

Research Paper

2013/01



**Missing Voices: Why women engage with, or withdraw from, community sentences**

Sue Jordan

[www.thegriffinsociety.org](http://www.thegriffinsociety.org)

## Acknowledgements

First and foremost I thank the fifteen women who gave their time to participate in the interviews. Without their openness, insight and courage this research would not have been possible. I am grateful to each one of you for sharing your personal stories with me in the hope that others may benefit from your experiences.

I am indebted to The Griffins Society Council members for their on-going guidance and support and to Nicky Padfield for her invaluable help, encouragement and enthusiasm throughout.

I am grateful to Diane Pellew, and her colleagues at HMP New Hall, for granting me access to conduct this research and demonstrating their support and interest. I also thank Jo and her colleagues who warmly welcomed and helped me during my time with them.

I am grateful to Jackie Russell, Women's Breakout, for her support and to Nicola and Jo at the Together Women Project, Hull, for enabling me to undertake interviews at the centre. I admire your dedication to changing women's lives and appreciate your time and friendly welcome.

## Contents

	Page
Chapter 1: The Breach Journey	5
1.1 Introduction	5
1.2 An enforcement agency or a rehabilitative service?	7
1.3 Breach Action as a decision narrative	7
1.4 Women and the breach journey	8
Chapter 2: Literature Review	11
2.1 Double deviance	11
2.2 Desistance and pathways	12
2.3 The risk model	13
2.4 Mental illness and Complex Post Traumatic Stress Disorder	13
Chapter 3: Methodology	16
3.1 Aims and approaches	16
3.2 Reflexivity	17
3.3 Qualitative analysis	17
3.4 Limitations	18
3.5 The interviews	18
3.6 Participant profile	19
3.7 Thematic approach	19

Chapter 4: Thematic Analysis of Interviews	20
4.1 Her-story: the pre-sentence journey	
4.1.1 Childhood traumas	20
4.1.2 The lasting legacy of chronic abuse	22
4.1.3 Double Deviance	23
4.1.4 Risk Assessment	23
4.2 Surviving the order: post-sentence experiences	24
4.2.1 Less helpful or negative encounters	24
4.2.2 From surviving to thriving – the desistance journey for women	26
Chapter 5: Missing Voices and Academic Voices	29
Chapter 6: Conclusions and Recommendations	32
Bibliography	38
Appendices	44
Appendix A – Chronology of the obstacles encountered during research	44
Appendix B - Semi-structured interview	48
Appendix C - Information sheet	52
Appendix D - Consent form	54
Appendix E - Thematic Analysis Chart	56

## Chapter One: The Probation Context and the Breach Journey

### 1.1 Introduction

As a Senior Probation Officer, working with a large offender management team, I became concerned over the quality of breach reports. Too often they offered the judiciary little information about the case, did not demonstrate the sophisticated risk assessment skills utilised in other areas of work and rarely concluded with a recommendation appropriate to the needs of the individual. I was later seconded to the NOMS Women's Team where I attended a conference with colleagues from HMP Low Newton. They expressed concern about the high numbers of women imprisoned there for non-compliance with community orders. I thus became intrigued about how probation staff engage with women. This paper aims to identify compliance thieves, factors that disrupt engagement, and asks if probation's current practice is sufficiently gender-responsive or if it inadvertently contributes to women disengaging from community sentences.

The issue of women imprisoned for breaching Community Orders (COs) is topical. Baroness Corston noted the "high rate" of women in custody for breach (Home Office 2007:11) and Hedderman calculated that a large proportion of the 60% of women imprisoned under the umbrella of "other offences", will be there for breaching community sentences (Hedderman 2012:6). But despite the high level of interest in the subject, there appears to be an intriguing lack of research into women's experience of the breach journey.

This raises critical questions, which remain largely unanswered by current research, and key issues for probation work:

- What are the main barriers to women engaging with community orders and are there clear patterns that are not recognised by contemporary practice?
- Are the aims of community orders understood and/or shared by the women involved?
- Does the rigidity of structure inherent in these orders affect women differently? Women in the criminal justice system have long been associated with multiple, complex needs and chaotic lifestyles. And yet community orders are managed under the "assumption that compliance is based on rational decision-making" (King 2013:137).

The perspective of female-service users seems to constitute a gap in current knowledge. We have assumptions and anecdotal information but no actual voice from those literally imprisoned by the breach process. Pryce observes how women in prison rarely have a voice (Pryce 2013:11). This research aims to provide voices for these women, voices that offer valuable insights into their experiences and could be utilised to enhance engagement in the supervisory experience.

It is critical that the issue of women being incarcerated for breaching community sentences is addressed for many reasons. For example:

- Women tend to commit less serious offences than men and are thus more likely to be imprisoned for offences that would not pass the custody threshold. They are also rarely assessed as dangerous.
- Prison has a hugely disproportionate impact on women and their families (Bromley Briefings 2014 and 2013).
- Magistrates tend to gauge seriousness by “the individual’s response to earlier community sentences rather than by the current offence” (Hedderman & Gunby 2013:434).

Whilst this research is small-scale in scope, it is hoped that the findings will inspire more extensive research in the future. This study includes breaches of Suspended Sentence Orders (SSOs): although these are custodial sentences, they are intended to be delivered in the community. Disengagement with SSO’s could, therefore, reflect similar patterns and issues as breaches of CO’s. Interestingly, Deedes research (2009) reveals findings that reinforce themes in this paper. This will be re-visited in the conclusion.

This research recognises that women service-users are not a homogeneous group, and many variable factors exist, but explores if there are recurrent themes and issues that are gender specific and germane to the breach and engagement process.

The term ‘woman offender’ is avoided, as whilst this is the current accepted coinage, it is a label that denotes only a small part of the individual identity. The power of language, and associated assumptions, is potentially damaging and self-fulfilling. Whilst the term ‘service-user’ is also contentious, it does tend to suggest an individual with unique needs and a right to expect a responsive service.

## 1.2 An enforcement agency or a rehabilitative service?

From conception the probation service has “operated within a range of contradictory aspirations” with its history premised upon “conflict between the ideologies of religion and science, conflict between the ideals of punishment and welfare and conflict between the Church and the State” (Barton 2004:155). It developed as a rehabilitative, befriending service adjoined to the punitive jurisdiction of the courts. And its aim remains to both punish and treat, to recognise social inequalities but correct individual pathologies and to exercise professional discretion within a straitjacket of policies, risks tools, government dictates and accountability targets. In my experience it has moved over the years, according to political direction and perceived public demands, closer to or further from these competing priorities.

The inaugural aims of the service were to “advise, assist and befriend”. And at certain times, and for some practitioners, these remain driving values. But the criminal justice system is used to gauge parliamentary effectiveness and act as a “barometer for the nation” (D’Cruze & Jackson 2009:1). The probation service is thus subjected to external demands and trends. The 1990s witnessed an unprecedented shift in the scrutiny and management of public sector services. The bedrock of managerialism was central control, standardisation and targets. The traditional social work based training of probation officers was discarded and a new culture of enforcement and public accountability emerged. From 1995 orders were managed within the prescriptive National Standards framework.

Moreover, community orders themselves have little public visibility and their purposes are “multiple, opaque and contested” (McNeill & Robinson 2012:124). They incorporate protective, deterrent and punitive components with rehabilitative objectives and intangible sanctions and agendas. If legitimacy and the “perception of fairness” (Crawford & Hucklesby 2013:117) are keys to compliance then a major hurdle could be inherent in the nature of the sentence per se.

## 1.3 Breach action as a decision narrative

National Standards directs that breach action may be taken after one “unacceptable failure” to attend as directed or for one incident of “unacceptable” behaviour during an appointment. Indeed, the key thread running throughout National Standards history is the term – “acceptable absence”. This term has never been further defined and thus, like “unacceptable” behaviour, remains open to the interpretation of the individual officer. In

essence the breach journey is a decision narrative interpreted by, and dependent upon, individual judgement. Compliance is also a dynamic, multi-faceted concept. There are different types of compliance (Crawford & Hucklesby 2013:119) but meaningful change is only likely to occur through substantive engagement. This paper acknowledges the latter as the goal but refers to breach of any type.

The enforcement process has remained largely static since 1995. What has changed is the training and confidence of practitioners: those officers trained during the enforcement era may feel disempowered to exercise professional discretion having learnt to rely upon mechanistic procedures. The Professional Judgement Pilot, tried by Surrey and Sussex Probation Trust, confirmed this: significant training was required for many staff to feel competent in making decisions based upon their own assessments. The Trust observed a “generation gap” in response between staff trained prior to the commencement of National Standards, who relished the new freedoms and opportunities perceived in the pilot, and a “whole generation of probation officers who were trained in a very rule-based approach” (Justice Committee 2013:46).

National Standards were originally conceived to secure judicial confidence, and ensure consistency of case management, through the provision of a robust structure. The standards denote an acceptable level of attendance and behaviour. And yet the language involved is highly interpretative and thus undermines the very consistency it purports to uphold. The application of National Standards may, in practice, be open to subjectivity and thus not signal equity of service.

The “contradictory aspirations”, that Barton (above) refers to, re-surface in breach reports: they are prosecution documents but also assessment reports used by the judiciary to determine appropriate sentencing. This dual function may lead to practitioner confusion and reports that may not be fit for either purpose (Cairns 2012:254-268). This could be a key issue and will be discussed further in the conclusion.

#### **1.4 Women and the breach journey**

The tendency, within the criminal justice system, to be “gender-neutral” may be “reflected most damagingly in the enforcement of community-based court orders” (Barry & McIvor 2010:36). Early breach may “prove devastating to a woman in crisis” and, as “their reactions to interventions are different”, and their offending tends to relate more “to necessity than choice”, greater professional discretion and flexibility, than that exercised with men, is required (Barry & McIvor 2010:36). It is ironic that this was one of the few recommendations in the Home Office report, delivered by Corston, to be rejected.



There are several reasons why women may be at heightened risk of breach including:

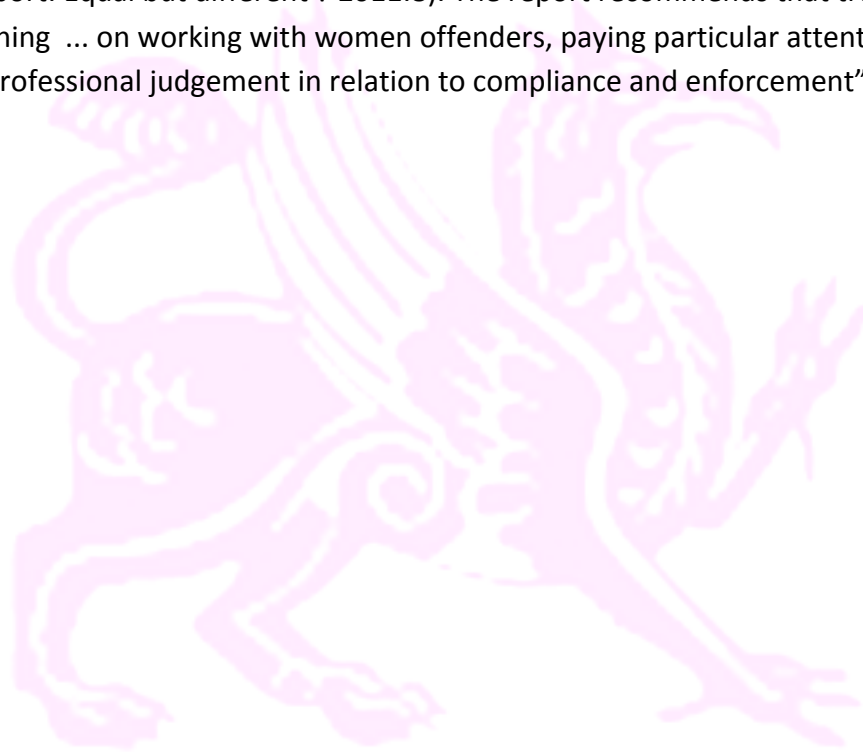
- In order to address the complex needs presented, women may be given an excessive number of requirements (Stanley 2009: 362-378). They are thus given more opportunity to 'fail' in compliance.
- There may be an overuse of Suspended Sentence Orders for women which results in "net widening" by using a higher tariff disposal. Since the Criminal Justice Act 2003 it can also provide a "speedier recourse to custody" for breach (Hedderman 2012: 9-12).
- The "double deviance" principle suggests that women may be punished for both failure to comply with authority and to conform with gender stereotypes (Carlen 1988: 79).
- The caring responsibilities, abusive relationships, mental health issues and substance misuse, regularly associated with women in the criminal justice system, are likely to impact upon the woman's ability to comply with requirements and can constitute "second order risks" (Chan & Rigakos 2002: 187).
- Risk tools and evidence-based practice are based upon the aggregate offender population, which is predominantly white men. Women may thus receive inappropriate interventions from the outset.
- Women can be subject to a "combination of forces" (Chigwada-Bailey 2003:19) which creates multiple layers of disadvantage and discrimination.

Ironically, the endeavour to control crime can oppose principles of justice and fairness. The disproportionate impact of custody is a critical consideration here: if women are imprisoned for breach, the ripple effect of trauma can be colossal. Numerous studies have detailed this negative legacy (Carlen 1988, Pryce 2013, Bromley Briefings 2013) on the woman herself, her children and her family/friends. The data is stark and compelling: women account for 28% of all self-harm incidents in prison despite representing only 5% of the prison population, a third lose their homes and possessions and over 50% of women in prison are mothers of dependent children (Bromley Briefings 2013, Thematic Inspection 2011:13). Naffine concludes that it is "particularly perverse ..... to formulate general criminal laws that are meant to work in a gender neutral manner, even though sex is the most salient explanatory variable of crime" (Naffine 2003:10).

Women are thus "doubly disadvantaged and disproportionately punished" (Deedes 2009:17) but they are also likely to be re-traumatised by a custodial experience. "Prisons are sites of great power inequalities" with "entrenched and unchangeable power relations" (Bosworth & Carrabine 2001: 501-502). Prison "incorporates and amplifies all the anti-social modes of control that oppress women outside the prison"(Carlen 1988:10). For the majority

of women inside “imprisonment is an extension of their life experiences ... it becomes the abusive partner” (Carlton & Segrave 2011: 558).

An awareness of the specific issues faced by women, and the flexibility to accommodate these, is therefore essential. But a recent Thematic Inspection of work with women service-users discovered that this was noticeably lacking. The Inspection expressed “disappointment” that a majority of offender managers did not understand why women required different approaches than men, demonstrated insensitivity in their treatment of female cases and “failed to engage women positively in the supervision process. Too often they allowed process and performance measures to dominate their thinking and ..... lacked the awareness and underpinning knowledge to work with women effectively” (Thematic Inspection Report: Equal but different ? 2011:8). The report recommends that trusts “expedite training ... on working with women offenders, paying particular attention to developing ..professional judgement in relation to compliance and enforcement” (2011:65).



## Chapter Two: Literature Review

Significant themes emerge from the literature on women and crime in relation to this paper. This review includes a discussion of key literature and explores the questions this research literature provokes.

### 2.1 Double deviance

A wealth of feminist literature has explored how women have been “shoehorned” (Fawcett Commission 2009) into a criminal justice system designed by, and primarily for, men (Heidensohn 2002, Carlen 1988, Worrall & Gelsthorpe 2009, Naffine 2003). These concerns led to a plethora of inspections and policy changes (e.g. Home Office Report 2007, Fawcett Commission 2009). Reports have highlighted the complex, multiple needs of women and the high numbers of those who have experienced childhood abuse and violent relationships (Pryce 2013).

There is a “feminisation of poverty” and a “double deviance” penalty applied to women who transgress both societal rules and roles: they are doubly punished for breaking the law and the “gender contract” (Carlen 1988:79). Many women are imprisoned for fine defaults, benefit fraud, thefts and failing to secure school attendance, crimes which mostly fall well below the custody threshold and which may be symptomatic of poverty, exclusion and domestic abuse.

Moreover, the social identities of wife, daughter and mother are intensely laden with values and assumptions. They result in “normative gender scripts” which are “inconsistent with the lived experiences” of many women (Hannah-Moffat & O’Malley 2007:234). Cultural narratives of mothering revolve around nurturing, self-sacrifice, prudence – ideals which may have little meaning to female service-users. They face “heightened sensitivity to the stigma of visibility” (Worrall & Gelsthorpe 2009:338) and may experience guilt and self-condemnation from the dissonance between the cultural story and their own reality. The “second order risks”, not acknowledged by the legal process, are huge. Women face both the “double deviance” penalty and the “second order risks” of motherhood, pregnancy, prostitution, domestic abuse and societal expectations (Chan & Rigakos 2002:187).

## 2.2 Desistance

Desistance theory has become a popular discourse for promoting an exit from crime. And yet there is remarkably little research into how the desistance journey may vary according to gender. For women, the bonding and trust aspects of relationships tend to feature prominently in desistance narratives and they tend to cite moral rather than utilitarian considerations for change (Maruna & Immarigeon 2004:194). For men, developing an intimate relationship is often perceived as a protective factor but for women leaving an intimate relationship is often the protective factor. Similarly women may not be driven by problem-solving or cognitive deficits so much as the enormity and complexity of the issues confronting them. Their learning styles may differ and they respond more favourably to a collaborative, non-authoritarian and female-only environment.

Maturation is a key process identified in desistance literature but women tend to mature out of crime at a swifter pace, and younger age, than men. Poor self-esteem can pose a huge obstacle to change and these issues seem to affect women more profoundly than men: change depends upon the belief in the power of oneself to change, or the belief that you are worthy of help (Hedderman, Gunby & Shelton 2011:9). The relational dimension and “hope” are imperative factors: “...if you can’t hold on to ... hope for yourself, somebody has to hold it for you. There has to be a reservoir of hope somewhere” (McNeill, 2010).

The pathways used in offender management specify routes out of crime and are employed to structure and prioritise offence-focussed work. And yet these “pathways” are actually social deprivations. The Home Office report (2007) presented two additional pathways for women: domestic violence and sex working. These issues are pertinent to a significant percentage of women service-users but they are used as risk/desistance factors rather than assessment of the trauma experienced by the women involved.

These “pathways” are used to mould the supervisory process but it is not clear if women experience them as meaningful or likely to promote engagement. This poses a major dilemma for probation practitioners: crime can be perceived as resulting from structural inequalities, a response to political and social injustices, and yet current practice focuses on individual pathologies and treatment approaches. Discourses of punitive penology may have little relevance to those struggling with daily existence and the “messy actualities of lived experiences” (Hannah-Moffat & O’Malley 2007:185). This may suggest a fundamental tension at the heart of offender management today: are probation staff the prison officers of community orders or rehabilitative agents? The unclear ethos, depicted in section 1.2, may well in itself do much to sabotage the engagement process.

### 2.3 The risk model

Public protection is the central driving force in the world of probation today. Risk technologies constitute the “dominant discourse of effectiveness” and thus “shape sentencing decisions and direct intervention strategies and resources” (Deakin & Spencer 2003:124). And yet they are deeply flawed in relation to women and ethnic minorities. They can “over-predict a woman’s risk of re-offending whilst failing ... to identify health and other needs” associated with female crime (Barry & Mclvor 2010:33). As the issues presented by women “are less to do with offending per se and more to do with underlying problems in their lives”, and as they rarely pose a significant public risk, these tools have arguably “resulted in community-based resources being diverted away from women....”(Barry & Mclvor 2010: 38- 39).

Risk tools are predicated upon scientific models but the research underpinning them demonstrates a “theoretical and empirical invisibility” of women in the system. They thus utilise an “inappropriate application of scientific tools” (Davidson & Chesney-Lind 2009:240). Actuarial risk assessments may constitute systemic discrimination by focussing on a small part of an individual’s life rather than the whole context in which they exist (Hannah-Moffat 2010 & 2006). They are “based on a set of assumptions which underestimate and devalue the importance of society, power relationships and social inequality” and are undermined by their neglect of the “nuanced understanding between risk, racialisation, crime and economic and social marginalisation” (Hannah-Moffat & Marutto 2010:275 & 280). Women in the criminal justice system face multiple marginalities (Chigwada-Bailey 2003). The very standards by which we gauge a woman’s risk, decide upon “suitable” interventions and ignore power dynamics may contribute to disengagement.

### 2.4 Mental illness and Complex-Post Traumatic Stress Disorder

Literature evidences that experiences of abuse and mental health difficulties are endemic amongst women in the criminal justice system. And yet the presence and impact of trauma is rarely assessed or taken into account when planning work. This can lead to the provision of insensitive services or re-traumatisation (Covington 2007:181). The need for gender and trauma-informed services is pressing and yet is not acknowledged by current practice. And this may well present a primary barrier to engagement.

The recognition of PTSD was only officially recognised as a medical condition in 1980 due to the volume of Vietnam veterans presenting with its symptoms. However, the condition has been acknowledged for over a century: Freud described it as “hysteria” and during World War One it became known as “shell shock” or “combat fatigue”. In the 1980s it was

recognised that survivors of child abuse and domestic violence exhibited similar signs. But there are a well-defined cluster of symptoms, lying beyond the PTSD diagnosis, which are experienced by those who endure multiple, interrelated and prolonged traumas. PTSD denotes an emotional response to a discrete trauma(s) and has a triad of hallmark manifestations: flashbacks, intrusive thoughts and sleep disturbance. But those who have experienced chronic, repetitive traumas suffer a unique constellation of symptoms. Herman's extensive empirical research resulted in this being defined as Complex- PTSD and literature has burgeoned since this seminal publication (Herman 1992, Walker 2013, Courtois & Ford 2009, Chu 2011, Shapiro 2012, van der Volk 2001).

The core characteristics of C-PTSD are, in my experience, all too familiar when working with female service-users:

- Psychological fragmentation
- Loss of a sense of safety
- Chronic self-destructive behaviour such as self-harming and substance misuse
- Tendency to be re-victimised
- Sense of entrapment
- Loss of self-worth
- Loss of coherent sense of self
- Attachment disorders: attachment to abusers, insecure attachments and repetitive re-enactment of real events from the past

Van der Kolk observes how "for children, the principal source of information about who they are is based on the quality of their relationships with their parents. Hence, it is not surprising that abused and neglected children are faced with enormous challenges to construct meaningful lives and safe interpersonal relationships" (Van der Kolk 2001:7). Abuse is often kept "secret" and thus the "traumatic event surfaces not as a verbal narrative but as a symptom" (Herman 1992:1). Traumatic reactions occur when resistance or escape is not feasible. The "human system of self-defence becomes overwhelmed and disorganised. Each component of the ordinary response to danger, having lost its utility, tends to persist in an altered and exaggerated state long after the actual danger is over....traumatic events have a tendency to become disconnected from their source and to take on a life of their own" (Herman 1992:34).

Trauma involves "speechless terror": survivors are "left with intense emotions ...without being able to articulate what is going on" (Van der Volk 2001:24). Emotional flashbacks are a common, recurrent symptom. Unlike the flashbacks associated with PTSD there is seldom a visual or narrative component. They are "fragmented sensory experiences involving affect, vision, tactile, taste, smell, auditory and motor systems. Without a visual image to anchor an experience to the past" they become the lived reality of the present (Van der Kolk 2001:14).

They are “sudden and often prolonged regression to the overwhelming feeling... of being an abused/abandoned child” (Walker 2013:3).

Whilst women have long been over-exposed to pathologising and labelling (Carlen 1988, Hannah-Moffat & O’Malley 2007, Naffine 2003) this condition provides a rational framework in which to make sense of their experiences. It creates both a meaningful narrative and opens the door to new interventions. Most disorders are treated as innate defects rather than a “learned set of responses, and a failure to complete numerous important developmental tasks” (Walker 2013:1). C-PTSD does not pathologise but demonstrates symptoms/reactions as survival strategies, as natural responses to abuse. It also evidences why traditional treatment for psychiatric disorders is unlikely to be effective with C-PTSD.

A gender and trauma informed environment is a prerequisite for the recovery journey. Once a “safe” place is established there are evidence-based approaches that are highly effective for addressing C-PTSD. There are many strategies that are successful, readily accessible and inexpensive to implement (Shapiro 2012, Walker’s 13 Step Model 2013, Chu 2011). Chapter 6 will explore this in greater detail.



## Chapter Three: Methodology

### 3.1 Aims and approaches

In order to understand the barriers faced by women on community orders, I wanted to interview women who had been subject to breach, hear their stories and identify if any patterns or recurrent factors emerged. I aimed to interview women who had recently breached a Community Order and to record their experiences in order to assess possible needs for change in probation practice

My original plan was to interview twenty women serving prison sentences for breaches of community orders. By definition, women in breach would be difficult to contact and engage in the community. Women in prison would represent both a captive audience and a snapshot of those at the ultimate end of the enforcement journey. Moreover, if the interviews were held at a local prison, it would be possible to track back to records, reports and discuss with offender managers. However, the obstacles encountered in gaining access to women in prison proved unprecedented in the history of the Griffins Society. The change in political direction, and the move to implement the “Transforming Rehabilitation” agenda, created general resistance to accommodate researchers and/or be exposed to potential criticism.

One year after this paper should have been completed, I had not managed to interview any women. Pryce notes that “few women in prison have a voice” (Pryce 2013:11) but it now appeared that few professionals were permitted a voice either. After seeking permission to undertake research in eight prisons, two declined approval and five failed to respond. A full history of the barriers and delays encountered during the course of this project is detailed in Appendix A. This narrative is telling in itself of the current political pressures and priorities. It also mirrors the well-documented plight of women in the criminal justice system: it proved a herculean task of assertiveness and tenacity to find a “voice” or “visibility”, and “chaos” certainly seems an apt and recurrent adjective for much of the experience.

The research is underpinned by feminist research methods. The goal was to collate subjective, qualitative accounts of personal experiences. The interviews were guided by a semi-structured interview schedule (Appendix B) with flexible, open-ended questioning designed to encourage spontaneous responses. Byrne observes that semi-structured interviews are a useful vehicle for discussing complex issues and allows each participant to express themselves in their own way and thus provides a means of exploring “voices and experiences, which have been ignored, misrepresented or suppressed in the past” (Byrne 2004:182).



In the end fifteen face to face interviews were undertaken: ten in HMP New Hall and five at the Together Women Project in Hull. The data were collected in January 2014. All interviews were voice recorded and fully transcribed. Each interview lasted between 45 to 60 minutes and each woman was given an Information Sheet about the research and the Griffins Society.(Appendix C). They signed an informed Consent Form (Appendix D) in which the boundaries and expectations of the research were explained. These forms were given to each participant before the interview commenced, were verbally reviewed and an opportunity for questions provided.

Each woman at TWP was given a gift voucher as both an incentive and to cover travel and miscellaneous costs of attending the interview.

### **3.2 Reflexivity**

It is acknowledged that my role as a professional in the criminal justice system could both elicit or disinhibit individual responses. And my prior assumptions and experiences could influence both my responses in interview and interpretations of the transcripts. I also accept a personal bias to gender specific work and female-only environments. I endeavoured to question all findings and use the literature review to challenge assumptions as they arose. My role was one of participant observer: an insider attempting to look outside and to be as objective as possible in the research role.

### **3.3 Qualitative analysis**

I undertook a thematic analysis of the transcripts utilising grounded theory. Whilst I had prior assumptions as to what barriers there may be to engagement, I did not know if the actual findings would confirm these. I therefore endeavoured to interpret meaning to the issues which emerged from the collated material. I adopted an interpretative phenomenological analysis to provide insights into how each individual, in their own context, experienced their situation. I sought to be as objective as possible, and checked out assumptions with the women concerned, but I was also aware that I was interpreting narratives of women who were also in the process of interpreting experiences. I therefore used a thematic template and endeavoured to score each narrative against a set of factors/issues. The themes emerged from the material gathered and were not pre-set. In line with grounded theory some of the issues were not anticipated but became visible in the transcribing process.

Whilst thirteen of the participants did not request anonymity, and actually wanted their stories told, I have protected their identity by using pseudonyms. To further protect confidentiality, only the researcher had access to the original audio recordings.

### **3.4 Limitations**

This research is small-scale in scope and is intended to indicate patterns and issues which future research can build upon.

It would have been desirable to track the women's journeys back to their offender managers, records and breach reports. This could have highlighted issues around communication and perception. Given the time-scale and the geographic diversity of the participants, this was not feasible but could form a revealing departure for further research.

### **3.5 The interviews**

Despite pre-planning events did not unroll as expected. The interviews at HMP New Hall were co-ordinated by the Together Women project worker. But it was difficult to identify women serving sentences for breach of community disposals: curiously this information was not readily accessible on the prison database. Interestingly, HMP Foston Hall declined permission for research to be undertaken there due to the problematic issue of identification. This was an unexpected revelation in itself but did not transpire to be a significant barrier in reality due to another revelation: many of the women in HMP New Hall had experienced multiple breaches of community orders.

Five of the women were actively chosen by the co-ordinator of the drop-in centre due to knowledge of their experience of breach. The co-ordinator (and myself at that stage) did not know what issues would emerge as patterns and thus there was no selection of women based upon life-experiences. Three women were asked to participate when they attended the drop-in centre for advice and two other women volunteered as they had heard about the research and wanted their experiences to be heard. All had a long history of involvement with the criminal justice system and all had clear views on which factors were positive and encouraged engagement, and which aspects were less helpful. Two key workers managed the five women: one from the centre and one from the team of co-located probation officers.

At The Together Women Project (TWP) five women had been identified, and provided with appointment times, but they did not all fit the criteria. Three women provided valuable insights but were on their first community sentence and had engaged well with all requirements.

### **3.6 Participant profile**

The women's ages ranged from 23 to 54 with the average age being 35. Eleven women were white, one was black, another Asian and two were of dual heritage. In HMP New Hall six women had been recalled on licence, three were serving sentences for breaching a community order and one for non-compliance with a Suspended Sentence Order. All had experienced breach action, most on several occasions.

At TWP four women were currently being supervised on a community sentence and one on a licence. Two of the women had experienced breach action in the past.

There was some crossover of experiences due to both locations being in Yorkshire. Three of the women at TWP had been remanded or imprisoned at HMP New Hall. And three of the women in custody were from Hull and had experience of TWP. A further six women, in the prison cohort, had worked with women's centres in other cities.

### **3.7 Thematic approach**

I held some preconceptions of issues I expected to impact on compliance. I thought that current experience of domestic abuse, with a partner resisting the change journey, would be a recurrent theme. From the literature, and my own professional experience, I also expected mental health, drink, drugs, losing custody of children and experience of child abuse and the care system to feature heavily. And they did, but NOT as key barriers to engagement. Other issues emerged as salient threads through the narratives that I had not anticipated. I thus drafted a chart with sixteen recurrent themes and cross-referenced this with the participants who articulated the "theme" as an issue in their lives. The main "surprise" theme was the official diagnosis of PTSD and informal awareness of the condition. Four other threads were also not anticipated: seven women had experienced the death/murder of a parent in their childhood, four had been forced into drug dependency by "carers" in early childhood, six women were survivors of rape (two gang raped), all the women stressed the desire to feel "safe" and ten perceived prison as the only place they felt "safe". This chart is included as Appendix E.

## Chapter Four: Thematic Analysis

The interviews embodied two parallel stories – the women’s life-stories, the journey of how and why they became embroiled in the criminal justice system, and their post-sentence experiences within that system. The themes that emerged are germane to both narratives and to women in custody and in the community. I will thus analyse the themes threading through their back-story followed by their navigation through the system.

### 4.1 Her-story: the pre-sentence journey

#### 4.1.1 Childhood traumas

Martina – “Things had happened and my head was a shed”

Nicky’s mother was murdered when she was 14 and her father was unable to cope with her and her severely disabled brother. Whilst in care she was abducted and gang raped. She was treated disparagingly by the police whom she recalls accusing her: “What’s up ? Didn’t they pay you ?” Nicky describes how she “went right downhill” from there and used drugs and self-harm, “anything to block it out”. She relates being abused by her peers in care and becoming a sex worker to pay for drugs. She moved from the care system to secure units when her distress and self harm escalated. During this time she also lost a baby and her sister was killed in an accident. She became involved in abusive relationships and felt forced to commit robberies by her partner: “..all those times I’d been out there pick-pocketing, it was for him”. And unsurprisingly Nicky’s “pretty rough life” had resulted in her being formally diagnosed with PTSD. At the age of 32 she was haunted by, and felt trapped within, the multiple traumas of her past – “the flashbacks and the nightmares come when I least expect it”.

Bella had been brought up in a violent household in which her stepfather raped Bella and her sisters. She was in care for a few months whilst her mother, whom she perceived as being forced into sex work and crime by her stepfather, was imprisoned. Bella was later stalked by him: “He got all obsessed with me ...obsessed .. he followed me everywhere ... there are all sorts of things .. that I just haven’t dealt with”. After leaving home she entered an abusive relationship and, due to the violence and Bella’s own depression, her three children were taken into care – “it broke my heart, absolutely mortified me, there was absolutely nothing in life for me ...”

Bella used alcohol to “self-medicate” and describes suffering from “recurrent nightmares” and “PTSD”. Bella was recalled when a police officer touched her arm during an incident. This re-traumatized her: she assaulted the officer whom she perceived, at that time, to be another abuser.

Donna’s mother, father and grandparents were alcohol dependent and her stepfather was extremely violent. She spent time in care when her mother was imprisoned and recalls having to move around the country, staying in refuges, to try and escape the violence. The family income came from drug dealing. At the age of 17, Donna was kidnapped by her cousin and raped by him and a group of friends. Donna was a prolific self-harmer who drank to “block stuff out” and remains plagued by “flashbacks and voices”. She has been diagnosed with PTSD, Emotional Personality Disorder and depression. She did not believe she could cope with life outside prison and viewed prison as providing the “support” and “safety” to enable her to “just be normal”.

Carla’s mother and stepfather abused drugs and encouraged her to use them from the age of 12. She recalls a lifetime of physical, sexual and emotional abuse. Whilst her grandmother was a positive influence she died when Carla was young and she was unable to confide in her: “I was always threatened if I told my grandma what was happening then they’d actually hurt her ... I was petrified .. she was my life”. Once Carla was dependent on drugs her mother threatened to withdraw the supply unless Carla committed the crimes she demanded. Carla was taken into care but by the age of 18 she had a child and was in a violent relationship. Her child was adopted – “she’s disabled and it’s down to him why she’s disabled... that’s when I started drinking recklessly and got back into drugs”. Carla believed she has PTSD and depression - “some days I just feel like I can’t cope .. things start going round and round in my head”.

Lucy’s father was violent and her mother “used to ignore me as a child”. As an adult she was unable to deal with perceived rejections and was “very insecure ...no confidence”. She used alcohol “to blot things out” and regularly self-harmed and contemplated suicide: “I thought people’ll be better off without me and I’ve let them down again ... so it’s like that .. I’ve always thought people’ll be better off without me”. After an argument, Lucy thought her relationship had ended and decided to kill herself, causing a house fire in the process.

#### 4.1.2 The lasting legacy of chronic abuse

Bella – “ ... you are what you see when you’re young, you become what you know”

This legacy has profound implications for the engagement process. The pathways focused upon by their offender managers appeared, to those interviewed, as meaningless. This finding is echoed in Owens’s research. The women interviewed were either “unaware” of the pathways or “found them useless” (Owens 2010:36) Whilst the women feared the vulnerability of homelessness most equally dreaded having their own accommodation and being alone with flashbacks, intrusive thoughts, panic attacks and nightmares. Diane was provided with a flat but “I didn’t want it .. I was really scared”. Ellie and Lucy felt unable to contemplate employment or education. Bella wanted a job but knew she “had to get herself straight first”. Similarly Sara knew that “I’m not ready for work ... I just can’t be pushed into it ..I’m not ready”.

Emotional health and substance misuse can be key barriers to compliance but as symptoms of C-PTSD rather than direct causes. Kate felt “that poorly inside” that she was often unable to “leave the house ... for days I just sat in the same pyjamas, don’t get washed, don’t do anything ...”. Fourteen of the women misused substances as a form of self-medication and all articulated their understanding of this. Kate felt she had to take drugs to feel “normal, to do everyday mundane things”.

The presence of an abusive partner is likely to have an adverse impact on compliance and nearly all the women described feeling entrapped in the cycle of violence they had always known. Bella had “always had violent relationships”, Scarlett had had petrol poured over her and set alight, Martina currently had a “violent partner” and Carla’s was violent to her and their baby. Ellie’s father abused her and she later lost her own children due to “my offending behaviour and the domestic violence”. Emily experienced extreme abuse from the age of 19. She repeatedly had to move flat and area but “he found out where I was living so I was never settled ...I thought it was never going to end”.

The women described a sense of entrapment in which they anticipated, and realised, violence, loss, rejection and despair. Several women related feeling safe in prison: they found structure, support, security and respite from the fear of homelessness, abuse and daily tasks/decisions which they perceived as beyond their emotional capacity. Ten of the women had, at some stage, ‘chosen’ to return to custody by either deliberating breaching a licence condition or committing a crime. Perhaps the biggest challenge for practitioners is creating a place of safety beyond the prison walls.



### 4.1.3 Double Deviance

The women clearly understood “the second order risks” they were managing and vividly described the devastation of losing their children and “failing” as a mother: ...“it broke my heart, absolutely mortified me, there was absolutely nothing in life for me” (Bella). Sara felt punished for not fitting into the expected profile of a female offender: “Some people do seem to grow out of it but I’ve gone opposite way round “ so the judge “did not know what to do with me”. Gail stated that “women get a very rough deal. They get a rough deal in prison and they get a rough deal out of prison”. She noted how courses and resources were “all male-orientated” and “yet women play the key role in society, as mums and everything else”. Tina felt torn in loyalty between her partner and children and not able to make a choice to satisfy herself or anyone else. She describes being “a bit confused” by the multifarious demands placed upon her. Lucy recognised that her crime “must have been awful” for her son and was blamed by her family for her mother’s brain haemorrhage, for causing her stress.

All the women had considerable insight into how the series of traumas endured had affected them and that they used drink or drugs as self-medication. They related feeling trapped and viewed prison as a viable escape from the abuse: “ ... a blessing in disguise because it got me away from him” (Nicky), “It got me away from my partner as well” (Ellie). The women may breach societal rules but they often over-embraced societal roles in their desire to be a devoted partner and good daughter. Indeed, their desire to please and be loved tends to lead to over commitment.

### 4.1.4 Risk Assessment

Four of the women interviewed were assessed as high risk and managed under MAPPA. Donna experienced extreme violence throughout her life, drank “to block stuff out” but was aware that “some drinks make me a bastard”. Gail was attending a MAPPA meeting within a hour of her release from a long prison sentence. Nicky was informed of her risk but she struggled to comprehend this in the context of the risks she herself faced from partners. It was clear that the women accepted but did not see any value of this assessment. They were acting out their life traumas and remained concerned primarily with survival and keeping themselves safe from the risks posed to them by others. The word ‘safe’ was mentioned repeatedly by all the women making it clear that C-PTSD needs to be addressed first and foremost. This is demonstrated further in 4.2B, the woman’s desistance journey.

## 4.2 Surviving the order: the post-sentence journey

### 4.2.1 Less helpful or negative encounters

Gail – “I’ve seen lots of women return. Something’s not working, something’s not working at all”.

Most of the women found that their initial contact on an order, with a court-based probation officer, was not helpful. This was described as “brief, very brief” (Bella) and they also felt unable to absorb the information due to the flood of emotions experienced immediately post-sentence. Several women acknowledged that their substance misuse posed an immediate barrier: “you end up getting out of court and you go and celebrate ... all you can think about is when you’re going to get your next fix” (Nicky).

Homelessness was another huge barrier. Twelve women had experienced living on the street and nine women interviewed in prison had no home upon release. Gail lamented that “I lost my home and everything ..I haven’t got anything other than what I stand up in” and Scarlett had endured fourteen years of “living on the street”. Her officer was unable to find accommodation and she was advised to queue on the off chance of a night shelter place. She had been the victim of a horrendous assault and dreaded “getting attacked ...being freezing, cold, dying” and thus breached a licence condition to be recalled. Bailey was due to be released without the support of a licence and was terrified at the prospect of leaving the prison: “I don’t know where I’ll sleep and that, I don’t know what my first day will be like”.

Nine of the women stated that they felt “judged ...they talk down to you ...and immediately you put your defences up” (Nicky). Sara “didn’t feel safe ... I just didn’t feel comfortable. ... I didn’t need telling by a probation officer that I’d done wrong ... obviously I know I’d done wrong or else I wouldn’t be sitting in front of her for the PSR-thingy”. Scarlet thought her officer wanted her “straight in and straight out .. and looks down on you” and Bailey “felt like she was looking down her nose at me so I just went ...”.

Geographical distance from the hostel to the home area was an issue for five women. Nicky recalled feeling disorientated and abandoned. Release to a hostel in an area she did not know re-traumatised her and resulted in swift recall to prison. She experienced “panic attacks” on the train to the hostel, felt “confused and very agitated” by paperwork and “terrified” of other residents in the hostel. Nicky viewed her position as untenable: “I had to make a decision to stay in that hostel and hook back on heroin or bring myself back to prison – and feel safe again”. She perceived the hostel as a “bad place” and felt unable to cope with daily decisions and tasks and life in general. Nicky could not envisage a future beyond the prison walls and could not imagine surviving without the “security of prison officers around and stuff”.



Similarly Donna described not “knowing anyone .. I was miles away from friends, miles away from anyone. I was scared of getting out ...”.

Some of the women thought it was unjust that a breach report was presented to the court by an officer who did not know them. Kate expressed shock that an assessment could be produced, which could determine her sentence, “by someone who doesn’t even know me ...I’d never seen this person before in my life”. An assessment which contained “all really bad stuff, saying I hadn’t engaged, missed countless opportunities .. and stuff like that”. Indeed, Pryce noted that some women in prison are traumatised more, by hearing in court “things said about them that they didn’t recognise”, than by loss of liberty (Pryce 2013:37). Kate stated that the judge was also not happy with this and demanded more: “I don’t just want to know how she’s breached the order, it’s clear she has. I want to know why, the reasons behind it”. Kate wanted to be heard and was gratified when the court apparently requested to hear her perspective.

The relational and consistency aspect was clearly important to the women. Kate wanted someone to actively listen and support her through all stages of the order. Nicky wanted her worker to “build up trust” and Gail was demoralised by the regular changes of officers managing her sentence. Jenny described feeling “a bit confused” and having no voice in court. She did “not know who or what was happening”. Gail believed that process and “ticking boxes” were the worker’s priorities and Ellie was disillusioned that, despite being released homeless, her officer was unable to help and placed her immediately on monthly reporting.

All the women had experienced reporting to a generic, mixed probation office and all reported feeling “uncomfortable” and desperate to leave the premises as soon as possible. Emily described how “you’d sit there and ... hope you wouldn’t be noticed. It wasn’t very nice at all...I tried to rush it .. because I just wanted to get out of the door. ..when I went there I was less inclined to speak ... just didn’t feel like I trusted them.... because males were there I didn’t feel like I could say what I wanted to say”. Bella believed that “they want you in and out as quickly as possible”, which suited her agenda as she was also keen to vacate the building fast.

Fourteen women thought that, during the breach process, their officer had not probed sufficiently or had “allowed the wool to be pulled over her eyes” (Gail). Gail “wasn’t in a good place” and invented a series of excuses for missing appointments. After a lengthy period of compliance she thought that her officer should have recognised that she was relapsing: “it’s very easy to say “yeah, everything’s okay” when really and truthfully it’s not ..I think they need to be able to spot the telltale signs and dig a little bit deeper”. Bella felt disappointed that “they must have known by my lifestyle that certain things had happened” but no one asked or offered support.

There were a couple of examples of poor practice. Whilst in prison Bella was keen to remain sober and find work. However, she had a licence condition to live with her mother and stepfather. Bella had been abused by him throughout her childhood and stalked by him as an adult. He triggered feelings of terror, helplessness and despair on a daily basis and Bella quickly relapsed into a profound depression. Bella observes that “if they had looked deep enough they would have known” but it was several weeks before she thought her plight was “heard” by her officer.

Nicky was released to a hostel many miles from her home area and recalls experiencing debilitating panic attacks using public transport to get there and terror at having to live somewhere unfamiliar. An important weekly ritual for her was to light a candle at church every Thursday in remembrance of the day her mother was murdered. The hostel worker handed her a map and simply commented that she should be able to find a church on it. Nicky recalls sobbing: “I don’t even know how to get past the hostel, down the street ...didn’t have a clue where I am ...so it was all messed up”.

However, most negative experiences seemed to result from lack of time and bureaucratic processes. They sprang from pressures on resources rather than poor practice. But they still replicated traumas from the women’s past, women who arrive at probation’s door with a long history of being failed by statutory agencies. Martina and Carla recollect pleading with social workers to be removed from the family home. This eventually happened “but it wasn’t quick enough” (Carla).

It is disappointing that many of the women related feeling unsafe, alone, unheard and judged by probation staff during their journey through the system. The lack of proactive questioning, empathy and some attitudes confirm the findings of the Thematic Inspection, that gender awareness training is urgently required for probation practitioners.

#### **4.2.2 From surviving to thriving: the desistance journey for women**

Kerry – “Finally there is someone who understands .. someone who cares...”

The word safe was used repeatedly by each interviewee and a prerequisite for them to feel safe was attending a female only centre. This is affirmation of the huge progress made since Baroness Corston’s recommendations and the establishment of women’s centres. Five women had transformed their lives with the help of these centres and fourteen women spoke highly of the support received there and feeling “safe” for the first time in their lives. (One woman had not heard of these centres but was referred to one after the interview and thought it sounded “brilliant”). And the stories of the women who had thrived illustrate vividly what works for women in the criminal justice system.

Diane was a prolific offender who was once arrested 18 times in 12 weeks. She was homeless for much of her life, regularly self-harmed and was alcohol dependent. She “felt safer ..in custody” and committed crimes because “I liked the attention and like I wanted them to get me so I didn’t have to live on the streets.” Twelve months before the interview, Diane “was doing anything to go to prison” and could not imagine leading any other life. But she received an Intensive Alternative to Custody (IAC) managed by a women’s centre. Her key worker believed in her potential to change and regularly affirmed “look, you’re better than this, why don’t you turn your life around, ..you can do it if you get the proper help”. Diane then observed other women at the centre “who’ve made a goal....who’ve changed their lives around”. Her key worker arranged support, assessments for physical and learning difficulties and her sister helped her to rent her own flat. The relational dimension was critical. Diane’s incentive to change was to not let down her sister and worker after “all the effort that my sister’s put in and the effort that all these have put in ...all the support they have given me”. Diane admitted struggling and feeling “scared” in her own flat but she was adamant that she “didn’t want to be that person anymore”. Monthly reviews at court also helped Diane who was delighted when the judge informed her: “I can’t believe how much you’ve changed, I’m so proud of you. I can’t believe how much you’ve turned your life around”.

Lucy’s worker asked, during the induction for tell tale signs that would indicate when she was struggling. Ellie declared that “this is the first time I’ve had help really ..someone who cares. Finally there is someone who understands....and listens to me.” Similarly, Emily “found it really useful. They were able to help me with everything I needed help with in my life and support me through it without having to go to this place and that place”. Emily’s workers helped her to find accommodation, seek legal advice, secure her flat, attend court as a witness and arranged a rehabilitation programme. Emily stated that this, “was basically the start of my life ...I feel I’ve got a purpose in my life now”. Knowing that continual support was offered beyond the duration of the order was the critical factor for Emily: “the door is always open....they always find time for you in their diaries....you never feel like you’re alone”. Bella also found structure and direction when her worker “asked me what do I want out of life and how do you think we can get there...”

Flexibility and empathy are key ingredients in promoting engagement. When Kate was too depressed to leave the house, her officer assured her it was “no problem. We can do the session over the phone”. Martina thought her workers were “complete stars ..they’re always telling me that we’re here”. The women who did not work with stars were clear what they wanted from supervision. Donna declared that “they need to start listening to you...I wouldn’t have turned out like this if I’d been able to talk to people but ...”. Kate was keen to address her depression and wanted someone to “sit and find out why, because there’s always a reason at the bottom of it”. Gail wanted “support, support, support” and phone calls or texts “just so you’ve got somebody to touch base with.” This is echoed by Bella who

wanted texts “just to make someone feel that there’s someone there”. She perceived this also as a potential lifeline “in a dodgy situation”. Nicky wanted positive feedback and certificates for achievements and regular contact with her officer during her sentence so “you can build up that relationship so that when you get out you will try”. Diane found practical tips invaluable such as wearing a bracelet around her ankle (long after her HDC had expired) to prompt her to return home at night.

Relational and nurturing factors featured prominently in their recovery and the women were keen to give back this care to others. Emily had become a peer mentor and worked at the centre and three other women in the community were keen to become mentors. Similarly three of the women in the prison cohort wanted to become support/advice workers once “I get myself straight” (Nicky).



## Chapter Five: Missing Voices and Academic Voices

Three themes united all fifteen women: mental health problems, a pervasive need to feel safe and a desire to work in a female-only environment. A striking feature of all their narratives was the occurrence of multiple, interrelated traumas. They had survived serial abuse from care-givers in early life and the impacts were huge and debilitating. Nine women disclosed chronic childhood abuse and a further five alluded to it.

The high incidence of mental health issues experienced by women in the criminal justice system is well-documented and so it was not surprising to discover that the women interviewed had been diagnosed with at least one psychiatric disorder and several had dual and triple diagnoses. But the factor that was not anticipated was the diagnosis of Post Traumatic Stress Disorder for five of the women in prison. And other women either stated that they thought they had PTSD or described symptoms indicative of this condition. They also detailed a cluster of symptoms outside of the PTSD range but captured in the literature on C-PTSD.

The abuse, and its enduring legacy, is clearly articulated as the major issue by the women. The symptoms they describe have long been recognised as C-PTSD. And yet there has been little recognition of this until recently. Indeed, there seems to be a societal tendency to shy away from the unpalatable realities of chronic childhood abuse and trauma. Herman traces a universal desire to look the other way, a natural human desire not to have to share the burden of intense human suffering and therefore accept some responsibility to ameliorate it (Herman 1992: 7-8). Chu observes that it is “challenging for any society to ..be able to acknowledge that it has permitted its most vulnerable members to be severely abused and as a result become profoundly impaired”(Chu 2011:5).

Acknowledging this means taking responsibility and action. Thus the history of psychological trauma is interrupted by periods of “episodic amnesia ...the tendency to discredit the victim or render her invisible....disputes have raged over whether patients with post-traumatic conditions are entitled to care and respect or deserving of contempt, whether they are genuinely suffering or malingering, whether their histories are true or false and, if false, whether imagined or maliciously fabricated”. In contrast perpetrators of abuse ask only that we “do nothing. He appeals to the universal desire to see, hear and speak no evil.....The more powerful the perpetrator, the greater is his prerogative to name and define reality...” (Herman 1992:7-8). Indeed, C-PTSD can be perceived, not as another label, but as a political enterprise bringing attention to experiences of oppressed people (Herman 1997:1-4).

Having only experienced abusive relationships in childhood most of the women later became enmeshed in the serial re-victimisation and chronic self-destructive behaviour explored by Herman. Thirteen of the women interviewed had experienced violent relationships. In order to survive, powerful emotional bonds are forged with abusers in childhood and the role of victim, although “painful, is consistent with their self-image ... threat and abuse are part of their assumptive world ..(leaving them) ...caught in a repetitive scenario of abuse and dependency” (Chu:2011:45). The intergenerational factor further complicates the process. Sufferers are often “children of trauma survivors, living with legacies of intergenerational transmission of trauma experiences” (Courtois & Ford 2014:178). Prison can further exacerbate this process by, as discussed in section 1.4, “becoming the abusive partner”.

Trauma involves “speechless terror”: survivors are “left with intense emotions ... without being able to articulate what is going on” (Van der Volk 2001:24.) Thus emotional flashbacks are a common, recurrent symptom of C-PTSD. Emotional flashbacks are what Bella experienced daily, when walking by her stepfather, and what led to Lucy’s crime when she perceived rejection from her partner. She related feeling flooded by intense sensations of dread and abandonment, emotions which were disproportionate to the present day situation; “Why did I get in such a panic because he just ignored me ? I’d get really wound up, really upset, really bad ...”. Indeed, many of the women’s crimes and/or arrests resulted from emotional flashbacks. Bella was recalled when she responded aggressively to unwanted physical touch and Diane’s desperate desire for attention led to disturbances and hoax emergency calls which, in turn, re-traumatised her when she was physically restrained by the arresting officers. The “second order risks” (Chan & Rigakos 2002:187) are colossal and debilitating. And yet this perspective may elude both the judiciary and those who work with the women for whom “privilege” is often an “invisible backpack” of safety and positive experiences (Courtois & Ford 2014:174 & Covington 2014).

The “double deviance” penalty is clear in the narratives and it would seem that there is both a “feminization of poverty” and a feminization of serial abuse. Far from feeling over visible in the system the women often felt invisible and unheard. Having never been “mothered” they struggled to become carers but there was a tendency to over-compensate in their loyalty to abusive partners. The “messy actualities of lived experiences” (Hannah-Moffat & O’Malley 2007:185) transpires to be a critical compliance thief.

Risk assessments did not take into account individual histories or the existence of a “combination of forces” (Chigwada-Bailey 2003:19). The concept of risk was experienced as irrelevant by the women themselves, who were struggling to protect themselves from the risks posed by others. The pathways were similarly viewed as irrelevant: the women felt too traumatised to work, learn or live independently. Gail perceived the process as “ticking boxes”, but leaving one, “not equipped for life”.



The literature indicated that “the perception of fairness” was critical to compliance (Crawford & Huckleby 2013:123). But this research does not support this hypothesis in relation to women. Those interviewed were subsumed by trauma and “messy actualities”. They were inured to the injustices of life and the concept of fairness was an anathema to them. Only two of the women thought their sentence was “unfair”, but this had no detrimental effect on their engagement (Gail & Tina).

The women’s narratives reflected Covington’s concept of “experts by experience”, a pool of specialist knowledge shared by survivors. Most of the women did not want generic counselling but did want support and strategies to manage their distress. They could not envisage feeling safe in counselling or, as Bella said, being able to “build up the trust”. They dreaded reliving their traumas and feared this may exacerbate their problems: “I’ve seen what it’s done to the girls ...they came out crying after every session ...doing ligatures and that... I just couldn’t handle it” (Donna). Jenny could not imagine exploring her traumas whilst she felt trapped within them: “I was going through a lot ... I still am”.

There may not be the language, or coherent narrative, to verbalise “speechless terror”. Moreover, “severely traumatised persons fail to benefit from a type of exploratory therapy that assumes basic trust and the ability to tolerate intense and dependent therapeutic relationships” (Chu 2011:xiv). A trauma-informed, specialist approach appears to be required to work effectively with C-PTSD.

Women’s centres provide core ingredients for a safe place so it is unsurprising that so many women have turned their lives around with such help. These places are essential to healing because the women “cannot teach themselves how to be safe, because many of them simply lack a baseline understanding of what that means” (Van der Volk 2001:15). Herman details the stages necessary for recovery: a place of safety, a healing relationship, mourning, reconnection and commonality. But it is vital for the recovery journey that the centres provide trauma-informed environments.

Trust, consistency, expectation setting and boundaries are vital for recovery as “interpersonal trauma tends to occur in contexts in which the rules are unclear, under circumstances that are secret, and in conditions where issues of responsibility are ...murky” (Van der Volk 2001:14). Abuse “occurs in ordinary everyday life...(so) seemingly innocuous experiences, ostensibly harmless sounds, particular smells and physical sensations, may become triggers of extreme emotional distress ... the past becomes the present” (Van der Volk 2001:14) It is essential that the environment provides, for instance, “good ambient illumination” and a clock or calendar to provide anchors to the present (Chu 2011:151-152).

## Chapter Six: Conclusion and recommendations

The women may be victims of chronic abuse but they are also incredible survivors who can see beyond their plight. They had a clear vision of the support they needed but most had experienced a lack of empathy and understanding by the professionals they encountered. As Covington observed, for too long the sufferings of the “most neglected, misunderstood and unseen women in our society” (2007:180) have been ignored. The MoJ’s (Ministry of Justice) strategic objectives for female offenders advocates a “whole system approach” to identify “gaps in current provision” and “take a fresh, creative look at how we might achieve better outcomes ....that are affordable and deliverable” (2013:6). This conclusion aims to suggest means of transforming this aspiration into reality.

From the “messy actualities”, evident throughout all the interviews, clear patterns emerge, barriers are revealed which are not addressed adequately by current practice. Research has long demonstrated the prevalence of trauma in the history of women who offend but the significance of this, or how this should be linked to policy and practice, has been overlooked. Orders are not delivered in the gender-responsive, trauma-informed approach needed by service-users. The objectives of supervision are rarely understood, or perceived as meaningful, by the women and the rigidity of their structure impacts disproportionately on them. There are simple, inexpensive measures that would challenge these compliance thieves. The women themselves, when asked, provide many simple, inexpensive suggestions. These are reiterated in the section below on what constitutes “proper help” (Diane).

The women’s lives, traumas and needs are complex but managing these does not necessitate a complex or costly approach. Trauma-informed practices are “embedded in evidence-based theory ... and are affirming, ...simple and non-expensive” (Grosvenor 2014). In the extensive ACE studies (Adverse Childhood Experiences) participants benefitted hugely from just one session provided by a specialist trauma counsellor (Covington 2014:28). Covington and Walker provide a plethora of strategies and materials for dealing with trauma and further guidance is readily accessible on the internet. The help to stop these women feeling unsafe exists and can be implemented at minimal cost - if the awareness and motivation exists.

Dawn’s life was transformed by her key workers reinforcing that “you are better than this .. You can do it with the proper help”. A critical question here is what constitutes “proper help”. Women’s Community Centres provide a sound infrastructure to facilitate the needed



support. Five women in this study had managed to turn their lives around due to these services. Fourteen women spoke highly of the help they had received there. They described feeling safe for the first time in their lives and they had suggestions as to what factors contribute to safety and healing.

The women's vision of "the proper help" (Diane) involves:

- A female-only environment.
- A gender and trauma-informed service.
- A non-judgemental/non-authoritarian atmosphere.
- Practical help with child care and transport.
- Empowerment and encouragement but not pressure.
- A key worker who gives positive feedback and believes in their potential and ability to change. The trigger to change for women is primarily relational (Clarke 2004:27) Gaynor was motivated to remain crime-free through her relationships with her sister and key worker and by regular positive feedback from a judge. This reinforces McNeill's claim that "there must be a reservoir of hope".
- Workers who are empathic listeners and proactively question (e.g. explore if an abusive relationship could pose a barrier to engagement).  
(However, there needs to be realistic expectations about the change process within a complex network of issues. The Creating Choices programme in Canada actually led to women being further pathologised and marginalised when they did not respond as expected - Clarke 2004: 33)
- A link with women not involved in the criminal justice system and a source of support existing beyond the life-span of a community order.
- Key workers who regularly text and call to demonstrate care, encourage trust and model the benefits of a positive relationship in daily life.
- Workers who choose to specialise in working with women. There is a tendency for some workers to view women as demanding and time-consuming and this attitude creates an immediate barrier (this is my experience as a manager in allocating cases and is echoed by several practitioners interviewed by Deedes: 2009: 21).
- Identification of the "tell-tale signs" (Gail & Lucy) for each woman that could indicate a relapse in progress.
- Certificates, recognition and positive feedback for achievements accomplished (Gail & Nicky)
- Swift access to counselling and mental health services and effective links with housing and education providers. It is "unrealistic to expect that the criminal justice system alone can provide effective responses" to the complexity of problems presented by these women (Barry & McIvor 2010:39).

Deedes examined how the "most chaotic, complex women are doubly disadvantaged and disproportionately punished" and how those with "the most complex needs fare the worst"

(Deedes 2009:21). This research supports these findings and advocates that the following three proposals are implemented and mainstreamed if we are to address these needs effectively and enhance engagement with community orders.



## Key Recommendations:

### **1 Gender awareness training should be rolled out to all probation staff in line with the recommendation from the Thematic Inspection.**

Practitioners will not “engage women positively” unless they have the “awareness and underpinning knowledge to work with women effectively” and “develop ...professional judgement in relation to compliance and enforcement” (2011:65). Equality is a core principle of criminal justice but workers need to understand that this does not mean that everyone is “treated equally....To achieve equitable outcomes for male and female offenders, different approaches need to be taken” (2011:2). The training should also address the particular issues confronted by women experiencing multiple marginalities or “combination of forces” (Chigwada-Bailey 2003:19). For our work to be effectual it is imperative that we both appreciate the need for, and adopt, “mindful and compassionate approaches .. which see beyond the crime, anger, drug-use, missed appointments” (Bryant 2014).

### **2 Women’s centres should provide trauma-informed services.**

As discussed in section 2.4, a safe place is a prerequisite for recovery and these centres can provide such a space. Information on how to create a safe environment is readily accessible online and detailed in Covington’s guidance. Workers at women’s centres should be trained in C-PTSD and effective treatments. Centres should provide support groups, “experts by experience” forums and promote self-help strategies to manage symptoms such as Walker’s 13 Step Action Plan for managing emotional flashbacks (Walker 2013:146-148) and Eye Movement Desensitisation Reprocessing (Shapiro 2012).

Feedback from the service-user forums should be fed back to management and used to continuously review and develop services. This is good practice in utilising specialist knowledge but also a means of empowering women and involving them in their own recovery. Desistance requires a sense of identity, a “coherent self-narrative” which trauma and chaos “impedes” (Maruna 2004:168). Such provisions create a structure that can be instrumental in transforming women’s lives.

### **3 Breach reports should assess the woman in the context of her life as a whole and be presented by her key worker.**

Breach reports are the final and chief vehicle by which women, who have disengaged, can be diverted from custody. It is thus critical that these reports are of a high quality informed by gender awareness and sound assessment skills.

In section 1.1 it was noted that magistrates tend to gauge seriousness by “the individual’s response to earlier community sentences rather than by the current offence” (Hedderman & Gunby 2013:434). The “double deviance” principle suggests that women could be more harshly viewed in this process as discussed in section 1.4. Furthermore, Pryce observed that some women in prison are traumatised by hearing in court “things said about them that they didn’t recognise” by officers they did not know. Considering that the trigger for change in women is primarily relational (Clarke 2004:27) this is not surprising.

In section 1.3 it was noted that breach reports hold a dual function: they are prosecution documents and assessment reports. They should be both technically accurate in detailing non-compliance but also provide an assessment as to why the individual may have disengaged and utilise this information to suggest an appropriate sentence. This double function may lead to practitioner confusion and reports which may be unfit for either purpose (Cairns 2012:254-268). This merits further research in its own right but, in relation to women (for the reasons discussed in Chapter Two), may contribute to them being “doubly disadvantaged and disproportionately punished”. Nicky stated that, at her breach hearing, the judge demanded more than the facts of her non-compliance: “I want to know why, the reasons behind it”.

Effective analysis of these “reasons” loops back to the need for gender awareness training, the need for “underpinning knowledge” and “professional judgement”. Section 1.3 explored breach as an interpretative process, a decision narrative, and this echoes the unconscious discrimination discovered by Hannah-Moffat in parole reports. She demonstrates how the parole process “selectively omitted and retrieved information” and applied the “ascription of meaning to events” (2004:6). Without the training advocated above breach reports on women may at best be inadequate or, at worst, profoundly damaging.

The financial and moral imperatives to change the way we work with women in the criminal justice system are compelling. And with knowledge and motivation such change is readily achievable. The way we currently work with women is not effective and yet the women themselves clearly voice what it is they want and need. This appears to parallel Nicky’s harrowing experience of abuse and dismissal by the police. Two years after the rape, after other girls had been attacked and an investigation was underway, the police returned to inform Nicky that her clothes had been found in the garage (where they had laid all along)

and apologised for not listening to her story earlier. The trauma resulted in the further trauma of not been heard or believed – and other girls enduring the same trauma.

As professionals we too may be hearing narratives, and seeing the evidence, and yet still resist believing or investigating further. Herman elucidates how, for these women, traumas take place “outside the realm of socially validated reality. Their experience becomes unspeakable” (Herman 1992:8). This project ends with an appeal: to see the evidence piling up in the garage, actively listen to the “experts by experience” and confront the “unspeakable” by re-thinking how we work with women in the criminal justice system.



## BIBLIOGRAPHY

- Alder, C. and A. Worrall. eds. (2004) *Girl's Violence: myths and Realities*. Albany: State University of New York.
- Barry, Monica and Gill McIvor. (2010) "Professional decision-making and women offenders: Containing the chaos?" *Probation Journal* 57(1) 27-41.
- Barton, Alana. (2004) "Women and Community Punishment: the Probation Hostel as a Semi-Penal Institution for Female Offenders". *The Howard Journal* 43(2) 149-163.
- Bosworth, M. and Carrabine, E. (2001) "Reassessing Resistance: Race, Gender and Sexuality in Prison". *Punishment & Society* 3(4): 501 – 515.
- Bromley Briefings. (2013) *Prison Factfile: "Women in Prison":32-36*  
www.theprisonreformtrust.org.uk
- Bromley Briefings.(2014) *Prison: the facts*. www.theprisonreformtrust.org.uk
- Bryant, L. (2014) "Understanding the trauma behind the crime". info@works for freedom.org
- Bryman, A. (2004) *Social Research Methods (second edition)* Oxford: Oxford University Press.
- Byrne, B. (2004) "Qualitative Interviewing". In: Seale, C. (ed.) *Researching Society and Culture*. (second edition) London: Sage Publications.
- Cairns, Ralph. (2012) "Legal status and positive practice in Community Order enforcement". *Probation Journal* 59(3) 254-268.
- Carlen, Pat. (1988) *Women, Crime and Poverty*. Milton Keynes: Open University Press.
- Carlton, B. and Segrave, M. (2011) "Women's survival post-imprisonment: Connecting imprisonment with pains past and present". *Punishment & Society*. 13(5) 551- 570.
- Chan, W. and Rigakos, G. (2002) "Risk, Crime and Gender". *British Journal of Criminology* 42: 743 - 761.
- Chigwada -Bailey, Ruth. (2003) *Black Women's Experiences of Criminal Justice. Race, Gender and Class: A Discourse on Disadvantage*.(second edition) Winchester: Waterside Press.

Chu, James A. (2011) *Rebuilding Shattered Lives: Treating complex PTSD and dissociative disorders*. 2<sup>nd</sup> edition. Hoboken, New Jersey: John Wiley Inc.

Clarke, R. (2004) "What works for women who offend? A service-user's perspective: Exploring the synthesis between what women want and what women get". London: The Griffins Society Research Paper.

Clinks briefing on the report of the Justice Select Committee: Women Offenders: after the Corston Report". (2013) [www.clinks.org](http://www.clinks.org)

Corston, J. (2011) *Women in the Penal System: second report on Women with Particular Vulnerabilities in the Criminal Justice System*. London: Howard League for Penal Reform.

Courtois, C.A. & J.D. Ford eds. (2009) *Treating Complex Traumatic Stress Disorders: Scientific Foundations and Therapeutic Models*. New York: The Guildford Press.

Covington, S. (2007) "Women and the Criminal Justice System". *Women's Health Issues* 17(4): 180 – 182.

Covington, S. (2001) "Creating Gender-Responsive Programs: The Next Step for Women's Services". *Corrections Today* 63(1):8585-88.

Covington, S. (2014) *Women@Risk: Becoming Trauma Informed: A Core Value in Services for Women*. La Jolla, Centre for Gender and Justice.

Crawford, A. and A. Hucklesby, eds. (2013) *Legitimacy and Compliance in Criminal Justice*. London: Routledge.

Criminal Justice Joint Inspection (2011) *Thematic inspection report. "Equal but Different: an inspection of the use of alternatives to custody for women offenders"*. Home Office.

Davidson, J. T. and Chesney-Lind, M. (2009) "Discounting Women: Context Matters in Risk and Need Assessment". *Critical Criminology* 17: 221 – 245.

Deakin, J. and J. Spencer (2003) "Women Behind Bars: Explanations and Implications". *The Howard Journal* 42:2: 123-136.

Deedes, Rosie. (2009) "Double Invisibility: Recalled and forgotten in the Criminal Justice System". London: The Griffins Society Research Paper.

Dowden, C. and D.A. Andrews (1999) "What Works for Female Offenders: A Meta-analytic Review". *Crime and Delinquency* 45:438-452.



- Farrall, S.(2002) Rethinking what works with offenders: Probation, social context and desistance from crime. Cullompton: Willan Publishing.
- Fawcett Commission on Women and the Criminal Justice System.(2009) "Engendering Justice - from policy to practice: Final Report of the commission on women and the criminal justice system.
- Gelsthorpe, L. and Hedderman, C. (2012) "Providing for women offenders: the risks of adopting a payment by results approach". Probation Journal 59(4) 374-390. London: Sage Publications.
- Gelsthorpe, L. (2003) "Feminist Perspectives on Gender and Crime: making women count ". Criminal Justice Matters. 53 (1): 8 – 9.
- Gould, L., Pate, M. and Scarver, M. (2011) "Risk and revocation in community corrections: The role of gender". Probation Journal 58(3): 250 – 264.
- Government Equalities Office (2010) Women in Focus: Promoting Equality and positive practice. Government Strategy to Divert women Away from Crime. Ministry of Justice.
- Government's Strategy to divert Women Away from Crime: A Guide to the Women's Community Projects.(2010) Ministry of Justice.
- Government's Advisory Board on Female Offenders (March 2013) Strategic objectives for female offenders. Ministry of Justice.
- Grosvenor, E. (2014) "Making our practice trauma-informed". info@worksforfreedom.org
- Hannah-Moffat, K. (2004) "Losing Ground: Gendered Know ledges, Parole Risk, and Responsibility". Social Politics: International Studies in Gender, State and Society 11(3): 363 – 385.
- Hannah-Moffat, K. and Paula Marutto. (2010) "Re-contextualizing pre-sentence reports: risk and race". Punishment & Society 12: 262-286.
- Hannah-Moffat, K. and Pat O'Malley(eds.) (2007) Gendered Risks. Oxon: Routledge-Cavendish.
- Hannah-Moffat, K. (2006) "Pandora's Box: Risk/Need and Gender-Responsive Corrections". 5(1):183 – 192.
- Hardwick, N. (2012) "Women in Prison: Corston Five years On". Issues in Criminal Justice, University of Sussex.



Hedderman, C. (2012) Empty Cells or Empty Words ? Government Policy on reducing the number of women going to prison. London: Criminal Justice Alliance.

Hedderman, C. and Gunby, C. (2013) “ Diverting women from custody: The importance of understanding sentencers’ perspective”. Probation Journal 60(4): 425-438.

Hedderman, C., Gunby, C. and Shelton, N. (2011) “What women want: The importance of qualitative approaches in evaluating work with women offenders”. Criminology and Criminal Justice 11 (3): 3 – 19.

Heidensohn, F. (ed.) (2009) Gender and Justice: New concepts and approaches. Cullompton, Willan.

Herman, J. L. (1992) Trauma and Recovery: The aftermath of violence from domestic abuse to political terror. New York: Basic Books.

H M Inspectorate of Prisons (2010) Women in Prison: A Short thematic Review. London: Home Office.

Home Office (2007) The Corston Report: a review of women with particular vulnerabilities in the criminal justice system. London: Home office.

Home Office (2011) Women’s Offending Reduction Programme (WORP) London: Home Office Communications Directorate.

Hopkins, N. (12/02/2014) “Number of UK war veterans seeking help for mental health issues on the rise”. The Guardian.

House of Commons Justice Committee (3 July 2013) “Women offenders: after the Corston report. Second report of Session 2013-14”. London: The Stationery Office Limited.

King, R. and E. Wincup (eds.) (2008) Doing Research on Crime and Justice (second edition) Oxford: Oxford University Press.

King, S.(2013) “Assisted desistance and experiences of probation supervision”. Probation Journal 60(2): 136 – 151.

Mair, G. (2011) “The community order in England and Wales: Policy and practice”. Probation Journal 58(3): 215 – 232.

Make Justice Work. (2012) “Make Justice Work response to the House of Commons Justice Select Committee Inquiry on Women Offenders – September 2012”.  
www.makejusticework.org.uk

- Maruna, S. and R. Immarigeon. Eds. (2004) *After Crime and Punishment: Pathways to offender reintegration*. Cullompton: Willan Publishing.
- McDermott, S. (2012) "Moving forward: empowering women to desist from offending". London: The Griffins Society Research Paper.
- Mair, G. (2011) "The community order in England and Wales: Policy and practice". *Probation Journal* 58(3): 215 – 232.
- Make Justice Work. (2012) "Make Justice Work response to the House of Commons Justice Select Committee Inquiry on Women Offenders – September 2012".  
[www.makejusticework.org.uk](http://www.makejusticework.org.uk)
- Maruna, S. and R. Immarigeon. Eds. (2004) *After Crime and Punishment: Pathways to offender reintegration*. Cullompton: Willan Publishing.
- McNeill, F. (2010) "Desistance". NOMS Conference.
- Ministry of Justice Analytical Series (2013) "Gender differences in substance misuse and mental health amongst prisoners. Results from the Surveying Prisoner Crime Reduction (SPCR) longitudinal study of prisoners.
- Naffine, Ngaire. (2003) "The "Man Question" of Crime, Criminology and Criminal Law". *Criminal Justice Matters* 53 (1): 10 – 11.
- Owens, E. (2010) "Exploring the experiences of minority ethnic women in resettlement: What role, if any, does ethnic culture play in the resettlement of black (Afro-Caribbean) women offenders in the UK?" London: The Griffins Society.
- Padfield, N. (2012) "Recalling conditionally released prisoners in England and Wales", *European Journal of Probation* 4(1): 34-45.
- Prison Reform Trust (2011) *Reforming Women's Justice: Final report of the Women's Justice Taskforce*. London: Prison reform Trust.
- Pryce, Vicky (2013) *Prisonomics: Behind Bars in Britain's Failing Prisons*. London: Biteback publishing Ltd.
- Pryce, Vicky (2013) "Prison clearly does not work", *The Guardian* 30 October: 10 – 11.
- Revolving Doors Agency (2011) *Counting the Cost: The financial impact of supporting women with multiple needs in the criminal justice system*. London: Revolving Doors Agency.

Shapiro, F. (2012) *Getting Past Your Past: Take control of your life with self-help techniques from EMDR therapy*. New York: Rodale.

Stanley, S. (2009) "The use of the community sentence and the suspended sentence supervision order for women", *Probation Journal* 56(4): 362-378.

Stern, V. (2009) "Reforming Justice for women: a century of struggle", *Probation Journal* 56(4): 451-456.

Storer, K. (2003) "A New Probation Partnership? Working with women to improve compliance with community sentences". London: The Griffins Society.

Van der Volk, B. (2001) "The Assessment and Treatment of Complex PTSD". Chapter 7 in *Traumatic Stress*, ed. R. Yehuda. American Psychiatric Press.

Van Voorhis, P. (2012) "On Behalf of Women Offenders: Women's Place in the Science of Evidence-Based Practice". *American Society of Criminology* 11(2): 111-145.

Walker, P. (2013) *Complex PTSD: From Surviving to Thriving*. An Azure Coyote book.

Worrall, L. and L. Gelsthorpe (2009) "What works with women Offenders: the past 30 years", *Probation Journal* 56 (4): 329-345

## Appendix A: Chronology of the obstacles encountered during this research

This project started in October 2012 and was due to be completed by October 2013. However, I encountered difficulties that were unprecedented in the history of the Griffins Society and these are detailed in sequence below:

November 2012: Nicola Padfield introduced me, by e-mail, to the Director of HMP Peterborough and asked permission to interview 20 women currently serving a sentence for breaching a community order. The Governing Governor is able to give permission on their own discretion and we thus hoped to avoid the need to apply for NOMS approval via IRAS (Integrated Research Application System), a notoriously lengthy process. However, the Director was not prepared to do this and therefore an IRAS application was made with attached drafts of the Information Sheet, Consent Form and semi-structure questionnaire to be used in the proposed interviews.

January 2013: There was no response from either HMP Peterborough or NOMS and thus members of the Griffins Society agreed to pursue on my behalf. In the meantime I continued with the literature review, mapped out the breach journey and probation processes and collated a vast amount of data on women and breach from my own trust and the Just Women Project in Leicester.

March 2013: There was still no response so, at a Griffins Society panel meeting, I requested permission to approach HMP Holloway or to work on a Plan B involving my own probation trust. Holloway would not link back to local trusts but would house a large number of women who fit the research criteria. I had reservations about Plan B due to the difficulties in accessing women who had disengaged with probation, issues over where to interview so the women were in a neutral and safe environment and a potential clash of interest if researching within the trust who employed me.

The Griffins Society agreed to me to request permission from Holloway but also had strategies by which it was hoped that a positive response from Peterborough could be invoked.

Permission to undertake the research was requested from HMP Holloway.

June 2013: Despite Griffins intervention silence remained from HMP Peterborough. However, HMP Holloway did respond but, again, were not prepared to give permission.

They wanted NOMS approval but they also stated that interviewing 20 women would be too resource intensive.

In the meantime there was no response from NOMS. Again the Griffins Society pursued this on my behalf. Apparently the NOMS Research Board was re-structuring and tightening the criteria for approving projects. But they agreed to review my application on 11<sup>th</sup> July.

July 2013: No response from NOMS so again the Griffins Society chased this up on my behalf. I was advised to contact several people who could potentially access women within the target group. I followed up these contacts including one to Jackie Russell, Women's Breakout. Jackie responded swiftly and said she had forwarded my request to the Women's Community Services.

NOMS contacted me on 3 occasions during the following month asking for further information and assurances.

August 2013: 10 months after applying for NOMS approval this was finally granted! However, there was a caveat of conditions attached including one to discuss my proposals with a lead statistician in the MoJ. This took place but, whilst it was conceded that women "seem to suffer from poorer mental health" than men and were more likely to be "sole caregivers of children", the stance was that the needs of both genders were similar and that women were "sentenced to prison for more serious offences than men" and generally are not "sentenced as harshly as male offenders". Clearly this contradicts a historical wealth of data and does not address the fact that poor mental health and caregivers will, by definition, be disproportionately disadvantaged.

The other recommendations were that I should avoid using material from my own trust due to the potential clash of conflict. Whilst this mirrored my own concerns, this effectively pulled the plug out from the volume of information I had accrued. And it was also suggested that I track back, after identifying the women to be interviewed, and read the probation records and reports and interview the offender managers and magistrates involved. This was indeed an excellent idea and one which I included in my original proposal. However, this would demand time and resources well beyond the scope of this study. This would be feasible if I used cases from my trust but this would go against another NOMS recommendation and would also necessitate HMP Peterborough conceding to my request. Hopefully future research will build upon this study and explore the entire breach journey in more depth. However, this had long ceased to be an option. But I forwarded the NOMS approval to HMP Holloway with an amended request, bearing in mind their initial reservations, to interview 10 women. I hoped that Women's Breakout could help me access a further 10 women from the centres.

September 2013: HMP Holloway replied to say that they could not agree to the research because even the revised number of women would be too resource intensive. At this stage desperation set in and I went on a “fishing expedition”. I forwarded the NOMS approval and research information pack to a further 6 prisons:

HMP Low Newton

HMP Eastwood Park

HMP Foston Hall

HMP New Hall

HMP Styal

HMP Drake Hall

October 2013: This was the month I had intended to have completed the research and submitted the finished paper. But I had yet to interview a single woman. However, HMP New Hall responded with enthusiasm agreeing to the request and expressing interest. And the Hull Together Women Project also contacted me agreeing to arrange interviews. For this to occur, however, I needed permission from the local probation trust. I thus sent the information and request to the CEO.

November 2013: No further response was received from either New Hall or Hull. Yet again the Griffins Society had to pursue on my behalf. Apparently New Hall remained keen but the individuals designated to organise these had been off sick and on leave. I was put in contact with the person who would co-ordinate the interviews and we arranged information sharing and prospective dates in January 2014.

I also received permission from the CEO that I forwarded to Together Women. Again we arranged prospective dates in January 2014.

December 2013: Follow up emails and phone calls, to firm up details and agree on dates, remained unanswered and I was beginning to fear that the trail had run cold.

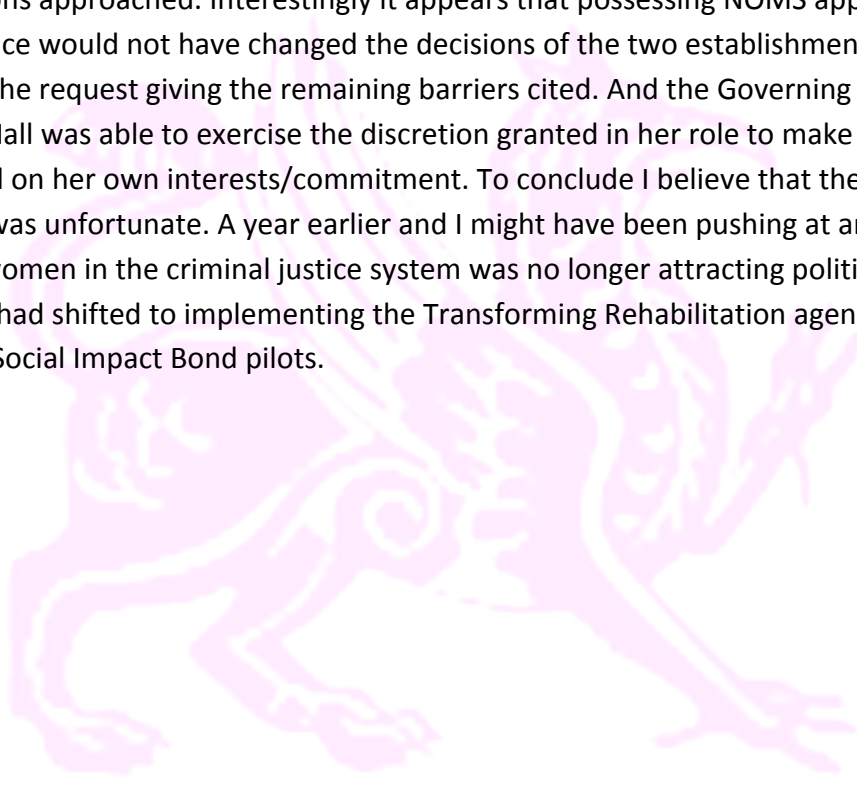
January 2014: The New Year started with no response and me pursuing the leads again. But a breakthrough moment arrived with 3 emails received on 14<sup>th</sup> January:

1. New Hall prison confirmed that I could interview 10 women over a 3 day period the following week.
2. Together Women confirmed that I could interview 5 women in two weeks time.
3. HMP Foston Hall replied to say that they were considering my request and asked for more information. This excitement was short-lived as they quickly responded

refusing permission on the grounds that it would be resource intensive, I did not have ethical clearance and it would be difficult to identify women who fell into the target group. This is interesting in itself given the actual experiences in New Hall described in Chapter Four.

The month ended with me having interviewed 15 women, transcribed the interviews and, 15 months after beginning the fellowship, finally starting the research process.

I had approached 8 prisons, received two refusals, one acceptance and five no responses. I had began the research concerned about the invisibility and lack of voice given to female prisoners but discovered that as a professional worker I had little voice and was invisible to most institutions approached. Interestingly it appears that possessing NOMS approval and ethical clearance would not have changed the decisions of the two establishments who turned down the request giving the remaining barriers cited. And the Governing Governor of HMP New Hall was able to exercise the discretion granted in her role to make a positive decision based on her own interests/commitment. To conclude I believe that the timing of this research was unfortunate. A year earlier and I might have been pushing at an open door but plight of women in the criminal justice system was no longer attracting political interest and the focus had shifted to implementing the Transforming Rehabilitation agenda and assessing the Social Impact Bond pilots.





## **Appendix B**

### **Semi-structured interview**

Thank you for agreeing to participate in this interview. I cannot affect decision-making in your case but I hope that the findings that come out of this research will help improve practice in the future. I am mainly interested in why women breach community orders and why so many women are imprisoned for breach. I am looking at the decision-making process which led to you being breached. The questions I am asking will be general, but feel free to draw on actual examples in your answers.

### **Original Sentence**

1/ Did you understand what was expected of you when you were given the sentence at Court?

2/ Did you agree with the order given and any requirements that may have been attached to it?

3/ When you met your probation officer did they explain what you could expect from the order ? What was expected from you? And the possible consequences if you did not report or behave as directed

4/ Do you think your probation officer was flexible in making appointments? Did they take into account your responsibilities and needs when arranging times and dates?

**Working with your probation officer**

5/ How would you describe your relationship with your probation officer?

6/ Did you find the help of your probation officer useful? What were the most useful parts? What were the least useful parts?

7/ Do you think your needs and problems were understood and/or taken into consideration by your probation officer?

8/ At the start of your order did you think that you would be breached? If so, why?

9/ Were there any needs or issues, specific to you as a woman, that you think were overlooked?

10/ What could your probation officer have done to help you stick to the conditions of your order?

11/ Is there anything else that could have helped you to stay on the order?

**The Breach Process**

12/ Did your probation officer make it clear that you were likely to be breached? Were you given any warnings?

13/ Did you understand why you were being breached? Did you understand the process that this involved?

14/ Do you agree that you breached the order? Do you think your breach was fair?

15/ What went well on your order?

16/ What went less well?

17/ Why do you think that the court decided to send you to prison for this breach? Do you think this was a fair decision?

### **General Comments**

18/ What do you think are the main reasons for having the breach process?

19/ Would the possibility of breach make you more likely to stick to the terms of your order ?

20/ Has the experience of being breached effected how you think about probation? And will it impact on how you behave now and on release?

21/ Is there anything else you would like to add?

**Thank you and good luck!**



## Appendix C

### INFORMATION SHEET



### Information regarding a research project exploring women's experiences of supervision on community sentences.

I am inviting you to take part in an important research study about women's views on supervision on community orders. The following information will tell you more about this and what will be involved if you decide to participate. It is important that you understand what is in this leaflet before agreeing to take part.

It is YOUR choice whether or not you take part.

#### What is the research about ?

Sue Jordan works as a Senior Probation Officer but is now doing some research for the Griffins Society. This organisation sponsors research into the experiences of women in the Criminal Justice System and aims to improve both awareness and practice. The research is separate to Sue's role in probation.

The research aims to find out more about women's experiences of being supervised on a community sentence and, in particular, if Women's Community Centres are more responsive to women's needs. The purpose of the study is to ask women how they feel about their court orders, what has helped them to change their lives and/or what has not worked well.

**What would I need to do?**

I would like to interview individual women about their personal views of community sentences and Women's Community Centres. This will be a one-to-one interview and you can stop the interview at any time. You do not have to answer a question if you don't want to. You are FREE TO CHANGE YOUR MIND at any time during the interview.

**Are there potential risks for me in taking part in this study?**

No. Your access to help and support will not be affected in any way if you take part in this research. I will not be able to offer you advice, guidance or counselling. If you would like any help with difficulties, I would have to refer you back to staff within probation or the women's centre.

**What happens to the information I provide?**

Any information you give me will only be used for the research. Nothing you say will be shown to workers in probation or at the women's centre. Anything you say will be completely anonymous. No-one will know your name or be able to identify who you are.

**What happens if I want more information about the study?**

You can ask me questions at any time. If you want to get in touch you could ask your worker in the women's centre or probation to contact me on your behalf.

You can also find out more about The Griffins Society at <http://www.thegriffinsociety.org/>

## Appendix D



### CONSENT FORM FOR WOMEN PARTICIPATING IN THE RESEARCH PROJECT EXPLORING WOMEN'S EXPERIENCES OF THE BREACH PROCESS

**Interview Name / Number**

**Date**

I have just read/been read the attached information sheet and understand that this research project is to find out more about women's experiences of being breached for not complying with a community order.

I agree to be audio recorded during the interview. I understand that the original recordings will be deleted after being transcribed within two years. The researcher will ensure that I cannot be identified in any way. All information about me will remain anonymous and confidential.

I understand that I am not being given any advice, counselling or treatment during the interview.

I understand that the decision to participate, or not participate, in this research will not have any effect on any decisions made regarding my sentence.

I understand that nothing I say will be shown to the prison or a probation trust.

I understand that if I give detailed information about undetected criminal offences or plans to cause harm to an identifiable person this may require the researcher to share the information with the appropriate professionals.



Any requests for further information, or any queries or complaints should be directed through your prison establishment.

I understand that I can stop the interview at any point for any reason if I do not want to continue. I can also choose not to answer any questions.

I give my full consent to participate in this study.

Signature: .....

Print name:.....



## Appendix E Thematic Analysis

Theme	Nicky	Bella	Sara	Gail	Scarlett	Donna	Bailey	Martina	Carla	Kate	Ellie	Diane	Emily	Lucy	Tina
PTSD	X	X			X	X			X						
Mental health issues	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Significant distance from hostel/office	X	X		X	X	X									
DV	X	X	X		X		X	X	X	X	X	X	X		
Childhood abuse	X	X				X		X	X	X	X	X		X	
Rape	X	X	X		X	X			X					X	
Homelessness	X	X	X	X	X	X	X	X	X		X	X	X		
Alcohol abuse	X	X	X	X		X	X	X	X			X	X		
Illegal drug use	X	X	X	X	X	X	X	X	X	X		X	X	X	X
Female only environment preferred	X	X	X	X	X	X	X	X	X	X	X	X	X		X
Felt judged by probation staff	X	X	X	X	X	X	X			X		X		X	
Prostitution	X				X			X		X					
Prison as positive alternative	X	X	X	X	X	X	X	X			X	X			
Lost custody of children	X	X		X	X			X	X		X	X			X
Parent/died/murdered	X		X					X	X	X		X	X	X	
Perception of fairness	X	X	X		X	X	X	X	X	X	X	X	X	X	

ENDS