

The Griffins Society Visiting Research Fellowship Programme

Resettlement Issues
Facing Female Lifers

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The Griffins Society

Working for female offenders

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The Griffins Society

The Griffins Society is a voluntary organisation working for the care and resettlement of female offenders, including those with a history of mental illness and violent behaviour. The Society was set up in 1966. At that time there was little residential provision for women offenders and the Society concentrated its efforts on filling that gap by providing specialist hostel and move-on accommodation. Those residential projects were transferred to another voluntary organisation in 1997 and the Society decided to alter the focus of its activities. This change of emphasis included establishing the Griffins Society Visiting Research Fellowship Programme in the Social Policy Department at the London School of Economics and Political Science in 2001.

The Griffins Society Visiting Research Fellowship Programme

The aim of the Fellowship Programme is to provide ‘thinking space’ for those working in the criminal justice system or allied fields who wish to study a particular aspect of the circumstances or treatment of women offenders. Applications are welcomed from anyone with an interest in female offenders, such as magistrates, probation officers, staff of supported accommodation, drug/alcohol counsellors. In keeping with its origins, the Griffins Society welcomes applications from the voluntary sector, as well as statutory organisations. Fellowships are not awarded to people in academic employment, or studying for a degree. Each Fellowship runs for one year and Fellows are awarded a grant. Academic support and supervision is provided by Dr Judith Rungay, Director of the Griffins Society Visiting Research Fellowship Programme. Fellows have full access to all facilities at the London School of Economics.

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1. Introduction

The aim of resettlement is the effective reintegration of imprisoned offenders back into the community. In my work, as a prisoner's rights advisor for women prisoners, I have gained considerable practical experience of the issues facing individual women in prison prior to release. Women offenders face particular challenges on resettlement into the community and although some issues will be the same for all women prisoners, women lifers face distinct issues and these are often overlooked. In particular, a lifer will only be released when she has convinced the Parole Board that she is a sufficiently low risk to be managed in the community. An essential aspect of this assessment is the release plan and whether it provides sufficient support for effective reintegration. Resettlement is, therefore, of particular significance to women lifers because it can impact on their chance of being released and of being recalled. Thus, the intention of my study was to research the range of resettlement¹ issues facing women lifers from a legal perspective. The focus was to be women lifers' preparation for release in the context of the life sentence; the parole board process and the life licence.

It is generally agreed that because women comprise a small minority of the offending population they have previously been overlooked. It has been acknowledged that the system impacts differently on women and men and warrants a distinct response². It has also been recognised that women offenders face particular challenges on resettlement into the community and indeed a resettlement strategy for women offenders is soon to be published. I chose to focus the research on women lifers because they tend to be overlooked as offenders³, as lifers⁴ and as women. This is invariably because of the small number of women in comparison to the male population generally (6%), in the lifer population (3.3%) and in the female population in prison (3.8%). However, it should also be recognised that women are not a homogenous group and there are different needs within the women population, including those related to ethnicity, age and sexual orientation⁵.

I decided to focus on women lifers as a specific group because, although some of their resettlement needs are the same for all women offenders, there are distinct issues. First of all, they invariably will have been in prison for a significant period of time, usually 12-14 years prior to release, and they may therefore face the additional problem of being institutionalised. Secondly, a lifer has to satisfy the parole board that she presents a sufficiently low risk to be released; a key factor considered by the parole board is whether the lifer has an appropriate release plan, which should be structured to assist resettlement/rehabilitation. The resettlement needs of women lifers need to be addressed to ensure she is released on life licence and to assist in effective reintegration in the community. Thirdly, a lifer will be on life licence for the rest of her life and there is always the potential for the licence to be revoked and the lifer being recalled to prison. It is therefore essential that a supportive framework is in place and is maintained when a lifer is released.

2. The Statutory Framework

The Life Sentence

There are three main types of life sentence:

1. Mandatory – for all persons over 21 years old convicted of murder⁶.
2. Discretionary – which can be imposed at the discretion of the sentencing judge for those over 21 years old. The offence must be grave enough to require a long sentence, the offender is a person of unstable character likely to commit offences in the future and if the offences are committed the consequences to others may be especially injurious. It tends to be imposed for offences of rape or arson.
3. Automatic – for a violent or sexual offence committed by an offender who was over 18 and had a previous conviction for such an offence⁷.

There are also the equivalent age related sentences: detention during her majesty's pleasure (HMP)⁸, custody for life⁹ and detention for life¹⁰.

For all types of life sentence, a minimum term is set (tariff), by the trial judge, which is the period of time that must be served in prison to satisfy the requirements of retribution and deterrence¹¹.

The Female Lifer System

The progress of all lifers is governed by policy set out in the Lifer Manual, which is a manual compiled by the Prison Service. The management of life sentence prisoners is based upon the principle that they have a planned and structured career through the prison system and, where appropriate, progress to conditions of lower security. They are treated as a group whose special needs are recognised within the prison system though not necessarily by separation or special privileges.

- A typical female lifer will, after conviction, be allocated to a Stage 1 prison (Durham, Holloway or Bullwood Hall). This is the first part of the life sentence and is to give time for the lifer to come to terms with the life sentence and to be assessed;
- She will subsequently be transferred to a second stage (closed) establishment where everything is geared to the first parole board review, which can be 7-8 years away;
- The third stage of the sentence is in open conditions. A lifer can only be transferred to open prison following a positive decision by the parole board and ministerial approval. A period of time in open conditions is a prerequisite for release for most lifers. The majority of lifers spend two years in open conditions preceding release. The stated purpose of open conditions is to prepare for release, to be tested in conditions near to those in the community, to take home leave and to take more responsibility for their actions;
- A lifer can only be released on life licence with a positive recommendation of the Parole Board. When the

Parole Board considers a lifer's suitability for release they have to regard the degree of risk involved of the lifer committing further imprisonable offences after release, whether it remains necessary for the protection of the public for the lifer to be confined¹². Since the recent case of *Stafford*¹³ a mandatory lifer can no longer be kept in custody due to the risk of committing future non-violent offences unrelated to the original conviction¹⁴. The Board can make three recommendations: no further progress; a move to open conditions; or release. They will also recommend when the next review should take place; normally this is a minimum of two years. The review period after a transfer to open conditions is now generally set at 18 months;

- Lifers are released by way of a life licence¹⁵. The licence remains in force for the individual's life; may on the recommendation of the Parole Board, include special licence conditions; may be revoked and the lifer returned to prison at any time on the recommendation of the Parole Board. The licence conditions are intended firstly to ensure the continued safety of the public by providing a continuous assessment of the risk the licensee presents; and secondly to help the licensee reintegrate into the community as a law abiding citizen. The supervision element of the sentence can be cancelled after a minimum of four years of trouble-free existence in the community. The application is considered by the Lifer Unit, a section of Prison Service Headquarters that deals with lifer cases.

3. Methods

Statistics

In September 2002 there were 17 women lifers in open/semi-open conditions allocated to three prisons:

Askham Grange (York)	Open	12 (10 mandatory, 1 discretionary, 1 custody for life)
Drake Hall (Stafford)	Semi-open	3 (1 discretionary, 2 mandatory)
East Sutton Park (Kent)	Open	2

In order to research the implementation of policies and how they translate into practice I started by considering all the cases of women lifers in open conditions and on life licence. I decided to focus on women in open conditions because the main stated focus of being in open conditions is to prepare and test the lifer for release and resettle her back into the community. However, I would wish to emphasise that preparation for release should not, of course, be left to the final stage of the sentence and the issues need to be identified and work started whilst in closed conditions.

I considered 22 cases from my client base consisting of 14 (10 Askham Grange, 3 Drake Hall and 1 East Sutton park) of lifers currently in open conditions, 5 of lifers who have since been released, and 3 lifers who have been back staged to closed conditions. The purpose of the case reviews was: to identify any issues common to women lifers preparing for release; to establish whether the needs presented were being catered for by current policy and practice; to identify any barriers to effective resettlement and gaps in current provision. One of the main issues was ensuring that a clear distinction was made between my work as a legal adviser and the research. My work brings clear benefits regarding experience of case work but presented a challenge when gaining the necessary approval.

Interviews

I also interviewed the women themselves, to hear their own experience of the issues in reality and from their own perspective. I wanted to establish how the women perceive their needs and whether this corresponds with current policy and the release process. I wrote to each lifer at Askham Grange (14) explaining the research and my intention to conduct interviews; I enclosed a consent form. I received responses from 11 lifers, 1 refused consent. I conducted 10 interviews: 9 lifers and 1 probation officer. 1 lifer was transferred to Drake Hall before the interview could take place. Each interview was recorded and transcribed, the interviewee was sent a copy of the transcript to comment on accuracy and to mark any comments not to be disclosed. The interviews were semi-structured and varied from 40mins-2.5. hours. It is acknowledged that it is a small sample; however there are only 17 lifers in open conditions at the present time and the interviews therefore represent over half

of the population. I also had the opportunity to consider five of the cases from the eight women I could not interview.

Facts and Figures

- The majority of interviewees were mandatory lifers (8) and one was custody for life. The life sentence was imposed for murder in all the cases;
- The minimum term being served ranged from 9 to 18 years. The average was 12 years;
- Six cases were over their tariff set by a period ranging from 18 months to 7 years. Two cases were pre-tariff and one had just expired;
- At the time of the offence the ages ranged from 19-46 and at the time of the interview the age range was 27-58;
- The majority had no previous convictions (6 had no pc); there were no previous convictions for violence (3 theft related and 1 drunk & disorderly).

4. Open Conditions

Necessity

I started by considering the necessity of open conditions. It is a prerequisite for release for a lifer to spend a period of time in open conditions, although there are exceptions to this in the case of automatics and recalls. In the case studies the majority of lifers spent some time in open conditions. The only exception was a mandatory lifer who was released from closed conditions. Due to her mental and physical health she required particular support that could not be provided in open conditions and would be best met by a nursing home in the community. However it should also be noted that she had been recalled following a significant amount of time in the community and had therefore only been back in custody for a limited amount of time prior to her release. In the interviews I hoped to establish whether the women themselves deemed it necessary to spend a period of time in open conditions of lesser security before being released. The majority of lifers interviewed felt that a period of time in open conditions was necessary before being released into the community:

I feel a time in open conditions is intrinsic for a life sentence prisoner. It is necessary to integrate back into society; it would not be realistic to be thrown out.

It was noted in particular that this was necessary due to the length of time spent in a custodial environment:

It gets you used to being back in society because I have been out of society now for nearly 15 years.

Each interviewee was asked to describe the main differences between open and closed. The key difference noted by the majority was the consequence of the lack of a physical barrier:

Instead of being your body in jail you have got to put your mind in it as your body is not in it anymore. You can walk out the gate but you have got to get yourself in a state where you can't walk out of the gate and you can't do this and you can't do that, because everything is just on offer really and it is up to you how far you cross that line.

At Askham Grange and East Sutton Park there is no fence but at Drake Hall, which is a semi-open prison there is a physical barrier and the difference is therefore less marked.

The main advantages of being in open conditions were stated to be: time to readjust and experience the world

outside the prison gate; having more control; the opportunity to take more responsibility; the prospect of being released in the future; and to relate to people outside the prison walls after a long term of imprisonment:

You can see the light at the end of the tunnel. The actual way an open prison is run I like the idea of it because you know there is light and you are going somewhere, community work, town visits, you are trusted.

In closed conditions your life is ruled by the lock in times, whereas in a place like Askham you make more choices. You have more control.

I think you need time to readjust to get used to going out and doing normal things and getting used to what life is going to be like when you get out.

You need to mix with people again because you are so used to people condemning you. They see the badge but not the actual person. I have established myself now out in the community. They have got to know me as a person which is very important; they haven't got to know me as a life sentence prisoner.

However, a minority felt that a period in open conditions was not necessary in their individual circumstances: "I think I could have been released from closed prison... I don't think I have become institutionalised at all considering the amount of time I have been in", although it is hard to establish how realistic this would be.

Nevertheless, the majority of lifers felt that a period in open conditions was necessary and appropriate. This would seem to support the current policy that a period in open conditions is necessary to allow for testing in conditions closer to those in the community and to allow reintegration. The Parole Board/Secretary of State generally recommend a period of 18 months in open conditions and this was indeed the case for eight of the interviewees, only one had received a twelve month review. However, the majority of interviewees felt that the period of time in open conditions could be reduced to 12 month review, but the initial lie down period would also need to be reduced to three rather than six months. It was also recognised, however, that the length of time should depend on the individual's circumstances.

- **The majority of those interviewed felt that a period of time in open conditions was essential to allow for a gradual reintegration into the community.**
- **The majority felt that the length of time in open conditions could be reduced, 12 months was generally regarded as a sufficient length of time, and it should depend on the individual.**

Allocation

For a woman lifer her allocation is limited to three prisons at the third stage. Those assessed suitable for open conditions are invariably located away from their communities, families and homes. The majority of lifers are held at Askham Grange, which was also the preference of most because of its good reputation. However, one woman chose Drake Hall originally due to the single cell accommodation. Therefore, regardless of their release address, they are often in a prison far from their families and proposed release area. This can pose particular problems for reintegration into a community. The Chief Inspector of Prisons recommended in the Thematic Review of Women in Prison that transitional prisons in urban centres should be developed to serve the resettlement needs of female prisoners and for an examination into the feasibility of small low security urban transitional prisons including the use of high rise accommodation. In *Justice for Women* the Wedderburn committee recommended that a national system of small, local custodial units should replace the existing women's prison system. However, in the present female estate there are only three open prisons.

There can also be restrictions on allocation due to the victim concerns. In one case a lifer was initially allocated to Askham Grange as her preferred establishment. After her transfer, victim concerns were raised and she was reallocated for her own safety. Any problems with allocation would normally be identified before allocation to an open prison¹⁶.

- **The availability of open places is limited to three establishments. This often results in a woman being located far from her proposed release area. This can cause particular difficulties for a lifer reintegrating back into the community.**

5. Main Concerns

The purpose of the case studies was to identify any issues common to women lifers preparing for release. The focus of the interviews was to identify how the women themselves perceived their resettlement needs and whether these were being catered for. The main concerns identified in the case studies and expressed by the interviewees regarding resettlement can be categorised under the following broad headings:

- suitable & safe accommodation;
- support on release - relationship with SPO;
- reintegration into the family/community;
- employment.

All of these factors will be considered by the parole board when considering the risk of releasing a lifer on life licence¹⁷ and will form part of the proposed release plan. In the case reviews an additional significant factor was the parole board process itself.

Accommodation

A significant issue identified by the case reviews and interviews was the need to identify a suitable release address prior to parole and to enable resettlement leaves to take place. The accommodation proposed is a crucial factor in the release plan and indeed the parole board are only likely to recommend release if suitable accommodation has been identified. However, one of the particular problems facing a lifer is the uncertainty of the release date. The Parole Board need to be assured of suitable accommodation but housing authorities/hostels often require a release date before a place can be offered. This can place some women in a catch 22 position. There were some cases in which a release address had been identified but the place could not be held until the parole board decision, this could be exacerbated by the length of the parole process.

Another common theme identified by the case reviews was the lack of suitable accommodation in the proposed release area. In some cases there was no, or very limited, hostel accommodation. In particular, there was a lack of female only accommodation. In some cases hostel accommodation was not deemed suitable because the individual would require more support, perhaps due to disability or learning difficulties. In one case the lifer had to be released to a medium secure hospital because there were no viable alternatives; she required the support and expertise that the medium secure unit provided but not the security. This highlighted the lack of non-secure, staff intensive accommodation in the community. There was also a huge variation in services depending on the area and in some cases obtaining relevant information regarding available accommodation was often a barrier to identifying a suitable release address.

The majority of interviewees expressed concern about their accommodation on release and in particular the location and suitability of the accommodation.

Location

A consistent theme for a proportion of lifers was the location of the accommodation. If victim charter issues are raised an individual can be excluded from certain parts of the country so they do not come in contact with victims. In the case of *Craven*¹⁸ it was held that the imposition of an exclusion zone was justified. However, in that case, the original zone had covered Newcastle and North Tyneside and as such would have been unreasonable and disproportionate to the interests it sought to protect. For one lifer the proposed exclusion zone was originally not within 50 miles of the Slough; this has now been revised to 15 miles. In the words of another individual;

because of my huge exclusion zone I can't go back to Leicester... I would have gone straight to my grandmother because that is in the area where the offence took place.

In this case the woman's child resides with his grandparents, but she couldn't return to that area because of victim concerns. She proposed to stay at a friend's house, as an alternative address, but this has been refused because the friend is an ex-offender.

- **The exclusion zone can present particular difficulties for lifers. It can mean that a lifer cannot return to a family address because it is in the excluded area.**

Type of Accommodation

The majority of lifers will be released to hostel accommodation or a family address. In the sample interviewed; four will be going to a family address and five to hostel accommodation on release. Despite the importance of hostel provision, some of the interviewees expressed concern about the suitability of such accommodation:

I don't wish to stay in a hostel or whatever for very long because it would be like still being in prison.

I just have this picture of hostels being full of drug abusers and alcoholics and things like that.

In all honesty I will use the hostel to sleep and that will be it. So it is serving no purpose other than they will guard me at 11pm, that I am not drunk and behaving myself.

In particular, there are a limited amount of female only hostels and even these do not always cater for children:

I prefer a female only place for that short time because I think it would save a lot of hassle.

In another case, a hostel had been identified but this was a mixed hostel which did not allow family visits. She would be unable to visit her family because they live in the exclusion zone. However, they would also be unable to visit her, because the hostel does not accommodate family visits:

They want me to go into a Probation hostel that does not accept children and then make no arrangements for me to see my son.

A few women have found alternatives to standard hostel provision. In one case, the proposed release address was a woman's refuge, which was identified by the prison probation officer because of the lack of hostels in the release area. One of the key benefits of this release address was the additional support she would be offered; she would also be assigned a key worker who will offer guidance and support. There are also cases where neither hostel nor family accommodation will be deemed suitable. In one particular case an individual was identified as having learning difficulties, a mental illness and institutionalised. There was no hostel accommodation which could offer the support she required and a medium secure unit was proposed. It was agreed that she did not require the security of the unit but she required the support of the professional staff. It should be acknowledged that the *Government Strategy for Women Offenders* undertakes to review accommodation for women offenders with children in bail hostels and other probation facilities and identify good hostel practice in this area.

If an individual is to be released to a family address there can also be concerns, in particular, regarding reintegration into the family unit after a long period of separation:

I am 36 years of age now and I have spent a lot of time in prison with people telling me what to do. I need to make my own decisions.

In my little world I have been by myself for 12 years and to go back to a family where I don't know them anymore... There are two screaming kids running around and it is just mind blowing.

- **A primary concern of the interviewees was the suitability of accommodation on release.**

Support

Supervising Probation Officer

A lifer has to be allocated a supervising probation officer (SPO) who will supervise her on life licence when released. The fundamental issue which became clear through the case reviews and interviews is the huge variation in provision between areas and individuals. The SPO plays a significant role, she is required to submit a report which should include a proposed structured release plan to the Parole Board and she will then be responsible for supervising the individual on life licence. The majority of lifers had several changes of Supervising Probation Officer since being in custody and indeed one woman had three changes since being in open conditions, in the course of 18 months. It was therefore difficult for the women to build up a relationship with their supervising officer prior to release. If the lifer hoped to resettle in a new area this would often compound the problem, with a probation officer only being allocated once release had been granted. This seemed to depend on the area and policy of that particular probation office. Some probation officers were also of the view that a release plan only had to be prepared once a decision for release had been made by the parole board. This could disadvantage the woman when applying for parole because there would be no structure in place to assist her reintegration.

It was also of concern that there were often delays in granting the risk assessment because the probation officer had not completed the paperwork in time. This would then affect how many temporary releases the woman could have prior to her application for release being considered. Once again, this could have an adverse affect on her application for release.

The majority of the interviewees felt there was a lack of consistency in their relationship with the SPO, due to frequent changes, in one case she had had twelve different probation officers during her time in custody:

I have never had a permanent probation officer allocated to me.. I have probably had one letter from them and then the next thing they have gone and someone else has taken over and they have been with me for one letter and then they are gone. This is the third one I have had since being here (18 months).

It was also a concern that the majority of lifers had received very little contact from their SPO and have therefore been unable to build up a relationship with him/her. The majority had received infrequent contact:

I haven't seen her yet (4 months before parole).

I have only met her twice, because we have been in prison a long time and probation officers move on. When I first came in I was told that this is my PO for the rest of my life but it doesn't work that way. The system is not structured in that way.

The problem can be exacerbated if the release address has to be changed near to release because of victim concerns. Some probation services will only pass the file when a release address has been identified but it is difficult to identify a release address without the assistance of a SPO. A minority referred to their relationship with their SPO as a positive relationship:

I think the (contact) is sufficient. ..She has already helped me get on to a housing list even though I have to go to a hostel first.

The role of the SPO used to be to advise, assist and befriend offenders. It has now been redefined with the focus on the protection of the public: ‘She is there to keep you on the straight and narrow.’ As a consequence, some lifers felt reluctant to express any concerns to their probation officer for fear of being seen as not coping:

If I do feel like I can't cope or I am depressed or something, I feel that at the moment she would take it the wrong way and that would be bad for me.. I think I am going to need someone who is going to be in the middle of all that. They will say to me what is it you can't cope with and then they can tell me how I need to cope with it. I have never had to deal with the kind of stress that goes on out there.

I would like her to get to know me as a person outside the prison system.

- **It is of concern that there is such variation in service between probation officers/areas;**
- **The majority of lifers had not had the opportunity to build up a relationship with the probation officer who would be supervising the life licence on release;**
- **The probation officer's role focuses on risk and protection of the public; this can result in a lifer being afraid to express any concerns because of the fear of recall.**

External Support

The majority of lifers would be released into the community with very little support. The length of time served in prison can result in individuals being very isolated from external contacts, friends and family. Of those interviewed, four received support from family members, one from a prison visitor and church group. For some, their only contacts will be ex-inmates, but generally prison policy does not support such ties. In two cases the women could not live with a friend on release because they were ex-inmates. One of the principal concerns expressed by the majority of interviewees was the lack of practical and emotional support on release. Some were anxious about the practicalities of living outside the prison:

What is going to happen to me, I am out there, I am middle aged, I have got no pension. What if I can't work, who is going to support me?

I have not lived by myself when I was out. I have never paid bills; I have never done the adult thing. I think that is where I am going to have my main problem.

It was suggested by some lifers that a mentor may be appropriate and perhaps fill the gap left by the change of the probation officers role: "You are going to need a good mentor aren't you? Everybody needs somebody." A mentor could offer practical and emotional support:

I just need directions, practical support.

It will be like housing, benefits, work even things like a P45 and things like that, I should know these things but I don't. I have never had to use them, like when I opened a bank account a few weeks ago it was mayhem. They were saying just fill the form out and I didn't know how to do it.

Someone to talk to, to say this is how it is going at home and this is how I feel and am I feeling alright and I would like to do this if possible.

The crucial aspects of mentoring would need to ensure that the individuals were suitably matched and were not connected with supervision: "You would have to get the right person with the right person".

- **The majority recognised that they would need support on release with practical and emotional matters;**
- **A minority will be released to supportive families but the majority would have very little support on release;**
- **It was suggested by the majority that a mentor could offer appropriate support tailored to the individual.**

Reintegration into the Community

Temporary Release

The purpose of open conditions is to allow the individual to experience a more realistic environment and to reintegrate into the community. When a lifer arrives in open conditions there is a settling in period, normally for a period of 6 months when the individual is not eligible to be temporarily released into the community¹⁹. All of the interviewees felt that the settling in period could be reduced to a period of 3 months:

I think it should be flexible. I think everything should be flexible and people should be treated like individuals rather than doing it all together and everyone has got to do it. Some people can cope and some people will never be able to.

For lifers with a shorter review than the usual 18 months there is a possibility of accelerating the process. One of the interviewees was able to start being temporarily released into the community at four months because she had a 12 month review. However, in one case, at Drake Hall, the process began seven months after transfer despite having a 12 month review.

There is the opportunity for a lifer in closed conditions, prior to transfer to open, to apply for escorted absence²⁰ for one day to undertake a familiarisation visit to a nearby town²¹. It was the view of all the interviewees that there should be more opportunity for temporary release from closed conditions:

I think to get out more at closed, more frequent. Not only to get out but to give you a chance to see the outside world. I was there 11 years and it was far too long in one establishment.

A lifer without a release date can apply for temporary release on licence after 6 months in open prison, subject to a risk assessment and approval by headquarters. The majority of interviewees had experienced some delay in the initial application. The main reason stated for this was delay in probation submitting the necessary paperwork.

There are three types of temporary release on licence: facility, compassionate and resettlement. The purpose of a facility licence²² is to enable prisoners to participate in activities such as community service, employment, training, educational and parenting and reparation. It can also be for official purposes and to resolve urgent issues.

It normally amounts to one day release but it is possible to be released overnight for hostel assessment, housing and employment interviews. A lifer is normally escorted for the first release. In practice there are slight differences between establishments, on whether the lifer has to be collected (At Askham Grange a lifer cannot be collected. At Drake Hall the family has to collect the lifer) and the radius allowed (at Askham Grange the radius is 10 miles for lifers compared to 50 miles for non-lifers; at Drake Hall it is 20 miles). All of

the interviewees cited the benefits of being temporarily released into the community; in particular the chance to be 'normal':

I think they are beneficial because you can relax, you can walk around town, and you can see the prices on stuff. You have got time to budget and look around.

Just a little bit of freedom. Okay its only about 7 hours but you have no officers around you, no running here, there and everywhere at certain times to make sure you are in the prison. You are walking around the shops like ordinary people.

It also allows the opportunity to become comfortable with the outside world, including getting used to money, transport and technological developments:

There were lots of things (differences), like the 2 pound coin. I thought I couldn't give it to the cashier in case it wasn't enough money so I gave her a 5 pound note I then came out and said to the officer who was with me, what is this? I didn't want to be embarrassed with the fact that I wasn't sure what it was.

When a lifer is in paid work she has to give up a day's work to take her town visit. The interviewees felt this policy was unfair and unrealistic:

I haven't had a town visit because I was told that you have to give up paid work to go on a town visit. Unknown to the establishment, it is very hard to say to your boss, I am not coming in today I am going on town visit. You could not do that in real life when you are outside.

- **The majority felt that there should be more opportunity for temporary release from closed conditions;**
- **The settling in period should depend on the individual and could be reduced to 3 months as a norm;**
- **The facility licence assisted lifers in getting to know the world outside the prison gates;**
- **The current policy of having to give up a day's paid work to take a town visit was seen as unfair.**

Resettlement Leaves

A lifer without a provisional release date may apply for a resettlement license after nine months in open conditions. An accelerated programme may be appropriate where an early review date has been set. A resettlement leave is stated to serve two purposes, to enable prisoners to maintain family ties and links with the community and to make suitable arrangements for accommodation, work and training on release. A resettlement license is normally granted every eight weeks but there is now the possibility of an overnight stay every four weeks if the lifer has worked in the community for a minimum of two weeks²³. There was concern that the frequency of resettlement leaves was insufficient and if these were increased it would assist in reintegration. In practice, three of those interviewed had experienced delays in their first resettlement leave. The main reason cited was the late submission of risk assessment paperwork by outside probation. A complication can arise, if a suitable release address has not been identified; in one case this caused a delay of seven months. In two cases, the hostel identified could not accommodate contact with family members and therefore was unable to assist in maintaining family ties. All the interviewees felt they would benefit from increased frequency:

They should focus on the amount of resettlements you have to how to see if you are coping properly on the outside. On your first one you go out there and by the time you turn around, it is time to come back. They are not giving enough for you to show you can really cope. Everybody is not in the same league.

Whilst on community work the prison will pay for the cost of the travel involved, by the cheapest route. However, once a lifer is in paid employment she may be required to pay for the cost of her resettlement leave. It could be argued that is contrary to the objectives of resettlement and the costs should be met by the prison:

Resettlement is for a purpose, resettlement is for getting back into the community. I thought the whole point of actually working whilst in prison is to benefit you when you are released. They should let us save and try and help ourselves when we get released.

All of the interviewees eligible for resettlement leaves recognised the benefits, however there can also be challenges that were not anticipated; in particular reintegration into a family unit:

I have never sat down and told them this is what it is like in prison, it is my fault because now at the end of it they just expect me to pop up, they have no idea what it has been like.

After 20 odd years I am suddenly there 24 hours a day. I found it hard to know exactly how much to do in the home as it was her home and I didn't want her to feel that I was taking over.

- **There were often delays in the first resettlement leave due to paperwork not being submitted on time/ or a suitable release address not yet identified;**
- **The majority felt that the resettlement leaves could start earlier and the frequency increased;**
- **Those entitled to resettlement leaves recognised the benefits toward reintegration and in some cases there were unanticipated challenges;**
- **The policy of paying for resettlement leaves, when on paid work, was seen as against the principal objective.**

Hostels

In the Lifer Manual it states that lifers will normally be subject to a period in the pre-release employment scheme (PRES). However, in practice for women lifers there is limited opportunity, therefore, a lifer may not be able to experience living independently prior to release. For those women who were convicted at a young age this can present particular problems because of the lack of practical experience before release. At Drake Hall there is an out house for women working in the community but this is behind the fence. At Askham Grange there is a hostel on-site but this has been recently renamed an 'annexe'. Some of the lifers interviewed were resident of the hostel but still subject to the rules of the main prison:

I am classed as a hostel person but I am under house rule. I don't get the benefit. I get the wage but my purse is kept in a safe, so I can't buy anything or get any luxuries or bring my tea home one night.

On the 'annexe' at Askham Grange there is no opportunity for the lifers to cook for themselves, although as noted by one lifer: "You can't cook on the hostel anyway; it is only a microwave, so it is not exactly a roast dinner."

Each mandatory lifer allocated to a PRES must have a provisional release date; however, long term prisoners can apply to live on the hostel before their parole board. It was the view of the majority of interviewees that they would benefit from hostel accommodation before their parole board review, perhaps to coincide with paid work. In particular it should be noted that three of the lifers interviewed were 19-20 when convicted and had therefore had little experience of living independently before incarceration:

I feel like I am getting ready for release but I am not even on the unit where I am shopping and buying my own food and cooking and stuff like that. That is not happening, so if I had a problem preparing meals and stuff like that I would have a problem.

- **There are limited hostel places in the female estate. The lifers would benefit from the opportunity to reside on hostel accommodation prior to the parole board review and perhaps to coincide with paid work.**

Employment

Community Work

The majority of lifers will be given the opportunity to engage in community work passing a risk assessment. The majority of lifers work in charity shops or with the elderly at a drop in centre. Normally, the placement is for 1-2 days a week at first and this is subsequently increased. One theme which arose from the case studies was the lack of choice of placements. It would be more beneficial if the work could be linked to the employment aims of the individual. In one case a lifer had gained a considerable amount of qualifications in computers and administration whilst in prison. She had hoped to apply these skills in an admin job in the community. This request was refused and she had to take up voluntary work in a charity shop. The limited options can pose particular problems for an individual with learning difficulties or a disability. One problem is the remote location of the prison can mean that a long walk is involved to travel to the placement; this can restrict the options even further for someone with a disability. In one case a lifer could not work in the community because she would have to walk to the bus stop and her disability prevented her from doing so.

The majority of placements are in charity shops. At Askham Grange there is also the option of working at a drop in centre for the elderly. At East Sutton Park the options available are mainly swimming with the disabled or gardening. The choice is limited by the fact that the organisation has to be a charity. Five of the interviewees felt the options were limited; 8 worked in a charity shop (charity and book shop) and 1 with the British Conservation Trust:

I would have preferred to go into an office but this has not been forthcoming. I would think it is difficult to find placements because it has got to be charitable organisations.

I had the chance of doing work for a garden centre and then when I was eligible for paid work they would take me on. But I wasn't allowed because it wasn't a charity.

I would have personally liked to have done something educating like go and work at the Barbican. It would have been more beneficial to my sentence plan..... I presented it but it didn't seem an option.

Nevertheless, the majority of those able to engage in community work felt that they had gained from the placement; in particular, in relation to increase in confidence and having a different identity apart from being a prisoner:

Undertaking community work has given me confidence and a certain feeling of self esteem.

The main thing that it did for me was help me communicate with people. ..Being on community work in that shop I found that I wanted to speak to people. It has helped me with public transport..one of my worst fears when I was in closed prison was getting out and being in a crowded area and things like that it helped me in that sense.

- **The interviewees would have liked more choice for community work placements. It was also suggested that the placements could be tailored to the individual and connected to employment on release.**
- **All those engaged in community work recognised clear benefits.**

Paid Work

Lifers can look for paid work after they have completed a successful period of out working (At Askham Grange this is normally the 12 month point). At Askham Grange, SOAVA assist the women in obtaining employment which includes a preparation for work course and practise with interviews. There is a similar course at East Sutton Park called “Come Back.” Despite this assistance there were significant barriers to obtaining suitable employment. One of the barriers cited to obtaining suitable employment was the limited time allowed to find work:

I didn't have enough days; I didn't have enough hours in the week. I wasn't on a time limit but they gave me no time to find one. I used my lunch hours while on community work.

At Askham Grange there is a policy decision that the lifer can only work four days a week and the hours are limited, this obviously limits the opportunities available:

Everywhere I phoned or enquired were not willing to take me on for just four days.

First of all when I went to my interview I had to explain that I had to be back by a certain time. Then it took about 4/5 phone calls - the prison kept changing what I can or can't do.

There are only a limited amount of employers that will accept prisoners in employment which can narrow a lifer's options. There can be the possibility of pursuing education as an alternative to paid work. However, in one case a lifer hoped to attend college to pursue her educational qualifications, this was part of her sentence plan and personal target. Her request to attend college was refused despite the fact that she was offered a place and it would have improved her employment prospects on release.

In the interview sample the paid work being undertaken varied from hotel work, conferencing, factory work, shop assistant and a personal assistant. All of the interviewees who were employed felt that the experience was valuable and had benefited them: in particular with increase in confidence, communication with different people and learning new skills:

I have built up my confidence by being in contact with a lot of different people. It helped me with learning different skills.

I have learnt skills I didn't have before.. even if I don't get a transfer.. I have got reference to set me up somewhere else.

For some it may even provide possible employment on release:-

With the Holiday Inn you can get transferred. Also I have been given a very good reference. I am happy with that.

- **There were barriers to finding paid work - in particular the limited time and the policy of being limited to 4 days.**
- **SOAVA offered significant assistance for the majority in finding work.**
- **In undertaking paid work there were clear benefits: skills gained and possibility of employment on release.**
- **The majority recognised their criminal conviction and status as a lifer would be a barrier to employment on release.**

Parole Process

A mandatory lifer normally spends 18 months in open conditions before her case is considered by the parole board. The parole could be a lengthy process, particularly because the final decision would be made by the Secretary of State, sometimes 3 months after the parole board had considered the case. This could present difficulties when securing a release address. However, since the case reviews were conducted the position has changed. Following the case of *Stafford*, the government has introduced interim arrangements for the review of mandatory life sentenced prisoners. The new arrangements provide that all parole reviews should first be considered on the papers by the board. If the prisoner or Home Secretary is not happy with the recommendation a request can be made for an oral hearing. The Home Secretary has also confirmed that he will accept any recommendation made by the board for release. This should speed up the parole board and provide clearer indication of the time scale.

6. The Way Forward

When a lifer is being considered for release, an integral aspect of the application will be her potential to successfully resettle in the community and the suitability of the release plan. The social factors are inextricably linked to risk of re-offending and her successful reintegration. The recent Social Exclusion Unit report *Reducing re-offending by ex-prisoners* highlighted how social exclusion is linked with re-offending and identified nine key factors: education; employment; drug and alcohol misuse; mental and physical health; attitudes and self control; institutionalisation and life skills; housing; financial support; and family networks. Evidence shows *that these factors can have a huge impact on the likelihood of a prisoner re-offending*²⁴.

The main barriers/concerns identified in the research were; identifying suitable accommodation, lack of support, reintegration into the family/community and employment. These factors, of course, also apply to non-lifers on release and indeed it could be argued that the problem of suitable accommodation and lack of support is particularly acute for short term prisoners with no statutory supervision. However, women lifers present distinct issues in terms of resettlement and being a minority does not justify overlooking their needs.

There have been positive developments in terms of resettlement, including Prison Service Order 2300 which sets out a performance standard on resettlement issues: All prisoners will have the opportunity to maintain and develop appropriate community ties and to prepare for their release. Provision of the Prison Service in collaboration with the National Probation Service will be targeted on the basis of an assessment of risks and needs and directed towards reducing the risk of reoffending and risk of harm. Within this, there is the requirement that each prison is required to have a Resettlement Policy Committee to steer resettlement work. The preparatory work for resettlement must be carried out in partnership with probation and other bodies who can assist prisoners; a duty is imposed on governors to achieve targets in the areas of housing and employment for prisoners. It also indicates that attention must be given to particular groups of prisoners including women and that some may need to be catered for in different ways. There have also been specific developments in terms of women; an area resettlement co-ordinator for the women's estate has been appointed to report on the implementation of the PSO on Resettlement and the delivery of resettlement across the female estate. He will also be reporting on progress on KPI targets for getting women into jobs, the SEU report and how it relates to women prisoners and developing external links and funding opportunities. Furthermore, a draft resettlement strategy for women has been produced and is currently under consideration.

There is also plenty of evidence of good local practice in terms of resettlement for example: the work of SOAVA at Askham Grange which assists women into employment; and the housing project at Drake Hall which is prisoner led and assists women in obtaining suitable accommodation for release. It is suggested that these models should be replicated across all open/semi-open prisons.

The policy on women and resettlement is very encouraging and will provide an effective framework. However, it should be emphasised that appropriate funding needs to be made available to ensure effective implementation of the same. It is essential that the policy is translated into effective practice. In the words of one lifer:

I do not feel I will have ever paid the price in people's eyes and it depends on who is examining me or scrutinising meAt the same time there has got to be a time when they say enough is enough, she still grieves, she is still ashamed, she still goes through things but let's put networks there to help her out and move back into society.

Recommendations

To ensure the effective resettlement of women lifers²⁵ and to help bridge the gap between custody and the community the following specific recommendations have been identified:

Recognise Individual Needs

Any blanket policy can become an obstacle if it is not applied in the context of individual circumstances. It is essential to recognise an individual's needs when applying policy. In the words of one interviewee:

There doesn't seem to be any logic to what the prison does. I think they should do things individually rather than collectively and they would get a lot further.

A Review of the Temporary Release Provisions

- to allow for increased temporary release in closed conditions;
- to reduce the settling in period to 3 months when transferred to open;
- increase resettlement leaves to every four weeks with discretion and costs to be met by prison;
- community work - increase range of placements and greater flexibility for the individual;
- Paid work – cancel 4 day policy.

Increased Availability of Hostel Places

in order to allow lifers to reside on hostel with benefits prior to a Parole Board review and perhaps to coincide with paid work.

More Frequent Contact with Supervising Probation Officer

SPO to be allocated in closed conditions, victim issues to be identified prior to transfer to open, the requirement that SPOs must attend every internal review board from 4.5 years prior to tariff expiry.

Accommodation

Review of hostel and alternative accommodation, central database of all hostel accommodation, housing associations to review policy of only identifying place when release date is known.

Mentoring (Voluntary) Scheme to be Established

- with a central co-ordinator;
- identify individuals prior to transfer to open conditions;
- match by individual and release area;
- to provide positive role model;
- possibility of ex-prisoner;
- support continue after release.

Release Information Pack

for all lifers before release, with information on disclosing conviction, the life licence and helpful points of contact.

- ¹ The term “resettlement” is used to refer to the effective reintegration of imprisoned offenders back into the community. It is recognised however that many offenders are not settled before imprisonment and therefore it could be argued it implies restoration of a condition that never was. (*Through the Prison Gate – A Joint Thematic Review by HM Inspectorates of Prisons and Probation*)
- ² This has been recognised by the Home Office who published the *Government Strategy for Women Offenders*.
- ³ Prison reformers and academics have long argued for the need for specific policies for women offenders- including the Howard League, The Prison Reform Trust, Women in Prison, NACRO, Prison Inspectorate etc. The Home Office have also published its own document on women.
- ⁴ The Joint Thematic Review on Lifers highlighted the issues facing lifers and included analysis on women lifers. The Howard league published a briefing paper on women lifers and aptly named it *Life in the Shadows*.
- ⁵ Roberts (chapter 6), Poteat (chapter 7) in *Women and Punishment*
- ⁶ s1(1) of the Murder (Abolition of the Death Penalty) Act 1965.
- ⁷ Sec 2 Crime (Sentences) Act 1997
- ⁸ A person over 10 but under 18 at time of the offence convicted of murder
- ⁹ A person 18 or over but under 21 at time of offence convicted of murder, s8(1) of the Criminal Justice Act 1982.
- ¹⁰ Equivalent to a discretionary lifer sentence – available for person over 10 but under 18 convicted of offences other than murder
- ¹¹ The tariff of a mandatory life sentence used to be set by the Home Secretary rather than a judicial body. However, the case of *Anderson* established that the tariff of a mandatory lifer is now set by the trial judge at the time of sentencing.
- ¹² Directions to the Parole Board under section 32(6) of the Criminal Justice Act 1991
- ¹³ *Stafford v UK* (Judgement ECHR 28th May 2002)
- ¹⁴ The same case also found a violation of article 5.1 & 5.4, the challenge concerned the lack of oral hearings and lack of power of the parole board to direct release in the case of mandatory lifers. The interim arrangements are yet to be announced.
- ¹⁵ Issued under s28(5) of the Crime Sentences Act 1997 for discretionary and HMP- s29(1) for mandatory lifers.
- ¹⁶ Lifer Manual – chapter 4
- ¹⁷ Training Guidance on the Release of Mandatory Life Sentence Prisoners.
- ¹⁸ *Craven v Home Secretary and the Parole Board* [2001]EWHC Admin 850
- ¹⁹ IG 36/95
- ²⁰ PSI 63/2000
- ²¹ She has to be within 12 months of a Parole Board review and also within 4 years of tariff. However, in those cases that are eligible to have their first review by the Parole Board 3.5 from tariff, an application may be made when the prisoner is 4.5 years from tariff.
- ²² Chapter 11, Lifer Manual
- ²³ PSI 53/2000
- ²⁴ Page 6
- ²⁵ It is recognised that some of the recommendations could apply equally to the non-lifer population.