



Department of
Justice

An Roinn Dlí agus Cirt

Máinnystrie O tha Laa

www.justice-ni.gov.uk

'Empowering Change in Women's Lives'

Strategy for supporting and challenging women
and girls in contact with the justice system



Consultation Report

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1. Introduction and background

1.1 The following report provides a summary of responses to the Department of Justice (DoJ) public consultation on a proposed strategy for supporting and challenging women and girls in contact with the justice system in Northern Ireland.

1.2 This report, which comprises of the six sections below, will be published on the DoJ website:

1. Introduction and background
2. The consultation process
3. Overview of responses
4. Summary of responses and comments
5. Analysis and next steps
6. Annex - List of respondents

Background

1.3 It is widely recognised that women and girls who come in contact with the justice system have specific needs, vulnerabilities and patterns of behaviour that are distinct to that of men and boys. In recognition of this, in 2010, the DoJ launched [‘Women’s Offending Behaviour in Northern Ireland: A Strategy to Manage Women Offenders and those Vulnerable to Offending Behaviour 2010-2013’](#) and refreshed the strategy under [‘Reducing Offending Among Women 2013-2016’](#).

1.4 While the focus of the strategies is sound, the DoJ, statutory organisations and practitioners agreed that there is a need for a new justice-wide strategy to address the complex issues faced by women and girls who come in contact with the justice system and to reduce their risk of offending and reoffending. This view was reiterated during significant engagement with key stakeholders, including service users and the voluntary and community sector.

1.5 The purpose of the consultation was to seek views on a proposed framework for supporting and challenging women and girls in contact with the justice system. This relates to women and girls who offend or those who are at risk of offending.

- The consultation document was developed in collaboration with a Women’s Strategy Development Group¹ and informed by a range of engagement with key stakeholders and service providers across the sectors, including women and girls with a lived experience of the justice system.

¹ Department of Justice, Department of Education, Department of Health, Department for Communities, Northern Ireland Courts and Tribunals Service, Northern Ireland Prison Service, Probation Board for Northern Ireland, Public Prosecution Service, Police Service of Northern Ireland, Youth Justice Agency

2. The consultation process

2.1 On 14 January 2021, the Minister of Justice launched a public consultation on a proposed framework *'Empowering Change in Women's Lives - Strategy for supporting and challenging women and girls in contact with the justice system'* by press release. A letter with a link to the consultation on the departmental website and on Citizen Space was distributed to approximately 650 consultees. Consultees and key stakeholders were asked to promote the consultation.

2.2 The consultation document was accompanied by an easy read version and a questionnaire which asked consultees to respond to specific questions. Although there were 48 questions posed consultees were not required to answer every question. There was also the opportunity to provide additional comment.

2.3 The consultation document was published alongside a paper outlining the evidence base considered, an equality screening, and a rural needs assessment.

2.4 Although provision was made for the consultation to be made available in alternative formats/languages the department did not receive any requests to do so.

2.5 As part of the public consultation policy officials held virtual meetings and discussions with the following 26 organisations, in an individual and group setting:

- Accessing Services for Offenders (ASFO) membership, including ASFO Adult Services, Barnardo's, Extern, MindWise, NIACRO, Prison Arts Foundation, Prison Fellowship Northern Ireland (PFNI), Quaker Service, Soldiers', Sailors' & Airmen's Families Association (SSAFA), Start360;
- Department for Communities;
- Healthcare in Prison Team;
- Interim Mental Health Champion;
- Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex + (LGBTQI+) sector meeting, involving Cara Friend, Here NI, the Rainbow Project, and TransgenderNI;
- NexusNI;
- NIACRO (four clients with lived experience of the justice system);
- Probation Board for Northern Ireland;
- Safeguarding Board for Northern Ireland;
- Speech and Language Therapy – South Eastern Health and Social Care Trust and Western Health and Social Care Trust;
- The Turnaround Project (including one of their beneficiaries);
- Victim Support Northern Ireland;
- Women's Aid Federation and Belfast and Lisburn Women's Aid; and

- Youth Justice Agency.

2.6 The consultation ran for 8 weeks and ended on 12 March 2021. A number of organisations requested and were granted further time to respond. Engagement on the proposed strategy has continued with key stakeholders following the public consultation period.

2.7 The consultation document and supporting material is available on the department's website at <https://www.justice-ni.gov.uk/consultations/proposed-strategy-support-and-challenge-women-and-girls-contact-justice-system>.

3. Overview of responses

3.1 The Department received 47 written responses to the consultation:

- 31 responses from organisations; and
- 16 responses from private individuals.

The responses from private individuals included responses from multiple individuals facilitated by justice partners, namely the Northern Ireland Prison Service (NIPS) and Healthcare in Prison Team, and the Youth Justice Agency (YJA). Respondents to the consultation are listed at Annex A.

3.2 The responses were received in a range of formats, as outlined below:

- 11 via citizen space;
- 10 by letter/email;
- 15 by full questionnaire;
- 8 by easy read; and
- 3 YJA practitioner facilitated summaries reflecting the lived experience of 7 young ladies in their care/contact.

3.3 We would like to thank voluntary and community sector and statutory partners for facilitating contact with a significant number of women and girls with a lived experience of the justice system. We would particularly like to thank the women and girls who shared their views with us and partners for being so open and honest about their experience.

3.4 A number of respondents requested that their responses or elements of their responses be treated as confidential.

4. Summary of responses and comments

4.1 This section outlines the key points raised under the specific consultation questions asked within the consultation document. As a questionnaire was not used by all respondents an assessment has been undertaken with regard to which question is relevant or applicable to certain comments provided. It should also be noted that some of the issues raised may relate to more than one question or area, therefore there may be some duplication in content or cross-referencing may be used. To ensure clarity and avoid misinterpretation, where possible, extracts of comments have been provided. These may include spelling and grammatical errors that are not flagged as incorrect. As many of the views highlighted were shared by a number of respondents and to assist the readability of this report the extracts have, in the main, not been attributed².

Responses and comments

Background and context

Facts, Figures and trends

The consultation outlined a range of facts, figures and trends about women and girls who come in contact with the justice system.

Consultees were asked:

Q1 Are there any key facts, figures and trends that are missing?

Q2 If yes, please provide a brief description of what is missing (and a source if available)

27 respondents answered with a 'Yes/No' answer

17 ✓

10 ×

4.2 Many of the respondents considered the key facts, figures and trends in the consultation document were helpfully presented and gave a good overview that *'women commit the full range of offences'* and *'are not a homogeneous group in respect of risk of re offending or risk of harm'*. They went on to remark that *'the small number of females within a male dominated criminal justice system is evidenced.'*

4.3 A significant number of respondents proposed that additional information could further clarify the context for the strategy.

² Where comments are attributed we considered this was helpful in terms of providing further context.

Specific groups

4.4 A number of respondents acknowledged that although low in number, there should be more facts and trends relating to specific groups, including lone parents/women with caring responsibilities, older women, women aged 18-24, foreign national women, travellers, girls with a disability, and girls from rural areas. The addition of statistics relating to women in 'sex work' was also suggested.

Adverse Childhood Experiences

4.5 In terms of Adverse Childhood Experiences (ACEs), respondents suggested including more information relating to:

- the long-term adverse impact that having a mother engaged in the justice system has been shown to have on children; and
- the impact on a child's future success, potentially contributing to a cycle of their involvement with the justice system.

4.6 It was suggested that *'there is Scope for additional NI research e.g. Adverse Childhood experiences (ACE) - similar to the study conducted in Wales.'*

Young women and girls

4.7 To ensure the specific needs of younger women and girls are not overlooked it was suggested that a separate strategy for this cohort would be helpful. It was noted that the specific and distinctive needs of girls and younger women in relation to early intervention, prevention and community provision and pathways into custodial detention had not been sufficiently explored.

4.8 Respondents also suggested inclusion of the following information:

- prosecutions;
- convictions;
- disposals;
- breakdown of the details on custodial detention of girls in terms of numbers detained under remand, PACE or sentenced;
- age profile; and
- number/percentage of girls that are care experienced.

4.9 Respondents also highlighted that *'it would also be beneficial to have reoffending rates for girls provided within the document.'*

4.10 A youth justice practitioner shared that *'relational issues are key with girls – quite often what makes this gender group a bigger challenges for us as workers.'*

4.11 It was also noted that the information provided specifically for children and girls in terms of their vulnerability profile at the time of detention *'should also include:*

- *details on girls who are at risk of CSE³,*
- *those at risk of paramilitary contact and/or intimidation,*
- *those with addiction issues,*
- *mental health concerns,*
- *speech and language needs.'*

The addition of *'information on the education status of girls who come into contact with the justice system'* was also suggested.

Age

4.12 Respondents stated that they *'would welcome reference being made to the minimum age of criminal responsibility and the fact that given our extremely low age of criminal responsibility, this strategy will potentially cover how girls from 10 years of age will be treated. There is a need to clarify the reach of this strategy in terms of the age that it will cover.'*

Communication difficulties

4.13 The Royal College of Speech and Language Therapists NI (RCSLT) proposed that *'information should be included in relation to the high prevalence of communication difficulties among people who offend, including women and girls, as these needs are relevant to many of the priorities and actions outlined in the document.'* They also recommended the inclusion of:

- *'a key fact / figure around the prevalence of communication difficulties within the section entitled 'Presenting vulnerabilities'; and*
- *'communication needs within the list of types of complex and conflicting needs women and girls may experience through the insertion of: They are more likely to have undetected communication needs which may affect their ability to participate in the criminal justice process and access programmes and support.'*

Vulnerabilities

4.14 Concern was expressed that *'73% of women had a physical and/or mental health condition and 36% showed signs of self-harm at the time of their detention. And in regard to this fact emphasized the need for a supportive welfare approach to adopt rather than a punitive one.'* In relation to the vulnerabilities of women and girls at the time of detention, in terms of physical and mental health conditions, signs of self-harm etc., it was noted that it would be helpful to break this down by age category.

³ Child Sexual Exploitation

4.15 It was also suggested in respect of police detainees presenting with vulnerabilities that *'recording or cross-referencing of whether a female detainee is or has been in an abusive relationship or sexual assault victim would help inform the strategy for supporting/challenging her and show clearly the impact of not tackling male pattern violence at source has on everyone that male offender is in contact with.'*

4.16 It was highlighted that the statistics notes women under the influence of alcohol and suggested that it would be helpful to also detail women under the influence of drugs. It was noted that vulnerabilities should not only recognise women who are homeless but include those who live in hostels or women's shelters.

4.17 Respondents outlined that *'it would be worth noting whether there were any changes in the levels of presenting vulnerabilities upon leaving custody, as it may help to indicate whether females were accessing appropriate support or intervention, if it was reducing vulnerabilities or increasing risks, etc.'*

4.18 Respondents proposed that the section should contain information about the mental illness and trauma exposures that impact on women and girls. They noted *'in particular the high rates of disordered eating, self harm and suicidal thoughts and behaviour are of concern and are relevant to women and girls in contact with the justice system.'*

4.19 Respondents acknowledged that the key facts and trends *'clarify that women commit the full range of offences including sexual and violent offences and that women are not a homogeneous group in respect of risk of re offending or risk of harm.'*

Other facts and figures

4.20 Respondents outlined that *'in under a decade the proportion of women sentenced to custody in N. Ireland has almost doubled.'*⁴

4.21 Respondents suggested that data on the sexual orientation and gender identity of women and girls who come into contact with the criminal justice system should be provided. They also remarked that *'it would be useful to know and understand the housing tenure of women and also the reasons behind the offences.'*

4.22 Facts and figures relating to period poverty were also highlighted as was practice in other jurisdictions providing free sanitary products in their courts and solicitors' offices (for those providing legal aid services).

⁴ Extract from respondent drawn from the terms of reference of CJINI's inspection on how the criminal justice system treats females in conflict with the law.

4.23 A number of respondents suggested the provision of Probation Board for Northern Ireland (PBNI) statistics would be helpful, e.g. breakdown of gender, offence type, and presenting issues. As well as statistics for women subject to probation/licences, those in custody, and the number of reports written for courts.

Clarity

4.24 A number of respondents sought clarification on a number of facts/charts provided. For example whether re-offending rates related to repeat offence(s) or a different offence.

4.25 In terms of this section, and throughout the consultation document, a respondent underlined concern around the conflation between sex, gender and gender identity, noting that *'the use of the term 'gender' muddies the statistics'* and asked *'are all the statistics and proposals relating solely to natal females?'*⁵

4.26 It was suggested that a glossary would aid mutual understanding, defining key terms, such as 'trauma informed'.

Sentencing and remand

4.27 Respondents noted that *'the strategy's emphasis on supporting the specific needs of women offenders and focus on moving away from custodial sentences is a welcome step in the right direction. Women are overwhelmingly sent to prison to serve short sentences for non-violent offences, often for a first offence. Many women in prison have been victims of much more serious offences than the ones they are accused of and the links between women's victimisation and their offending are clear. At least 57% of women in prison and under community supervision in England and Wales are victims of domestic abuse and many have been driven to offend as a direct result of their abuse.'*

4.28 Respondents also highlighted *'the small number of females within a male dominated criminal justice system is evidenced. The frequent use of suspended sentences raises questions about how these women's needs could be addressed through service provision.'*

4.29 Respondents remarked that *'it would be useful to reference and draw upon the research of Shona Minson, which focuses on the sentencing of women who are mothers, and the impact of sentencing on their children. Her work Maternal Sentencing and the Rights of the Child (Palgrave 2019) is especially relevant to this strategy.'*

⁵ Reference was made to <https://sex-matters.org/where-sex-matters/data-and-statistics/>

4.30 Concern was also expressed around the average daily rate of remand for females being greater than the rate for males. Overall respondents agreed that *'a distinct approach is needed for women and girls because of gender equality issues, as well as differential needs and pathways to offending.'*

Victims

4.31 It was also noted that facts and figures pertaining to the victims of females should not be overlooked.

Strategic Context

The consultation provided a summary of the landscape within which the new strategy is set, including:

- International obligations and Northern Ireland's programme for government;
- Work that is ongoing or at an early stage e.g. the proposed new women's facility, the review of regional facilities for children and young people; and
- The previous strategies on women who offend as well as some information on our early engagement on the new strategy.

Consultees were asked

Q3 Do you agree with the information in the Strategic context?

Q4 If applicable, please let us know if there is anything you would want us to change or add.

27 respondents answered with a 'Yes/No' answer

22 ✓

5 ✗

4.32 The majority of respondents agreed with the strategic content and considered it was comprehensive. A number proposed additions to the context, which are outlined in this section.

4.33 Respondents appreciated the reference to particular policy areas, for example the Youth Justice Review and the establishment of an integrated care and justice campus but remarked that they would have welcomed more detail about how the strategy will inform and link with this work.

International obligations

4.34 The Northern Ireland Human Rights Commission welcomed reference to relevant human rights standards within the section on international obligations. They highlighted *that the section 'should be broadened to adopt a more comprehensive rights based approach.'* They cited a range of proposed additions and international treaties and underlined that the strategy should be guided by all

relevant international human rights standards and that these should be specifically referenced.

4.35 While welcoming reference to the UN Committee on the Elimination of Discrimination against Women (CEDAW) in the document respondents considered that *'it would be useful for the document to go further to reference the specific recommendations by the CEDAW Committee pertinent to women offenders.*

4.36 Respondents also recommended reference being made to UN Committee on the Rights of the Child Concluding Comments and Recommendations, as well as [General Comment No.24](#).

4.37 Respondents welcomed *'the gender-informed lens within the strategic context overview.'* Noting the link between domestic abuse and offending, they suggested referring to the Istanbul Convention and progress of domestic legislation in Northern Ireland.

Other aspects

4.38 Respondents noted that *'offending behaviour by women and girls cannot be viewed in isolation of other life circumstances, and we urge that this Strategy links in with developments across the Executive'*, and underlined the need for the strategy to link with the:

- Mental Health Strategy 2021-2031;
- DoH (2020) Making Life Better – Preventing Harm and Empowering recovery. A Strategic framework to Tackle Harm from Substance Use. A consultation document;
- Anti-Poverty Strategy;
- Establishment of a Regional Care and Justice Campus;
- Restoring Relationships, Redressing Harm development of an adult restorative justice strategy for Northern Ireland' (of particular relevance to Theme 1 'Prevention and Diversion');
- 'Prisons 2020' and its successor (relevant to Theme 3 'In Custody and Reintegration');
- A Life Deserved: A Strategy for Looked After Children and the Children's Services Co-operation (NI) Act 2015;
- Given the high numbers of women offenders who have experienced domestic or sexual violence and abuse, it may be useful to make an explicit link to the government's Stopping Domestic and Sexual Violence and Abuse in Northern Ireland Strategy;
- Consideration to the links to Homelessness in the context of women and girls.

4.39 The RCSLT underscored the need to highlight the importance of identifying and supporting communication needs throughout the criminal justice system and proposed the addition of:

- The report 'Locked up and Locked Out: Communication is the Key' in partnership with the Youth Justice Agency (2009) which highlighted the need to support communication difficulties of young people who come into contact with youth justice services in NI; and
- The Registered Intermediary schemes and Pilot Post Project Review, which provide communication support to vulnerable victims, witnesses, accused and defendants.

4.40 Respondents also recommended reference being made to the Independent Inquiry into Child Sexual Exploitation (CSE) in Northern Ireland. Stating that *'this inquiry is particularly relevant given the fact that it has been estimated that CSE is an issue of concern for 33% of those involved in the youth justice system and in terms of assessed levels of risk it is estimated that 54% of young people involved in the youth justice system were at significant risk of CSE as compared to 12% of those not involved.'*

4.41 It was also proposed that consideration should be given to the range of Northern Ireland Housing Executive (NIHE) strategies and reports relating to homelessness, youth homelessness, community safety, and supporting people.

4.42 It was noted that *'the recommendations of the Corston report still have not been fully implemented and the increasing number of women being sent to prison makes this critical. The pandemic and its legacy are seeing, and will continue to see factors that lead women to prison amplified.'*

Partnership working

4.43 Respondents related that *'partnership working both across government and voluntary sector organisations has to be a key aspect of any strategy to support women in the criminal justice system, and England and Wales have some examples of good practice in this area. We would highlight the recently published 'Concordat on women in or at risk of contact with the criminal justice system', originally promised in the Ministry of Justice's 2018 Female Offender Strategy.'*

Other jurisdictions

4.44 Respondents suggested that it would be *'helpful to have more detail on how the programmes in other places, and the research studies are going to be applied in the NI context.'*

4.45 They noted that in respect of the UK, *'girls are included in the overall strategies for prevention for children in England and Scotland and there is no specific reference to gender equality issues. By contrast the Republic of Ireland has a female offender strategy 2018 focused on keeping women out of custody and a national strategy for women and girls to promote equality. Our strategy could learn from their experiences to date.'*

4.46 In regard to the Irish National Strategy for Women & Girls 2017-2020 cited in the consultation document it was remarked *'we understand that, when this Strategy was released, it was widely welcomed that the particular needs of women in the justice system were highlighted in this more general women's strategy. However, feedback from the Irish Penal Reform Trust would suggest that this became a missed opportunity; the reference to their needs in the Strategy were not followed up with any specific resourced priorities or actions.'*

4.47 In terms of good practice elsewhere respondents outlined that:

- Greater Manchester has developed the infrastructure for community alternatives, problem solving courts and better partnership working between sectors;
- other areas have embedded a whole system approach, including London, West Midlands and Wales; and
- consideration be given to the Safe Homes Initiative that is calling for urgent action across the criminal justice system to support more women into safe and secure accommodation.

Theory into practice

4.48 Several respondents underlined that *'the document very clearly identifies issues around women and girls offending, however, it is presented in a very theoretical manner.'* Respondents noted that the challenge is to translate this knowledge into real, properly funded and committed policies.

4.49 Respondents went on to say that *'throughout the Strategic Context, references are made to helpful research and strategies. However, the document is silent on any specific ways in which thoughts or approaches within the research and initiatives cited between pgs 12-19 are being drawn upon or pulled through practically.'*

4.50 It was also noted *'that whilst the tone and aspiration of the document is laudable, we find it lacks specifics; it gives no sense of resourced priorities or, indeed, how 'success' would be recognised.'*

4.51 Respondents also expressed concern *'about references to initiatives which may seem to be progressive (for example, the health/justice action plan) but which have made little obvious progress over recent years. And one may now question the degree of progress likely to make, now that health priorities are elsewhere.'*

Sentencing

4.52 In terms of sentencing respondents drew attention to the need for female defendants to be better informed about the sentencing decision-making process, noting that research *'highlighted a lack of understanding of the process by which the women were sentenced. They tended not to know or understand what was in their Pre-Sentence Reports. Neither did they know whether mitigating factors (particularly their experiences of domestic abuse) were taken into account. It recommended that PBNl and NIPS consider a review of the process by which women are taken through their PSR, and how domestic abuse was (or was not) reflected in sentences.'*

Issues not unique to women and girls

4.53 Respondents noted that many of the issues outlined in the consultation relevant to women and girls are not unique to women and girls but are equally applicable to boys and men.

4.54 In respect of adverse childhood experiences it was remarked *'we accept that despite the paucity of research evidence and the risk of viewing them as a homogeneous group there are some clear indicators that young and adult female offenders may have distinct needs, vulnerabilities and patterns of offending. We would be careful about overstating the link with adverse childhood experiences and female offending as these adverse experiences also apply to many young and adult male offenders. Other factors referenced re economic and social disadvantage, conflict in personal relationships, mental health, housing, low educational attainment and interaction with the care system are also significant in the backgrounds of male offenders.'*

Prior victimisation may be more prevalent in the histories of girls and women who come to the attention of the system but is not absent from male histories.'

4.55 They also recognised that *'trauma informed care should also apply to all persons within the criminal justice system, regardless of gender. In planning for specialist services to provide appropriate therapies the likelihood that a high proportion of females will require these services can be assumed.'*

Proposed framework

Title

The consultation proposed the Strategy title *'Empowering Change in Women's Lives: Strategy for supporting and challenging women and girls in contact with the justice system.'*

Consultees were asked

Q5 Do you agree with the title we have proposed?

Q6 If applicable, how would you change the title?

28 respondents answered with an 'Agree/Disagree' answer

12 ✓

16 ×

4.56 Just over half of the respondents to this question did not agree with the proposed title and considered that it could be clearer and more trauma informed.

4.57 It was suggested that the title wording could be rearranged:

- *'Challenging and supporting'* could be used instead of *'supporting and challenging'*, placing *'more emphasis on the support element as a longer term aim'*; and
- *'The words 'empowering' and 'supporting' should be swapped to read: "Supporting Change in Women's Lives: Strategy for empowering and challenging women and girls in contact with the justice system."*

4.58 Numerous respondents expressed concern regarding the use of the terms 'challenging' and 'empowering'.

Challenging

4.59 Several respondents noted that they were uncomfortable with the use of the word 'challenging' and that it sounded punitive and may provoke negativity.

4.60 It was underlined that *'a trauma informed perspective recognises that behaviour results from prior experiences and trauma, and factors that are often outside the control of the women themselves.'*

4.61 Respondents suggested removing the word 'challenge', or replacing it with 'empower', 'elevate', 'enable', 'encourage', 'develop', 'understand' or 'prioritise'. It was also proposed that 'supporting' by itself may be preferable. One respondent did not think it is necessary to include support or challenge but favoured the phrasing "through effective and evidence-based interventions" instead.

4.62 It was mentioned that the current suggested title is cumbersome and uses value-based language and emphasised that the title should *'align with the context that women and girls require support to enable them to take personal responsibility and actions to successfully break the cycle of offending.'* It was also posed that the word challenge *'conflicts with the word empowering and overall ethos of the strategy'*.

4.63 One respondent noted, in terms of the title page, that *'the picture on the cover depicts a woman and girl in crisis; certainly needing support, but challenge? The image selected speaks for itself about why 'support' is of greater relevance and importance than 'challenge'. Most women and girls to whom this strategy is relevant need support; people to walk with them, to guide and certainly at times, to suggest a different path. But we feel that the use of the term 'challenge', in the title sends a wrong message.'*

4.64 It was stated that *'the explicit labelling of "Supporting" and "Challenging" suggests that women/girls who are victims and women/girls who are offenders are still being viewed as two disparate groups and require different responses. We believe the responses should be one and the same for all women in contact with the Justice System – trauma informed, and restorative to self, family and community in response.'* They went on to reference that *'holding to account is a principle of restorative practice. Empowering might be a better word than challenging'*.

Empowering

4.65 Respondents had varying views with regard to using the term 'empowering' with some considering it *'an appropriate term, notwithstanding the structural factors that lead to offending behaviour'*. In contrast it was highlighted that *'the use of the word empowering is commonly used to support the intentions but fails to challenge the barriers which women face on a daily basis.'*

4.66 Respondents noted that their understanding of empowering is *'to give women the authority/power to bring about change, to have the ability to do something which improves their outcomes.'* Therefore placing the focus of change on an internal process.

4.67 It was highlighted that *'distributed authority and autonomy play a crucial role in the decision making processes of women, when people feel more in charge of the process of change they are more open to collaborating. The decision making should lie with those who have the information (experts of their lives). We need person-centred, better co-ordinated approaches to managing women in the criminal justice system, looking at first-person narratives service users perspectives to allow women to feel some control in their lives and bring together services to achieve better outcomes.'* With the respondent preferring *'engaging women in their personalised planning within the criminal justice system. With responsive services and organisational*

processes which are person-centred and professionals committed to partnership, between the women and the processes.'

4.68 Concern was also expressed that *'the use of the term 'empowerment' may overlook the impact of wider structural issues and the socio-economic context which undoubtedly result in young women and girls being brought into contact with the justice system and increase the risk of young women and girls entering the justice system. While we acknowledge the importance of making positive choices, we know that many young women feel they do not have access to appropriate choices and that circumstances beyond their control make it hard for them to 'make changes.'*

4.69 Respondents also noted that *'the use of the word "empowering" could be perceived as tokenism and the use of the words "challenging behaviour" an attempt to demonstrate a hard line approach (not going soft on crime). The focus might be for victims to feel confident that the punishment is tough where the focus should be on effective programmes to reduce recidivism.'*

4.70 In relation to the phrase 'empowering change' it was suggested that it *'infers a power differential between those who are part of 'the system' and the women that have 'things done to or for them'. Being empowered oneself (i.e., seeking out for oneself what this will require) may be a laudable aim. However, staking a claim to 'empower others' opens more questions and can imply someone attempting to 'do something to or for' someone, irrespective of their wishes or priorities. It also assumes crime is always a result of loss of power. Whilst this may be often be the case, it is not necessarily in every instance.'* They noted *'if the concept of 'change' is to remain, enabling change may be a less value-laden term than empowering?'*

4.71 It was outlined *'when we examine the current justice system the patriarchal elements are evident, that it was not purposefully designed for women. Therefore we also need to be conscious of the language used in relation to "empowerment", when women are faced with unique challenges within a justice system which was not purpose built to meet their needs and over which they have little control.'*

4.72 It was also highlighted that *'leading with the word "empowerment" may cause a negative response for both victims, who feel the offender already holds power over them, and offenders who while in custody regularly speak of how all power has been stripped of them. Using "Supporting" would avoid/lessen this negative reaction.'* In this regard it was also highlighted that it is *'difficult to measure 'empowerment'' but that "support' can be measured through the range of services and interventions offered to individual women.'*

Alternatives suggested

4.73 Respondents proposed a range of alternative titles, outlined below:

- *'Driving Change in Women's Lives: Strategy for supporting and empowering women and girls in contact with the justice system'*
- *'Creating Positive Change in Women's Lives: Strategy for supporting and empowering women and girls in contact with the justice system'.*
- *'Supporting and working towards behaviour change for women and girls in contact with justice system'*
- *'Empowering Change in Women's Lives: Strategy for supporting women and girls in contact with the justice system'*
- *'Strategy for Supporting Women and Girls in Contact with the Justice System.'*

4.74 It was also noted that *'the strategy is directed at both female children and adult women, we think this should be reflected in the title. Empowerment of females is an important concept to include particularly as many societal issues impact upon female offending.'*

Duration

The consultation suggested a number of options for the duration of the strategy.

Consultee views were sought on whether

Q7 The Strategy should be for:

- **Five, Six or Seven years;**
- **Five years with two action plans for years six and seven that will lead into a new delivery framework; or**
- **Other, please provide an alternative**

28 respondents answered this question

3 ✓	Five years
3 ✓	(Selected both) Five years, and Five years with two action plans for years six and seven (that will lead into a new delivery framework)
16 ✓	Five years with two action plans for years six and seven (that will lead into a new delivery framework)
2 ✓	Seven Years
4 ✓	Other

4.75 Three respondents selected 'Five Years' with one commenting that there 'needs to be 5 year strategy. 3 year action plan with 2 years leading into new delivery.'

4.76 Three selected both 'Five years', and 'Five years with two action plans for years six and seven' without comment.

4.77 A significant number of respondents (16) selected 'Five years, with two action plans for years six and seven (that will lead into a new delivery framework)', and commented:

- the Strategy should 'run for a sufficient length of time to monitor its successes and shortcomings'
- 'Action Plans need to have clear, intentional, and measurable outcomes.'
- 'The provision of services should be continually evaluated to provide a sense of success in outcome against planned objectives.'
- 'The diagram showing broad arrangements and the context in which the strategy will be working shows the agencies involved. It does not make clear what priority will be given within the NI Executive or the commitment to any specific-fenced funding to support the strategy.'
- 'Effective delivery of strategic objectives is key. The Strategy should be underpinned by a time-based Masterplan reviewed regularly for early identification of delivery risks and timely development of corrective actions.'

- *'It is worth noting that there are key themes within this document which have also been present in previous consultations and therefore action and delivery around this should be timely.'*
- 4.78 Two respondents suggested a duration of seven years, with one commenting that *'Given the breadth of the vision contained in the strategy a longer period would be welcome. We are also conscious in answering this question of the plans to create a new care and justice campus and accompanying framework for integrated therapeutic care, and potentially new legislation.'* They also noted *'the intention of the mental health strategy to span a ten-year period with yearly delivery plans. Given the acknowledgement of the impact of trauma and mental health needs on women and girls in the justice system, many of the actions outlined will depend on close cooperation with the department of health, as well as the full range of statutory and community and voluntary sectors. As such this may require a longer timeline to implement.'*
- 4.79 'Other' was selected by four respondents, they noted:
- *'The Strategy should be a living document with measurable outcomes.'*
 - *'The strategy timescale should depend on the extent of the changes required', however a longer duration 'should not preclude action on the components of the strategy that could be completed within a shorter period of time.'*
 - *'Any strategy in implementation may have unforeseen impacts and it is important to be able to readjust where and when necessary. An interim report at yr3 with the opportunity for feedback from stakeholders and the females directly affected would help keep the strategy and those implementing it accountable and responsive, rather than locked in to a course which may not meet the overall vision.'*
 - *'The strategy may become outdated, irrelevant and unachievable if it cannot be reviewed and adapted to incorporate new information. Time is needed to achieve and measure change, it will also take time to communicate the aims and have it implemented throughout the criminal justice system.'*
- 4.80 It was also opined that *'The length of the strategy is probably less important than the content and the inclusion of regular review of identified outcomes for girls and women'* and that they *'view the purpose of the strategy should be to deliver an evidence-based framework for effective interventions with girls and women who offend or are at risk of offending. While initially this may not be able to include all known elements of effective interventions, we agree that it is important to have short term gains while working towards a more comprehensive and inclusive plan. Ongoing research and evaluation should be built in to the framework.'*

The Vision

The consultation proposed a vision for the new strategy of *'Ending harm by empowering women and society.'*

Consultees were asked

Q8 Do you agree with the vision proposed for supporting and challenging women in contact with the criminal justice system?

Q9 If applicable, how would you enhance the vision?

27 respondents answered with an 'Agree/Disagree' answer

20 ✓

7 ✗

4.81 The majority of respondents welcomed the vision, commenting:

- *'Sounds like the right focus'*
- *'Nothing really to add-its very concise and welcome.'*
- *'Should give them more support and tell them they are not alone. Good to stop people jumping to conclusions about why girls get in trouble.'*
- *'It is good to see an acknowledgement of harm: harm women experience which very often leads to them being criminalised. We recognise too the attempt to broaden the remit of who holds responsibility; that all within society have a part to play.'*
- *'It is important to tackle the cycle of offending behaviours and how they impact family, relationships, health and the community.'*

4.82 Respondents remarked that *'the Vision outlined is certainly aspirational and we support the goals of empowerment of women and society in the ways outlined including skills acquisition, informing the public and targeting societal issues that may be linked to female offending. Many of these goals are achievable though the societal changes will require a long-term commitment and will meet with significant opposition.'*

Realistic

4.83 Several respondents noted that 'Ending harm' is too aspirational and is unlikely to (ever) be achieved, preferring 'Minimising/Reducing harm' instead. Others considered that although aspirational and somewhat unrealistic *'it is the ultimate goal and worth striving for.'*

4.84 It was also outlined that *'females are not responsible for the majority of harm in society and even within female offenders, crimes are less directly harmful to victims when compared with males offenders.'*

4.85 In regard to views supporting the vision a number of respondents considered, as reflected in their commentary around the title, that the term 'challenging' is unhelpful, noting that it has *'negative connotations and jars with a gender and trauma-informed approach.'* Some went on to say that *'the system and the responses to women's needs is what is challenging.'*

4.86 It was proposed that the vision could be a bit clearer regarding the categories of outcomes, including specific outcomes for women and girls in contact with the criminal justice system as service users and also the women and girls in the families of service users.

Clarity

4.87 Respondents considered that *'whilst the intention is clear further development or explanation of the vision would be useful.'* They commented *'The aims and ideals are laudable, these ideals have been around for many decades. Community involvement is a newer concept but the aspirations mentioned are not precise enough for us to comment.'*

4.88 In seeking clarity on the Vision respondents posed a range of questions:

- *'Is this reference to harm referring to harm caused to women that leads to them being criminalised, or does it refer to 'harm' caused by women's offending?'*
- *'Does the vision recognise that 'empowering society' involves tackling root causes and structural harms commonly experienced by women in contact with criminal justice system.'*
- In respect of educating society, *'If this is to be undertaken, who will be responsible and how will it be funded?'*

4.89 It was remarked that *'Empowering society is a rather vague term, I would be a bit clearer about what this means – does it mean changing attitudes and values so that girls and women receive support for mental health problems and behavioural difficulties that lead to offending behaviour? (i.e. ending the harm that leads women*

into offending behaviour).' They went on to highlight that *'If "harm" is the harm caused by women's offending behaviour then this could be specified more clearly.'*

Alternative visions

4.90 Respondents suggested amendments and alternatives to the vision proposed, including:

- *'Ending Harm by addressing societal and structural factors that lead women and girls into the justice system';* and
- *'Empowering women by identifying barriers and giving them the skills and tools needed to follow a pathway from offending.'*

4.91 It was recommended that explicit reference be made to restorative justice and practice as it would *'further recognise the harm caused by crime, the goal of restoring both victims and offenders, and allude to the fact that many women and girls in the justice system are victims of crime themselves and are in need of therapeutic support.'* The promotion of wider deployment of restorative practices was also endorsed.

4.92 It was proposed that the vision could be enhanced by making it: *'Appropriate assessments so women and girls have the opportunity to talk about their experience of trauma including both domestic and sexual abuse and looking at support pathways.'* The respondent added *'Person centred, Trauma informed, Sustainable joined up services, and prioritise family support, (extended visits in custody) community connections and appropriate services.'*

4.93 It was remarked that *'Finding positive futures' by empowering women and society more accurately portrays that females often have to find as positive a way forward as they can within the society which does not value them as much as males, which ignores, excuses, and acquits male violence and sexual abuse against them, which places undue pressure on them to accept more responsibility in caring, child-raising and supporting males even when that is in direct conflict with their own health and well-being, or the laws of the land.'*

4.94 Respondents also remarked that *'the vision needs to reflect cross departmental response – including Departments of Health, Education and Communities as key partners in the strategy'* and that commitment from other Departments should be assured prior to publication. It was also suggested that the Voluntary and

Community Sector should be included as key partners and that the Strategy should consider the valuable work of faith based organisations.

Resourcing and funding

4.95 The Northern Ireland Human Rights Commission made reference to the UN Committee on the Elimination of Discrimination against Women (UN CEDAW) 2019 concluding observations, *'that the UK government and NI Executive "allocate sufficient resources to effectively implement the [England and Wales] Female Offender Strategy, and ensure that a similar strategy is also adopted in other administrations of the State party".'* They sought clarity on the funding of the proposed strategy and recommended *'that the strategy is provided with ring fenced resources and includes clear goals, targets and timelines to ensure a way in which to measure improvement.'*

4.96 The issue of adequate and appropriate resourcing and funding was reiterated by many throughout their responses.

Overarching Priorities

To deliver the strategic vision the consultation suggested three overarching framework priorities focusing on prevention, alternatives in the community, and effective rehabilitation.

Consultees were asked

Q10 Do you agree with these overarching priorities?

Q11 If applicable, suggested additions or changes?

26 respondents answered with an 'Agree/Disagree' answer

22 ✓

4 ✕

4.97 The majority of respondents broadly agreed with the overarching priorities (and themes) noting that they *'speak eloquently about what changes or priorities are needed.'*

Clarity

4.98 However, several respondents remarked that more detail and clarity is required. *'The document does not progress the question of how these priorities will be given expression.'* *'There needs to be much more detail on how these priorities will be addressed and how organisations and Departments will work together to achieve these goals. In many cases the most appropriate early intervention is not through the Criminal Justice System, but with other agencies who come under the remit of the Departments of Health and/or Communities.'*

4.99 One respondent commented *'we found it confusing to have 'Overarching Priorities' and 'Strategic Themes' that were essentially the same, leading us to wonder whether the Department saw a distinction between the two; and then to also have 'Key Priorities' within each 'Strategic Theme'. We would suggest that the Department considers simplifying the structure by having either 'Overarching Priorities' or 'Strategic Themes', rather than both. Given that the document goes on to list 'Key Priorities' under each of the three 'Strategic Themes' it may be simpler to remove the 'Overarching Priorities.'*

4.100 It was highlighted that *'it would be helpful to include actual models of practice/ approaches which have been designed and proven to meet the needs of women. If these models will be part of the action plan they should be mentioned in the strategy.'*

4.101 It was remarked that *'what is missing is a commitment to address the specific sex-based barriers within society and government including the justice system that create the conditions that can lead to females being more likely to offend.'*

4.102 Respondents considered that *'throughout this section, there remains a sense in which women who offend are somehow 'separate to' or 'other than' society in general. We would welcome a more inclusive approach that any woman who has a conviction is not separate from the rest of society.'*

A culture of prevention and early intervention for women

4.103 The majority of respondents agreed that a culture of prevention and early intervention should be a priority of criminal justice (regardless of age or gender).

4.104 Respondents suggested that:

- the priority should be amended to "a culture of prevention, support, and early intervention for women";
- there should be a recognition of 'early intervention as a step prior to prevention'; and
- there are more opportunities to embed early intervention in relation to identifying hidden communication needs and disabilities, by ensuring that we are embedding more training and awareness of, and access to speech and language therapy services, across services.

4.105 Respondents strongly advocated *'that early intervention and prevention is led and delivered by community and voluntary sector providers and welfare oriented statutory providers, rather than by justice providers.'*

4.106 Related to this point they stated *'we agree with the principle of supporting women as early as possible including supporting women who are on the 'cusp' of offending. However, a criminal justice response in these situations often increases the likelihood of criminalisation. De-escalation is more likely when other agencies take the lead. For those on the 'cusp of offending' (likely to be younger women and girls) criminal justice is reliant on other agencies with 'reach into' and influence over this population. But justice must take initiative; directing and guiding other agencies (youth services, education, and health etc).'*

Robust alternatives to custody and management of women in the community

4.107 In regard to the second overarching priority the term 'robust alternatives to custody' was queried as being *'a "politically correct" concept to present to the public who are perceived as wanting the system to be "tough".'* It was noted that language could be improved to reflect supporting women rather than managing. Respondents suggested the following alternatives:

- 'Robust and suitable alternatives to custody and provision of supports in the community.'

- 'Effective alternatives to custody which reduce the risk of re offending and give added value to the community, to victims of crime and to the offender.'

4.108 Respondents noted that *'keeping women in the community will of course involve ongoing risk assessment and risk management and the multi-agency provision of tailored services to girls, women and their families. Restorative interventions will also be crucial in many cases. We agree with the implications of the vision and priorities set out in the document.'*

A fit for purpose, rehabilitative, restorative custodial environment for women

4.109 In terms of the third and final overarching priority respondents advocated that *'it needs to look at THERAPEUTIC rehabilitation, restorative custodial environment for women.'* Some proposed it should also be trauma informed and *'incorporate a consideration of mental health outcomes and wellbeing generally.'*

4.110 The prioritisation of life skills, employment or placement opportunities, and up skilling was recommended. Respondents also underlined the need for *'support for addiction, substance misuse, housing, mental health, employability and domestic and sexual violence.'* In regard to this range of support respondents stressed that *'this cannot be achieved in short term custodial sentences where a woman has served time and releases back into the same circumstances.'*

4.111 The need for specific rehabilitation services and safer accommodation options for women leaving custody was referenced by a number of respondents.

4.112 In terms of young women, Restorative Practices Forum NI (RPFNI) recommended *'that there should be a continuation of 'child centred' justice for those who reach their 18th birthday, with consideration for this until age 21/24. Equality, with how young males who offend are treated must be available, especially in custody.'*

What the vision and priorities means

4.113 Respondents made a number of comments relating to what the vision and priorities means for victims and survivors of women's offending, women who offend and those at risk of offending, justice agencies and statutory bodies, service providers for those who offend (voluntary and community sector), the general public, and the future.

4.114 They considered that the word 'prosperous' did not sit comfortably in the section/the strategy. Noting that if it was to remain further detail was needed with regard to what the term means. Respondents underlined that *'the economic impact of women's offending behaviour tends to be lower, and the positive outcomes that*

come from women's empowerment should not be defined in economic terms (or if they are, this should reflect the importance of their roles as mothers and carers).'

4.115 The term "safe" was also questioned *'on the basis that women's offending tends to be less violent; however this does reflect a trauma informed approach whereby the welfare of service providers and staff engaging with service users should be prioritised.'*

4.116 Respondents referenced that *'getting access to the right services at the right time, and in the right place will require resourcing of cross-departmental initiatives, particularly health, education, communities and justice.'* With the respondent going on to say *'we need this strategy to give direction on how cross-departmental working can progress.'*

4.117 It was also suggested that *"The future" should emphasise the importance of rehabilitation and promoting positive relationships between women and their families, as the way of breaking the cycle of transgenerational/ intergenerational trauma and therefore transgenerational/ intergenerational crime.'*

Interchangeable terminology

4.118 It was remarked that *'terms appear to be used interchangeably; 'opportunity to change', 'improved life chances for these women and their families' and 'realise positive life outcomes',* with the respondents questioning if there is a cohesive understanding of how and when particular language is used.

Principles

The consultation proposed that the strategy (and its out workings) should be supported by six/three pairs of complementary principles:

- Gender informed and Person centred
- Trauma informed and Holistic
- Pro-active and Responsive

Consultees were asked

Q12 Do you agree with these principles?

Q13 If applicable, suggested additions or changes?

26 respondents answered with an 'Agree/Disagree' answer

24 ✓

2 ✕

4.119 The majority of respondents welcomed the gender informed, person-centred, trauma informed, resilience focused, and holistic principles that take account of adverse childhood experiences and other traumas. They highlighted the importance of translating the principles into clear outcomes.

4.120 Respondents noted that *'in their elaboration it is important to recognise the role that women play as parents and carers and the link between incarceration and poor outcomes for their families.'* They further noted that *'the principles are challenging because if applied properly they include whole systems approaches early identification and outreach, supporting staff and avoidance of triggering and retraumatising.'*

4.121 It was stated that *'within any holistic approach the way a female's biological sex places her at a disadvantage must be understood'*. They went on to say *'the single most important disadvantage facing females is that the female sex is treated as if of lesser value than males.'*

4.122 Respondents also noted that *'pro activity and responsivity are also core principles of engaging with individuals in the criminal justice system and it is positive that they are here applied to the strategic approach.'*

Suggested additions

4.123 Respondents suggested additions to the principles, specifically *'evidence-based'* *'age appropriate'*, and *'rights focussed'*. A respondent also suggested the addition of *'across and beyond government.'*

4.124 RPFNI highlighted that they *'would like to see a "restorative approach" as a named principle within the strategy, as a response to recognising and supporting the*

recovery from the "what happened to you" and "who has been impacted" trauma informed perspective.'

4.125 RCSLT suggested that the principles should make specific reference to communication and noted that when considering the 'holistic' principle and approaches *'the addition of communication as follows; "This can only be done through a holistic approach that focuses on, but is not limited to health, wellbeing, welfare, communication and behaviour".'*

Strategic themes

The consultation proposed that the new strategy would be constructed around three key themes:

- 1 Prevention and Diversion – focusing on early intervention including support up to, and including, sentencing;
- 2 In the Community – focusing on maximising community solutions; and
- 3 In Custody and Reintegration – focusing on rehabilitation to support positive outcomes.

Consultees were asked

Q14 Do you agree with the proposed strategic themes?

Q15 If applicable, suggested additions or changes?

25 respondents answered with an 'Agree/Disagree' answer

23 ✓

2 ✕

4.126 The majority of respondents broadly agreed with the proposed strategic themes and considered them appropriate. A number commented that *'insight into the ways in which these themes may be carried forward in practice are missing.'*

4.127 Respondents noted *'we really need a plan to understand the needs of women and why they commit crime. Often women who commit crime have had tough lives and are poor and have been neglected and addicted to drugs.'*

4.128 With regard to additional themes, it was suggested that:

- *'it may be helpful to include an educational or awareness raising strand that targets the public and aims to move away from the hard vs soft justice paradigm and towards evidence-based policy making. This isn't limited to women and girls in the justice system but is applicable across the whole system where restorative or therapeutic approaches are proven to be most effective.'*
- there should be an additional theme *'linked to gender equality especially as this could get lost within the individual themes.'* It was noted that *'Social exclusion, the incidence of vulnerability, domestic and sexual abuse have particular resonance in the personal histories of females who offend or are at risk of offending and the stigma attached to female offending is also a significant factor.'*

4.129 It was suggested that the 'Rehabilitation-Resettlement-Reintegration' continuum/model previously used by DoJ in strategic documents is relevant to the three themes.

4.130 Several respondents provided very practical ideas of what could help under the themes outlined in the consultation. This commentary has been broadly summarised under the questions relating to how the themes will be delivered⁶ and will be considered when action planning.

Simplified structure

4.131 As highlighted under question 10, confusion was noted in respect of having 'Overarching Priorities' and 'Strategic Themes' and respondents suggested a simplified structure by having either 'Overarching Priorities' or 'Strategic Themes', rather than both.

Prevention and Diversion

4.132 The majority of respondents welcomed the theme and focus on prevention and diversion, with one noting *'this is a good idea and will give better support to young women to get on the right path.'* Comments recognised the potential that early intervention can have on preventing the development of risk-taking or offending behaviour.

4.133 One respondent remarked that the summary for the theme assumes guilt.

4.134 Many respondents recognised the merit in helping as early as possible and putting more support in place on first contact with the justice system. In terms of preventative work one respondent underlined the *'need to have better conversations within school and other settings to help girls deal better with their emotions at an Early stage.'*

4.135 It was stressed that *'responses to offending behaviour by girls should take a trauma informed, welfare-based approach that diverts children from the criminal justice system and avoids criminalisation.'*

In the community

4.136 The bulk of respondents supported the intention to promote and provide community solutions to reduce women's offending and re-offending stating that they *'look forward to seeing how the Department will practically deliver on this, in terms of ensuring sustained support for existing provision from the community and voluntary sector.'*

4.137 They noted that *'community supports need to be fully funded and supported with appropriate protocols in place for safety of all.'*

⁶ Questions 22, 30 and 38.

4.138 Respondents outlined that the content and context of Community could be clearer, suggesting:

- *'Signposts should be in place to enable access to services';* and
- *'Women should be challenged to believe they can make changes which will make their lives better.'*

4.139 Respondents emphasised that *'addressing underlying reasons goes beyond tackling offender behaviour. Addressing societal issues also means challenging structures which are discriminatory or have a particularly negative impact on a specific demographic in the population.'*

4.140 In terms of maximising community solutions RPFNI stated that they *'would support explicit reference to minimising custodial sentences/ committals. Women spending all their sentence on remand is unacceptable. Custody is not used as a response to care issues in the youth system, and a focus that realises this (with proper systemic support from Education, Health, Housing and Social Care Services) in the adult system should also be made explicit.'*

In Custody and Reintegration

4.141 Respondents welcomed the recognition that *'custody should be a last resort, and that imprisonment of women has a significant impact on their dependents including children.'*

4.142 One respondent advocated that 'rehabilitation' should explicitly encompass the three aspects of rehabilitation, resettlement and reintegration. Another noted the need to have in prison support plans which ensure proactive approaches to maintaining contact with their families.

4.143 Concern was again⁷ expressed with regard to the use of the term 'empower' in the sentence: *'Seeking to empower women with the confidence and resilience needed to pursue a pathway away from offending.'* With the respondent also noting that *'the use of the term 'resilience' is also increasingly coming under question from people who face multiple disadvantage; its connotation being that life will continue to present knocks and if those in positions of authority require you to become 'resilient' this indicates that you must accept the reality that life will continue to deliver 'knock down' upon 'knock down'. Whilst we understand the sentiment behind the sentence, we feel a trauma-informed approach would be seeking to restore a sense of self-worth, from which transformation of outlook and priorities will come (with appropriate guidance).'*

4.144 Respondents underlined the importance of support in regard to those leaving prison/custody, remarking:

⁷ Concerns previously expressed in using the term 'empower' in the strategy title, Questions 5 and 6 refer.

- *'it is important to have in place appropriate and timely planning of resettlement supports into the community.'*
- *'Women need options outside of/away from offending once released from custody. Focus on education, training and employment to break the 'cycle'. Women also need to develop skills, as well as confidence and resilience.' 'Furthermore, the focus should be on commencing this process fairly soon after a woman is received into custody. This would optimise positive outcomes for women, those who have experienced harm and for society.'*
- *'it is important to understand the impact of rehabilitation and pre-release work when re-entering into the community from custody. There needs to be more emphasis on rehab, housing, clear interventions around parenting and drug use. Support for organisations that work with females to offer services for through care services and a joined up approach amongst agencies. It is also important to listen to the female population and involve them in processes. They are vulnerable for many different reasons, but still have a vice and are part of a community while in custody.'*

4.145 Respondents also emphasised the importance of joint partnership working *'ensuring that when released women are not set up to fail through lack of pre discharge planning and communication with supportive services on release to continue the vision and prevent reoffending.'*

Theme 1 - Prevention and Diversion

In the consultation the introduction for this first theme outlined the need to intervene earlier with women and girls who come in contact with the justice system.

Consultees were asked

Q16 Do you broadly agree with the introduction and basis to this theme?

Q17 If applicable, proposed additions or changes?

26 respondents answered with an 'Agree/Disagree' answer

25 ✓

1 ✗

4.146 The majority of respondents broadly agreed with the introduction and basis to the theme. Noting that a preventative and diversionary approach *'is key to ensuring that fewer women and girls get to the point of committing crime. Such an approach is not only beneficial for the women and girls themselves, but also for society at large, as it results in fewer victims of crime.'*

4.147 Respondents noted that *'women/girls who may be at risk of offending and those who have had 'early' contact with justice are often cited together. However, in terms of the justice system's ability to identify them, they are distinct groups.'*

4.148 Respondents also remarked that *'the section talks about helping women and girl 'make good choices' we need a society where 'good choices' are available to all – for example welfare reform, support of substance misuse, adequate housing.'*

Girls and young women

4.149 PBNi stressed *'the importance of early intervention for girls under the age of 18 to divert them from the formal criminal justice system and ensure that the resources are in place to provide support and access to services in a responsive and timely way to prevent entry in to adult criminal justice services and this will require joined up delivery across YJA, health, Education and CVS.'*⁸

4.150 Another respondent outlined *'because of the high representation of young women who have been through care in the justice system, it is critical that health plays a strong lead role in prevention. We are aware of many girls who, once they move into independent living, are involved in incidents which provoke a justice rather than care response. Yet, in theory, they should remain the responsibility of health up to age 21. We would therefore call for more robust strategies to help prevent early criminalisation*

⁸ Community and Voluntary Sector

of young people in care, for example, where police are called to incidents and for greater support to those aged 16 to 21.'

4.151 Respondents noted the reduction in the prison population of young men in Hydebank Wood and the rising numbers of women and proposed two lines of enquiry:

- What of the interventions designed for young people can be applied to women?
- Can we evidence whether early interventions have been more effective for boys than girls?

4.152 Respondents acknowledged that *'early intervention and diversion initiatives for younger women and girls will differ significantly from those for older women. Consideration should be given to the view that interventions required will differ based on the needs of the individual.'*

Criminalisation of women

4.153 Respondents commented *'we observe the, at times, inequitable criminalisation of women following police incidents including many women who are victims of domestic abuse. When police were called to the home, there was a lack of understanding or a lashing out resulting in the woman being arrested. In these circumstances, can the police be better equipped to support the women to leave the situation and referred onto appropriate services? The police are a 'trauma' informed service. What does that look like when responding to traumatised people? What about specialist services working alongside the police to de-escalate and decriminalise responses? One such example was the MATT (Multi-Agency Triage Team) Pilot in Ards, North Down, and Lisburn, 2018-2020, in which mental health practitioners and paramedics worked alongside PSNI to respond to distress calls. We would welcome roll out of this or similar approaches.'*

4.154 Respondents also remarked that *'a further critical element of supporting diversion will be consultation with court decision makers; we need to understand what lies behind the increasing numbers of women receiving custodial sentences: is reform of judicial decision making necessary? We are aware of instances of the judiciary passing custodial sentences or remanding women into custody where the primary concern may be mental health or other vulnerabilities. Whilst this has been done to protect a woman, are they aware of how traumatising custody is? Many women we work with speak of the long-term trauma experienced in and beyond custody. The judiciary need to be educated about the experiences of women who go to custody including the long-term impacts and be made aware that very few supports are available to women on remand/short sentences. They also need to be educated in the benefits of referral to*

local specialist services which enable women to connect into communities and develop supportive relationships.'

Paramilitarism

4.155 Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO) made reference to their 'Base2' verification service for people who allege to be under threat. They shared their concern that the service *'has seen a 30% rise in girls and women using the service since March 2020. This is disturbing evidence of increasing numbers of women and girls coming to the attention to paramilitaries and of their exploitation, with serious implications for their mental and physical health and future opportunities and choices. This trend requires urgent attention as it is likely result in increasing numbers of women coming into conflict with the law, with exploitation being the root cause.'*

Complex Issues

4.156 Respondents proposed that *'the complex issues section could be revised to reflect history of adversity and trauma, which is in keeping with the theme of trauma informed practice.'*

4.157 Women's Aid advised that *'We have supported women over the years within the criminal justice system who have experienced domestic or sexual violence with a strong element of coercive control which in turn has lead to substance misuse, mental health addiction and as a result a pathway to criminal behaviour - this needs to be understood by police, judiciary and criminal justice system as a whole.'*

4.158 Reference was made to the evaluation of the Power to Change pilot programme run with NOMS, and that *'Women's Aid Federation England made a clear case for addressing the ways in which women offenders' experiences of abuse relate to her offending behaviour, for the benefit of women's health and to prevent future offending:*

"Recognition of these contributory factors does not mean absolving the offender from all blame or responsibility for her offence. A woman whose offences are linked to her experience of abuse by adult partners might be helped to develop alternative coping strategies, such as avoidance, escape planning, self-protection and using local support networks: or if her offending behaviour is linked to childhood abuse, therapeutic intervention may help her deal with the trauma. Access to practical assistance and opportunities to deal with the damaging physical and psychological effects of abuse are therefore critical in maximising women offenders' ability to avoid future involvement in crime."

We believe that this strategy should adopt such an approach, covering all women who have experienced domestic and sexual abuse and violence, including: those who experienced abuse as children; those who offend as a consequence of substance misuse brought on by abuse; those whose abuse has led to a chaotic lifestyle which includes offending; and those who have specifically committed crimes against their abusers.'

4.159 Respondents also suggested that *'it may also be worth considering findings from the Sir John Gillen Report in relation to how many women feel let down and failed by the CJS, and the potential corresponding levels of distrust and dissatisfaction women may have in the justice system. Given the statistics evidencing that women who have been/ are involved in unhealthy and exploitative relationships puts them at greater risk of violence, abuse and offending, it may be worthwhile looking at this as an area to be explored further or addressed.'*

Education and training

4.160 Women's Aid outlined their belief that *'everything comes back to education and training.'* *'Preventative education is also crucial and we are of the view that it is difficult to properly address the issues underlying childhood offending and related health issues without including healthy relationships training and programmes.'* They went on to reference their work educating and supporting children and young people about healthy relationships.

4.161 Respondents supported reference to Relationships and Sexuality Education (RSE) as a preventative measure, commenting *'in our view, such education should be mandatory, standardised, best-practice led and delivered to all age groups in an age-appropriate manner in all schools. Whilst we are aware that this is beyond the remit of this document, or DOJ, it is important to include it in this strategy as such education would be an effective preventative measure that would build resilience of women and girls.'*

4.162 Another underlined that we *'need to be mindful that sex and relationship education programmes should be developed for all genders not just for women. While women may offend as a result of an abusive or exploitative relationship- the abusive and exploitative behaviour must be challenged.'*

4.163 Respondents supported lifestyle programmes/education commenting that *'many of those from our own service who end up in the justice system have no life skills never been parented and become so vulnerable to exploitation and often are the front runner ending in the justice system because they are afraid to speak out. Increasing self-esteem and self-worth will empower them to make healthier life choices.'*

4.164 Respondents also suggested *'given recent developments around the Domestic Abuse and Family Proceedings Bill in terms of impact on prevention, i.e. legislation now recognising non-physical behaviours (psychological, threatening, controlling, isolating, humiliating, degrading, intimidating and more) as a crime.*

Education and awareness of new legislation could be a key enabler to empowering women and reducing the number of women who find themselves in conflict with the law.'

What is prevention and diversion?

4.165 A significant number of respondents acknowledged that early intervention is essential. Some noted currently a lack of support at very early stages when problems are identified, suggesting that services are so severely cut that it is impossible to carry out preventative work with families and children. Respondents noted that *'core services should be enhanced and responses to referrals should be tailored and timely.'*

4.166 Respondents questioned *'When should prevention/ diversion begin? Thinking about the impact of ACEs on life outcomes.'*

4.167 They noted that trauma-informed and restorative practise approaches should be applied with women and girls who come in contact with the justice system. Also noting that *'community supports need to be fully funded and supported with appropriate protocols in place for the safety of all.'*

4.168 Respondents commented that *'the theme discusses issues relating to resilience, consent and prevention which will be tackled within the education system and in the community and voluntary sector, therefore it would be helpful to have a discussion about how these parts of the strategy will be aligned with the work already ongoing through the mental health in schools framework and strategies in the Department for Communities. The approaches to diversion are within the remit of the Department of Justice and it would be helpful to have more information and clear actions in relation to these – an audit of current practice and identification of gaps.'*

4.169 Respondents also emphasised that *'women should feel able to access services and ask for support without fear of repercussions. There is often a greater risk for women if they become involved with services i.e. involvement of social services, increase of domestic violence. Services also need to be available when sought out, as delays and waiting lists can have an impact on the potential and motivation for change.'*

4.170 RCSLT cautioned that *'there is a need to consider if prevention and diversion programmes are accessible to those who communication difficulties which may be*

hard to spot or are masked by behaviour. Identifying SLCN at the earliest opportunity can reduce the barriers young people face to accessing supports they are offered and need to recover and thrive, however SLCN can be difficult to spot.⁹

In Partnership

4.171 One respondent noted that *'the reference to 'In Partnership' at the end of the introduction rather minimises the importance of such partnerships. Without effective partnership working the preventative and diversionary activities will not succeed. We would suggest elevating and expanding on this point.'*

4.172 Respondents suggested *'to give young women and girls the best chance of succeeding services need to be lined up and supported by a cross departmental approach to ensure that support is wrap around and appropriately resourced.'*

4.173 It was noted that it would be useful to understand which organisations will be involved and how this will be implemented.

4.174 Funding streams to pay for the expertise of third sector organisations were underlined as it was remarked that *'women often will trust community or charity organisations prior to any government or 'official' body.'* It was also recognised by respondents that as well as funding there is need to ensure that organisations that are relied on to support the work of the strategy have the capacity to meet increased demand.

4.175 Respondents stated *'it is crucial that these prevention and diversion responses emanate from universal Education, Health, Housing and Social Care services and not just from justice services to avoid "net widening." Net widening¹⁰ is a current feature of the system.'* Respondents also considered *'joined up strategies with mental health and social services, NIHE, benefits and tax systems to show a full supported pathway away from at risk behaviour.'*

4.176 Respondents also underlined *'justice's reliance on other disciplines to reach in and engage in preventative work, and of the appropriate use of other agencies in support of diversionary work too.'*

Preventative work may be 'easier' to achieve with girls, through care and health contacts, but consideration needs to be given of how women who would benefit from preventative work may also be identified. McGuigan & Walker's research highlighted

⁹ Speech, Language and Communication Needs

¹⁰ Net-widening relates to the risk of any new criminal justice reform expanding social control over individuals, e.g. like individuals receiving a justice response/sanction for something that may not have attracted a sanction/escalation previously.

that victims of domestic abuse are considerably more vulnerable to offending; for this reason we highlight the significance of PBNI's Partner Support initiative (delivered by PBNI to the partners of adjudicated offenders on their Building Better Lives (BBR) programme, and delivered by Women's Aid on PBNI's behalf to partners of those undertaking the non-adjudicated Promoting Positive Relationship programme). PBNI delivers the PPR across all HSC Trust areas on the Trusts' behalf.'

Under this first theme the consultation outlined a range of current and promising practice at early stages of a woman or girl's contact with the justice system.

Consultees were asked

Q18 Is there any further practice you think should be highlighted here?

Q19 If yes, please provide some detail

27 respondents answered with an 'Yes/No' answer

17 ✓

10 ✗

4.177 While welcoming the *'broad cross-departmental and multidisciplinary / multi-agency range of programmes'* and practice highlighted in the consultation under the first theme respondents who provided comment suggested additional practice for inclusion and remarked on how practice could be enhanced.

Additional practice

4.178 Respondents proposed the inclusion of the following practice:

- the Community crisis intervention service in Derry-Londonderry, an intervention service that supports people in situational crisis.
- projects referenced in the most recent Framework for Children & Young People's Emotional Health and Wellbeing in Education
- the new specialist perinatal mental health service
- the Early Years' programme
- the Simon Community NI's Housing First for Youth service, 'that provides person centred support for complex young people'.
- The Engage programme, that focuses on ensuring women in the justice system are equipped with the resilience to withstand the pressure of paramilitary influence through the development of strengthened resilience.
- the work of Prison Fellowship NI in terms of supporting families and supporting women in custody and beyond.
- A Hidden Need SLCN and Children in care: A Pilot Project in Residential Care in Western Health and Social Care Trust (WHSCT). This pilot project is currently employing a speech and language therapist on temporary post as part of the residential team working across six children's homes with 36 young people, roughly a third of which are girls.

4.179 Respondents also underlined that *'many of the actions in theme one of the mental health strategy will support the prevention and diversion section of this strategy.'*

4.180 The recognition of the importance of youth services in supporting girls/young women at risk was welcomed. However respondents stressed the need to sustain and safeguard these services to secure their continued operation.

Improving practice

4.181 The issue of funding and sustainability was mirrored in a number of responses:

- *'In developing a community based approach to supporting women and girls a strong partnership needs to be developed and resourced with the voluntary and community sector who are best placed to deliver this support as they are already rooted in community'*
- *'There must be greater investment in multidisciplinary teams.'*
- It was noted that given the high prevalence and profound impact of communication difficulties among women and girls in contact with the justice system, the 'no wrong door' model of identifying and supporting communication difficulties fits well with the key priorities outlined under prevention and diversion.
- the OCN in Offending Behaviour delivered under the Inspire model by NIACRO was also highlighted as being *'a necessary element of women being 'welcomed in', particularly to women's centres. It is not realistic to expect women who have offences (particularly higher profile offences) to find a 'warm reception' and settle successfully if we do not resource and educate the places we hope to see them settle in.'*
- for several years Prison Fellowship NI ran 'Press Forward' a Summer Scheme for children with a loved one in Prison. It was referenced *'Notwithstanding Covid-19, due to lack of funding this invaluable service which provided positive experiences; diversionary/ early intervention activities for the children and respite for the parent(s) has not been possible in recent years.'*

In terms of greater investment in multidisciplinary teams it was remarked that *'Referrals should be regarded as a matter of urgency'* and *'perhaps a mobile emergency response team could be piloted.'*

4.182 The need for support to be tailored and delivered by specialists was also highlighted, for example:

- *'Women's Aid who have the expertise, knowledge and experience.'*
- *'Support should be tailored for individuals, for example LGBT+ victims/survivors of domestic abuse should be referred to appropriate services.'*

4.183 In terms of enhancing practice respondents promoted:

- *'A focus on community-based programmes must address the underlying causes of criminal activity, each programme tailored to an individual's own behaviour, needs and circumstances. Better funding to make mental health service available at the earliest possible stage in the criminal justice system. Early intervention should have a screening process to look at low level need such as mental health, harmful behaviours which have not triggered serious interventions, but without addressing them, might lead to an increased likelihood of re-offending.'*
- *That 'from a psychological perspective, there should be a range of interventions for women and girls. Diversionary measures are crucial and should be further enhanced.'*
- *signposting the support hubs directory and app*
- *'Wider deployment/utilisation of accredited restorative organisation in early intervention strategies and collaborative working with specific organisations who support women and especially those who support women who are deemed to be at greater risk.'*
- *'Consideration that an element of housing support is diversionary e.g. Floating Support and Housing First. It is also important to highlight the importance of having a home.'*
- *'Diversion from court through partnership programmes between voluntary and community sector to support and promote Conditional Cautioning programmes.'*

4.184 Respondents highlighted the important role that family and role models play in providing guidance to young people. They also underlined the need to recognise the detrimental impact of violence against women, that abusive behaviours are unacceptable, and that a stronger punitive response is required.

Under the first theme the consultation outlined:

- a proposed overall aim for the theme of 'A culture of prevention and early intervention for women';
- a number of key priorities around women and girls' pathways into and out of offending and providing support in partnership to reduce the number coming in contact with the justice system; and
- what we proposed to do to deliver these priorities including strengthening links with partners, improving communication and maximising opportunities and preventative measures.

Consultees were asked

Q20 Do you agree with the aim?

Q21 Do you agree with the priorities

Q22 Do you agree with what is proposed in 'To deliver this we will'

Q23 If no, suggested changes or additions?

Q20 - 26 respondents answered with a 'Yes/No' answer	
26 ✓	
Q21 - 26 respondents answered with a 'Yes/No' answer	
24 ✓	2 ✗
Q22 - 25 respondents answered with a 'Yes/No' answer	
15 ✓	10 ✗

The aim

4.185 Respondents mainly provided comments relating to the aim of this theme under Question 10. In summary the majority of respondents agreed that a culture of prevention and early intervention should be a priority of criminal justice.

4.186 Respondents underlined that establishing a culture of prevention and early intervention *'will require leadership as well as partnership to develop new services in response to identified needs, to improve communication, increase understanding about needs and pathways to offending, involve service users and deal with some of the societal issues impacting on gender equality.'*

4.187 It was emphasised that *'the aim shouldn't be simply to reduce the number coming in contact with the justice system, it should be to improve lives.'*

4.188 Respondents suggested that justice involvement is not always appropriate for those who require early support and can escalate rather than deescalate situations. It was also proposed that early intervention and preventative work would require cross departmental support and should involve, and potentially be led by the third sector.

The priorities and their delivery

4.189 Respondents welcomed the focus on providing support to women and girls as early as possible. They underlined the need for more detail with regard to how the priorities will be delivered and achieved and queried *'whether these are new proposed services or existing reconfigured services. Is there additional funding to support this?'* *'The points under the heading 'To deliver this we will', they fall short in offering specific deliverables under which the successful outworking of this strategy might be judged.'* The need for further detail and specific funding is reiterated by respondents under every theme.

4.190 In regard to sustainable funding and the voluntary and community sectors respondents highlighted *'it is unacceptable that any strategy be put in place by government bodies that relies on the expertise and services provided by third sector organisation without including the funds to pay for those services. You are asking/relying on them to pick up the slack from government then you should also be paying them to do so.'*

4.191 A number of third sector respondents emphasised that they are keen to support the Department in the development of suitable programmes for women and girls both within and on the edges of the justice system.

4.192 Respondents supported *'the acknowledgement that women and girls have better outcomes with a health or welfare-led response as opposed to a 'punitive' criminal justice approach and as an organisation we strongly advocate that keeping children out of the criminal justice system completely must be an overriding goal of any child rights focused justice system.'*

4.193 Respondents also remarked we urge that a model of cross-departmental working with other Departments, including Health and Education, is developed to ensure effective prevention and better outcomes, in recognition of the multiple health and social care factors that can contribute to offending, and also the impact of parental imprisonment on children, the role of early intervention, and the opportunity for schools to promote good mental health, wellbeing, resilience and self-esteem.'

Giving women and girls and strong foundation

4.194 One respondent remarked *'I believe that strong, firm foundations should be in place and that girls and young women should know their value and worth from a young age. If they are not receiving this at home it needs to be available somehow or somewhere.'*

4.195 Another questioned *'Why do women often feel they are set up to fail?'*

4.196 Respondents underlined that *'education is important, and should be offered in different settings to assist women, who are suffering or who have been thrust into situations outside their control, out of reoffending.'*

4.197 Respondents also acknowledged *'with respect to girls, we understand that the relationship between YJA and PBNI is strong, with good communication and a joint concern to adopt a trauma and gender -informed approach to the support of girls and younger women. They understand the need to help them to build a community of support around them, taking into account their emotional readiness to make positive choices, as well as the very significant impact of having children brought into care, as is often the case.'*

4.198 In drawing from their experience Include Youth emphasised that *'person centred, youth led and strength based education, training and employment support is vital to ensuring young people overcome existing barriers and go on to reach their full potential.'*

The voice of the victim

4.199 Respondents remarked *'whilst we are largely supportive of the proposals, we would like to see the voice of victims reflected in this section relating to diversion. Although we are supportive of evidence-based approaches that utilise diversion, these approaches work best when anyone who has been negatively affected by a person's behaviours are recognised, communicated with have their views heard.'*

Insights from women and girls with a lived experience

4.200 Respondents noted that wrap around services should be needs-based, trauma- informed and co-designed with the input of girls and women with lived experience.

4.201 Respondents also underlined that *'listening to women and girls should also include a commitment to act in response to what you hear, and the establishment of structures to promote this (or use existing structures).'*

4.202 A number of insights were shared by women and girls with lived experience of the justice system. These are outlined throughout this report and were provided in writing directly and through practitioners. Some pertinent insights with regard to this first theme and its priorities are outlined in this section.

4.203 They noted *'the reasons that girls commit crime are different to males and there needs to be a better understanding about this.'*

4.204 Several women and girls suggested that there should be more resources in the community and that services should be in one place.

4.205 A number of young women emphasised the importance of education and having a positive experience in education:

- *'Talk in school really helpful especially the consequences. However it was too late for me as I had got into trouble a couple of months earlier. Maybe do the talks when pupils are younger.'*
- *'The school system was highlighted by her. She was bullied in school and feels that this was a significant factor in her dis-engagement in the education system.'*

4.206 A number of girls supported working in an individual and group setting. *'I think we need more safe and enjoyable place that are easily accessible for us to be, to talk, to share and help each other.'* With regard to providing support in a family context one young woman commented *'Family sessions – mum needs to understand that I did what I did and I regret it. She does not need to mention it every time I go out the door.'*

4.207 Another young women noted *'She feels that this review fails to mention the themes involved in the pathway to offending and give a clear plan to help address this. It suggests that they will better understand how girls get involved in offending but not evidenced of this understanding.'*

4.208 In relation to contact with the police one shared her experience *'following her arrest by Police on the street she was taken home to her parents and 'given time to calm down'. she identified this as very helpful to her. she was drunk and emotionally heightened during arrest. Had she been taken straight to Police station she thinks she would have become more distressed and maybe incurred further charges as a result of this. she was positive about the PSNI in this regard.*

The whole process was quick'. She anticipated being in 'the system' for much longer. She appreciated that her YJP made efforts to complete the work with her as quickly as possible so that she could put the experience behind her. She found the experience supportive and she felt 'understood'. 'I wasn't made to feel like a criminal'.

4.209 They noted the importance of mentors and key workers. *'Key worker to focus on all the young girls' needs – school, health, home, counselling, hobbies (if possible that the key worker has experience of being in trouble).'*

4.210 Another young woman shared *'when arrested from family home she was taken to police custody. She remained there for 2 nights not because of her charges but because there was no placement for her to return to as family had refused to take her*

back. (welfare/care needs) The option would have been JJC overnight however, PSNI & social services reluctant to use this and she didn't want that. Her dad eventually agreed to take her on day 3.'

The comment continued 'she has been in foster care for some months now and loves it! Had an emergency foster placement been available this would have prevented a 14 year old being held in police custody for this length of time or having to go to JJC simply for accommodation. She would recommend such placements being available for girls in the future to avoid them having a similar experience to her.'

4.211 Another young woman commented *'It is really important to help early, to help people before things get worse. Prison can be the where a woman eventually ends up because her cry for help has been unanswered for too long.'*

Young women

4.212 Respondents underlined that *'early intervention and prevention programmes for girls will differ significantly to those delivered to adults and this distinction must be made within the Strategy.'*

4.213 They highlighted *'In order to understand how we can best prevent and divert young women from the justice system we must have full and complete information on the profile of those young women and children who are already within the system and understand their pathways in. This information should be drawn out from the wider data on female adults in the system. It would also be beneficial to chart the pathways of young women when they have exited the system to understand what services and interventions are needed to prevent re-entry.'*

4.214 *The provision of mental health services, drug and alcohol addiction services, tailored education support structures, employability and training support programmes, suitable and safe accommodation, are all vital to prevent girls and young women coming in to contact with the youth justice system.'*

Universal services and 'wrap-around' services

4.215 Respondents agreed that *'universal services have an important role to play in prevention'. They emphasised 'the point on working across government is particularly important, as it is well evidenced that issues such as poverty and mental ill health lead to offending. The DoJ does not have a remit to address all these issues.'*

4.216 They underlined the importance of education and in *'sex and relationship education in schools, including masculinity issues for young males is crucial. Parenting programmes [including young parenting] should be a universal service.'*

4.217 Respondents suggested that a more explicit focus on early intervention would also be welcome, with a view to linking in with existing early intervention structures such as the family support hub models.

4.218 A significant number of respondents were supportive of the establishment of accessible and wrap around services. With some suggesting consideration be given to the development of age specific services.

4.219 Respondents sought clarity on what was meant by the priority *“Accessible and effective wrap-around services for women delivered through and beyond justice”*. Specifically, does ‘services delivered beyond justice’ mean services delivered after a person has left the justice system, or services delivered by other non-justice organisations while someone is still within the system? The answer to that question would determine whether the ‘we will’ statements will effectively deliver that priority.’

4.220 PFNI specifically advocated for *‘an additional point in the ‘To deliver this we will:’ i.e. ‘Ensure regular and meaningful engagement through the establishment, implementation and regular review of a personal pathway plan.’*

Support in the community

4.221 Respondents provided some comment with regard to support in the community. These are also applicable to the other themes. They highlighted:

- *the ‘need to financially strengthen the funding, reach and involvement of community and voluntary based services such as community/ restorative justice providers, women’s groups, parenting groups and young mother groups, mentoring and befriending services for young girls, young women and mother’s and the need to properly train and educate community and voluntary services in trauma informed practice and restorative responses to systematic exclusion and stigmatisation. Trauma and Restorative trained staff in schools would also be a strength for early intervention.’*
- *‘The accessibility of women’s support groups in the community, family therapy, relationship counselling, child and adolescent mental health services and schools counselling services will play a vital role in prevention. For young females within the care system, it is vital that they can access the above but also additional supports in school and community. This has already been piloted in some secondary schools here with positive outcomes.’*

4.222 Respondents emphasised that *‘partnership with the community and voluntary sector is key but we are concerned that many programmes currently being delivered by the community and voluntary sector are under threat due to financial instability and the difficulty in securing core and sustained funding. We would welcome details on how the Department will seek to ensure vital services being delivered to vulnerable*

young women are protected, especially when it is clear that these services are redirecting young women away from the justice system.'

4.223 Respondents also highlighted the role of social exclusion and isolation, recommending that the Strategy engages with ongoing work to tackle loneliness.

Violence against women

4.224 Commentary stressed *'It is most important that a public health approach is developed in respect of male violence against women. This violence is endemic in our society and requires its own strategy but this strategy for women and girls can inform that public health approach. It may be that an overall strategy for gender equality could highlight this issue and allocate the priority and funding required.'*

4.225 Respondents also agreed that *'purposeful activity and positive role models as described in the strategy document will produce positive outcomes and combined with a person-centred approach could divert significant numbers of females from entering the formal criminal justice system.'*

Awareness and training

4.226 The NIHR Commission suggested that the Strategy *'enables and facilitates resources for appropriate training for those working with women and girls across the justice system to identify gender stereotypes and awareness around issues that women and girls face when in contact with the criminal justice system.'* Recommending *'the strategy include measures to ensure that training is provided to those working throughout the criminal justice system including the judiciary, police officers and prison staff to understand issues that affect women and girls in the justice system ensuring a gender sensitive approach.'*

4.227 Respondents also noted that *'shared understanding should involve raising awareness of the importance of adversities and ACEs informed practice across Departments, but particularly in relation to the staff within the criminal justice system.'*

Impact of a criminal record

4.228 Respondents highlighted that they would welcome reference being made to the impact of criminal records on girls and young women, within the strategy. Underscoring that *'the impact of having a criminal record can present a further barrier to young women who have had contact with the youth justice system and there must be a thorough understanding of how damaging a criminal record can be'*, particularly with regard to accessing employment, education and training. Non-conviction information such as informed warning, cautions and diversionary youth conferences were also considered as potential barriers.

Prostitution, trafficking and sexual offences

4.229 Several responses sought to *'particularly highlight the experience of women and girls who have been sexually or criminally exploited, or have been trafficked either internally or internationally.'*

'In understanding how and why girls and women develop offending behaviour, we believe there is scope to examine further the links between child sexual exploitation and potential child criminal exploitation, e.g. internal trafficking.' They also suggested exploring learning from other jurisdictions, e.g. 'county lines' work elsewhere in the UK. Respondents expressed concern that *'many young girls and women who are trafficked into Northern Ireland are met with a criminal justice response.* There is an urgent need for a trauma informed response and education to better meet the needs of this group and respond to their situation more effectively and appropriately.

4.230 NIHRC recommended that the strategy consider the recommendations of the UN CEDAW Committee for addressing issues within the justice system on the exploitation of women and girls through prostitution and implementation of the recommendations made in the Gillen Review into the law and procedures in serious sexual offences in Northern Ireland.

Unidentified disabilities or difficulties

4.231 Respondents expressed concern *'that these commitments overlook the fact that some women and girls will have unidentified disabilities or difficulties that prevent them from expressing their needs, concerns, choices. This in turn may limit their ability to forge 'strong effective relationships between women and practitioners', which the strategy acknowledges as hugely important.'*

They went on to *'request that the first commitment is amended to reflect our concerns to 'listen to women and girls in contact with the justice system and provide support to ensure their voices are heard'.'*

Theme 2 – In the Community

In the consultation the introduction for this second theme outlined the need to promote and provide community solutions to reduce women's offending and reoffending.

Consultees were asked

Q24 Do you broadly agree with the introduction and basis to this theme?

Q25 If applicable, proposed additions or changes?

27 respondents answered with a 'Yes/No' answer

25 ✓

2 ✕

4.232 The majority of respondents were welcoming of the introduction and the basis for supporting women and girls in the community, where possible, noting *'this theme needs to be appropriately funded and with skilled staff to help bring about real change.'* They emphasised that *'community based solutions should be the norm, with custodial sentences a last resort.'*

Drivers to offending

4.233 Respondents emphasised that there *'should be a recognition of the roles that women play in families and their caring responsibilities which often influence offending behaviour and support the importance of maintaining women in their family and community context as the best way of promoting rehabilitation/ recovery. It must be recognised that significant additional resources will be required to meet this aim.'*

4.234 Recognition of the range of underlying root causes of offending was welcomed however respondents noted that *'long-term sustainable solutions need to be evidenced in strategy and subsequent action plans to ensure positive outcomes for women and girls in contact with CJ system.'*

4.235 Another noted *'There should be a greater understanding among the public as to why women offend and there needs to be real support for women on remand to enable swift decisions about their case.'*

4.236 Respondents also underlined the importance of parental guidance and positive role models. They suggested the introduction of peer support workers, getting faith groups involved in support and having advocates within the community looking to community leaders.

Trauma informed approach

4.237 Respondents suggested *'we have to go back to why some women end up with custodial sentences, again coming back to history of abuse and trauma and there needs to be a more trauma informed approach in relation to the impact on their lives and their offending and if custodial sentences are the best way to rehabilitate.*

We believe that this strategy should adopt such an approach, covering all women who have experienced domestic and sexual abuse and violence, including: those who experienced abuse as children; those who offend as a consequence of substance misuse brought on by abuse; those whose abuse has led to a chaotic lifestyle which includes offending; and those who have specifically committed crimes against their abusers.'

4.238 They highlighted *'the link between domestic violence and mental health, substance abuse and other complex needs is well established. For women who have such complex needs, an effective response to address these issues in a holistic and proactive manner and improve their health and wellbeing is of vital importance.'*

4.239 Women's Aid Federation outlined *'in our work with women in Ash House, women raised a number of issues relating to their domestic violence which may impact upon their health:*

- *Women disclosed perpetrators continuing to emotionally abuse them while in prison: - "when he writes to me in prison, it's as though his words are shouting at me - if that makes sense".*
- *Women discussed fears of how perpetrator could use their prison term as a means to further abuse – "Once I'm released - he can threaten me by saying that he'll tell authorities that I've broken the terms of my licence"... "What kind of a mother are you- look what you are capable of".*
- *Women in Ash House specifically brought up the issue of lock down as an inhibitor to good health and wellbeing. After taking part in the 2-day course where they shared their traumatic experiences of abuse and discussed how it impacted on their lives and their offending, it was especially difficult for them to then go to lockdown where they were left alone with the aftermath of these difficult conversations.*
- *Women suggested that programmes such as Women's Aid's Journey to Freedom should be run in prison*
- *There was agreement that there was a need for consistent long-term work on domestic violence in prison.*

Significantly, various studies have found that some women offend because they feel safer in prison than at home with a perpetrator. This is borne out in our work with women in prison in Northern Ireland. This reality must be taken into account when

devising any strategy to improve the health and wellbeing of those in the criminal justice system, as well as any strategy to reduce recidivism and encourage desistance.

So when considering community solutions it is so imperative that the history of that individual is known so the appropriate pathways to support can be put in place and there is greater understanding of their needs.'

Supporting women in the community

4.240 NIACRO suggested that *'a reference to recall would be helpful in this section. The chaotic lifestyles many women lead mean they need help to add structure to their lives. Being recalled for not attending appointments or for using alcohol/drugs is not helpful.*

Women in chaos cannot be expected to adapt and adhere to rules quickly. Having been hurt, abused, or experienced trauma, attending an appointment and putting their own needs first does not come easily. We are often setting them up to fail. They will often need addictions treatment (for example) to develop healthier coping strategies and help with unresolved trauma before anything else.

We need a model that demonstrates that the system cares and will work alongside women. Many of the women believe they are no good and nobody cares about them; we need a system that shows them this is not true. A trauma informed approach, for PBNi and NIPS, will mean in practice to understand why an appointment may be missed and to put systems in place that will help women to attend in future.

The negative way in which women who commit crime is represented in the media also needs to be considered, given its detrimental impact on women and families. The reporting of the offences can make it extremely difficult for women to feel part of their community as they are often vilified in the reports and subsequently on social media. Some of the women we support report the impact on their self-worth, confidence and mental health. This reporting does not make it easy for women to move forward and try to live a 'better' life. It can also be traumatic for family members, who may become the subject of bullying and harassment due to reporting. We have examples of children who refuse to return to school due to bullying following their mum/dad's stories being in the newspaper.'

4.241 Respondents suggested that it *'may be worth considering as to whether output/ recommendations from the Sentencing review¹¹ should be included in this context, (particularly in respect to short sentencing).'* They also noted that

¹¹ Papers on the Sentencing Review Northern Ireland can be accessed at <https://www.justice-ni.gov.uk/consultations/sentencing-review-northern-ireland>

'consideration needs to be given to a specific programme tailored for working with and supporting women in the community (CRJBS).'

Accommodation

4.242 The NIHE proposed that:

- 'Women's accommodation in Homeless hostels and women's shelters should be considered as should the shortage of move on accommodation for women and girls. The shortage of social housing is a barrier to move on options from the hostel/refuge environment as women/girls within the justice system need to establish themselves within a stable community.'
- 'Consideration of the NIHE Strategic Review of Temporary Accommodation Report noting the limitations of move on accommodation in community.'

Communication difficulties

4.243 RCSLT noted the reference to challenging behaviours in the introduction to the section and noted the often complex presentation of communication difficulties in women and girls. Remarking that it *'demonstrates the strategic collaboration of services and the need for a model where a 'see behaviour, think communication' approach is adopted.'* They went on to suggest *'in this section the RCSLT welcome some reference to the fact that challenging behaviours can be a reflection of a hidden need or disability which may require onward referrals or assessment.'*

Under this second theme the consultation outlined a range of current and promising practice used in the community.

Consultees were asked

Q26 Is there any further practice you think should be highlighted here?

Q27 If yes, please provide some detail

25 respondents answered with a 'Yes/No' answer

9 ✓

16 ×

4.244 Respondents considered that there was a good selection of practice referenced however they suggested that it may be helpful to provide appropriate examples from other places. They also remarked that although there are a range of programmes identified there is *'limited connection as to how the programmes have engaged with target audience and if engagement translated into behavioural change e.g., stopped offending/re-offending.'*

Additional practice

4.245 Respondents proposed it would be beneficial to consider the addition of the Simon Community NI's Housing First for Youth project/model and women's centres, noting that they are an *'invaluable resource and should be extended'*.

4.246 In regard to housing respondents underlined the importance in ensuring that *'there is appropriate accommodation available within the community to enable women to have a safe and secure space to work through their issues.'*

4.247 It was suggested that *'the PBNI Inspire model and community restorative responses as originally envisioned are helpful guides'*.

The Inspire Model

4.248 Respondents highlighted the need for clarity with reference to the Inspire model, stating that *'NIACRO delivered the Model in partnership with PBNI, NIPS and the Women's Support Network up to 2015. PBNI continue to deliver gender-informed support: through a specific Inspire team up to 2020; and now through each area office. Therefore, whilst a gender-informed approach still is in existence, it is not the full model of resourced multi-disciplinary support it once was.'*

4.249 In response to the consultation PBNI advised that they are *'currently reviewing service delivery to women service users across all PBNI teams to build on and consolidate the gender informed practice of the Inspire model.'*

A restorative approach

4.250 Respondents noted they were *'aware of different disposals available for young people including restorative approaches that help to explore the impact of an offence, we are concerned that similar options are not available for adults, and particularly women. We understand from DoJ's Restorative Justice for Adults Consultation that this is an area which is likely to be developed, but again, but there will be some time lag before we see such approaches become a reality with adults. Without the same 'lighter touch' disposals available to sentencers, including those which help people to explore victim impact, this Strategy will face some limitations for some years to come.'*

4.251 Respondents remarked that although *'it is promising to see the commitment to a restorative approach in the justice sector'* *'this could go further to recognise the need for restorative approaches across the community, education, health, and social care sectors also.'*

4.252 They underlined that *'restorative approaches have significant value to contribute to this strategy in developing strong partnerships between the above sectors'*

which do not sit solely within responses only at the point that a law has been broken, but recognises harm caused by and to women at a much wider level.'

Problem solving Justice, including ECOs

4.253 NIACRO outlined that *'whilst Problem Solving Justice is potentially an effective framework particularly for women, the model is still only being piloted in limited areas, and we understand that it is uncertain if it will be rolled out fully across NI in the near future. There are therefore inequalities of access (for men and women); the sentence type being dependent upon court location. So, this is not an option open to all women. Similarly with ECOs; whilst a very helpful model (which NIACRO fully supports), it too is unlikely to be rolled out beyond its pilot areas soon, so will also not be available to all women for some time.'*

4.254 A point of accuracy was raised in that ECOs are available in 3 Court areas rather than the 2 specified.

Girls and young women

4.255 Respondents considered there were opportunities to enhance practice, particularly with regard to girls and young women, noting:

- *There will be 'increasing need for support for girls who have missed schooling post COVID.'*
- *'Vulnerable young women should have a range of pathways to-*
 - a. Improve self esteem.*
 - b. Access education outside main stream.*
 - c. Gain access to support to obtain employment.*
 - d. Contribute positively to their own future.'*
- *'In the past there have been successful initiatives such as the School Age Mums Project and although they were well received funding was withdrawn.'*
- *'A possible resource to gain the views of young people is the Youth Parliament. Engaging with their peers may encourage young people to take ownership and co operate with agencies.'*

Mentoring

4.256 In their response PFNI advocated *'the importance of individual befriending and mentoring support for women at risk of coming in contact with the justice system and for women post release. The positive impact of a 'trusted significant adult' in these situations can be the difference between women not coming into contact with the Justice System as well as supporting those women who have been in custody to positively reintegrate into society.'* PFNI noted their own aftercare

support as being relevant. The success of peer mentors was also underlined by NIACRO. In terms of mentors respondents referenced:

- BRIO, *'an initiative of the SAOL Project in Dublin, which has implemented a successful model of training women with 'lived experience' as peer mentors based on their experiences of trauma, addictions and offending.'*
- The St Giles Peer Support Hub *'which has recently been established in Northern Ireland and is providing training and supported placements to people with a range of lived experience.'*

The role of community organisations

4.257 Respondents underlined that *'any and all practices utilising the time, resources and expertise of community groups must be properly paid for by government. On the ground community organisations must not become the 'buffer' for government (facing calls on the one hand for places and support from the community and on the other from government to roll out programmes but left without funding to do either).'*

Under the second theme the consultation outlined:

- 3 a proposed overall aim of *'Robust alternatives to custody and management of women in the community'*;
- 4 a number of key priorities around tailored and sustainable support in the community and promoting the need for community solutions for women and girls; and
- 5 what we proposed to do to deliver these priorities including improving work and enhancing understanding around community solutions to support pathways from offending for women and girls.

Consultees were asked

Q28 Do you agree with the aim

Q29 Do you agree with the priorities

Q30 Do you agree with what is proposed in 'To deliver this we will'

Q31 If no, suggested changes or additions?

Q28 - 25 respondents answered with a 'Yes/No' answer	
25 ✓	
Q29 - 27 respondents answered with a 'Yes/No' answer	
25 ✓	2 ×
Q30 - 24 respondents answered with a 'Yes/No' answer	
15 ✓	9 ×

The aim

4.258 Respondents provided comments relating to the aim primarily under Question 10. In summary they proposed a couple of alternatives:

- 'Robust and suitable alternatives to custody and provision of supports in the community.'
- 'Effective alternatives to custody which reduce the risk of re offending and give added value to the community, to victims of crime and to the offender.'

4.259 One respondent commented *'the aim of this theme confused us. Is it suggesting that the Department wishes to identify robust alternatives to both custody and management in the community, or that it wishes to identify robust alternatives to custody that will allow for management in the community? We also felt that the use of the term 'robust' implies that existing alternatives to custody were perhaps not robust, or 'too soft'. We would suggest that the word 'effective' may be less 'loaded'.'*

4.260 Respondents also acknowledged the need for ongoing risk assessment, risk management and multi-agency provision of tailored services. Underlining the benefits of restorative interventions.

The priorities and their delivery

4.261 In terms of the priorities and their delivery respondents provided a range of comments under this section that could be equally applicable to the first theme of the new strategy.

4.262 Respondents were welcoming of the priorities and rationale of the theme and *'greater use of community disposals for women and girls'*. They noted *'I think that all these goals are and will be very helpful and make it easier for people in the community to speak up as well as people who have offended to move on.'*

4.263 Respondents underlined the importance of providing as much support as possible, particularly to young women in the community, and considered that it could make a huge difference.

4.264 They noted that the *'strategy needs to be human rights compliant, through promoting the voice of women and girls with lived experience and seeking sustainable solutions which result in long-term change.'*

4.265 Respondents underscored that *'there should be key performance indicators in place with a time line and above all a sense of urgency to deliver on priorities agreed.'*

Could be clearer and more tangible

4.266 A significant number of respondents considered the priorities and commitments to delivery could be more distinctive and *'made more specific and concrete'*. In that regard it was suggested that the wording of the commitments under *'To deliver this we will'* could be more tangible e.g. *"Explore the support available in the community (including safe and secure accommodation)" would be changed to undertake an audit and identify gaps.* *"Improve links with, and across, services" would be expanded to illustrate how this would happen e.g. through referral pathways.*

4.267 Respondents also suggested that definitions should be provided, for example, regarding the term *'Community'*, *'is it local, regional or national?'* Respondents also suggested that trauma informed and gender informed be defined, outlining that *'gender informed means taking into consideration women's experiences of exploitation, their caring responsibilities and their needs around puberty, menstruation, pregnancy and the menopause.*

4.268 In terms of the third priority clarification was requested in respect of the word *'where'*, with respondents advocating that the term *'how'* should be used instead.

Recognition of victims

4.269 Respondents commented *'we recognise that community solutions can be effective alternatives to custodial sentences, especially for crimes that carry a lower sentencing tariff.*

Whilst we are supportive of the proposals outlined, we would also wish to see recognition of victims of crime within this section. Management of offenders must include recognition of victims and a commitment to keep victims informed as to how an offender is being managed. By bringing victims along in such processes, it is possible to see better outcomes for them as well as offenders, as they may feel more supported and 'seen' by the justice system.'

Pregnancy and maternity

4.270 Barnardo's outlined *'we believe there should be greater consideration given to pregnancy and maternity within the criminal justice system. Whilst this may relate particularly to custody, there is also resonance for community disposals. We believe that women and girls should be diverted from the criminal justice system at the earliest opportunity and that every option should be explored before a custodial sentence is considered. Given the impact of parental imprisonment on children, every effort should be made to avoid imprisonment of women who are parents, and training should be provided to the judiciary to improve understanding of adverse childhood experiences*

and the impact of parental imprisonment on children's outcomes. The impact on children should also be considered within pre-sentence reports.'

Community alternatives to custody

4.271 Respondents noted that *'community alternatives to custody are already well established in the criminal justice system without regard to gender. They are currently used for a wide range of youth and adult offending and a wide range of risk. Custody being used only for the most serious cases is a maxim that should apply across the system as the negative consequences of custody on employment, family life, and social exclusion are well understood. The ineffectiveness of short sentences has also been well documented. It follows that women who generally have committed less serious offences and are less likely to present a serious risk to the public should be more likely to receive community sentences. We agree that the remand issue needs to be tackled and community provision for woman awaiting trial with appropriate safeguards needs to be developed. This should be viewed as a priority.'*

4.272 Respondents also remarked *'how community sentences are designed and delivered should take account of gender. We know that problem solving approaches, multi-agency partnerships, cognitive programmes and purposeful relationships with practitioners are evidenced based effective interventions with male and female offenders. The range of alternatives highlighted in the document including restorative practice, Combination orders, problem solving Courts also potentially benefit all offenders.*

4.273 *We need to know more about what can be more effective or added value in helping women desist from offending. PBNI's Aspire model's holistic and women centred approach is the only example and the learning from this approach should be utilised to develop more creative interventions with women offenders. We agree with the priorities set out in the document, regarding gender informed and tailored support for women on community sentences, community provision for those on remand and engagement with victims and families impacted by female offending.*

In planning and delivering services it may be useful to explore options with organisations who work with women's issues such as Women's Policy group NI, and Woman's Support network. Organisations that work with women who have experienced trauma such as Nexus and Women's Aid have invaluable information, insights and experience of public education.'

4.274 In terms of Aspire model and the previously delivered Inspire project respondents noted *'we understand that the expertise of the Inspire team and a gender-informed approach continues within PBNI practice. However, we would*

welcome a commitment to evaluating the impact of this change in the management of women by PBNI particularly if community sentencing becomes more prevalent.'

4.275 Include Youth suggested that *'more work needs to be done to increase knowledge on what community provision is most effective at keeping young women and girls out of the justice system and especially custody.'*

We agree that alternatives to remand and custody should be explored. While we are aware that the numbers of young women detained in Woodlands Juvenile Justice Centre are low, we are still concerned that custody is not always used as a last resort.'

They went on to underline *'it is critical that this strategy addresses the pathways of girls into custodial detention, makes a commitment to address any inappropriate use of custody and sets out what steps will be taken to ensure safe and effective alternatives are available.'*

4.276 Respondents also suggested *'residential treatment centres for drug and alcohol addiction, as an alternative to prison for women whose offending is directly related to chronic substance misuse, and who have been returning to custody on a regular basis with little prospect of rehabilitation.'*

4.277 It was proposed that the strategy should support the extension of Enhanced Combination orders (ECOs) and other Problem Solving Justice initiatives going forward.

4.278 Barnardo's NI made reference to their 'Parenting Matters' service, under which they offer support to parents subject to ECOs in partnership with PBNI. They noted *'we believe there is learning that could be taken from this model, particularly with regards to parenting support work.'*

4.279 The NIHRC underlined that *'International human rights standards promote the wider use of alternatives to imprisonment and that more restrictive measures, such as custodial sentences are used as a last resort. Instead, alternatives to imprisonment including community sentencing to address offending behaviour and rehabilitation should be encouraged.'* They recommended that *'the proposed strategy prioritises measures to ensure the wider use of non-custodial measures as an alternative to imprisonment, in particular as an alternative to short term custodial sentences.'*

Innovative and dynamic community support

4.280 A number of respondents, including several young women who have had contact with the justice system stressed that support in the community was needed and advocated that this support should be innovative and dynamic. They suggested

that it should 'appeal to young people of groups in the community'. They emphasised 'there is a need to be more creative as normal groups are boring in the community.'

4.281 Young women noted in terms of current community groups they feel unwanted, and think that they have no choice. They emphasised the importance of having '*more safe places to go and things to do. We are often moved on and have to stand in the cold.*'

Women's centres

4.282 Respondents noted '*women's centre are an invaluable resource and should be extended. These are trusted by women and the staff have a great insight into their clients' needs.*

The centres could provide age specific and need specific programmes for teenagers, programmes for mothers, older women and ethnic minorities. Investment in these centres would be money well spent.'

Mentors

4.283 A number of respondents considered that it was important to provide and develop mentor support at a community level, with many considering that it '*hardly exists*'.

4.284 It was also suggested that there is a need to '*create more group opportunities for girls going through the same experiences so you don't feel as if you are the only one.*' One young woman emphasised '*I like helping the community you could look to see if anyone needs help or could do with some support.*'

4.285 NIACRO proposed '*the deliverable, alternatives to remand, may be a mentoring scheme for women on remand (of which NIACRO would be strongly in favour). However, without safe accommodation any mentoring support may be rendered insufficient for many women.*'

Accommodation

4.286 In regard to accommodation PFNI noted '*the present reality for women who have been released from custody is that they can be extremely vulnerable in terms of their housing, and life is often extremely chaotic. Housing which is safe and secure is essential for these women.*

There is a need to reevaluate and address mixed hostels in which women feel unsafe and pressured into sexual relationships. Some women have reoffended in order to get

back into custody simple to feel "safe" They went on to advocate that *'the priority would be strengthened with the inclusion of a fourth point: 'Establish in partnership with each women a personal pathway plan'*

4.287 Respondents underlined the need for *'safe, secure, respectful, appropriate, female-only accommodation on release (including for bail addresses)'*.

4.288 Other respondents noted that *'it is widely accepted that there is no suitable accommodation in NI. Creating such accommodation must be a priority; for women who are otherwise remanded and for security upon release. We understand the responsibilities of the DfC with respect to accommodation, but we look to DoJ to provide leadership on the urgency of a new provision. Indeed, if this was the only outcome of this 7-year strategy, that in itself would be welcome, specific (and measurable) progress.'*

Services working together

4.289 Respondents proposed that *'helping early needs services to work together and be in the same place so you don't have to run all over the place to attend appointments.'* They suggested there should be *'different types of support available in the same place whatever the young girl needs.'*

4.290 One respondent commented *'to be honest make things more accessible to us, as some us have kids to look after and cannot travel too far to go to things or we can only go at times that suite after school runs.'*

4.291 Respondents also suggested *'in areas of lower income, help for single mothers who are parenting alone should be available.'* They also considered that *'there should be more to support women with mental health, addiction and family problems.'*

Rural areas

4.292 The importance of access to support services in the community in rural areas was a common subject of comment under this theme. Respondents remarked:

- *'Groups very limited in the rural areas and range of activities on offer crap. Some of the groups are seasonal. Bigger towns having groups cannot access as transport is limited / transport links poor.'*
- *'Within her rural community there is no supports or no Youth Provision. Local towns may have some but the transport routes do not connect. There should be clearer identification of supports within school systems.'*
- *'Ensure that all groups are included and individual needs are taken into account in a regional approach.'*

Information sharing

4.293 With regard to reference to “Enhance information sharing for the purposes of service provision and decision making” as one of the ways in which DoJ will achieve its key priorities respondents queried *‘what kind of information sharing does DoJ have in mind and with whom?’* The Information Commissioner’s Office (ICO) outlined *‘As you consider how to enhance the said information sharing arrangements, you should refer to our recently revised Data sharing code of practice which will be helpful to you in this regard.’*

Proposed additions

4.294 Respondents suggested *‘in addition to improving work and enhancing understanding around community solutions to support pathways from offending for women and girls. Suggest that consideration should be given to*

- *Supporting trauma informed work.*
- *Reducing social isolation as part of the action plan.*
- *Providing a supportive approach and not just challenging*
- *Providing a central information source of services and pilots.*
- *Providing clear roles for professionals.’*

Language

4.295 A number of respondents noted that consideration should be given to the term ‘management’ with regard to supporting women in the community and that it does not reflect a trauma informed, person centred, and restorative approach.

Theme 3 – In Custody and Reintegration

In the consultation the introduction for this third and final theme outlined that custody should be reserved for the most serious cases and should be a trauma informed and rehabilitative environment for women and girls.

Consultees were asked

Q32 Do you broadly agree with the introduction and basis to this theme?

Q33 If applicable, proposed additions or changes?

27 respondents answered with a 'Yes/No' answer

23 ✓

4 ✕

4.296 The majority of respondents agreed with the introduction to this third theme. They underlined *'we recognise the harm that imprisonment causes for women and their families. We would like to see alternatives to custodial sentences, which combined healthcare and justice support.'*

4.297 Respondents emphasised that *'the number of women and girls in custody on remand must be urgently addressed.'* They noted that there are a significant number of women being remanded and sentenced to custody for low level offending. They also stated that rehabilitation is not possible within short custodial sentences. One respondent stating that it *'begs the question "is custody necessary, what purpose does it serve?'*

4.298 Respondents also asked is the treatment of women and girls in Police Custody considered in this theme, and if not, should it be? They also stated that there is a *'huge gap in support upon release.'*

Trauma informed practice

4.299 Respondents proposed that the introduction for the third theme *'should include a section on trauma informed practice in custodial setting and highlight the reports and papers that have provided recommendations. Fallot and Harris' (2006) five core values of trauma informed services might be relevant as part of this context (safety, trustworthiness, choice, collaboration and empowerment).'* They noted that *'this starts with the design of the prison (see Jewkes et al., 2019), which should also follow the recommendations on designing suicide safer prisons.'*

Rehabilitation

4.300 In terms of the custodial environment and rehabilitation respondents stated:

- *'We welcome the aspiration that prison should be for the most serious offences, and that it must serve as a time for restoration and rehabilitation and recognition. We also welcome the recognition that women in custody present with a wide range of complex needs and we recognise the potential opportunities and pitfalls associated with custody introduced in this section.'*
- *'Rehabilitation needs to be person-centred and gender informed. There is a need to address health inequalities which are prevalent among women in contact with criminal justice system.'*
- *'Custody should support women to move away from offending related behaviour and lifestyles by empowering and upskilling women to make different choices, with support inside and outside of prison.'*
- *'I agree that custody should be the correct environment for females, however there needs to be more for them to do.'*
- *'We would welcome some reference here to the high incidence of communication needs among women and girls in custody as this strategy offers a valuable opportunity to ensure that these needs are increasingly recognised and supported.'*

Housing

4.301 With regard to supporting women on release housing and accommodation was a prominent theme.

4.302 Respondents suggested a *'recognition of the lack of available and appropriate housing options. Acknowledge that this could also be a driver of offending behaviour. Important to consider how strategy can enable human-rights compliance. Right to Adequate Housing? How can this be achieved more effectively both as prevention and supporting reintegration measure.*

Women and girls should have a range of housing options based on their needs, this should include Housing First, Hostel, specific women only service. Preparation before release is imperative for a successful transition to independence.'

4.303 A respondent noted that *'consideration could be given to the need for dedicated "Women only" provision of temporary accommodation to provide a continuum of services relative to the woman's needs at the point of time in their lives i.e. a "shared" hostel plus self-contained flats (preferably on the same site – Hub & Spoke model) in which they can learn independent living skills in preparation for moving to permanent homes.'*

Reintegration

4.304 Respondents stressed *'it is critical that resources, energy and partnership work is prioritised in prevention and reintegration, with health, housing and trauma informed community support services working together. Given the research, this should be a joint health/justice approach as is planned for the joint care/justice Youth Campus. Restorative approaches should be utilised, especially, for example, Family Group Conferencing and Circles of support.'*

Clear roles and accountability

4.305 Respondents suggested that *'emphasis should always be placed on providing a joined up approach with a cross departmental approach with identified responsibilities for each department. Supporting partners should have clear roles, responsibilities and accountability to further ensure the best outcome for addressing issues that lead to offenders.'*

4.306 They noted the need to be clear on how the strategy and out workings will be measured? Noting the need for clear timelines, key performance indicators and lines of accountability.

Under this third and final theme the consultation outlined a range of current and promising practice used in and beyond custody.

Consultees were asked

Q34 Is there any further practice you think should be highlighted here?

Q35 If yes, please provide some detail

26 respondents answered with a 'Yes/No' answer

14 ✓

12 ✗

4.307 Nearly half of the respondents considered that more practice could be highlighted. However those who commented not only mentioned current practice but also suggested, how practice could be enhanced.

4.308 Respondents queried how appropriate custody and the current Hydebank Wood facility is, particularly for women and girls. Representatives from the Chaplaincy working with women at Hydebank Wood noted *'Ambitious plans for a new prison seem to have stalled, and this may not be a bad thing. Fresh thinking would recommend a policy of diverting women away from custody. A relatively small number of women actually need to be held in custody.'*

'At present, a significant number of the women who come into custody suffer from Mental Health issues, childhood trauma, domestic and sexual violence, drug and

alcohol addictions which are frequently the result of the aforementioned issues. It must be stated here that the use of prison as a "holding centre" while awaiting a place in a psychiatric facility is reprehensible and an infringement of human rights, and it is happening too frequently.'

In terms of practice they went on to acknowledge that *'over the years many positive initiatives and improvements have been introduced in Hydebank, especially the introduction of the Prisoner Development Unit, the staff of which attempt to integrate the services offered to women in a needs focused manner. However, the good work done by the POU team is not replicated in the community and the lack of support on release from Hydebank often contributes to reoffending and a return to custody.*

The insights of women and girls

4.309 It was suggested that the findings of any focus groups, surveys or methods where the unique insights of women and girls are given should be shared and disseminated and that *'there may be learnings for other organisations working with this group including arts organisations, community groups and other delivery partners'.*

The role of women and girls

4.310 Respondents emphasised *'the importance of recognising women's roles as mothers and carers should be emphasised along with a recognition of the detrimental impact of incarceration of mothers on their children. Further consideration should be given to ways of ensuring that women have contact with their children. Cross departmental working, including social services and Looked After Children's services will be required to ensure that contact is prioritised as essential to support the mental health of both the mother and child.'*

4.311 Respondents underscored the importance of *'educating the judiciary about the impact of using imprisonment as a disproportionate response to women's offending; true for all but particularly so for those who are mothers.'* Suggesting consideration be given to the research and work of Dr Shona Minson around increasing awareness of the impact of imprisonment of mothers with the legal profession and sentencers.

4.312 Respondents highlighted *'with respect to mothers, we would also encourage consideration of the management of their contact with their children. We have supported women who have had very mixed experiences. There is a need for improved and consistent understanding between Social Services and DoJ; for Social Services to have a better awareness of the need / circumstances of the mum and to support contact whenever this is possible and for the mum to be involved with/made aware of LAC reviews. We often find ourselves 'educating' social workers: but consistent and*

effective practice will require more formal DoJ-led approach to help avoid further trauma to children and parents.¹²

We would also welcome initiatives that help to support and maintain a woman's identity as a mum, and are happy to work with DoJ towards such specifics including, for example, being able to have an input into their education.'

Respondents also noted that the strategy is *'relatively silent on family ties'* and would welcome *'the specifics of how it sees this Strategy linking to the Supporting Families Strategy.'*

Support in custody

4.313 A number of respondents suggested that more reference and information should be given with regard to the services provided by SEHSCT prison healthcare team *'who aim to provide equivalency of health care services for women.'*

4.314 The RCSLT noted *they 'would welcome reference here to the Prison Health Team and its expansion in recent years to include additional Allied Health professionals, including SLTs, working as part of the multidisciplinary team and the impact this has had.'*¹³

4.315 Respondents also acknowledged the great work being done by Women's Aid and the prison support worker but underlined that follow up is needed with regard to women and girl's integration back into a safe place. With regard to the Women's Support Officer respondents requested *'further detail about the specifics of this role, and specifically how it connects with (or could better connect with) the PBNI Partner Support Worker would be welcome.'*

4.316 *'The importance of the role, responsibilities, culture, and attitude of staff are central the outcomes for women in custody'* was stressed.

4.317 Respondents underscored the need for a *'clear commitment to providing single sex accommodation and services within the prison estate and in transitional/community housing.'* They also sought clarity regarding what the new NIPS facility for women would provide during custody and post release.

Employment

4.318 Respondents stressed that *'the reintegration of women into employment is key and specific avenues to highlight and encourage employment opportunities should be considered.'*

¹² LAC - Looked after child

¹³ In their response RCSLT provided case studies to highlight the impact that their services have had.

4.319 Another remarked that *'an emphasis needs to be placed on returning to work/job opportunities post release. To facilitate this women should have a record of and ease of access to any qualifications or skills gained in custody to allow them to actively seek employment upon release.'*

Support on release

4.320 Respondents cited a CJINI (2013) report *"women face lives which are often more difficult and stressful than they experienced prior to imprisonment, especially with regards to accommodation, employment, substance misuse, partner violence, ill---health and trauma."*

4.321 Respondents highlighted *'the importance of multi-disciplinary release planning and we endorse the suggestion brought forward by Start360 that a multi-agency planning meeting take place prior to women's release, so that appropriate supports, for the short and medium term, can be identified and put in place prior to release.'*

4.322 The need for *'increased funding for support services to help support females within prison and when transitioning into the community'* was noted. Respondents highlighted *'the need for 'resourcing of specialist supports for mental health, addictions and domestic abuse are so critical, and yet we are aware that many are under-resourced and some (including Women's Aid) self-financed rather than supported by NIPS/DoJ.'*

4.323 Respondents suggested *'the use of a range of alternative/therapeutic therapies should be available, again¹⁴ prioritising services outside prison (ie speech and language therapy, music and art therapy, confidence building, group programmes etc)'*

4.324 It was proposed that *'community based therapies and engaging in community activities will provide structure, support and purpose for women and young girls, providing a diversion from offending and a pathway to reintegration when women are released from prison.'*

4.325 In terms of young people and transitions respondents referred to *'the consultation on the plans for a Joint Campus facility in Bangor'* and highlighted *'the need for further planning and specifics of the detail of how this campus will be managed and, in particular, how the satellite and other community provisions will be made available for young people being prepared to return to the community.'*

¹⁴ Referencing a previous point around partnership work being prioritised in prevention and reintegration

Community sentencing and restorative practice

4.326 With regard to community sentencing and restorative practice respondents proposed:

- *'The court must be fully informed about intensive community sentencing in their areas and how this can be an option in the sentencing process. Not one programme fits all, programmes should be tailored to the service user. Effective partnership between multiple agencies is important as it is a chance to develop innovative approaches to community sentences programmes tailored to individual needs of each offender.'* *'Society runs the risk that the focus will be on community sentencing rather than the needs of the offender. The success of one stop shop programmes where housing, health and barriers to change can be delivered in a holistic manner.'*
- *'Access to accredited restorative practitioners and a specific pathway to ensure this is offered.'*

Under the third theme the consultation outlined:

- a proposed overall aim of 'A fit for purpose, rehabilitative, restorative custodial environment for women';
- a number of key priorities around bespoke rehabilitation, an environment focused on the welfare of women and girls in custody; and
- what we proposed to do to deliver these priorities, e.g. focusing on rehabilitation, through-care and support within and beyond custody, using the unique insights of women and girls in contact with the justice system.

Consultees were asked

Q36 Do you agree with the aim?

Q37 Do you agree with the priorities?

Q38 Do you agree with what is proposed in 'To deliver this we will'?

Q39 If no, suggested changes or additions?

Q36 - 24 respondents answered with a 'Yes/No' answer		
22 ✓		2 ×
Q37 - 23 respondents answered with a 'Yes/No' answer		
21 ✓		2 ×
Q38 - 24 respondents answered with a 'Yes/No' answer		
18 ✓	1 ✓ ×	5 ×

The aim

4.327 Comments relating to the aim were mainly provided by respondents under Question 10. In summary respondents emphasised the need for the custodial environment to be therapeutic and suggested the term should be included in the aim. They underlined the need to support the wellbeing and mental health of those in NIPS care and improve transitions and support on release.

The priorities and their delivery

4.328 The majority of respondents agreed with the aspirations outlined and considered *'the aim and key priorities outlined for Custody and Reintegration and the delivery plans are innovative and ambitious.'*

4.329 As with previous sections several respondents considered that the strategy needed to be clearer in terms of what it wanted to achieve. They also noted that it was critical that the priorities identified are readily available and resourced.

4.330 Many respondents noted that they were keen to support the further development and implementation of this Strategy and improve outcomes for women and girls in contact with the criminal justice system.

Victim inclusion

4.331 In terms of this theme, as with community-based solutions, respondents emphasised that *'it is important that victims are not absent from the equation in these endeavours. In our view, pathways should be included for victims to initiate restorative justice options, and they should be communicated with at each step so they can be informed as to how the offender is being managed. Whilst we recognise that victims cannot dictate offender management, their input and inclusion in the process is nonetheless valuable. Meaningful inclusion of victims in such processes can positively impact victim wellbeing, restoration and confidence in justice. Furthermore, their input and views may a useful component in helping navigate the right restorative path for offenders. As with all restorative practice, it is vital that such initiatives are "flexible, responsive, participatory and problem-solving", grounded in consent and with meaningful opportunities at multiple stages for victim engagement.'*

Experience of custody, including police custody

4.332 A number of young women commented specifically on their experience of custody, including police custody (some through a practitioner):

- *'For her custody was the worst thing ever. She was in police custody and felt that standards were poor – food bad and head sore from pillows. Felt that it was degrading. Toilets really bad no privacy and really off putting for young people especially females / ration the toilet roll. Females and access*

to sanitary provisions was highlighted as an issue. Beyond custody should be a support plan. Feels that she is getting support now but should be more connected to her thoughts on what she needs. More practical support.'

- *'She has experience of police custody and also Woodlands Juvenile justice. She suggested that within this woman are not always treated with respect and provided an example of where she felt belittled by the police. She feels that the role of police is predominately male and they should be aware of the impact of their gender on females. She suggested that she was able to pick up on staff who display dissatisfaction in their work and display dislike of children.'*
- *'From my own experience of being in a police cell as a young person who did not attend school, I think that any graffiti on walls should be covered and any traces of previous occupants should be removed before someone else was placed in that holding cell. I think anyone under the age of 16 should be treated appropriately according to their age.'*
- *'When I was lifted by the police I told them they couldn't search me without another adult there they ignored that and were quite rough with me. I needed someone to help me that could speak to the police.' 'Speak to the police not to be prats and respect young girls needs and wishes and not to be bullies.'*

Support in custody

4.333 Respondents highlighted the importance of getting as much support in custody as possible. They emphasised the need to increase employment, training and education options for women and girls. Respondents also considered that help with regard to life skills is also important, for example managing money.

4.334 They highlighted the need for dedicated key workers, mentors and professional highly trained staff in all custodial environments.

4.335 The work carried out in England by Women's Aid and NOMS was referenced, *'which recommended prison staff should be supported to understand the needs of women in custody who may be victims or survivors of domestic and/or sexual violence. The evaluation report noted that Prison officers highlighted the usefulness of ensuring that the whole prison institution had knowledge of DSV and its impacts, as this would impact on the quality of work done with survivors.'*

4.336 Respondents underlined the need for *'better supports for the needs of girls in custody, the support girls need are different for young men. Currently if you have an YJA worker in the community then the support links is easy because they will help and tell services what you need and support you to link with them. They will see you in*

custody and help staff there to work with you and that's good but we need not be dropped by services because we are in custody and then have to start again.'

4.337 Respondents underlined the importance of family and how critical family contact is to helping women and girls to build a positive future.

4.338 They also emphasised the importance of family support officers and the need to support visits by helping with travel (travel warrants), having longer visits, and providing appropriate accommodation for family contact.

4.339 PFNI commented on the need to ensure, while in custody, there is a focus on seeking out and sharing success. Proposing that *'in order to help improve self-esteem and belief in their own abilities there should be a focus on celebrating what the women achieve and small milestones in custody. Opportunities need to be established to encourage and embed a sense of community (in custody).'*

4.340 Respondents underscored that *'the strategy considers the findings of the Criminal Justice Inspectorate NI and ensure facilities and conditions in detention meet the healthcare needs of women.'*

4.341 With regard to supporting particular cohorts in custody respondents highlighted *'the needs of the ageing female population in custody including provision around dementia, alcohol related brain injury-Korsakoff's syndrome and swallowing needs.'*

4.342 Barnardo's NI commented *'we know there are a small number of women who are pregnant, give birth in, or are new mothers in custody. This period is critically important for the wellbeing of both baby and the mother. From our wide-ranging experience of delivering family support services including infant mental health services, we believe there is an opportunity to explore a prison-specific infant mental health service.'* They referenced their service 'Attachment, Bonding & Communication Parent Infant Partnership' that focuses on the parent-infant relationship and aims to form stronger bonds and positive relationships between parents and their infants using a range of approaches. And considered that *'the model could be adapted and explored for use in prison settings to promote better outcomes for new mothers and infants affected by parental imprisonment.'*

4.343 In terms of children respondents also suggested that the Strategy should recognise the impact on mothers and children when the children of women in prison are taken into care.

4.344 The NIHRC underlined the *'need to develop policy in regards to the accommodation of transgender prisoners including data collection on where they are*

being accommodated and whether this is in line with their identity. This should also include ensuring access to healthcare while in custody, in particular gender affirming healthcare.'

4.345 In respect of mental health it was questioned why a scoping of mental health services was not undertaken in advance of the consultation. It was remarked that *'any significant improvement to mental health services in custody and for women being managed in the community will require significant funding. Is this realistic in the current climate and to what extent is DoJ advocating for this as a priority spend? Investment here would also make a significant contribution to 'through care' given the significant difficulties associated with connectivity of health care, from community to committal and release back to community healthcare. What plans are there for improving the connectivity here? What are the potential implications of health constraints as a result of the pandemic on any development?'*

Through and beyond the gate

4.346 Respondents emphasised *'there must be continued, seamless, support after release for example in relation to mental health services.'* They noted *'through care is vital, females will often build up a therapeutic relationship with keyworkers in custody and then move out into the community with a gap for support.'*

4.347 In that regard they suggested *it would be more beneficial, to ensure continuity of care, that keyworkers and mentors supported their transition into the community and supported them there.'*

4.348 Respondents considered that *'involving outside agencies that will help build rapport and be supportive when the individual is back in society.'*

4.349 It was also suggested under the third priority 'A collective ethos that women in custody are a part of the community, not apart from the community' that *'the 'we will' statements should include reference to building relationships in the wider community while people are in custody, reflecting the commitment that people in custody should be seen as part of the community, rather than apart from it.'*

4.350 Respondents remarked *'for women in an abusive relationship, leaving prison is further complicated by perpetrators using the fact of a woman's incarceration to further abuse them. This abuse may manifest in a number of ways. A perpetrator may use the fact of their partner's prison time to reinforce their 'worthlessness', or may threatening to have children removed from their mother's care because she has been in prison and as such is 'not a fit mother'. As already stated, a high percentage of women in prison did not feel safe in the community prior to or after leaving prison . In many cases, this is due to domestic violence.'*

4.351 *More should be done at a strategic level to support women offenders who are suffering domestic violence to assist them to flourish after leaving prison. This should include improving joined-up support for women pre- and post-release to help them with issues such as domestic violence and the unique health impacts of such abuse post-incarceration.'*

4.352 *They underlined the 'need to develop beyond the gate services for women, particularly those released on bail/sentenced without follow up support to ensure accommodation, health needs – mental, physical - and addiction services, family support and employment opportunities are addressed.'*

'You really need help when you leave prison. If you are getting help, education, training, support and services in prison that should continue on when you are released instead of having nothing when you leave. That happens a lot.'

4.353 While acknowledging that women in custody are small in number and have complex needs respondents expressed their *'concern that research indicates poorer outcomes post release for women despite lower re offence rates. The lack of female only supported accommodation on release may be a factor and this gap in provision for remand and released prisoners could be jointly addressed.'*

4.354 In regards to this section members of the Chaplaincy working with women in NIPS care made a number of suggestions, including:

- *'a 'bridging' initiative between prison and 'outside' be developed and staffed by POU sentence managers who know the women and their needs. Their current remit could be extended to include part-time liaison and community support for a period following custody. This would require an increase in the number of sentence managers.*
- *Safe, secure, respectful, appropriate, female-only accommodation on release (including for bail addresses).*
- *'Services for women must be 'wrap-around' and individually tailored, taking into consideration the level of support available on release, the ability to cope and reintegrate into society, the possibility of training and getting into the workforce. Rebuilding relationships where possible, especially with children and family is a vital pathway to rehabilitation. 'Circles of support' can be very valuable at this stage.'*

New Facility

4.355 A number of respondents emphasised the need for a new separate custodial setting specific for women (adults). Respondents proposed that any new facility should:

- *'consider the sensory needs of those with sensory issues - this also needs to be person centred and not generic.'*

- be *'an open, therapeutic environment.'*
- have *'small units to support a therapeutic approach (max 6/8 persons).'*

4.356 The Northern Ireland Human Rights Commission would suggest the Department considers the specific recommendations of the UN CEDAW Committee to guide the facility.

4.357 Respondents remarked that they would welcome more detail on how its design will be gender informed.

4.358 In respect of girls at Woodlands respondents' queried if they will be housed in their own unit.

Female young offenders

4.359 Several respondents underscored the need for a distinction to be made in respect of female young offenders with PFNI advocating for a separate female young offenders' unit as *'the needs of the younger women are not the same as those who are older and/or those serving long sentences'*

4.360 Respondents also underlined that *'consideration of how services/ transitions will be equipped to support young girls moving from e.g. JJC to adult prison services.'*

4.361 Respondents views on supporting young females is summarised well by the remarks made by Include Youth. *'We are broadly supportive of the key priorities listed but would welcome age specific priorities and the development of tailored rehabilitative and restorative practice for girls and young women both within custody and in the community. This practice must be trauma informed and address mental health needs. We believe the list of delivery proposals in relation to developing bespoke rehabilitative support and pathways are weak and vague and could be expanded considerably.'*

4.362 They shared some of the suggestions submitted to the consultation on the care and justice campus. This included:

- Tailored education and training provision
- Access to a Key worker, noting *'this key worker should support the young people as they seek to access support in the community on release and link them to housing, education, training, employment, youth and mental health community provision.'*
- Housing, *'establishing stable, safe and appropriate housing options for young people is of paramount importance.'*

- Mental health support, *'if provision is not available within the community for young people to address deep seated mental health problems, the chances of them re-entering secure/custody is very high.'*
- Increased capacity in social services, to enable the provision of the intensive care young people need.
- Engagement with community and voluntary sector providers, *'we believe that young people benefit from engagement with locally based community providers and that the quality of engagement and willingness of the young person to embrace the support that would benefit them can be enhanced if the source of that support is grounded in the community/voluntary sector.'* They went on to emphasise *'giving young people the opportunity to direct and contribute to their exit plan and to have choice over what community provision they want to link in with is vital. Ensuring that there is a choice of community - based provision for young people is critical. This provision needs to be resourced and recognised by Government departments as providing an essential service to our most vulnerable young people.'*

Involving women and girls with lived experience

4.363 Respondents commented that *'promoting consultation with women and girls in the CJ system is important. However, this needs to be undertaken in a meaningful and intentional way rather than simply just 'promoting'.*

4.364 They noted there is a *'requirement to build a culture where input from women/girls with lived experience is a core aspect of service development.'*

Framework for Delivery

The consultation outlined a suggested broad framework for delivery through partnership across the justice system, other statutory partners and agencies, and the voluntary and community sector.

Consultees were asked

Q40 Do you agree with the proposed delivery framework?

Q41 If applicable, proposed changes or additions?

27 respondents answered with a 'Yes/No' answer

23 ✓

4 ×

4.365 Respondents welcomed the framework for delivery and considered it could benefit from cross-departmental working, further clarity and appropriate resourcing. The view of respondents is summarised well in the following comment *'We agree that successful delivery of the strategy requires a partnership approach across the justice sector, other public bodies and the voluntary and community sector. The proposed governance diagram indicates where the Women's Strategy group is placed and the considerable number of other players. We note that reducing unnecessary bureaucracy is an intention and we hope that there will be clear lines of accountability and a focus on actions and outcomes. We appreciate that it can take time to assess the impact of any actions and new initiatives that are supported by this strategy. As with all strategies planning and resourcing is key to success.'*

4.366 Respondents also urged *'that there is representation of victims within this framework to ensure that their voices are heard and incorporated into the co-design process.'*

Cross Departmental working

4.367 A number of respondents were vocal with regard to the need for cross-departmental working, commenting:

- *'the framework for delivery should have a mechanism to support cross Departmental working and alignment with their relevant strategies including substance use and mental health.'*
- *'this strategy needs to have cross-departmental co-operation and therefore the need to have representation through the proposed governance of delivery from the Department of Health, and Education.'*
- *'There needs to be a partnership approach to delivery' 'together with both voluntary and statutory agencies who have the specialisms to support the criminal justice agencies to meet the needs of women and girls within the criminal justice system.'*

- *'This needs cross-departmental work as well to include Education, Communities and Health as well as Justice to really meet needs of all children and young people and adults collectively.'*

4.368 It was also proposed by respondents that there should be links and reference made to:

- The Improving Health Within Criminal Justice Implementation group
- Health and Social care bodies are key stakeholders
- The National Preventative Mechanism (RQIA/CJINI)
- The Probation Board

It was also queried *'is there a role or reference needed to working within Strategic Community Planning Partnerships?'*

4.369 Respondents also underlined the importance of *'ensuring multiagency / disciplinary approach due to the complexities for this group e.g Health, Housing, Education, Community, Addiction services.'*

The voluntary and community sector

4.370 Respondents stressed that *'representation from the voluntary and community sector on the Strategy Delivery Group and the task and finish groups associated with this would be welcomed'*, particularly given the focus on co-design and co-delivery.

4.371 Respondents also noted *'there needs to be a clear commitment to paying for community, voluntary and charitable organisations for their engagement, and the additional costs they will face.'*

There is a need to ensure value for the public purse but there is an equal need to show that the local expertise and services that are being used, and indeed relied upon, by the government are being properly valued and paid for. NGO's must not become the buffer between government lack of funding and increased demand for service provision. It is also imperative that the expertise in female studies is taken note of, particularly when those in decision-making position are male as they will not have experienced the systemic misogyny and discrimination within society that a female will and may make judgements in ignorance if not sexism themselves.'

More details needed

4.372 Respondents also underlined the need for more clarity/details regarding the framework for delivery:

- *'needs to include a more detailed plan with a budget and detail about which outcomes will be assessed at each stage.'*
- *'there needs to be clear responsibilities of roles, indication of what the scope is and a timeframe around delivery.'*

- *'Clarity should be given and provided to outline who will be included in the Delivery Group. Consideration of the inclusion of NIHE as part of this Group.'*
- *'There is nothing specific within the framework (or within each of the three priorities) to give the reader an indication of what 'success' might look like or how progress (or lack of progress) would be recognised. This framework will be more helpful when specific priorities or initiatives have been identified that might be put in place and resourced.'*
- *'The document does not give any indication of whether any of the aspirations within it will receive a budget to achieve significant progress.'*
- *'we would welcome further detail on how the appropriate health services will be engaged through the governance structures outlined in the strategy.'*
- *'as part of the review process, how the proposed delivery framework is actually working in practice should be open to review.'*
- *'we note that the document states that 'key actions for women and girls may be outlined and delivered separately'. Does this mean that there may be specific actions aimed at girls in the justice system, within the Delivery Plans?'*
- *'The delivery plans should give additional weight/resources to additional trauma informed prevention and resettlement services.'*
- *'It is important that the framework and delivery mechanisms are as simple as possible and are committed to making positive difference in a timely manner.'*

4.373 Respondents underlined that *'there must also be space for the voices of women and girls who are currently, or have previously, engaged with the criminal justice system.'*

4.374 Concerns were also raised by a number of respondents with regard to women immigration detainees at Larne House. These issues are outside the scope of the consultation and the remit of DoJ, so the Department forwarded these concerns onto the relevant Department.

Potential impact

The consultation considered the impact of the strategy around equality, human rights and rural needs.

Consultees were asked

Q42 Do you agree with our assessment in terms of Equality?

25 respondents answered with a 'Yes/No' answer

23 ✓

2 ✗

Q43 Do you agree with our assessment in terms of Human Rights?

25 respondents answered with a 'Yes/No' answer

24 ✓

1 ✗

Q44 Do you agree with our assessment in terms of Rural Needs?

23 respondents answered with a 'Yes/No' answer

22 ✓

1 ✗

Q45 Is there any addition information and evidence you think we should consider (please provide brief summary and source if available)

4.375 Respondents broadly agreed with the assessment of the potential impact of the strategy in terms of equality, human rights, and rural needs. The strategy will be re-assessed and the relevant documents will be updated to reflect any notable comments provided in the responses that are relevant to these assessments but are not currently covered. This includes feedback received from the equality commission just prior to the consultation.

4.376 Respondents made a number of key comments to the questions relating to the assessments, these are outlined below.

Equality

4.377 In terms of the impact on everyone, respondents questioned 'What criteria will enable evaluation of the impact on everyone? Who is everyone? Has the project been costed and how likely is it that funding may be withdrawn or diverted to other projects?'

4.378 One respondent was vociferous throughout their response about the need for clarity 'on the protected characteristics within Equality and Human Rights' with regard to - SEX not gender' and the need not to conflate gender with sex and the potential implications in disaggregating data by 'gender' vs 'sex'.

4.379 Respondents suggested that it would be useful to include *'information which may be available from Health, Education and other relevant depts which may give us more focused indicators of threat, risk and harm.'*

4.380 They underlined *'the particular needs of lesbian and bisexual women and girls must be considered, as well as the particular needs of trans women and girls'* and suggested *'ensuring that programmes are inclusive in terms of the level of understanding. Programmes to include appropriate language if BME. Consider disabilities and learning difficulties.'*

Human Rights

4.381 The Northern Ireland Human Rights Commission welcomed reference to relevant human rights standards within the section on international obligations, however they highlighted that in line with International human rights standards and obligations, *'this should be broadened to adopt a more comprehensive rights based approach. A range of additional international treaties, ratified by the UK Government, are relevant to the present strategy, including, the International Covenant Civil and Political Rights, UN Convention Elimination Racial Discrimination, UN Convention Rights of Person with Disabilities and the UN Convention against Torture. As well as relevant soft law standards some of which the strategy references including the Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) and the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) which could extend to include the UN Standard Minimum Rules for the Treatment of Prisoners and the UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules). The Commission would suggest the strategy is guided by all relevant international human rights standards and that they are specifically mentioned within the strategy.'*

4.382 It was also suggested, linked to human rights and *'the concerning increase in prison sentencing for women'* that *'this consultation is also relevant to that on Reform of Rehabilitation periods in relation to criminal records. Disclosure of criminal records is an additional barrier to resettlement (employment , insurance, housing etc)*

It is critical that sentencing of women is informed by specialist knowledge/training in terms of the different reasons women/girls offend and the impact of imprisonment on children. Those who complete court assessments and sentencers must be trained appropriately.

*There is a definite need for more / enhanced gender sensitive approaches and female offender strategies, particularly within the custodial setting;
All those mandated to work with females need trained in female specific, trauma issues and needs.*

The role for a dedicated champion/'commissioner to review and ensure practice across the sectors is progressed would be a useful one.'

Rural needs

4.383 A respondent considered 'outlining the specific complexities of rural needs so that these can be fully addressed, in terms of access to services, etc.' would be helpful.

4.384 Extern noted *'through our Floating support service, Extern's experience of rural provision has found that service provision varies and access to services is more difficult to secure in rural locations. Criminal justice provision should be consistent, women need to return to their families, social support and know that the services are in place to support them.'*

4.385 Another respondent suggested that priority must be given to *'more community services and support available for women in a rural setting, so that these services can be accessed by women living outside Belfast.'*

Other work

The consultation outlined a range of departmental and cross executive work that may realise benefits for women in contact with the justice system.

Consultees were asked

Q46 Do you agree with the list of work outlined?

Q47 If applicable, proposed changes or additions?

22 respondents answered with a 'Yes/No' answer

21 ✓

1 ✗

4.386 It should be noted that many of the comments relating to the strategic context apply equally to this question. In summary respondents noted that the strategy should inform and link with a range of cross-executive strategies and work, learning lessons from other jurisdictions and ensuring services are sustainably funded and delivered by experts, particularly partners in the voluntary and community sector.

4.387 Respondents underlined that this section includes *'an ambitious list to cross reference with/seek partnerships to benefit women and girls. The transitions between community, custody and between youth and adult women is critical. The use of Restorative practice provides good opportunities ie circles of support.'*

4.388 It was considered that the following policy areas and work should be considered particularly relevant to the new strategy:

- the Adult Restorative Justice strategy consultation;
- trends or patterns emerging with women accessing the substance misuse courts, ECO, or CRNS¹⁵; and
- the Sentencing review¹⁶.

4.389 In terms of other work and transitions it was stressed that *'we need to bridge services from custody into the community, great work can be quickly unpicked because the support suddenly ends (is cut off).'*

4.390 Under this question respondents reiterated that effective cross-departmental working is vital, as is sufficient resources being made available.

4.391 Respondents remarked that accessing and engaging in services needs to be made as straightforward as possible and that *'this begins with government departments working together to ensure that the appropriate services are made available to women and girls.'*

¹⁵ Believe this acronym provided in a consultation response relates to Community Resolution Notices

¹⁶ Papers on the Sentencing Review Northern Ireland can be accessed at <https://www.justice-ni.gov.uk/consultations/sentencing-review-northern-ireland>

Final comments

In closing the consultation any final comments about the strategy and the proposed way forward were welcomed.

Consultees were asked

Q48 Any final comments?

4.392 The majority of respondents who provided final comments welcomed the consultation, *'aimed at women and girls to improve their experience and make positive change to their lives'* and the opportunity to provide comment, and looked forward to this important work progressing with actions delivering real change.

'Generally this is a positive and timely document. The document highlights a positive direction of travel.'

4.393 Many saw the opportunity of the strategy, with one remarking *'this is a great opportunity to make a real positive change. The use of trauma informed care, restorative practise and co working will help create that change.'*

4.394 Several noted that they were *'keen to provide continued support to the Department as they move forward with future plans.'* and they looked forward to the outcome.

A gendered approach

4.395 Respondents encouraged *'a gendered approach to this consultation and make sure this strategy meets the needs of women and girls.'* Respondents underlined this with reference to *'Probation Board NI's research on women on probation in NI, "gender matters significantly in shaping involvement in the criminal justice system." Not only are women's reasons for getting involved in criminal activity gendered, their needs at all stages of the criminal justice process are different from those of men.'*

4.396 Respondents underscored *'the needs of women and girls as mothers, and people who may give birth while in custody, must be considered. This is particularly relevant for perinatal mental health support.'*

4.397 It was also suggested there was a need for sentencing guidance as respondents noted that many women and girls are in prison for offences stemming from poverty, stressing that *'no one should be in prison simply because they are poor.'*

Engagement

4.398 The Prison Fellowship in Northern Ireland noted that they *'support the establishment of ways to ensure women in custody having a voice throughout this process. Such an approach would make a positive significant change in the lives of these women, thereby promoting change and rehabilitation.'*

4.399 It was noted that *'since the Women's Prison relocated to Hydebank in 2004, there have been many conferences, seminars and consultation events regarding women in custody, now broadened out to include all girls and women who come into contact with the Criminal Justice system. Unfortunately, one of the most successful diversionary and supportive community initiatives - the Inspire Projectwas ended last year.'*

The role of the third sector

4.400 The importance of the voluntary and community sector's contribution to supporting women and girls was emphasised. with respondents acknowledging *'the long history of partnership which have brought about successes to date, but the need for sustainable funding and long term commitment if this model is to continue to delivered sustained outcomes for women.'*

The role of justice

4.401 Respondents noted *'policing plays a pivotal part in the collaborative approach to prevention and early intervention within the CJ system. However, many of the women and girls who end up in contact with the police have experienced failures in other parts of the government system at an earlier stage. Prevention and early intervention should happen before the CJ system is involved. This will not impact on all cases but cross government working to support those at risk will have the best impact as we use the multiple skill sets and expertise available to us all to truly create intervention at the earliest possible stage.'*

A restorative, trauma informed approach

4.402 Again respondents emphasised that *'restorative sentences, with additional trauma informed supports could make a significant difference to women who cause harm and to the prevention of further victims. It is critical to commence from the premise women themselves have often suffered considerable harm and discrimination.'*

4.403 Respondents also underlined the need for the strategy and outworkings to be inclusive and that the language used in the strategy and the work coming out of it should reflect this trauma informed and inclusive approach.

Remand

4.404 Respondents highlighted the disproportionate use of remand to convictions and custodial sentences and that it should only be used where absolutely necessary. They went on to note that *'often women and girls are held in custodial settings because of a lack of appropriate services in relation to mental health, substance misuse, and a lack of adequate housing. While beyond the remit of DoJ no one should be in prison because the support they actually need is unavailable. Prison Officers are not counsellors or social workers.'*

Sentencing decision-making

4.405 Victim Support NI noted *'in absence of a structure like a Sentencing Council or other guidance structure, we would suggest that additional work needs to be done at a policy, and potentially legislative, level to support sentencing decision-making that is compliant with the rights of the child. Our justice system is very much process-driven, and in the absence of a specific process to consider the circumstances of children, or the designation of the task to gather such information to support judges to make such deliberations, it is unlikely that the rights of the child can be upheld. We recommend that the sentencing process which, like much of the system is modelled around male offenders, might be revisited to add a specific legal obligation for the circumstances of children to be considered in sentencing decisions. For this to be practicable for judges to carry out, a process would be required which designates specific responsibility on legal professionals to gather this information so judges have it at their disposal at the appropriate time. We recognise that legislation may be required to embed such a process due to GDPR concerns. This process may be an additional step which feeds into pre-sentencing reporting.'*

'We also recommend that a similar process is put in place with regard to bail applications. As there is no comparable pre-sentencing report stage here, and a quicker turnaround time, a different process would have to be established to ensure that this work is done to support the judicial function in making decisions about bail.'

'Such a process might utilise the existing UNOCINI process, but again legislation may be required to overcome GDPR related hurdles so that relevant information sharing is possible.'

Framework structure

4.406 In terms of the structure of the strategy document a respondent shared *'we feel that, if this document is to be a framework for a more practical Strategy document, it may be worth considering condensing each of the 3 themes into a more succinct perhaps bulleted summary that would give an 'at a glance' sense of the priorities under each theme.'*

The voice of women and girls

4.407 It is only fitting that the final comments under this question should come from women and girls with a lived experience of the justice system:

- *'She feels that there is current limitations to current support. Key issues like jobs and accommodation options are limited Support ok but need options to explore. More practical help rather than just talking. She also suggested that services need to be aware of their role on your mental health, increasing fear and anxiety.'*
- *'We need more places or ways to be able to speak freely about our rape, abuse & assault stories, so it's not all built up inside and causing us daily fears and issues.'* (sic)
- *'I was a young woman in the care system institutions, I was placed in a training school for non-school attendants and running away. No help was provided to find out the real reasons why I was not attending school or what I was running away from. Other residents behaviors are very influential when you reside together, being put in handcuffs, into a cell and into a police car for not attending school and running away overnight is very upsetting and seems very inappropriate to me.'*
- *'Get the support and help before it gets out of hand.'*
- *'It's about time they have decided to focus on the particular needs of women in prison, coz they are different to men and boys.'*
- *'I think that services are only the beginning of the helping girls needs, there is a lot of questions being asked about being in the justice system but little about how we got here. I speak to staff now and they help but if I had been able to get supports before I would not have had a criminal record. I have a criminal record which means I am restricted by jobs and courses, I made a mistake as a young person and I have worked hard to make amends and I am going to continue to be punished for the rest of my life.'*

5. Analysis and next steps

Analysis

5.1 There was overwhelming support for a strategy to support women and girls in contact with the justice system. Respondents recognised the significant opportunity it presented:

'This is a very encouraging and possibly life changing piece of work, that has the potential to positively impact society on a multi-generational level.'

5.2 The significant majority of respondents were supportive of the proposed vision, themes/overarching priorities, and principles of the new strategy. The consultation attracted a broad range of views and comments, which raised important issues providing further insight into the needs and challenges relevant to women and girls in contact with the justice system. All these views were collated and considered. Common themes from respondents:

- More detail needed on how the proposed priorities will be given expression and translate into action;
- The need to ensure the strategy uses clear consistent and trauma informed language (e.g. uncomfortable with challenging and managing women and girls);
- Ensure that victims and the voice of victims is appropriately represented;
- Provision of appropriate and sustainable resourcing and funding;
- The role of and reliance on the voluntary and community sector (linked to previous point);
- Promoting a cross-departmental approach;
- The need for distinction between women and girls in the strategy and its delivery;
- Young women aged 16 to 21 should be supported as young offenders;
- Recognition of the need and vital role that preventive initiatives have in supporting women and girls;
- The importance of smooth supported transitions (e.g. into and out of the justice system);
- The importance of mentors and peer support;
- The need for (supported) accommodation and housing;
- Accessible community support in rural areas; and
- The need for urgent and immediate action to support women and girls.

Next steps

5.3 The consultation has shown there is strong support for a strategy to support women and girls in contact with the justice system, focusing on and delivered under the three themes; Prevention and Diversion, In the Community, and In Custody and Reintegration; potentially spanning the full continuum of their contact with the criminal justice system.

5.4 The Department has logged the issues raised in the consultation and outlined them in considerable detail in this report. We will also update the strategy's rural needs assessment and equality screening with relevant themes and information/evidence provided by respondents.

5.5 As part of the consultation process we advised that responses may be published. Given the number and length of the responses received, we no longer intend to publish each response. Copies of full consultation responses can be provided¹⁷ on request, by emailing DOJ.ROPU@justice-ni.gov.uk.

5.6 The Department and relevant partners who were engaged in developing the consultation paper will now consider the issues raised in the summary of responses and use the views expressed to inform the development of a draft Strategy and associated Action Plan.

5.7 Considering the call for action on this important work, and the suggestion that the structure could be simpler¹⁸, we would propose that the consultation document, supporting documents and this report are a sound basis for a framework to progress and that rather than building on the content of the consultation document to develop a more detailed strategy, to pare the strategy right back to reflect a succinct framework for delivery.

As with other Departmental strategies, the drafts emerging from this work will be subject to Ministerial approval in due course. The intention is to publish a final Strategy and Action Plan by March 2022.

¹⁷ With the exception of those that wished to be treated as confidential.

¹⁸ This is evidenced by the length of and duplication in this report

Those respondents who asked to be kept informed will receive appropriate and timely updates as work on the new strategy progresses.

Consultation respondents

Organisations

The Department received consultation responses from 31 organisations.

Antrim and Newtownabbey PCSP

Barnardo's

British Psychological Society- Northern Ireland Branch

Cara Friend and Here NI (joint response)

(Representatives from the) Chaplaincy at Hydebank Wood

Community Restorative Justice Ireland

Extern Northern Ireland

Health and Social Care Board

Health and Social Care Board/Public Health Agency Improving Health Within Criminal Justice Planning & Commissioning Team

Include Youth

Information Commissioner's Office

Interim Mental Health Champion/Office of the Mental Health Champion

NIACRO

Northern Ireland Housing Executive

Northern Ireland Human Rights Commission

Parenting NI¹⁹,

Police Service of Northern Ireland

Prison Fellowship Northern Ireland

Prison Reform Trust

Probation Board for Northern Ireland (PBNI)

Public Prosecution Service

Quaker Service

Restorative Practice Forum (NI)

Retired Associates of Probation

The Royal College of Speech and Language Therapists NI

Simon Community NI

Soroptimist International Northern Ireland

Start 360 – Adept

¹⁹ As this was an offer of service it was not counted as consultation response

Superintendents Association Northern Ireland
The Turnaround Project
Women's Aid Federation Northern Ireland
Victim Support NI

Private Individuals

16 responses were received from Private Individuals.

These included responses from multiple individuals facilitated by justice partners, namely the Northern Ireland Prison Service (NIPS) and Healthcare in Prison Team, and the Youth Justice Agency (YJA).