

Research Paper

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Just no future at the moment: Examining the barriers to community resettlement for foreign national women

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Executive Summary

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Background

The impetus for this research emerged from my work with women affected by the criminal justice system (CJS) in two South London women's centres. Managing the centres and working closely with women through their resettlement on a daily basis, it became clear to me that women categorised as foreign national within the CJS face unique and extremely challenging obstacles to resettlement in the community. I observed that conditions of extreme material precarity were common to all foreign national women, as a result of being denied access to public funds and housing, being denied the right to work or to study, and struggling to access the support necessary for everyday survival. I also observed the extent to which practitioners – both support workers and probation officers – struggled to support this group of women with the resources they had. When I probed further, it became clear that the lived experiences of foreign national women released into the community are almost entirely absent from research. Whilst there has been a broad acknowledgement within criminal justice policy and practice of foreign national women's vulnerability, and the uniqueness and particularity of their situation in recent years, the experience of women who are not deported and who begin, resume, or continue life in the community have not yet been heard.

Key aims and objectives

The overarching aim of this study was to examine and explore the barriers to resettlement for foreign national women living in the community in the UK, and to shed light on the complex ways in which non-citizen immigration status shapes the lived reality of resettlement for this group. In recent years, there has been an increased focus by the UK government on the deportation of 'foreign national criminals' on completion of their sentence, an emphasis that has geared foreign national women's pathways through the CJS strongly towards the possibility of deportation, over rehabilitation and resettlement. Yet, many foreign national women *are* released into the community post sentence – indeed, 260 women in 2017 (Ministry of Justice 2019), in addition to women serving community sentences. By interviewing women in open, semi-structured conversations, my aim was to identify and gain much needed insight into the challenges they face, giving space for women to voice the struggles – often painfully sustained and unyielding – that shape their daily lives in the community and render rehabilitative goals impossible. By interviewing practitioners, I aimed to identify the barriers they come up against in providing support and to ask how these could be

addressed. Ultimately, the research makes recommendations for urgently needed improvements to current provision for this group.

Research Design:

This research was approved in the first instance by the Ethics Committee of the Institute for Criminology in Cambridge in December 2018, and by the National Research Council (NRC) at the Ministry of Justice in March 2019. Having gained approval from the NRC, I applied internally within both National Probation Service (NPS), and London Community Rehabilitation Company (CRC) for permission to approach and carry out interviews with probation staff. In addition to reaching participants through my own place of work, I contacted professionals within the voluntary sector and in probation, inviting participation from practitioners and women they support. In total, I conducted 20 interviews between May and August 2019: seven interviews were with women categorised within the CJS as foreign national; four interviews were with support workers employed by two voluntary sector organisations in London; four interviews were with NPS officers; and five were with probation officers employed by London CRC. All interviews took place in London, except for one interview which took place in Gloucester. The location of interviews were probation offices, women's centres and safe public spaces chosen by participants. The nationalities of the women interviewed were Jamaican, Polish, South African, Zimbabwean, Nigerian, Indian and Spanish.

Methodology:

To maximise the richness of data and to best capture the minutiae of lived experience, I used a qualitative approach. Interviews were in-depth and semi-structured in format. Such an approach was chosen so as to allow space for the experiences and understandings of foreign national women to be listened to, in a context where their voices are routinely unheard and their experiences largely invisible. Interviews were semi-structured to maintain a level of consistency whilst allowing for the flexibility needed to enable speakers to share what was most important to them. Within interviews, I asked women about their early experiences and expectations of life in the UK, their experiences of the CJS and of probation, their present and life in the community, community support, and their hopes for the future.

Thematic Analysis – Key Findings:

The study found the following key themes:

- The No Recourse to Public Funds condition (NRPF), a lack of access to housing, and the ban placed on work, study, and in many cases volunteering for those awaiting the outcome of applications for leave or asylum has overwhelmingly detrimental implications for every area of women's lives and resettlement.
- For women and practitioners alike, the lack of access to housing was identified as the single biggest obstacle to resettlement.
- All participants identified a significant lack of support options for this group of women; where women had been supported in the community by charities and other support services or faith groups, this support was described as critical for women's survival.
- Probation officers emphasised the limitations of probation to adequately support the needs of this cohort; the support and resources provided by probation emerged as patchy and inconsistent across boroughs and officers.
- The mental health impacts of prolonged waiting for an outcome on immigration cases were highlighted to be overwhelming; one participant described attempting suicide twice in the year since leaving prison, whilst others said they had thought about it.
- Practitioners strongly emphasised the inadequacy of current mental health provision, and the multiple barriers preventing women from accessing appropriate support.
- Women and practitioners described the impact of frequent visits to sign on at Home Office reporting centres: women are forced to travel long distances without access to travel money. There was a notable perception amongst practitioners that the number of deportation orders given to women has been increasing.
- Practitioners articulated a sense of powerlessness, and high levels of emotional investment in the cases of foreign national women. Supporting this cohort was felt to be far more challenging than working with UK national women.
- Communication with the Home Office was described by all practitioners as extremely poor, and in many cases non-existent. This was felt to be one of the main barriers to effectively supporting women.

Summary Conclusions:

This research highlights that:

- Foreign national women face multiple interconnected barriers to accessing support within each area of their resettlement.
- Support within the community was described overwhelmingly as inadequate and, in many cases, non-existent. Funding and resources were highlighted to impact both the quality and consistency of support provided.
- Community resettlement for foreign national women can be seen to replicate the conditions of confinement found in immigration detention centres in many ways; levels of emotional distress and mental health deterioration mirror those faced within detention.
- Rather than a systemic or institutional support framework, this study highlights a patchwork system of support, almost exclusively dependent on the emotional investment of individual practitioners and probation officers.

The findings of this research evidence the complex web of obstacles to resettlement currently experienced by foreign national women. They highlight both the urgency and the scale of change needed within current policy to ensure that this group of women experience safety, dignity and hope when resettling into the community. The government's Female Offender Strategy promises that consideration be given 'to addressing the barriers' that foreign national women face in accessing services (MoJ 2018). The government must uphold its commitments to: work closely with the voluntary sector and other organisations who work with BAME and foreign national women to improve their capacity to share best practice and form networks; to provide more culturally informed training for staff; and invest in women's centres and residential support on a national scale (MoJ 2018).

In addition, I make the following recommendations:

Recommendations:

Recommendation 1: Build the knowledge, capacity and skills of practitioners. The practitioners interviewed who held a mixed caseload of UK national and foreign national women identified a significant need for specialist training on the issues and unique

experience of foreign national women. In-depth, face to face training must be provided to all professionals across probation and voluntary sector services working with foreign national women in the CJS, specifically on the rights and entitlement of this cohort, Home Office processes, and referral pathways.

Recommendation 2: Support women by supporting practitioners. Practitioners identified the emotional cost of supporting and supervising foreign national women due to the complexity of cases, the level of distress and trauma typically experienced by this group, and lack of institutionalized bespoke support. The inadequacy of broader community support meant practitioners were likely to feel they carried the 'burden' of support by themselves. All practitioners supporting this cohort should have access to appropriate clinical supervision. The additional complexity and time involved in supporting foreign national women should be reflected in smaller caseloads for practitioners working with these women within their mixed caseloads to maximise the quality of support. Ultimately, support must be provided on an institutional, rather than a personal level: there is a need for a cross-institutional framework to ensure that support is consistent across and between practitioners, service providers and boroughs.

Recommendation 3: Improve Home Office communication and transparency in decision making. A lack of communication between the Home Office and probation staff was identified, particularly in relation to cases not having an allocated caseworker in the Home Office for lengthy periods of time, frequent changes in allocated caseworkers, and an overall absence of communication in response to attempts by practitioners via phone and email. Consistency in caseworker and regular flow of information is needed to enable probation and voluntary sector practitioners to responsibly inform and manage the expectations of women awaiting immigration outcomes.

Recommendation 4: Home Office reporting. Awareness of women's financial precarity should be reflected either in the frequency of Home Office reporting visits demanded, or in the granting of financial support for travel to reporting appointments.

Recommendation 5: Improve access to mental health support. There is an urgent need for increased mental health provision for this group through increased funding and capacity

building of community mental health services. Provision must be available in multiple languages.

Recommendation 6: Time spent waiting. The length of time spent waiting for decisions on the outcomes of immigration cases was identified as the single most harmful factor in women's mental health deterioration. The findings of this study demonstrate the urgent need for increased communication from the Home Office with updates on cases for both women and practitioners.

Recommendation 7: Increase provision for people with no recourse to public funds. This research evidences the harm caused by the NRPF condition. The findings build a strong case for the condition not to be imposed on women resettling in the community; however, where the condition is imposed, there is a need for vastly increased provision for women affected: increased financial support, greater and *consistent* access to food bank vouchers, travel warrants and other grants to enable day to day survival.

Recommendation 8: Improve access to housing/accommodation. There is an urgent need for the development of a housing pathway for foreign national women who do not qualify for NASS provisions. There is a need to drastically increase access to emergency accommodation and refuges by creating more refuge spaces for women affected by NRPF. There is a need for this cohort to be considered for alternative housing options such as hosting programmes available for refugees and asylum seekers, where currently their criminal record may prohibit them from being considered.

Recommendation 9: Increase access to meaningful activity/constructive use of time. All interviewees felt that denying women the right to work or to study was counterproductive, nourishing conditions both for reoffending and serious mental health decline. Following the findings of this study: women must be allowed the right to work, even if capped at a certain number of hours; women must be allowed to study or to seek out volunteering placements.

ENDS