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**Women, Prison and Changing Lives:
The Spectre of Failure**

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Minister, Dean, honoured guests and – most importantly – skilled prison and probation practitioners and academic colleagues working on the Finding Education for Female Inmates (FEFI) project or attending as delegates, here in Malta or elsewhere in the seven participating countries ...

... I am delighted to be invited to offer brief comments on some of the broad findings that have emerged, and do so in the spirit that they may add to the body of knowledge that pushes in the direction of making more and better penal services available for female inmates.

The project identified intriguingly different perceptions of programme provision by inmates and officers. This differential perception is my focus. A longer version of this paper is available (through Sandra Scicluna) for all FEFI members, guests and delegates.

From the inmates' perspective there were self-defined needs that remained unmet, courses that had attenuated relevance (seen as mindless time-filling with little rehabilitative purpose) and courses available for male offenders that were closed to female inmates. Collectively, the inmate perspective can be called 'denial of opportunity'.

From the perspective of prison officers and educators the acknowledged training deficits were related to perceived shortfalls in budget provision as a consequence of inadequate policy commitment. Collectively, the officer / trainer perspective can be described as 'denial of resources'.

These are very different perspectives, aren't they? So who is right? Is it the inmates – those closest to received services? Or is it the officers and training providers – those closest to service delivery? Perhaps neither has called it correctly. The solution to the puzzle lies in recognition of the 'drivers' that shape and constrain penal policy and practice – and their baleful effects (Willis, 1981a; 1981b; 2013a and 2013b). I call this the 'spectre of failure'. It is never far away and perhaps inevitably present. Each party has rightly identified lacunae but taken together they paint a much grimmer picture than either taken alone.

The two crucial factors shaping prison policy and practice are *cost unattractiveness* and *political defensibility*. These two factors combine to limit commitment to rehabilitative efforts, limit programme provision and limit training scope and relevance. And these key variables apply to different categories of offenders in different ways, with a particularly negative impact of female offenders.

At one extreme, for none-too-serious and one-off or intermittent offenders so-called decarceration becomes politically attractive because of lower costs and the absence of any real threat to the fabric of society. These are the offenders who arguably should never find their way into custody. These are the strong candidates for community sentences.

At the other extreme, there are far fewer but very much more serious offenders who receive extremely long sentences because the political imperatives of retribution and social defence outweigh the considerable financial costs.

Between these two extremes lies an intermediate class of offender who continue to end up in prison because of persistent but often relatively minor criminality that is combined with astonishing levels of psycho-social and environmental disadvantage – a well-known and enduring feature of inmate populations, especially female prisoners.

For female prisoners the recent UK evidence is overwhelming (Prison Reform Trust and the Pilgrim Trust, 2014). Women offenders are disproportionately imprisoned for non-violent offences, mostly acquisitive – either to support someone else's drug habit (48%) or to support their children (38%). More than half (53%) reported having experienced emotional, physical or sexual abuse as a child. One-in-three (31%) had been in care as a child. Six-in-ten (60%) were primary carers with dependent children, from whom some 80 per cent were being separated

for the first time and only five per cent of their children remained in their own home. Over two-thirds (70%) coming into custody required clinical detoxification on reception. Two-thirds (65%) suffered from depression. Despite comprising only five per cent of the prison population, females accounted for one-in-four (26%) of all self-harm incidents. The effects on women's lives continued after their release. Over 30 per cent lost their accommodation whilst in jail. Only one-in-twelve (8%) had positive employment outcomes on release. And nearly two-thirds (62%) of short-term prisoners were reconvicted within 12-months of their release, often to return to prison.

This is a searing and miserable indictment of penal policy. With severe levels of economic disadvantage and deprivation, together with extreme social dislocation and social exclusion, female prisoners experience a profound, progressive and accelerating detachment from conventional society. And the same findings recur over time.

In 2006 Carlen and Toombs (2006) stated "... women prisoners have the same social histories of poverty, abuse, lone parenthood, homelessness and poor mental health as they had 30 years ago. Once released from prison ... they are as badly off in terms of accommodation [and] job prospects ... as they were in the 1970s" (Carlen and Toombs, 2006: 338). The same features are found in other studies through to the present day (Home Office, 2001, Annex B; Baroness Corston, 2007; Prison Reform Trust and Soroptimist International, 2014; Prison Reform Trust and the Pilgrim Trust, 2014). A fifty-year perspective tells the same unremittingly depressing tale.

The critical questions are whether female offenders with the clearest evidence of psycho-social and criminogenic need will end up in prison and, if they do, will they have those needs met properly in prison? The answers are dispiritingly negative. The critical variables are cost unattractiveness and political defensibility.

First, there are no political benefits in moving towards non-custodial options. The repetitive nature of their criminality combined with psycho-social handicaps makes these offenders poor prospects for community-based sentences. Community supervision is likely to breakdown and repeat offending is seen to strain community tolerance. Better 'out of sight and out of mind' than 'out on the streets'.

Secondly, there is no countervailing cost advantage in using community sentences. The marginal costs of flinging of few more social casualties

into prison are small as are the marginal savings of not doing so. More importantly, were their needs to be properly addressed in prison this would require a small army of remedial teachers, therapists, psychologists, drugs and other abuse workers, social workers, probation officers and counsellors, each delivering a specialist service – a FEFI army of skilled interventionists!. The costs would be enormous. And in times of post-recession austerity the first casualties of prison spending restraint are educational and training programmes. What was at best a modest commitment can wither away alarmingly.

Cost and political unattractiveness conspire to send these female offenders to prison, to leave them pretty much alone for the duration of their sentence and then deliver them back to the streets unloved, unreformed and subject to precisely the same pressures that brought them into prison in the first place.

Where the FEFI project has uncovered and explored innovative and specialist programmes for female prisoners you can be sure that you have identified the exceptions rather than the rule. The FEFI efforts are to be applauded for revealing pockets of progress but it would be naive to suppose that provision for female inmates is poised to be overwhelmed by an avalanche of care and a tsunami of resources.

As Pat Carlen put it 30 years ago female prisoners are emphatically labelled as the “women that nobody wants” (Carlen, 1983: 119). This does not appear to change. Political disinterest will operate to limit sympathy and promote indifference. And fiscal considerations will limit the scale, quality and frequency of interventions. These factors were correctly identified by FEFI researchers and their respondents (inmates, staff and training providers). They have pointed to the two key aspects of an intractable problem – denial of opportunity and denial of resources.

This is a sober note of penal realism. The weight of ‘put them in jail’ and ‘do nothing’ hangs heavy over the provision of services for female prisoners. But penal nihilism and a fatalistic acceptance of the status quo are professionally and morally unpardonable. What is required is a redoubling of effort so as to demonstrate real rehabilitative impact in order to command both increased political commitment and appropriate resources. And the FEFI project offers a beacon of hope.

Thank you for your attention.

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