



**Imagining penal policy for women: The case for
Women's Community Services**

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Abstract

The Women's Community Services (WCSs) established in 2009 in England and Wales were based on the model of one-stop-shop, women-only provision endorsed by the 2007 Corston report. In this paper we discuss the development of WCSs as part of a governmental/voluntary sector initiative that was arguably an attempt to re-imagine penal policy for women offenders in the community, and explore themes emerging from interviews carried out with 30 women attending six WCSs between April 2011–2012. We argue that WCSs have filled a gap in provision for low risk women offenders by providing a range of social capital opportunities that are not available in mainstream, mixed-gender community punishment provision. We highlight the gendered processes of desistance; the understanding of which, we argue, is vital in making provision for women offenders in the new contracting landscape.

Introduction

In this paper we discuss the development of Women's Community Services as part of a governmental/voluntary sector initiative that was arguably an attempt to reimagine penal policy for women offenders in the community. We argue that WCSs have filled a gap in provision for low risk women offenders by providing a range of social capital opportunities that are not available in mainstream, mixed-gender community punishment provision. We highlight the gendered processes of desistance; the understanding of which, we argue, is vital in making provision for women offenders in the new contracting landscape.

The paper is based on research conducted at the Institute for Criminal Policy Research as part of an evaluation commissioned by the Corston Independent Funders Coalition (CIFC) and funded by the Nuffield Foundation (Radcliffe and Hunter, 2013). The interview data comes from 45 interviews carried out with 30 women attending six WCSs between April 2011–2012. In the following sections we describe the background to the development of WCSs in England and Wales before discussing some of the themes that emerge from the interview data.

Background to Women's Community Services

The WCSs established in 2009 in England and Wales were based on the model of one-stop-shop, women-only provision that had been developed, mainly by probation services and in the Together Women demonstration projects in the North West, Yorkshire and Humberside (Gelsthorpe et al., 2007; Hedderman et al., 2008; Hedderman, 2010). This was the model that had been endorsed in Baroness Corston's *Review of women with particular vulnerabilities in the criminal justice system* (2007). The Women's Diversionary Fund was a funding partnership between the Ministry of Justice and a group of charities whose work focused on the diversion of women from custody and resulted in the creation of a network of provision for women offenders in England and Wales 2009–2011 (see Kaufman, 2011 for a description). Considerable uncertainty now hangs over these services which were given an additional year's funding in 2012–13 from MoJ funds and in 2013–14 were commissioned and funded by individual probation trusts. In January 2013 with the launch of the Transforming Rehabilitation proposals (MoJ, 2013a), it became clear that services for women offenders would now be part of a new landscape of payment-by-results contracting (Gelsthorpe and Hedderman, 2012). The document *Strategic Objectives for Women Offenders* published by the Ministry of Justice in March, 2013 suggested that access to women only provision would be met on a case by case basis, depending on whether a woman met a threshold of need (MoJ, 2013b). The document emphasised too that a special case should not be made for women offenders and that the primary role of community orders for women is their robust punishment. After much lobbying, the Rehabilitation of Offenders Bill, 2013–14 (which has not yet completed its passage

through the parliamentary processes) was amended in debate and the Secretary of State must now consider the specific needs of women offenders, and identify how these are being met under the new arrangements. We hope that this will mean women's services will be included in contracts for providers of services to low to medium risk offenders.

Women's Community Services

The services that took part in our evaluation are broadly typical of the 31 services developed via the Women's Diversionary Fund initiative. They provided a range of services to women offenders in partnerships of statutory and non-statutory agencies. Although they varied in the sorts of partnerships and working practices established with local criminal justice agencies (probation, police, prisons, magistrates courts), women could be referred into these services at all points throughout the criminal justice system: as a condition of arrest referral, prior to sentence, as part of community orders, as part of the conditions of suspended sentences and licence conditions and as part of post-custody arrangements. All services provided women with intensive, one-to-one support based on a tailored plan. While some services provided a range of in-house and co-located provision in women-only premises, others provided intensive outreach services with some in-house, ad hoc education and training and personal development courses. Many provided drop-in, social and peer support groups.

Methods

Our aim was to interview five service users from six WCSs twice in the course of our evaluation of the services. At each service, case workers suggested women for interview who they considered were sufficiently stable in their substance misuse and/or in their lives more generally, who we then contacted. While the women interviewed were not at their most chaotic, a number were continuing to struggle with substance misuse or unstable housing, or were experiencing violent relationships. Participants were given information about the study and given the opportunity to ask questions. They were given a £15 gift voucher to compensate for their time, any travel costs and the inconvenience of taking part in the study.

These interviews were intended to provide the service-user perspective for our evaluation. The initial interviews took place at different stages of involvement: some had been referred fairly recently while others were well on in their engagement. We collected a range of demographic information and used a semi-structured interview schedule to collect background information on women's offending history and experience of the criminal justice system, how they had come to be referred to the WCSs, what their experience of the service was, which services they had accessed, whether they had needs that had not been met and what they were hoping for. In the

second interviews when women had often reached the end of their contact with the service, they were asked what had happened since we had first spoken to them. More detail regarding methodology can be found in our report (Radcliffe and Hunter, 2013)

Desistance, social capital and women offenders

Much of our interview data is concerned with the changes that women were making in their lives or how they wanted to make change. The concept of desistance – the protective factors that may encourage alternative pursuits to offending – has developed from life-course, longitudinal studies of cohorts of prisoners and ex-prisoners rather than studies of people serving community orders. Although we were able to find out how most of the women we interviewed initially had fared, including those we were unable to interview a second time, the paper does not present data on outcomes or on the extent to which women had desisted from offending. Instead, following investigations of ‘recovery’ from substance misuse (Granfield and Cloud, 2001; McSweeney and Turnbull, 2007) and approaches to desistance concerned with identity and diversity (Maruna, 2008; Weaver and McNeill, 2010), we attend to the complex interplay between changes in agency, identity, and the social networks that provide alternative opportunities for those attempting to change their lives. In presenting an analysis of accounts from two ‘snap shots’ in time of a small, purposively sampled group of women, we aim to contribute to the understanding of how gendered processes of pro-social identification and desistance may be made possible by WCSs.

Little research has examined the role of gender in desistance. Giordano et al.’s (2002) longitudinal study of a sample of serious adolescent female delinquents was conceived to assess whether the social control factors that support desistance from offending that had been identified by Sampson and Laub (1993) in their study of the lives of 500 male ex-prisoners also held for women. Sampson and Laub had found that supportive partners and steady employment were key protective factors for the men in the cohort they studied. In the UK, Farrall (2002, 2004) has also highlighted the centrality of employment and family relationships in developing social capital and helping (male) offenders desist from criminal behaviour. Giordano et al. present a four-stage model of change and argue that for female offenders’ perception of self to alter and for ‘readiness for change’ to manifest, access to a range of social capital opportunities is required. In common with much research on women offenders, Giordano and colleagues describe women who had led lives that featured childhood abuse and histories of physical and sexual violence, in addition to homelessness, substance misuse and poverty. As we will describe, our data confirm these findings as they also confirm that intimate and family relationships frequently do not have a protective effect for women either for preventing initiation into offending or supporting desistance, in fact quite the reverse (Brown and Ross, 2010; Leverentz, 2007).

Shame and the offender identity

Criminologists have long noted the role of the criminal justice system in shaming offenders (Braithwaite, 1989). Women offenders are viewed not only to have broken the law but in addition to have broken a gender contract and they are therefore more stigmatized by the social identity of offender than are their male counterparts (Worrall, 1990; Malloch and McIvor, 2011). In their study of a cohort of young people they grouped into persisters, resisters and desisters, McIvor et al. (2004) argue that in comparison with the young men in their cohort, young women reported being more ashamed of their offending. Women interviewed for our evaluation described shame both to have offended and to have become the subject of criminal sanctions. For example, in this interview extract, a woman in her fifties who was given a community order and a driving ban for her second drink driving offence described her feelings:

I could cry I'm so embarrassed. I am totally embarrassed. I'm ashamed of myself actually.
(Ailsa, 55)

The shame of being publicly sanctioned was reported particularly when women were asked to compare attending the WCSs with the experience of attending a mixed gender probation office. These women often expressed the feeling that, despite also having committed a crime, they were not like the other clients at probation. Women thus frequently reinforced commonly-held stigmatizing attitudes towards offenders as a group, perhaps in order to present themselves as different from them. Offenders (especially offenders they took to be drug users) are depicted in these accounts as a group to which women wanted to make it clear that they did not belong and with whom they did not want to be associated:

When I go to probation sometimes I have to wait and the people that come in, it really puts me off. It's because I've never been in trouble before I just don't feel like I belong and I don't feel I should be there.
(Rosie, 43)

Like the female 'desisters' from crime interviewed by McIvor et al., who were distinguished from their male counterparts by concern for what others may think of them, many of the women interviewed for this study made clear that they actively dis-identified with the probation client group and felt ashamed by what they presumed others would think of them should they be seen there (and see Katz, 1999: 149):

Because when you go there [probation] like everybody you know, knows what you go for, you know and it's a bit scary for me really here.. But here [WCS],

you've got the nursery, you know you've got classes. When you come here no-one knows what you come for because there's so much things to do whereas [name of building] they know it's probation.

(Samantha, 26)

Refusing the offender identity was thus a way of confirming a respectable identity in the context of the interview.

Temptation

For some of the women interviewed this was not their first experience of being sanctioned by the criminal justice system; indeed a number of women interviewed had had multiple convictions, very often linked to long term and sometimes ongoing addiction problems (e.g. 'I have to openly admit that I've never been arrested sober'). These women acknowledged the temptation that might ensue on meeting former associates at the probation office:

I choose to see her [probation officer] here because the office where she works, there's still a lot of people that go there that are using, and I find it really difficult because it's people that I used to use with and it'll only take me to be having a bad day and I could use again.

(Jackie, 34)

For this woman and others with histories of problem drug and alcohol use, the WCSs they attended were places in which they could consolidate existing motivation to avoid substance misuse, enabling their move into a secondary phase of desistance (Maruna, 2001). For Lydia, the women's centre represented a place of refuge where she could spend time after an intensive weekend of relapsed drinking:

I came in because it was a safe place for me to be. To sit here to talk to other women, to have cups of tea and smoke fags all day than me be at home on my own because I knew I'd pick up another drink.

(Lydia, 44)

Here the idea of 'safety' refers to safety from temptation. The scarcity of such places of refuge in the precarious period between prison and the community was emphasised by a temporarily-housed woman with a long history of offending linked to problem drug and alcohol use. Margaret emphasised the difficulty she found in avoiding drugs and alcohol in the hostel in which she was housed on initially leaving custody:

In the hostel, I could not stay clean. There's hundred and odd people there, they're outside the hostel drinking, they're all sat over the wall facing the hostel.

There's loads of them, they're all injecting, they're all drug users and I couldn't get away from it.
(Margaret, 46)

Arguably then the identity of the service itself is also important. With names such as Inspire, Women's Turnaround, Changes, Women Ahead and Tomorrow's Women, WCSs and the offender programmes within them deliberately style themselves as places to inspire and support women. Their positive identity as providers of services for women rather than for offenders thus reinforces a non-stigmatized identity.

'You're not going to get judged'

As a counterpoint to the shameful offender identity, both first-time and women offenders with longer offending careers frequently referred to WCS staff and other service users as non-judgemental. Not being judged was a common characteristic of WCSs that women referred to in interviews:

Obviously there's lot of women that come in here with all different types of situations and you're not going to get judged.
(June, 38)

As soon as I come here I felt so welcomed and I met some people here and they just don't judge ya.
(Cerys, 23)

When respectability is put at risk, the endorsement by professionals of a normalised identity can be vital (Rumgay, 2004). Women frequently referred to a professional's endorsement of their non-offender identity:

Because it's like she [key worker] says, "Look, there's nowt I can say to you because you know you're not a criminal, you are a good person, I can talk to you and we can chat" but she doesn't need to reform me because I'm not going to offend again you know?
(Tamsin, 45)

Although Maruna (2001) argues that effective narratives of desistance require acknowledgement of offending and its effect, we suggest that what is being refused by women in these interviews is not so much the offence but the identity connected with the offence. Since, as described above, an offending identity is particularly stigmatizing for women who are seen to have transgressed gender; the rejection of an offender identity may play an important role in women's desistance processes.

The women only setting

While a few of the women interviewed for this study reported that they were part of close networks of family and friends; their family and their life partners were often not protective factors. For many, substance misuse and offending had taken its toll on their family and community relationships and often, offending and substance misuse appeared to have arisen from childhood abuse and fractured, violent relationships in later life. The majority of women we interviewed had been victims of male violence and/or sexual abuse both as children and as adults and the 'safe', women-only environment of the women's centre was frequently contrasted with the male culture of the probation office:

I'm very nervous around men because I've been abused most of my life. And I find it hard to associate with men like. When I was on probation..I didn't want to sit in there because men are around.

(Georgina, 43)

The women-only status of these services was therefore central to the forms of social capital that they generated. Social capital, as commentators have argued, can be positive and including as well as negative and excluding depending on whether one is in or out of the network (Bruegel, 2005; Wacquant, 1998).

In comparison with what was sometimes characterised as the predatory masculinity of the probation office, the trust and reciprocity of belonging to a women only network would appear to be key in gendered processes of desistance. For many women, their relationships with WCS case workers and with peers were the first supportive relationship they had experienced in many years. Women frequently described lives that were isolated and unanchored from families and neighbourhoods, and intimate partner violence had frequently exacerbated such isolation:

For years and months I'd been ground down to having no emotional support, nobody there at all.

(Philippa, 30)

A number of women we interviewed referred to having had a succession of violent partners and often talked of repeatedly choosing violent men. This extract is typical:

I always tend to pick the wrong ones as well. I must have 'beat me' across my forehead – stamped – that only people that are violent see.

(Hannah, 35)

Violence is 'domestic' and experienced as private and particularised, until the victim speaks about it and hears of other women's very similar experiences. This was of course the learning of second-wave feminists; that a woman's sense of identity changes when a connection is made between her personal experience and that of other women, and while the unitary concept of 'woman' has been challenged by feminist scholars who have highlighted the intersectional character of inequality (Collins, 2000); for many socially excluded and isolated women experiencing such community for the first time, one-to-one case and peer group support from other women in WCSs had given them their first opportunity to learn that their experience was indeed abusive or not particular to them.

As soon as I walked in here I knew that it was all right to feel what I was feeling because I wasn't the only one.
(Philippa, 30)

We did a course yesterday and every bit of it is what I'd gone through, every bit, but I just started crying I didn't want to talk ... I just sat quiet and listened.
(Rosie, 43)

While this 'bonding' social capital between peers from the same community has been characterised as inward looking and exclusive (Putnam, 2000), our data indicates that for many women such bonding opportunities may be a prerequisite for engaging with education, training and volunteering opportunities within and beyond the Women's Community Service. The point here is that both the character of cognitive change and the social capital that might enable change is gendered.

In relation to work with women in prison who have repeatedly been exposed to unempathic relationships, Covington has emphasised that they: 'need to experience relationships that do not repeat their histories of loss, neglect and abuse' (2001). For some women, such relationships may come from peers but it is vital that expert, strengths-based support that is key in the process of desistance (McNeill, 2006) is also available. It is clear that un-trained, volunteer mentors for example cannot substitute for trained professionals with experience of supporting women with complex needs. The accomplishment of a non-offender identity requires repeated efforts on the part of the ex-offender as well as opportunities to rehearse new scripts (Rumgay, 2004). Women with complex needs require sustained support that can be returned to in times of crisis without the need for re-referral via the criminal justice system. This was possible at some but not all of the services that took part in our evaluation.

Women's Community Services as bridges to normal lives.

As well as providing mutually supportive peer groups, WCSs also provide basic skills courses, peer mentoring training and volunteer placements. A number of the women interviewed reported that they were pleased to be able to 'give back' to the women's centre that had supported them, and also, more broadly, to be able to draw on their own experiences in providing help to others (McNeill and Maruna, 2007). Voluntary work and involvement in mentoring other women would appear to provide important bridges between WCSs, paid employment and a more normalised identity:

*This time last year when I come in to talk to Worker about my situation I'd cry, I'd be in flood of tears, I wouldn't be able to talk about it because it was terrible. Now I can talk about it to yourself and to others and I would talk about it to other women and feel that yeah all right sometimes people do feel ashamed and do feel bad but I can say that I felt ashamed but I've come through it the other side.
(Philippa, 30)*

As well as providing activity that helps to structure their time (Farrall, 2002) – very often filling the gap left when substance misuse ceases – accredited courses offer women access to mainstream adult education.

*I'm doing maths and English at the library at the moment but doing the courses at the women's centre give me the confidence to do the courses at the library. I didn't have any confidence at all until I went to the women's centre. I was just alone and drinking [laughs], feeling sorry for myself.
(Georgina, 43)*

A service user who was first interviewed soon after she had accessed the service, and who had previously been a long-term heroin user with a history of street prostitution, described in her second interview her recent educational achievements and future goals which involve moving beyond the opportunities available for her at the WCS:

*Once I've done the mentoring, I've accessed everything I can access at the Women's Centre and then obviously what [the WCS] plan is, eventually to integrate you back into mainstream college or education or employment. And obviously I need more qualifications to do what I want to do so the route for me is college.
(Jackie, 34)*

Conclusions

These findings suggest that the proposal in the *Strategic Objectives for Female Offenders* (MoJ, 2013b) that prioritise the punitive role of community orders for women offenders may be misplaced. Our study confirms research that indicates that correctionalist policy and practice is likely to undermine not encourage the process of desistance (McNeill 2012). A caveat may be necessary here however. There may be a temptation when describing the work of WCSs only to tell stories of success, yet we know that ex-offenders reoffend and former substance misusers relapse and WCSs clearly cannot be a panacea. Commentators have questioned whether the development of WCSs as locations for community orders may have brought women into the criminal justice system in order to access support services rather than because of their offending (Rumgay, 2004). Since there is evidence that women's services more generally, including domestic violence services, have been impacted by austerity measures (Hirst and Rinner, 2012; Robson and Robinson, 2013 and see Rake, 2009), we should perhaps not be surprised if the criminal justice system has become a key route into this sort of provision. It is right therefore to ask whether such injustices can or should be addressed in what Carlen refers to as the 'carceral shadow' of legal disposals (Carlen and Tombs, 2006).

The strengths-based model deployed by WCS is based on addressing gender specific social injustices through which disadvantaged women may fail to achieve 'human goods'. We have argued that the gendered social capital that these services provide equip women with the support, skills, resources, and opportunities they need to make the transition out of disadvantage and through which they can adopt a normalised identity. These services undoubtedly provide support and practical help to women with complex needs that cannot be found in mainstream mixed gendered services. We should however be wary of the criminal justice system becoming the only route for women with complex needs to access such support.

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