

BREACH – Converting practice
into policy

Just how hard can it get ?

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Research Questions:

To explore why women can struggle to engage with community orders:

- What are the main barriers to compliance ?
 - Are there clear patterns not recognised by current probation practice?
 - Are the aims of community orders understood and/or shared by the women involved ?
 - To assess the difficulties of women breached for non-compliance and examine if these could have been addressed by enhanced probation practice.
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Why are these questions important ?

The breach rates for men and women are similar at around 13%.

BUT:

- Custody has a disproportionate impact on women and their families.
 - Ann Worrall: for women being on probation tends to be a prelude to, rather than a diversion from, custody.
 - Carole Hedderman: magistrates tend to gauge seriousness by an individual's response to earlier community sentences rather than by the index offence.
 - Many women are victims/survivors of childhood abuse and domestic violence. Is our practice proactive in exploring/acknowledging this ?
 - Pathways, desistance theories and risk assessment tools are designed around the profile of an average male offender. Do we set up women to fail from the outset ?
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Key issues for probation practice:

- Are practitioners aware that women may confront specific barriers and understand how to adapt the induction and subsequent delivery of the order appropriately ?
 - Does the content of breach reports address these barriers and assess the woman in the context of her life as a whole ?
 - Does the quality of breach reports contribute to the rate of custodial disposals ?
 - Are there improvements that could be made to probation practice that would reduce the number of women facing breach proceedings ?
 - The voice of female service-users seems to constitute a huge gap in current knowledge !
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Snapshot of barriers:

- 10 months to gain NOMS approval
 - Ethical clearance not formally given.
 - 8 prisons were approached out of which 2 declined permission, one agreed and 5 have never responded.
 - I began the journey concerned about the “invisibility” of women in prison and their lack of a “voice”. It is ironic and revealing that my own experience as a professional mirrored these concerns !
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The Interviews

All did not go as expected ! It is difficult to identify women in the target group (echoed by HMP Foston Hall) Women were chosen by the co-ordinator, approached at the drop-in centre or volunteered their services. The findings here are significant in themselves:

1/ It is difficult to identify from prison records if a woman has been sentenced for breaching a community order.

2/ All of the women interviewed had breached orders on numerous occasions and 4 were currently serving a sentence for doing so.

Interim Results

- Mental Health Issues- all 15 women had/were suffering from a diagnosed mental disorder including depression, panic attacks, OCD, schizophrenia
 - PTSD – 5 of the women interviewed in prison had been formally diagnosed with this and 4 of the others were likely to be if assessed.
 - Childhood abuse – 9 disclosed abuse and a further 4 alluded to it.
 - Domestic violence – an ongoing or recent issue for 13 women.
 - Lost custody of children – 8 women.
 - Rape – 5 women
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- Parents forced drug dependency - 4 women
 - Drug abuse – 14 women
 - Alcohol abuse – 11 women
 - Death/murder of parent in childhood – 8 women
 - Sex working – 4 women
 - Homelessness – 12 women (9 in prison)
 - Perceived prison as a positive choice – 10 women (8 in prison)
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- All 15 women wanted to feel “safe”
 - All 15 wanted a female only environment
 - 12 women perceived PTST/mental health problems to be their major barrier to moving on/complying.
 - 9 women had felt “judged/looked down on” by probation
 - 5 women found the geographic distance between the hostel/probation office and home unmanageable
 - 14 women thought their sentences were “legitimate” but none understood or saw the relevance of pathways. Their mental health prevented them from viewing accommodation, employment or education as valid options
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The Positives

Huge progress since the Corston report.

5 women had transformed their lives with the help of Women's Community Services and 14 women spoke highly of the support they had received. They all described feeling "safe" for the first time.

Kerry – "Finally there is someone who understands ... someone who cares".

Maria – "They're always telling me we're here".

Diana – "They do a brilliant job ... They're complete stars".

Dawn – "They kept telling me "you're better than this ... You can do it with the proper help".

WHAT CONSTITUTES “PROPER HELP” ?

- Safe female-only environment. Non-judgemental/non-authoritative
 - Gender and trauma-informed service. Training, and provision of intensive specialist input, here is urgently required
 - Someone to believe in them and see their potential
 - Practical help with transport and childcare
 - Empower but not pressurise
 - Active listening and proactive questioning
 - Identify the tell-tale signs of things going wrong
 - Positive feedback/certificates for achievements
 - Swift access to counselling/mental health services
 - Texts/phone calls to touch base and demonstrate care
 - Link with non-offenders and support which exists beyond the order
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Interim Recommendations:

- Awareness training for all offender managers as proposed in the Thematic Inspection: Equal but Different 2011
 - Awareness training in PTSD and how to provide a trauma-informed service
 - Women's centres do not exist everywhere and services to women in rural locations is particularly problematic. Investment in outreach work/satellite sites is required
 - Women offenders should be provided with an enhanced induction package which assesses potential barriers
 - Breach reports should address these barriers, assess the woman in the context of her life and be presented in court by her offender manager
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Possible barriers to implementation

Lack of political support – and resultant lack of financial backing. Insecure and short term funding inhibits innovation and development

In the current political climate women offenders may not be viewed as a priority

CRC bidders may view women's services as a niche market/low return project

NPS and CRC will not have the resource or time to prioritise training

PRT – the top 3 solutions to reducing female offending lies in the health arena, not criminal justice.

TR agenda – buy in needed from a huge number of stakeholders.

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