

The Use and Gendered Impact of Short-Term Sentences on Women.

Rose Thorp

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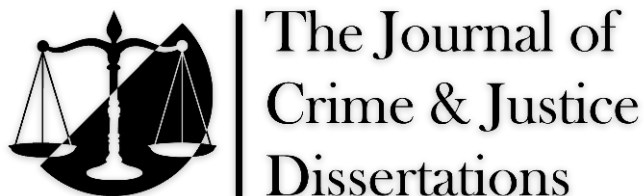
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Abstract

Short-term prison sentences are disproportionately handed to women, specifically for low-level and persistent offending. Too often short sentences cause long-term damage to women's and their families lives, and avoidable disruption is caused. Short sentences interrupt any community support women may have been receiving and make it incredibly difficult to successfully engage in rehabilitative services in prison. Limited positive change can take place when short sentences are being served and this is resulting in re-offending, and consequently short sentences are being used as a response and the cycle continues.

This research paper will explore the use and gendered impact of short-term sentences on women and argue that despite the excessive use of them for women, there appears to be more disruption taking place and not enough rehabilitation.

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Chapter 1: Introduction

Women in prison account for only 4% of the prison population in England and Wales – in March 2024 this correlated to 3,619 female prisoners in comparison to 84,080 male prisoners (Ministry of Justice, 2024). Historically, women have always been the minority in the prison population, which has resulted in criticisms relating to their gendered needs, challenges and experiences being overlooked or marginalised (Feeley and Little, 1991; Corke 2019; Masson, 2019). That being said, this topic is not unknown and academic research has been conducted, yet when considering the importance of such an issue, there appears to be a shortage of research and attention given to this topic (Corke, 2019; Hedderman et al, 2011). Women are more likely to commit less serious offences and when sentenced, given shorter terms in prison. In 2022, 53% of women were serving a sentences of six months or under, compared to 37% for men (Prison Reform Trust, 2023). This research project has been designed to achieve a deeper understanding on the use and gendered impact of short-term prison sentences on women and consider suitable and more effective alternatives to short-sentences.

This research will begin with a literature review which will gather secondary research (Corke, 2019; Masson, 2019; Baldwin and Epstein, 2017; Lise, 1994;) to provide a greater understanding on the use and gendered impact of short-term prison sentences on women. The literature review will examine the ways in which gender roles can negatively affect women in prison and consider how that has impacted on research into this area (Corke, 2019). It will discuss the excessive use of short-sentences and the types of offences women are being sentenced to short-sentences for (Prison Reform Trust, 2023). This literature review will also delve into why short-sentences are used so often with women and discuss the damage and disruption they cause and examine whether they can be effective in women's rehabilitation (Corke, 2019; Baldwin and Epstein, 2017). Additionally, the impact the Covid lockdown had on women in prison will be considered. It will examine the responses by the government to issues surrounding women in prison and the use of short-sentences and look into whether any positive changes have taken place (Women in Prison, 2022; Webster, 2023). The research will highlight and emphasis the gendered needs and experiences of women by exploring; the role that domestic abuse often has in women's offending and analyse this through the context of the victim-offender nexus (Reingle, 2014; Corston, 2007), the implications that short-sentences can have on children with a mother in prison (Minson, 2019), the pains of imprisonment that are specific to women (Shammas, 2017; Masson, 2019), and those highlighted back in 2007 in the Corston Review (Masson, 2019; Corston, 2007; Gullberg, 2017). Following on from the literature review, there will be a section on

methodology, and this will include details on the method adopted to gather research, the purposive sampling framework which allowed for the recruitment of six participants from a range of professions and roles that work with female offenders, and the importance of ethics. Thematic analysis resulted in the identification of four themes, 'Motherhood', 'Vulnerable Population', 'Ineffectiveness of Short Sentences', and 'Community not Custody'. These will be presented and analysed in the Findings and Analysis chapter. Finally, this research will finish with a conclusion and recommendations.

Chapter 2: Literature Review

2.1 Introduction

This literature review will explore the disproportionate amount of short-term prison sentences that women are handed. In 2019, 15% of women in custody were handed a sentence of less than 12 months, in contrast to 6% of men (House of Commons, 2022). It will also consider the harm that short-term prison sentences do to women and will discuss the disruption to women's lives as a result of short sentences (Baldwin and Epstein, 2017; Howard League, 2022; Vaswani, 2019). It will examine the experiences of women in prison and the struggles they have faced and continue to face, including, experiences of domestic abuse and mental health struggles (Corston, 2007; Baldwin 2017; Social Exclusion Unit, 2002). Furthermore, the support or lack of support provided to women in prison will be critically analysed in relation to how effective it is on their rehabilitation, specifically for women serving short sentences. It will further explore the alternatives to short-term prison sentences for women, and this is particularly imperative given that the nature of offences that the majority of women are sent to prison for are non-violent offences (Webster, 2021).

2.2 Women in Prison

Crime has predominantly been viewed as a "male phenomenon" (Feeley and Little, 1991:723) and as a result of this notion, the amount of research into the specific needs of female prisoners is noticeably lower than for male prisoners. Corke (2019) identified that the significantly lower number of women in prison, in comparison to men, could be a major contributing factor, given that only 4% of the prison population is female compared to 96% being male (Corke, 2019; Ministry of Justice, 2022). Additionally, the gap in research could be understood through the history of gender roles, which has impacted on how women are expected to present and behave. Traditionally, a woman should be feminine which alludes to her being weak, emotional, caring, and a housewife. Whereas, for a man to be masculine he should present as strong, aggressive, logical, and the breadwinner (Bailon, 2019). Therefore, the behaviours that traditionally align with masculinity and femininity has meant that offending behaviour appears more shocking among women than it does men (Corke, 2019).

Women in prison face additional judgement which often stems from traditional gender norms, and these have contributed to the double deviance theory, which was first put forward by Heidensohn in 1985 (Lise, 1994). This perspective refers to the way that women who have committed a crime are viewed, not only have they committed an offence that goes against the law, but they have also strayed

from the norms and values of what society expects of a woman, making them doubly deviant (Malon, 2020). Ideas such as these can have extreme consequences on mothers in prison as they often get placed in the category of being an irresponsible mother, unlike male prisoners (Lise, 1994). Further research into the consequence of that label has shown that an enormous amount of emotional trauma is felt by mothers in prison, along with the difficulty of the separation from their children, they often feel like they have failed as a mother (Baldwin, 2017).

The female prison population has increased over the past 30 years, in fact it has doubled since 1993 and as of January 2022 it stood at 3,186 (Prison Reform Trust, 2022). However, this has increased further and in the first week of October 2023 the female prison population was 3,604, and the Ministry of Justice have stated they expect this number to increase even further to 3,800 by the end of 2024 (Prison Reform Trust, 2023). Despite this increase, 72% of women are serving a prison sentence for a non-violent offence (Prison Reform Trust, 2022) and tend to receive custodial sentences for “low-level but persistent offences” (House of Commons, 2022:22). Furthermore, women are being convicted of theft (shoplifting) offences, which make up 36% of custodial sentences under six months that are given to women, compared to 16% for men (Prison Reform Trust, 2023).

Women entering the prison system are a vulnerable population, many of whom have suffered abuse during childhood and throughout adulthood and those types of experiences are extremely likely to have contributed significantly to their offending behaviour (Baldwin, 2017). It is estimated that nearly 60% of women who are involved in the criminal justice system, whether it be community supervision or in prison, have been the victim of domestic abuse, and that abuse can come in different ways, including coercive control (Ministry of Justice, 2018). The line between women in prison being an offender or being a victim can often become blurred and it is extremely likely that there will be a victim-offender overlap (Rumgay, 2005). The victim-offender overlap challenges the idea that there is a dichotomy within the criminal justice system, meaning an individual can only exclusively be a victim or an offender, yet evidence has shown this is often not the case (Reingle, 2014).

Women in prison have often ended up there as a direct result of their experience of domestic abuse. In the Corston Report (2007) it was established that the reasoning for some women’s involvement in crime was due to being coerced by men (Corston, 2007). This could include a male partner or relative coercing a woman into getting involved in a crime by using the threat of abuse if she refused, and some women (48%) commit an offence to fund the addiction of their abuser (Prison Reform Trust, 2017). Further examples include, being forced into taking responsibility for an abuser’s crime or hiding an abuser’s weapon for them (Working Chance, 2021). Although being the victim of domestic abuse may

be taken into consideration as mitigating circumstances, it would require that woman to disclose her experience of abuse and then detail her experience at trial, which can often retraumatise women (Howes, 2021).

2.3 Short-Term Sentences Served by Women

Women are more likely to be sentenced to short custodial sentences (less than 12 months), and at the end of June 2022, 17% of females were serving sentences of under 12 months, as opposed to 7% of males (Ministry of Justice, 2022). The excessive use of short-term prison sentences handed to women is largely due to the low-level offences that are committed by women, and therefore their sentence reflects that (Corke, 2019). Considering the low-level offences that women are being given custodial sentences of less than 12 months for, it could be argued that the sentence is correct and proportionate and therefore there is no issue surrounding their sentences (Corke, 2019). However, the excessive use of short sentences given to women does not align with the sentencing framework set out in the Criminal Justice Act 2003 section 152(2), which explains the use of custodial sentences are required to only be passed if the offence is so serious that a fine, unaccompanied by a custodial sentence, nor a community sentence can be justified for the offence (Criminal Justice Act 2007).

Sentences of less than 12 months that are given to women, may be viewed as lenient punishments and this idea is often influenced by the chivalry hypothesis which was coined by Pollak in 1950. This puts forward the impression that criminal justice responses are more lenient to women than they are to men due to the criminal justice system (CJS) being, historically, dominated by men (Jeffries and Bond, 2013). This idea was also supported by additional criminal justice scholars including, Anderson (1976), and it was explained that women receive less harsher responses from the CJS due to being perceived as the weaker gender and behaving more unreasonably (Grabe et al, 2006). The chivalry hypothesis further suggests that women receive lenient prison sentences on the basis of women generally being the primary guardian of children (Chase, 2008). However, criminologists who come from a feminist perspective have questioned the chivalry hypothesis and Chesney-Lind (1999) put forward the idea that the harshness of punishment by the CJS towards women is influenced by whether the offence falls outside the norms of femininity, for example, violent offences or the involvement of children (Chesney-Lind, 1999; Grabe et al, 2006). Further criticism towards the chivalry hypothesis has come from Heidensohn (1985), stating that the CJS not only judges a woman for her crime but also for not adhering to traditional gender roles, especially if the crime is of a sexual nature (Lise, 1994). Though, it should be acknowledged that short prison sentences may be viewed as being lenient punishment, however, the damage and distress that they cause to women should not be underestimated and a study carried out

by Baldwin and Epstein (2017) reinforced the negative impact short sentences can have. It became clear that during the short time in prison, women lost their accommodation, suffered psychologically post release, and were left with damaged relationships with their children (Baldwin and Epstein, 2017).

Short prison sentences can often be harmful to women in more ways than one and it is not uncommon for women in prison to already be living turbulent lives and once involved with the CJS the struggles in their lives often become heightened (Baldwin and Epstein, 2017). Sending a woman to prison, even for a short period of time, can have a damaging effect on her life and this is commonly seen through her losing a job, accommodation and consequently losing custody of her children (Howard League, 2022). Short prison sentences can also make it difficult to effectively rehabilitate women, given that many of these women require support for multiple issues, including, mental health struggles, domestic abuse, and addictions, and in a report by the Social Exclusion Unit it was found that over 50% of female prisoners had taken drugs in the year previous to being in prison. Consequently, their short time in prison does not allow them to appropriately address those issues (Webster, 2018; Social Exclusion Unit, 2002). Programmes to address the reasoning for their offending behaviour or work and education opportunities are not always made available for those serving short sentences, often due to long waiting lists (Howard League, 2011). Short-term custodial sentences have been described as being “long enough to be disruptive, but not long enough to rehabilitate” (Mills, 2019:2).

When these issues are not dealt with, it often leads to re-offending, and 73% of women sentenced to custody for less than 12 months are back in prison within only a year of release and this increases to 83% for women who have spent time in prison on more than 11 occasions (Prison Reform Trust, 2022). The high rate of re-offending is often the consequence of the disruption that short sentences cause to women’s lives and a huge part of that disruption is the separation from their children (Vaswani, 2019). Maintaining contact with family and children can be crucial in ensuring those in prison do not go on to re-offend, it is recognised that those in prison who regularly get visits from family are less at risk of re-offending by 31%, compared to prisoners who do not get visits (Prison Reform Trust, 2021). However, for women in prison and their families it often becomes a huge obstacle to regularly see each other due to the traveling distance (Social Exclusion Unit, 2002). There are far fewer female prisons and consequently, 63 miles is the typical distance from the prison to where the woman previously lived (Prison Reform Trust, 2021). It is acknowledged that women are more likely to be the primary carer for their children and HM Inspectorate of Prisons found that more women than men in prison had a child who was under 18 years of age (House of Commons, 2022). It has been estimated that around 17,000 children bear the consequences of having a mother in prison every year (Prison Reform Trust, 2023).

This is often seen through the removal of children from their home, children who have a father in prison are more likely to continue living at home, but this is not as likely for children who have a mother in prison, with only 5% remaining at home (House of Commons, 2022; House of Commons, 2021). Children experiencing life with a mother in prison can often feel like they are grieving, although their mother is alive, they are suddenly absent from their life, and it may be unclear when they will be home again (Minson, 2019). For some children they may cope with the trauma by keeping their feelings of sadness and anxiety to themselves which often leads to them isolating themselves, experiencing nightmares, and suffering emotionally. Whereas some children will experience feelings of anger and frustration and project that onto other people (Myers et al, 1999)

There is a disproportionate number of women on remand and in 2019, 46% of women who entered prison were held on remand whilst awaiting sentencing (Howard League, 2020). This is an overwhelming number of women when taken into consideration that close to 9 in 10 women who are held on remand are considered as low to medium risk on the seriousness of harm they pose (Ministry of Justice, 2018). The Bail Act 1976 is often used to justify holding women on remand, under the premise that it is for their own safety. However, being in a prison environment can cause more damage and in turn be more unsafe for them (Prison Reform Trust, 2021). Research has found that remand prisoners are more inclined to experience psychosis and suffer from neurotic illnesses (Social Exclusion Unit, 2022) Further research shows the consequences of holding women on remand and in 2020 17% of self-harm cases were carried out by women on remand (Prison Reform Trust, 2021). Therefore, to avoid causing additional psychological suffering or disruption to their lives, there has been recommendations to manage these women in the community rather than remanding them in custody (Howard League, 2020).

2.4 Pains of Imprisonment for Women

The needs of women in prison and the treatment necessary for women in prison differs considerably to those of men and yet appropriate support for women continues to be an afterthought (Justice Inspectorate, 2023). With this in mind, the male estate also requires many improvements and men in prison are, without doubt, victims of injustices and as a whole, the CJS is in dire need of reforms (Corke, 2019). To understand the main struggles that prisoners as a collective face, Gresham Sykes, an American criminologist, in 1958 famously identified five core types of deprivation and these consist of: the removal of liberty, goods and services, heterosexual relationships, autonomy, and security (Shammas, 2017). Sykes describes these as being the 'pains of imprisonment' and this refers to the mental pain that is experienced by those in prison as a result of those five deprivations. The analysis by

Sykes is an acknowledgment that imprisonment can cause psychological damage as well as physical damage (Crewe, 2011). The deprivation of those five areas impacts on male and female prisoners, however, the pains of imprisonment are often experienced more intensely for women due to the specific vulnerabilities and needs of women (Masson, 2019). For example, in 2019 it was disclosed that over half of incarcerated women had experienced psychological, physical, or sexual abuse during childhood, furthermore, 57% revealed experiences of domestic abuse during adulthood (Howard League, 2022). Research has also found that 40% of women expressed suffering with their mental health on admission to custody, compared with 25% of men. Additionally, 25% of women stated they were struggling with substance misuse on admission to custody, compared with 13% of men (Prison Reform Trust, 2022).

The pains of imprisonment that are specific to women is also seen through the high numbers of self-harming that takes place in the female prison estate, and with data collected by Sandra Fieldhouse, the team leader for women at HM Inspectorate of Prisons, it was found that incidences of self-harm in HMP Eastwood Park, a women's prison, had increased by a staggering 128% in the space of three years (Justice Inspectorate, 2023). To better understand the reasoning for self-harm being such a prevalent issue amongst the women's estate, it needs to be recognised that many of these women's lives are overwhelmed with chaos involving drug and alcohol addictions, homelessness, and mental health struggles (Justice Inspectorate, 2021). It has been found that 15% of female prisoners have spent time in a mental hospital before imprisonment, and 37% of female prisoners have attempted suicide in the past (Social Exclusion Unit, 2002). Trauma among women prisoners is often the consequence of suffering abuse during their childhood and adulthood and many women will have been victims of other forms of mistreatment throughout their lives, all of which can leave these women feeling extremely traumatised (Justice Inspectorate, 2021).

2.5 Specific Needs of Women in Prison

The inequality that women in prison face is nothing new and in 2007 the Corston Report made clear the need for a woman-centred approach to be able to effectively support these women and the vulnerabilities that they present with (Corston, 2007). The way women in prison are treated should always be in line with human rights standards to ensure discrimination is not taking place, however, it is crucial to acknowledge that providing men and women with equal treatment does not lead to equal results due to the differences in vulnerabilities and needs (Justice Inspectorate, 2014). The review by Corston uncovered just how vulnerable women in prison are and after extensive research and time spent in multiple women's prisons, Corston witnessed that the majority were mothers, had drug and

alcohol addictions, looked very withdrawn, were victims of different forms of abuse, did not have control within their own lives, self-harmed, struggled with their mental health, and were poor (Corston, 2007). Corston recommended that “women must never be sent to prison for their own good, to teach them a lesson, for their own safety or to access services such as detoxification” (Gullberg, 2017:14). The call from Corston in 2007 to never use prison as a way to shock women out of committing crime, has been echoed in the words of other individuals involved with women in the CJS. A practitioner at Birmingham’s Centre for Women explained that short sentences do not deter people from offending, they simply aggravate the likelihood of continued offending and described them as being “counterproductive” (UK Parliament, 2021:1).

2.6 Isolation of the Already Isolated

Women in prison are a vulnerable population, many of whom are dealing with poor mental health, self-harm, and drug and alcohol addictions (Ministry of Justice, 2020). With the loneliness and isolation of imprisonment, women’s struggles often become exacerbated and this became devastatingly worse during the Covid-19 lockdown, which led to prisoners spending 23 hours, sometimes longer, locked in their cells (Prison Reform Trust, 2022). The consequence of these lockdown rules on female prisoners was extremely harmful to their well-being, particularly for women who had previously been the victim of domestic abuse. The removal of their freedom to move outside of their cell can often result in re-traumatisation for women who were forced to stay in their home by their abuser (Prison Reform Trust, 2021). Prior to the pandemic, female prisoners self-harmed at rates five times higher than that of males, however, throughout the pandemic this increased to eight times higher (Howard League, 2022). The substantial increase in self-harming among female prisoners can be understood through their attempt to cope with the isolation, self-harming allowed them to relieve intense feelings of anxiety and loneliness (HM Inspectorate of Prisons, 2021).

2.7 Government Responses

In 2018 the Female Offender Strategy was released in which the Ministry of Justice claimed it would invest more money in community services aimed at supporting women to confront the reasons for their offending and as a result reduce the number of women in courts and custody (House of Commons, 2022). This has, however, not been fulfilled on the scale that was expected, and over the span of four years it has spent £9.5 million on community services compared to £200 million on a further 500 prison spaces for women (House of Commons, 2022). The lack of investment, by the Government, in services in the community for women has caused much frustration for organisations that work closely with women suffering traumas and women caught up in the CJS. The money spent on more prison places

could have gone into services that provide support for women experiencing issues such as, domestic abuse (Women in Prison, 2022). If more money was to be spent on places such as women's centres and services that are able to work with women to divert from offending, it would provide women with greater opportunities to access help for issues such as homelessness, addictions, and trauma (Robb, 2023). The Government, through their own words in the Female Offender Strategy, are aware of this, and by creating and spending hundreds of millions of pounds on additional prison places it appears contradictory to the purpose of the strategy, which was to focus more on providing women with the appropriate tools in the community and have less women in prison (Women in Prison, 2022).

Over the past few years there has been an increase in attention to the excessive amount of short-term prison sentences that women are being given and the harm they cause along with the lack of positive impact they have on women's rehabilitation (Mutebi and Brown, 2023). In response to this issue, Problem-Solving Courts (PSC) have developed, and the premise of this approach is to incorporate the involvement of community services, the courts, and a judge, with the aim of providing offenders with support that is specific to their needs in order to reduce the risk of re-offending (Bowen and Whitehead, 2015). In 2014, Manchester and Salford launched the women's PSC, and this allowed for a more gender-specific approach rather than a gender-neutral approach, to ensure the support that was being given to women offenders was specific to the recognised vulnerabilities that they present with, for example, drug and alcohol addictions, domestic abuse, and support for mothers (Smith and Whitehead, 2021). It has been revealed that within England and Wales, Greater Manchester has the lowest rates of re-offending among women (Webster, 2023).

As of very recently, the overcrowding in prisons has, undeniably, become a crisis and the prison population now sits at 88,225 and is expected to increase to as high as 106,300 by 2027 (UK Parliament, 2023). On the 16 October 2023, the Justice Secretary responded to this by setting out a series of plans including, those convicted of low level offences being released on licence 18 days earlier than their set date, and legislation to adjourn prison sentences of less than 12 months (Webster, 2023). Overcrowding has become such a worrying concern mainly due to the excessive use of prison for low-level and persistent offenders, over 43,000 people received a prison sentence in 2022, 61% of those were for non-violent offences and 38% of those were to serve a sentence of six months or less (Webster, 2023). The application of these measures, thus far, have seen a reduction of 424 people in prison and has brought the population down to 87,801 in the space of two weeks (Webster, 2023).

2.8 Conclusion

Women in prison have long been overlooked and had their needs disregarded and it appears that this is largely influenced by traditional gender roles. The lack of research into female offenders can be understood through the prison population being predominantly dominated by men and therefore having the prison system be tailored to male offenders (Corke, 2019). However, as Corston explained in 2007, male and female offenders possess different vulnerabilities and require different support for their needs. What is apparent is that the 'pains of imprisonment' are often felt more deeply by women in the prison system (Masson, 2019), many have been victims of domestic abuse, are experiencing mental health struggles, and the majority are mothers. Also, female prisoners are self-harming at rates much higher than males and this got increasingly worse during the Covid-19 lockdown measures (Howard League, 2022). Women's prisons are overwhelmingly filled with women serving sentences of less than 12 months for non-violent offences. Short prison sentences often exacerbate the already chaotic lives of women in prison, cause additional suffering, and create more obstacles in getting their lives back on track and in turn increase the likelihood of re-offending (Webster, 2018). Whilst the government acknowledged this issue in their 2018 Female Offender Strategy and although women's Problem-Solving Courts now exist, the excessive rate of imprisoning people in England and Wales, compared to the rest of Western Europe, has resulted in the government having no choice but to act on the overcrowding crisis (Webster, 2023). As discussed throughout this literature review, non-violent offences, petty crime, and short custodial sentences are particularly topical amongst the female prison estate (Prison Reform Trust, 2022; Corke, 2019). Therefore, it should be expected that the measures implemented by government, to reduce the prison population, will be applied to women, those currently imprisoned and those who come into contact with the criminal justice system in the future.

Chapter 3: Methodology

3.1 Introduction

This section will explain the methodology that has been chosen for this research and discuss the effectiveness of that approach in collecting data to gain a deeper understanding of the research question. Also, the process of selecting participants and the sample size will be discussed. Additionally, this section will outline the process following the completion of the interviews, the use of thematic analysis, and provide a brief description of the job roles of each participant. Finally, the importance of ethics will be discussed and the way they have been upheld throughout this research.

3.2 Research Design

This research has selected a qualitative approach to collect data. Qualitative research is underpinned by interpretivism, and this acknowledges that people's experiences and understandings of the world vary. It is important that the participant uses their own words to express how they interpret an issue or topic to the researcher (O'donoghue, 2006). Qualitative research is concerned with the use of words, and this provides an opportunity to gain a greater understanding of the social world by ascertaining how those who participate in society, experience it (Bryman, 2018). It is aimed at exploring people's behaviours, opinions, attitudes, and the way that people are impacted by what occurs around them (Hancock et al, 2009). This research is focused on carrying out a critical examination of the use and gendered impact of short-term prison sentences on women through the insight of practitioners who work with and support women in prison and in the community. Therefore, the data collected through carrying out qualitative research has been richer and more thorough. Research by (Carr, 2016; Baldwin and Epstein, 2017; Dominey and Gelsthorpe, 2020) adopted a qualitative approach to their research around women in prison and short-sentences.

Within qualitative research, interviews are typically the most common way to collect data, and this comes down to them being carried out by spoken words which gives the opportunity to understand people's opinions and views (Jamshed, 2014). Interviews can be structured; these involve a planned set of questions, and this method rarely provides the opportunity for additional questions, or there is unstructured, which is almost the opposite with it being a freer process to give the interviewer and participant the chance to explore ideas in much more depth (Gill et al, 2008). Then there is semi-structured, and this method was applied to this research, and they were carried out with several practitioners. The reasoning for this method was due to the opportunity they provide for the interview

to develop into further discussions outside the framework of the initial questions that had been formed beforehand (Bryman, 2018). It further provides a more flexible approach to the discussion as it gives the participants the chance to develop their responses and can create pathways for the interviewer to bring up additional themes and ask more meaningful questions (Ruslin et al, 2022). This gives the participant the space to build on their response to create more of an insightful discussion, thus achieving a deeper sense of the matter from the perception of the participants (Kay, 2021). The semi-structured interviews allowed the participants to have a more active involvement in the discussion. By not having precise questions that are set in a specific order, it means the participants have the ability to speak unreservedly and naturally (Carr, 2016). Given that this research was focused on the use and gendered impact of short-term prison sentences on women, from the understanding of semi-structured interviews, they appeared the most suitable method. This was due to the complexity and sensitivity of the topic being researched, and the researcher believed it was appropriate to approach the interviews in a manner that was more casual and conversational, rather than being overly formal. Therefore, interviews were beneficial in achieving the richest data and attaining the greatest insight into the use and gendered impact of short-sentences on women.

It was imperative to the completion of the research to have a true to life and in-depth insight of the way short-sentences are used and their impact on women in prison. To achieve this, six participants were selected, and of this sample two methods were included, the first being purposive sampling, which relates to choosing individuals on purpose, not randomly, with the awareness that they hold the appropriate knowledge on the concerned area of study (Campbell et al, 2020). The second method included is known as snowball sampling, and this is an approach that incorporates networking and recommendations. The participants who had previously agreed to be involved in the research were approached to advise on other suitable participants (Parker et al, 2019). Furthermore, within this research there have been a number of gatekeepers who have made the process of discovering participants significantly smoother than it would have been without their support. The term gatekeeper refers to individuals who have the ability to facilitate the contact between the researcher and potential participants through their access to a specific field (Lamprianou, 2022). Four of the six participants were contacted through email, and two approached in person, all were provided with an explanation of the purpose of the research and asked whether they would be willing to participate in an interview. Once ethical approval had been obtained from UCEN Manchester following a research proposal presentation which included the ethics and participant information form. The proposal also explained how ethics would be applied throughout research, including upholding anonymity of all participants. Then once permission had been granted by each participant, the interviews took place during the month of

December 2023 and January 2024. Three interviews were completed over Teams, two over a phone call, and one in person, the interviews lasted between 30-60 minutes. Each interview was recorded using the voice memos application on the researchers laptop and transcribed onto a word document, each interview was then thematically analysed to discover the main themes that appeared. Thematic analysis is a way of identifying the topics and concepts that repeatedly appear within the data, this happens when the researcher studies and makes links between the data. Once themes are identified, the analysis can begin which focuses on a discussion to understand the meaning of those themes in relation to the research question (Braun and Clarke, 2006). Within this research, themes were analysed and compared with literature that already existed to establish the similarities.

A difficulty that occurred throughout the process of this research was not receiving a response from a couple people who were emailed, and this meant there was the potential for a shortage of participants, however, this was not the outcome. In any future research, it has been recognised that it would be more beneficial to begin contacting potential participants sooner and to contact a greater number of participants.

3.3 Participant Demographic

The participants chosen for this research were based on their experience and knowledge in their field. They were able to offer a unique and meaningful understanding of the lives of women in prison, their struggles and worries, custodial sentence lengths, impact of short-sentences, and their view on alternatives to short-sentences based on their expertise. Underneath provides a brief description of the professions of each participant:

1. A current criminology and criminal justice lecturer with previous experience working in youth justice and adult probation, having spent time working in the community and in custody, including the female prison estate – who will be referred to as ‘Criminology Lecturer’ in the Findings and Analysis chapter.
2. Team Support Co-Ordinator who works to support people in prison and on probation to find training and employment, including within the female prison estate – referred to as ‘Support Co-Ordinator’.

3. Education manager at NOVUS Foundation for Change, which includes delivering learning and skills provision to women and men in prison – referred to as ‘Education Manager’.
4. Learning support practitioner and student support worker, her job includes completing inductions for women first coming into prison to assess the level of learning the woman will begin at once they start education – ‘Learning Support Worker’.
5. Person-centred counsellor within the female prison estate providing support and a safe space for women in prison to talk through their worries whilst in prison and once transitioned into the community, and to understand their traumas as adults and during childhood and find coping mechanisms – referred to as ‘Counsellor’.
6. Criminology lecturer who is the programme leader of criminology and criminal justice. Also, working with NOVUS to provide education for women in prison – referred to as ‘Criminology Programme Leader’.

3.4 Ethical Consideration

Throughout the process of completing research, upholding ethical principles was continually at the forefront. Diener and Crandall (1978), cited in (Bryman, 2018), recognised four key areas that are imperative to maintaining ethics, these include, harm, informed consent, invasion of privacy, and deception (Bryman, 2018). Throughout the research, UCEN Manchester code of ethics has been applied at all stages, and subsequent to obtaining ethical approval from UCEN Manchester, all participants received a participant information sheet and a consent form via email. Only once informed consent had been gained, could the interviews be organised and carried out (UCEN Manchester, 2021). It was acknowledged that given the focus of the research, there would be complex and sensitive topics being discussed, and therefore the interview questions were constructed in a way that would avoid causing upset or stress to any participant. Also, it was recognised that during the interviews, participants may share information that is possibly sensitive about the women in prison who they support. So, to ensure there is minimal chance of anyone being identified, all interview recordings and transcripts have been secured on a password protected device that can only be accessed by the researcher, and the Data Protection Act 2018 has been complied with (Social Research Association, 2020). The nature of the

questions was considered to ensure they remained professional, solely focused on the research topic, and avoided personal questions. Also, participants were reminded of their right to withdraw at any stage of the research, and that their identity is to remain anonymous and to ensure this remains the case, they will be referred to using pseudonyms.

Chapter 4: Findings & Discussion

4.1 Introduction

This section will present the findings from the data that has been collected following the researcher's interviews with practitioners, during which four themes emerged and these will be referred to as 'Motherhood', 'Vulnerable Population', 'Ineffectiveness of Short Sentences', and 'Community not Custody'. Extracts will be used from the data to obtain a deeper understanding of the use and gendered impact of short-term prison sentences on women.

4.2 Motherhood

Practitioners who were interviewed conveyed that women in prison who were mothers were exposed to additional emotional turmoil:

"there is a wider impact for women, more so than men, usually they are the caregiver for their children ... the shame they carry and the trauma it results in for the women and their children is much greater among the female prison population", (Education Manager).

Additionally, the struggle for women in prison who are leaving behind children was discussed further and it became clear that it is vital for mothers to remain with their children. The consequence of imprisonment for mothers can be irreversibly damaging, the absence of a woman's child, unsurprisingly, can leave her feeling particularly hopeless:

"In society men are more likely to commit suicide, but that is the reverse in prison, and you have to look at why that is, in the community you have got a mother, and her biggest protective factor is her children, remove them away from her and it is a recipe for disaster", (Criminology lecturer).

"Often there is no hope for these women, they are told their children will be adopted. It's a one strike and you're out, rather than we are putting these children with a foster family, and you sort yourself out and get your children back", (Counsellor).

Practitioners observed that the hopelessness and distress by mothers in prison appeared to be, but not exclusively, felt more deeply by those on a short-sentence:

“In a way there is less pressure on the women that are there for longer ... when you are there for shorter it's more immediate and panicky”, (Criminology Programme Leader).

Those women are aware that for the short period of time they are in prison there will be significant changes happening on the outside and those changes are out of their control, despite them having a substantial impact on her and her family's life:

“Women ... are worrying about what's going on at home? Where are the kids? Am I going to get the kids back? Am I going to come out? Am I going to be homeless? What challenges am I going to face?”, (Criminology Programme Leader).

“These few weeks sentences mean women are potentially losing their accommodation ... losing their children and links with their families”, (Counsellor).

It has become evident that the imprisonment of mothers, most of which have committed a non-violent offence – 72% of women (Webster, 2021), causes more harm to the woman and her child(ren) in the long run and costs more to society, than the harm that was caused by her offending (Baldwin and Mitchell, 2022). One practitioner who is a counsellor in a woman's prison heard first-hand the long-term damage of imprisoning mothers. One particular woman in prison, whose crime was drug-related, gave birth to twins in prison and immediately was separated from them, yet was released from prison soon after. This woman was able to visit her children in a contact centre for a year and a half however, it was then conveyed to her that it was very unlikely she would achieve custody of them. This woman had left prison and had something to work towards, she was motivated to remain clean from drugs and stay on the right path to get her children back, however, her previous imprisonment had damaged her opportunity of that:

“With that realisation, she relapsed with drugs because she felt like there was no point in doing all that work if she wasn't getting them back”, (Counsellor).

The scenario above is a common experience of imprisoning a woman for a short time and disrupting her opportunity of mothering. For social workers, that woman was deemed an unsuitable mother to her children for having spent time in prison, regardless of her willingness and proof of change, the consequence of imprisonment was stigma and rejection (Morgan and Leeson, 2023). The simple fact that a mother has spent time in prison will often mean she is portrayed as a less than deserving mother (Lise, 1994; Baldwin, 2017). It should be acknowledged that the safety and the rights of children must come first and if it appears that they are at any risk of harm, it is crucial for professionals to act accordingly to safeguard any child (Minson, 2018). However, if that is not the case, the separation can be extremely harmful and having a member of the household in prison is included in the ten adverse childhood experiences (ACEs) (Prison Reform Trust, 2018). Children with a mother in prison often experience feelings of grief, anger, and shame and it can be difficult to understand the grief side of it, although their mother is still alive, she is suddenly absent from their life, and it is unclear when she will return (Minson, 2018).

It cannot be ignored that such critical labels that are given to women in prison who are mothers comes down to gender norms. There is more pressure on mothers, compared to fathers, to be present within their child's life and greater expectations that women would never jeopardise her role as a mother (Masson, 2019). When circumstances lead a mother to prison, it has such detrimental impacts on both mother and child, whereas this is often not the case for fathers. The separation is, without doubt, difficult for fathers too, however, there is less uncertainty as to who will care for their child when a man goes to prison. Whereas, only 5% of children, with a mother in prison, remain in their own home (House of Commons, 2022) and will face further struggles to remain in contact with their mother as a consequence of there being fewer women's prisons, making the travelling distance much greater, thus causing additional grief for both the mother and child (Lockwood, 2018). The struggles of losing the ability to mother their child(ren) and being imprisoned long distances from their homes showcases the gendered 'pains of imprisonment' (Martin and Powell, 2022). Men experience the pains of imprisonment¹; however, women often experience them on deeper levels, there tends to be additional obstacles that they face which is seen, for example, in the long distances.

¹ The term 'pains of imprisonment' was coined in 1958 by Gresham Sykes to highlight the psychological harm that imprisonment can cause

“Typically, women are the caregivers ... who is going to look after their children and if the father is in the picture, is he going to stick around”, (Criminology lecturer).

“The majority of women are the caregivers, so the separation is difficult. Men usually have a woman to fall back on if they go to prison and have a child”, (Support Co-Ordinator).

Interviewees expressed their concern regarding the use of short-sentences for women, particularly mothers, and questioned the justification of imprisoning mothers:

“We need to look at women and their needs and is it beneficial to be ripping children away from their mothers”, (Criminology lecturer).

“The stories are heart breaking, especially when it comes to women losing their children and it is all those on short-sentences”, (Counsellor).

It is estimated that there are over 17,000 children affected by their mother being imprisoned each year and it has been reported that a fifth of women were single parents prior to their imprisonment (Prison Reform Trust, 2018). Therefore, with the knowledge that the majority of women are in prison serving a short-sentence for a non-violent offence, it appears problematic and unreasonable to be sending mothers to prison (Baldwin and Epstein, 2017). In fact, the only outcome seems to be additional suffering, and with the majority of women in prison, 82%, already battling with their mental health, self-harm being at a record high with a 38% increase in the female prison estate (Howard League, 2024) and a reported 46% having attempted suicide prior to their imprisonment, to then strip a woman of her motherhood, cruelly causes her additional trauma (Baldwin and Mitchell, 2022; Prison Reform Trust, 2024). The women’s counsellor sums up the overall sadness that comes with the imprisonment of mothers:

“I look at some of the women and think, what are you doing here? You should be at home being a mother to your children”, (Counsellor).

4.3 Vulnerable Population

It became explicitly evident throughout all interviews that women in prison are a vulnerable population, numerous vulnerabilities were acknowledged, however the most prominent areas of discussion were

self-harm, domestic abuse, and poverty. It was explained by participants that there is often such devastation that comes with working in women's prisons and seeing first-hand the chaos that goes on within these women's lives, particularly those on short-sentences, and the struggles they have faced and continue to face:

"Typically, women in prison tend to be on the fringes of society ... and will suffer from multiple complexities and chaotic lives", (Criminology Lecturer).

It was expressed by participants that women often experience the pains of imprisonment much more intensely compared to men which is often the reason for such distressing cases of self-harm by women in prison:

"There is a lot of self-harm that goes on in women's prisons, prolific self-harmers ... you see them walking around with bandages always on their arms", (Counsellor).

For these women they have a magnitude of unimaginable traumas that they have experienced in their lives and sadly, to cope with them they turn to self-harm. It was explained by the participant who counsels women in prison that self-harm is used as a coping mechanism, there is often so much pain and frustration being felt by these women that the only way they feel they can relive those feelings is through physically harming themselves:

"I am going to be working with a woman ... her arms are absolutely covered in scars and that is mainly due to sexual abuse from when she was younger and self-harming is a way of letting that pain out", (Counsellor).

"I spoke to somebody and with the amount of trauma she had dealt with she had been referred to mental health services, but it was just too big, and she pulled out and so her way to cope was self-harming", (Learning Support Worker).

Self-harm within women's prisons has become a huge concern, it has been reported that rates of self-harm have increased by 11% within the male estate and a staggering 38% in the female estate (Howard League, 2024). Very clearly women in prison are in significantly vulnerable and distressed states, they are severely battling with their mental health and being in a prison environment only exacerbates the vulnerability of women (Bright et al, 2022):

“I think because of mental health issues, vulnerabilities, and previous traumas, it is inevitable that coping mechanisms are not going to be the coping mechanisms that women without those challenges in the community would use”, (Criminology Programme Leader).

When discussing the vulnerabilities of women in prison it was conveyed that so many of them have experienced abuse in their childhood and in adulthood and sadly, those experiences and the situations they were put in, have led them to prison:

“In my experience, I would estimate about 80% of the women I counsel in prison are there because of a man. Whether it is assisting an offender, violence which has led that women to harm him, or grown up being abused by a male relative and led them to addiction and a life of crime”, (Counsellor).

It was also explained that it is not always recognised by the women that they have been manipulated by their partner into committing these offences. Once again this highlights how vulnerable these women are and perhaps it is worth considering whether we are looking deep enough into these women’s lives and the circumstances surrounding their crimes when they become known to the criminal justice system:

“Another issue that we see is the coercion and control, quite a lot of women’s crimes have a man behind them”, (Learning Support Worker).

“I work with a few women who are there for drugs or fraud ... they don't necessarily identify this, but when they talk to you about their offences, there was a man who, had they have not been in those relationships, I don't think they would have been involved in offending”, (Criminology Programme Leader).

Domestic abuse can often be the reason for women’s offending, this may be seen in the use of coercion by their partner to commit crime, hide weapons or drugs for a partner, or pushing a woman into using violence on her partner to protect themselves (Prison Reform Trust, 2017; Bettinson, 2022). These women are vulnerable, they have likely been physically, emotionally, sexually, and financially abused

for many years, their abuser has likely isolated them from family and friends and chipped away at their self-esteem and ability to be independent (Roberts, 2022). In fact, it has been reported that an estimated 57% of women in prison and on probation have suffered domestic abuse (Webster, 2022). It appears to be a huge failing when realising that the only way these women are able to physically separate from their abuser is by ending up in prison, an environment that will often only exacerbate her vulnerability (Kahn, 2020).

Participants also expressed their concerns surrounding the imprisonment of women who have committed crime as a result of desperation and an attempt to survive when living in a state of poverty. The criminology lecturer stated there is no good that can come from using prison as a way to deal with women who are experiencing poverty, instead of punishing her for struggling, it would be more productive to look at why that woman is having to commit an offence such as shoplifting in the first place:

“Is a woman going to Morrisons to steal food for her kid really that serious, should we not be looking at why they got there in the first place rather than condemning them for trying to survive”, (Criminology Lecturer).

As was highlighted back in 2007 by Corston, prison should not be used a way to shock or teach a woman a lesson (Gullberg, 2017). Unfortunately, when looking at the overwhelming use of prison sentences for such low-level crimes, Corston’s plea continues to be ignored (Howard League, 2022). Additionally, it cannot be ignored that a woman shoplifting, whether it be for food for herself or her child(ren), or to sell the items for drugs, the issue of poverty is at the forefront. The use of prison for someone in such a vulnerable state is not changing their circumstances, instead is only increasing the likelihood of them becoming part of the revolving door population (Carr, 2016). It has been found that 72% of women serving six months or under are sent back to prison within a year of being released, and for those who have been to prison over 11 separate times this increases to 83% (Prison Reform Trust, 2024). It becomes a vicious cycle of releasing a woman back into poverty, straight back into a chaotic lifestyle, and having to make choices such as stealing to survive or to fund their addiction, and then back in prison on another short-sentence (Gorden and Lockwood, 2022).

Although prison is often a damaging environment for vulnerable women, this is not always the reality for every woman. Unfortunately, participants have found that women in prison who are experiencing poverty have communicated that they find prison to be a safer environment in comparison to their circumstances on the outside, for example, sleeping rough:

“Christmas time we get a lot coming off the streets, they purposefully do something to just get into prison because it’s warmer and they can get food”, (Learning Support Worker).

“There is a lady I work with in the community ... our whole body of work centred around her anxiety about leaving prison because she felt safer in there ... she got fed every day”, (Counsellor).

We may look at prison as a place that exacerbates women’s struggles, which it often does, however, for some women it is a place they find some type of solace in as opposed to their alternatives. Sadly, within society there is little help and care provided for those in vulnerable situations and consequently, it is, overwhelmingly, those who are on the fringes of society that account for the majority of the female estate and once in prison, women’s struggles are only aggravated.

“I think as a society we are quite comfortable punishing prisoners because they've done wrong ... but actually I would challenge anybody to go and spend a day in a woman's prison and not come out feeling absolutely heartbroken for the vulnerabilities of these women”, (Criminology Programme Leader).

4.4 Ineffectiveness of Short Sentences

Short sentences provide little opportunity for women in prison to be rehabilitated, and for the participants who were interviewed it was relayed that the services they can offer these women are often unavailable for women on short sentences, or they are unsuccessful due to the lack of time they have with that woman. Services such as education and counselling were discussed, and it became clear that participants face a huge struggle to effectively work with women who are only in prison for a short time:

“I just don't really see how the opportunities that are provided in prison, that are claimed to help rehabilitate, can work with women on a short sentence, you've just not got the opportunity to engage with those processes”, (Criminology Programme Leader).

The lack of opportunity for women in prison on short sentences is often seen in their inability to partake in educational courses. Regardless of whether they want to achieve qualification and whether they are willing to engage in education, it is often not made available for them:

“With there being only 120 places in education, it's quite competitive and you're more likely to go on the course if you're on a longer sentence, therefore, less able to get into education when you're on a shorter sentence”, (Criminology Programme Leader).

It was explained by participants that it can be quite frustrating, although these women would likely benefit from education it is just not realistic given how short their sentences are:

“The short-sentences are really difficult because there's not much we can do, and the education courses are about a five week minimum”, (Learning Support Worker).

“There is no rehabilitation in a few weeks, we can't do anything it's just a holding place”, (Learning Support Worker).

It has been found that 71% of women in prison hold no qualifications, and with three out of five women serving sentences of six months or below, it appears counterproductive to send women to prison with the knowledge that they are not going to be able to get involved in education courses that would likely help them to better succeed once out of prison (Novus, 2023; Prisoners' Education Trust, 2018). Additionally, it was discussed with one participant who is an education manager that before they are even able to attempt to provide education for women in prison, the women need to be given the time to adjust and get to a somewhat more stable place mentally before they can focus on education and for the women on a short sentence they are out before they have been given the chance:

“These women are coming in and out of prison, it's a lot of change very quickly, and unless they have time to settle in to that, they can't find strategies, courses, and interventions to help them in the future and with short sentences those things just cannot be put into place”, (Education Manager).

“In terms of working with them to increase their knowledge or understanding or even to get into a good routine to learn and study, you need a lot longer than one or two weeks”, (Education Manager).

Furthermore, the ineffectiveness of short sentences is present in the difficulty they pose when it comes to counselling:

“Generally, most of the women we aren’t seeing because they are not in long enough to get our help because of the waiting list being six months long”,
(Counsellor).

When discussing this further, the participant who provides counselling for women in prison explained that the difficulty is often due to women, particularly those on short sentences, requiring support for multiple issues for example, substance addiction, homelessness, and issues with custody of children. It is almost unrealistic for those women to tackle all their concerns whilst on such short sentences and for it to be effective in their rehabilitation. Often times the counsellor will be walking around the prison and spark up a conversation with some of the women who will express their need for counselling, but it is often the case that they have not been referred due to only being in for a short amount of time. The counsellor further described the situation for one woman in prison who was receiving counselling following her little girl being adopted, an outcome which was extremely distressing for that woman, and there was a desperate need for counselling, however, this woman was only in prison for around five weeks and once she had got released she was back in prison after only a couple of weeks. It cannot be said for sure, however, had this woman been supported in the community, the separation of a mother and daughter may not have needed to happen and for any struggles this woman was facing, counselling in the community could have taken place without disruption.

Education is significant in reducing the likelihood of women re-offending, however, as was discussed above, the short sentences and other complexities that women in prison are facing often means they are disadvantaged when it comes to accessing education courses (Howard League, 2021). Education can often be what opens up doors to get into employment and steer people away from offending in the future, and there is often a feeling of achievement and pride that comes with learning and gaining qualifications (Dixon and Jones, 2013; Social Exclusion Unit, 2002). It has been found that people in prison who have engaged in education are 7.5% less likely to re-offend within the 12 months after their release compared to those who did not engage in education (UK Parliament, 2022). Furthermore, it is well evidenced that women serving short sentences tend to be a vulnerable population who are experiencing chaotic lives and would benefit from counselling (Anderson and Cairns, 2011). Indeed, it has been reported that 71% of women in prison have expressed struggling with their mental health (Howard League, 2022). However, short sentences often mean the time that is needed for counselling

to be effective is not realistic and unfortunately nothing is resolved, and this is resulting in re-offending (HM Inspectorate of Probation, 2019; Bullock and Bunce, 2020).

Through the primary data that has been gathered and the research from secondary data, it has become significantly clear that short prison sentences are ineffective. They do not provide women with the opportunity to positively make use of their time inside and participants who work within women's prisons to provide services such as education and counselling are not able to effectively work with the women on short sentences:

"The disruption of sending someone to prison for a very short period of time doesn't allow for constructive interventions to take place, whether that be education, counselling or withdrawal from drugs and alcohol", (Education Manager).

4.5 Community Not Custody

The practitioners who participated in this research expressed that there needs to be better use of community sentences rather than the continued use of custody for short-sentences:

"Greater use of community sentencing ... invest in their recovery rather than punishing them", (Criminology Lecturer).

"There's a whole range of other interventions that can be put into place to reduce offending and get them back on the right path and prison just isn't beneficial", (Education Manager).

Practitioners also explained that sending a woman to prison on a short-sentence does not acknowledge her needs and the reasoning for her offending:

"Rather than using prison to shock them, look at what is going on in that person's life ... thoughts and feelings equal behaviour, so provide psychological support in the community", (Criminology Lecturer).

If we are to get to the root of the offending there needs to be services in the community that are easily available and well-funded, for example, trauma-informed practices, addiction support, domestic abuse refuges, housing, training, and employment support, all of which should be provided in the community and can avoid the repeated short-sentences that bring further disruption:

“It is often something that can be dealt with in the community and it’s more cost effective to do it in the community ... prison is stigmatising them further and further and keeping them from integrating back into society, it’s not the right approach”, (Criminology Lecturer).

A trauma-informed approach to tackling the offending behaviour of women was discussed, it is well evidenced that women in prison have often experienced devastating traumas which have negatively impacted their lives and significantly contributed to their offending. Therefore, to offer and create a safe space for those vulnerable women and allow them to be supported by individuals who are trained to understand why that woman is presenting with those behaviours, would likely result in positive outcomes and reduced chance of re-offending:

“I very much believe in a trauma informed approach ... these women have very chaotic lifestyles; they need somebody to just love them in a very caring and compassionate way. So, I would love to see services where they could just go to have wrap around care”, (Criminology Programme Leader).

“I think there needs to be greater access to trauma informed practises and counselling to deal with some of the root causes of the offending in the first place, which would be better done before they land in prison, and everything then falls apart”, (Education Manager).

Trauma-informed approaches are crucial in understanding the progression from experiencing trauma to poor mental and physical health, substance misuse, and behavioural issues that women may be experiencing, particularly those caught up in the criminal justice system (Covington, 2022). If women are given the chance to appropriately tackle their traumas with professionals they can trust and who have the correct knowledge, whilst being in the community, they may be less likely to fall back into unhealthy behaviours and coping mechanisms and therefore, reduce the likelihood being recalled to prison (Jewkes et al, 2019; Haggar, 2022). Whilst that woman is in the community she could be receiving support from a women’s centre, a place where she is able to feel safe, understood, and supported to

heal, for example, from abusive relationships (Sheeran, 2022). Additionally, women would be able to receive the treatment they need, for example, for their mental health, addiction, and homelessness (Women in Prison, 2022). Essentially, as was recommended by the participant who is a criminology programme leader, receive wrap around care to allow for healing and gain a deeper understanding on their offending behaviour (Dominey and Gelsthorpe, 2020). Whilst also getting a head start at reintegrating back into their community and working on building healthy and valuable friendships, opportunities that would not be so attainable whilst in prison (House of Lords, 2023). Women's centres appear to be places that can effectively provide a wide range of the necessary support women need in order to prevent them from re-offending, it has been found that women's centres can reduce re-offending to 5% compared to the national average of 23% (UK Parliament, 2023)

With the recognised 'prison crisis' that is happening due to overcrowding, a way to tackle that would likely be to invest and prioritise the root cause of all women's and men's offending, as opposed to punishing them with short-sentences and leaving their trauma untreated (Jewkes et al, 2019). However, the reality of this approach was discussed further and for this to be implemented it would require care and enthusiasm by politicians:

"There needs to be better support in the community ... but that will require investment and politicians are not going to win votes by saying we are going to spend more money on women in prison and we are going to make life better for women who have offended", (Criminology Programme Leader).

Yet, it is widely evidenced that short-sentences do not result in positive outcomes, essentially they only temporarily prevent that person from offending and once out of prison it is likely to resume resulting from a lack of meaningful support (Hedderman and Jolliffe, 2015). It has been found that 72% of women serving six months or under are sent back to prison within a year of being released, and for those who have been to prison over 11 separate times this increases to 83% (Prison Reform Trust, 2024). Whereas, In 2021, it was found that for those who were handed a community order the re-offending rate was 30% (Ministry of Justice, 2023). Therefore, it is recognised that community orders are more successful at lessening the chance of re-offending (Prison Reform Trust, 2023).

It was explained by one participant who provides counselling for women in prison and in the community, that it would likely be more cost effective to invest in approved premises, also known as

probation hostels,² and community support for women who, for example, are struggling with addiction and homelessness. These women require support and stability and for women to repeatedly go from community to custody on short-sentences and disrupt any treatment she may have been receiving in the community to then start treatment again in custody only to be released soon after, is not productive. Instead, the counsellor recommended approved premises:

“I think from seeing the success of the woman living in approved premises, previously called half way houses, I think that is a great alternative to custody”, (Counsellor).

It was discussed that by having structure for the women but allowing them to still have freedom and access to support in the community, there is a greater chance of success as was seen with one of the women the counsellor works with:

“If they are released and placed in approved premises and are told on this day at this time you have a meeting with your counsellor, just the structure for them is so important”, (Counsellor).

Having something to work towards for example, getting clean from drugs or finding employment, plays a significant part in reducing the likelihood of a woman re-offending (Howard League, 2016). The sense of achievement and knowing she is contributing to society is often a huge deterrent, it provides that women with determination to continue on that path and allows her to experience life without prison (Webster, 2024). The overall view by the professionals who were interviewed was for an improvement in the use of community sentences, invest in the services that these women need and be patient with them whilst they navigate getting to a point in their life where they can live without always being in survival mode.

“We can do everything in the community, and I think you’re uprooting people ... so it just screws up their opportunities and causes more damage”, (Support Co-Ordinator).

² Although approved premises are often used to house those released from prison for more serious offences rather than women who have served short-sentences for low-level offences, which has been the focus of this research, the rehabilitation and resettlement of any woman released from prison is crucial.

Chapter 5: Conclusion

To conclude, short-sentences are given to women too often and with little consideration of the consequences they have on that women and her family. The research has evidenced that the majority of women in prison are there for non-violent offences, overwhelmingly they are there for low-level and persistent offences (House of Commons, 2022). When looking at women in prison, the majority are undeniably vulnerable individuals, with chaotic lives and untold trauma, which have often influenced their offending behaviour. Indeed, wider research and research conducted for this project has established that experiences of domestic abuse are prevalent among women in prison, often leading women into the criminal justice system (Corston, 2007; Prison Reform Trust, 2017). This research adds to the contention that short-sentences cause too much harm and disruption to women, there is no good that can come from jeopardising that individual's employment, accommodation, custody of children, and treatment that may have been taking place in the community. Research for this project corroborated with wider research and recognised that short-sentences do not give women the opportunity to address the root cause of their offending, nor does it give them the time needed to partake in drug and alcohol treatment, mental health support, and education courses (Howard League, 2011). Consequently, it leads to re-offending and their needs continue to be ignored, instead it appears easier to resort to another short-sentence which is only exacerbating that woman's vulnerabilities and steering her further from rehabilitation and reintegration. The pains of imprisonment were also highlighted as a way to understand how women specifically experience imprisonment, and it was established that self-harm is much more prevalent among women in prison than men, as well as mental health struggles and addiction being reported as higher among women than men in prison (Masson, 2019; Justice Inspectorate, 2019).

The government are well aware of the damage that short-sentences do to women and to their children, they have knowledge on the ineffectiveness of them, and it is clear to them that the majority of women would benefit from services in the community. Their Female Offender Strategy that was published in 2018 clearly showed that they are aware of all this, and not only did they acknowledge that there needed to be a reduction in women in prison serving short-sentences, but they also stated they would invest in community services that women need, specifically, women's centres (House of Commons, 2022). However, it does not come as much of a shock that the Government have failed to deliver on a promise (Women in Prison, 2022). Their strategy was to improve outcomes for women, yet they have

continued to prove that women in prison, the most vulnerable population, are simply not a priority and they have made such insufficient progress due to their failure in investment.

This research has shown that short-sentences are incredibly harmful for women who are mothers and for their child(ren), the separation causes unimaginable distress, shame, and hopelessness. Their separation may only be for a short amount of time; however, it was established that there are long-lasting consequences that often come from loss of custody. Furthermore, participants reaffirmed existing evidence that women on short-sentences are a vulnerable population who only become more vulnerable once in prison. The majority of women are experiencing mental health struggles which often results in devastating cases of self-harm, an overwhelming amount have been victims of domestic abuse, and poverty appears to be a part of the lives of too many women in prison. The researcher recognised that participants felt short-sentences were ineffective, which matched with secondary data (Baldwin and Epstein, 2017; Howard League, 2022; Mills, 2019; Vaswani, 2019), there is little time to provide women with the services they need when they are serving short-sentences. Education courses that would be beneficial for these women cannot be effectively carried out, yet it is widely evidenced that a significant amount of women in prison hold no qualifications and it is recognised that education can be crucial in reducing re-offending. Short-sentences also prevent or interrupt the opportunity to access counselling, and when it has been identified that many of these women have experienced trauma, counselling would likely provide a relief. The need for better use of community support as opposed to custody was also discussed and participants explained that it was important for women to be able to access services that can provide trauma-informed practices, addiction, domestic abuse, homelessness, and employment support.

Throughout the completion of this research, it has confirmed that short-sentences are damaging and disruptive and are unnecessarily being handed to women who have committed non-violent crimes and who pose no threat to the public. Too much harm and too little rehabilitation is deriving from the use of short-sentences, and this has provoked much thought on how this issue can be positively improved. Firstly, the government desperately need to prioritise funding services in the community that can work with vulnerable women to tackle any issues with addiction, mental health, domestic abuse, homelessness, and traumatic experiences. Such funding in those services would mean women are being supported by trained staff, in the community, who are fully equipped to deal with complexities that are likely to arise. When it comes to sentencing, there should be greater consideration for women who are vulnerable, who have committed low-level offences, and who are the primary carer for their child(ren). Is it really necessary to separate mothers and children, imprison the most vulnerable, and cause such

devastation? In fact, women who have committed heinous crimes and who pose a threat to society fall into the minority, therefore, a recommendation would be for community orders to be the first call of action along with the relevant interventions for the needs of that specific woman. When women are not uprooted, their lives and responsibilities of mothering are not disrupted, and they are not punished for struggling, they often do not continue to re-offend and women can focus on rehabilitating, recovering, and rebuilding their lives.

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