic, sexual and gender-based violence the key objectives are:

- To increase confidence in service provision
- To promote high standards in service provision
- To strengthen intra and inter organisational co-ordination
- To improve protection and support for victims
- To address offending behaviour by perpetrators

This involves ensuring information is available in user friendly formats, raising awareness through grants, calendar of events, common messages, poster campaigns, facilitating effective disclosure, providing opportunities for networking and aiming towards a one stop shop.

At **goal 3**, to ensure greater effectiveness of policy and service planning, the key objectives are:

- To improve the effectiveness of policy planning through improved data capture and data co-ordination
- To ensure that policy development and service provision planning are evidence-based and take account of the experience of victims
- To ensure greater co-ordination between relevant organisations
- To provide a solid foundation for future action

The **final high level goal**, to ensure efficient and effective implementation of the National Strategy aims:

- To ensure that all actions within this strategy are monitored and progressed in a timely and comprehensive manner
- To ensure that due account is taken from the lessons learned of the implementation from this strategy

The National Strategy Oversight Committee oversees the actions of the key bodies identified in the National Strategy and the work is driven by Cosc.

The overall aims of the Strategy are to provide a culture, consistency and effectiveness towards a strong framework for sustainable intervention to prevent and respond to domestic and sexual violence.



Actions of particular interest to lawyers include:

- Action 1: Awareness – journal articles, presentations, research.
- Action 2: Training needs in justice sector, inclusion in third level curricula
- Action 5: Identify and promote best practice to encourage disclosure in relevant sectors including justice, housing and education sectors.
- Action 11 Develop proposals for multi-agency one-stop-shop
- Action 12 Minimise attrition in domestic and sexual violence cases
- Action 13 Improve legislation on vetting
- Action 14 & 15 Perpetrators management of risks and measures
- Action 17 & 18 Update law
- Action 19 & 21 Garda info. Courts info, probation info - Co-ordinated research

The headline indicators to demonstrate success in the implementation of the National Strategy are:

- A reduction in the prevalence of domestic, sexual and gender-based violence
- An increase in the level of disclosure and reporting, as a result of improved opportunities for disclosure and confidence in the system
- That people in the community and in service provider organisations are better informed about how to respond to disclosures of domestic, sexual and gender-based violence.

Cosc's vision for Irish Society by 2014 is that there will be a clearer societal acknowledgment of the unacceptability of domestic, sexual and gender-based violence, a greater recognition and a broader understanding of domestic, sexual and gender-based violence, a greater confidence in high-quality and consistent services, increased safety for victims, increased accountability of the perpetrator and structured and improved planning and monitoring to ensure continued effectiveness.

OLDER WOMEN IN PRISON: ISSUES AND CHALLENGES

Dr Azrini Wahidin - Reader in Criminology & Criminal Justice, Queens University Belfast

Since the 1980s, prison officials, policymakers and researchers have witnessed an astonishing phenomenon in the US, UK, Japan and Germany: increasing numbers of older adults are entering the criminal justice system and in particular prison, finding themselves locked behind steel doors and razor wire fences. So much so, researchers and policy makers are beginning to turn their attention to examine policy issues such as economic costs, housing, end of life issues and institutional management of older offenders. This talk will explore this neglected yet increasingly important topic of older offenders. Older people have been stereotyped as 'harmless', 'vulnerable', and 'victims of crime', however, less is known about older people who are criminal offenders. While it may be true that older adults are more often victims of crime than being actual offenders, it is also true that older people commit crime, some as career criminals, but many others as first time offenders. The purpose of today's presentation is to examine what is known about older female adults as offenders and what lessons are to be learned from other jurisdictions.

I will draw on research from the USA, the UK and Japan and examine how these countries are responding to the needs of an ageing prison population and therefore alert other jurisdictions to the needs of ageing prison population. The aim is to examine the rising numbers of older women in prison by examining the way in which the USA, Japan and the UK are responding to the needs of the older prisoner. The article does highlight the demographics of the ageing prison population to demonstrate how small the actual numbers are compared to men in the Republic of Ireland. The countries identified have either the highest number of older people in prison or are experiencing the fastest growth. Furthermore, the USA, Japan and the UK reflect the different stages in the development of policies and correctional / prison facilities for the older prison population. It is by looking

at these three countries that we can begin to identify best practice models and emerging policies and moreover seek ways to more efficiently manage the special needs of older prisoners. In terms of comparative figures, 1.8% of the total prison population in the USA are 60 and over; 2.8% in the UK (Prison Reform Trust, 2008) compared with 12% in Japan (Japan's National Policy Agency, 2006; U.S Census Bureau, 2006). I will identify some of the issues raised from the USA, Japan and UK's experience of managing the needs of prisoners in later life. Moreover, by identifying some of the issues raised by the USA, Japan and the UK, we can examine and address some of the issues and challenges facing policy makers and correctional / prison facilities in managing the health, social and care needs of an ageing prison population. In conclusion, this paper will propose a series of policy recommendations addressing the needs of the ageing prison population. I want to initially begin with two quotes drawing on my research from two participants in my study. One had already spent 10 years in prison and had another had five years to serve.

This first quote highlights how older women are placed in the shadows of prison life in terms of policy and facilities: 'No specific thought is given to people who are in our age category. Thought is given to young offenders. It is given to lifers. It is given to sort of other categories, it is not really - *they don't really* think about people of *our age group* and *our families*. I appreciate we are a minority, but I think a number of people you have interviewed would say we are a *significant minority*, and presumably will *continue to be*. I do think they [the prison estate] need to address some of those aspects. They [the prison estate] need to address the problems of people who aren't a *one hundred per cent fit*, but who on the outside had normal jobs.' (my emphasis)

The second quote comes from a woman who

has spent five years of a 10 year sentence 'Of course being an older person in jail you're in *no man's land*.' (emphasis in original).

Thus the aim is to highlight the range of issues and challenges facing policy makers in managing the health and social care needs of an ageing female prison population. Although I draw on research from England, Wales and the US, I will also briefly contextualise the ageing prison population in the Republic of Ireland.

The literature available on elder offenders is restricted to predominantly American-based research (Newman 1984) and the work of Aday (1994, 1994a 2003) has been instrumental in raising the profile of older male offenders in the US. In contrast, there has been only one study in the UK that addresses the needs of the older female prison population in England and in the US.

So Who are they?

There are different types of offenders, ranging from:

- The older first time offender currently serving a term of imprisonment;
- The older offender who has had previous convictions, but not served a prison sentence before;
- The recidivist who may have spent a significant amount of her or his life in and out of prison;
- Prisoners fulfilling a life sentence and who have grown old in prison;
- Long-term inmates.

Although the crimes committed by older offenders mirror those of young offenders, the older prisoner cohort is different in terms of their health and social care needs, individual adjustment to institutional life, maintenance of kinship networks, resettlement needs, and end of life issues. In consequence, they pose specific challenges to the prison system regarding custody, rehabilitation, and release. For the purpose of this discussion, the term 'older' or 'offender in later life' or 'elder' will be used interchangeably to denote a person aged fifty or over detained in a prison institution.

First of all, I will contextualise the relationship between ageing and the female prison population and then discuss some of the issues facing women in prison.

Ageing & Imprisonment

The issue of older offenders and that of older prisoners in later life has attracted limited research, with neglect from gerontologists and criminologists alike. The explanation frequently given for the lack of statistical information on this topic is that at present the numbers of older prisoners are too small to yield significant information, with the implication that this justifies excluding and ignoring the rights of elders in prison.

Much of the debate on older offenders has been around how to define 'old' in the context of the prison population (Cullen, Wozniak and Frank, 1985; Phillips, 2005). Definitions of 'elderly', 'elder', or 'older' can produce information that at first appears contradictory. Official statistics on the age breakdown of offences and prison statistics in the UK (see Home Office, 1997a, 1997b) use a wide spectrum of ages between 21 and 59 or simply give figures for prisoners aged 21 and above. Some researchers have defined older prisoners as those who are 65 years of age and older (Newman, 1984), 60 (Kratcoski and Babb, 1990), or 55 (Goetting, 1983, 1992). However, studies such as those by Phillips (1996), Eastman (2000), Wahidin (2002, 2004, 2009), Aday (2003), Howse (2003a), The Prison Reform Trust (2009), and Mann (2008), together with statutory bodies such as the American Department of Justice and prison units for older prisoners in the UK, have used 50-55 as the threshold age to define when one becomes an older prisoner.

At the same time, assessment of the care and support issues relating to custody for an ageing prison population are only just beginning to develop. Discussion has begun to emerge in the UK, following the first report to be commissioned by the Her Majesty's Chief Inspectorate Team on older prisoners entitled, *No Problems – Old and Quiet* (HMICP, 2004) and the later report, *Older Prisoners in England and Wales - A follow-up to the 2004 thematic report* (HMICP, 2008). [The purpose

of Her Majesty’s Inspectorate team is to provide independent scrutiny of the conditions for and treatment of prisoners. Her Majesty’s Inspectorate of Prisons for England and Wales (HMI Prisons) is an independent inspectorate that reports on conditions for and treatment of those in prison, young offender institutions and immigration removal centres. The Chief Inspector reports to the government on the treatment and conditions for prisoners in England and Wales and other matters. Yet research on the older prisoner, still, remains limited both in quality and quantity.]

Older Prisoners in the UK

Out of the 85,368 prisoners who were held in prisons in England and Wales on March 31st 2010, 8120 people were age 50 and above, thus representing 9.5% of the prison population. The latest figure is from the 30th June 2010, for women aged 50 and above in England and Wales and is as follows:

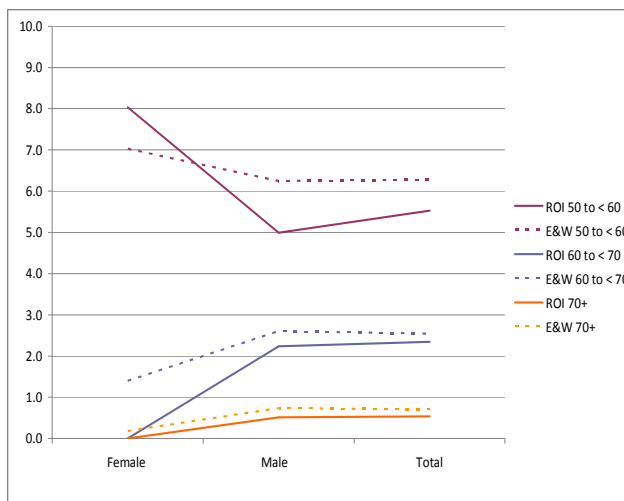
Age Range	No of Women	No of Males
50-59s	30	5,047
60-69s	60	2,107
70+	8	597
Total	369	7751

Source: Ministry of Justice: 2010

Age Range	No of Females	No of Males
50 to < 60	9	165
60 to < 70	-	74
70+	-	17
Total	9	265

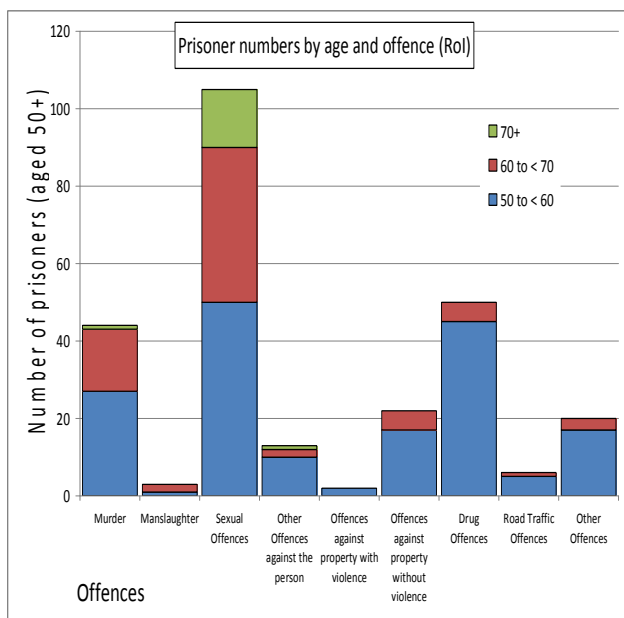
In terms of the older prison population in the Republic of Ireland the total for women over 50 is nine.

The following Table shows the percentage of women and men over 50 by jurisdiction. The broken line represents England and Wales, the straight line the ROI and the different colours represent the different age groups.



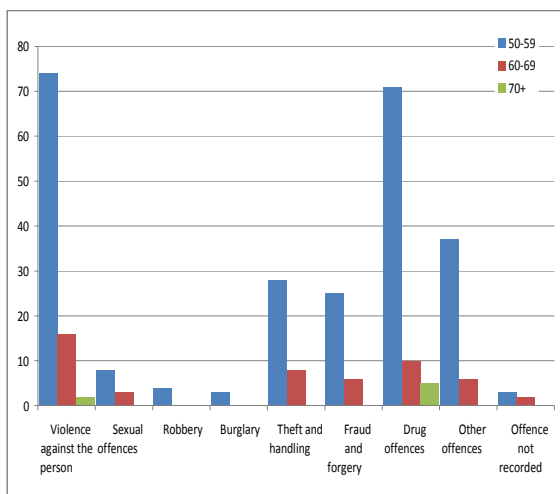
Source: Irish Prison Service Annual Report: 2010

The figures for the Republic of Ireland could not be disaggregated in terms of gender and the most common offences are Sexual Offences, Murder and Drug Offences



Source: Irish Prison Service Annual Report: 2010

Type of offences England - Women over 50 across offence in England and Wales



Source: Ministry of Justice: 2010

In terms of offences committed in England and Wales, the majority of the over 50 female prison population are serving sentences between four years and less than an indeterminate sentence; and the second highest category is 12 months and less than four years. The most common offences for this age group are illustrated in the Table: Violence against a person, Drug Offences, and Theft. Out of this population, nearly half are foreign nationals (44%), with many serving sentences for importing drugs. This increase in the older prison population can not purely be explained by demographic change but is a consequence of harsher sentencing policies which have resulted in courts sending a larger proportion of criminals aged over 50 to prison to serve longer sentences (Howse, 2003b; Wahidin and Aday, 2005, Wahidin, 2006).

Managing the Challenges of Ageing Prison Populations: The Response of the UK

In the case of the older prison population in England and Wales the challenges and issues evident in the report *‘No Problems - Old and Quiet: Older Offenders in England and Wales’* (HMICP, 2004), is that people aged 50 plus are a significant group within the prison population. However, the subsequent report (HMICP, 2008) found that many of the key recommendations made in the earlier document had not been acted upon. For

example, one of the key areas identified by the Report concerned the extent to which the prison environment was failing to reflect the needs of those with age-related impairments and disabilities. The Inspectorate Team found that in the majority of the prisons there were no separate regimes for older prisoners and that many were excluded from a range of activities and remained locked in their cells during the day. Another key area of concern was the general level of health of older prisoners and healthcare provision which will be discussed later.

In some cases, prison healthcare centres were being used inappropriately to house older and / or disabled prisoners. Mental health difficulties are also a major issue. Over half of all elderly prisoners have been diagnosed with a mental health illness, the most common being depression, which can itself emerge as a result of imprisonment (Prison Reform Trust, 2009).

In the following quote, I want to share with you a common occurrence in relation to health provision. Una, a first time offender, in her early 60’s, after only being in prison for two months recalls her experience of recovering from a heart attack brought on by the stress of the trial. She found herself handcuffed and chained to two male officers, suffering from a coronary attack and unable to move. The measures of restraint used were excessive and inappropriate in relation to her medical condition:

As she states: ‘I was taken onto the coronary unit from the hospital. The family came in and I’m wired up in the coronary unit and my daughter just burst into tears because I was handcuffed and chained to an officer. There were two officers sat at the foot of my bed. I will *never ever forgive* the system for that.’

She later goes on to ask: ‘What security risk did I pose? The doctor pleaded with them to take the handcuffs off and the answer was, ‘We can’t, we’re sorry, it’s the system’. But what does it do to your family to see you handcuffed, when they know I’ve never hurt anybody in my life.’

The shackling of prisoners in hospitals is

common yet the media have only focused on women who have given birth in chains. On 9th January 1996, the then Shadow Home Secretary Jack Straw MP, stated that 'in a holds true for any woman who is hospitalised and chained after suffering major operations.

The humiliation of being handcuffed and the indignities of being strip-searched when moving to and from hospital prevents many from seeking vital medical treatment. These examples that I've shared with you display the intransigent power of the penal system, impressing on both prisoners and the public that not only do prisoners have no rights, but that not even the usual professional prerogative exercised by doctors and nurses holds sway when the patient is a prisoner.

My work both in the States and in England and Wales shows that women who are infirm or are convalescing are denied association and exercise and incur a loss in pay, which in turn reinforces their sense of isolation. The unknown world of prison and the lack of care received can and does damage health as well as increasing feelings of anxiety and dislocation. It is the fear of being ill in an alien environment in which bureaucratic, prison time ticks slowly which reinforces for elders a common fear: that of dying alone in prison. The distress caused by such traumatic experiences cannot assist the convalescing ill. In these circumstances and with such experiences being not uncommon, one has to ask whether the prison service is fit for purpose?

Prisons have not traditionally been constructed to house older persons, or to respond to the changing physical and social needs which ageing is likely to bring. As a result, health and social care tends to be the most critical concern for older prisoners and those responsible for managing their needs while in prison. Most prisons departments view the rising cost of providing adequate health care as the biggest challenge in meeting the needs of an ageing prison population. Ageing prisoners come into the system bringing a variety of high-risk behaviours requiring immediate attention. In terms of healthcare needs, research has shown prisoners are likely to have an earlier onset of chronic health and social care needs than the general population. The most common age-related illnesses are

civilised society it is inhuman, degrading and unnecessary for a prisoner to be shackled at any stage of labour' (The Guardian: July 10, 1998:4). Surely, this also arthritis, hypertension, cardiovascular and respiratory conditions. As a whole, this population has a higher incidence of chronic disease and significant functional disability compared to similar age groups on the outside. The health expenditure for the older female offender is hard to map, given as Dr Piper, Senior Public Health Advisor in Prison Health states: 'that expenditure cost for age cohorts in prison, is not known and the cells are not a data set used by the prison health service'.

Thus without UK data on current health care expenditure, one has to look to studies conducted in the States to understand the future resource implications of an elderly prison population. In 1997, the daily medical care for the general prison population in the States cost \$5.75 per offender nationwide (Neeley, Addison & Craig-Moreland, 1997). In comparison the cost of caring for prisoners over the age of 50 was nearly three times higher at \$14.50. Elderly prisoners are significantly more costly to care for than their younger counterparts.

Thus with a predicted rise in the number of offenders who are older, sicker, and serving longer sentences, coupled with institutions' over-stretched resources, it is reasonable to argue that if we fail to address the needs of elders in prison we will be facing an inevitable crisis (Prison Reform Trust: 2003). As more cohorts enter the latter stages of life, the age revolution will significantly affect all facets of the criminal justice system (Age Concern 2003).

Since 2004, prisons in England and Wales have been subject to the Disability Discrimination Act (DAA), which requires the prison service to take all reasonable steps to ensure that prisoners with disabilities can access services. In consequence, the Prison Service has issued orders (PSO 2855 and PSO 8010) detailing the steps prisons should take. The National Service Framework (NSF) for Older People (Department of Health, 2001) also identifies the need for prisons to provide

for the health and social care needs of prisoners over 60. Yet it is evident from the official reports in this area that few prisons are reaching the standards required in legislation, though progress can be identified in some cases (HMICP, 2008; Prison Reform Trust, 2009).

The increase in the proportion of female elders in England and Wales is having far reaching effects on all components of the criminal justice system. Once in prison, as illustrated above, the vulnerabilities of age are exacerbated by the lack of age-related facilities. Furthermore, the lack of continuity of programmes from the outside, such as healthcare, structured activities for the non-working prison community and an 'adequate' living allowance for men and women who are of pensionable age in prison, increases the pains of imprisonment as the disparity between the working younger prison population and the non-working population is magnified (Hancock and Sunderland, 1997).

The former Chief Inspector of Prisons Sir David Ramsbotham, states: 'As I go around the prison estate I am finding an increased number of elderly prisoners, all of whom are classified as being retired, which means that they do not qualify for work. Without qualifying for work they do not get wages and therefore, they live in pretty impoverished circumstances. Some of them need special facilities, including medical facilities, and these too are lacking' (cited in Eastman, 2000).

Prisoners in later life require improved health services, better pensions, different types of housing and a variety of aids when they become infirm. But they also need a reason for using these things. It is not surprising that elders in prison experience isolation and alienation when they are denied access to the sources of meaning that are valued by the society in which they live. The lack of help and rehabilitation can only exacerbate the almost inevitable poverty that elders will face as a result of their imprisonment. The Thematic Review on older prisoners by HM Inspectorate of Prisons, published in December 2004, found little evidence that older offenders' needs were either being met,

or that provision was being made for them. The report concluded by stating that: 'prisons are primarily designed for, and inhabited by, young and able-bodied people; and in general the needs of the old and infirm are not met (HMICP, 2004).

Unless the prison services of England & Wales and the Republic of Ireland begin to recognise the needs of the older offender, mistreatment and neglect will be a pervasive facet of prison life. For those elders who are already incarcerated as well as those who are to be imprisoned, there must be clearly articulated policies addressing their special needs whilst in custody and as they prepare for release. A discussion as to the possible scope of these policy recommendations will be the topic of final part of the presentation.

Future Issues & Recommendations

As the number of older women offenders participating in the criminal justice system accelerates, developing social policies to respond effectively to the group will become critical. The programmes and policies now in place vary from country to country and this will most likely continue. Economic resources, sentencing guidelines, policy priorities and the variation in the number and diversity of older offenders contribute to these differences. Some have suggested that the elderly offender should be treated differently than her younger counterpart at all stages of the criminal justice system (Aday, 2003). In particular, given the mental and physical characteristics of the older offender, the purpose of legal sanctions may be different, leading to a de-emphasis upon restraint, and deterrence, (Mara, 2002). Such an alternative would not simply be lenient justice, but a separate and distinct system that differs from the current adult system in philosophy, purpose, and technique (James, 1992).

Moreover, to alleviate some of the problems associated with imprisonment, the prison authorities should be turning their attention to literature relating to residential homes or assisted living facilities (Aday, 2003; Atherton, 1989; Coleman, 1993; Hockey, 1989). There are many simple measures which could be taken that would allow elders control over their immediate physical environment. In

addition, due to the impairment of sight, hearing, memory and reflexes, as well as the general slowing of movement and mental responsiveness, elders need to be cared for by staff members who are specifically trained in the needs of elders in prison. For prisoners who will spend the rest of their lives in prison, managing their health care will become a critical issue. Prison officials will be faced with the problem of finding suitable work and recreational activities so prisoners can pass the time in reasonably good health. Of course, prisoners who have spent a greater portion of their lives incarcerated will need intensive discharge planning and community placement orientation. Locating family or community agencies who will accept ageing prisoners eligible for parole will also be a challenge. The ageing female prison population poses a number of dilemmas, and deserves recognition both among those interested in the well-being of those in later life and those implementing prison policy.

While it is obvious that the criminal justice system is becoming more sensitive to the special needs of ageing offenders, barriers continue to exist, which interfere with the ability of prison officers to respond more effectively. Most local governments in the UK are faced with the rising costs of medical care and overcrowded prisons. With the continued increase in criminal activity among the elderly population as a whole, learning more about the relationship between crime and ageing and about institutional adjustment, recidivism and release, seems imperative. The limited knowledge concerning older women in prison and the absence of relevant policies and planning in this area in England and Wales but also in other jurisdictions, leads one to suggest that the criminal justice system should be turning its attention to some of the following recommendations:

- An examination of existing formal and informal practices regarding women in later life, as the first step in developing an explicit and integrated set of policies and programmes to address the special needs of this group across jurisdictions. This will enable a national strategy to be implemented and good practice to be identified.

- To develop a comprehensive and gender-sensitive programme for elders that fosters personal growth and accountability and value-based actions that lead to successful reintegration into society.
- To prepare all personnel of the criminal justice system to understand and appropriately address elder-specific topics and issues as discussed.

In terms of being able to address the needs of elders in the criminal justice system, prisons should be able to institute the following:

- Adoption of the age of 50 as the chronological starting point in a definition of the older offender.
- Compiling of comprehensive data on the over 50s from arrest to custody, through to re-entry into wider society.
- Introduction or expansion of specific programmes, policies and facilities geared towards the needs of older people.
- Identification of the costs of long-term incarceration of infirm prisoners and the potential risks of early release.

Conclusion

To conclude, I have presented some of the issues and lessons that an older female prison population brings. In an increasingly pressurized prison system, the needs of older offenders are likely to be overlooked and it is only by examining the needs of the older female population that we can begin to implement best practice and prevent further accusations of injustice and lack of care for this particular group. Although the older prison population is still statistically nominal compared to other prison population groups such as young offenders, the numbers are growing at an exponential rate as is illustrated in the growth in England and Wales. *If prison is about enabling offenders to lead law-abiding and useful lives, the prison service should be looking at ways to minimize the sense of isolation & helplessness that older women and men experience behind the walls.* Thus in order to comply with the Human Rights Convention, policy makers must address the needs of the ageing prison

population or be accused of discrimination on the basis of age and worse, contravening legislation and of violating peoples' human rights.

It is well known that the proportion of the elderly in the general population has increased. However, research, policy initiatives and programmes targeted for the elderly criminal have not kept pace with this general movement. Age in time will be considered one of the biggest issues that will continue to affect the criminal justice system and prison health care in the future. Even now the Prison Service in the UK has yet to have a national strategy for this cohort. Even though the Disability Discrimination Act (2005) now applies to prisons, few establishments are compliant. Finally, Vivian Stern argues: that in every country, 'there is a prison system for men and women are everywhere tacked on in an awkward after-thought' (1998:141); unless this changes, female elders will remain in the shadows of prison life as an awkward afterthought.

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WORKSHOP DISCUSSIONS

Workshop A: Media Profiling of Women in the Criminal Justice System: North and South

Co-ordinators: Faith Gordon, PhD student Queens University Belfast & Lynsey Black, DIT Postgraduate MA Criminology

Chair: Jane Farrell

Rapporteur: Louise Brangan

This presentation provided a combined summary of research separately undertaken by Lynsey Black and Faith Gordon, both of whom conducted critical examinations of representations of female offending in print media in Ireland and Northern Ireland respectively. Their findings highlighted a disturbing trend among certain papers to dramatically skew images of female offenders, as well as raising interesting questions about how to curb this type of reporting.

Theory: Gender, Media and Crime

Lynsey began the presentation by illustrating the main academic theories which underpinned the research.

Patriarchy is a feminist concept which states that masculine qualities are afforded priority in society, while the feminine is considered subordinate. Feminist academics believe that the media are a patriarchal institution.

Women are often thought of as ‘doubly deviant’, their crime is one level, but their gender makes their crime more repugnant and their deviance is compounded.

There are a few common stereotypical roles for women, roles which make a story instantly recognizable to a reader. The use of stereotypes divorces an act of violence from its context.

Professional views and authoritative voices are important as they largely inform the media.

Offending women are a ‘hidden’ population (Carlen, 1983), so how the media represents them makes a big difference to how the public

think of them.

Findings – Ireland

Employing content analysis as the research tool, Lynsey conducted a one month analysis of media coverage of offending women in four newspapers – Irish Independent, Evening Herald, Irish Times and Irish Daily Star. She outlined to the group the main themes that emerged from her sample.

Straight reporting – no commentary – typically short articles- Almost 98% of the articles were straight reporting, no attempt at discussion or analysis. Similarly, the vast majority of articles were less than 99 words.

Serious crimes- Murder was by far the most common offence in the sample and yet did not feature at all when compared with prison committals for 2008. Sex offences, assaults and drug-related offences were also over-represented while more common female offences were largely ignored in the newspaper sample.

Reliance on official sources- Of those articles transcribed, over half were reported directly from ‘authorised knowers’, such as police sources or court proceedings. These were only the articles which made *direct* reference to the source of their information.

Celebrity -The analysis showed that female offenders can become celebrities in their own right. For example, the burgeoning celebrity of Amanda Knox is mentioned in one article. “*Italians have also been fascinated by the case, voting Knox “Woman of the Year” in a January 3 poll by a television channel.*”

Use of language and tabloids - There was a notable use of informal language in the Irish Daily Star when reporting female offending. There was a certain amount of this informal language in the *Evening Herald* and *Irish Independent* as well. However, headlines within the *Irish Daily Star* were especially sensationalist, and used the most emotive adjectives, such as “*stomach-churning abuse*”

and “*sickening abuse charges*”. The *Irish Daily Star* also referred to offenders with names like “*Death Angel*”, “*Syringe teen*” or “*Psycho mum*”.

Motherhood - Motherhood was the key theme identified in the research. Respectable motherhood could lessen moral outrage, but women who deviated from social norms could expect a harsh reaction.

Lynsey used the example of Veronique Courjault, who was described as simply ‘bad’ in many articles, with references like ‘*Freezer baby mum*’. Those articles seeking a more sympathetic tone portrayed her as psychologically disturbed.

It seems there are few ways to discuss women without buying into the mad/bad/sad conundrum.

Ideal Womanhood - In the sample, there were stories of women whose defense counsel were eager to say they had been attending church regularly and/or volunteering their time to charity, all calculated to appeal to the expectation of true womanhood. Similarly, those women who were viewed to be committing crime to aid their children were treated with leniency in the papers. Lynsey found her research exposed a very loaded idea of motherhood and womanhood in Ireland.

Sexuality - Interest in the sex lives of female offenders appeared to be a very prevalent feature of the articles. Violent crimes were frequently reported from an angle which most exploited the sexual element of the crime. The Amanda Knox case for example, highlights the salacious aspects of serious crimes. She was vilified for her sexuality, as headlines ranged from *Foxy Knox: sex, drugs and my 7 lovers* to descriptions of her relationship with her co-accused boyfriend.

Psychological issues - The degree to which the reporter accepted that psychological issues were valid, was found to influence the representation of the female offender. There were two articles reporting the case of a

woman charged with killing her newborn babies, which show both ends of the spectrum of culpability. In the first article in the *Irish Daily Star* the woman is referred to as “*the killer mum*” and the claims that the woman suffered from a psychological condition were dismissed. However, in the *Irish Times*, statistics are offered, and her case is represented as a tragedy, not only for her husband and children, but also for her. In a discussion of this sort, it is necessary to consider two elements. Initially, it must be recognised that many women who enter the criminal justice system are suffering from some form of mental illness and it would be an injustice not to consider this, but do we lessen agency by reducing them to their mental disorders?

Alcohol and drugs - Alcohol was mentioned in quite a few articles as a contributing factor. Illegal drug-taking was also seen as a contributing factor in many of the articles. In cases where drug-taking did not directly relate to the offence, it was used as an indicator of a woman’s morality.

Ethnicity and nationality - A final and unexpected finding showed that the difficulty of being an offending woman was compounded if she was of an ethnic minority. For example, the over-reporting of the crimes of Romanian girls was noticeable, these offences were always minor and would most likely not have featured had the perpetrators been Irish. In contrast, the case of a young Irish girl jailed in Spain for possession of drugs was taken up by the *Irish Daily Star* as a rallying call to have her released, as they stood up for the poor, ‘pretty’ Irish girl imprisoned abroad.

Findings – Northern Ireland

Faith Gordon conducted a similar content analysis of newspaper coverage of female offenders in Northern Ireland. It was clear from her findings that there were many similarities to reporting in newspapers in Ireland.

Deviation from traditional gender norms -

Women who did not fit or live up to traditional female roles, such as 'good' wife and mother were further vilified.

Headlines - Faith found that often article headlines emphasised the gender aspect of the story. The words 'woman', 'girl' or 'mother' were used to alert the reader to the gender of the accused. For example, a headline in the *Irish News* read; '*Mother Jailed for Abusing Daughter*', the journalist then goes on to describe the offender as a 'mother of four'.

Alcohol and drugs - Similar to Lynsey's findings in Ireland, Faith agreed that the newspapers in her sample used drugs and alcohol as an indicator of a woman's morality.

Reliance on authoritative voices - It became apparent that it was the norm for journalists to draw on the views of Judges or the Police as authoritative voices condemning the actions of the accused. In a case where a woman was jailed for abusing her daughter, Judge Tom Burgess was widely quoted saying 'it is hard to comprehend how anybody let alone a mother, could inflict injury on such a young and defenceless child'.

Sustaining coverage - The articles collected during this research demonstrated that the majority of stereotyping and labelling of women offenders was most common in high profile cases, particularly involving violent acts, especially murder. Faith highlighted the reporting surrounding accused murderer Lesley Gault to illustrate this point. Gault was acquitted in 2004 from any involvement in her husband's murder. Her private life became newsworthy and therefore remained the focus of press attention however. For example, four years after the acquittal, the press discovered she was planning to remarry. An article in the *Sunday Life* ran with the headline 'Widow Gault to Marry'. In the piece Lesley Gault was described in salacious language which played on her sexuality as well as her role as a mother, such as a 'sex-mad, 'man eater, and 'mum of three'.

Faith also discussed the 'high profile' case example of Julie McGinley; currently an incarcerated woman prisoner in Northern Ireland. Faith argued that high profile cases,

such as Julie McGinley's, reinforce how the media have stereotyped, negatively portrayed and created sustained coverage of an individual, presenting this woman prisoner as a figure for the public to condemn. The example of Julie's representation is consistent with high profile cases internationally and raises bigger questions about how the identities of 'criminal' and 'woman' have a strong impact on the treatment of women prisoners.

Qualitative Interviews

Faith also carried out interviews with several journalists for her research. She shared some of the quotes with the workshop which provided a fascinating insight into the journalistic rationales behind the frenzied reporting of certain female offending. One quote stated:

"Society has an insatiable appetite for all things extreme...society does not expect females to be criminals. The unexpected will always get the vote on the news desk and if she's a 'looker' then the value to the newsroom rises considerably. At the end of the day we are influenced by what makes the best headline".

Conclusion and Further Discussion

The majority of people in their lifetime will have little or no direct experience of imprisonment, therefore the information they obtain and the opinions they have with regard to crime, offenders and punishment are gathered and drawn from other sources such as the media. As a result, the images presented by the media about women in prison and female offending are an important source of storytelling and information.

Faith concluded by raising some interesting questions and points of departure for further research:

- The voices of women prisoners should be included in research to give a fuller picture of the impact of this type of reporting.
- Does their representation affect women's treatment by the criminal justice system? (e.g. sentencing).

- How can responsible and informed journalism be encouraged?
- Are unfeminine women punished by society?
- How far had negative reporting the potential to affect women's re-integrations on release?

Discussion

After such interesting presentations it was unsurprising that a lively discussion ensued. One issue raised was concerned with the role of female offenders as mothers. Questions were asked about the possible impact such profoundly negative reporting can have on these women's children. Members of the workshop pointed to recent cases in which pictures of offenders children had appeared in the media. Possible options suggested were to raise awareness of how one can redress their grievances with the media. Also, the group explored the possibility of no longer allowing the media to use either names or pictures of offenders and their families, thus rendering their reporting completely anonymous. However many felt this would not end the pejorative language employed by the many media outlets who already favour a sensationalist tone when reporting female offending.

While there is a need for the media to be more accountable, and have a tighter ethics control, the group also raised concerns about the use of 'authorised knowers' in articles. People in these official positions must be careful to remain impartial as many of their comments go on to form salacious headlines

Workshop B: Prostitution in Ireland - A Changed Reality

Co-ordinators: Sarah Benson, CEO, Ruhama & Hilka Becker, Senior Solicitor, Immigrant Council of Ireland

Chair: Norah Gibbons

Rapporteur: Jane McGowan

The first speaker was Sarah Benson.

Introduction to Agency

Since 1989, Ruhama has been working with women affected by prostitution. Having initially focused on women in street prostitution, the services have expanded broadly to respond to the presentation of prostitution in Ireland in recent years with the majority of women now in indoor prostitution and having encountered a victim of trafficking for the first time in 2000, nearly 50% of Ruhama's casework load is currently with victims of trafficking. Ruhama offers supports ranging from outreach, one to one casework, advocacy & referral, counselling, emergency accommodation, education & development and resettlement support. It offers individual assistance and opportunities to women seeking to explore alternatives to prostitution (irrespective of their current involvement or otherwise) and overcome the trauma of their experiences. Ruhama takes a position on prostitution as a form of gender based violence based on its experience and the experiences articulated by women working with them.

Main Issues

- In 2009, Ruhama worked with 196 women; 137 (8 Irish and 129 migrant women) using intensive, individual casework and the remainder through street based outreach. Of those in casework, it was determined that 48% of these women were victims of trafficking.
- The sex trade in Ireland appears to be thriving with an estimated minimum of 1000 women and girls available in indoor prostitution at any time. Furthermore, it was stated that it is a common misconception that the sex trade is confined to urbanised zones.

- Ms. Benson noted that the use of internet and other technological media has permitted anonymity and invisibility for those organising prostitution in Ireland, resulting in a lack of accountability and a lack of adequate protective measures for victims of prostitution.
- It was stated that women involved in prostitution still continue to be criminalised, marginalised and isolated, whereas buyers of sex receive little sanction and remain anonymous within our population.

Next, Hilka Becker spoke about Immigration concerns relating to victims of human trafficking and migrant women in prostitution.

Introduction to Agency

The Immigrant Council of Ireland (ICI) was established in 2002 to provide services to immigrants including information on rights and entitlements, advice and advocacy services and citizens' information. Furthermore, the ICI is an independent law centre, providing legal advice and representation to individual migrants, and operates as a research and lobbying organisation. A 'specialist immigration advisory service' caters for migrant women in prostitution and victims of trafficking for sexual exploitation.

Main Issues

- Hilka Becker spoke about the proposed Immigration, Residence and Protection Bill 2010 and stressed that it does not adequately protect victims of human trafficking and migrant women in prostitution. While victims are encouraged to co-operate with the Garda Síochána, there are insufficient protective measures in place.
- Women subjected to prostitution and trafficking may be granted a 'stamp 3' permit valid for 60 days (recovery and reflection period) and/or a 'stamp 4' (a temporary, six-month, renewable residence permit) on the basis of their cooperation with the authorities in the

investigation and/or prosecution of the offences committed against them.

- Notably, a victim of human trafficking and a migrant woman forced into prostitution may also apply for asylum/refugee status per Refugee Act 1996; however, under the forthcoming legislation – if enacted – there will be no access to a humanitarian permit. Thus, satisfying the threshold to obtain refugee status is extremely difficult given the necessity for one to be at risk of future persecution on return to the country of origin.
- Ms. Becker stated that the State ought to "provide for the possibility of not imposing penalties on victims for their involvement in unlawful activities...to the extent that they have been compelled to do so" per Article 26 CoE Convention on Action Against Trafficking in Human Beings and that such 'non-prosecution clause should be publicly available.

Group Discussion

It was confirmed that the DPP has recently amended and published guidelines for prosecution on their website.

It was held that money laundering and criminal activity directly finances the trafficking 'industry' and that the Garda Síochána conduct intensive investigative measures in a bid to quell prostitution.

Notably, poverty, drug addiction, lack of education and an experience of abuse in childhood or as young adults, are common traits shared by both Irish and migrant women in prostitution. They are on the whole a cohort of socially vulnerable women and girls.

It was argued that asylum hostels and homeless shelters provide inadequate and inappropriate accommodation to victims of human trafficking and this could be held in violation of the Council of Europe Convention on Action Against Trafficking in Human Beings.

It was held that there is a gap in Irish legislation regarding prostitution as an 'indoor

activity'. Sarah Benson called for this to be rectified and called on the Irish government to draw from Swedish legislation which focuses on the buyer/trafficker and decriminalises women.

Workshop C: Gender & Policing

Co-ordinator: Mary O'Rawe, Senior Lecturer, University of Ulster

Chair: Eugene Corcoran

Rapporteur: Ciara Hanley

This workshop explored the matter of gender and policing.

UN Security Council Resolution 1325 (2000) on Women, Peace and Security affirms the important role of women in conflict resolution and peace building, but is not yet being fully taken on board in terms of transforming understanding of policing and decision making on policing.

The following four themes exist internationally:

- Women and girls are statistically more likely to be victims of certain crimes eg. rape, domestic violence.
- Poverty impacts disproportionately on women and children across the globe.
- Women, particularly poor women, tend to bear the brunt of wider societal conflict.
- Women perform a huge range of undervalued (and sometimes invisible) policing roles while having little power or control over how policing happens and is shaped officially within their society.

Globally, statistics indicate that 1.5-3 million girls and women are killed each year through gender based violence and one in every three women has experienced gender based violence. While certain crimes, such as domestic violence and rape affect women more than men, the trend is to define such crimes in gender neutral terms. While it is important to recognise that men and boys can also be victims of gender based violence, there

are problems in aggregating and conflating experiences that may be experienced differently on the basis of gendered roles and expectations within society. In terms of the identification of risk, strategies of prevention, support and investigation, certain policing and broader societal strategies need to have a gender specific focus.

Gender is not *just* about 'women's issues'. It relates to how all are treated in society on the basis of expected roles and assignments that come simply with the fact of being a man, woman, boy or girl in any given society. Looking at policing through a gendered lens, while having obvious implications for women, given the historical maleness of the security sector, equally has significance in terms of a wide range of broader harms and problems in society.

History of Women in An Garda Siochana

Women were traditionally perceived as being unsuitable police. Catherine Clancy's 2008 article in *Communique* provides very useful background in this regard.

- In 1917 there were four women employed by Dublin Metropolitan police and in 1955 there was only one woman employed.
- The Garda Siochana Act, 1958 provided for the admission of women to the force.
- The first woman sergeant was appointed in 1960 with the first woman commissioner being appointed in 2003.
- Currently 22% of An Garda Siochana are women (Garda Annual Report 2009)

Without seeking to over-essentialise women as peacemakers, women can bring a varied skill set to policing, including, in many cases, the ability to facilitate the cooperation and trust required to implement a community policing model and the ability to better defuse and de-escalate potentially violent confrontations. There is a need to look at and further research how particular approaches currently are and might be gender based and the extent to which these understandings could be better used in policing and to change our outlook on what policing is and how it should be done.

Challenge to Policing

Domestic violence is not defined in law. It is no longer recorded as a separate offence in An Garda Síochána Annual Reports and is instead aggregated with other assaults. In tracking the prevalence of domestic violence we must look to the statistics of not-for-profit organisations which support victims of domestic violence; Women's Aid statistics from 2009 provide that 14,613 disclosures of domestic violence were made to its helpline and that 97% of callers were women.

There is a need to recognise the gendered dimensions of policing and security rather than continue to treat gender as a side issue in policing. Currently policing is framed to facilitate, prioritise and provide a fairly masculinised view of security whereas many women might be more concerned with safety (See research project by eg Hamber and others on Reimagining Women's Security). Girls, boys, women and men might all have different understandings of, and experience, security differently. This needs to be factored into decision making, budgets and power and control over how policing is done.

It is also necessary to address the perception of women as unsuitable police. While we have progressed since the 1950s it is worth reflecting on a Dail debate during this era which featured a suggestion by one TD that "while recruits should not be actually horse faced, they should not be too good looking. They should be just plain women and not targets for marriage". How women fare within (as well as at the hands of) state police organisations is an important issue – but it is not merely a question of increasing numbers. Do women have real power in these organisations? How much of a critical mass is there? To what extent are women sidelined into particular roles? To what extent is gender a priority for police organisations and how much is tokenistic or window dressing?

It is interesting to look at distribution of resources to and within An Garda Síochána; eg by the end of January 2009, the cost of the Shell to Sea/ Corrib Gas Project policing operation was €13.5 million, yet in the same year Cosc, the body dealing with domestic and gender-based violence, sees its budget reduced

by 13% to €2.7 million. Should a broader policing (rather than police) budget take a wider view of priorities and allocation of resources? What are the gender implications in budget/resource allocation/power terms?

Discussion

The discussion was then opened to the floor for contributions from those attending the workshop.

A lively debate ensued on the challenges faced in determining how we measure the success of policing. The group discussed that policing tends to be judged on quantity not quality; success is analysed according to things like: the number of new recruits, the number of people put through training courses, the number of Gardai on the streets and the number of arrests. Instead, the focus should be on the quality of the training of our police services and the quality of the service they provide to society. This involves giving much more attention to process and not focusing too exclusively on narrowly drawn 'results.'

The group discussed the problem faced in dealing with domestic violence due to the high number of withdrawals in such cases, the fatigue that this leads to for those investigating such complaints, the complexity of the skills required to deal with such a complaint and the dangers of not adequately investigating such a complaint.

Attention was drawn to the fact that there are Domestic Violence Acts on the statute book going back to 1996 initially, with subsequent amendments. The provisions therein are supplemented by comprehensive Garda Síochána Policies in the area of domestic violence which have been the subject of regular review over the years in conjunction with all relevant organisations both statutory and voluntary working in this area. An important role is played by An Garda Síochána in the overall aim of raising awareness in the area of domestic violence.

There was general consensus that policing is a societal responsibility and that gender based violence not only affects women but it affects all of society.

The workshop concluded with the suggestion that we need to unlock pre-set notions about policing and to change the approach of policing gender based violence. However, it was emphasised that it is important to acknowledge that, at many levels, the contribution of women to policing in this country today is well recognized and appreciated, not just in areas of domestic violence but in every aspect of police work.

Workshop D: Community Based Interventions for Women Offenders in Northern Ireland

Co-ordinator: Jean O' Neill, Manager, INSPIRE Women's Project

Chair: Kieran O' Dwyer

Rapporteur: Rachel O' Neill

The focus of this workshop was on the *INSPIRE* project, a community-based programme for women who are subject to court-ordered supervision in the community in Northern Ireland. The underlying theme was the needs of female offenders as a specific group, with needs very distinct from those of male offenders. The basic premise was that equal treatment does not give rise to equal outcomes in the criminal justice area, given the divergence in needs.

INSPIRE was established to deliver gender-specific community supervision and interventions. Its role and work are innovative in many respects. One of most defining characteristics is the way in which the organisation does not work alone. Collaboration is viewed as essential to achieving its aims and *INSPIRE* works with the prison and probation services of Northern Ireland as well as with a host of voluntary and community services. It evolved from the need for a more specialised approach to the support and care offered to female offenders. In effect, a generic procedure was in place to deal with all offenders and the special needs of women were largely overlooked.

Following a four-day conference in 2008, which focused on prison and women in prison, a 'Draft Strategy for the Management of Women Offenders in Northern Ireland' was launched. It was a collaborative piece and looked at the following issues:

- Providing alternatives to prosecution and custody
- Reducing offending
- Providing community supervision and interventions
- Managing women in custody

Following consultation, the 'Strategy for the Management of Women Offenders and those vulnerable to Offending' was published in October 2010 by the Department of Justice. This is the first time that a strategy is in place which looks beyond each organisation in order to decide collectively what steps must be taken to properly address the issue.

Women in the criminal justice system

- 3428 women were convicted in the Northern Irish courts in 2006, representing 13% of all convictions
- Women represented nine percent of those made subject to Community Supervision Orders
- 66% of women received fines
- Women make up three per cent of the prison population, although this statistic may be somewhat questionable as it includes a woman who served seven days in prison for the non-payment of a tv licence.
- The majority of offences committed by women were theft and disorderly behaviour; 22% of offences were violent but even these offences were at the lower end of the spectrum and often involved violence in a relationship or in the domestic setting; 16% of offences related to deception; all in all, the offence breakdown is very different from that for male offenders
- One in 3 female offenders have problems with alcohol, unemployment, education or training, and/or family and relationships

- Approximately one in four have mental health issues – this represents a big issue among female offenders. The most common mental health issues are self-harm and dependence on prescription drugs
- Approximately one in six have substance misuse problems – mainly alcohol
- Experiences of sexual/domestic violence are prevalent
- Of the females under supervision, 2% are assessed as dangerous
- Almost half (47%) are assessed with a low likelihood of re-offending, 38%, medium and 15%, high
- Approximately 20% of women are reconvicted within two years (2005 cohort)

Work by *INSPIRE*

INSPIRE is a pilot project that was launched in October 2008. Based in Belfast, the project works with women subject to Community Supervision Orders within the Greater Belfast area. Both urban and rural areas are covered. Over 300 cases have been dealt with since its commencement in October 2008. Its current caseload is 140 Community Supervision Orders. Its staffing comprises four Probation Officers and one Northern Ireland Association for the Care & Resettlement of Offenders (NIACRO) worker, supplemented by links to community resources.

The team carries out pre-court assessments, manages women subject to Community Supervision and prisoners eligible for day-release, provides programmes, routes women to appropriate services and engages with partner agencies to deliver community mediation & re-integration.

INSPIRE works with various women's organisations so that female offenders have access to the full range of support they need locally. *The Women's Support Group* is the umbrella group through which women's organisations work in partnership with one another. Among the main organisations that they work with are:

- NIACRO/ Women's Support Network – Women's Community Support Programme

- Ash/*INSPIRE* Resettlement Programme
- Prison Arts Foundation - Creative Arts Programme
- NIACRO – Jobtrack for women project
- Barnardo's – Parenting Matters Programme
- Forum for Action on Substance Abuse – Counselling and Stress Management
- Women's Aid, Northern Ireland Community Addiction Service, Alternatives (Restorative Justice), etc

Their starting point is always the woman. The ultimate aim is to re-integrate the offender into the community. The *Women's Support Group*, through its partner organisations, runs many different workshops to this end.

The Probation Service aims to challenge offenders' attitudes and actions in order that they change their offending behaviour, thus protecting society. *INSPIRE*'s primary focus is ensuring that women fulfil the requirements of court orders, however it does so by adopting a women centred approach. This means that Probation Officers recognise that the experiences of women could be very distressing. Prior to *INSPIRE*, women attended local probation offices, which are designed for the management of male offenders and it can be extremely difficult for a woman to share her experience of violence in such a setting.

The philosophy of *INSPIRE* is to 'take time'. They currently have 140 women in their programme. The idea is that the women complete their probation with *INSPIRE* and take up opportunities within the community. The needs of the woman are the primary concern. It sees the people it works with first as female, then as citizens and lastly as offenders

General Comments/ Discussion

- The work carried out by *INSPIRE* is based on current standards. Their philosophy is to encourage women to access the range of community resources available and appropriate to support them in desisting from further offending. The probation manager links the female offender back into the community; the

most successful means of this is through group work.

- The duty of the probation officer is to ensure that the resources on offer complement the needs of the woman. In terms of a community initiative, it is an ongoing task but inevitably there are some conflicts. The main aim is to support the woman in going to other agencies.
- The crucial element to the success of the initiative is communication. These groups offer support not just to women on probation but to all female offenders.
- *INSPIRE* is a probation run programme and court requirements still have to be met. The majority of female offenders complete the orders successfully, with 12% overall brought back to court for breaches. By virtue of facing up to the consequences of a breach, the woman is forced to take responsibility not only for the offence but also for her life.
- The issue of accommodation is seen as vital. Placing female offenders in hostels is a limited solution and this area needs to be reviewed. Inevitably, even with a range of interventions in place, there are some women who find it difficult and are unable to be managed within the community.
- There is a need to develop services in the area of mental health and particularly, personality disorders, perhaps providing for a half-way house for supported accommodation.

Workshop E: Women as Victims of Intimate Partner Homicide-links with Domestic Violence

Co-ordinators: Kate Mulkerrins, Head of Prosecution Policy Unit, Office of the DPP & Margaret Martin, Director, Women's Aid

Chair: Ian O'Donnell

Rapporteur: Ciara Hanley

This workshop explored the findings of a collaborative study on domestic violence homicide where a female victim was killed by a male perpetrator with whom she shared an intimate relationship.

The workshop began with Kate Mulkerrins' overview of the research undertaken.

Prosecution Policy Unit

The Prosecution Policy Unit of the Office of the DPP was set up in 2008 and part of its ambit is to advise the Director on policy towards victims of crime. Such policy is informed by working with agencies in the criminal justice system, including the non-governmental organisations and it is hoped that the benefits of this collaborative approach will bear fruit in years to come.

To date the Prosecution Policy Unit has been actively involved in five collaborative research projects, the most recent of which was a study with Women's Aid on Domestic Violence Homicide.

Collaborative research

The primary aim of the research conducted on domestic violence homicide was to analyse the antecedents to a number of domestic violence homicides with a view to determining the nature and quality of interventions with the victim and/ or the perpetrator.

An innovative and collaborative approach to the research was developed between An Garda Síochána (Domestic Violence & Sexual Assault Investigation Unit), staff of the Prosecution Policy Unit and researchers from the Child and Women's Abuse Study Centre, London Metropolitan University on behalf of Women's Aid (who were commissioned by Woman's Aid to undertake this research). A

pro-forma questionnaire was developed containing 109 questions. The Office of the DPP carefully anonymised the information from the files in order to protect the identity of the parties involved. The required information was sourced primarily from the DPP's murder case files and supplemented when necessary by information provided by the Gardai. The Gardai provided the entirety of the information on the murder/suicide cases.

Cases

The research was conducted on close intimate partner homicide cases occurring in Ireland from March 2001 to April 2009 and encompassed a total of 27 cases consisting of 21 homicides and six homicides where the perpetrator also committed suicide.

All 21 cases resulted in a conviction, with 18 life sentences for murder (nine guilty pleas and nine convictions following trial), two convictions for manslaughter (one guilty plea resulting in a six year prison sentence and one conviction following trial resulting in a ten year prison sentence) and one conviction for endangerment and assault (guilty plea entered resulting in an eighteen month sentence). 13 of the 21 cases involved the use of a weapon, with one case involving the use of both a hammer and a knife. All bar one of the 13 cases involving the use of a weapon resulted in murder convictions, one resulted in a jury finding of manslaughter.

Review of Domestic Violence Homicides

This was the first time that the Office of the DPP had looked at domestic violence as a discrete subset of homicide. There is a need to look carefully at the manner in which we record the context within which offences occur in order to capture the continuum of offences which encompass the scope of "domestic violence" (which potentially include: breaches of barring/ protection/ safety orders, intimidation, criminal damage, assaults, threats to kill, homicides). The DPP is fully supportive of the proposal to introduce domestic violence homicide reviews in this jurisdiction.

Women's Aid

Margaret Martin shared the findings of the research on domestic violence homicide.

Together with providing support services, Women's Aid works to improve systemic responses to women experiencing domestic violence in Ireland through training of agencies that respond to women and through our policy, awareness raising and media work. Women's Aid has maintained a record of female homicides in Ireland since 1996 and has found that women are more likely to be murdered by someone they knew (88%), by a partner or ex-partner (51%) and in their own homes (61%).

Research on Domestic Violence Homicide

As already mentioned, the research was commissioned to the Child and Women Abuse Studies Unit of the London Metropolitan University headed by Professor Liz Kelly and supported by the Office of the DPP and An Garda Síochána.

The purpose of undertaking research on domestic violence homicide was to:

- identify the antecedents to a number of female domestic violence homicides with a view to determining the nature and quality of interventions with the victim and/or perpetrator;
- identify whether opportunities for effective intervention were maximised;
- examine the risk factors for victims preceding the homicide.

Key Findings

- Domestic Violence preceded the majority of the 21 murders with two thirds of the perpetrators having been violent towards their partners before the murder.
- Separation was a risk factor for escalating violence and fatality with just under one third of the 21 homicides occurring post separation. However, in another six cases women had either left before or had threatened to leave, so there was potential for separation in the relationship. If we include women who had not yet

separated, but where there was a potential for separation the number of cases rises to 14, or 67% of the file case sample.

- Lack of data and difficulties in sharing existing data among agencies.
- Domestic violence homicide reviews would facilitate the identification of risk factors, raise awareness and offer direction for improvement in service provision including multi-agency co-ordination.

Risk Factors

Research identified thirteen risk factors including; previous physical violence/escalation, separation, alcohol/ drug misuse, controlling behaviour (included controlling what the victim wore, what she ate, her working arrangements and her ability to leave the home), money/debt issues, depression/mental health issues, relationship status, violence towards others etc.

The risk factor analysis was confined to the 21 homicide cases and showed that in half of the cases, 10 or more risk factors were present. The research showed that conventional risk assessment would have identified these cases as high risk if the information was known to the agencies.

There is a need to establish protocols and develop a risk management system on a multi-agency basis.

Discussion

A lively discussion ensued about the research findings and how they could be used to create a risk profile of women at risk, in order that those working in the criminal justice system can be trained to identify an escalation in the risk faced by victims of domestic violence. Attendees commented on the Rotunda Hospital research finding that one in eight women surveyed were abused during pregnancy and the group also identified that the level of remorse or regret in domestic violence homicide would appear greater than other crimes as a guilty plea was entered in 11 of the 21 homicide cases. Contributions from those attending included a discussion on

hospital policy of disclosing information on women at risk and there was general consensus from the floor on the need to introduce a domestic violence homicide review mechanism in Ireland.

Workshop F: Mental Health Issues for Women in the CJS - Legal and Welfare Perspectives

Co-ordinators: Janice Kelly, Senior Probation Office, Dochas Centre, Maria Mulpeter, Probation Officer, Dochas Centre & Aine Hynes, Chairperson, Irish Mental Health Lawyers Association

Chair: Finbarr O'Leary

Rapporteur: Jane McGowan

Janice Kelly and Maria Mulpeter

A study conducted on psychiatric morbidity amongst female prisoners in the Irish prison system found that the prevalence of mental illness (not including personality disorder, adjustment disorder or substance misuse) was 33.7% (Wright et al., 2006). Notably, there are higher rates of mental health illness amongst female prisoners than males.

There are many incidences in which the relationship between offending and mental illness may materialize, for example: the offender may have a mental illness, however, this may not be a cause of the criminal behaviour; offence/incarceration may have triggered the mental illness, or the offence may have been committed as a result of mental illness.

The probation officers drawing on their own professional experience referred to the quality of life for female prisoners in the Dochas Centre. 'Throughcare' is a model used by the probation team in the Dochas Centre which has been a success in supporting women to have an effortless transition into the community and promotes crime-free lifestyles post incarceration. Significantly, it is felt that due to overcrowding and the lack of availability of services and collaborative efforts from other services, women are often

subjected to a turbulent environment and oftentimes, feel isolated.

Notably, women in the criminal justice system suffering from mental illness have multiple needs. Female offenders often suffer from substance abuse problems, poor social supports, poor educational attainment, physical health problems, *inter alia*. The presenters suggested that female offenders with mental health issues would benefit from a therapeutic relationship with the multi-disciplinary engagement from the various professionals using the 'Throughcare' model.

Aine Hynes

Amending archaic legislation (Lunacy Ireland Act, 1821; Trial of Lunatics Act, 1881), s. 22, Criminal Law (Insanity) Act, 2006 now holds a person to be "not guilty by reason of insanity". The person is deemed a 'patient' as opposed to an 'offender'. Furthermore, the 2006 Act makes provision for the Central Mental Hospital (CMH) to operate as the primary, forensic detention centre.

Notably, Ms. Hynes detailed the stages (pre-trial and upon conviction) that one may be deemed "unfit to be tried"; or following a jury verdict of "not guilty by reason of insanity", as per s.4 and s.5 Criminal Law (Insanity) Act 2006, respectively. Significantly, the person will be detained in the Central Mental Hospital for a period of time, at the discretion of the Review Board. Thus, one may not be 'released' or discharged from the CMH upon completion of the 'sentence'. Furthermore, while there is a mechanism for discharge under the 2006 Act, a patient will not be released conditionally by the Review Board and there have been judicial review proceedings on this point.

Ms. Hynes maintains that, arguably, the Criminal Law (Insanity) Act, 2006 violates one's right to liberty as per the European Convention on Human Rights, as one cannot be released conditionally at present. However, the judiciary have held in the case of *JB v. Review Board*, that *JB's* liberty in the Central Mental Hospital was "not restrained but merely curtailed". Currently, there are no legislative measures by which one can obtain a "conditional discharge" as the conditions of

discharge cannot be enforced. It is hoped that the Criminal Law (Insanity) Bill 2010, will rectify this lacuna.

Indeed, there are inadequate services provided for women in the Central Mental Hospital. 'Seclusion' is used inappropriately and they are accommodated in one ward which is not indicative of their progress and there is no separate rehabilitation ward. On the contrary, male patients of the CMH progress through many stages of recovery via multiple wards.

Group Discussion

The Minister for Health and Children must be consulted if treatment centres are to be designated as mental health service operators.

The merits and the future potential of the 'Throughcare' model were affirmed.

Significantly, female offenders have often sought mental health support services prior to offending/incarceration. Furthermore, many may have been diagnosed with mental health issues.

Workshop G: Education for Young Women in Detention

Co-ordinator: Anne O'Sullivan, Principal, Oberstown Education Centre

Chair: John Brosnan

Rapporteur: Louise Brangan

One of the biggest challenges faced by juvenile offenders is a lack of formal education. The centrepiece of this workshop was a presentation by Anne O'Sullivan highlighting how young offenders can pursue their educational aspirations while in a residential setting.

Oberstown has a capacity for 20 boys and 12 girls. Every child attends education classes. Boys and girls are educated separately in small class groups.

Oberstown Education Centre has three strategic-level stakeholders:

- Irish Youth Justice Service (IYJS) is responsible for the detention schools;
- Vocational Educational Committee (VEC) is charged with delivery of education; and
- Department of Education and Skills (DES) ensures each child receives appropriate packages of care and education.

At an operational level there is the School's Board of Management, Directors, a VEC Sub-Committee and the School Principal.

Stakeholder responsibilities are enshrined and underpinned by legislation – the Children Act 2001, Education Act 1998 and the Vocational Education Act 2001. The collaboration of all stakeholders is seen as critical to the delivery of the best possible educational experience for of the students at the Centre. Anne highlighted a quote from the Relationship Protocol (January 2009) that best illustrates this point – *'Relationships between/amongst all stakeholders are based on the principle that collaborative processes are essential to allow each to fulfil their statutory duties.'*

Aims of School

Oberstown operates on the principle that all children are educable. There is a focus on educational outcomes. Teaching input and learning outcomes, which can be measured and quantified, are monitored continually. Mindful that many students have had difficulties in mainstream education settings, the teaching staff at Oberstown focus on achievable aims and quantifiable goals to deliver education tailored to the individual's circumstances and needs.

Staff Approach

Anne illustrated the three basic, but fundamental, points that inform the teaching ethos in Oberstown Education Centre:

- Professional Community – improves student learning by developing the highest possible standards.

- Cross campus approach – there are added difficulties when providing education in a residential setting. As a result, this approach is absolutely essential in the smooth running of the school.
- Shared purpose and joint focus – everyone (education and care staff) must invest in the aims of helping young people achieve an education.

School Curriculum

Upon entry, every child is assessed by teachers. What is unique is that students are also asked what they want. Anne has found that students are always responsive and display astounding insights into what they want. Using this information along with the teacher inputs, an Individual Educational Programme (IEP) is drawn up. This can involve various pathways, including pursuit of formal education certificates such as Junior Certificate, Leaving Certificate, FETAC and Leaving Certificate Applied.

The array of subjects taught in a traditional community school are available on the Oberstown Education Centre curriculum, including English, Irish, Mathematics, Home Economics, Art, CSPE, Materials Wood Technology, Geography and Music.

School or Therapeutic Community?

Oberstown acknowledges the various difficulties faced by its students, such as dysfunctional behaviour and anger management difficulties. However, there is no 'dumbing down' of course work. The teaching staff see their job as peeling away labels, maintaining education as the primary focus of their work.

While all Oberstown staff commit to the shared purpose, there are distinct lines of responsibility in delivering professional services to students. Teachers focus on facilitating student achievement through curricular attainment. They do not stray into providing caring and healing services for which other staff have been specially trained. This respectful distinction between professional competencies ensures that students are not "sold short" and makes accountability easier.

The belief in Oberstown is that, ultimately, if every member of staff completes the requirements of their specific post correctly, then every child, no matter how disaffected, is educable. This act of learning is incredibly therapeutic for the students. Educational success gives self-esteem, builds self-image and develops confidence, thus helping the students make great strides in terms of emotional recovery.

Anne concluded her presentation by showing slides highlighting examples of the girl's work. These ranged from essays to colourful displays of artwork. This showed the group the potential achieved by these young women in a structured and focused environment.

Discussion

An interesting discussion followed Anne's presentation enabling participants to gain further insight into education in a residential setting.

Firstly the discussion focused on opportunities for students to continue in education once their sentence is finished. There is a strong aspiration in Oberstown to offer students a follow-on educational option post-release and this can be a reality for some. However, for many students, matters are not straightforward. The whole process has become increasingly more difficult due to growing numbers of short sentences.

There was also discussion on the different challenges posed for educators by young people at Oberstown depending on whether they were sent there for assessment, on remand or under sentence. In general, sentenced young people settle better and more readily engage with the education program. In contrast, those being assessed and on remand have a sense of "biding their time" in anticipation of an upcoming court hearing. Notwithstanding this, the policy in Oberstown remains that every resident must attend education classes. The individual education programs for assessment and remand students must take into account the realities of their circumstances, including the fact that their stay may be of short duration.

The chair thanked Anne for a most interesting presentation. He advised participants that there would be opportunities for further discussions on education in the context of criminal justice in the ACJRD working group on Education.

Workshop H: Experience of Prison for Women and Homelessness

Co-ordinators: Dr. Paula Mayock and Sarah Sheridan, Trinity College Dublin & Dr. Christina Quinlan, Dublin City University

Chair: Gerry McNally

Rapporteur: Rachel O' Neill

"Homeless Women and Incarceration: Preliminary Findings from a Biographical Ethnography of Homeless Women in Ireland"

The first part of the presentation was made by Paula Mayock and Sarah Sheridan and was based on preliminary findings from an ongoing IRCHSS-funded research project on homeless women in Ireland. Prompted by the dearth of dedicated research on the topic, this primarily qualitative study aims to provide insight into the lives and experiences of homeless women, with a particular focus on their pathways into and through homelessness.

The research commenced in Autumn 2009 with a series of informal interviews with service providers who work either directly or indirectly with homeless women. This consultation period helped to inform the design of the study's research instruments which included a Life History Interview Schedule and Survey Instrument. To date, 48 life history interviews have been carried out with homeless women (over the age of 18 years) in Dublin and at two provincial sites. These interviews last between one and three hours and commence with an invitation to women to share their 'life story'. Throughout the data collection phase, ethnographic observation has been undertaken at six sites (including hostels and food centres) in an effort to capture naturally occurring data to

enrich the accounts garnered through the life history interviews.

Research Sample

To date, 48 women have been interviewed and it is anticipated that a further 12 women will be interviewed over the coming months. The age range of the participating women ranges between 18 and 60 years, although the majority are between the ages of 20 and 45 years. The sample includes ten migrant women who originate from Eastern Europe, Asia and Africa. At the time of interview, most of the women were residing in emergency accommodation (n=30). Others were living in transitional accommodation (n=5); domestic violence shelters (n=5); long-term supported housing (n=3); private rented accommodation (n=3); staying with family (n=1); or had recently secured corporation housing (n=1).

There were many reasons identified by the women as having contributed to their homelessness. These included childhood trauma (physical, emotional or sexual abuse); family breakdown; escaping an abusive partner; drug/alcohol dependency; history of institutional care; mental health problems; lack of family or friend support; no access to welfare entitlements and more. In most cases, women reported a combination of reasons for their homelessness.

The focus of this presentation was on the 11 women within the sample who had spent time in prison. A key aim was to explore the relationship between homelessness and incarceration from the perspectives of the women themselves.

There are a number of common life history themes among those who had experienced incarceration:

- Experiences of violence and victimisation were common, with all 11 of the women having experienced domestic violence at some point in their lives. Six had experienced intimate partner violence.
- All eleven women reported substance misuse and/or dependence. Heroin and alcohol featured most prominently among the reported substances of dependence or abuse, although the regular use of cocaine, prescription medication and legal

'highs' were also commonly reported. Four of these women were on methadone maintenance programmes.

- Mental health issues emerged strongly from the women's life 'stories'. All 11 reported histories of depression and ten were either currently being prescribed anti-depressant medication or had taken it for a considerable period in the past. Seven women stated that they had felt suicidal at some point in their lives; six had engaged in self-injurious behaviour; and four women had spent time in a psychiatric hospital.
- The women's physical health was also poor. Six women had tested positive for Hepatitis C, two were HIV positive, and another two had fallen ill with tuberculosis in the recent past. Reports of respiratory problems and poor diet also featured prominently in their narratives.
- Seven of the 11 women were mothers and none of the mothers were currently caring for their children. Their children most often lived with family members (usually their grandparents) and a smaller number were in foster care. Most of these women had only sporadic contact with their children.

Homeless histories of the 11 women

- Most had experienced more than six years of homelessness and three women reported homeless histories of between fifteen and sixteen years. The average length of homelessness among those women who had experienced incarceration was 10.5 years.
- Many had little or no experience of having an independent home.
- All of the women in this subsample reported that they had slept rough on at least one occasion and three of these women had done so for prolonged periods of time in the past.
- Since becoming homeless, practically all of the women reported spending nights (and sometimes longer periods) in the homes of friends or family members. This theme in their life history narratives strengthens the argument that homelessness among women is frequently 'hidden' both from available statistics or

homeless counts and from service providers.

- All eleven women with histories of incarceration were residing in emergency or step-down accommodation at time of interview.
- Many of the women reported long histories of moving between prison and homelessness. Upon release from prison these women did not have secure accommodation and they typically sought shelter in an emergency hostel.

Experiences of prison

- Women reported high rates of recidivism.
- Most women appeared largely unaffected by the prison experience, certainly in terms of it marking a 'turning point' experience. Incarceration appeared not to deter further offending, with most reporting that they engaged in criminal activity on release from prison. Furthermore, incarceration was often depicted by women as simply another 'place' or 'institution' where they have resided.
- Some women depicted prison as a respite from street life, stating that it gave them a break from the relentless pursuit of funding their addiction and finding a place to stay.
- Many of the women had become accustomed to prison life and became well-acquainted with other offenders during periods of incarceration. This may impact on the likelihood of re-offence upon release.
- Many of the women reported long histories of moving between prison and homelessness. Upon release from prison these women did not have secure accommodation and they typically sought shelter in an emergency hostel.

Concluding remarks

- Women's pathways into homelessness are marked by multiple traumatic events and overlapping oppressions and consequent social and economic disadvantage.
- Housing First offers homeless individuals the opportunity to *move directly to secure housing* rather than having to work their

way through a maze of emergency hostels and transitional housing. Housing First also *invests directly* in the individual and allows them the scope and support to step almost directly into independent living. It can therefore potentially intercept an endless cycle of rough sleeping and emergency accommodation. This approach clearly has potential in terms of tackling the cyclical relationship between incarceration and homelessness.

- The issue of prostitution is an extremely sensitive area. Questions were asked during the conduct of the study about involvement in sex work. However, this is a highly sensitive topic and many women declined to discuss this issue.
- Communication is crucial, but their difficult life experience prevents the majority of women from admitting they need help.

Presentation by Dr. Christina Quinlan – Experience of Prison for Women

This part of the workshop examined the living conditions of female prisoners in Limerick Prison and the Dóchas Centre, historically and today. Some changes have been made in Limerick Prison, however the accommodation for women prisoners there is very poor. Overcrowding is a key concern, as is the highly secure nature of the accommodation. It is believed that the in-cell sanitation system in operation fails to cater for women's needs.

Dr. Quinlan argued that the level of supervision in the prison – bolted doors, small highly secured spaces, control systems in operation – is excessive, particularly in light of the kinds of women imprisoned and the general nature of the offences committed by these women.

The Dóchas Centre is a relatively new (opened in 1999) purpose-built women's prison. It represents substantial progression in the area of women's imprisonment. Women are accommodated in the centre in seven houses, most of which have a capacity for 12 female prisoners accommodated in single en-suite rooms. The Dóchas Centre is a secure prison but internally in the Dóchas Centre there is a

degree of freedom. There is also a focus on the provision of education and development opportunities.

The concern is that plans to increase the occupancy capacity of this centre could lead to a step backwards.

Media attention around suspects and female offenders serves to heighten the public belief that women prisoners should be kept in extremely secure institutions when in fact the majority of offences committed wouldn't support the belief that these female prisoners pose a public threat:

- Women convicted of trafficking drugs typically have no actual power in drug trafficking organisations
- Very many of the women in our prisons have been victims of abuse, many are subject to abuse within their families
- Most of the women in prison in Ireland are imprisoned for theft

In the year in which Dr Quinlan conducted her media analysis of reporting on imprisoned

women, 1,000 women had been imprisoned, yet only twelve of these women were reported on in the media. The media, according to Dr Quinlan, reported on only those women who had committed sensational crimes. Consequently, she said, public opinion influenced by media reporting is based on a particular understanding of a minority and not the majority of women prisoners.



Photograph by Christina Quinlan: The Dóchas Centre - the visitors centre in the prison is on the left, the healthcare unit is on the right

CLOSING ADDRESS

Maura Butler, Chairperson, ACJRD Ltd

We have now reached the conclusion of what has been a stimulating, thought provoking and most enjoyable day. We are indebted to our plenary speakers for sharing with us so insightfully. The high calibre of presenter continued to reveal itself within each of the eight workshops so thank you once again to each of them for their time and contribution to the success of today.

Today is a triumph for the ACJRD team comprising the Council members and the office staff, our manager Danelle Hannan and administrator Karen Thompson. We also wish to acknowledge the roles of our volunteer, Adele Smith and Jane McGowan, who joined us as an intern for two weeks during the summer as well as each of the rapporteurs from today's workshops, Louise Brangan, Ciara Hanley, Jane McGowan and Rachel O'Neill. Thank you to each and every one of them for their efforts. My thanks also go to the Council members who chaired the workshop sessions and facilitated the discussions therein.

The ACJRD would like to thank the Office of the DPP, Irish Prison Service, Department of Justice & Law Reform (Crime One Division), Children's Acts Advisory Board, and the Garda Síochána Inspectorate for their bursary contributions which enabled a number of students to attend, participate in and benefit from the conference.

We also wish to gratefully acknowledge the annual administration grant received from the Department of Justice and Law Reform, without which the ACJRD could not function effectively. Further research funding has been kindly provided by the Department of Justice & Law Reform and the Children's Acts Advisory Board and we are thankful that this has enabled us to undertake two research projects during 2010.

Finally, thank you to each of you for your attendance here today, your contributions are vital to making this event worthwhile.

The diversity of the ACJRD membership is one of its greatest strengths and we are delighted that so many of you have been able to share with us today. We look forward to your continued support and involvement and hope to see you at a further ACJRD event in the near future.

CONFERENCE ATTENDEES

Name	Organisation
Anne Ansbro	The Probation Service
Gemma Anslow	Irish Prison Service
Ivana Bacik	Trinity College Dublin
Hilkka Becker	Immigrant Council of Ireland
Sarah Benson	Ruhama Women's Project
Deirdre Bigley	Copping On
Lynsey Black	Dublin Institute of Technology
Louise Brangan	Dublin Institute of Technology
John Brosnan	Garda Síochána Inspectorate
Svetlana Burns	Longford Women's Link Domestic Violence Services
Maura Butler	Law Society of Ireland
Anne Marie Byrne	St. Patrick's College
Dara Byrne	Office of the DPP
Brendan Callaghan	Department of Justice & Law Reform
Eoin Carroll	Jesuit Centre for Faith and Justice
Eugene Corcoran	An Garda Síochána
Caroline Counihan	Rape Crisis Network Ireland
Dolores Courtney	Irish Prison Service
Geraldine Coyle	Dept. of Justice & Law Reform
Isolde Doyle	Office of the DPP
Ellen O'Malley Dunlop	Dublin Rape Crisis Centre
John Evans	Law Library
Jane Farrell	Office of the DPP
Éimear Fisher	Cosc

Name	Organisation
Kieran Fitzgerald	Garda Síochána Ombudsman Commission
Nadette Foley	Facing Forward
Janet Fulop	Irish Prison Service
Loraine Gelsthorpe	Institute of Criminology, University of Cambridge
Norah Gibbons	Barnardos
Ailish Glennon	The Probation Service
Faith Gordon	Queens University Belfast
Michael Grange	Parole Board
John J. Griffin	Policy and Planning Unit of An Garda Síochána
Ciara Hanley	Dublin Rape Crisis Centre
Danelle Hannan	ACJRD Ltd
Deirdre Healy	Institute of Criminology, University College Dublin
Sinead Henry	Depaul Ireland
Liam Herrick	Irish Penal Reform Trust
Brian Hogan	Oberstown Boys School
Maeve Hogan	Garda Síochána Inspectorate
Aine Hynes	Irish Mental Health Lawyers Association
Janice Kelly	Dochas Centre, The Probation Service
Samantha Kennedy	PACE
Jacqueline Kerr	University of Ulster
Michelle Leamy	University College Dublin
Christine Littlefield	Depaul Ireland
Margaret Martin	Women's Aid
Paula Mayock	Trinity College Dublin
Annie McAnallen	Probation Board for Northern Ireland
Gerry McDonagh	Prisons and Probation Policy Division of the Department of Justice & Law Reform

Name	Organisation
Paula McGovern	SONAS Housing Association Ltd
Jane McGowan	Trinity College Dublin
Justice C. McGuinness	Law Reform Commission
Caroline McLoughney	The Probation Service
Caoimhe McMullan	
Gerry McNally	The Probation Service
Brian Moss	Garda Síochána Ombudsman Commission
Kate Mulkerrins	Office of the DPP
Maria Mulpeter	Dochas Centre, The Probation Service
Brian Murphy	Irish Prison Service
Eddie O'Brien	Dochas Centre, Irish Prison Service
Joan O'Brien McNamara	The Probation Service
Mary O'Connor	Dochas Centre, Irish Prison Service
Ian O'Donnell	UCD Institute of Criminology
Tara O'Donnell	Dochas Centre, Irish Prison Service
Kieran O'Dwyer	Irish Prison Service
Finbarr O'Leary	Revenue Commissioners
Jean O'Neill	Probation Board of Northern Ireland
Rachel O'Neill	University College Dublin
Mary O'Rawe	University of Ulster
Angela O'Shea	SAFE Ireland
Anne O'Sullivan	Oberstown Education Centre
Catherine O'Sullivan	University College Cork
Kathleen O'Toole	Garda Síochána Inspectorate
Yvonne Phillips	Garda Síochána Inspectorate
Mairead Quigley	Criminal Law Committee, Law Society of Ireland

Name	Organisation
Christina Quinlan	Dublin City University
Edel Robinson	Department of Justice Northern Ireland
Mary Rogan	Dublin Institute of Technology
Paul Rooney	Extern
Clíona Saidléar	Rape Crisis Network Ireland
Deirdre Seery	Trinity House School
Michelle Shannon	Irish Youth Justice Service
Sarah Sheridan	Trinity College Dublin
Mary Smyth	Longford Women's Link Domestic Violence Services
Grainne Teague	Probation Board for Northern Ireland
Elizabeth Toal	The Homeless Agency
Karen Thompson	ACJRD Ltd
Azrini Wahidin	Queens University Belfast
Mark Wilson	The Probation Service