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**Modern Studies (Advanced Higher):  
project-dissertation**

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**Candidate evidence**

## Candidate 1 evidence

Women should not go to prison



Word Count: 5499

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## Introduction (Word Count - 448)

The statement "women should not go to prison" is not a universally accepted or mainstream perspective. However, it is clear that women should not go to prison as it brings little benefit to them and society. Discussions around women in the justice system and how to adequately deal with them have gained attention and become particularly relevant in recent years as the female prison population continues to rise. There is a growing awareness of gender disparities within the criminal justice system that highlights that women will face different challenges from their male counterparts and the system should consider these differences when it comes to sentencing them. Recently, light has also been shed on the avalanche of impacts of women going to prison on their families, more specifically their children as shown by the fact that only 5% of children stay in their family home when their mother goes to prison.<sup>1</sup> There are major implications for families as often women need to be sent away leaving no one to look after their children subsequently leaving the children suffering too for the mothers' actions. Nonviolent offences committed by women, such as drug-related crimes, could be addressed more effectively through alternative methods like rehabilitation and community support, rather than imprisonment. Many take the view that women already experience a softer version of prison than men however this is not the case. There is increasing recognition of the prevalence of mental health issues and trauma among incarcerated women and the criminal justice system should prioritise addressing the root causes of criminal behaviour, such as mental health concerns, rather than relying solely on punitive measures as it has been proved that prison can negatively impact inmates' well being. These issues will be explored in Chapter 1: "Women suffer in prison. discuss" However, it is also important to recognise government efforts towards supporting women in prison, including the opening of female centres and a sharper focus on gender-responsive and trauma-informed approaches. Exploring alternatives to prison for women greatly undermines the need for them to be locked up, especially considering that women commit less violent crimes than men.<sup>2</sup> There is a broad range of alternatives to

<sup>1</sup> Prison Reform Trust (2018) *"This is Me": A Child Impact Assessment toolkit*. Available from: <https://prisonreformtrust.org.uk/child-impact-assessment-toolkit/> [Accessed 8th March 2024]

<sup>2</sup> Claudia Vince and Emily Evison (2023) *Invisible Women: Hope, health, and staff-prisoner relationships*. available from: <https://prisonreformtrust.org.uk/publication/invisible-women-hope-health-and-staff-prisoner-relationships/> [Accessed 27th October 2023]

prison for women, some even gender-specific, all of which have proven to be more successful and productive than a prison sentence. The effectiveness of alternatives compared to prison will be analysed in Chapter 2 "To what extent are alternatives to prisons successful for women". Ultimately, putting women in prison is only fuelling the cycle of crime as it puts their children in a compromising position which is extra important now more than ever following the research on adverse childhood experiences and the strong impact they can have on children.

### Review Of Research Methods (Word Count - 470)

I found that using the book 'Women and the Struggle for Justice' added significant depth to my research. The content within it was written by academics, thus making it a more reliable source. However, it was very time-consuming to try and find relevant information as not all of the content was useful for proving my hypothesis. To correct this, a more targeted approach to extracting information could be considered. Instead of trying to sift through entire contents, the index can be utilised much more effectively.

I found websites to be helpful for my research due to their accessibility and cost-effectiveness. Unlike traditional printed materials, accessing information on websites was incredibly convenient and affordable. I drew a lot of my information from the Prison Reform Trust which was extremely useful as they had an abundance of articles directly related to the hypothesis of this dissertation. This was also cost-effective as it was completely free to access. However, I recognise that it is an independent UK charity, meaning that some of the research could likely be biased in favour of the charity's aims, and may not offer a counter argument. While I found other websites to be valuable resources for my research, it's important to also acknowledge the inherent risks associated with information found on the internet. Given its open nature, the internet could contain inaccurate information, thus making it less reliable. To combat this next time, I would make a conscious effort to only rely on government websites to obtain legitimate information. However, government official statistics can raise ethical issues because they may be collected for the wrong reasons, such as surveillance and control. The collection of information on offenders or former offenders enables the government to learn about and collect data on thousands of citizens who may not be aware of what the data is being used for.

Online newspapers were useful too, as they are accessible and can cover a wide range of topics and allow you to select preferred topics. However, when using some newspapers like the Guardian, as frequented throughout the dissertation, it is important to be wary as the Guardian has previously been criticised for being too left-wing and displaying potential bias. To counter this, a range of newspaper opinions could be used in order to display political diversity.

For primary sources, I found conferences particularly useful as I was able to ask questions tailored to my hypothesis. Moreover, the information was delivered by people who were experts in their field of work, improving the accuracy of my research. However, as a listener, I had little control over the topics covered, so not everything was directly related to women in the justice system. Also, I wasn't able to attend all of the talks due to time constraints meaning I may have missed out on valuable insights.

## Chapter 1: Women Suffer in Prison. Discuss (Word Count - 2228)

In the complex landscape of criminal justice, the experiences of incarcerated women stand out as particularly challenging, marked by mental health struggles, gender-specific health concerns and the profound impact of separation from their families — highlighting the urgent need for a comprehensive and compassionate reevaluation of policies affecting women in prison.

In most cases, incarcerated women have histories of trauma, mental health issues and substance misuse. In a study of women serving life sentences, 60% reported histories of sexual abuse, 80% had experienced physical abuse and 54% had been victims of both sexual and physical abuse<sup>3</sup>. Prison perpetuates this situation as studies have shown for women who have been both a victim and a perpetrator, their time in prison can become particularly distressing. The presence of harsh, artificial lighting, clinical and uninviting surroundings, sudden loud noises, and communal, non-private shower facilities are physical characteristics of prison environments that are prone to reawaken traumatic experiences in individuals with a history of trauma. Additionally, procedures like pat downs, strip searches, and other unwelcome physical contact can be extremely triggering for survivors of abuse, especially considering most of them are carried out without warning. This means that women are in a situation where they are constantly exposed to their triggers with a lack of consent and it can be extremely unsettling for them. Moreover, women who have experienced trauma are placed in the same housing units as other women with similar backgrounds. This can be damaging because they often find themselves exposed to severe instances of self-harm and mental health emergencies, only making their suffering worse. Witnessing such incidents is likely to affect a woman's ability to handle her sentence directly and could further exacerbate her feelings of depression and anxiety.<sup>4</sup> Men in prison also suffer from mental health problems, but not nearly to the same extent as women. 65% of women in prison suffer from depression compared to 37% of men and women account for 23% of all prison

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<sup>3</sup> Claudia Vince and Emily Evison (2023) *Invisible Women: Hope, health, and staff-prisoner relationships*. available from: <https://prisonreformtrust.org.uk/publication/invisible-women-hope-health-and-staff-prisoner-relationships/> [Accessed 27th October 2023]

<sup>4</sup> Ibid

self-harm incidents despite representing just 5% of the prison population.<sup>5</sup> There is a notable inadequacy in the community mental health services when it comes to effectively addressing the mental health concerns of women. However, it is undeniable that substantial advancements have taken place in the delivery of health services and support networks for women in prison in recent years. Increased resources have been allocated, leading to more appropriate treatment for substance abuse issues among female prisoners. Additionally, there has been a noticeable increase in mental health in-reach support and standards have become more closely aligned with those outside the prison system. Moreover, the fact is that a significant number of women have experienced shortcomings in healthcare from the NHS long before their incarceration, and many dumped in prison are already too ill for it to be a suitable location for them. However, prisons cannot refuse anyone, no matter how unsuitable the conditions may be and how little funding they receive.

Due to the fact that women make up so little of the prison population, there isn't a need for as many Women's prisons. The majority of women in prison are serving sentences lasting less than 12 months, and the limited available space means that some women serving longer sentences may have to share cells with individuals serving much shorter sentences. This means that there is a lack of shared experiences and those women serving longer sentences are much less likely and willing to seek to build support networks with their peers who are only serving a fraction of their sentence. Furthermore, many women are unwilling to seek support from the prison for their mental health over fears that they may be seen as "weak" as being vulnerable in prison often comes with solitary confinement or constant monitoring to ensure that no harm is done to them. This means that women are hesitant to go to staff for access to mental health interventions over fears that it could be used against them. Having other inmates know that they are seeking support can put them at a disadvantage as they may be seen as 'weak'. However, action is being taken to combat this as the new Bella and Lilas women's centres are working to change this mindset.

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<sup>5</sup> Éamonn O'Moore and Jo Peden (2018) *Improving the health and wellbeing for women in prison*. Available from: <https://ukhsa.blog.gov.uk/2018/03/08/improving-the-health-and-wellbeing-for-women-in-prison/> [Accessed 23rd February 2024]

Prisons were designed by men, to suit men. Everything from architecture, and security procedures to healthcare was designed for the male-majority population. This means that women are expected to cope with a system designed for men. This includes mental health interventions, which are based on men's mental health needs, which differ significantly from women's.<sup>6</sup> This lack of gender-specific provision means that the mental health programmes incorrectly tackle women's experiences which can often result in more harm than good, often leading to misdiagnoses and inappropriate treatment. This lack of attention to women's more complex needs has resulted in a violation of their human rights. Addressing the fact that most women are victims of crimes themselves requires a special gender-specific curriculum that is not provided in most prisons. Moreover, women typically present a lower risk of violence, yet they are dealt with using the same criteria as men, leading to their placement in higher security levels than required even though their offences are generally less serious and violent than men. Consequently, this can block their access to educational and treatment programmes which aren't offered at these higher-level security prisons.<sup>7</sup> This stops them from getting the crucial rehabilitation that they need, ultimately putting more emphasis on the punishment aspect of prison, making it difficult for them to integrate back into society post-release. The implication of this is that they will likely re-offend and end up in the same position.

Perhaps the most identified issue that women face in prison is a lack of communication with their families and more importantly their children. It can be argued that many women are treated "softly" in courts because judges are often made aware if they have children that need looking after. However, while studies of sentencing may suggest that judges are often hesitant to impose prison sentences on women due to factors such as childcare responsibilities, and they frequently suggest that sentences for women are relatively more lenient, studies on incarceration reveal that women's prisons are filled with individuals who are

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<sup>6</sup> J van den Bergh, Brenda (2011) *Imprisonment and women's health: concerns about gender sensitivity, human rights and public health*. Available from:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3165969/> [Accessed 23rd February 2024]

<sup>7</sup> Blakinger, Keri (2019) *Can We Build a Better Women's Prison?* Available from:

<https://www.washingtonpost.com/magazine/2019/10/28/prisons-jails-are-designed-men-can-we-build-better-womens-prison/> [Accessed 20th February 2024]

grappling with precisely these circumstances.<sup>8</sup> Women often receive short sentences for fairly petty crimes thereby further adding to their suffering. The separation from their children is one of the most distressing aspects of incarceration for women, regardless of the length of their sentences. Estimates from 2019 suggest that in England and Wales, approximately 17,000 children were affected by maternal imprisonment.<sup>9</sup> This number is even more for Scotland “27,000 children in Scotland experience having a parent in prison”<sup>10</sup>. The Ministry of Justice indicates that between 13% and 19% of women sentenced to immediate custody are primary caregivers with dependent children.<sup>11</sup> For many of these women, the impact on their children is highly disruptive and traumatising. In fact, only 9% of these children remain in the family home when their mother goes to prison<sup>12</sup>. This suggests a lack of family support for the female offender as well. When a mother is incarcerated, her children often are sent to foster care to be rehomed. For example, although there is a lack of up-to-date information it is estimated that around 12% of children with mothers in prison are in care or with foster parents.<sup>13</sup> This can have a range of harmful effects on the child, including grief, stigmatisation, and feelings of isolation. Simultaneously, imprisoned women endure psychological and emotional distress due to the loss of contact with their children, which can damage their mental health and hinder their ability to engage with the prison's routine and progress through their sentences. The effort to maintain contact with their children can also be quite challenging, as the separation at the end of each face-to-face visit causes extreme distress for both mothers and their children. While separation from children is also painful for men in prison, they report fewer difficulties in terms of contact, communication, custody, and control than women.<sup>14</sup>

<sup>8</sup> Carlen, Pat (ed.) (2011) *Women and punishment: The struggle for justice*. Oxfordshire, Routledge

<sup>9</sup> Vince, Claudia and Evison, Emily (2023) *Invisible Women: Hope, health, and staff-prisoner relationships*. available from: <https://prisonreformtrust.org.uk/publication/invisible-women-hope-health-and-staff-prisoner-relationships/> [Accessed 27th October 2023]

<sup>10</sup> See Appendix 1

<sup>11</sup> Vince, Claudia and Evison, Emily (2023) *Invisible Women: Hope, health, and staff-prisoner relationships*. available from: <https://prisonreformtrust.org.uk/publication/invisible-women-hope-health-and-staff-prisoner-relationships/> [Accessed 27th October 2023]

<sup>12</sup> Ibid

<sup>13</sup> Joint Committee on Human Rights (2019) *The Right to Family Life: children whose mothers are in prison*. Available from: <https://publications.parliament.uk/pa/jt201719/jtselect/jtrights/1610/full-report.html> [Accessed 23rd February 2024]

<sup>14</sup> Vince, Claudia and Evison, Emily (2023) *Invisible Women: Hope, health, and staff-prisoner relationships*. available from:

The limited number of women's prisons means they are often held further from home, with an average distance of 63 miles. A significant number are held more than 100 miles from home, compared to an average of 50 miles for men.<sup>15</sup> This creates difficulties in maintaining family ties and complicates resettlement after release, especially if they have dependent children who may end up in care institutions or alternative care due to the family disruption caused by the mother's imprisonment. Practical challenges, such as the cost and time required to organise visits, mean that many women struggle to maintain regular face-to-face contact with their children, even as their time served extends into double digits. For example, on average people spend 1/3 of their monthly income on a 45-minute prison visit.<sup>16</sup> Long-term women prisoners, particularly those sentenced at a young age for serious offences, often describe having "far more limited relational support networks" than their male counterparts.<sup>17</sup> The core family unit for women is often more fragmented, complex, and marked by trauma, making family contact a potential source of both lifeline and distress. Prison life can also be particularly traumatic for women due to the inability to have babies while incarcerated. This loss of reproductive freedom is a significant emotional burden. For those serving longer sentences, uncertainty and frustration often define their time in prison. The feeling of powerlessness can lead to hopelessness and helplessness, as these individuals must consistently and actively engage in the rehabilitative process to demonstrate a reduction in their risk. In some cases, this may involve costly relocations to access intervention programs or courses outlined in their sentence plan. This pushes them further from their homes and disrupts family contact even more if families are unable to travel hundreds of miles to visit them. However, there have been efforts to change the impacts of maternal separation. For example, there are mother and baby units in Grampian and Cornton Vale, which will be transferred into the new HMP Stirling.<sup>18</sup> They have been

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<https://prisonreformtrust.org.uk/publication/invisible-women-hope-health-and-staff-prisoner-relationships/> [Accessed 27th October 2023]

<sup>15</sup>Ibid

<sup>16</sup> See Appendix 2

<sup>17</sup> Vince, Claudia and Evison, Emily (2023) *Invisible Women: Hope, health, and staff-prisoner relationships*. available from:

<https://prisonreformtrust.org.uk/publication/invisible-women-hope-health-and-staff-prisoner-relationships/> [Accessed 27th October 2023]

<sup>18</sup> Frew, Sharon & Scott, Kevin (2023) *HMP Stirling: Take a look inside Scotland's new £85m women's prison*. Available from:

effective in helping to mitigate the consequences on children who can't spend time with their parents, as well as improving the effects of separation for mothers. The Bella Centre and Lilas Centre are excellent examples of this, mixing low supervision with support for women and their children. However, figures show that the uptake for these centres is quite poor. Figures seen by the Guardian confirm occupancy rates for both centres have never risen above 54% over the past six months. Most recent figures available for May show the Bella Centre at 50% and Liliias at 33% occupancy.<sup>19</sup> These low uptake figures suggest that these Centres have fallen short of what they should have been and they perhaps aren't that successful.

Prisons have to deal with many internal pressures such as overcrowding and lack of staff and funding. This has resulted in the prioritisation of security over women's healthcare needs. This emphasis on security can mean prisons are focusing too much on punishment to realise that healthcare access in prison is significantly lacking. This means many Women's struggles are being neglected and pushed down the priority list. In 2017, the Independent Advisory Panel on Deaths in Custody stated that the reduction in staffing levels was a significant factor behind the rise in deaths of women in prison. The concerns over staff not adequately addressing the prisoners' health issues are linked to this, with one prisoner expressing "They just don't care. It's like they are quickening my death"<sup>20</sup> The stress and anxiety felt by many women over their health being neglected has felt like an additional punishment to them.<sup>21</sup>

Although it is obvious that prison is not meant to be enjoyable, most women are locked up for petty crimes that hardly warrant a punishment. According to the prison reform trust, most women are sent to prison for non-violent offences and serve sentences of 12 months or less. 72% of incarcerated women in 2020 were there for

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<https://news.stv.tv/east-central/hmp-stirling-take-a-look-inside-the-new-85m-womens-prison-that-will-replace-cornnton-vale> [Accessed 23rd March 2024]

<sup>19</sup> Brooks, Libby (2023) *Scotland's pioneering custody units for women left half-empty*. Available from: <https://www.theguardian.com/uk-news/2023/may/08/scotland-pioneering-custody-units-for-women-left-half-empty> [Accessed 20th February 2024]

<sup>20</sup>Vince, Claudia and Evison, Emily (2023) *Invisible Women: Hope, health, and staff-prisoner relationships*. available from: <https://prisonreformtrust.org.uk/publication/invisible-women-hope-health-and-staff-prisoner-relationships/> [Accessed 27th October 2023]

<sup>21</sup> Ibid

a non-violent offence and 70% of prison sentences given to women were less than 12 months.<sup>22</sup> These short sentences can have a detrimental effect on a woman's mental health. For example, Katie Allan was sent to prison for 16 months following a drink-driving charge, and she committed suicide in her cell just a few months later due to abuse and stress she was receiving from other inmates. Contrastingly, violent and sexual crimes are dominated by men<sup>23</sup>. This ultimately means that the crimes committed by women, particularly non-violent offences, should not serve as a rationale for prison staff to neglect their human rights or deny them access to healthcare. Merely stating that they have committed a crime does not adequately justify such treatment. In the case of women, there's a compelling argument that incarceration for petty crimes is unnecessary (due to the fact non-violent crimes make up the majority of sentences handed out), and only those who have committed more serious offences should be subject to imprisonment.

Therefore, although prison isn't designed to be enjoyable, the extent to which women suffer goes beyond what is deemed acceptable or appropriate within the goals of prison, especially considering that the majority of women don't commit violent offences. The experiences of women in prison involve levels of harm that exceed what is necessary for achieving things like deterrence and rehabilitation. Inadequate healthcare, separation from families and limited opportunities for rehabilitation will ultimately make reintegration into society even more challenging for women. It is clear that women in prison need to be treated with care due to their lengthy histories of trauma and abuse, and prison isn't helping the issue. It is argued that women who have committed offences would benefit much more from alternatives to prison, which will be explored in Chapter 2.

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<sup>22</sup> Prison reform trust (2021) *Too many women sent to prison on short sentences for non-violent offences*. Available from: <https://prisonreformtrust.org.uk/too-many-women-sent-to-prison-on-short-sentences-for-non-violent-offences/> [Accessed 20th February 2024]

<sup>23</sup> Kerr, Anna & Shackel, Rita (2018) *the over-incarceration of women*. Available from: [https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WG/DeprivedLiberty/CSO/Feminist\\_Legal\\_Clinic-2.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WG/DeprivedLiberty/CSO/Feminist_Legal_Clinic-2.pdf) [Accessed 13th January 2024]

Chapter Two - To what extent are alternatives to prisons successful for women  
(Word Count - 1891)

The United Kingdom has one of the highest rates of imprisoned women of any Western European country.<sup>24</sup> This not only carries heavy costs to the public but it is evident that for many women, prison simply does not work, presenting more harm than good. But this does not mean that we should ignore women's offences altogether, as most misdeeds must come with some form of consequence to see a real change. There are several alternatives to imprisonment for women that have proven to be more effective than a prison sentence.

Early intervention strategies are central to alternatives to imprisonment. One of the initial points at which authorities can intervene in criminal behaviour occurs after the first offence. Implementing overly harsh measures right away can backfire, particularly for individuals grappling with issues like substance abuse. Showing understanding of an offender's circumstances is a crucial part of rehabilitation, and being thrown in prison straight away can damage someone's chance at life greatly. In such cases, a lack of initial empathy in the system may lead them to seek relief through drugs once again, ultimately reoffending. According to the Ministry of Justice, women are more likely than men to be sent to prison for a first-time offence, even though their offences are much less violent. They are also more likely to re-offend following a short-term prison sentence for a petty crime.<sup>25</sup> The implication of this is that prison can lead many women down a life of further crime whereas if their first offence was dealt with more effectively they would be much less likely to reoffend. Early intervention strategies have proved to be extremely successful at preventing crime or further crime and many existing strategies have kept women out of prison. This is generally managed through targeted support services that aim to address underlying issues.

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<sup>24</sup> Sheeran, Emma (2022) *Identifying Women's Pathways to Offending and the Primary Prevention and Early Intervention Opportunities for Women at Risk of Offending in Wales*. Available from: <https://business.senedd.wales/documents/s134338/Public%20Health%20Wales%20Identifying%20Womens%20Pathways%20to%20Offending%20Report.pdf> [Accessed 12th March 2024]

<sup>25</sup> Advance (2021) *Community support for women, instead of Prison, breaks the cycle of re-offending*. Available from: <https://www.advancecharity.org.uk/community-support-for-women-instead-of-prison-breaks-the-cycle-of-re-offending/> [Accessed 19th February 2024]

The UK Government's 2018 Female Offending Strategy aims to reduce the number of women coming into contact with the criminal justice system (CJS) by implementing early interventions and diverting women from the CJS when appropriate.<sup>26</sup> Recognising the impact of social factors on women's risk of offending, the strategy allocates funds for community provision and domestic abuse services. In Wales, the Women's Justice Blueprint, initiated in 2019, focuses on improving outcomes for women throughout the CJS stages by addressing gaps in provision before contact with the CJS occurs. The Women's Justice Blueprint aligns with the evidence supporting a whole-systems approach involving multi-agency collaboration, emphasising gender and trauma-informed methods to address the root causes of offending behaviours. Women's centres employ diverse approaches, such as one-to-one support, group activities, and collaboration with the CJS to offer community resolutions, conditional cautions, or Rehabilitation Activity Requirements. Notable examples include Trevi House in Plymouth, offering various services, and Brighton Women's Centre's Inspire program, which has demonstrated significant success in reducing re-offending rates. For example, the service states they have supported more than 500 local women to address their complex needs. This suggests that women's centres are effective in tackling women's unique issues, as evidenced by the reduction in reoffending rates. This shows the importance of holistic, women-centred environments in addressing a range of issues, including housing, substance misuse, and domestic violence, ultimately contributing to positive outcomes for women involved in the criminal justice system. However, progress has not been evident for all. Moreover, it is unclear if the Ministry of Justice is achieving its aims as there is no set plan to monitor the work and record the outcomes. This suggests that the effectiveness of these centres varies significantly as there are some gaps in the provision of the services.

The strategy also failed to address the needs of Black, Asian and minority ethnic (BAME) women. A Lammy review of the treatment and outcomes for BAME women identified that female BAME offenders experience worse outcomes than their white

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<sup>26</sup> Committee of Public Accounts (2022) *Improving outcomes for women in the criminal justice system*. Available from: <https://publications.parliament.uk/pa/cm5802/cmselect/cmpubacc/997/report.html> [Accessed 12th February 2024]

counterparts.<sup>27</sup> Despite the strategy promising to address the specific needs of BAME women, there has been little progress shown.<sup>28</sup> This is because the criminal justice system has previously been criticised for containing systemic biases that disproportionately affect BAMEs.

The Hope Street Scheme In Southampton offers a new approach to working with women involved in the justice system. Women can be placed there upon receiving a community order while awaiting trial, or following their release from prison. It provides a community-based alternative for women, allowing them to stay with their children. This is successful because it helps to break the cycle of reoffending.<sup>29</sup> Each attendee will participate in personalised programmes aimed at addressing the factors that contributed to their involvement with the criminal justice system, including skill-building, education, training, and post-release support. This approach is much more effective than prison as it doesn't separate women from their families which is their main support system, so they can focus on improving themselves without worrying about when they will see their children again.

Another notable alternative to prison for women is the 218 service in Glasgow, initiated in December 2003 in response to concerns about the treatment of women offenders in the criminal justice system. Operated by Turning Point Scotland (TPS) and Glasgow Addiction Service (GAS), the 218 service offers a person-centred approach for adult women with complex needs, such as substance abuse, mental health issues, physical health concerns, trauma, low self-esteem, and social isolation. The 218 Service provides residential and day support, addressing various needs, including medical interventions, substance misuse support, and individualised care plans. So far the service has been extremely successful as it tackles issues of

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<sup>27</sup> Stewart, Lynn & Gobeil, Renee (2015) *effective interventions for Women offenders: A Rapid Evidence Assessment*. Available from: <https://assets.publishing.service.gov.uk/media/5a80c311e5274a2e87dbbab6/effective-interventions-for-women-offenders.pdf> [Accessed 23rd February 2024]

<sup>28</sup> Prison Reform Trust (2021) *The government has met less than half of Female Offender Strategy commitments almost three years on*. Available from: <https://prisonreformtrust.org.uk/the-government-has-met-less-than-half-of-female-offender-strategy-commitments-almost-three-years-on/> [Accessed 8th March 2024]

<sup>29</sup> Taylor, Diane (2023) *Pioneering facility offering alternative to women's prisons opens in England*. Available from: <https://www.theguardian.com/society/2023/jun/27/drug-rehab-facility-offers-women-an-alternative-to-prison> [Accessed 25th March 2024]

abuse and childhood trauma for women, addressing the root causes that often lead them into the criminal justice system. Unlike traditional prisons, which may leave women to grapple with their trauma alone, the 218 service offers comprehensive support, helping individuals make sense of their experiences. Furthermore, by helping to tackle the causes of crime directly, in most cases for women this being childhood trauma and histories of abuse, this can help to eliminate the possibility of reoffending. For example, police-recorded offending was reduced by 21% among women referred to the service, with a more significant reduction of 31% for those engaging beyond assessment and overall, there was a 39% reduction across ten key outcome indicators, including improvements in mental and physical health, relationships with families, and self-esteem. This shows that the 218 service has a positive impact on preventing criminal behaviour and that more involved or committed participation in the service may lead to better outcomes in terms of reducing criminal behaviour.

However, the service faces challenges such as limited physical space, budget constraints, and the need for improved outreach. The service also shows a lack of attention to addressing the needs of younger female offenders. Many other key areas can also be improved such as identifying suitable referrals, conducting assessments and supporting reintegration into the community. This shows that although the service is an improvement from the lack of provisions for females that previously existed, there are still shortcomings that could be addressed for the service to cover all its bases and improve. Nevertheless, it is still much more effective than prisons as it effectively tackles the root cause of the problem rather than just providing punishment.

Community service aims to keep people out of prison by handing out a certain number of hours of unpaid work that should be carried out in the local community, such as removing graffiti. In Northamptonshire, England there is a community service for women that provides support for mental and physical health, education, financial stability, employment and more. It aims to empower women and improve their resilience. The initiative involves a collaborative effort between government authorities, health and justice sectors, and third-sector organisations. Community sentences prove advantageous for women, particularly in cases of minor offences,

as they prevent the detrimental effects that short-term prison sentences can have on both women and their children. Additionally, these community sentences are more effective in meeting the specific needs of women, including mental health, and in implementing programmes to address their offending behaviour. For example, many women note that they feel it is more productive than prison, with one woman stating '[The community service order] is harder [than prison] because you have to register all your emotions and you've got to change. In prison, you can just do nothing, but then nothing changes. It's harder coming here, but I'm a different person now.'<sup>30</sup>. Society often argues that community sentencing is a softer alternative to prison however this disproves that, showing it can be more emotionally challenging as it pushes women out of their comfort zones and forces them to come to terms with their offence and realise the impact it has had on themselves and their surroundings. This is ultimately much more productive than imprisonment where it is easy to hide from your offence and fail to address it. This shows that not only does community service keep women out of prison but is also a significantly more productive use of time and resources.

However, women may face logistical challenges in completing community service, such as finding transportation, arranging childcare and balancing community service with familial responsibilities. This can mean the uptake rates aren't always very high. For example, Criminal Justice Social Work statistics for 2017-18 reported that 30% of Community Payback Orders (CPOs) in Scotland were not successfully completed.<sup>31</sup> Engaging in community service may also carry a social stigma for some women however this is likely not as bad as prison. Community service doesn't address underlying issues contributing to criminal behaviour such as substance abuse, trauma or lack of education. Without addressing these root causes, community service alone may not lead to long-term behavioural change. Therefore, the success of this alternative can vary depending on input from the individual.

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<sup>30</sup> Rope, Olivia (2018) *A community sentence for women with mental health needs*. Available from: <https://www.penalreform.org/blog/a-community-sentence-for-women-with-mental-health/> [Accessed 11th March 2024]

<sup>31</sup>

<https://communityjustice.scot/wp-content/uploads/2020/03/Community-Payback-Orders-Analytical-Review-of-Unsuccessful-Outcomes-final.pdf>

Probation refers to the release of offenders from prison where they will be supervised outside and may have to complete community sentencing or treatment programmes. Probation can be an effective alternative to prison for women specifically because the crimes that women commit are less serious and therefore can be tackled with a softer approach. 73% of women complete their community order while on probation Only 10% of offenders being supervised by probation services are women<sup>32</sup>. However, a new HMI probation report detailed that funding for these services had significantly decreased<sup>33</sup> This is because of budget constraints and a lack of prioritisation for probation. This has resulted in concerns for public safety as well as the delivery of services aligned with court sentencing objectives and lengthy wait lists.<sup>34</sup> Moreover, given the reduction in available funding and the absence of a defined strategy for women, the situation is expected to become progressively more challenging, potentially resulting in an increased likelihood of re-offending among women.<sup>35</sup>

Overall, alternatives to prison for women are successful to a small extent. Early intervention programs can identify and address mental health issues before they escalate into criminal behaviour. However, issues with barriers to access and resource allocation can impede their success. Similarly, while community payback orders offer a good alternative to imprisonment, issues such as travel and childcare responsibilities can directly impact completion rates. Instead of subjecting women to an environment that may exacerbate mental health problems, a more effective and empathetic approach would involve investing in mental health services, counselling, and therapy. Although there is a lot of room for improvement with some of the discussed alternatives, they are still better than a prison sentence.

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<sup>32</sup> Russel Webster (2016) *Probation With Women Offenders - Under-Valued and Under Threat*. Available from: <https://www.russellwebster.com/probation-with-women-offenders-under-valued-and-under-threat/> [Accessed 23rd March 2024]

<sup>33</sup> Ibid

<sup>34</sup> Oldfield, Mark & Grimshaw, Roger. *The probation spending crisis*. Available from: <https://www.crimeandjustice.org.uk/publications/cjm/article/probation-spending-crisis-0> [Accessed 23rd March 2024]

<sup>35</sup> Russel Webster (2016) *Probation With Women Offenders - Under-Valued and Under Threat*. Available from: <https://www.russellwebster.com/probation-with-women-offenders-under-valued-and-under-threat/> [Accessed 23rd March 2024]

### Conclusion (Word Count - 462)

In conclusion, it is clear that women should not go to prison as it is not a practical approach for them. Many women who are prosecuted already suffer from mental health problems and if these problems aren't adequately addressed, sending them to prison just delays their return to society and doesn't necessarily work to rehabilitate them. When they eventually do get released they may not be an improved version of themselves if they have not received enough support from within prison as prison tends to exacerbate their preexisting issues. The prison environment, with its inherent stressors and lack of adequate mental health resources, can negatively impact inmates' well-being. Alternative approaches, such as community-based rehabilitation programmes, mental health treatment, and counselling, may be more effective in addressing the root causes of criminal behaviour and supporting individuals in their recovery, thus supporting their return to society. It also isn't even beneficial to the public to send women to prison due to the fact that the majority aren't a threat to society, and just need to be supported rather than locked away. It is important however to recognise that there have been significant efforts to change the support system within the prison including the opening of new centres and the improved mental health network systems, however, there are still major shortcomings with the support offered. Alternative sentencing options, such as community service have proven to minimise the impact of prison on family dynamics. Redirecting resources towards early intervention, community service, and rehabilitation programs aligns with a more compassionate and effective vision of justice, recognising the unique challenges faced by women in the criminal justice system. Such an approach seeks to break the cycles of imprisonment and promote healing. In light of these findings, it can be concluded that the hypothesis that women should not go to prison has been supported by the evidence presented in this dissertation. The current system of incarceration is not only ineffective in addressing the root causes of criminal behaviour but also perpetuates cycles of harm and disadvantage for women and their families. Moving forward, it is crucial that a multifaced approach, that addresses the complex needs of the female prison population, is adopted. While centres like Bella and Lilas offer good alternatives to traditional prisons, the effectiveness of these centres requires further evaluation. The jury is still out on whether these centres provide sustainable solutions for women in

the criminal justice system. Therefore, future research and policy efforts should focus on expanding access to community-based support services and investing in early intervention strategies to address the underlying issues that contribute to women's involvement in crime. Only through a comprehensive and compassionate approach can we break the cycles of imprisonment and promote healing and reintegration for women who have committed offences.

Appendix 1 - Advanced Higher Modern Studies Conference, 6th December 2023

Speaker - Nadia Imbabi, Regional Family Support Coordinator for Families Outside

The psychological impact of a parent going to prison is severe for the child. "27k children in Scotland experience having a parent in prison" Children will likely follow in the footsteps of their parents

Appendix 2 - Advanced Higher Modern Studies Conference, 30th November 2023

Speaker - Helen Graham

2/3 of people in prison have children

20-27,000 children experience a parent in prison each in Scotland

Only 28% of families with a family member in prison receive support

Helen Graham's son wouldn't have been where he is now without the help of families outside

Members going to prison is like grief, a loss in which you are told nothing

High cost to go visit, people spend 1/3 of their income to go visit those in prison and it's only a 45-minute visit each time and with staff shortages, there can be problems.

Gaps in age can lead to different family dynamics upon arriving back from prison, a girl's dad went to prison when she was 9 and he came back when she was 19 and he still treats her as a 9-year-old because he wasn't able to be there throughout her childhood

When you visit prison you are treated as if you've done something wrong and describes the experience as horrendous, she says her son received no rehabilitation and only received some education and it depends on each prison for what is available, only 20% of mental health staff were at Barlinne

Short-term sentences are disruptive to families because they don't have the time to support or address the reasons why they are offending

In Germany, short-term sentences are rarer because they decided the number one priority is to rehabilitate.

Prisons in Scotland have a lot of autonomy, the more rural prisons receive less support and supplies

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