



# WE Party Conference

15 – 18 October 2020

**Title:** A Policy for Women in the Criminal Justice system

**Proposed by:**

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**Type of motion:** Policy motion

**Motion Text:**

1 The Women's Equality Party (WE) asks the Westminster Government to place  
2 prevention, diversion to other services, and sustainable adequate funding at the centre of  
3 a radical overhaul of the way women are treated in the criminal justice system (CJS).  
4 Alternatives to custody for most female offenders will reduce the attendant disruption to  
5 their children, family, accommodation and working lives.

6 To address the complexity of both the mitigating causes of criminalisation and the  
7 compounding effects of the current system on the lives of women, WE ask Government  
8 to introduce remedial measures in a holistic approach, including five main areas:

- 9 1. Radically change sentencing practice with the development of women-centric  
10 sentencing guidelines to reflect women's life experience and specific pathways into  
11 the CJS.
- 12 2. Follow Scotland in extending a presumption against short sentences to 12 months.  
13 WE advocate closure of the women's prison estate and the development of  
14 secure, supported, and localised accommodation for women as an alternative.  
15 Exclusively provide for women convicted of high risk of harm offences; these  
16 facilities will enable access to their children, work, and training in the community.
- 17 3. Maximise diversion from the CJS via guaranteed access to services in the  
18 community for women who offend.
- 19 4. Provide ring-fenced, sustainable funding for community sentencing and local  
20 preventative support services for women, including women's centres. These  
21 centres provide casework, advocacy, advice and other support to female offenders  
22 and women at risk of offending and may also facilitate entry to training or  
23 employment opportunities.



24 5. Ensure Trauma Informed Practice (TIP) across the CJS linked to women's  
25 experiences of Domestic Abuse and other relevant life experiences.

**Motion rationale:**

26 Women are criminalised because of failures in social policy, funding, and lack of services  
27 in the community. Women experience significant inequalities at all stages in the criminal  
28 justice system (CJS) and are given disproportionately harsher sentences than men<sup>1</sup>.  
29 Intersectional impact is evidenced by the higher percentage of BAME women in the CJS  
30 (20% of prison population).

31 Of UK female prisoners, 70% are victims of male violence, 67% report mental health  
32 problems, 48% commit offences to support a partner's drug abuse, and 82% are  
33 convicted for non-violent crimes. On release, 38% have unsettled accommodation and  
34 19% are homeless<sup>2</sup>. Imprisonment often exacerbates the problems that led to a woman's  
35 criminalisation.

36 Government's 2018 'Female Offender Strategy' pledges to address inadequacies in  
37 current provision and divert women from the CJS. WE welcome focus on early  
38 intervention, prevention, and diversion from custody with an emphasis on community  
39 based solutions, however this does not go far enough, and no significant change has yet  
40 been implemented.

41 Women's Equality Party (WE) Manchester branch organised and delivered a series of  
42 workshops and a conference, bringing together women with experiences of all aspects of  
43 the CJS process to develop ambitious but feasible solutions to issues faced by women  
44 within the system. The resulting aims have been endorsed by key stakeholders in the  
45 sector, including the Prison Reform Trust.

46 Our goal is provision of guaranteed, ring-fenced investment in robust community support  
47 services to support women's needs and prevent the onset of offending and entry into the  
48 penal system, prioritising culturally diverse, woman-centred, and trauma informed  
49 approaches. WE want this for the 94% of women who are imprisoned for minor and/or  
50 first offences and those posing a low risk of harm to others<sup>3</sup>. For those few women who  
51 do present a high risk of harm, WE want to replace prisons with local secure facilities,  
52 fostering access to children, work, and training in the community.

53 WE seek to minimise the impact on the approximately 17,000 children separated from  
54 imprisoned mothers annually, with only 5% remaining in their family home and many  
55 taken into care<sup>4</sup>. Cost, distance, and lack of video calling equipment inhibit contact. WE  
56 propose early identification, intervention, and support services for children with mothers  
57 in the CJS, including a structured child-centred assessment to be considered by the  
58 Court, and ring-fenced funding for kinship carers.

<sup>1</sup> [https://static.wixstatic.com/ugd/b9cf6c\\_096f5e0d085747e7beb46b6c313e375c.pdf](https://static.wixstatic.com/ugd/b9cf6c_096f5e0d085747e7beb46b6c313e375c.pdf)

<sup>2</sup> <https://www.womeninprison.org.uk/research/key-facts.php>

<sup>3</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/719819/female-offender-strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719819/female-offender-strategy.pdf)

<sup>4</sup> <http://www.prisonreformtrust.org.uk/PressPolicy/News/vw/1/ItemID/545>



59 WE seek to build on and contribute to existing policies, particularly VAWG, health and  
60 media. This policy introduces systems and practices to address the impacts of male  
61 violence, including domestic abuse, trafficking, and coercive relationships, that lead to  
62 women's criminalisation. Prison is detrimental to women's physical and mental health,  
63 and there are serious issues around pregnancy during incarceration including failure to  
64 grant equitable healthcare. Media stereotypes of 'bad' women, and reporting of their  
65 crimes, influence perceptions of women in the CJS. We recommend trauma-informed  
66 guidelines and training for all Criminal Justice professionals, covering coercive control,  
67 male violence against women and girls, and media representation.