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**WOMEN PRISONERS
IN THE
CRIMINAL JUSTICE SYSTEM:
towards equal treatment
and
recognition of difference**

**A Thesis presented in partial fulfillment of the requirements for
the degree of**

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ABSTRACT

This thesis is about the extent to which women who have received custodial sentences have their criminogenic needs met: that is how they are assisted to lead good lives without further offending.

I approached the thesis from the perspective that women who have been imprisoned are entitled to be treated equally with men: to be imprisoned for the same seriousness of offences. They should have the same benefits, such as contact with families. They should at least receive the same level and quality of preparation for life after prison and equal standards of accommodation.

In addition the genuine social differences between men and women should be recognized. Women are usually the main caregivers for children. Typical women prisoners are also solo parents, and so have the financial responsibility for of financial support for children as well as care. However, most of the women have few qualifications or opportunities for making a living to support their families that does not involve law-breaking. A recognition of these differences should lead to some supports being provided to women prisoners, such as education and training.

In my interviews with women ex-prisoners and prison managers, and in surveying the literature I found that neither women's rights to equal treatment nor their differences were adequately recognised in past or present penal policy. Whilst it is true that the minority status of the female prison population poses challenges for policy, it does not explain the systematic disadvantage faced by women in prison. There are alternative policies which could very well be more appropriate and some of these are set out in the concluding chapter to the thesis.

PREFACE

This is a thesis that has practical social policy implications, not a theoretical work. Recommendations from this work are intended to improve the lives of women who have been sent to prison.

My interest in women offenders has developed over a number of years. From August 1986 until December 1996 I was employed as a Probation Officer in Hastings and actively involved in administering sentences for people who had appeared before the courts, District Prisons Boards and National Parole Board. During this time I became aware that women offenders were poorly served in that there were few programmes offered that were exclusively designed to meet their needs. Those interventions that were available to women were largely developed for men and women were merely added on. For example, as there are few community interventions specifically for women in Hawkes Bay, women offenders are often required to attend anger management programmes with the men. As many women offenders are survivors of abuse and violence, to expect them to complete programmes with the perpetrators of violence is far from satisfactory. The exception was individual psychological counselling, although in Hawkes Bay, as was also the case elsewhere, women offenders could not always be guaranteed a women psychologist.

Since January 1998 I have been seconded to the Integrated Offender Management Project, a key development for the Department of Corrections. This has given me the opportunity to be involved in the development of new assessment and offender management procedures. My involvement with this project has further highlighted for me the issues that women offenders face. The new assessment and offender management procedures, tools and interventions have been developed to serve the majority offender population, that of adult males. An

example of this are the criminogenic programmes¹ that have been developed around “Hemi’s Story”, following a male offender from sentencing through to making a significant cognitive change. No corresponding story has been developed for “Hine”. These programmes are therefore not available for women until further development is completed which will align these procedures, tools and interventions with women offenders. Consequently, as the new processes are implemented across the Department of Corrections, processes for women, once again, will be ‘added on’ sometime in the future. Aligning these programmes for women is the responsibility of the Department of Corrections Policy Development group. Until this work is completed, women offenders are likely to continue to be subjected to interventions and programmes developed for men, or not offered the interventions at all.

Psychological problems, substance dependency problems, lack of social skills and psychiatric illness are clearly recognised problems that contribute to women’s offending. This has implications for the types of services offered to women while they are serving custodial sentences. Participation in those services and the subsequent necessity to continue treatment or counselling on their release may serve to exacerbate the problems women face when they return to their homes, often considerable distances from the prison, at the completion of their sentences. Having to form new relationships with counsellors (if the services exist in their home areas), often in the middle of treatment or counselling, can only add to the day-to-day problems many women face on their release.

Upon release women often find themselves caught in a poverty trap. Unable to obtain legitimate means of support, and often lacking the information and/or training to improve themselves financially, many women find themselves financially dependent on partners (often abusive) or family. Re-building relationships with children, many of whom have been unable to visit regularly as a result of distance or financial hardship, adds to the difficulties that women face

¹ Intensive 100 hour programmes which have been developed specifically to address key factors relating to offending such as violence, alcohol and drugs, driving offences.

when they return to their homes, if indeed they have managed to retain their homes while they have been in prison.

Women are also more likely to feel greater shame in being imprisoned than men. Not only is the punishment of going to prison far greater for them, but also the social stigma of having been in prison adds to the stress women face on their release. Women who are imprisoned and do not meet conventional middle-class standards and expectations, are considered to be personal failures. That many of these women have committed crimes in order to feed their families and survive is not regarded as an excuse (Young, 1993).

Further, many women inmates are subject to treatment and counselling programmes while in prison, and invariably establish close relationships with their counsellors. On release, they may then be put in a position of having to form relationships with new counsellors when they have to continue treatment or counselling as a condition of the community based part of their sentence. From my interactions and dealings with these women, often this can be a difficult experience, particularly if the women also have the added responsibilities of having returned to a partner and/or children and are trying to rebuild these relationships at the same time. Given that women are inclined to, and indeed often expected to, be a wife, mother and provider before considering their own needs, reintegration after an enforced absence from home can often prove extremely difficult. Further, failure to address their reintegration needs can exacerbate their chances of rehabilitation.

An added issue for women released into the community on parole or supervision is the appropriate matching of Community Probation staff with offenders. Gender and ethnicity are the most commonly noted areas where it is recommended that probation officers and offenders are matched (Policy and Service Development Unit, 23 April, 1998). The implication is that women offenders should ideally be dealt with by women probation officers, unless they request otherwise, in order to

best assist in their reintegration into society. Currently there is no easily accessible information to assess whether the matching of staff with offenders actually occurs.

Women from Hawkes Bay typically serve their sentences of imprisonment at Arohata Women's Prison near Wellington, some 300 kilometres from their homes, or at Christchurch or Mount Eden Women's Prisons depending on the availability of beds at Arohata. As Mount Eden Women's Prison is a small prison largely catering for Auckland women, it is more likely that women offenders from Hawkes Bay who are unable to be contained at Arohata will be sent to Christchurch to serve all or part of their sentences. Furthermore, as Christchurch has the only maximum-security wing for women inmates, women from throughout the country who have been classified as needing this level of security are sent to Christchurch until their security level changes later on in their sentence. These are women who are serving lengthy sentences for often very serious offending, and for whom rehabilitation and reintegration issues will be paramount.

These situations not only compound the issues women inmates face, but also those their families encounter as they try to stay in touch with the sentenced inmate. Not only is visiting difficult for the families of these women, the majority of whom are reliant on State benefits or in receipt of low incomes, but also many of these families do not have telephones, and unless families are able and prepared to relocate to the area where the woman is imprisoned, contact with partners, children and families is limited. (The difficulties and disruption experienced by relocation for families are also acknowledged).

It has been well documented both here in New Zealand and overseas that strong positive family and community relationships aid in the rehabilitation of prisoners and their reintegration into the community on their release. However the very nature of women's imprisonment means that in many ways female prisoners are worse off than their male counterparts.

(Kingi, 1996, p12).

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Disclaimer

The views, opinions and conclusions contained in this thesis are in no way representative of those of the Department of Corrections.

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Chapter 1

INTRODUCTION

(The women) are not treated differently in the way they should be, but they are treated differently in that they are poor cousins – they don't count. There are only 300 of them. They're only women, they don't count and so the difference that should be there is not there, and the difference that shouldn't be there is there.

(Cecelia Lashlie – Interview 15 February, 2001)

Women offenders have traditionally been considered a 'special' group, different not only from males but also their non-offending female counterparts. As such, their needs and experiences are regarded as 'other' rather than equitable with those of the male adult offender population. Consequently, they have been subsumed within policy priorities for male offenders. This has reinforced their invisibility within a male dominated system. Even though the actual numbers of women in prisons in New Zealand appear to be increasing, they remain a small percentage of the overall prison population. As such, they tend to be largely invisible.

Currently there is a strong element of male domination within prison policy. The major effect of this is that policies, procedures and programmes are developed for the majority prison population, adult male, and then applied to women. This prevailing male way of doing things is neither equitable nor acceptable for women, as their needs continue to be subsumed within policy priorities for male offenders. However, even when women prisoners are treated equally to men, equity is not achieved and the women continue to be disadvantaged.

Purpose of the Research

The purpose of this thesis is to examine the treatment women offenders receive in the Criminal Justice System in New Zealand, and how this impacts on their rehabilitation and reintegration into society. This thesis, therefore, accepts as a starting point women's invisibility within the prison system, and acknowledges that the differences between women and men do not cease to exist once a woman goes to prison.

To be treated as equal means that women and men should be considered to have the same rights and status and not subjected to discrimination. Women's 'place' in the wider realms of society has, however, seen them traditionally considered to be inferior to men. As such, they have had unequal treatment throughout history. However, even when women have been treated 'equally' with men, equity, or fairness, has not been achieved. For women in prison, this inequity is even more pronounced.

In considering women offenders to be 'different' not only from male offenders but also from non-offending women, the criminal justice system traditionally ignored their needs at best and, at worst, provided sub-standard accommodation and treatment. However, in considering them 'equal' to male offenders, the system again disadvantaged women offenders by 'including' them in programmes and treatments that were designed specifically for the male offender population, and not recognizing that women offenders have needs that are specific to women.

Further, little thought has been given to women prisoner's needs when designing facilities in which to contain them. Women's prisons have traditionally been built to the same design and specifications as those built for men. The relatively small numbers of women in prison compared with men has been used as an argument against the provision of adequate facilities for women. The majority of women inmates have continued to be housed far from

their home areas on account of 'cost effectiveness', while men have the benefit of regional prisons close to their homes.

The intention of this work is not only to ask questions related to the treatment of women offenders, but also, as far as possible, to inform policy on the future management of women offenders, particularly those serving sentences of imprisonment. Central to this thesis are the experiences of women who have managed women prisoners within a male dominated regime, and women who have experienced the system as prisoners.

The Questions

In approaching this work, the main questions related to the treatment women offenders receive in the criminal justice system, the sorts of resources and services that are provided for them, and what can be done to improve the treatment and services offered to women offenders in order to meet their gender specific needs.

Questions asked relate in particular to the rehabilitation and reintegration of women prisoners, and how well their identified needs are met within prisons. Although male and female offenders have similar needs in some respects, women are more likely to have greater needs than men for comprehensive treatment for substance abuse, sexual and physical abuse, education and training in employment and parenting skills.

Reintegrative needs for male and female prisoners may include lack of employment or basic living skills, accommodation and family relationship problems. However, for women, additional problems include re-establishing relationships with children, performing the dual roles of parent and sole income earner, and coping with the more negative attitudes of society towards female offenders than those towards male offenders.

The Literature

In order to find the answers to the questions relating to women offenders and their treatment, a substantial literature search was conducted to see what was available specifically to women offenders both in New Zealand and overseas. The majority of literature available relating to women in prison originates from Australia, North America and Britain. There is little New Zealand literature available, although recent studies on New Zealand women in prison are starting to address this deficit. However, it is surprising to note that, although a high percentage of women offenders are Maori, given their percentage of the total population, there is nothing available in the literature that specifically addresses their position in the criminal justice system.

Overseas literature, however, is relevant to the study of women prisoners in New Zealand, as there is a remarkable similarity in the issues that women face. For example, Padel and Stevenson (1998) relate women's experiences of prison as told using the women's own stories. Casale (1988) focuses on the problems encountered by women on remand awaiting trial or sentence. She highlights the particular disadvantage women prisoners suffer through their removal from home to distant women's prisons, and recommends changes in general prison policy and practice.

Studies, such as those completed by the Women's National Commission (1991) and the Prison Reform Trust (1996), examine trends relating to women in prison, their treatment, and the growth in numbers of women imprisoned. Pat Carlen's work which examines some of the fundamental issues concerning custodial and non-custodial penalties is also relevant to the issues facing women prisoners in New Zealand.

Much of the literature about experiences of imprisonment, particularly in New Zealand, is based on the experience of men. The first study to begin developing a knowledge base of New Zealand women's experiences was an

MA Thesis completed in 1989 by R. O'Neill, titled *The experiences of imprisonment for women: a New Zealand study* (Anstiss, 1993).

Women in Prison (July 1990) was the first attempt by the then Department of Justice in New Zealand to establish a cohesive policy for women. The report recognised that women are more disadvantaged than men geographically when in prison. As they make up only about 4 percent of the prison population (a relatively unchanged figure over recent years) there were only 3 facilities for women compared with 23 for males. Women, therefore, are more likely to serve their prison sentences away from their home districts than men.

Women in Prison recommended more regional facilities for women, but did not address the nature of such, nor the security levels required. It also recommended that men and women could be kept in the same institution provided that there were separate resource allocations and facilities, as there was a need to be aware that if resources were shared there was a danger of women missing out on account of lack of numbers. However, most of the recommendations made in this report involved increased spending and, to date, these have not been taken up. Although the argument is still used that the low numbers of women inmates do not justify Regional facilities, there is growing advocacy for the need to consider alternatives for women serving prison sentences.

Much of the New Zealand research has concentrated on women as mothers and the effects of separation when women are imprisoned. Patricia Young's 1993 MA thesis, titled *Mothers in Prison: the experience of being separated from their children* examined the experiences of a group of mothers serving prison sentences at Mount Eden Women's Prison (Young, 1993). On the basis of the women's experiences, Young, in conjunction with Tania Anstiss, made a number of recommendations for changes in the practical administration of the prison.

Venezia Kingi (1996) has also written on mothers in prison and the children of women in prison. She found that women's main concern was their children, and that access to information about their families and the ability to respond quickly to crises involving their children were the women's greatest needs. Kingi also investigated what happens to children when their mothers go to prison.

Annabel Taylor (1991) discussed the pattern of women's imprisonment in New Zealand and how this has been influenced by changes in women's role in society and by changing social and economic circumstances. Taylor used her experience as a social worker at Christchurch Women's Prison as a basis for this study. Her subsequent thesis, *The imprisonment of women in New Zealand 1840 - to the present day: a social and historical perspective*, published in 1997, expanded on this theme.

The Department of Corrections Policy Development unit is currently carrying out a number of studies on women in prison. These relate mainly to the management of women offenders, as well as specific work on women with dependent children and the health needs of women (Internal Memorandum, 28 May, 1998). There appears to be nothing currently under way to examine rehabilitation of women into the community following sentences of imprisonment, nor have I been able to find any previous studies in this area relating to women.

The only New Zealand study I have been able to access that discusses the social effects of imprisonment is Heather Deane's 1988 study, *The Social Effects of Imprisonment on Male Prisoners and Their Families*. Deane also deals with reintegration and adjustment to release in this study. For males, the main problems experienced during early post-release were found to be related to family and community adjustment, employment and finance. She also found that the immediate post-release period was critical for ex-prisoners, and was a time when reoffending could easily occur. Supportive networks and services were important for both the ex-prisoner and his family to facilitate his

reintegration into the community. Deane also advocated for prisoners to be kept in prisons as near as possible to their home areas.

There appears to be considerable consensus in the literature which makes the impact of imprisonment on women substantially different from men. Consensus is found in the following areas: the lack of women-centred policy directing their imprisonment, a result of their low representation in the total prison population; the large proportion of women in prison who have dependent children and a pivotal role as the responsible parent (and often the sole parent); women's physical and health needs, including pregnancy; and the rapid increase in women's substance abuse and drug related offending as a cause of imprisonment. There is also consensus on the part that abuse issues play in women's offending, given that the majority of women offenders have suffered some form of abuse at some stage in their lives (see chapter 3).

In this thesis, I attempt to define the criminogenic needs of women prisoners on their behalf. However, I have done so in consultation with women prisoners and prison managers, and with regard for balancing the needs of the women prisoners and ex-prisoners with those of their wider communities.

The Research

The basis of this research is interviews with 3 women who have managed or are currently managing women prisoners as well as 6 women offenders who have been to prison, and who been subject to a parole order or a sentence of supervision on release from prison. The issues facing women offenders in the criminal justice system are broad and to cover them all is outside the scope of this thesis. The focus of this thesis, therefore, is specifically on rehabilitation and reintegrative issues for women inmates and whether interventions and current policies address these adequately. Traditionally policies and practices for offenders have been developed based on the majority offender population, that of adult male. Women have been included in these policies and practices with little thought as to the appropriateness of this. It has been recognized in the recent literature, but not (as yet) by policy makers, that women have needs

specific to gender, age and ethnicity. This thesis focuses on the differences relative to gender and what needs to be done to address these adequately.

In discussing the rehabilitative and reintegrative needs of women prisoners I make the following distinction between them. Rehabilitation relates to activities directed towards reducing the risk of re-offending by directly addressing the identified needs which contribute to that offending. These needs, called criminogenic needs, are discussed in chapter 4. Activities directed towards addressing these needs include intensive programmes and interventions such as counselling and therapy, and rely on the offender's motivation, attitude, awareness and ability to address their identified needs.

Reintegration, on the other hand, relates to activities which focus on identified problems or deficits which may be obstacles to a non-offending lifestyle following release from prison and during, or on completion of, supervision, parole or home detention. These obstacles may include lack of employment or basic living skills, accommodation and family relationships.

Prior to undertaking the interviews with the managers and ex-prisoners, I conducted extensive literature reviews in order to better understand the place of women offenders in the criminal justice system and inform the questions I asked the participants. This had the advantage of providing a solid base from which to move on to the interviews. Common issues and themes were identified, and these in turn informed the recommendations. It is intended that the recommendations from this research inform policies directed towards improving the ways in which women prisoners are treated in the criminal justice system.

The purpose of this thesis, therefore, is to examine the treatment experienced by women prisoners in the Criminal Justice System in New Zealand, and how this impacts on their rehabilitation and reintegration into society. It is also intended to inform policy on the future management of women offenders, particularly those serving sentences of imprisonment.

Structure of the Thesis

In this chapter I briefly set out the reasons for undertaking this research, describe the prior knowledge gained from the literature, the research procedures and the outline of the thesis.

Chapter 2 looks briefly at the history of women's imprisonment in Britain. This is followed by a more in-depth discussion on the treatment of women offenders and the development of women's prisons in New Zealand.

In order to better understand the needs of women offenders it is necessary to understand the types of offences they commit in comparison with male offenders and their common characteristics. Further, it is important to examine the types of interventions that are currently available to women offenders in order to examine whether these are appropriate to meet their needs.

Chapter 3, therefore, examines New Zealand conviction and sentencing trends for both male and female offenders who committed offences during 1988 to 1999. These are the latest New Zealand published figures available. Sentencing trends for women offenders and the characteristics of women prisoners in Britain are examined in order to give a comparison with those for New Zealand women. There are remarkable similarities between these women's profiles and those of New Zealand women, thus highlighting the relevance of overseas studies for New Zealand.

Chapter 4 begins by examining the concept of need in a general context before specifically looking at the 'needs' of offenders and the similarities and differences that exist between the needs of women and men. It then discusses current assessment processes for targeting interventions to offending needs, and the implications for women offenders being assessed by processes designed for the majority offending population, adult male. Finally this chapter discusses the rehabilitation and reintegration needs of women offenders and the implications for programme design and delivery.

Chapter 5 examines the numbers and types of programmes that are offered to offenders both in prisons and serving sentences in the community. These programme statistics were obtained from surveys conducted by the Public Prisons and Community Probation Services in late 1999. Many of these programmes are provided in prisons by community groups and services who also deliver them to offenders in the community. Few of these programmes have been developed and delivered specifically for female offenders.

This chapter also briefly discusses the Department of Correction's new Integrated Offender Management project which includes the development of targeted programmes to reduce re-offending. Integrated Offender Management is to be implemented by the Department of Corrections in 2001, and is intended to have a significant impact on the management of offenders across all three services of the Department (Community Probation, Public Prisons and Psychological). There are considerable implications for the delivery of services to women in particular.

Chapter 6 discusses the philosophical basis of the research and chosen methodology, the research design, and the ethical issues that needed to be considered. It also describes the limitations and advantages of the chosen design.

Chapters 7 and 8 concentrate on the information obtained from the interviews conducted with the managers and the women ex-prisoners. These chapters identify common themes and issues and discuss the women's views about possible ways forward for the management of women prisoners.

Chapter 9 examines some of the alternatives for imprisoning women that have been proposed and the implications for women offenders. There is also discussion of community-based sentences in New Zealand. Community-based sentences were introduced as alternatives to imprisonment and can be imposed for a wide number of offences, although people convicted of serious violence

and sexual offences are not eligible for these sentences as the seriousness of their offending makes a prison sentence mandatory. However, those convicted of non-violent offences should not be imprisoned unless the court considers special circumstances exist (Criminal Justice Act 1985, sec 6). As the statistics show in Chapter 3, the majority of women in prison are serving sentences for non-violent offences, it is pertinent to discuss community based sentences and their intended use as part of this thesis.

Finally, chapter 10 concludes the findings of the research, given the research limitations, and goes on to make specific recommendations for further research, policy development and the future management of women prisoners.

Chapter 2 HISTORY OF WOMEN'S IMPRISONMENT

Introduction

The history of women's institutions reflects the history of women. Because women have long been thought to hold a special place in society, deviant women have been treated differently, not only from their more law-abiding sisters but also from their male counterparts.

(Pollock-Byrne, 1990, p36)

The smallness of the female prison population has contributed to their invisibility...women have continued to be slotted into a largely male penal system, and where they have been considered separately, it has largely been a matter of males determining what is best for women.

(Hayman, 1996, p11)

Women are traditionally subject to narrowly defined roles in society, primarily relating to their roles as wives and mothers. The idealistic image of "normal women" has seen them relegated to roles as law-abiding citizens, responsible for rearing law-abiding children. Female offenders are often seen by society as women and girls who have betrayed the idealistic image of what women and girls should be. They are considered to be different from "normal women" in that they have broken the law and displayed errant behaviour. Many have spent time in prisons, gaols and/or detention centres. This "gender betrayal" leads many in society to consider them "less worthy" than their 'law abiding' counterparts and, as such, beyond redemption (Zaplin, 1998).

Throughout history there have been three basic themes underlying the treatment of women offenders or those perceived as offenders by the society they lived in. At various times women offenders have been considered as "fallen women", as "different" from and biologically inferior to men, and as

“equal under the law” to male offenders (Morton, 1996). As a result, in both physical surroundings and attitudes towards their redemption and reformation, female prisoners have been either brutalised or ignored for a greater part of history.

An examination of these themes and the corresponding treatment meted out to women offenders is important to this thesis, as it underscores the treatment of women prisoners in today’s society. The small number of women offenders compared to men, and the correspondingly small number of women who are sent to prison, remains a barrier to women receiving equitable treatment while in prison.

This chapter looks briefly at the early treatment for women offenders and the history of prisons in Britain. This is followed by a more in-depth discussion on the treatment of women offenders and the development of women’s prisons in New Zealand. Comparison is made with Britain in order to see how the British culture has shaped the development of penal policy in New Zealand and the subsequent treatment of women in prison.

Early History of Women’s Imprisonment in Britain

Prior to the sixteenth century, punishment of offenders was physical and direct and primarily involved responses such as banishment, public shaming, whippings and mutilation. While courts had a part to play in meting out these punishments, the church and community were equally responsible for discovering ‘crimes’ and punishing ‘offenders’.

Women rarely committed violent offences. They usually committed minor thefts, often with accomplices, but suffered a wide variety of punishments, including execution. Women were often subjected to more severe punishments for the same offences as men. For example, during certain periods in the middle ages women could be burned to death for committing adultery or for murdering their husbands, whereas adultery was sometimes not considered an

offence for men, and even the murder of a wife may not have resulted in a prosecution (Dobash, et al, 1986).

Well into the late eighteenth century, European and British communities used a number of direct physical punishments, such as pillories, stocks and chastisements. The public chastisements of women were also linked to household domination. Women who were seen as transgressing their 'roles' were considered serious offenders whose crimes or sins must be punished. Men, on the other hand, were treated lightly and often frivolously for offending against their wives.

The confinement of women and men offenders was an unusual punishment until the late sixteenth century. In the late middle ages, some forms of confinement did exist, mainly in nunneries, monasteries, castles and watchtowers. When systematic imprisonment was first introduced, it was as an auxiliary to the traditional punishments. It was not until the early nineteenth century that imprisonment was accepted as the most appropriate means of punishment for crimes and deviance (Dobash et al, 1986).

Late eighteenth century gaols in Britain were disease-ridden holding places for all manner of what reformers saw as "contaminating influences". Men and women were held in these gaols, often jointly, in filthy contaminated conditions where women were subjected to indecencies from gaolers and male prisoners alike. Newgate in London was often singled out for special condemnation, but other prisons were equally bad (Dobash et al 1986, p34; Morton, 1995)).

Elizabeth Fry, an American Quaker who was touring England for the Society of Friends, visited Newgate Prison in 1813 after being told about the appalling conditions in which women prisoners were housed. Following this visit, she began to lobby for female supervision of women prisoners and in some instances she raised funds to hire women to serve as matrons (Morton, 1995). Legislation passed in 1823 required the appointment of Prison Matrons to supervise women. However, it was a long time before prisons were wholly

staffed and administered by women (Taylor, 1997). Elizabeth Fry also lobbied for a new form of classification for women prisoners, based on character, past record and conduct rather than on age and offence. This approach, however, was not applied officially until well into the twentieth century (Taylor, 1997).

After the separation of the sexes in the early to mid-nineteenth century, women's lives in prison were only marginally better. Women's quarters were usually found within the walls of male prisons and the few that were in separate buildings were run by male staff. Although women in separate buildings were marginally protected from male inmates, there was still the possibility of exploitation from male warders as long as female prisoners were physically housed in male institutions which were administered solely by men.

Prison accommodation for women continued to be overcrowded and filthy. Women were often housed in hot, crowded and unsanitary conditions (Pollock-Byrne, 1990; Morton, 1995). Despite being separated from the men, women prisoners continued to be treated appallingly: younger female prisoners continued to be subjected to debasement by prison officials and guards, while the older ones were expected to do all the work. The work was mainly cleaning, cooking and other domestic related chores. This treatment was rationalised by a belief that women offenders were beyond any redemption or reformation (Pollock-Byrne, 1990; Morton 1995).

Women were able to have their babies and children with them in prison nurseries, although conditions in many cases were deplorable. Towards the end of the nineteenth century, children were removed from prisons and attended industrial schools. In some cases it is debatable as to whether they were better off in these schools.

The statistics for imprisonment show that women in England, during the first half of the nineteenth century, were imprisoned mainly for drunkenness, petty theft and prostitution. The majority (more than 90 percent) were imprisoned for less than six months (Taylor, 1997).

In summary, women offenders were considered to be different from 'normal women' and as such were considered less worthy and beyond redemption. Women prisoners were kept in inferior and often sub-standard conditions and were subjected to sexual abuse and debasement, not only from male prisoners but also from male gaolers, who often kept one or two women for domestic use and sexual satisfaction. Younger women were more likely than the older women to be sexually mal-treated. Even when women were imprisoned separately from men, they were not safe from exploitation from male gaolers.

Women also received worse treatment for the same offences as men. Women who were seen as transgressing their 'roles', particularly against their husbands, were considered serious offenders whose crimes or sins must be punished. Men, on the other hand, were often treated lightly or frivolously for offending against their wives.

In the next section we shall see the influence of British penal policy on the development of early penal policy in New Zealand.

Women's Imprisonment in New Zealand

Imprisonment has been a primary method of punishment and social order since British settlement of New Zealand.

(Dalley, 1993, p37)

Nineteenth Century

The experience of imprisonment for women in New Zealand, as in Britain, was influenced by two factors: demands for space and facilities, and particular assumptions about the nature of women offenders (Prison Review: Te Ara Hou, 1989).

Prior to 1840 there was little by way of penal policy in New Zealand as there was neither formal administration nor government. Little is also known about the treatment of women who broke the law. During this time, however, the early settlements scattered throughout New Zealand recognised the need for a system of social order. As the majority of early settlers considered Maori society to be inferior, crude and violent with little to offer, they turned to their own experiences and knowledge to provide examples of social control.

The need for security led to the formation of the Kororareka Vigilants Association in 1838. Local citizens, concerned about their own protection and that of their property, introduced a set of simple and direct punishments - "tarring and feathering and the confinement of more troublesome offenders in an old sea chest with holes for ventilation" (Missen, 1971, p2). Another form of punishment during this time was meted out to drunken women in Auckland who were liable to be placed in public stocks. This practice was banned in 1845. In this practice, there are clear similarities with the public shaming of women who transgressed the law in 18th and 19th century Britain.

By 1850, all of the major settlements had erected a prison. Most of these were notoriously unsound, and their management makeshift. Institutions differed between areas as individual settlements and gaolers formulated penal policy to suit local interests and conditions. While many prisons followed a common set of management guidelines, which had been derived in the Auckland Prison in 1856, physical conditions remained variable and exacerbated by problems. Poor conditions and overcrowding were prevalent, facilities in many of the institutions being very basic and, at times, unhealthy. Few had the facilities to separate inmates into groups according to sex or offence, and separation by gender became standard only in the 1860s (Dalley, 1993).

From 1840 to 1860 there were few women imprisoned, and, those that were, were usually imprisoned for drunkenness, vagrancy or prostitution. Women prisoners had very little space or privacy. All prisons received both women and men, but many of the institutions had no separate facilities for women on

account of their low numbers. As had been the case in Britain, sexual abuse and domestic 'slavery' were extra 'punishments' meted out by male warders to female prisoners. Male prisoners also subjected female prisoners to sexual abuse. Male prisoners, however, were not subjected to such abuse. Until the regular employment of matrons in the 1860s, most prison officers were men, most of whom considered the women 'fair game'. Even after the appointment of matrons, male officers continued to search female inmates.

Where women prisoners were kept separately from men their conditions were often worse. At Wellington Prison in 1854, the gaoler put all female inmates into solitary confinement as there were no cells for them. In small gaols, such as Queenstown, the gaoler housed women in his own quarters as there were no facilities at all for women in the gaol. Auckland Prison in the 1860's housed up to 8 women and their children in a cell measuring approximately 12 by 17 feet (Dalley, 1993). This cell had one "grated window, the glazing of which is destroyed, and which opens directly over a filthy ditch" into which sewerage from three toilets was emptied (Taylor, 1997, p39).

During this time women inmates were employed mainly on domestic duties. Work consisted of sewing, knitting, laundry and other domestic chores considered suitable for their role as women. Unlike their male counterparts, they were not permitted to work outside the prisons.

By the late 1870s there were 167 women in 19 of the 34 mixed gaols throughout New Zealand, most being confined in the main Auckland, Dunedin, Addington and Wellington gaols. This compared with 887 men at the time. The majority of these women were prostitutes who were imprisoned for drunkenness, disorderly behaviour and vagrancy. A small number were imprisoned for 'concealment of birth', reflecting the Victorian attitudes towards childbirth outside marriage. These women were seen to be a "blight on womanhood and on the future of the Dominion" (Prison Review: Te Ara Hou, 1989, p153). The conditions in which they were detained reflected these

attitudes, and their needs were considered to be of secondary importance to mainstream prison life.

Over the decade 1877-87, women began to be placed in single-cell accommodation where space and renovations permitted. The offences they were imprisoned for were relatively minor.¹ A small number of women staff were employed also. These women were often the wives of gaolers. Women inmates continued to be employed on tasks “seen as appropriate to their proper calling in life” (*Prison Review: Te Ara Hou*, 1989, p154). These tasks included making or mending men’s clothes, knitting, needlework, cleaning and laundry. Unlike male inmates, women received no schooling while in prison.

The New Zealand government appointed Arthur Hume, a retired army officer and governor of the Wormwood Scrubs Convict Prison, as the first inspector of prisons. Hume introduced prison regulations in 1883 to ensure gaols were standardised. Floggings, the regular use of chains and dark cells were abandoned. The rebuilding of some gaols and the adoption of contemporary British architecture improved sanitary conditions and facilitated greater classification for inmates. Open prisons were established in 1890, prison camps in 1901. These camps were for male inmates only and Hume’s other initiatives were based on male inmates needs. Women continued to be imprisoned in separate facilities in mixed institutions (Dalley, 1993). Women’s work was always inside the prison walls and included laundry, sewing, mending, knitting, cleaning and cooking (Taylor, 1997).

Hume remained opposed to women being housed within separate, independent prisons as women’s groups were proposing in the late 1880s. Hume based his opposition on the argument that there were insufficient women in prison to justify two new distinct prisons for women, one each in the North and South Islands. This argument is still used today to account for the lack of prisons for women. It was not until 1911, after Hume had retired, that Addington Prison

¹ For example, drunkenness, vagrancy, prostitution, theft

for Women was opened as a reformatory for women transferred from Lyttleton and Dunedin, and women were able to work outside prison buildings.

Twentieth Century

By the end of the nineteenth century welfare groups interested in penal reform began to demand changes to the New Zealand prison system along lines which recognised social, rather than individual, responsibility for crime. These proposed changes reflected the belief that individuals could be transformed through correct training in a suitable environment which catered to the specific needs of inmates (Dalley, 1993).

In 1910 Sir James Findlay became Minister of Justice. His appointment marked a turning point for prison reform, in that he introduced a programme of reforms which had a strong rehabilitative emphasis. Findlay's basic plan was to reclassify prisons so that there were separate institutions for different classes of offenders - "the incorrigibles, the reformable, the criminally insane, the sexual offenders and the alcoholics". Industry was to be made more meaningful by the introduction of "tasks of usefulness". Trade and farm training were to be developed. In the Auckland and Invercargill institutions, schools were to be organised so that every prisoner would be educated to the level of Standard 4. The idea was to keep prisoners fully occupied (Prison Review: Te Ara Hou, 1989, p14-15). Findlay's views on the importance of reformation were encapsulated in the Crimes Amendment Act 1910, which influenced the course of imprisonment in New Zealand for the next 50 years.

However, the only development between 1900 and 1920, which had any impact on women inmates, was the designation of Addington prison as a women's prison in 1911. The buildings were largely incomplete and in disrepair, and the gardens and large grounds continued to be tended by male inmates from Lyttleton Prison (Prison Review: Te Ara Hou, 1989). By the time the first women inmates entered the prison in April 1913 the main buildings still required further alteration. There was one main building which housed all the

women, with a loose separation between young and more hardened² criminals being the only classification system (Dalley, 1993).

Findlay had proposed to establish a central women's prison which would be divided into a penitentiary (for 'incurrigibles') and a reformatory (for those deemed 'redeemable'), both on the same site but operating separately. The reformatory regime was to be domestic. Inmates were to be instructed in "domestic science, the art of housekeeping, with supplementary lessons in health, nursing, first aid, infant care, flower cultivation and academic subjects". The penitentiary programme was to be more "industrial and punitive, providing inmates with heavy industrial sewing and laundry" (Dalley, 1993, p45). However, in practice, this institution was one building which received all types of women offenders (Taylor, 1997).

Work for women prisoners remained predominately domestic, although women were, for the first time, able to work in the prison gardens following recognition from the Prisons Board in 1914 that women "should be set to some kind of industrial work beyond the kind of work usually done by female prisoners" (Prison Review: Te Ara Hou, 1989, p155). Limited formal education classes did not begin until the middle of 1919. This occurred despite Findlay's emphasis on domestic science (Dalley, 1993).

While men's prisons were moving towards a more rehabilitative approach, the women's institution at Addington continued to be managed in the penitentiary style of the nineteenth century (Taylor, 1997). Despite Findlay's intentions at the time, "reformation did not replace punishment and the traditional view of the irredeemable woman remained" (Dalley, 1993, p51).

Moreover, Addington did not become the central women's prison as Findlay had planned. Other prisons throughout the country continued to receive the

² It is unclear whether these women were designated as 'hardened' on account of age or the frequency and type of their offending.

major portion of women offenders. During 1913 Addington admitted 78 female inmates while 471 were received at other prisons. During 1914, Addington received 141 inmates, compared with 486 women received at the other prisons, and in 1919 Addington received 50 inmates compared with 230 received at all other gaols (Dalley, 1993, p51). Women were predominantly sentenced for offences against public order (drunkenness, vagrancy and prostitution) and very seldom for violent crime. Most women served sentences of three months or less, making it impractical to transfer them to Addington from other parts of the country.

The prison at Point Halswell in Wellington opened in 1915 and was used for the temporary reception of male inmates transferred from the overcrowded Terrace Prison in Wellington. In 1920, following the transfer of the male inmates to the new Wi Tako Prison Camp, Point Halswell became 'temporarily' available for women from Wellington Prison.

In October 1920, following renovations to some of the buildings, Point Halswell opened for the reception of women prisoners. Addington prison was redesignated for young and first offenders, while Point Halswell received older and more hardened women. Two years later, because of the nature of facilities provided, the younger women were housed at Point Halswell and the older, more hardened women at Addington.

By 1924, women were found in only three prisons: Addington, Point Halswell and Mount Eden, where a separate wooden facility had replaced the women's wing in 1912. This compared with 1909 when they had been housed in eight prisons where facilities were shared with men (Prison Review: Te Ara Hou, 1989; Dalley, 1993).

Point Halswell was gazetted as a Borstal for young women (17-21 years) in 1924. It provided a range of agricultural employment with cows, poultry and pigs as well as providing laundry work and clothing repairs for males at the

Terrace Prison and several government departments. A school was conducted three evenings a week. This was the first real attempt at reforming young women offenders who were considered 'redeemable'.

In 1928 there were 99 women in prison, 43 of whom were Borstal inmates. Maori women were not mentioned in prison statistics until between 1920 and 1940, and then they were referred to as "native girls" (Prison Review: Te Ara Hou, 1989). In 1939 of the 64 women in prison, 7(9%) were Maori women. (However, by 1992, 66% of female inmates whose ethnicity was known were Maori (Spier, 1998).) Prison structures largely took no account of Maori cultural identity, although in 1950 reference was made to Maori 'girls' being encouraged to develop their own music, poi dances and action songs in order to entertain other inmates (Taylor, 1997).

The opening of Arohata Borstal in 1945 saw merely a transfer of beliefs and practices from the vacated Point Halswell. The closure of Addington Prison in 1950 saw long-term women inmates transferred to Mount Eden or Arohata. Staffing of women's prisons became a growing problem. By 1959 women accommodated in the North Wing extension at Mount Eden Prison were moved to Dunedin Prison in order to make more room available for male inmates in an overcrowded prison. By 1965, women at Mount Eden were housed in the converted superintendent's quarters, which were considered to be an improvement on Mount Eden Prison. (Prison Review: Te Ara Hou, 1989).

By the late 1950s it was apparent that there was an acute need for purpose-built women's prisons apart from Arohata. However, it was not until 1973 that the then Department of Justice acknowledged that the "reforms and energies of the previous two decades had been almost exclusively focused upon male prisoners" (Prison Review: Te Ara Hou, 1989, p157). The Department noted that it was time women offenders were accorded that same consideration as men.

Despite the need for a national women's prison in Auckland, the first purpose-built women's prison in New Zealand was opened at Papanui, Christchurch, in 1974. The building was constructed by the Ministry of Works with no consultation with staff, inmates or women's organisations interested in women prisoners, and was based on the design for a standard male prison. The only difference was its size. In deciding to build at Christchurch, the Department did not take into account the fact that the majority of women prisoners were from the North Island and over 50% were Maori (Taylor, 1997).

It was not until 1988 that the much needed new facility for women was opened at Mount Eden. This prison is currently woefully inadequate for the needs of Auckland women inmates and is largely utilized as a remand facility. The majority of sentenced women inmates from the Auckland area are sent to Arohata or Christchurch Women's prisons. In cases of overcrowding, they are also housed in a wing at Mt Eden men's prison. Given the conditions at Mt Eden, this is not satisfactory. There are plans for a new 150 bed women's prison to be built in South Auckland and completed in 2003.

In 1990 discussion commenced between the Department of Justice and local Maori groups in Northland regarding the Department's proposal to build a new prison in the Taitokerau area (Smith, 1990). In 1999 it was announced that despite the newly elected Labour-led Coalition Government cancelling plans for further new prisons (Hon. Matt Robson, Minister of Corrections statement to media, December 1999), the Northland Prison is still scheduled to go ahead. The Department of Corrections has recently purchased land in Northland for this prison. The prospect of a separate facility for women being included in its design is unlikely, given the plans to build a women's facility in South Auckland.

The Current Situation

Today there are only three prisons for women in New Zealand: Mount Eden Women's Prison in Auckland, Arohata Women's prison at Tawa, just north of Wellington, and Christchurch Women's Prison. Mt Eden Women's Prison can

hold up to 94 inmates, and accommodates remand and short-term sentenced inmates, as well as newly-sentenced women awaiting transfer to either Arohata or Christchurch Women's Prisons. Arohata Women's Prison can accommodate up to 127 women. It houses women on remand, those serving sentences of imprisonment who are classified as requiring either medium or minimum security, and young women sentenced to Corrective Training.³ Christchurch Women's Prison can provide accommodation for 98 women. It accommodates women on remand as well as those serving sentences of imprisonment at all three security levels (minimum, medium and maximum). It has the only maximum security unit for women in New Zealand⁴.

The majority of women prisoners continue to be housed far from their homes and families. This situation makes visiting difficult and creates stress for those women trying to maintain relationships throughout, sometimes lengthy, prison sentences. As at June 1996, 80 per cent of the women held at Arohata were not from the Wellington Region, 55 per cent of women held at Christchurch were not from the Christchurch region, and 51 per cent of women at Mount Eden were not from Auckland (Dept. of Corrections, Inmate Survey, June 1996).

In early 2000, Arohata Prison in Wellington opened a new 22 bed wing for medium-security women inmates. This unit is said to be the first purpose-built facility for women requiring medium level security. The unit is designed with cells built on two levels around a day room and dining room. There is access to secure indoor and outdoor recreational facilities (Corrections News, March 2000). The implications for women needing medium level security continuing to be housed far away from their homes is implicit. The new 150 bed prison for women planned for South Auckland may go some way towards alleviating

³ Corrective Training is a special sentence for 16-19 year olds designed to deter them from offending by the experience of a 'short, sharp shock'. Offenders spend up to three months in custody, and are subjected to a physically rigorous regime with hard work and strict discipline. However, at Arohata, young women subject to this sentence are given work within the prison, but are not subjected to a harsh physical regime.

⁴ Created to hold Dominique Prier, the French assassin who bombed the Greenpeace vessel 'Rainbow Warrior'.

the issues that Auckland women face when imprisoned, but will not address the issues that face women from the provincial centres

Conclusion

The smallness of the female prison population has contributed to their invisibility...women have continued to be slotted into a largely male penal system, and where they have been considered separately, it has largely been a matter of males determining what is best for women.

(Hayman, 1996, p11)

Female offenders have been regarded by society as women and girls who have betrayed the idealistic image of what women and girls should be. They are considered to be different from "normal women" in that they have broken the law and displayed errant behaviour. Women who transgress have also been punished more severely than men, although the crimes they commit are less severe. The nineteenth century saw women stereotyped as depraved and irredeemable. The image of women offenders in the twentieth century saw women as wayward, delinquent and childlike, and treatment and training that reinforced traditional female stereotypes prevailed.

The concept of gender is apparent in reasons used to confine and detain women throughout the ages, and in the tasks allocated to them during incarceration. Women in prison have traditionally been allocated domestic work considered suitable for their role as women and reinforcing their status as low-paid or unpaid workers.

More often than not the conditions in which women prisoners were confined were substandard. The provision of prisons designated for women saw women housed in buildings vacated by men as unsuitable. Often these buildings were attached to male prisons. Decisions on the location of women's prisons have never been made on the basis of women's needs. Moved from one location to another, most women have been and still are imprisoned hundreds of miles from their families and support systems.

These themes continue to the present day. They have been commented on in the literature from time to time but policy makers have still not addressed the issues. It is apparent that women continue to receive differential treatment within the penal system. Since 1950 the custodial model has prevailed for women offenders, and limited perceptions of what is best for women inmates and how they should be managed still remain a major obstacle to change. Women prisoners continue to share a system set up by men for men where policy has developed reflecting the social attitudes and economic controls of the time (Taylor, 1997).

Chapter 3

WOMEN PRISONERS

Offending Trends and Characteristics

Introduction

In order to better understand the needs of women offenders it is necessary to understand the types of offences they commit in comparison with male offenders and their common characteristics. Women prisoners in New Zealand currently make up approximately five percent of the prison population. While this percentage is small, the female prison population increased 162 percent between June 1986 and June 2000 (Department of Corrections, 2000). In comparison, there was an overall growth in total prison numbers of 33 percent between 1991 and 1999 (Rich, 2000, p8). However, while female prisoners grew strongly in percentage terms, this growth occurred from a small offender base, which resulted in small offender number changes for women when compared with the overall prison population. As at August 2000, there were 319 women in prison out of a total of 5878 imprisoned offenders (Department of Corrections, 2000).

There is a scarcity of statistical information about New Zealand offenders. The main sources referred to in this chapter are the Ministry of Justice Sentencing trends (Spier, 1998) and the New Zealand censuses of prison inmates (Lash 1996, 1998; Rich, 2000). Despite an extensive literary search, these are the only comprehensive statistics available for New Zealand.

This chapter examines New Zealand conviction and sentencing trends for both male and female offenders. Sentencing trends for women in Britain are examined in order to give a comparison with those for New Zealand women. This chapter also compares the characteristics of women in prison in New Zealand with those of women in prison in Britain. There are remarkable

similarities between these women's profiles and those of New Zealand women, thus highlighting the relevance of overseas studies for New Zealand.

Sentencing Trends

New Zealand 1988-1999

The number of inmates held in New Zealand prisons generally increases each year. Following the passing of the Criminal Justice Act 1985, with the introduction of a wide range of community-based sentences, this trend was temporarily halted. However, since then, inmate numbers have again steadily risen.

The number of serious crimes is also increasing, including those involving serious violence. Longer sentences are being imposed, thus contributing to the increase in prison musters. More women are being imprisoned for more serious offences, including serious violent offences. For example, in 1999, 39 percent of women were in prison for violent offences, an increase of 5 percent since 1995, and 5 percent of women were serving life sentences (Spier, 1998; Rich, 2000).

Males tend to serve longer sentences than women. In 1999, 28 percent of sentenced male inmates were serving finite sentences of more than 5 years, compared to 11 percent of women (Rich, 2000, p17). Approximately 65 percent of women in prison in New Zealand are classified as requiring a minimum level of security, and about 36 percent are serving prison sentences of less than one year. Female prisoners also have fewer convictions on average than their male counterparts.

Non-Traffic Offences

For cases for which the gender of the offender was known, female offenders accounted for 16% of the non-traffic offences that resulted in conviction in 1997. Of these, only 10% of violent offences were committed by female

offenders (Spier, 1998, p22). Women are more likely to commit non-violent offences than violent offences (Spier, 1998, p24). (see table 3.1)

Table 3.1 Number of cases resulting in conviction in 1997 for all offences except traffic offences, by the offence and gender of offender

Offence type	Total		
	Male	Female	Unknown
Violence	9929	1045	2
Other against person	1209	202	2
Property	15153	3936	16
Involving Drugs	5922	1097	2
Against Justice (Breaches of sentence, bail etc.)	5508	902	6
Good Order (Nuisance offences mainly)	5766	482	0
Miscellaneous	3406	1200	298
Total	46893	8864	326

(Adapted from Spier, 1998, p23)

Throughout the period 1988-97, approximately 10 percent of people convicted of a non-traffic offence received a custodial sentence. In 1988, 5290 people received a custodial sentence. This number rose to 6877 in 1997. Only 6% of these cases in 1997 involved female offenders. Female offenders accounted for a much greater number of community-based sentences than custodial in 1997, although compared to men, actual numbers are small (see table 3.2).

Traffic Offences

Traffic offences comprised the largest single category of offences resulting in conviction for each year between 1988 and 1997. For example, in 1997 one third of all convictions were from traffic offences (Spier, 1998, p63).

While 16 percent of the convictions for traffic offences in 1997 involved female offenders, only 5% of the people imprisoned were female. Table 3.3 compares sentences imposed by gender in 1997 for traffic offences. In 1997, a monetary penalty was imposed in 61% of cases resulting in a conviction for a traffic offence. However, just over 5% resulted in a custodial sentence.

Table 3.2 Total number of cases resulting in conviction in 1997 for all offences except traffic offences by most serious sentence imposed and gender of offender.

Sentence Imposed	Male	Female	Unknown
Custodial	6447	428	2
Periodic Detention	11848	1492	5
Community Programme	277	77	1
Community Service	2632	1442	8
Supervision	3311	858	1
Monetary	17013	3016	276
Deferment	2443	852	3
Other	14	3	0
Conviction and Discharge	2908	696	30
Total	46893	8864	326

(Adapted from Spier, 1998, p37)

Table 3.3 Number of cases resulting in conviction in 1997 for traffic offences, by most serious sentence imposed and gender of offender.

Sentence Imposed	Male	Total	
		Female	Unknown
Custodial	2288	113	22
Periodic Detention	6870	647	69
Community Programme	104	25	2
Community Service	2591	1342	24
Supervision	831	318	18
Monetary	22800	4377	105
Deferment	44	17	0
Driving Disqualification	813	157	2
Conviction and Discharge	937	234	2
Total	37278	7230	244

(Adapted from Spier, 1998, p74)

Use of Custodial Sentences

The total number of custodial sentences imposed in 1997 was the highest in the decade. There were 9300 custodial sentences imposed in 1997 compared with 6784 in 1988, an increase of 37%. The average custodial sentence length (including the indefinite sentence of Preventive Detention) increased from 9.5 months in 1988 to 11.8 months in 1997, although in the four years from 1994 there was little change. Increases in both the numbers and length of custodial sentences have caused the prison population to increase (Spier, 1998, pp87-88). This increase in sentence length is consistent with the government's

response to the public's demands for tougher penalties, particularly for serious violent offences.

During 1997 there was an average of 4399 sentenced male inmates in prison at any one time, an increase of 55% on the number in 1988 (2834). The average number of female sentenced inmates in 1997 (187) was the highest for the decade, an increase of 61% on the number in 1988 (116) (Spier, 1998, pp90-91). (see table 3.4)

Table 3.4 Annual average daily prison inmate numbers by gender 1988, 1994 and 1997.

		1988	1994	1997
Sentenced Inmates	Male	2834	3690	4399
	Female	116	133	187
	Total	2951	3822	4586
Remand Inmates	Male	345	536	546
	Female	17	16	18
	Total	362	552	564
Total		3313	4375	5150

(Adapted from Spier, 1998, p91)

For offenders for whom ethnicity was known, Maori offenders accounted for 53% of all cases resulting in imprisonment in 1997, 38% were New Zealand Europeans, 7% involved Pacific peoples and 1% was of some other ethnic origin. Table 3.5 presents information on total numbers, gender and ethnicity of offenders in all cases resulting in a custodial sentence in 1997.

Maori women are over-represented in the female prison population. While only 6% of all cases where gender was known resulting in a custodial sentence in 1997 were female, two thirds (66%) of these, for whom ethnicity was known, were Maori. Thirty-one percent of female inmates were New Zealand European, and 2 percent were Pacific peoples. This compares with total male inmates, of whom 52% were Maori, 39% New Zealand Europeans and 8% Pacific peoples. (Spier, 1998, p94).

Table 3.5 Gender and ethnicity of offenders in all cases resulting in a custodial sentence in 1997.

Gender	NZ European	Maori	Pacific Peoples	Other	Unknown	Total
Male	3159	4236	629	92	619	8735
Female	154	327	11	3	46	541
Unknown	0	3	0	0	21	24
Total	3313	4566	640	95	686	9300

(Adapted from Spier, 1998, p93)

Suspended Prison Sentences

The Criminal Justice Amendment Act 1993 introduced the suspended prison sentence as a sentencing option from 1 September 1993. Rather than reduce the prison population, however, it appears likely that some offenders who would previously have received a non-custodial sentence are now receiving a suspended prison sentence, often in conjunction with a community-based sentence (Spier, 1998, p109). The effect of this is that offenders are receiving more serious sentences, and if they reoffend, are more than likely to go to prison.

In 1997, a total of 3268 suspended prison sentences were imposed. Of these, female offenders accounted for 12%, Maori offenders for 49%, New Zealand Europeans 41%, Pacific peoples 10% and 1% involved an offender of some other ethnic origin (Spier, 1998, p117). Given that this sentence was intended only to be imposed as an alternative to a sentence of imprisonment, women are over-represented in these figures. Although not specifically stated in the available statistics, Maori women are likely to form a high percentage of the women for whom this sentence was imposed. As with all offending figures, Maori are over-represented in these statistics compared with their percentage of the total population.

Britain 1985-1996

The numbers of women in prison in Britain are also increasing. In 1992/93 the average number of women in prison was 1,374. By July 1996 this had increased to 2,313 women prisoners, an increase of 68 percent over the four-

year period (Prison Reform Trust, 1996). Most female offenders, including women in prison, are not involved in violent offences and do not pose a grave danger to the public. The majority of women prisoners are facing trial for, or have been convicted of theft and other property offences. These women also tend to have less serious criminal records, both in terms of numbers and seriousness of previous convictions.

A 1993/94 survey of women in Holloway, Britain's largest women's prison, showed that two-thirds of the prisoners were serving their first prison sentence (Prison Reform Trust, 1996). The survey further showed that 29 percent of prisoners in Holloway were there on account of drug offences, including being drug couriers.

Similarly, women constitute a relatively small percentage of criminal cases in Scotland. Although 52 percent of the overall Scottish population are women, only 14 percent of people convicted in Scottish courts in 1995 were women. Women constitute an even smaller percentage of the prison population (3 percent in 1995) and serve much shorter sentences than men. This compares with New Zealand where women constitute just over 4 percent of the total prison population, with over a third serving sentences of less than 12 months.

Although Scotland has a range of community sentences available to the courts, imprisonment remains an option for a wide range of offences from the relatively trivial to the most serious (Social Work Services and Prisons Inspectorates for Scotland (SWSPI), 1998, p14). Of the 22,395 women who were convicted of offences on Scotland in 1995, most were convicted of crimes of dishonesty, miscellaneous⁵ or motoring offences.

Women in Scotland are more likely than men to be convicted of failing to pay for a TV licence, shoplifting, breach of the peace, and speeding. They are least

⁵ Miscellaneous offences are primarily offences against public order, such as simple assault, breach of the peace, drunkenness and offences against the Wireless and Telegraphy Acts (TV licence offences).

likely to be convicted of sexual offences (except prostitution) or violent offences. Women are also disproportionately represented in convictions for failing to appear at court, shoplifting and fraud (SWSPI, 1998, p8).

Sentencing figures from Scotland show that a fine is the most frequently used penalty for both male and female offenders. In 1996, 667 women were imprisoned in Scotland for default in payment of fines. This figure represented 52 percent of all female sentenced receptions in prison for that year. Of these women, the original offences for which they were fined were primarily 'other theft' (including shoplifting) (199), prostitution (143), and breach of the peace (94). For outstanding fines of up to 200 pounds, a 7 day prison sentence can be imposed with automatic half remission. Thus a significant proportion of the female prison population is serving less than a week in prison.

In England, 38 percent of all women prosecuted are charged with not having a TV licence. Of these, around 5 or 6 women a week are sent to Holloway for not being able to pay their TV licence. Further, at any given time, 5 percent of women at Holloway are fines defaulters serving very short sentences. These are often women with children who are struggling with poverty (Prison Reform Trust, 1996). As in Scotland, these women are punished doubly because they are poor.

In New Zealand, people who do not have a TV licence are fined only as this 'offence' does not carry a term of imprisonment as a penalty. There are no readily available New Zealand statistics for this offence as these types of offences are included in the 'others' category. Also in New Zealand, fine defaulters are now sentenced to community service or periodic detention, and rarely to prison. However, these people contribute to the net-widening effect of community-based sentences, and may end up serving prison sentences for non-compliance with Periodic Detention.

A Home Office Research Study, (Hedderman and Gelsthorpe, 1997) examined statistical data on more than 13,000 men and women offenders. This study

revealed that women shoplifters were less likely to receive a prison sentence than comparable male shoplifters, and that they were more likely to be sentenced to a community penalty or to be discharged. While men and women were equally likely to be sent to prison for a violent offence, repeat violent women offenders were less likely to receive a custodial sentence.

For drug offenders, however, the study revealed that women offenders were significantly less likely to receive a prison sentence than male offenders. However, male and female recidivist drug offenders were equally likely to be sentenced to imprisonment. Among first and repeat offenders, women convicted of violent and drug offences were always more likely to be discharged and men fined. This appeared, however, to reflect a reluctance to impose a fine on women, rather than a consequence of a policy of leniency for women (Hedderman and Gelsthorpe, 1997).

The Home Office study found that sentencing statistics showed large overall differences in the number of males and females convicted and sentenced for criminal offences, as well as in the percentages receiving different types of sentences. For example, women sentenced for indictable offences (offences punishable by imprisonment) in 1995 were twice as likely to be discharged or put on probation than men, and less likely to be given a prison sentence (Hedderman and Gelsthorpe, 1997, p2).

Violent crimes are more likely to attract custodial sentences than other offences, although the number of women convicted of violent crimes in Britain is small. In Scotland, the majority of sentenced women were imprisoned for dishonesty offences and received prison sentences of three months or less.

Since 1992, the number of women sentenced to prison for 6 months or less has reduced (519 in 1992 to 498 in 1996) while those serving over 6 months have increased (43 in 1992 to 84 in 1996), suggesting that prison sentences for women may be getting longer. This has also been the trend in New Zealand with more women receiving longer prison sentences than 10 years ago.

In Scotland, the majority of women in the criminal justice system are minor offenders who primarily receive fines, although in the last ten years there has been a marked decrease in the use of fines as a sentence. Most of the women in prison are either awaiting conviction or sentence, or are fines defaulters. The offences for which they are in prison are mostly dishonesty or minor offences and they serve very short sentences or periods on remand. Almost all women offenders could be safely punished in the community without major risk or harm to the general population (SWSPI, 1998).

Hedderman and Gelsthorpe (1997) also revealed major differences in the use of non-custodial penalties for women and men. Women were more likely to be discharged even when their offences seemed comparable on the information available. While this may stem from reluctance by the courts to fine women, equally this reluctance can sometimes result in women being given a more severe non-custodial penalty such as probation.

In New Zealand we see a similar effect with the increasing use of community service or periodic detention for offenders who are unable to pay a fine, or perhaps more accurately, unable to meet the minimum weekly payment accepted by the courts' fines section (\$20 per week at present). However, the effect of skipping a step on the sentencing regime (usually a fine, then a community based sentence) is the risk that it will lead to an even more severe sentence being imposed next time. There is a greater risk of this happening for women offenders, as they are more likely to be unemployed or in receipt of a low income compared to men.

Characteristics of Women in Prison

New Zealand

A brief review of statistics from New Zealand, United States, Canada, United Kingdom and Australia reveals striking similarities in the profile of women offenders. This

similarity increases that relevance of overseas literature on women offenders to their management in New Zealand.
(Barwick, 1997, p4).

In New Zealand there is limited information available on the characteristics of women in prison. The information discussed here is taken from the 1995, 1997 and 1999 censuses of prison inmates.

The New Zealand female prison population can be briefly described as predominantly young (under 30 years of age); not well educated; in prison for violent, property and drug offences; having significant problems relating to drug and alcohol abuse; and disproportionately Maori. Prior to imprisonment, a typical woman offender was likely to be in receipt of a welfare benefit, and living alone with at least one dependent child.

When women offenders are compared with men some basic differences are highlighted. Statistics identify that women are less likely to be in prison for violent offences and more likely to be in prison for property and drug offences than men. Women also have greater physical and mental health needs, are more likely to be welfare beneficiaries and are more likely to be caring for children on their own prior to imprisonment (Lash, 1998; Rich, 2000). In other words, women are imprisoned for less serious offences and are likely to suffer more on account of health problems as well as separation from the children and families.

Percentage of Prison population

Women comprise about 4-5 percent of the total prison population and the number of sentenced female inmates at the time of each census has not been large (see Table 3.6). Hence, changes in the characteristics of female inmates compared to those of male inmates, are often less clear.

Table 3.6 Sentenced Inmates at the time of Census of Prison Inmates in November

Year	Female	Male
1987	120	2662
1989	135	2949
1991	139	3682
1993	118	3645
1995	151	3981
1997	207	4278
1999	206	4759

(Adapted from Lash, 1998 p75 and 77; Rich, 2000, p11)

Ethnicity/Age

Maori women make up the largest percentage of women in prison, with a 10 percent increase in numbers recorded between 1995 and 1999. It is noted, however, that, in the 1999 census, inmates were classified into single ethnic groups, whereas in the other years a combined group, Maori and European, was also included. The classification method used in this census would have included people from the combined group into the Maori group. Notwithstanding this, there is a significant increase for both Maori and Pacific women from the previous censuses, which clearly depicts the over-representation of these women in the prison system (see table 3.7).

Table 3.7 Ethnicity of women in prisons as a percentage of the women's prison population (1995, 1997 and 1999)

Ethnicity	1995	1997	1999
Maori	49	42	59
European	39	37	31
Maori/European	6	13	N/A
Pacific People	4	3	10

(Percentages from Lash, 1996, 1998; Rich 2000)

The percentage of female inmates under 20 years of age increased from 8 percent in 1995 to 15 percent in 1999 (see table 3.8). This appears indicative of the increasing seriousness of offences committed by young women. As well, more women are being imprisoned for property offences. Maori and Pacific women inmates were generally younger than European women inmates.

However, Europeans were more strongly represented in the 40 and above age group (Lash, 1998; Rich 2000).

Table 3.8 Age of women in prisons as a percentage of the women's prison population (1995, 1997 and 1999)

Age Group	1995	1997	1999
Under 20	8	15	15
20-29	40	35	35
30-39	32	32	35
40 and over	20	18	15

(Percentages from Lash, 1996, 1998; Rich, 2000)

Family Status

In 1995, prior to imprisonment 22 percent of the women had been living with their children only, 19 percent with only a partner and 17 percent with their partner and children. Of these women, 53 percent had at least one dependant child and 45 percent had at least one child less than five years of age. Over 50 percent of the dependant children of women prisoners were being cared for by their partner or parents while they were in prison (Lash, 1996; Barwick, 1997).

By 1997, prior to imprisonment 58 percent of female inmates had been living with at least one dependant child. Fifty-six percent of these dependant children were being looked after by the inmate's partner, ex-partner or parents while she was serving her sentence. The others were being cared for by friends or in care.

The 1999 census showed little variation in these figures. At the time of the census, 75 percent of the women were looking after at least one child on their own prior to going to prison, compared with 31 percent of male inmates. Of these dependent children, 40 percent were being looked after by the woman's partner or ex-partner, compared with 84 percent of the children of sentenced male inmates. Fifty-four percent of the women's children were being looked after by immediate family or whanau, and 5 percent of female inmates had at least one child in the care of foster parents or the Department of Child, Youth and Family Services (Rich, 2000, pp 37-38).

Education and Income

The educational status of women prisoners and their main source of income have not varied greatly over the past 5 years. Although there was a significant drop in the number of women in receipt of a welfare benefit in 1997, by the time of the 1999 census, the number had risen again.

There are startling similarities between the educational and employment status of women offenders in the 1987, 1997 and 1999 censuses (see table 3.9). There is no indication, however, that women leave prison today any better prepared to attain employment and a better standard of living.

Table 3.9 Comparison between female inmates 1987, 1997 and 1999

	1987	1997	1999
No educational qualifications	89.8 %	74%	69%
Unemployed prior to imprisonment	87%	84%	85%
Benefit as main source of income	78%	69%	73%

(Percentages taken from *Prisons in Change*, 1988; Lash 1998; Rich 2000)

Offending

The number of women imprisoned for violent offending is increasing. On the day of the 1995 census, over a third of the women in prison had a violence offence as their main offence. This compared with half the men in prison at the time of the census. Ten percent of women were serving life imprisonment and another 7 percent were serving sentences of more than five years. However, 37 percent were serving prison sentences of less than a year (Lash, 1996; Barwick, 1997).

The 1997 census recorded that 34 percent of female inmates had a major offence involving violence and 40 percent were in prison for property offences.

In comparison, 61 percent of male inmates had a major offence involving violence and 19 percent were convicted of property offences. Of the total women sentenced inmates, 8 percent were serving sentences of life imprisonment, 7 percent sentences of more than 5 years and 34 percent sentences of up to one year (Lash, 1998).

The 1999 census showed a further increase in the percentage of women in prison for violent offending, with the percentage being the same as that for men. Violent offending was the most common cause of imprisonment for both genders (39%), an increase for women from 34 percent in 1995 and 1997. Although only 5 percent of female inmates were serving life sentences, and 11 percent determinate sentences of more than five years, this was an increase on the actual numbers in 1995 and 1997 (Rich, 2000).

On average, female inmates in the 1999 census had fewer convictions than their male counterparts (see table 3.10). Women were also more likely than men to be serving their first prison sentence and less likely to have been imprisoned prior to their current sentence (see table 3.11), suggesting that women offend less frequently or severely (Rich, 2000). Of the women who had previously been imprisoned, 90 percent had served a total of less than 12 months, compared with 67 percent of males, while those who had served more than 7 years totaled 1 percent for females and 5 percent for males (Rich, 2000, p25).

Table 3.10 Comparison of prior offending history of male and female inmates in 1999 as a percentage

Prior offending	Female	Male
No previous record	25	17
At least 6 convictions	43	52
More than 20 convictions	3	10

(Percentages from Rich, 2000, p21)

Table 3.11 Comparison of prison history of male and female inmates in 1999 as a percentage

Prison History	Female	Male
No prior imprisonment	58	39
2 or more previous prison terms	22	47

(Percentages from Rich, 2000, p24)

Medication

Compared with male inmates, a high proportion of women receive some type of medication for either physical or mental illness, with more than three times the proportion of female inmates receiving psychiatric medication.

At the time of the 1995 census, 78 percent of women were receiving medication for either physical or mental illness. In comparison, 27 percent of men were receiving medication while in prison. By the time of the 1997 census, for sentenced inmates where information about medication was known 65 percent of female inmates compared with 21 percent of males were receiving medication for a general illness, psychiatric problems, or both. Of these, 21 percent of female inmates and 4 percent of males were receiving medication for psychiatric problems (Lash, 1998). Although the 1999 census showed an overall drop in the numbers of inmates receiving medication, the proportion of women inmates on medication compared to men remained high, with twice the proportion of females receiving some type of medication (47% compared with 23 %), and three times the proportion of females to males on psychiatric medication (19% compared to 6%) (Rich, 2000, pp29-30).

Programme usage

Over 75 percent of women prisoners recorded in the 1995 census were enrolled in one or more programmes in prison. Most popular programmes were leisure and recreational skills, personal or social skills, substance abuse and vocational or educational courses (Lash, 1996).

At the time of the 1997 census, the numbers of females enrolled in programmes had increased to 80 percent. The most popular programmes were personal/social development, leisure/recreational skills, substance abuse, anger management, cultural, vocational and educational programmes (Lash, 1998).

However, in 1999 at the time of the census, the percentage of women inmates enrolled in programmes had fallen significantly to 53 percent. This reduction may in part be due to a decrease in the number and availability of programmes, in part to a greater emphasis on inmate employment and in part to the proportion of women eligible to attend. Short-serving inmates are less likely to be eligible for programmes. The most popular programmes remained those that provided for leisure/recreational skills (24%), personal development (23%), substance abuse (17%) and Te Reo Maori or Pacific language (17%). Inmates could be enrolled in more than one programme (Rich, 2000, p33).

Britain

The background of women in prison in Britain, as for those in New Zealand, is characterised by abuse, misuse, poor educational achievement, psychological distress, self-harm and poverty.

The majority of women in prison in Scotland are mothers and unlikely to be working outside the home prior to incarceration. Over three-quarters (80 percent) of women were unemployed at the time of their imprisonment. Approximately 70 percent of women in prison have at least one child although only about two-thirds of these women had current custody of their children. While 87 percent of Scottish children of imprisoned fathers were cared for by their mothers while their fathers were in prison, only 17 percent of the children of imprisoned mothers were cared for by their fathers. The rest were cared for by other family members, friends or were in care. (SWSPI, 1998).

Of the 61 percent of the women in Holloway who are mothers, 70 percent are sole parents. In 10 percent of the cases in the 1993/94 survey, children had

been split up and were being looked after by different friends or relatives while their mothers were in prison. Eight percent were in care and 28 percent were being looked after by their father. The majority, however, were being cared for by female relatives and friends, many of whom had their own children to look after as well (Prison Reform Trust, 1996).

As in New Zealand, many women prisoners in Britain have drug and alcohol problems. Almost 90 percent of women prisoners in Scotland had used illicit drugs, while about 50 percent considered drug use to be a problem. Heroin appeared to be the main drug of choice, although women also used temazepam and/or cannabis on a daily basis. Most female prisoners had used alcohol although alcohol misuse was less prevalent than addiction to drugs. About a third of female offenders said they drank regularly and an estimated 10 to 15 percent were addicted to alcohol (SWSPI, 1998).

Well over a third of the women in prison in Scotland (38 percent) had attempted suicide at some stage, usually outside of prison, and about 17 percent of Scottish female prisoners had also deliberately injured themselves. This compares with 25 percent of female prisoners in England and Wales who have attempted suicide or injured themselves prior to imprisonment. It is likely that a comparable number of women in prison in New Zealand have attempted suicide or to deliberately harm themselves at some stage in their lives.

Women offenders are sometimes crudely classified as either 'mad' or 'bad'. An estimated 56 percent of women in prison in Britain in 1991 had mental health problems such as social, psychological and emotional problems. A quarter of the women in the 1993/94 Holloway survey had attempted suicide or tried to harm themselves in the past (Prison Reform Trust, 1996). In Scotland, 34 percent of women prisoners had been seen by a psychiatrist, and 38 percent had received psychological treatment. Almost half the women in prison had been classified with depression (46 percent) and 67 percent had high levels of anxiety. Female prisoners also were more likely to be on anti-depressants and sedatives than men (SWSPI, 1998). These figures can be compared with those

obtained in the 1997 New Zealand census of people in prison which recorded that 65 percent of female inmates were receiving medication for a general illness, psychiatric problems, or both, and, of these, 21 percent of female inmates were receiving medication for psychiatric problems (Lash, 1998).

The vast majority of female prisoners in Scotland (82 percent) had experienced some form of abuse. Emotional abuse was the most common, being experienced by 71 percent of women, followed by physical abuse (60 percent) and sexual abuse (47 percent). Emotional and physical abuse occurred daily for many women during adulthood and from a partner. Sexual abuse was most common during childhood, most often occurring on a daily or weekly basis and involving fathers, male relatives or guardians (SWSPI, 1998). A quarter of the women in Holloway in the 1993/94 survey reported being victims of abuse (Prison Reform Trust, 1996).

There are striking similarities in the profiles of women offenders in prison in New Zealand, and Britain. Most are generally poorly educated, living in poverty and have bleak employment prospects. Many are mothers although not all have custody of their children prior to going to prison. A significant number are victims of abuse (emotional, physical or sexual), and many misuse drugs. Many have also attempted suicide or tried to harm themselves. A high percentage suffer from emotional or psychological problems and are on medication to alleviate depression and anxiety. The majority of women in prison are serving sentences for non-violent offences. It is arguable that the needs of these women would be better served by community-based sentences.

Conclusion

The number of serious crimes is increasing, including those involving serious violence. Longer sentences are being imposed, thus contributing to the increase in prison numbers. Women are being imprisoned for more serious offences, including serious violent offences. As a result there are now more women in prison serving comparatively lengthy sentences. However, the majority of women in prison are serving sentences for non-violent offences and

a significant number of women are serving prison sentences of less than 12 months.

The numbers of women in prison in Britain are also increasing. Most female offenders, including women in prison, are not involved in violent offences and do not pose a grave danger to the public. The majority of women in the British criminal justice system are minor offenders who primarily receive fines, although in the last ten years there has been a marked decrease in the use of fines as a sentence. Many of the women in prison are either awaiting conviction or sentence or are fines defaulters. The offences for which they are in prison are mostly dishonesty or minor offences and they will serve very short sentences or periods on remand. Again, these women do not constitute a substantial risk to the community.

There are also striking similarities in the profiles of women offenders in prison in New Zealand, Britain. Most are generally poorly educated, living in poverty and have bleak employment prospects. Many are mothers although not all have custody of their children prior to going to prison. A significant number are victims of abuse (emotional, physical or sexual), and many misuse drugs. Many have also attempted suicide or tried to harm themselves. A high percentage suffer from emotional or psychological problems and are on medication to alleviate depression and anxiety.

Despite the increase in women prisoners in New Zealand, there has also been an increase in male prisoners. Consequently, male prisoners continue to be a focus of policy development and implementation and women prisoners' issues go unaddressed. However, we should be careful not to assume that women's needs would be addressed if the population of male prisoners hadn't risen.

Chapter 4 TARGETING NEEDS

Implications for Women Offenders

Introduction

The public's expectation of imprisonment is not only that it will be made safe but that during the sentence efforts will be made to "rehabilitate" offenders so that when they are released they will be able to be reintegrated into society... Part of this duty must be to address during the prisoners' sentence (and sometimes after it as well) the different and changing needs which prisoners have, and, in particular, to address those needs which seem to be related to their offending.

(Morris et al, 1995, p1).

Most countries have a process by which offenders have their needs analysed both prior to and upon their entry into prison as well as periodic reviews by way of sentence planning and management. This leads to questions about the types of interventions which might best meet these needs, and the provision and monitoring of these interventions to ascertain how effective they are in successfully meeting these needs.

There are a number of reasons for focusing on women. Although male and female offenders have similar needs in some respects, women are also likely to have different needs. Chapter 3 highlighted, for example, that women are more likely to have needs in respect of child-care responsibilities, mental health and abuse histories. In addition, women prisoners are also more likely to be mothers with very low incomes.

Further, the number of women offenders involved in the criminal justice system is growing, yet few services and programmes are geared specifically to meet their needs. Little is known about what services and programmes are available

specifically for women or about the criteria or elements that make programmes effective for women offenders.

In order to design and provide effective interventions which match female offenders' needs, it is important to consider their demographics and history as well as how various life factors impact on their patterns of offending (Bloom, 1999, p22). However, it is also important to ensure that we are clear what it is that we are referring to when we talk about the 'needs' of female offenders.

In considering the characteristics of female offending, a minority of female offenders are likely to have committed violent offences, and many of the women imprisoned for violence have committed their crimes against a husband or partner. The person they assaulted or killed will often have also physically or sexually abused them. Women are more likely to be convicted of crimes involving drugs or property. Often these offences are economically driven, motivated by poverty, unemployment, or the abuse of drugs and alcohol. Some women actively engage in illegal activities, such as prostitution, drug dealing or burglary, in order to support themselves and their children. (Lash, 1996, 1998; Rich 2000; Pouwhare, 1999).

Most women offenders are also poor, undereducated, unskilled, and a high percentage are likely to be Maori. This trend is also apparent in the United States of America and the United Kingdom where a high proportion of women offenders are also from ethnic minorities. A high percentage are also likely to have been victimised or abused (sexually and/or physically) by family members, partners and close relatives.

Most female offenders are non-violent and pose little or no threat to the community. Their experiences of abuse, poverty and substance abuse are the most common causes of their offending. Criminal involvement also often occurs through relationships with criminal partners, family members, significant others or friends. A significant percentage of women in prison are serving sentences of less than 12 months. These women are less likely to be to be

offered interventions as it is considered that these sentences are too short for meaningful programmes to be completed. This has significant implications for interventions that address the impact of relationships on women's current and future behaviour (Bloom 1999).

Arguably, women offenders have the greatest needs for comprehensive treatment for substance abuse, sexual and physical abuse, education and training in employment and parenting skills. This chapter examines the concept of 'need', its application to female offenders and the implications for interventions to address offending.

The Concept of Need

Definition of Need

Need is a controversial concept. It is the subject of dispute in debates about how resources should be allocated in the provision of public services; how governments should decide between competing claims on the welfare state. However, the controversy goes deeper than this, ultimately reflecting deep-seated disputes about the desirable scale and scope of public welfare services and, underpinning such disputes, conflicts of viewpoint on the nature of human society. Discussion of need is inherently normative... This makes need a contested notion.

(Sanderson, 1996, p11)

The Oxford Dictionary broadly defines need as a 'want' or a 'requirement'. When discussing need in the context of the criminal justice system, we should be mindful of whose 'wants' and 'requirements' we are identifying. Not only the offender but also the community has needs that warrant addressing. For example, the offender may have needs relating to substance abuse or physical abuse which require an intervention if he/she is to reduce the chances of re-offending; the public also has a need to live in a community free from criminal activity. Therefore, in identifying need in this context, we must also identify whose needs we are identifying, as this will have implications for the way in which these needs will be met.

Further, 'need' has a particular meaning in relation to prison population as prisoners are a captive audience, not a voluntary group of people. Decisions are made on their behalf, and they are less likely than other groups to have input into defining their own needs. This applies to women prisoners in particular, as they are managed according to prison policy that has been developed mainly by and for men.

Relating Needs to Offending and Imprisonment

Criminogenic needs are dynamic attributes of offenders and their circumstances that, when changed, are associated with changes in the chances of recidivism.

(Andrews et al, 1990, p19).

Criminogenic needs are features of an offender's personality, lifestyle and social circumstances which have been directly linked to their offending as well as their risk of re-offending. These are the factors which, if not addressed by interventions, contribute to recidivism. Examples of criminogenic needs include the use of alcohol and drugs while committing offences, propensity for violence and friends or associates who encourage or are involved in criminal offending. For women, male partners who are involved in criminal offending often have a large influence on the women becoming involved in crime, in that they participate through a sense of obligation to or fear of the men.

Non-criminogenic needs include such things as anxiety, self-esteem, poverty and cultural factors which may contribute to the perception of criminogenic needs and the matching of offenders to interventions. While these needs may not contribute directly to offending, nevertheless it is still important to address them if individuals are to reduce their re-offending. For example, although not everyone who is poor commits offences, a majority of women in prison in 1999 (85%) were either unemployed or in receipt of a welfare benefit prior to imprisonment, and many of these women committed crimes in order to supplement their incomes. It is arguable that many of these women would not have been imprisoned if they had been in receipt of an adequate living income.

There are both similarities and differences between men and women when it comes to offending and recidivism as well as reintegration back into the community. These are discussed further.

Many of the constant factors that predict offending and recidivism are similar in both male and female offenders. Predictors include: younger age at first admission to prison, younger age at first conviction, history of committing theft offences, previous drug conviction, history of violence towards institution staff (including social welfare institution as well as prison staff), previous imprisonment, previous breach or recall from parole, previous escape history, longer aggregated sentence length, prior convictions for violence or burglary offences, history of repeated and serious anti-social acts, and leaving school before age 16 (Moth et al, undated, p22).

However, there are also factors that appear to apply only to female offenders. These include: history of physical abuse as an adult, history of sexual abuse, history of self injury, history of psychiatric hospitalization, history of biological or psychological abnormality, prior suicide attempts and a history of early childhood disrupted by fostering, adoption or institutionalization. Women offenders are more likely to have sole responsibility for children and are more amenable to rehabilitation (Moth et al, undated; Steffensmeir and Allan, 1998; Loucks and Zamble, 1994).

The following factors were also identified to be related to recidivism in women: being responsible for children primarily as a single parent, financial problems, limited employment skills and opportunities, current clinical depression and drug use, the absence of a stable relationship, and other factors which included low self-esteem, low mood, use of medication, difficulty managing childcare, and an absence of pro-social activity. Female offenders also have numerous deficits in such areas as education/employment skills, marital/family relationships, associates, and personal and emotional areas. Also, the more

serious a women's offending, the more serious her needs are likely to be (Moth et al, undated; Morris et al, 1995).

Women's needs on imprisonment include

"a need for information and support at the point of sentence and imprisonment, problems of drug abuse, alcohol abuse, physical and/or sexual abuse and/or self harm, the need for information on protecting accommodation and/or belongings, their financial situation and employment"

(Morris et al, 1995, p5).

Women in prison experience a range of concerns and related needs, especially during the early days of their sentence. If these needs are ignored or unmet, women find serving their sentence more difficult. These needs include a need to know

"how their children and families were coping without them, whether or not their child-care arrangements were working out satisfactorily, whether or not their property was safe, whether or not the rent was being paid, how they would cope with imprisonment, what lay ahead for them and so on"

(Morris et al, 1995, p7).

While keeping in touch with families, children and friends is important for all inmates, it may be of greater importance for women, partly because they are more likely than male inmates to be single parents, have child-care responsibilities and have therefore to make arrangements for child-care while they are in prison, and partly because female inmates are more likely to be imprisoned far from their homes and are not able to receive regular visits from their children and families. If these practical needs are not easily addressed, there is a suggestion that they will become barriers to women addressing the key factors that relate to their offending behaviours.

Compared to male offenders, women are less likely to commit or instigate serious crimes or to lead gangs, but are more likely to act as accomplices to males who organize and lead the execution of criminal offences. Also women are more likely than men to be motivated by relationships and to require a

higher level of provocation before committing a crime. This suggests differences in the factors underlying offending (Steffensmeir and Allan, 1998).

Four major and often interrelated areas that are characteristic of most women offenders are abuse/trauma issues, lack of education and employment skills, substance abuse and parenting. While there is no direct correlation between abuse issues and women's offending, surveys of Canadian women sentenced to more than two years imprisonment indicated that the majority are survivors of physical and/or sexual abuse in either their families or with partners. Canada has subsequently developed a programme for women inmates specifically to address trauma and abuse issues (Correctional Services of Canada, 1999).

The Canadian surveys also showed women were also more likely to have a different range and type of problems related to substance abuse than men. These included eating disorders, depression, and a history of abuse (Correctional Services of Canada, 1999).

Similar themes are also common to New Zealand women offenders. Predictors of women's re-offending include: being a sole parent, being a victim of physical abuse as an adult, having a history of self harm and having served a prison sentence (Maynard, 1998, pii).

Women have a different range and types of problems from men, which contribute to their criminal behaviour. Environmental, situational, political, cultural and social factors, as well as physiological and psychological factors experienced by women differ from those experienced by men.

In most instances, women's criminal behaviour is largely associated with their backgrounds and life circumstances. Common issues for women include dependency, poverty, low self-esteem, poor achievements in education and employment, foster care placement, suicide attempts, self-injury, substance abuse, and sexual, physical or emotional abuse. This has implications for the types of programmes and interventions that should be available for women.

Effective interventions for women should adopt a holistic approach and be multi-dimensional, rather than have discrete and exclusive areas of specialization. While there may be no statistical link between surviving violence, abuse or trauma and criminal behaviour, the impact of this type of victimization is severe enough to affect many areas of a person's life, and links to offending behaviour cannot be ruled out, particularly given the high incidence of abuse suffered by women offenders (see Chapter 3).

What, then, are the implications of the specific needs attributed to female offenders for effective interventions for women?

Addressing Needs

Rehabilitation

The essence of rehabilitation is that punishments should fit the criminal not the crime – or perhaps it would be more accurate to say that treatment should fit the criminal ... From this fundamental principle three major themes emerge ... First, rehabilitation requires that professional judgements have to be made at certain key points in the rehabilitation process ... judgements will center (sic) around basic questions of who is to be rehabilitated, who does the rehabilitation and what methods are to be used. It also raises the important question about whether rehabilitation can ever be regarded as complete.

(Bean, 1976, p16).

Rehabilitation activities are those activities directed to reducing the risk of re-offending by addressing the identified needs which contribute to that offending (the criminogenic needs). Activities directed towards addressing these needs include intensive programmes and interventions such as counselling and therapy, and rely on an offender's motivation, attitude, awareness and ability to address their identified needs, if they are to be effective.

There is a paucity of information specifically on what is effective for women offenders, as most research has concentrated on either the overall offending population or the adult male majority. This is unfortunate when one considers

the increasing occurrence of female crime, the rising numbers of women sentenced to prison, the role of women as parents, and the potential consequences of intergenerational offending.

Debates over 'what works' in corrective interventions, or indeed whether anything works at all, have been prevalent since 1974. In general 'works' is taken to mean that a reduction in recidivism occurs after an intervention has been completed (McLaren, 1992). Research to date (Andrews and Bonta, 1998; Gendreau, 1996; Andrews et al, 1990) suggests that risk/need assessment tools assist in identifying the level of risk and needs of offenders and in developing an effective sentence management plan, including access to interventions for each individual. However, it must be noted that most of this research has occurred with male offenders and reflects identified male needs. Therefore the application of current risk/need assessment tools to women must be treated with caution.

Nevertheless, a thorough and comprehensive assessment process is fundamental to promoting successful rehabilitation and re-integration into the community. Early identification of needs will allow women to begin to address and work through the issues that underpinned and led to their offending and subsequent imprisonment.

In the last decade, three main principles of assessment classification for rehabilitation have emerged, based on the psychology of criminal conduct and the work of the Canadians, Andrews and Bonta (1998), and Gendreau (1996). These principles of classification, known as the principles of 'risk', 'need' and 'responsivity', describe how particular types of offenders may be linked with particular interventions so that the effectiveness of the intervention is enhanced and leads to reductions in recidivism.

Risk of recidivism, criminogenic need and the responsivity of offenders to different service options are the characteristics of offenders that may determine level, targets and type of rehabilitation effort.

(Andrews et al, 1990, pp19-20).

Integrated Offender Management, currently being introduced as a best-practice model by the New Zealand Department of Corrections, is based on the principles of the psychology of criminal conduct and the interrelated concepts of risk, need and responsivity. This will have huge implications for the way in which offenders are assessed and managed throughout their sentences.

Essentially, the risk principle is concerned with identifying those offenders who should receive the most effective interventions. This principle states that the amount of intervention an offender receives must be matched to his/her risk level to offend. Therefore the highest or most intense levels of intervention and supervision should be reserved for higher risk offenders, and minimal levels for lower risk offenders (Andrews et al, 1990; Andrews and Bonta, 1998).

The need principle is concerned with the targets for change, or criminogenic needs, which are identified within a treatment programme. Targeting these needs is more likely to lead to reductions in recidivism than targeting non-criminogenic needs. Therefore the need principle states that criminogenic needs of offenders must be identified and targeted if the primary goal of intervention is to reduce re-offending (Dowden and Andrews, 1999).

The responsivity principle is directly concerned with the characteristics of programme delivery and states that the styles and modes of delivery used within a treatment programme should be matched to the learning styles of offenders. General responsivity states that the most effective types of interventions are based on cognitive-behavioural and social-learning approaches. Specific responsivity focuses on offender characteristics such as interpersonal sensitivity and anxiety, and verbal intelligence. However, analysis and evidence, which has examined the effectiveness of general responsivity, suggests that the most effective interventions are those that use concrete social learning and behavioural strategies (Dowden and Andrews, 1999).

Analysis of the current research by Dowden and Andrews indicates that the principles of risk, need and responsivity are important contributors to the outcome of treatment for female offenders, given that a thorough and comprehensive assessment process is fundamental to identifying the key factors to be addressed in order to facilitate successful rehabilitation and re-integration into the community. However, their analysis has not focused on whether the criminogenic needs of female offenders are the same as or different from those of the general offender population. Further, although Dowden and Andrews explored the effectiveness of the risk, needs and responsivity principles for female offender populations, they did not look at gender as a specific responsivity principle, nor did they examine whether making treatment programmes more responsive to the specific relationship-oriented learning styles of women had any impact on recidivism (Dowden and Andrews, 1999. pp 449-50). While risk, need and responsivity considerations provide reasonable guides to delivery and research in rehabilitation, further work is needed if we are to confidently apply these principles to women offenders.

This has considerable implications for women offenders in New Zealand. The psychology of criminal conduct is the theoretical model upon which the Department of Corrections has based its best practice approach to the assessment and management of offenders. Consistent with this theory is the comprehensive assessment of offenders and targeting for interventions based on the principles of risk, need and responsivity.

The Criminogenic Needs Inventory (CNI) has been developed by the Department of Corrections Psychological Service to address the limitations of using overseas risk and needs assessment instruments, and also to take into account the distinct societal differences and cultural diversity amongst the New Zealand offender population. As a partial response to addressing the over-representation of Maori in the criminal justice system, the Department has included a Maori-specific component in the CNI to address the concept of Maori culture-related needs (MaCRNS) which are specific and unique to Maori

offenders, and are characterised by culture and the place of that culture in New Zealand society (Maynard, 1999; Maynard et al, 1999).

However, the CNI and related cultural components is yet to be comprehensively tested with women. Initial application to women offenders suggests that it unlikely to capture many of the issues that are recognised to underpin women's offending (abuse issues, foster situations, financial problems, child-care problems and being a single parent among others).

Ongoing research will also be necessary to capture "cultural, gender, generation, demographic and tribal differences amongst Maori in order to more effectively identify interventions which will best be suited to the particular learning style of Maori." Until further research has been conducted into identifying the specific needs of women, indigenous populations and ethnic minority groups, it is very difficult to assess whether or not some non-criminogenic needs such as lack of self-esteem are effective targets for treatment (Maynard et al, 1999, p10).

Programmes developed by the Department of Corrections to address offending behaviours have also been developed for the majority offender population. This has already been discussed elsewhere in this thesis. However, more work is scheduled to be done in this area to align the new procedures and programmes with the needs of both women and youth. Recent programme development in Canada may well inform the continued New Zealand developmental work.

There is some indication that taking a more holistic view of female offenders in terms of their background, family, psychology, environmental and societal influences has an impact on recidivism. However, this may well apply to all offenders regardless of gender. The Correctional Service of Canada acknowledges that women have different ranges and types of problems than men and that also their life experiences differ from those of men. Canada supports a holistic approach to interventions for women offenders and has

developed specific strategies for women, including a suite of core programmes addressing living skills, literacy and continuous learning, substance abuse, and a programme for survivors of abuse and trauma. These programmes are designed to “reflect the social realities of women and respond to the individual needs of each women” (Correctional Service of Canada, 1999). They have yet to be evaluated.

Re-Integration

Programmes provided for women in prisons are usually duplicates of those developed for males. Not only does this apply to programmes which are developed to address rehabilitative needs, but also to those provided to address women’s re-integrative needs.

Re-integration relates to activities which focus on identified problems or deficits which may be obstacles to a non-offending lifestyle following release from prison. These obstacles may include lack of employment or basic living skills, accommodation and family relationship problems. However, for women additional problems include re-establishing relationships with children, performing the dual roles of parent and sole income earner, living on a lower income and coping with the negative attitudes of society towards female offenders.

Increasing linkages with community resources and improving positive influences in the social environment are key factors in successfully re-integrating women into their communities. The availability of community resources, such as suitable accommodation, employment services, education and job training opportunities, and the ability of ex-inmates to access these, have a significant impact on recidivism (Wilson and Anderson, 1997).

Many female offenders face financial problems when they are released from prison. A majority of women are either unemployed and/or in receipt of a state benefit or in low-paying, traditionally “female” jobs such as cleaning, shop work or part-time work prior to going to prison. Women who have a male

partner are dependent on him 'providing' money from his income so that they can manage the household. However, not all partners are willing or able to do this. This exacerbates the financial problems women face on release from prison, as they are not eligible to receive an income from the state if they have a partner. Further, women, who face the stigma of having been in prison, often find it difficult to gain employment on release, and those that do find work are usually employed in jobs that no-one else will take. Strong similarities exist for women offenders in the United Kingdom in that women

who re-offended (are) more likely than those who appeared not to have re-offended to report unsatisfactory accommodation, financial difficulties ... and the lack of paid employment, as well as problems with drugs and alcohol.

(Morris et al, 1995, p41).

Successful re-integration into the community can be facilitated by the acquisition of basic education and work skills. However, the quality and relevance of educational and employment training for women inmates is questionable. Morris et al (1995) report that the women in their study perceived that they had been allocated jobs in prison based on the needs of the institution rather than on providing them with an opportunity to acquire skills which might be useful to assist them gain employment on release. Work most likely to be performed within prisons includes working in the kitchens, laundry or cleaning. These types of work serve to reinforce women's "female" role and poverty rather than equip them for financial independence on release. (Morris et al, 1995). They also point out that women's employment within prisons has not become less sex-stereotyped since the nineteenth century.

Training courses provided in prison should link to those provided in the community, and women inmates should be able to transfer their attendance to the community either prior to or immediately upon release. The provision of transferable work skills, work experience and working outside the prison are ways in which women can be assisted to improve their chances of employment on release. Prisons should focus on vocational programmes which link female inmates with community based training programmes. Low-risk female

offenders could also start vocational training in the community prior to their release (Wilson and Anderson, 1997; Morris et al, 1995). However, for most women prisoners, this is likely to be impractical since they are incarcerated in other than their own region, and may not be able to continue this training on their return home.

Female offenders also are likely to have difficulty locating affordable accommodation for themselves and their families when they are released. Often women have had to give up accommodation upon entering prison, and face the additional costs of having to set up home again from the beginning. Affordable accommodation for some is likely to be sub-standard, with the women often at the mercy of unscrupulous landlords. These types of issues add to the stresses that women already face on release. Access to agencies that provide suitable and affordable accommodation prior to release would ease these types of situations for women. For some women, access to halfway housing would ease the transition from prison to the community, particularly following a lengthy sentence.

Female offenders also face additional problems and stresses in re-establishing relationships with partners, children and families upon their release. For some, their families may have been the source of their problems prior to imprisonment, and repairing family relationships can be doubly difficult if there has been little contact while the women have been in prison. For many women, these problems are exacerbated, as they are likely to have been imprisoned some considerable distance from their homes and have had little contact with their families while serving their sentences. Families often experience problems with things such as the distance and cost of travel and are not able to visit as often as necessary to maintain relationships. Generosity and flexibility in the use and frequency of phone calls and home leaves to maintain family relationships is indicated. It may also be necessary for prisons to consider providing funding to assist women inmates or their families cover the costs of travel and/or phone cards.

Conclusion

This chapter has examined the role that the concept of criminogenic need plays in the provision of services within the criminal justice system.

Women who are offenders in the criminal justice system present different circumstances and needs to their male counterparts. The profile of female offenders indicates that they are socially and economically marginalized and often victimized by family members and partners. They are also more likely than male offenders to be unemployed, in receipt of a benefit and have sole responsibility for children prior to incarceration. Compared to male offenders, female offenders also have a higher rate of mental health problems, including depression.

Common needs attributed to women offenders include poverty, abuse issues, lack of education and employment skills, substance abuse, responsibility for children, being a sole parent and having a history of self-harm. Re-integrative needs also include lack of suitable accommodation, lack of employment or basic living skills, re-establishing relationships with children, partners and families, and coping with the social stigma of having been in prison. This has implications for the types of programmes, interventions and supports that should be available for women offenders. The fact that women offenders are a small percentage of the offender population is insufficient reason to ignore their specific needs, or to assume that they are no different from the majority offender population, which is adult male.

Effective interventions for women should adopt a holistic approach and be multi-dimensional, rather than have discrete and exclusive areas of specialization. Successful interventions and programmes should relate to the social realities from which women offenders come and to which they will return. In addition, they must also be sensitive to cultural differences and expectations. To be effective, programmes and interventions must be gender-responsive, and take into account factors specific to women, including

treatment for drug abuse and trauma, as well as provide education and training in employment and parenting skills (Bloom, 1999).

Gender-responsive programmes are not 'women only' programmes that have been designed for men. They are programmes which are designed to address the unique needs and issues of women, and should be delivered in a woman-focused environment that is safe, trusting and supportive. Gender-responsive programmes should provide interventions in a manner that is holistic and constructive (Bloom, 1999). Programmes for women offenders must, therefore, reflect the complexity of women's needs. They must also be treated as a priority, not an afterthought, and provide a necessary link between the prison and the community.

Clearly the life of the female offender is embedded in a complex social reality encompassing her relationships, personal history, and the many contextual, sociological forces including her criminality. The prospects for her rehabilitation and reintegration into society cannot validly be disentangled from this context. If the complexity is ignored, the purposes of any intervention programme will be frustrated.

(Zaplin, 1998, p70).

Chapter 5 **INTERVENTIONS**

Introduction

The previous New Zealand Department of Justice considered individual offenders to be capable of change and of taking responsibility for their lives and believed the successful reintegration of offenders would lead to a reduction in re-offending and thus contribute to the protection of the public. It was considered appropriate that the Department actively encourage and assist offenders achieve successful reintegration through appropriate interventions, rather than rely on punishment and deterrence to reform offenders (*Prisons in Change*, 1988).

This view continues to be endorsed by the current Department of Corrections, and programmes to address offenders' needs are provided both by the Public Prisons and Community Probation Services while Psychological Service provides psychological counselling and treatment. The Department of Corrections is funded from government each year for the purchase of programmes for offenders. However, there are very few programmes developed specifically for women. Most have been developed for men, and the only concession for women in prison is that they are delivered to all female groups. Women serving sentences in the community are often expected to participate in groups with men, and those that do so are usually in the minority.

The Department of Corrections also aims to provide inmates with a structured day, comprising employment, rehabilitative programmes aimed at addressing the factors underlying the offending and other constructive activity such as physical activities, artwork and educational courses. Effective rehabilitation also requires reintegrating offenders back into the community by developing support networks and skills for living an offending free lifestyle. However, it is

debatable how possible it is for women serving their prison sentences away from their home areas to develop support networks in order to assist them return to their communities. It is likely that this will only occur after their release, if at all.

Employment in prison is intended to assist inmates gain work skills that will increase their chances of finding employment once they are released. Inmate employment opportunities for women include herb growing for export, commercial laundry services, clothing and packing operations as well as cleaning, gardening, kitchen and prison maintenance. It is unlikely that many women will obtain employment on release that will enable them to earn more than benefit-threshold wages if they are unable to develop skills beyond those required for domestic duties. Even if women do find employment in these industries on release, domestic work, such as laundry and cleaning, are all low paid jobs that usually don't pay a living wage.

This chapter examines the numbers and types of programmes that are offered to offenders both in prisons and serving sentences in the community. These programme numbers and types were obtained from surveys conducted by the Public Prisons and Community Probation services in late 1999. Few of these programmes have been developed and delivered specifically for female offenders.

Finally, this chapter briefly discusses the Department of Correction's new Integrated Offender Management project, which includes the development of targeted programmes to reduce re-offending. Integrated Offender management has considerable implications for the delivery of services to women.

Programmes in Prisons

By 1988, education officers and chaplains were available in all prisons, and psychological services or private consultants were available to provide treatment services. However, as Psychological Service's coverage of the central North Island prisons was limited, inmates requiring ongoing

psychological treatment were transferred to the main centres in order to participate in treatment programmes. Male inmates were also offered a variety of work including farming, forestry, carpentry, joinery, metalworking, tailoring, printing, motor mechanics, gardening and various domestic chores (*Prisons in Change*, 1988), most of which pay a living wage in the community. Women's employment was much more limited in scope.

By 1988, Christchurch and Arohata Women's Prisons provided a limited range of programmes. Education officers as well as part-time psychologists and chaplains provided these, and a psychiatrist was available on request. To some extent most female inmates were involved in education and training programmes. In contrast, Mount Eden Women's Division provided little by way of programmes on account of relatively small numbers of sentenced inmates. Remand inmates were not required to work, nor were they eligible to attend programmes. Those programmes that were available centred around church groups. There were also few leisure activities available for women inmates at Mount Eden, this situation being exacerbated by a lack of recreational facilities. Educational opportunities were also limited on account of lack of suitable space. Specialist services were available on request and were shared with the men's prison. These consisted of a psychologist, education officer, chaplain and psychiatrist. Work opportunities in all female prisons tended to be domestic in nature (sewing, laundry, gardening), although selected inmates at Arohata were able to work in the community (*Prisons in Change*, 1988).

In contrast to their male counterparts, female inmates had limited access to services and specialist treatment. Mostly this was justified by prison authorities because of their low numbers and inadequate facilities. Work opportunities were mainly limited to domestic duties, reinforcing the role of women in society. Although the prison census of 1987 revealed that the majority of women inmates had no formal educational qualifications and were unemployed or in receipt of a social welfare benefit as a main source of income, the

education and work opportunities offered in prison did nothing to assist these women attain a better living standard on their release.

The last three censuses of prison inmates revealed that similar programmes were offered in both male and female prisons. These were predominantly for educational or recreational pursuits, personal and social development, and substance abuse or anger management. Table 5.1 compares the numbers and percentages of female inmates enrolled in programmes in 1995, 1997 and 1999.

Table 5.1 Female sentenced inmates enrolled in programmes as at November 1995, November 1997 and November 1999.

Programmes ⁶	Number and Percentage of enrolled				inmates	
	1995		1997		1999	
	No	%	No.	%	No.	%
Primary or secondary school subjects	33	22.1	43	21.0	17	8.3
Literacy courses	11	7.4	6	2.9	11	5.3
Vocational training	35	23.5	39	19.0	23	11.1
Anger management	23	15.4	51	24.9	11	5.3
Substance abuse help	43	28.9	53	25.9	34	16.5
Te Reo Maori/ Pacific Island language	18	12.1	18	8.8	34	16.5
Cultural programmes	26	17.4	48	23.4	1	0.4
Personal/Social development	49	32.9	133	64.9	48	23.3
Leisure/Recreational skills	78	52.3	72	35.1	50	24.3

(Adapted from Lash, 1996 and 1998; Rich 2000).

There was a significant increase in the numbers of female inmates enrolled in anger management, cultural and personal and social development courses between 1995 and 1997. However, this decreased markedly in 1999. While there was a decrease in enrollments for literacy courses between 1995 and 1997, there was an increase in 1999. Although most other courses showed an increase in enrollments between 1995 and 1997, there was a noticeable decrease in enrollments in 1999. This may be attributable to programmes not being available to inmates serving short sentences.

⁶ Inmates could be enrolled in more than one programme

There was a significant decrease in numbers and percentage of total male inmates enrolled in vocational training, personal and social development and leisure and recreational skills programmes over the two years 1995 to 1997, but an increase in numbers for all programmes in 1999. This is in direct contrast to the trend shown for female inmates. The majority of female inmates were enrolled in programmes for personal and social development and leisure and recreational skills, while male inmates tended to be more evenly spread over a range of programmes (Lash, 1996, 1998; Rich, 2000).

A stock take of programmes available to inmates in New Zealand was conducted in November 1999 for the Public Prisons Integrated Offender Management project team. This survey revealed that the majority of programmes address education or training needs, leisure and recreational needs and Te Reo Maori and Pacific Island language and culture. As well, programmes for anger management and substance abuse are offered at most prisons as well as psychological treatment and counselling

A list of programmes currently being delivered in New Zealand prisons is attached as Appendix 2. Although this list was compiled as a result of the 1999 survey, it is not known how accurate or complete it is. The names of the providers have not been included. The programmes in the list make up three groups of programme types: rehabilitative; reintegrative; and provision of constructive activity. Straight Thinking⁷ is also being delivered at most prisons, and Rimutaka Prison is implementing criminogenic programmes⁸.

Of all the prisons, Auckland Prison seems to offer the most comprehensive range of programmes. Programmes for women appear more limited, especially

⁷ A 70-hour cognitive skills/ problem solving based programme designed to address and change criminal thinking and behaviour. This programme is delivered to groups of offenders by specially trained probation and corrections officers. Parts have been rewritten to ensure suitability for women.

⁸ 100-hour intensive programmes to address key factors relating to offending. Introduced as part of Integrated Offender Management implementation. Currently also run by Community Probation in Manakau, Wellington and Christchurch. Have cultural components for Maori, but have yet to be revised for women.

those offered at Arohata and Mt Eden Women's Prisons. Christchurch Women's prison appears to be the only women's prison to offer programmes designed specifically for women (Mana Wahine, Women and Grief).

These programmes are unlikely to change in the near future. However, the implementation of Integrated Offender Management may mean substantial changes to the types of programme and programme delivery available in prisons. Integrated Offender Management will most affect the rehabilitative and reintegrative programmes. Those that provide constructive activity are likely to remain unchanged.

Programmes in the Community

The Community Probation Service provides very few programmes in-house. At present, Straight Thinking is the only programme consistently run in-house. The Community Probation service is also currently implementing criminogenic programmes, which are also run in-house.

Most of the programmes sourced by Community Probation are purchased from community groups and organisations, and are funded from two distinct funds: Community Programme and Maatua Whaangai funds. The community programme funding is used to purchase programmes for all offenders, while the Maatua Whaangai funds are targeted to programmes specifically for Maori offenders. Programmes purchased or provided by Community Probation Service address rehabilitative and reintegrative needs. Constructive activity is addressed through the sentences of community service and periodic detention.

Programmes most frequently purchased by Community Probation in the 1999/2000 financial year were anger management (90), alcohol and drug (77), cultural (51), parenting skills (46) and social skills (25). Of the total programmes (361) purchased from the 171 groups or individuals contracted, only 4 groups offering a total of 7 programmes were specifically identified as

being for women only. This implies an assumption on the part of the majority of providers that the services and programmes they provide are equally suitable for men and women. To date, other than an audit for cultural responsiveness, there has been an absence of any formal audit or formative evaluation in respect of programmes and services purchased by Community Probation.

The programmes purchased in each Community Probation area by the Community Programme and Maatua Whaangai funds for the 1999/2000 financial year are attached as Appendix 3. The names of the providers have not been included. As with the programmes provided by Public Prisons, the types of programmes currently purchased by Community Probation are likely to be affected with the implementation of Integrated Offender Management.

As well as the difficulties women offenders face with the limited availability of suitable programmes in the community, further difficulties exist if the women have dependent children. Women with children are often restricted to programmes that will accept children and/or meet during the day and during school hours. While there are few programmes that cater specifically for women, there are even fewer that cater for women with children. As a consequence, difficulties arise in enforcing special conditions of community-based sentences and orders for women, particularly those pertaining to attendance for alcohol and drug treatment, either residential or non-residential. (P&SD, Internal Memorandum, April 1998). Therefore the ability of the Community Probation Service to be as flexible as possible in enabling offenders to meet their special conditions of sentence is an important factor in facilitating sentence compliance. This includes recognising and supporting women's parental responsibilities and ensuring access to childcare if necessary.

Integrated Offender Management

Integrated Offender Management is a coordinated, consistent and effective way of managing offenders across all Corrections services - Prisons, Community Probation and Psychological- aimed at ensuring sentence compliance with the

goal of significantly reducing reoffending. To do this, it ensures programmes and services are targeted to factors directly related to offending (criminogenic needs) for offenders most at risk of reoffending. The impetus for this approach came from two reports completed in the 1980s: the Casey Report (1981) and the Roper report (1989). Both documents advocated for a consistent, integrated approach for dealing with offenders.

For each offender there will be an assessment process to determine risk of reoffending and criminogenic needs. Sentence plans will be developed with a focus on needs-based intervention. There will be more involvement of probation officers in the selection, delivery and monitoring of programmes for offenders. For Community Probation, this will have the greatest impact on the management of the sentence of supervision as well as parole orders and home detention.

Integrated Offender Management (IOM) has developed a suite of lengthy, intensive programmes designed to address offenders' criminogenic needs. These programmes supplement Straight Thinking. The IOM programmes address the following needs: substance abuse; driving offender treatment (drink, disqualified and dangerous driving); violent offending; and sexual offending. There are also specialist Tikanga Maori programmes. As well, there is a generic programme for use in small areas or where numbers are insufficient for a specific programme. Offenders assessed as having a high risk of reoffending will be eligible for these programmes. There are issues about the suitability of these programmes in their current form for women. These are discussed below. IOM has also developed a short intervention that can be delivered by probation or corrections officers either on a one-to-one basis or in small groups. For Community Probation, this short intervention is likely to be the most flexible for delivery to women.

The Integrated Offender Management processes and key tools have been developed utilising research, best practice and New Zealand data on the offender population. The offender population, however, is predominantly adult

male, and therefore any specific needs of women and youth (including young women) have neither been considered nor incorporated into its design (Internal paper, April 2000). Further, there has been minimal or no testing of the IOM processes on women or youth, nor have any of the evaluations completed to December 2000 specifically sought feedback about how they apply for these groups.

Similarly, Integrated Offender Management interventions and programmes have been developed for the predominantly adult male offender population with an initial assumption that these would be applicable to other offender subgroups. It has been assumed that the collection of interventions will meet all the criminogenic needs of the offender population and no gender specific programmes have been developed to date (May 2001). Research and Canadian experiences indicate that gender specific programmes are appropriate and should therefore be included (Internal paper, April 2000; Correctional Services of Canada). It is significant that Canada, which supports a holistic approach to correctional programming for women, has adopted specific strategies for women. One of the Canadian interventions specifically developed for women is a survivors of abuse/trauma programme. It is considered preferable for women with these issues to complete this programme first, as only then will they start to take responsibility for their offending.

The implementation of Straight Thinking is providing the Department of Corrections with valuable learning, especially for women. Straight Thinking underwent a major re-write prior to it being introduced for women to better align the content to women. Facilitators involved with running the programme for women report that as the course encourages personal disclosure, issues around sexual abuse and violence often come up (Internal paper, April 2000). Therefore it may be best to run programmes specifically for women and facilitated by women. This is also likely to be the case for the IOM programmes.

Conclusion

The New Zealand Department of Corrections believes that the successful reintegration of offenders will lead to a reduction in re-offending and thus contribute to the protection of the public. Programmes to address offenders' needs are provided both by the Public Prisons and Community Probation Services. Psychological counselling and treatment is mostly provided by the Department's Psychological Service.

Programmes delivered within New Zealand prisons make up three groups of programme types: rehabilitative; reintegrative; and provision of constructive activity. Programmes delivered by or for the Community Probation Service are of two types: rehabilitation and re-integration. However, the implementation of Integrated Offender Management in 2001 may mean substantial changes to the types of programme and programme delivery available both in prisons and the community. Integrated Offender Management will most affect the rehabilitative and reintegrative programmes. Those that provide constructive activity are likely to remain unchanged.

Further, there are currently no programmes with specific strategies to address the issues underpinning women's offending, particularly those relating to abuse. It has been assumed that the collection of interventions will meet all the criminogenic needs of the offender population and as yet no gender specific programmes have been developed.

Chapter 6 **METHODOLOGY**

The task of social research is to provide as precise, reliable and generalisable factual information as possible about the state of society or parts of society at any given point in time, or over any particular period. Almost invariably, sociological research occurs in some sort of political context, ranging from the

“micropolitics of interpersonal relationships, through the politics of research units, institutions and universities, to those of government departments and finally to the state. All these contexts vitally determine the design, implementation and outcome of sociological research”

(Bell and Newby, 1976, p10).

This thesis is designed around a feminist value base. It uses qualitative methodology, by way of interviews with key people from within and outside the Department of Corrections, as well as with women offenders who have recently served a term of imprisonment and are currently serving either parole or a sentence of supervision in the community. As well, an extensive research of the literature from overseas as well as New Zealand was undertaken. Material was accessed through the Massey University Library, the Department of Corrections Information Centre, library interloan services, as well as the Internet. Quantitative analysis is used in the analysis of census data for New Zealand and Britain. This chapter discusses the philosophical basis of the research and chosen methodology, the research design, and the ethical issues that needed to be considered.

Philosophical Basis

Feminist research

Feminist research sees gender as central to women's perceptions and lives and the distribution of power and social privilege. It is premised on the oppression of women and is committed to changing it. Feminist research should be for

women in order to improve their daily lives (Duelli-Klein, 1983) and moves beyond simply doing research 'on' women to doing research 'for' women. Research for women takes women's needs, interests and experiences into account and aims to be instrumental in improving women's lives in one way or another (Duelli-Klein, 1983). This thesis aims to contribute towards improving the lives of women offenders in the criminal justice system, by highlighting the unique needs of women offenders and recommending how these may be better addressed.

Feminist research developed from the recognition of the importance of addressing the absence of a social science focus on women and issues of concern for women, and the predominant focus of research on men and men's issues. Social science has often assumed a single society in which male experience has been assumed to be the norm and then generalised to include women. Justice systems have traditionally made the same assumptions in the treatment of offenders, and New Zealand has been no different. Facilities and interventions have been designed and implemented for the majority offender population (adult male) and women have been 'added on' (but with assumptions about women's 'differences').

Today, research recognising feminist principles is acknowledged for its value in addressing the perpetuation of gender inequity by social enquiry, policy and practice. It is also notable for contributing to critical analysis of existing social frameworks. Increasingly, feminist research makes the distinction that knowledge, as something that is constructed in a social and political context, should not predominantly serve the interests of any dominant social group to the exclusion of others (Smith and Noble-Spruell, 1986; Caird, 1999). These values have been applied to and incorporated into this thesis.

My approach in this research is from a feminist perspective. The primary objectives are to examine the rehabilitative and reintegrative issues that women prisoners face as distinct from their male counterparts, and to enable these issues to have greater visibility in the criminal justice system. Also I explore

the differential treatment and subservient role that women have been subjected to by the criminal justice system as regards the facilities and interventions available to them. It is intended that the recommendations from this research inform policies directed towards improving the ways in which women prisoners are treated in the criminal justice system.

The Department of Corrections Public Prisons Policy and Procedures Manual (PPM) specifies procedures for the management of women inmates. However, it is noteworthy that men have developed these policies. The recent provision of the new medium security wing at Arohata marks the first instance where women have been consulted in the development and design of facilities for women. It is interesting to see that women are also being consulted about the design and development of the new women's facility proposed for Auckland.⁹

The failure of policy developments and outcomes to consider women offenders' different needs within a predominantly male criminal justice population is still prevalent. The recent development of Integrated Offender Management processes, tools and interventions is a prime example of this. These have been briefly discussed in Chapter 5. Feminist research is instrumental in exposing how gender difference has been used to oppress women as a group and justify differential treatment in the criminal justice system.

Qualitative Analysis

Qualitative methods are particularly oriented towards an inductive approach, in which the researcher begins with specific information and observations and seeks to find general patterns without imposing pre-conceived ideas or expectations on the situation under study (Patton, 1987). Although I obviously had some ideas about women's rehabilitation and reintegration issues, given the nature of this research I considered it important to eliminate or minimise any

⁹ One of the managers interviewed for this thesis, Mary Wilson, is one of the women being consulted about the design of the new women's prison.

pre-conceived ideas that I did have and allow patterns to emerge from the research.

In considering the design of this research I had to decide what I was able to achieve without compromising the issues that women offenders face in the criminal justice system. When I first planned to undertake this research I had anticipated interviewing only women offenders to obtain their perspective of the issues facing them as they serve their sentences and move towards rehabilitation and reintegration into society. However, in order to gain different perspectives of how women's issues are addressed while they are in prison, I elected to also interview women who had managed, or were currently managing, women's prisons. This had the advantage of giving me a broad and balanced perspective of the challenge of managing women prisoners in a male dominated system.

Interviewing offers researchers access to people's ideas, thoughts, memories and opinions in their own words, rather than those of the researcher. For women, this is particularly important, as it is a way for women's ideas to be heard, rather than being ignored or having men speak for them.

Interviewing is an effective method for gaining insight into women's experiences. From a feminist perspective, interviewing enables women to talk about their realities... .. which have often been dismissed and ignored.

(Pouwhare, 1999, p15).

I interviewed three managers from the Corrections system, who have been or are involved in managing women in prisons, as well as six women who had been to prison and who had served a cumulative community based order or sentence (either parole or supervision), on release. The managers are two former women's prison managers, one who has recently completed work for the Department of Corrections with a focus on the management of women inmates and the other who had recently retired, and a senior manager at Christchurch Women's Prison. These managers have a wealth of knowledge

about the issues that face women in prison and how these are met within the prison system.

The six women I interviewed were from Hawkes Bay and the East Coast as my interest is primarily in the needs of women offenders from Hawkes Bay, my home area. These women, from necessity, serve their prison sentences away from their home areas, and specific services for women in Hawkes Bay are minimal. Hawkes Bay women who are sent to prison serve their sentences either at Arohata Prison in Wellington or Christchurch Women's Prisons. All the women I interviewed had served their sentences at Arohata Women's Prison.

I utilised a qualitative approach in the analysis of the interviews in order to ascertain the needs that were identified for women offenders and what was provided to address these needs.

Quantitative Analysis

I also utilised a quantitative approach in the analysis of key census data obtained from New Zealand as well as Britain. This data was obtained from the New Zealand Prison Census data from 1995, 1997 and 1999, as well as from British studies.

The advantage of a quantitative approach is that it measures the reactions of a large number of people to a limited set of questions, facilitating comparison and statistical aggregation of the data, thus giving a broad, generalisable set of findings. By contrast, qualitative methods produce a wealth of detailed data about a much smaller number of people. Data is more likely to be reported through direct quotations, and people's experiences are recorded without attempting to fit them into pre-determined standardised categories, as can occur with surveys, questionnaires or tests (Patton, 1987).

Smith and Nobel-Spruell (1986. p140) argue that

...while qualitative research can convey the complexities of human situations, quantitative research can provide data from which to make generalised statements.

Quantitative methods of obtaining information allow the information to be collected in such a way that it can be easily measured and tested statistically. Quantitative analysis facilitates statistical aggregation and comparison of data, thus giving a broad generalisable set of findings (Patton, 1987).

Some feminist researchers (eg Mies, 1983) reject quantitative methods as being predominantly masculine in that they consider quantitative methods do not allow women to express their experiences fully and in their own terms. However, Jayaratne and Stewart (1991) argue that although quantitative research methods have been historically associated with sexist and anti-feminist attitudes, and have thus tended to obscure women's experiences, they need not always be used in this way. Jayaratne and Stewart argue that the association of quantitative methods with a masculine focus is historical and not necessarily logical.

Quantitative methods are particularly oriented towards a deductive approach, in which the researcher starts with general, theoretical patterns and seeks to apply these to a particular hypothesis or situation. In this thesis I use quantitative methods to analyse government statistics obtained from New Zealand and overseas. In utilising this data, and highlighting the similarities in the profiles of female offender populations, I am able to show the relevance of overseas literature for New Zealand women offenders, and in particular, women inmates.

It has become increasingly accepted in feminist research circles that there is value in "the appropriate use of both qualitative and quantitative methods as feminist research tools". The emphasis is on using the appropriate methods to

best answer particular research questions in ways that are consistent with broad feminist goals and ideology (Jayaratne and Stewart, 1991)

The literature search and quantitative research for this thesis was completed prior to the qualitative research, in order to inform the questions I asked the participants. This had the advantage of providing a solid base from which to move on to the interviews.

Design

There are no rigid rules that can be provided for making data collection and methods decisions in evaluation. The art of evaluation involves creating a design and gathering information that is appropriate for a specific situation and particular policymaking context... Any given design is necessarily an interplay of resources, practicalities, methodological choices, creativity, and personal judgements by the people involved.

(Patton, 1987, p9).

I conducted extensive literature reviews in order to review and highlight information pertinent to understanding the history and background of women's imprisonment and the place of women in the criminal justice system. Historical accounts and statistical data were accessed from library searches and the Internet. The library searches were conducted through the Massey University Library and the Department of Corrections Information Centre. Both sources provided a wide range of material, which I was able to readily access, as well as accessing interloan sources for material. One of the staff at the Department of Corrections Information Centre was particularly helpful and regularly kept me informed of new sources of information as they arrived at the centre or were available from the Internet. As well I conducted my own search of the Internet and was able to access relevant material although there was limited statistical data available.

Similarities between data obtained about women offenders in New Zealand and overseas highlight the relevance of overseas literature on women offenders to

New Zealand women. It is particularly interesting to see the similarities with Canada and Britain. Canada has recently introduced new ways of assessing and intervening with offenders, which are similar to those currently being introduced by New Zealand. The lessons learned by the Canadians with regard to appropriate interventions for women offenders should be used to inform future policies for New Zealand. Some of these are discussed in chapter 5.

Information about programmes offered to New Zealand offenders and funded by the Department of Corrections was obtained by requesting access to this information from the General Managers of the Community Probation and Public Prisons Services. This information was readily available and I did not have to search for it myself. This saved significant time. To protect the privacy of service providers, I only requested the programmes and the sites where they were provided. Once I had accessed this information, I was then able to analyse the material with a focus on what was specifically offered and provided for women.

Although I was scrupulous about following ethical guidelines when accessing data and participants, it is likely that being a manager in the Community Probation Service facilitated this access and the ready assistance provided to me by my colleagues and managers, to whom I am eternally grateful.

Overseas literature supplemented New Zealand literature in analysing the differences between the key factors relating to women's and men's offending (their criminogenic needs). Discussion on the theories of rehabilitation also drew heavily on overseas literature, although the work of New Zealanders Kaye McLaren (1992, 1996) and Julie Liebrich (1991) provide enlightening comparisons, especially around the discussions on 'what works'. There appears to be a burgeoning interest in women offenders and a corresponding increase in available literature, especially overseas literature. The relevance of this overseas literature to New Zealand conditions cannot be discounted.

The basis of this research is interviews with 3 women managers as well as 6 women offenders who had been to prison and subject to a sentence of supervision or parole order on release. The three managers I interviewed have been or are currently involved with the management of women offenders in New Zealand women's prisons. As such, they are in a good position to give an overview of the situations that women prisoners' experience. The interviews gathered information about three main areas: rehabilitative programmes and interventions; reintegrative programmes; and policy for managing women prisoners.

Prior to approaching these women to see if they were willing to participate in the research, I obtained permission from the General Manager, Public Prisons Service, to approach two managers who are currently employed by the department. One of these women did not reply. The two ex-managers were approached directly. I provided all of the women managers with information about the research and copies of the questions I would be asking them prior to the interviews. (see appendices 4 and 5). Once they had agreed to be interviewed, we made arrangements to complete the interview. All interviews were conducted face-to-face. All consented for their names to be used in reporting the interviews.

Five of the women offenders I interviewed had been or were still subject to a term of parole or a sentence of supervision following a term of imprisonment. The sixth had been subject only to Home Detention. She was included as she had spent a month in prison prior to her release. The interviews with the women offenders concentrated on their identified needs, how these needs may have contributed to their offending, the offences for which these women were sentenced to imprisonment, and how, or even if, any interventions they received during their sentences met their identified needs. They were also asked what assistance or interventions would have been most appropriate for them in order to address the reasons for their offending (see appendix 6).

These women were accessed through the Department of Corrections Community Probation Service, by requesting the Area Manager Hawkes Bay/Gisborne to ask his staff to identify women offenders who met the criteria. Probation officers subsequently approached me directly and indicated that they had suitable candidates. I spoke with the probation officers, in order to ensure they were clear about the focus of the research, so that the interview participants were able to make an informed choice about whether they were willing to be interviewed. I also provided the probation officers with a letter and an information sheet about the research for the women as well as a copy of the questions I would be asking the women so that they could discuss these with them if asked. (see appendices 7 and 8). The women were advised that I would only contact them directly if they were willing to be interviewed.

The reason why potential participants were approached in the first instance by their probation officers was to maintain the anonymity of those who did not agree to participate. As researcher, I obtained access only to those women offenders who agreed to participate and to me contacting them directly. Also, as I had been a probation officer in Hastings I needed to avoid interviewing women that I had previously dealt with. Although it is 5 years since I was a probation officer, given that some of the women currently on sentences in Hawkes Bay have served sentences in the past, I requested that the women should be ones I had had no dealings with.

All potential participants were advised in the initial contact letter that they were welcome to bring a support person to the interview if they wished. They were asked to advise me of their intention to do so as we would have to ensure that the venue for the interview was able to accommodate the extra person in comfort. They were told that as the information they would be giving during the interview may be personal to them, they would need to ensure that any support person respected this and maintained confidentiality. One woman elected to have a support person present at the interview.

Prior to the interviews commencing, informed consent was obtained from all of the women interviewees (see appendix 9). All the interviews were conducted face to face and were taped after obtaining the interviewees' permission to do so. I employed a person to transcribe the tapes for me, and that person signed a confidentiality agreement. All materials were returned to me with the transcriptions.

The questions were semi-structured and were grouped in the broad areas of interest (see appendices 5 and 6). Main themes and issues were identified as far as possible and clarified, and actual quotations are used to highlight these. Interview participants were given a copy of the draft chapter where I have used their quotes or information, and given the opportunity to have any quote that they were unhappy with removed or amended. Two of the managers availed themselves of this opportunity.

All notes and transcripts will be destroyed once the thesis has been marked. If the interviewees wish, their tapes will be returned to them at the completion of this work. If not, they will be erased.

Obtaining Approval

Prior to conducting this research, it was necessary for me to obtain approval from the General Managers, Community Probation Service and Policy Development. I also needed to obtain approval from the Massey University Human Ethics Committee. The Department of Corrections, in granting employees permission to conduct research, takes into account the appropriateness of the research and the proposed dissemination and use of the information. In order to obtain approval from the Department, I had to ensure that there was no conflict of interest between my employment and my research. I was required to sign research agreements with both services of the Department, which outline the boundaries of access to participants and Departmental information.

Ethical Considerations

Ethical issues particularly arise when undertaking research with minority and disadvantaged groups, and women who have been imprisoned clearly fall into this category. Given the coercive nature of imprisonment, and the requirement for compliance with community based sentences if further court action is to be avoided, there was a possibility that the women would feel that they did not have a choice to refuse to participate in the research. Women offenders also find it difficult to overcome their suspicion of anyone seeking information about them, and being an employee with the Department of Corrections was likely to exacerbate both these perceptions. Therefore it was important that the women offenders understood from the outset that the research was not connected to their sentences, and that there would be no consequences for them if they did not wish to participate. I did that by presenting a clear description of the study and its purpose, and by being clear that participation was optional and would not lead to any advantages or privileges being received. Nor would there be any disadvantages or consequences from non-participation.

In undertaking this research I also had to be clear that there was no conflict of interest between my employment with the Department of Corrections and my role as a researcher completing a thesis. As I was able to access Departmental records and information that is not readily accessible to members of the general public, including new information relating to the Integrated Offender Management Project, I had to make my research role very clear when applying for permission to access and utilise Departmental information. I did this by ensuring that the General Managers of Community Probation Service and Public Prisons were aware of my enrollment in the MA (Social Policy) course and that the reason I wanted to access data was for the completion of my thesis. As much as possible, these practices ensured that there was no conflict of interest. However, it is acknowledged that the positive response I had from the Department may have partly been because I am well known within the

Department, and as an employee am also subject to the Department's Code of Ethics.

As I intended to interview people who were currently involved with the management of women offenders, as well as interview women who had been to prison, I needed to ensure that the rights of the interviewees were recognised and respected. Central to any research involving human participants are the issues of obtaining informed consent from the participants and ensuring that any distress or harm to the participants is avoided (including the handling of data to ensure that it is not misrepresented or used to disadvantage the participants). Confidentiality is also of extreme importance and data must be presented or reported in such a way that participants cannot be identified (unless they have given permission for their names to be used). Further confidentiality issues are those most likely to arise around who has access to transcribed data, who hears the audiotaped interviews and how data is to be stored. Provision of appropriate monitoring and support procedures, both during and following research activities, is important in order to minimise physical or psychological harm to participants.

Informed consent from all interview participants was obtained. My initial contact with these people was made either by telephone or by letter. For the women offenders, this was only done after they had indicated to the probation officers that they were happy for this to happen.

All the interviews were held at venues chosen by the interviewees. Of the managers, one chose to be interviewed at her home, one at her office and the third at an independent venue. Of the women offenders, two requested that I interview them at their homes, and the remainder chose to be interviewed at the Community Probation Service office. At these venues I was able to have the use of an interview room and conduct the interview in private.

Interview participants were informed both verbally and in writing that all information obtained during the interviews would remain confidential to myself

and the person who would be transcribing the interviews. They were told that that person had signed a confidentiality agreement and that I would be the only person to retain copies of the interview materials. I explained that I would provide them with a draft of the chapter that referred to their interviews, in order for them to ensure that any quotes were accurate.

All of the women who were interviewed were advised that they would not be identified unless they gave permission for this to occur. The managers were further advised that given the specialized nature of their group, it might be difficult to provide anonymity. This was discussed with them as part of obtaining their informed consent. All managers were happy to be named.

Pseudonyms, rather than actual names, are used for the women offenders and they chose their pseudonyms so that they would be able to recognize themselves when I quote from their interviews.

There was also a possibility that, as a result of the interviews, issues might arise for the women, which would need to be addressed during or after the interviews. Women in prison tend to hide or repress their feelings and emotions as a way of coping with their confinement and the prison environment. Similarly, after release, women tend to suppress their own needs and avoid confronting issues by concentrating on their roles as partners and mothers. By asking them to acknowledge and explore some of their own issues during the interviews, there was a danger that some of their unresolved issues would surface and need to be addressed. It was therefore necessary to ensure that adequate support systems were in place to enable these matters to be dealt with. Prior to each interview I ascertained that the women had adequate support people in place, and identified these people so that contact could be made with them if necessary. Three of the women who were interviewed at the Community Probation Service offices chose their probation officer, who was on the premises during the interview, as their supports. The women who were interviewed in their homes had support people on the premises, but not present during the interviews.

The necessity to provide supports was discussed with the probation officers as well as with the women. Issues arose for two women during the interviews. One chose to discuss it with her probation officer, who was present in the building, the other asked that the tape was turned off and chose to talk through the issue before continuing with the interview. She also indicated that she would discuss her issue later with a good friend.

As women offenders often find it difficult to overcome their suspicion of anyone seeking information about them, it was necessary to develop rapport with the women prior to the interviews. Therefore, it was also necessary to ensure that there was a disengagement process built into the final contact with them so that they were not left feeling vulnerable and exposed. Explaining the process that would occur after the interview had been completed, and ensuring that they knew that their probation officer or support people were their main contacts achieved this.

I needed to be particularly careful that the results and reporting of this research would not be used in any way to further disadvantage the women offenders. The women offenders were advised that while I could not guarantee them total anonymity, as I knew who they are, I could assure them that others would not be able to identify them from the report. I also needed to ensure that the data and conclusions were reported in such a way that they cannot be used to disadvantage women. My supervisors provided invaluable assistance with this.

There are no certain answers to ethical issues, which relate to policy-oriented, qualitative research. Ethical compromises have to be reached on the basis of what appears to be the most feasible agreement, which offers maximum protection to all parties, including the researchers. Whatever decisions are ultimately taken, it seems that there can never be neatly applicable rules. However, codes of ethics will assist by producing useful guidelines on how to proceed. Ultimately, questions of 'ethics' can only be considered with reference to the structure of power and the political context within which research operates (Finch, 1986).

Limitations of the Design

Given the small sample size (three managers and six women offenders), themes and issues identified during the interviews need to be treated with caution, although it is noted that similarities arose with those issues and themes identified in the literature. With a limited sample size, generalizations are not always feasible and therefore any recommendations will also need to be treated in this light. However, although the number of women interviewed for this research was small, the views and opinions they expressed are of great value, and certainly raise questions and identify areas for further research and development.

Advantage of the Design

Triangulation is a powerful solution to the problem of relying too much on any single data source or finding, therefore undermining the validity and credibility of findings because of the weakness of any single method.

(Patton. 1990, p193)

Triangulation, or a combination of methodologies was used in this research in order to strengthen the design and the credibility of the findings. In using both qualitative and quantitative analysis during the research, it was possible for me to use one method not only to highlight the problems and issues identified in the other, but also to assist in identifying the common threads underpinning the research. Consequently, the use of overseas literature, as well as that from New Zealand, strengthened the validity of the themes and issues identified during the interviews, and enable the recommendations to be made with conviction.

Chapter 7 THE MANAGERS' EXPERIENCE

Introduction

This chapter discusses the information provided by the three managers I interviewed. While the views and opinions expressed by these women are uniquely their own, similarities in their thoughts are identified throughout the interviews.

The purpose of these interviews was to gain insight into the management of women prisoners, the interventions and programmes they are offered while in prison, and to discuss ways in which the future management of women's prisons could provide a more responsive environment to the unique needs of women prisoners. The interviews therefore concentrated on the experiences and reflections of women who had a wide range of experience in the management of women in prison.

The questions asked of the managers fell into broad areas. These areas focused on: the reception and case management procedures women prisoners go through when they come to prison; the work that is available to women prisoners; rehabilitation programmes and interventions; preparing women prisoners for their release; and a discussion about current policy and suggested future policy for the management of women in prison. Discussion on these areas is supported by selected quotes from the managers.

The managers interviewed have worked, or are currently working, at Arohata and Christchurch Women's Prisons, and therefore the discussions do not necessarily reflect the practice and availability of programmes at Mount Eden Women's Prison, although reception and case management processes are common to all three New Zealand women's prisons.

The Managers

The three managers who took part in these interviews bring a total of 54 years experience of working in Corrections, 34 of these years working within women's prisons.

Fleur Grenfell commenced employment as a prison officer with the then Department of Justice in 1974. Between then and 1983, when she was appointed Superintendent of Christchurch Women's Prison, she also spent 3 years as an Executive Officer of Prisons at National Office in Wellington and 3 years as First Officer of the Prison Staff Training College. For the last 17 years she was in charge of Arohata Women's Prison in Wellington, the largest of the three current women's prisons. Fleur retired from the Prison Service at the end of 2000, but maintains an interest in improving the treatment and management of women prisoners.

Cecelia (Ces) Lashlie commenced employment as a probation officer with the Department of Justice in January 1984. After almost two years as a probation officer she joined the Public Prisons Service, and was the first woman to work in a custodial role in a male prison. After 5 years working in male prisons, Ces joined National Office as national EEO co-coordinator, and then as an inspector of prisons. From January 1996 to January 1997, Ces was Acting Manager of Christchurch Women's Prison, and was subsequently appointed permanently to the position in 1997. Ces resigned from the Prison Service in September 1999. She retains an intense interest in the treatment and management of women prisoners. In March 2000, she was contracted to the Department of Corrections to examine the management of women in New Zealand prisons, and in May 2000 produced a report for the Department, *He Kete Pokai. Suitcase of Hope*, which proposed a future management regime for women's prisons.

Mary Wilson started as a prison officer at Christchurch Women's Prison in 1987. Mary initially thought she would work as a prison officer for a couple of

years before moving on. Fourteen years later she is still there. During this time Mary has held several positions within the prison, and is currently the Operations Coordinator as well as being second in command to the prison manager. At the time this thesis was written, Mary was Acting Manager of Christchurch Women's Prison. Mary has an excellent overall understanding of prison policy, as well as an in-depth knowledge of the procedures that women prisoners experience from their reception into prison through to their release. She has also recently been involved in the consultation process for the design and development of the proposed new women's prison in South Auckland.

The Interviews

First Days

This part of the interview focused on the processes that women experience when they come to prison. Similarly to men, women prisoners come to prison from court, either as sentenced prisoners or on remand awaiting a further court appearance. They usually arrive at the prison under escort from either Chubb Security, Corrections Officers¹⁰ or the Police. However, those women prisoners who do not live in the immediate area to the receiving prison may have spent some time in their local police cells prior to being escorted to the nearest women's prison.

Information available to prison staff about the women coming into prison varies from quite comprehensive information available through the department's computer system as well as written documentation, to nothing at all.

In the case of remands we have no documentation so all of the information we gather has to come from the remandees themselves. For sentenced women, we may or may not have received any written documentation. It may or may not be in the computer system, so that for some sentenced people we get very little information other than that received verbally

¹⁰ People sentenced from the High Court, or who elect trial by Jury in a District Court, are escorted by Corrections Officers. Women's prisons provide escorts to and from areas other than those where the prison is situated.

from the police...However, if we receive the written documentation and it is in our computer system, then we have a lot to check out (Fleur).

The Receiving Officer at the prison is the first point of contact a women prisoner has with prison staff. On arriving at the prison, she is taken to the receiving office and inducted. Induction takes the form of a number of questionnaires the women have to answer. The induction processes are identical for men and women, and are prescribed in the Public Prisons manual (PPM).

Among the questions that the women are asked are those that assess their risk of self-harm and their immediate needs. Given the nature of the questions, the majority of women are automatically assessed as being at risk of self-harm. This is not surprising given the greater psychological stress that women offenders face in their daily lives.

(The assessment of) their risk of self harm...is the same list of questions, the same processes exactly as those which have been developed for male inmates, and these aren't entirely appropriate. "At risk" in a nutshell (is if there is) more than one "yes" in response to any of the questions, the inmate is automatically assessed as being at risk. Well one of the questions is "Do you have family problems?", and (other questions are) "Have you ever harmed yourself?" or "Have you had psychological intervention?". The number of "yes" to those are pretty high, so automatically the women are at risk (Fleur).

Medical staff or a manager must interview inmates assessed as being "at risk" within 4 hours, and until that interview occurs the inmates are placed on 15 minute observations to ensure their safety. This means that the majority of women entering prison are likely to have to go through this process prior to their induction into their prison wing. For some, this will add to the stresses they are already experiencing on having been sentenced to prison. However, given the high percentage of women in prison with psychological and psychiatric problems, it is likely that a significant number pose a risk to themselves, particularly on first entering prison.

Although the reception processes for women prisoners are identical to those for males, the managers did not consider that they needed to be different. It seems more important that trained officers with an awareness of the difference of women's needs and issues carry out the reception and induction processes with women prisoners.

It's the essence to me, not the what you do but how you do it and who does it. For me, it's absolutely essential that the Receiving Officer be a woman.....So all of the processes were identical but, for me, the issue was that we were aware of what was impacting on (the women's) heads at that point, and so the process of managing (the women) through the reception, that was important for me. The crux is the training of staff who are managing women, and knowing the issues for women (Ces).

Information given to inmates entering prison includes a booklet, either *First Days* or *Marking Time*¹¹, which gives information on what to expect while they are in prison. Although these booklets are good, comprehensive resources for people entering prison, it is noteworthy that they were initially developed for males, and the corresponding women's versions were not available until almost two years later. As Fleur commented:

after much jumping up and down by myself and other people we eventually received, about 3 months ago, a woman's version... which is good, but there should have been a woman's version right from the beginning. Again, the women were overlooked (Fleur).

Once the reception procedures are completed, the women are allocated to one of the wings within the prison, where another induction takes place. As well as being asked another series of questions, they are told the various housekeeping rules that apply to the wing. In total, there is a lot for women to absorb during their first days in prison, particularly if it is their first sentence of imprisonment.

¹¹ These booklets were introduced in 1998 as part of the new Induction information developed by the Integrated Offender Management Project. *First Days* is for sentenced inmates, *Marking Time* for those on remand. They have been incorporated into the prison induction processes.

At Christchurch Women's Prison, staff are encouraged to go back to the women in their first few days in order to ensure that they understand the information they have received.

Sometimes you do need to actually go back the second and third day after they've been here and see if they got that information, as it's a lot to absorb when they first come in here (Mary).

Within their first month in prison, women prisoners attend an assessment at a case management committee meeting.¹² The outcome from this meeting is a sentence or case management plan, which identifies the types of work and programmes the women will be allocated to while in prison. Although the case management process is identical to that in male prisons, involving the inmate in the case management meeting and the formulation of their sentence plan ensures that the plan is tailored to the inmate's needs. Well-trained staff who are aware of the issues women offenders face appear critical to the success of this process.

They (the women) have the opportunity to say how they feel and what they think needs to happen, and sometimes we also have to say that there is information in their reports that reflects the effects of their background, and these areas may need to be addressed before they can move on (Mary).

So in terms of the processes of the women's prison, it's not so much... the detail that you do – step A, B or C- it's that every single thing you do with a female inmate you need to be aware of her history; you need to be aware of what you're predetermining by the way you interact with her... (Ces).

The sentence or case management plan is the 'blueprint' for what the woman prisoner is to achieve while completing her sentence. It includes education, employment, programme attendance and recreational activities, and is designed to address the women's identified needs. All women prisoners receive a sentence plan. Its content is reliant on the types of work and programmes available in the prison in which the women are incarcerated.

¹² The case management committee comprises custodial people, a probation officer, prison nurse, education officer and a social worker (if the prison has one).

Work available for Women Prisoners

The majority of work available for women prisoners at both Arohata and Christchurch Women's Prisons is limited to cleaning duties, kitchen work, laundry and sewing. Christchurch Women's also has ground and garden maintenance available and a seed propagation plant from which seed is exported. All work, except for the seed propagation business, is carried out within the confines of the prison walls.

Work within women's prisons is limited, not only in choice but also in availability. For example, Christchurch Women's Prison has approximately 50 jobs available for a maximum muster of 98 women. Arohata, with 127 inmates is similarly restricted with available work.

All inmates, except remand, segregated, special needs inmates and those on punishment are eligible for work, although some with health difficulties can be limited to particular occupations. For example, women who test positive to hepatitis B would not be allocated work in the kitchen.

Work is largely allocated through the case management process. Women prisoners do not have to work and those that don't spend most of their day watching television or in their cells. At Christchurch Women's Prison, women who are unable to work may choose to spend part of the day in an Unemployment Yard without any structured activities.

They actually had no incentive to work so we brought in a regime that if they weren't employed they went into an unemployment yard from 8 until 11.30 and from 1 until 4. It produced amazing work ethic really (Ces).

Although the work available in the women's prisons is mainly that which has been traditionally recognized as "women's work", the managers consider that women are able to gain basic skills and good work ethic through prison employment. The managers also consider that the skills the women develop better prepare them to care for themselves and their families on their release.

...the primary skills we focused on (were) that they could learn how to cook for their children. That might sound kind of banal and kind of anti-feminist almost, except that most of these women have children. Most of them feed them takeaways all the time and don't know how to cook a green vegetable. So a lot of our effort...was that the kitchen instructor would teach them how... to feed their kids economically but well. The other focus was teaching them about gardening...and that vegetables don't just happen miraculously in the supermarket, that they come from the earth (Ces).

If you've got women working in the kitchen they are going to pick up practical skills of how to prepare meals for their own families once they get home; how to prepare meals and how to store them; ideas of how to make them. We also have NCES catering qualifications that can be achieved through the kitchen. Through the sewing room we have women who go from not being able to sew, ...to be able to either do mending or to be able to sew some garments for their children or for themselves. That doesn't always end up in a qualification per se, but it's those skills that they can build on and utilise after release (Mary).

While it is good that the women learn domestic skills, this will not necessarily solve the problems of poverty that lead many women to offend in the first place. It is difficult to live on a state benefit without supplementing the income.

There is provision within prison policy for inmates to be released to work in the community towards the end of their sentences. The site manager is the only person able to approve an inmate's release to work. Eligibility criteria are prescribed within PPM and work has to be available to the inmate before they can apply for approval. However, in recent years, very few women have been released to work in the community prior to the end of their sentence. While this is mostly due to a lack of available work, many of the women are returning home to care for children and do not utilize this option.

There is a capability for a women to go out and work in the latter part of their sentence. We haven't had anybody doing that for quite a number of years...Release to work can be an option but it is not something...that is highly utilized here by

the inmates...A lot of them...are going back to look after their families and their children (Mary).

Changes to prison policy in respect of release to work have also created a barrier for women prisoners.

Changes to the release to work policy precluded any woman serving less than two years to be eligible for release to work, and the percentage of women in prison serving less than two years is much higher than it is for men. So they were handicapped significantly as far as being able to do the programme. (Ten years ago) we had 20 percent of the (Arohata) inmate population on release to work. That was a positive thing (Fleur).

Skills gained from work within the prison have enabled women prisoners to gain employment once they are released.

(I saw an ex-inmate recently). The last time she would have been in Arohata was about a year ago. She has her own business – a cleaning business...from the wreck that came into Arohata a couple or three years ago she is a totally different woman. She's doing very well, leading a much fuller, richer life than what she was before she came to Arohata. That's what it's all about (Fleur).

"We have women who have completed programmes (in the gardens) and are gaining qualifications in the horticultural area, which will allow them to proceed, once they are released, into work in those areas. We have beehives too, which women have trained and have achieved beekeeping qualifications. And again, with the seed, ... it's the harvesting and planting that fosters the idea that they can do that at home or perhaps go and work in a nursery. So it's really work-based ethics and skills rather than actual qualifications in the hand (Mary).

For women in prison, however, the reality of obtaining meaningful employment on release is slight. Many have little education and are ill prepared to compete for employment other than low-paid unskilled work. Further, they carry the stigma of having been in prison. Maori women who have been to prison are particularly disadvantaged if they are seeking employment.

There is an unrealistic expectation...that somehow you're going to upskill people to pick up employment... The majority of women in prison are one step behind the rest of society. Maori women are two steps behind the rest of society. So the idea that we can give them a skill to go out and get a job is often highly unrealistic... If we're going to have women, who for a variety of reasons, are going to be on a benefit for their entire lives...we are better to upskill them about living that real life, getting some leisure activities in there, creating a life they can live, (rather) than setting up the expectation that they are going to walk out of those gates and they are going to be employed. (For) most of them, to get them drug-free, to live on a benefit and not go out and commit burglaries or prostitution to supplement their income; that's the success (Ces).

However, for many women, it is unrealistic to live on a benefit and unless they are able to earn a reasonable income, it is likely that many will revert to criminal activity in order to live.

Rehabilitation Programmes in Women's Prisons

Rehabilitation programmes are provided in prisons to assist inmates address the causes of their offending. At present, the range of available programmes depends on the availability of funded programme providers. As discussed in chapter 5, community groups provide many of these programmes in prisons and few of these programmes have been developed and delivered specifically for female offenders.

Women prisoners are allocated to programmes to address their offending through the case management process. However, as resources are limited, some women will either not be offered programmes or will be considered to have less priority than others.

Generally (programmes are) available to everybody. However, for some, this may be at different stages of their sentence and dependant on their classification. ... (but) women serving more than 6 months are sometimes not considered for progrmmes because their sentence is far too short for them to be able to get into any of the programmes. This is because (the programme is) either running or full, or they won't finish it before they're released. Sometimes we are able to

get these people into a programme if we can fit it in... There is one other cut-off that we've got as well. If we have women who have just been released from prison return a short time later and we have provided them with a variety of programmes when they've been here, they will get waitlisted (Mary).

Programme availability varies between prisons, but the range of programmes offered within the women's prisons is less than those offered to men (see chapter 5). Apart from Straight Thinking, which was rewritten so that the content was appropriate for women, much of the content of the programmes offered in male and female prisons is the same. Arohata Prison, however, has a specialist drug treatment unit where the programme has been developed specifically for women, and Christchurch Women's prison runs a programme specifically for Maori women, with another due to commence as soon as a provider has been contracted.

The only different programme is the drug treatment unit... Comparing our programme with other prison's programmes, ours appears to be more intensive, more structured and more effective (Fleur).

...the drug and alcohol programme out at Rolleston (Prison) for the men is quite different to the programme that is offered at Arohata – quite vastly different actually (Mary).

For women prisoners, the context in which a programme is delivered is also critical to the way they respond and learn.

... it's not the content, it's the "how". Women need constantly to place themselves and their own lives in the context of what you're teaching them (Ces).

As Arohata is currently the only women's prison to have a specialist drug treatment unit, women from other prisons have the option of transferring to this unit if they have identified drug and alcohol problems. However, for some women, transferring from Christchurch to Arohata raises issues which will affect their ability to participate in the programme.

...for women who identified with alcohol and drug issues that need to be addressed, we do have the option of transferring

them to the drug and alcohol treatment centre at Arohata. We endeavour to do this with as many inmates as we can. However, we are finding that because they've got family supports here, and they've got children here, that they don't really want to leave those and go and attend the programme (Mary).

It is rare for women prisoners to refuse to do a programme.

It is very rare. Most women want to at least occupy their time. For some women it is the first opportunity they've had to do something for themselves, and have a rest from the kids and home and running the household, although some still continue to run the household from prison (Fleur).

Although women prisoners are not forced to take part in programmes, there are consequences for those who are offered the opportunity and refuse. For example, parole can often be refused if an inmate hasn't addressed the causes of their offending.

In order to get into the self-care units you need to have fulfilled your case-management programme; in order to get Home Leaves¹³ you need to have fulfilled your case-management plan; if you have a Parole eligibility date and you go to a Parole Board hearing and you haven't fulfilled or completed your case-management plan or programmes, it is identified there too. So there are repercussions if they don't want to do it. But, once again, there is a choice. They are not forced to do it (Mary).

However, for some women, dealing with their issues becomes too painful, and they do not complete their programmes. These women are also likely to have to remain in prison for longer than they would have if they had been able to complete the programmes.¹⁴

There were women who, in the end, it was too hard. In the end, addressing their issues meant too much pain, and so they slipped back and forward. They would be on a roll and

¹³ Temporary release of up to 72 hours, usually granted within the last 3 months of sentence to facilitate the inmate's return to home.

¹⁴ Most of the women who have either refused or failed to complete programmes to address their offending are not considered for parole at the earliest opportunity. Some are not released until they have completed 2/3 of their sentences, when, under current legislation, they cannot be detained any longer. Under the proposed new legislation, these women are likely to be retained even longer.

then they would get a letter from him, or Social Welfare would give them a hard time about their kids or something, and they would just go back to what they were used to (Ces).

For the high percentage of women in prison with abuse histories, counselling and programmes to address these issues are scarce. Often one-to-one counselling is only available through the Department of Corrections' Psychological Service's already stretched resources, or through ACC.

There is no one-to-one at Arohata. The only one-to-one counselling that is available is the departmental psychologist, who we have one day a week, so she's only able to see about six women a week. With a muster of 127, that isn't a lot of people...The only sexual abuse counselling is through ACC. People qualify under the ACC regime for sexual abuse counselling, which really is probably appropriate for about 80 percent of the women's situations (Fleur).

Many women prisoners, therefore, rely on other inmates or their case manager within the prison for support and help with their issues.

They will talk to other inmates. A big source of support would be their case manager, depending on who that case manager is, because some are better and more able to spend time with them than others. But I know that a lot of case managers get involved in a lot of discussion and interaction with inmates on problems (Fleur).

Rehabilitative programmes that will be introduced and available to women prisoners with the introduction of Integrated Offender Management in 2001 focus on addressing identified criminogenic needs that are directly relevant to the offending. They are not likely to address underlying abuse issues. In order to make programmes more relevant for women prisoners, the managers considered that the effect that women's issues and backgrounds had on their offending also needed to be directly addressed within programmes.

...for me, she's a drug addict often because of her sexual abuse history. She keeps the needle in her arm in order to not have the memory of her abuse come in. So we can send her to 80,000 alcohol and drug courses, but if we don't address the issue of sexual abuse that sits behind that, she'll

go out and go on drugging because no-one has come to the core issue... with women, if you don't go to the cause, you're not going to make a difference (Ces).

It is apparent that the Integrated Offender Management programmes will have to be revised prior to being made available to women. It is also important that women's specific needs are identified as part of an integral assessment process to enable placement of the appropriate programmes. This has implications for the Department of Corrections new assessment tool, the CNI, as eligibility for these programmes is reliant to a large extent on the identification of criminogenic needs through the assessment using the CNI.

... there is a basic fault and that is that the ...Integrated Offender Management system, the assessment tool and everything is developed on the basis of male offending. So... they need to develop the assessment tool for women... as they're doing with Maori, they've developed the MaCRN¹⁵, they have yet to develop the WoGRN¹⁶ for women. They have to develop an assessment that comes in and picks up the needs for women. Until they do that... it won't make any difference because it has no relationship to women (Ces).

Preparing for Reintegration

One of the differences that I learned about women: in men's prisons the fence keeps the men in; in women's prisons the fence keeps the community out (Ces).

Women in prison face difficulties maintaining contact with their families and supports during their sentences, particularly if they are imprisoned out of their home areas. Currently about 80 percent of the women in prison in New Zealand are serving sentences far from their homes. The major stresses they face are those related to their absence from their families and the associated difficulties they experience not only in maintaining contact, but also in preparing for their return home.

¹⁵ Questions that form an integral part of the CNI and assess Maori culture-related needs that may be predisposing factors for offending.

¹⁶ WoGRN – a term developed in relation to Women's gender-related needs to refer to the need to include questions relating to these in the assessment tool

Trying to manage their homes and families from a distance. Getting anxious when they hear that their child has been abused by one of the care givers... being anxious when their kids haven't been to the doctor when they should have... one of the biggest stresses is being away from the family (Fleur).

They don't have the support of their family. Sometimes they are separated for long periods of time from their children... the children must go through separation anxiety as the mothers do (Mary).

Despite the stress of being separated from families, the managers see that being in prison will also be the first time perhaps that the women have had time to themselves. Ideally this should allow them an opportunity to address their issues and better prepare for release.

But for others, I have to say it can be a sanctuary for them. Being away from the environment that may have contributed to them going to prison gives them time to actually work on themselves (Mary).

It may be a time away from the family pressures, time to step back and look at the family dynamics and look at the effect the family has had on them and for them. They maybe have time for themselves to develop and grow themselves and go back hopefully stronger and with more insight on how to cope with kids and relationships and family dynamics (Fleur).

For others, it may be the first time they have felt safe.

...for many women when they come into prison and we lock the door on them at night – it's the first time in their lives that they've been able to turn off their radar and (someone) isn't coming in to either assault them or sexually abuse them. So there is a safety component there... (Ces).

There are, however, very few programmes to assist women prisoners either reintegrate into their communities from prison, or to build new lives for themselves. Mostly the women's prisons rely on the support of agencies like

PARS¹⁷, PILLARS¹⁸ and programmes such as Fresh Start¹⁹ to assist women prepare for and following release.

We do have PILLARS support here, which is available to those women who are about to return to the community. They help with the women's re-integrative needs, whether that be getting back on to the benefit, getting housing, employment with Fresh Start, children's needs, setting up a bank account, or any other needs (Mary).

Life skills and self-esteem programmes offered in women's prisons could also assist women better prepare for release. Recreational programmes such as pottery, art and creative writing provide women with skills to think creatively about what they can do for their own hobbies when they are back in the community.

...it's been proven universally around the world that if you are going to address women's issues you need to address self-esteem issues... (Ces).

These programmes are still relevant no matter where you live. If the women get something out of it and get an understanding of themselves and how these things come about, it doesn't matter where you live, you're going to take that information with you (Mary).

The most significant preparation inmates have to prepare themselves for release, are Home Leaves and Day Paroles.²⁰ These are granted in the latter part of the sentence to inmates who have addressed their offending and who are preparing for release. However, as the inmates or the inmate's families are required to assist with transport, women prisoners, who come from outside the local area to the prison and whose families are poor, are unlikely to be able to avail themselves of these options.

¹⁷ Prisoners Aid Rehabilitation Society

¹⁸ A Christchurch-based reintegrative services pilot which is also running in Auckland under the name Te Hokinga Mai.

¹⁹ Employment programme specifically for inmates and released prisoners.

²⁰ Day paroles are temporary release for a day, usually granted for specific events.

(For) the woman, say, who is living in, or comes from, Tokoroa or Whangarei, the chances of her family being able to afford a home leave for the time she's in Arohata and once she's addressed her offending, is fairly remote. So it's generally the local people or the wealthy inmates that can have that form of re-integration (Fleur).

Most of the women in prison rely on letters and phone calls to maintain links with their families and children. Family days, where families can be with the women prisoners for the whole day, are another important re-integration process, particularly if families have traveled a long distance to come to the prison. PARS are sometimes able to assist with travel expenses, usually by way of petrol vouchers.

Whilst it's probably not worth the while to come down for a one hour visit, it is worth their while to come down for Family Day where they can be with the women in their wing for the whole day and have good quality interaction. One family came down from Auckland in their van. The family camped out in their van in the car-park down the road from Arohata, came in and enjoyed the Family day, and went home (Fleur).

In general, however, women prisoners don't have a lot of family visits. The families of women from the North Island who are serving their sentences in Christchurch Women's Prison are unlikely to be able to visit at all.

It is so very hard to even get people down here on an infrequent basis to visit. To get them to cross that piece of water is so costly a) for the family, b) for PARS. They use their resources and the prison doesn't have any funding for that at all (Mary).

For those women who do not have visits, PARS has volunteer prison visitors. Christchurch Women's Prison also has Kuia who come in and assist Maori women prisoners who are not from Christchurch link in with extended family locally.

To assist with their rehabilitation, women at Christchurch Women's Prison from Auckland are eligible for transfer to Mt Eden Prison for the last 3 months

of their sentences, so they can re-establish links with their families and support people. However, this is dependent on muster numbers at the time.

The inability of women's prisons, through lack of resources or availability of programmes, to provide adequate reintegration strategies for women prisoners, means that for some women, making the successful transition from prison to the community is almost impossible.

Women need to go in and out more. They need to be out getting a place; they need to be out there setting it up. I mean, often she would be leaving with the most amazing dream in her head. She has a non-molestation order out against him; she's going to get her kids back out of Social Welfare custody; she's going to get a house; and she's going to not prostitute anymore. Then, for us, helping her make that transition is almost impossible. So, I guess, very few and very poor (programmes) and a major area of necessary development (Ces).

The Department of Corrections, through Integrated Offender Management, will eventually put into place strategies both within Public Prisons and the Community Probation Service, to address reintegrative issues. These strategies are designed to provide offenders with assistance for such things as obtaining housing, employment, adequate health services and assisting with finances. The design recognizes that women have specific needs. The results of the pilot of these processes later this year should inform further design work if necessary. Whatever further strategies are made available for women need to be designed against the context of women's reality.

Management Policies for Women

Policies and procedures for managing prisons in New Zealand are set out in the Public Prison's manual (PPM). These policies and procedures equally apply to both the men's and women's prisons, meaning that women prisoners receive exactly the same treatment as men. However, the policies and procedures have been developed for the majority population, that of adult male inmates.

Exactly the same operational standards – very little variation. And I would say 80% of what applies for men also applies for women. At the moment there probably is a 1% difference in the operational standards. There should, in fact, be a 20% difference (Fleur).

They are not treated equally. They are treated the same, and the same is this prevailing male way of doing things (Ces).

There needs to be recognition of the different culture that exists in women's prisons as well as the different needs of women prisoners. At present, any recognition and application of the need to do things differently for women prisoners comes from the experience of the managers and staff in the women's prisons.

The whole environment in the female institution is quite different than the male environment because women are different creatures. The women are very different to deal with. They have different issues. The staff here need to recognize that and be aware of and deal with that everyday they are here on duty (Mary).

Where women prisoners are treated differently from men, there is sometimes a tendency for them to be marginalised.

... there can be a tendency to treat women inmates more like children than men would be treated... most prison officers call the women "girls" for example²¹ ... There is a tendency along with that (for) female inmates (to) tend to be more dependent than male inmates and that becomes a vicious cycle... It is a much healthier scene now where case managers are much better at making women think for themselves (Fleur).

(The women) are not treated differently in the way they should be, but they are treated differently in that they are poor cousins – they don't count. There are only 300 of them. They're only women, they don't count and so the difference that should be there is not there, and the difference that shouldn't be there is there (Ces).

²¹ While she was at Arohata, Fleur strongly discouraged this practice

We have the capacity for just over 300 female inmates compared with almost 6000 men. So it feels like you're tacked on the side somewhere (Mary).

All the managers identified gaps in prison policy in respect of women inmates. However, while Government is currently considering the issue of mothers being able to have their babies and young children with them in prison, there are other areas, such as equality of treatment and provision of resources, which are not being addressed.

A fundamental issue, however, is related to the development of policies within the prison system, and the corresponding lack of training which would take into account the issues and differences relevant to women prisoners. For example, issues relating to abuse and trauma, sexual harassment and the women's roles as primary caregivers of children.

(Lack of) consideration of the differences (between male and female inmates) embedded in policy development from day one would be the biggest gap for me (Fleur).

The gaps in the policy are that the policy does not reflect the difference in any real way and so that means that you can't then move onto staff training. We believed very much that managing women is different to managing men, so therefore you have to be trained and given awareness of the issues (Ces).

There appears to have been more awareness within the prison's system of women's issues a decade ago. It is relevant to note that there was also a greater awareness of and activity around EEO issues at that time as well.

Ten years ago, we were a lot more aware of the needs of women and automatically (developed) a form A for the male version and a form B for the female version. It was automatically embedded in the development of any process to consider "is this appropriate for the women?" That happens in a very ad hoc, haphazard manner now, and it usually doesn't happen until there is a protest, and even then it happens much later (Fleur).

Having only 3 facilities with limited resources for women prisoners also brings its own problems in that the ability of prison management to keep different categories of prisoners separate is minimal. This brings different problems and considerations into the management of the women.

As we only have 3 institutions in New Zealand, it's the inability to keep separated: youth, first offenders, remands, special needs people, maximum security, and segregated women. (Not) having the purpose built facilities to cater for their different needs creates an ongoing challenge for the management of these women (Mary).

The managers were all of the opinion that policy changes need to be made to the management and containment of women offenders. However, they all had different opinions on how this should be achieved.

Fleur would like to see a regime where comprehensive policies, resources and processes for women were developed at the same time as those for men. These policies would need to take into account the women's differences. Similarly to Fleur, Ces sees the need for strong policies for women, and advocates for a small women's policy unit within the Department of Corrections Policy Development unit to ensure that future policy was developed with a strong focus on addressing the needs of women inmates, although such a unit could also develop policy for women offenders in general.

Automatically any policy development, any operational standard development, any legislative rewrite should consider differences for women and ensure these are embedded from the conception of the policy or standard. I think something that is really important is to make sure there is always a balance (Fleur).

Ces's vision is to have a national management structure with a Director of Women's Prisons as part of the national management structure. For Ces, a clear management structure would enable much closer liaison and stronger relationship to occur between the women's prisons. Once that structure is consolidated, Ces proposes the establishment of smaller satellite units in the

provincial areas in order to facilitate reintegration for the women from those areas.

So my vision – we establish a Director of Women's Prisons. You have a clear management system for the women's prisons, ... and as you strengthen up the relationships between Christchurch Women's, Arohata and the Auckland Prison, the new one when it is built, then you've got that structure straight and organized. You then have satellite units like at Hawkes Bay, possibly New Plymouth and North Auckland, but the crucial element of that is... (that) you have the ability to put her back into the area)to which) she is going to be released...our crucial work with women has to be that transition out into the community, and to do that they've got to be returned as close as possible to their relationships and home communities (prior to their release) (Ces).

Similarly to Fleur, Mary also considers that policies should be developed from the outset for women. These policies would need to take into account the specific needs of women. Like Ces, she also considers strengthening the relationship between the three current women's prisons is essential for the better management of women prisoners. In particular, she considers stronger relationships between the women's prisons would enable women to be moved back to their home areas to serve the major part of their sentences. This facility is important to preserve family relationships and facilitate re-integration.

Mary's vision in an ideal world, however, would be to have smaller purpose built units for women based throughout the country, rather than 3 larger prisons as at present. Providing an environment within these smaller units that was conducive to giving the women inmates a sense of normality is also important.

The ideal... would be to have smaller units based throughout the country with an environment that allows people space, fresh air and to walk on the grass, as well as to be able to include, on a daily basis, some normal recreational activities (Mary).

Conclusion

Women's prisons in New Zealand are managed under the same policies and procedures that apply to men's prisons. On the surface, this provides consistency in prison management and defines the treatment that prisoners receive. Although the reception and case management processes for women prisoners are identical to those for males, the managers did not consider that they needed to be different. It is considered important, however, that staff in women's prisons are trained to recognize and sensitively address the issues that women prisoners have.

There is a lack of work outside of the traditional female work roles in prison. Work mainly revolves around kitchen duties, laundry, cleaning and sewing. Only one woman's prison offers horticultural qualifications if the women choose to do these. There is, subsequently, little scope for women to develop skills to enable them to obtain well paying employment on release. However, we need to balance this situation against the realities of these women actually being able to gain full time employment on release, especially in areas where high unemployment is predominant. In most cases it is better to assist women deal with the realities they face on release, rather than build unrealistic expectations.

Women prisoners have few programmes and resources available to them that specifically focus on women's issues and differences. Many of the programmes available to women to address their offending are similar to those provided in men's prisons. The alcohol and drug unit at Arohata is the only specialist unit currently available for women inmates. However, given the size of the female inmate population, this unit is unlikely to be replicated at any other of the women's prisons. There is also a deficit in the availability of programmes to address the underlying causes of women's offending, those relating to abuse and trauma.

Reintegration services are highly reliant on local agencies and services. For most women prisoners, home leaves and day paroles are unlikely. Also, many women prisoners are unlikely to have regular visits on account of distance and the inability of families to finance a trip to the prison. Most female inmates rely on mail and telephone calls to maintain contact with their families. This causes other problems for them. These will be discussed in the next chapter.

The inability of women's prisons, through lack of resources or availability of programmes, to provide adequate reintegration strategies for women prisoners, means that for some women, making the successful transition from prison to the community is almost impossible.

There is a strong element, within current prison policy, of male domination. If women prisoners are to achieve equity within the prison system, the ways they are managed and contained will have to be improved.

The arguments against providing for and managing women prisoners differently to men are based around the small numbers of women prisoners compared with men, and the estimated costs for providing a different structure to that which is operating currently. The managers interviewed for this research acknowledge this argument but equally acknowledge that there could be a different way of managing women in prison. Each has an opinion as to how this may happen. There is merit in examining different approaches to women's imprisonment. Further, the development of a policy unit specifically focused on the development of policies for women would go some way towards bringing balance into the current male dominated regimes that women prisoners are currently managed under. In the end, the arguments may not be about more money, but about fairer distribution of budget and resources.

If we had a separate system for women, it's not about having any more than our share of the money, but give us our share of the money and ring fence it (Ces).

Chapter 8

THE WOMEN SPEAK

Introduction

Going to prison is a traumatic time for women. For most, it heralds the beginning of a period of isolation, loss and adjustment to living with people that they would not normally choose to associate with. Their experiences prior to, on arrival at and during their sentences are crucial to their well-being and adjustment to prison life. How well their needs are met while they are in prison will have a significant influence on preventing them to continue offending when they return to their homes. The women raised issues and difficulties experienced during and following their time in prison during the interviews. These issues and difficulties reflect their own experiences of going to prison. However, it is likely that many of these issues also relate to the experiences of other women in prison.

This chapter discusses the information provided by the six women ex-prisoners interviewed. The views, opinions and experiences contained in the interviews are the women's own. Comparisons are also drawn, where applicable, with the views expressed by the managers in the previous chapter.

The purpose of these interviews was to gain insight into the experiences of women prisoners; the issues and needs that arose for them while they were in prison; how these were addressed, if at all; and what, in their opinions, could be done to improve conditions for themselves and other women in prison. The interviews therefore focused on the experiences of these women and the issues raised for them while they were in prison. Questions were also asked about their experiences on release from prison, in order to identify their issues around re-integration into their homes and communities.

The questions asked of these women fell into broad categories: rehabilitation; re-integration; other issues; and the types of things that could be done to assist women prisoners. The main focus of the interviews was on how well their needs, both criminogenic and reintegrative, were met while they were in prison. Discussion on these themes is supported by selected quotes from the interviews.

The women I interviewed had all spent their time in prison at Arohata Women's Prison in Wellington, the closest women's prison to Hawkes Bay. Therefore their comments must be seen in the light of their experiences at that prison. Being at Arohata meant that these women were imprisoned between 300 and 500 kilometres from their homes. Given that it is the closest prison to their homes, it can safely be assumed that the issues arising from separation from home and family would have applied if they had been at either of the other women's prisons.

The Women

The six women who took part in these interviews were aged between 19 and 47 years. Four of the women are Maori, two Pakeha. Five of the women have children, and one is about to give birth to her first child. One of the women is married, one divorced, and four are single. Three had been to prison before, and two served part of their sentence on Home Detention. Three of the women were sentenced to less than 12 months imprisonment. At the time of the interviews, five of the women were completing their sentences in the community, either on parole or supervision.

Stephanie is a 35 year old solo mother with 5 children aged between 14 and 2 years. She owns her own home and is on a domestic purposes benefit. Stephanie was sentenced to 4 years imprisonment for selling drugs. This was her first prison sentence, although not her first offence. After spending 13 months in prison, she was released on home detention. At the time of the interview, she was on parole.

Sue is a 47 year old divorced woman with 6 adult children, the youngest of whom is 17 years of age. Sue owns her own home, and at the time of the interview was working in seasonal employment. Sue was sentenced to 18 months imprisonment for selling drugs. Like Stephanie, this was her first prison sentence, and she also had a previous offence. Sue served 6 months in prison before being released by the District Prisons Board. At the time of the interview, Sue was on parole.

Talia is 27 years old and is a solo mother with one child, aged 5. She rents her home, and has lived there for the last two years. Talia receives the domestic purposes benefit. Talia was sentenced to 6 months imprisonment on driving offences. This sentence was to be followed by supervision. This was Talia's second time in prison for similar offending. At the time of the interview, she was on supervision.

Majong is aged 30 and is also a solo parent. She has 4 children aged between 16 and 11 years. Majong rents her home, and is in receipt of a domestic purposes benefit. At the time of the interview, Majong was also employed in part-time seasonal work to supplement her income. Majong also received a sentence of 6 months imprisonment, followed by supervision, on driving offences. This was her fourth time in prison for similar offending. At the time of the interview, Majong was still on supervision.

Cha is aged 30, married and lives in rental accommodation with her husband and three children, aged between 10 and 2 years. She has permanent employment. Cha was sentenced to 12 months imprisonment for fraud. She spent 31 days in prison before being released on home detention. This was her first prison sentence. She has one other offence, also for fraud. At the time of the interview, Cha had completed her sentence.

Alajay is a 19 year old single woman. She is pregnant with her first child, and is living in rental accommodation with friends. She is currently on a community wage benefit and will go onto the domestic purposes benefit once

her child is born. Alajay was sentenced to 9 months imprisonment to be followed by supervision for a number of offences, including violence and dishonesty. She has previous offences of a similar nature. Alajay first went to prison at 15 years of age, and describes herself as having been “in and out for the last 6 years. At the time of the interview, Alajay was still on supervision.

These women were imprisoned on a variety of offences. There are, however, similarities in their stories and their experiences, and the reasons attributed to their offending.

Four of the six women had abusive or dysfunctional backgrounds and, of these, three considered that this had strongly contributed to their offending and their attitudes towards offending. Insecurity and an inability to cope with relationships were other common themes running through their stories.

There were also similarities identified in the key factors directly relating to their offending. Alcohol and/or drugs featured in five cases, although two of the women were not drug users and it was selling, not taking, drugs that had led to their imprisonment²².

Violence and a lack of confidence in communicating with others was not only identified as a cause of offending for one women, but also underpinned her inability to relate well to other inmates while she was in prison. Three of the six women had been to prison before, two on more than one occasion. All of the women were determined that they wanted to stop offending and did not want to return to prison.

²² Selling drugs and sex are two of the few ‘better’ options open to women without qualifications in order to make a decent income.

The Interviews

Rehabilitation

The purpose of rehabilitation programmes and work within prison is to give inmates the skills to address their offending and reduce the chances of their reoffending. However, as discussed in chapter 5, there is not a wide variety of programmes available specifically for women, either in prisons or for those women on community-based sentences.

How well, then, were the needs of these women met while they were in prison? Of the six women interviewed, only one had completed a range of programmes while in prison.

I did everything I could in there. I did a parenting programme...I did the pilot programme to Straight Thinking...I did heaps of stuff... (Stephanie).²³

Stephanie also applied for and was accepted into the alcohol and drug rehabilitation unit. She completed this course prior to her release on home detention. Prior to going to the unit, she worked in the laundry for four months. Stephanie considered that she had learned a lot in prison and had benefited from the courses she completed. Stephanie's sentence of 4 years was long enough for her to have a comprehensive case plan and to participate in prison courses.

However, for the women on short sentences,²⁴ issues arose around the lack of availability of programmes for them.

For short lagers, nothing. You've got to be doing a long lag (Majong).

If you're serving anything under 6 months you eat, sleep, watch TV (Talia).

²³ Stephanie also completed a computer course, Alternatives to Violence (AVP), and a number of lifestyle courses.

²⁴ Sentences of 12 months imprisonment or less.

One of the women serving a short sentence raised a concern about her lack of work and counselling compared to a male inmate serving a similar sentence to her.

A friend of mine who got caught drunk driving did 4 months, and he got to go out on a work gang up (in the countryside), have picnic lunch and all that. All of this and he did some counselling (as well). I mean, I only did a month less than him (Talia).

Another of the women serving a short sentence was, however, placed on an Outward Bound course shortly after her arrival at prison. She considered that she had been placed on this course because she had been to prison three times previously. She considered, however, that attending this course was the most helpful thing that has happened for her in prison.

It was a bit like finding out about yourself because it was just so different. I didn't think that Outward Bound would actually help me, but it did. It helped me a lot (Majong).

Unfortunately, however, the course that Majong had requested to do during this prison sentence was unavailable to her on account of the length of her sentence.

The only thing I wanted to do when I was there was schooling. But because of my short lag, I wasn't able to (Majong).

Majong sees education as being the key to assist her improve her situation. She intends to enrol in a course in the community.

The limited availability of work was also an issue for the women who served less than 12 months in the prison. Two did not work at all. One obtained work through another inmate. Another was offered work near the end of her sentence, although this was then withdrawn on account of another inmate.

The officer in the laundry asked one of the other girls if she knew of anybody who could come to the laundry. So she told me to go and see him and I started right from there (Sue).

I wouldn't have (got work) but they decided to start a five women work gang thing up and I was on minimum.²⁵ I don't really know why they put me in there because it was three weeks before I was going anyway...But one girl did an escape, so that got taken out the door (Talia).

For women without financial support while they are in prison, not having work in prison is also an issue. Women who have no financial support or income while they are in prison are unable to maintain contact with family as they cannot afford phone cards. They are also unable to buy extra stores and personal necessities.

If you don't have a job (and) you've got no financial assistance from the outside, you're absolutely stuffed (Talia).²⁶

The women who did not work found that their days were largely unstructured and somewhat boring.

Just sit in the day room and just laze around and watch TV all day. If you haven't got a job, you haven't got a course, you just sit in the wing and watch TV all day (Alajay).

Reintegration

All of the women interviewed raised issues concerning their return home following release. Their ability to deal with these issues was largely dependent on their own resourcefulness and any support they were lucky enough to have in the community. Very little is available to assist women in prison prepare for their return home. As identified in the last chapter, the women's prisons rely heavily on community organizations, such as PARS, to assist women prisoners reintegrate into their communities.

²⁵ Classified as a minimum security risk.

²⁶ Talia was fortunate to be supported by her aunt while she was in prison. She was aware of other women who were not as fortunate as her.

Only one of the six women interviewed said that she had practical assistance from PARS prior to release. That assistance was to facilitate her restarting her benefit.

I did that about two or three weeks before I was getting out. I spoke to (the PARS worker) to get an appointment at Social Welfare (Talia).

Following release, two of the women had ongoing assistance from PARS.

Lucky I had this lady from PARS, and she came to see me every Tuesday... (Stephanie).

Home leaves were also identified in the last chapter as being one of the few things available to women to help prepare them for release. However, it is the responsibility of the inmate or their family to provide transport to and from the prison. For women who live a large distance from the prison, the cost of travel is often prohibitive. Only one of the six women interviewed had had a home leave prior to release. Four of the women had difficulties in maintaining contact with their children. Cost of toll calls was an issue for three of these women; the fourth did not have a phone at home.

Three of the six women interviewed raised issues around re-establishing relationships with their children on their return home. In some cases, the children had managed not only without their mother, but also without their designated caregiver. These children had had to fend for themselves and rely on friends while their mother was in prison.

Adjusting back to the children. That was the main problem. That break away from them. You come back and you're like a stranger to them (Majong).

In other cases, the children became anxious and clinging when their mother returned, in case she might go away again.

She (used to be) very trusting of me. So this is the first time. She just latched onto me for about two months. I could be out of the room – that was the big thing- she would run around the house “Mum, mum, mum, where are you?” and

that hurt because then you would see the impact (my absence) would have... Nobody can tell me they just bounce back (Talia).

Some of these difficulties arose because the women could not afford to visit their children and vice versa. Financial assistance to facilitate release is not available within the prisons, even to those women who have no financial assistance from outside.

(There was) one lady in (my wing). She had no financial assistance (from home)... She wasn't even allowed to use the phone on a regular basis over the two days before her release to arrange and at least get an appointment, somewhere she could turn to (Talia).

A lengthy absence from her home, and little support from her family, led to one of the women facing a substantial financial outlay on her return. She was able to get assistance from a budgeter in the community to sort things out.

I came back to my house wrecked... I came back to debts, bills not being paid... the kids had no clothes, nothing... and I left them with (clothes) that will last them a year... I went to see a budgeter for the bills... (Stephanie).

One of the six women said that physically leaving the house was an issue for her in the weeks following release.

I have trouble going out. It took me a while. I've just started going to the supermarket in the last three weeks. I was so frightened I might be seen by people I know (Sue).

Four of the women said that their probation officers had been a major support for them since their release.

I suppose in a way I'm lucky that I am on probation... just to keep things in focus... There's no-one (in my circle) sort of to look up to if you know what I mean (Stephanie).

I just want someone that I can really trust to tell me that this is how life is. I trust (my probation officer)... and I know that she'll come and help me for good reasons (Alajay).

Three of the six women raised the probability that without adequate support and preparation for release, it is likely that women prisoners will not cope with release.

There are a lot of girls that I've met in there who come out and they just run back in. You get three meals, a bed... (Sue).

Because when you're in there it's like you've got nothing to worry about... You don't have to worry about a roof over your head. You don't have to worry about getting fed. You don't have to worry about nice clean blankets, warm. You don't have to worry about financial things (Alajay).

It was a sad place. It's a brutally honest place. But if you had nothing else, no family, no friends, nothing, it's a pretty nice place (Cha).

Other Issues

Preparing for prison

A key issue that arose in the interviews was the need to be able to prepare for prison and make adequate arrangements for children and other commitments. Of the six women interviewed, four had expected to go to prison and had gone to court prepared.

Like the day I was getting sentenced (my friends) came to court and I had my bags packed. You just know when you're going to gaol (Alajay).

Yeah. I had my bags packed (Sue).

Expecting a prison sentence gives women the opportunity to make arrangements for their children, finances and other obligations.

My ex-partner moved into my home (to care for our daughter). I rang my bank manager for the loan I had. I rang my landlord and got him round to talk to; the doctors – just anywhere I had a bill I rang. Went to my budget advisor...and took her on as my stand-in. Got all of that sorted out (Talia).

However, even for women who are able to make arrangements prior to going to prison, these can break down, and the women then have to face the ordeal of trying to make alternative arrangements. This is not always easy when the woman is serving her sentence far from home. Sometimes, despite good planning, the mother's absence is disastrous for the family.

I set my sister up. She didn't want to come here (Stephanie's home) so I got her a house down the road and gave her what furniture she needed, paid the bond on the house, got them all settled – kids, everything. She said she'd have the kids. My baby was only 12 weeks old. She lasted 6 weeks – she didn't want them... They all got scattered... it was horrible... I couldn't do anything because I was in gaol... I felt like I couldn't do anything and I just had to accept it. I had to block it out. Just do what I could. I was powerless (Stephanie).

Stephanie's children ended up being separated during her 13 months in prison. This was not what she had planned for them.

For one of the women, however, going to prison came as a shock as she had been led to believe that she would not receive a prison term.

I was totally unprepared because my lawyer was the one that said with the break in between (my offending), the 3 years break, that I wouldn't be looking at a gaol lag, I'd be looking at PD. So my hopes were up high (Majong).

Those women who are not expecting a prison sentence are put in the position of having to make arrangements to deal with their obligations while they are in custody, either in police cells or at the prison. Access to telephones is limited and often arrangements are made in a hurry and, subsequently, are unsatisfactory.

I had to plead with their father to come here and look after the house and the kids, but he didn't look after the kids. He only looked after the house. The kids were all over the place staying with friends (Majong).

Talia had not been prepared for prison the first time, and felt that having time to make arrangements for children prior to going to prison was important for allowing a women to feel that she had done her best for her family.

What would have helped me (was) if (there was) some way of even a weeks stand down before going, to make things right for the best interest of the children, and the circumstances... I think that somebody, especially a female with children, who is put in that position where it's the first time going to gaol and its not set up...just having some sort of timeframe where you're trusted, I suppose...to do the best thing for your child...If you have to be somewhere else, you want to make sure that they are in the best place (Talia).

First Time

Most women going to prison for the first time find it a frightening experience. In this regard the women interviewed were no exception, although once they were there, most found it wasn't as bad as they had expected. Most of their fears seemed to come from their perceptions of what prison life was like. The main issue identified in this regard is the lack of information available to sentenced inmates prior to going to the prison. If good information was provided at court, this may go some way towards informing the women what to expect.

The first time I went in I had this big picture where these big mommas would stand over me and want me to be their partner. Because I was told this, it was really scary going in the first time. But once I got to a week, it was just like being away from society (Majong).

The first time I went to gaol was in 1995. I was 15 when I went to gaol and I was scared. I was really scared. ... Then the second and third (times), it was just easy peasy (Alajay).

I was devastated. I was scared. I was a mess. It wasn't what I thought it would be. I thought it would be a lot worse than what it was. I got held in the (police) cells (for four days) before I went (to Arohata). I thought that was what prison was like everyday²⁷ so I was petrified. ...when I was first

²⁷ The police cells referred to hold both male and female prisoners as well as those people arrested and awaiting a court appearance. They have a communal ablutions block. There is very little privacy.

admitted (to Arohata), it wasn't (like) that. They were actually quite good... (Cha).

One of the women, however, felt differently.

No, I wasn't afraid. I was just sad. I just felt 'what am I doing here at my age? I started offending late. This is no place for someone my age (Sue).

I was lucky. Another lady (from here) came in at the same time as me so I had someone to talk to, but at night it was quite terrible. There was shouting in the night, banging windows with their chairs. It was quite frightening (Sue).

Another issue identified for some of the women was lack of awareness of prison procedures. Upon being received into prison for the first time, women have little idea of what to expect.

When I first went there I cried for 3 days and then I got put in isolation, and they kept an eye on me for 24 hours. ... I didn't realize that if you said 'yes' to a question²⁸ that you get put in observation, so that happened to me (Stephanie).

Well when I was first admitted they were actually quite good and they sort of noted that I was at risk because I had contemplated suicide. It was just talk... so as a result I was put in a wing where I was observed for 24 hours... (Cha).

Prison routine is also important to the women and not always well covered at reception. One of the women interviewed said that it was the other inmates who told her about the prison routine.

The routine...just the little things because that makes it so much easier because, you know, you're not looking like and idiot, or you're not feeling horrible because you don't know. Because that sort of thing doesn't get told to you. The little things. If you want an extra blanket, this is where you go. You get so much sugar a week... that kind of thing (Cha).

²⁸ The questions referred to are in the "At Risk" questionnaire that was discussed in Chapter 7.

Relationships with other inmates

Once the reception processes have been completed and the women moved into their allocated wings in the prison, they face problems associated with integrating into prison life. They had to adjust to a totally different way of life than they are used to, and learn to mix with people with whom they normally wouldn't associate.

It was scary enough like I think any new place would be, and you know that you're stuck with people you generally would not want to be with (Talia).

For two of the women, integrating into prison life was made easier as they found someone they knew already in prison.

I was quite lucky... then I walked into the day room. I was lucky my ex's aunty was there, so from then on it was really fine for me (Stephanie).

When I walked in there (the first time) I thought I was going to die. I thought they were going to eat me up and spit me out... Here I was, the only 15 year old in there... the youngest out of the lot of them... so many things were going through my head. Then I just happened to walk into this room and I saw my aunty. She was my gaol mum. She looked after me (Alajay).

All of the women interviewed said that the best way to get on in prison was to 'keep your head down and just get on with it'. They all, however, commented that you have to be able to stand up for yourself if you do not want to have a hard time from the other inmates.

You have to stand up for yourself when you go in there... you get women that stand over you and if you do what they tell you to do... if you jump and do it, you're going to have a hard time (Majong).

I stuck up for myself. I thought 'no one gets away with anything'. (One women) used to pick on me all the time... and I started giving it back and she stopped annoying me (Sue).

Separation from children

Women traditionally have the major role in bringing up children and for those women in prison who are mothers, the main issues they face during their incarceration relate to the separation from their children and families. Four of the women interviewed had dependent children. Separation from these children was the biggest issue raised by these women.

Mothers in prison experience pain at being separated from their children and on entering prison experience a grieving process. All four women with dependent children described grieving for their children during their first few weeks in prison.

Just being away from the ones you love. That's the punishment in itself. I cried a lot (Cha).

Having been in prison before does not make the separation easier.

This time was the hardest time I've done because of the kids really... This time they had nobody for them... it just ripped me apart, just broke down and cried... I just waited until the door was shut at night and I cried (Majong).

The women also worried about the effect of their imprisonment on their children.

I've never been away from (my daughter) like that. She was 1 when I went to gaol for a month and the way I was thinking at that stage was different. I was like "OK. She's 1. I know she's looked after. She's not going to remember this so I'm not going to feel guilty about it." Now this time round she is 4 and I'm her main caregiver... I didn't realize how much I was going to miss her when I got (to Arohata), as to worrying about how she was going to miss me... (Talia).

The most common way for the women to deal with their feelings was to repress them. Throughout all their stories, there was a feeling of resignation in that they saw they were powerless to do anything other than cope.

I just got over it. (Talia).

You just have to cope. You don't have any other option. There is no counselling in there for that (Majong).

I had to block it out. Just do what I could. I was powerless. I couldn't do anything. Just make those phone calls and write those letters and that was it. That was all I could do (Stephanie).

Maintaining contact with Home and Families.

For women in prison, maintaining contact with families and supports is crucial for their relationships and also their return to their homes on release. Given the distance from home mentioned earlier, maintaining meaningful contact with their families, children and supports was a major issue for these women.

Prison policy allows inmates one phone call on entering prison. After that inmates are allowed 15 minute phone calls daily to the people whose numbers have been approved by the prison. There is a period of time before these numbers are approved. Inmates also have to pay for their own phone cards or have them sent in by families back home. For some families, this puts a strain on already tight budgets. Women prisoners are also less likely to have any savings, so are reliant on their families to support them.

Local calls cost 50 cents for an unlimited time. The six women interviewed were more likely to have to make toll calls to their families and friends. However, toll calls are charged by the minute during the day, when the women are allowed access to the phones, and are therefore more expensive. Having to make toll calls severely limits a woman's ability to maintain meaningful contact with families and support people in her home area.

The hard part was phoning home... You had to wait until numbers are approved, and then you wait for phone cards to get sent in, so it takes about two weeks before you can actually make a phone call. When you do make a phone call, like my husband used to give me a \$20 telecom card, that was just one 15 minute call home. That was really hard... Actually talking to my husband and kids was really hard because we couldn't afford it. We had to wait so long for the \$20 phone card (Cha).

The only way one woman was able to try to maintain phone contact with her child was to ring the child's kindergarten. The cost of making a toll call on morning rates meant that, for her, the calls were even more limited.

I had no phone at home so I rang the kindy. Now a \$20 phone card allows 8 minutes. By the time you ring a kindy and the teacher manages to find your child, or you're talking to the right person, it's gone (Talia).

Some women arrange an 0800 phone number on their home telephones so that they can call home without having to worry about the phone card running out. However, many families are not able to pay for this account while the women are in prison, and often the women come out of prison to debt.

One of the women I interviewed had an 0800 number. This enabled her to keep in regular contact with all of the people on her approved phone list.

I had an 0800 number...you're allowed 10 people on your list and you can have 15 minutes for each of them. They paid it at home (Sue).

For most of the women in prison, however, letters are the main form of regular communication with family and friends and receiving mail is an important part of the day.

It was all through letters. That's how we kept in touch (Majong).

Letter writing's a biggie. It's the most important thing to do (Cha).

Next minute I get these letters. Oh that made my day. That's all I look forward to is getting the mail...every time I got letters, that's what kept me going in gaol (Alajay).

Lack of visits from family members was also an issue for three of the women I interviewed. Distance from home and the costs of transport were seen as the main problems. For those that did have visits, rules about the lack of physical contact during the visits made visiting difficult as well.

(The kids) came down (once) with their father and it's only like a few hours with them. That was the main problem. And you can't touch them or hug them 'cos you're not allowed (Majong).

It's hopeless for people from (Hawkes Bay) to visit the women's prison at Arohata (Talia).

I only got to see my baby twice in gaol...I was lucky (the school) brought my kids through twice to see me...My family were useless (Stephanie).

Assistance with toll calls, either financially or by providing access to prison phones that do not need a phone card, would help alleviate some of the problems for women who are imprisoned some distance from their home areas. However, consideration should also be given to investigating the possibility of smaller prisons for women throughout the country so that women can be imprisoned closer to their homes.

Relationships with Officers

As an integral part of the case management process in prison, inmates are allocated a case officer whose role is to manage the inmate's sentence and to provide assistance and counselling when necessary.

The women I interviewed saw that it was the job of their case manager to ensure that they were allocated to work or programmes, as well as to provide counselling. Opinion as to how effective their case managers were was divided. One woman thought that her case manager was less than helpful.

Mine was... useless. Like you're meant to have a case manager who puts you on to programmes and stuff like that. Well, he was useless...I heard there was this other lady (officer) and she was really cool and whenever she used to hear about a course or anything, she would let me know and I'd put my name down (Stephanie).

Another woman, however, had a different opinion.

My case worker was really awesome...I had a few issues in there and he helped me out by just talking to me (Majong).

Issues around differential treatment by some prison officers were identified during the interviews. Not all the women interviewed felt that they were treated unfairly. However, inconsistencies in the officer's perceived treatment of inmates were commented on.

Four of the women considered that they had been fairly treated by the prison officers.

Actually, I think the officers were really good. They've got how many of us in one wing – about 25 women- and they've got women screaming in their ears all the time. So I thought they coped really well with them (Majong).

I was treated good. If you are good to the wardens, they are good to you. It's up to you, I think, how you are treated (Sue).

I was treated all right, but some officers just think they are so much higher than us and talk down to you (Stephanie).

Two others, however, commented on the lack of consistency in the way some of the officers treated the women inmates. They saw the way certain officers treated the inmates was dependent to a large extent on whether the officers liked either their jobs or the inmates. Lack of trust in officers who were perceived to discuss inmate's issues with other inmates was also an issue raised during the interviews.

There is no routine, there is no "this is the way and the only way" between all of them. If they like you, you're lucky. If they don't, you're not. If they like being at the job, you're lucky. If they don't, you're not. Get them on a good day, you're lucky. If you don't, you're not. I think it's rude (Talia).

You think you can trust some and be having a talk about some situation, and they go and open their big mouth and you've got a big ... war on because you thought you could trust that one... so you can't trust anyone in there. No, you really can't trust anyone but yourself (Alajay).

Three out of the six women interviewed commented that some of the prison officers were loathe to deal with the thefts and standover tactics that some of the inmates subjected others to, even though the officers were made aware of what was happening. This lack of action exacerbated the way in which these women perceived the officers.

They got abused by some young ones...and smokes taken off them. And the officers didn't do anything about it (Sue).

This one lady (came into prison) and this young girl said "do you want a game of scrabble?". Within 10 minutes the girls had gone through her room and taken everything that they wanted... she told the officer and ... they could have searched those (other) rooms and they would have got the stuff back, and they didn't even do that (Stephanie).²⁹

Two of the six women perceived male officers to be more lenient with the women than the female staff.

You got more leeway with the males (Alajay).

I think, in general males are softer than females (Talia).

Women prisoners are vulnerable, more so when they are separated from family and friends, and it would be easy for relationships with officers to become exploitive on both sides, especially when a male officer is perceived to favour one inmate over another. The inconsistencies commented on by these women highlight the need for good training and consistent performance standards for prison officers who are employed in women's prisons.

Cultural Issues

Three out of the six women interviewed identified cultural concerns as an issue. The main issue identified concerned the right to attend tangihanga.

One of the women had a close relative die while she was in prison and was not

²⁹ Stephanie and two other women in that wing subsequently formed a committee, which assisted the officers search for stolen property in an effort to curb the thefts.

allowed to attend the tangi. Reasons given for this was that she was classified as a medium-risk inmate, and was not able to find the amount of money requires to pay for two officers to escort her to the tangi. The women who raised this issue considered that it had not been dealt with appropriately and consideration should have been given to alternative ways of assisting her to attend. For example, one of the women thought that consideration could have been given for Maori wardens to provide the escort.

I thought that wasn't right. I think if someone close to me died I would want to be there. I don't think they should (have to pay for the escort). It was the death of a close (relative) (Sue).

Another of the women also mentioned restriction on attendance at a tangi. Although this occurred when she was on home detention, it raises the issue that there is a need for current policies and procedures relating to the attendance at tangihanga to be reviewed to allow for greater cultural responsiveness.

There was a tangi when I was on Home D but I was a phase 4³⁰ by then so I was allowed to go to the tangi for one day. I was allowed to go and visit for one day but not to the funeral...I can't say that I felt hard done by because I was Maori or anything like that. It was a cultural issue that they never touched upon... (Cha).

How prison could be better for Women.

Each of the six women interviewed spoke of ways in which their needs, or those of other women prisoners, could be better met during a prison sentence. Their suggestions ranged from better resources for and availability of recreation and rehabilitative programmes to those requiring different management strategies and regimes for women prisoners. For one of the women, being able to see her children more often would have made a huge difference for her. Distance and cost precluded this happening.

³⁰ Home detainees work through a number of phases where restrictions are progressively lifted.

One of the six women interviewed considered it important for women prisoners to be listened to and actively involved in the identification of their needs and appropriate ways to deal with these.

In gaol it could be made better by asking the inmates what they feel needs to be done to help them, instead of (the officers) thinking that they know, because they don't really. They are not us. They're not me. They don't know until they ask one of us...I think that's what the women would want. For them to sit down for once and listen to what (the women) have to say and what they feel would help. Get everyone pulling together... (Alajay).

Two of the women thought that having the resources and opportunity for women prisoners to make better use of their leisure time would help. One of these women also raised the issue of male prisoners having more recreational activities and opportunities to keep fit available to them than the women.

More recreation and physical stuff...I think the boredom factor is a biggie. I think that needs to change... (Cha).

There's hardly any courses in Arohata. Not only courses. Men have got all these crafts³¹ and we've got hardly anything like that in gaol. Basically in the weekend we're just stuck in the wing... We could be learning things too...like pottery and all sorts of things (Majong).

Majong saw lack of funding as an issue in the lack of available courses and recreational activities for women.

We tried to get some needs met but there wasn't enough funding and it got turned down (Majong).

Specifically, Majong saw a need for programmes to address women's abuse issues, which she sees as underpinning offending. She also considers there is a need for rehabilitation programmes specifically for Maori women to address alcohol and drug issues.

³¹ Glass painting and carving in particular. Majong sees these as crafts which enable men to make an income on their release from prison

Actually, I found most of the girls that have been in gaol have been sexually abused and, to me, they should have programmes like that in gaol. That's one of the main issues they bring out...I see young girls going into Arohata and when I get to know them they tell me (about being sexually abused) and I feel so sorry for them because they don't know how to deal with it. To me, they're dealing with it by doing the crime (Majong).

They need a Maori programme (at Arohata)...because it's mainly Maori in there and it should be a Maori rehab programme as it's not meeting the Maori needs (Majong).

One of the women raised the possibility of smaller 'detention' centres situated in cities throughout New Zealand for non-violent, short-serving offenders could go and be provided with programmes and interventions to address their offending. Although she thought that these centres would be residential, this idea raises the possibility of day centres for women offenders in these categories.

I think there should be a place located in every town...available to people who commit an offence that is non-violent and (get) a year max- like a detention. Where you don't go in there to watch TV. You go in there to listen to a counsellor or somebody to teach you that there's other ways... You are punished but you are punished with good punishment...It should be like a boarding house (Talia).

Two of the six women interviewed thought that there should be a way to separate women inmates within the prison in order to not only manage their different needs, but also provide a safe environment.

There should be a system for short term imprisonment. Like the imprisonment system shouldn't be just based on one way that everyone, whether you're in for one month or six years, is treated the same...If you're there longer, of course you're going to need different needs met, and if you're there short term, you've got different needs to meet...I think that everyone serving under a year... should have a whole wing together and different things offered to them (Talia).

I've been done for drunk driving and I'm chucked in with violent crimes women...I think that doesn't work either...you know, some people are breakable...I don't think violent

offending and non-violent offending should be together at all (Talia).

Conclusion

The issues raised in this chapter highlight the need for women going to prison to have access to good information. Having a clear understanding of the reception processes is important for women entering prison, particularly for the first time. This is a particularly stressful time for women, and it is important that they understand what is happening to them. The women felt that it was important that these processes are explained and clarified, as a lack of understanding added to their stress. As one manager stressed in chapter 7, it is crucial that staff are trained to recognize the stresses that women experience on entering prison, and ensure that they fully comprehend what is happening.

Separation from children in particular raised grief issues for a number of the women interviewed. Grief counselling was unavailable and the women tended to repress their feelings in order to cope with their pain while in prison. Issues also arose around difficulties experienced not only with maintaining relationships while in prison but also with re-forming relationships with children when the women returned home. In order for women to be able to re-integrate into the community and stop offending, they should be able to make workable plans for their families prior to going to prison, otherwise it is much harder for them to start again when they are released.

Having to adjust to prison life and learn to live with the other inmates also raised issues, as did perceived inconsistencies in the behaviour of prison officers.

Similarly to the managers, the women identified issues with the lack of programmes, work and resources for women prisoners, particularly those serving short sentences. Educational courses are also not readily available to women serving short sentences of imprisonment. If nothing is done to assist

these women while they are in prison, there is a good chance that many will continue to offend once they are released.

There is also very little available in prison to assist women prisoners in their return to their home areas following release. For most of the women interviewed, release on home leaves near to the time of their release would have assisted in the transition from prison to the community.

The views and opinions expressed by these women as to how women prisoners could be better managed have similarities to those expressed by the managers in the last chapter. Similarly to one of the managers, two women thought that there needed to be the facility to keep different categories of inmate separate. One also thought that there needs to be different options available to women in order to enable them to remain closer to their families and be provided with meaningful interventions to address the causes of their offending.

Underpinning the changes that the six women identified for consideration is the need for policy to be developed which deals specifically with the containment and management of women in prison.



Chapter 9 ALTERNATIVES TO IMPRISONMENT

Introduction

The whole environment in the female institution is quite different than the male environment because women are different creatures. The women are very different to deal with. They have different issues.

(Mary Wilson - interview 14 March 2001)

In New Zealand, while there are only three facilities for women sentenced to terms of imprisonment, men who are sentenced to imprisonment have sixteen facilities situated at a number of locations throughout New Zealand. The implication of this is that the majority of women inmates are imprisoned away from their home areas, their immediate families, lawyers and supports. This situation makes visiting difficult and creates stress for those women trying to maintain relationships throughout, sometimes lengthy, prison sentences.

Alternatives to imprisonment for women offenders have been the subject of debate, both in New Zealand and overseas. These debates include incorporating women into male prisons, providing better provision for women in prison by way of gender specific interventions, to a decreased use of prisons for women by way of community houses and more use of community based sentences.

This chapter discusses some of the alternatives for imprisoning women that have been proposed and the implications for women offenders. There is also discussion of community-based sentences in New Zealand and how these apply to women. Community-based sentences were introduced as alternatives to imprisonment and can be imposed for a wide number of offences, excluding serious violence and sexual offences for which a prison sentence is mandatory.

There is a large number of people currently in our prisons serving sentences of imprisonment for non-violent offences who could well be serving sentences in the community instead. These people are likely to be in prison as a punishment for recidivist offending. They are not violent and are therefore less likely to be a risk to the community at large if they were to serve alternative sentences in the community. Given that the majority of women in prison are serving sentences for non-violent offences, it is pertinent to examine community based sentences and their intended use as part of this thesis.

Alternatives for Women

In 1989, the then Department of Justice was considering integrating women prisoners into men's prisons, by providing a number of small units or institutions alongside the men's prisons. This move had been recommended by the Penal Policy Review Committee in 1981 and was reinforced by submissions made by the Department to the Ministerial Committee of Inquiry into the Prisons System in 1998. The Department of Justice considered that while the small numbers of female inmates would make housing all female inmates regionally impracticable, five well-located institutions or units for women would mean that over 90 percent of women could be incarcerated relatively close to their court of sentence. The Department proposed an average muster of 10 to be the minimum intake to make a female unit viable, and proposed that these units would be in Auckland, Waikato/Bay of Plenty, Wellington, Christchurch and Manawatu. (*Prisons in Change*, 1988, submission 7.2.6). Where women were to be held in men's prisons, the Department proposed that they were to be kept entirely separate in small units, and that separate programmes would be provided for each gender group.

The Department's desire to integrate women into men's prisons was based in part upon the recognition that women should be detained as near as possible to family and community support. However, it was also, and perhaps mainly, based on considerations of cost effectiveness because the small numbers of

women who come from areas where there is no separate accommodation were not seen to justify separate prisons for women (*Prison Review: Te Ara Hou*, 1989).

One of the principal objections to shared sites and mixed detention for women and men is that many women inmates have been victims of male violence and abuse (Hayman, 1996). Further, when women form only a small proportion of the prison population female prisoners are given last priority in co-correctional planning and programming.

'Co-corrections' refers to the imprisonment and interaction of female and male offenders under a single institutional administration (Smykla and Williams, 1996). These regimes are operational in some overseas countries. In the United States, where co-corrections has been in place in some states since 1979, women failed to be provided parity with men. Sexually integrated prisons provided more options for male than female inmates, and most women inmates were still imprisoned in institutions further from their homes than men. Women inmates (but not men) were barred from work details when there was insufficient supervision. Where relationships between inmates were formed, the burden of avoiding pregnancy fell on the women (Smykla and Williams, 1996).

The 1989 Ministerial Committee of Inquiry into the Prisons System (p160) noted:

there can be no doubt that women would be greatly disadvantaged if they were incarcerated in prisons where the majority of inmates are men. Without substantial changes being made in the conditions and ethos under which men are detained, no benefit would result for women. It is inevitable that opportunities for work, education, recreation and access to services would be organised in such a way as to give priority to the majority group.

Further, they noted that women appear to be subjected to increased sexual harassment in mixed prisons, and that the experience of both staff and prisoners in these institutions appeared to involve considerable time in disciplinary action relating to violation of the rules prohibiting sexual contact.

The Ministerial Committee of Inquiry favoured the development of small Habilitation Centres³², and envisaged women being transferred to these centres in their home localities as part of their prison sentences. They also recommended that consideration be given to building small local prisons in metropolitan industrial areas.

Habilitation centres were set up by the Department but not as the Ministerial Committee had proposed. These centres were initially set up in West Auckland, New Plymouth, Wellington and Christchurch. There were three centres for men and one for women. The women's centre was the one in Wellington, and had stringent criteria for entry, in that it was for selected parolees with alcohol problems and did not take women with sentences of less than one year, due to the length of the programme. However, restricting entry in this way further reduced the numbers for eligibility in a population where women's numbers were already a minority. Not surprisingly, the women's centre subsequently closed due to lack of numbers amongst other reasons. The programme is now offered to women at the Drug and Alcohol Treatment unit at Arohata Prison. Currently, there are four habilitation centres for men and none for women. The effectiveness of these centres is being evaluated by the Department of Corrections.

The report of the Department of Justice Working Party on Women in Prison (1990) was the first New Zealand document to specifically address the issues

³² The Ministerial Committee recommended the establishment of small residential centers based in the community away from prisons, where offenders would undergo programmes to equip them for life in the community. Offenders would be sent to these centers rather than prison. The current Habilitation Centres, established by the Department of Justice, are centers to which inmates are released from prison in order to undergo intensive rehabilitation programmes.

of women in prison including those raised by the Ministerial Committee of Inquiry into Prisons and the submissions made by the Department of Justice. However, the recommendations made by this working party basically followed current prison structures and did not challenge the Department to examine its approach to the containment of women inmates (Taylor, 1997). In essence, the recommendations of the working party largely mirrored those of the Ministerial Committee and the Department.

The Working Party recognised the need for more regional facilities for women but did not specify what kind of facility should be provided. It also considered that male and female inmates could be housed in the same institution as long as they had separate facilities and resource allocations. It did not address the danger of women becoming a “forgotten part of the prison system” if they were housed in male institutions (Taylor, 1997).

In some American states it is possible for women to be moved to hostel accommodation as part of their prison sentence. These hostels are part of the prison system and are run by prison staff. The women are subject to prison rules. These hostels are different from supervised community hostels in that there is less freedom to leave or to choose employment or how to spend the day. However, the women are able to have their children with them, there are training and employment opportunities, and their movements within the hostel are less constrained than they would be in a prison.

The benefit of this approach is that it removes the damaging effects on the children of being separated from their imprisoned mothers. It also reduces the anxiety of mothers and ensures the women are better equipped to deal with the realities of independent living. In most states it is used as an option for women who have already served part of their prison sentences and have been assessed for suitability for hostel accommodation in terms of the risk they pose to the community or of escape (SWSPI, 1998). This approach could well be a possibility for New Zealand women, by taking the concept of the self-care

units within the prison outside the wall and into the women's local community area.³³

In Britain, Pat Carlen (1990) argued for the abolition of women's imprisonment for all but the most serious offenders, on the grounds that the number of women who genuinely need to be imprisoned because of the seriousness of their offence or their dangerousness is too low to warrant a separate 'system' for them. Carlen favoured the approach of community houses plus a range of offender behavioural and support groups run by the Probation Service. Carlen advocated that imprisonment be abolished for a five-year experimental period for all but the most dangerous women or those convicted of extreme violence. So far, Carlen's challenge has not been taken up (Society of Friends, 1999).

In New Zealand, Venezia Kingi (1993) advocated that women should only be imprisoned as a last resort, as, in general, women offenders do not pose a threat to the physical safety of the community at large. She argued that as the largest numbers of women are imprisoned for predominantly non-violent property or drug related offences, female offenders should be dealt with in the community where possible. Kingi advocated for community programmes, which could include

“work release centres, residential centres for low-risk women offenders, treatment programmes for victims of physical or sexual abuse, residential programmes for pregnant women or those with young children, and programmes which meet offenders' immediate needs (eg substance abuse counselling, parenting skills, educational and life skills, child care, job placement and self-esteem enhancement)”

(Kingi, 1993, p7).

Kingi also saw home detention (where a prisoner can serve all or part of

³³ Self-care units have been established to enable inmates to prepare for life outside the prisons. They are run along the lines of a flatting situation, although they are contained within the prison fences. There is a self-care unit at Christchurch Women's Prison, as well as at some of the male prisons.

his/her sentence at home)³⁴ and habilitation centres as alternatives to custodial sentences for women. Currently there are no habilitation centres for women in New Zealand, and it is debatable whether home detention is a viable alternative for women inmates with young families unless they have very good supports and access to childcare. However, as more women are subjected to this sanction, there will be better evidence to evaluate the suitability of home detention as an alternative to imprisonment for women.

Pamela Williamson (1996) argued that the changing legislative environment introduced by the Criminal Justice Amendment Act 1993 opened the way for alternatives to imprisonment in the form of community houses where women could serve their sentences while remaining with their children. Similarly to Carlen, Williamson argued that community houses for women would be the most appropriate and cost-effective alternative to women's imprisonment, and that community based programmes are best suited to meet the diverse needs of women offenders.

In January 1995, Williamson became involved in a project designed to implement a pilot residential habilitation centre for women offenders and their children. The envisaged pilot programme was to provide accommodation and services for up to seven mothers and their children provisionally up to the age of ten years, and was to be situated in Auckland. Negotiations undertaken with the then Department of Justice for establishment and running costs were unsuccessful. Without adequate funding for establishment and ongoing operational costs, setting up such facilities seems beyond the resources of most community organizations.

On 18 May 2001, the Minister of Corrections, Hon. Matt Robson, announced

³⁴ Available as an alternative to serving the sentence in prison for eligible inmates sentenced to 2 years imprisonment or less. Also available prior to parole eligibility for inmates sentenced to over 2 years. Inmates are released on home Detention by the District Prisons or National Parole Boards.

the establishment of day reporting centres for young offenders as an alternative to sending non-violent young people between the ages of 15 to 18 to prison. Young offenders, both male and female, will attend these centres on 5 days a week for 6 months, where they will be provided with intensive rehabilitation programmes and supervision. They will return to their homes at night and the weekends, and some will be under either a curfew or electronic monitoring. Under this regime it is intended to provide special services to young Maori offenders. It is estimated that the centres will cater initially for 70 young men and women. It will be interesting to see if the programmes offered in these day centres are gender appropriate, or whether the young women will be expected to attend the same programmes as the young men.

There would be merit in considering such a concept for women who are not violent and who are serving short sentences. Not only would this provide the least disruption to family life, but also it would be an ideal opportunity to provide programmes specifically tailored to address the needs of women offenders, including the issues of trauma and abuse.

The above arguments for providing alternative methods of imprisoning women are persuasive. Most have a similarity to the hostel accommodation system operating in some American states. The idea of small regional prisons for women may also have some merit, especially for women serving lengthy sentences. However, these units would need to be kept and managed separately from the men's prisons to be effective for women. If not, there is a danger that the women would become even more disadvantaged within the male system.

The provision of community hostels, run by the prison service, along similar lines to those in America, also deserves investigation. Arguments against this concept are likely to be on the grounds of efficiency and cost-effectiveness. The challenge to this argument may well include the establishment of different management regimes for women inmates from those currently in place.

Similarly, the provision of day reporting centers for non-violent women offenders also merits investigation.

A further challenge to the management of women offenders, and alternatives to incarceration, can be found in the use of community-based sentences. These are examined further in the next part of this chapter.

Community Based Sentences

The Criminal Justice Act 1985 gave emphasis to community based sentences as alternatives to imprisonment. There are currently four community based sentences in New Zealand as set out in the Criminal Justice Act 1985. These are periodic detention, community service, supervision and community programme.³⁵

The courts have generally regarded periodic detention³⁶ as the most severe community based sentence (Ministry of Justice, 1999). Women are eligible for this sentence and usually serve their periodic detention in mixed work parties. The minimum ratio of females to males in any work party, according to the Community Probation Service operations manual, is 2 to 8.

Periodic detention as a community-based alternative to imprisonment has the potential to alleviate many of the problems women face if they are imprisoned. They do not suffer from separation from family and supports, and are able to remain in their homes with their families while serving this sentence. However, there are issues of group composition and availability and suitability of facilities for women, particularly when the work parties are working in country areas. Also, as the majority of work party supervisors are men, issues of supervision and safety arise for women, particularly if the work party is some distance from

³⁵ Community-based sentences are currently under review as part of the Sentencing Reform Bill. The current sentences are likely to be replaced by two sentencing options, community supervision and community work.

³⁶ Offenders can be sentenced to up to 12 months periodic detention. Carried out on one day a week, in work parties of up to 10 offenders supervised by a work party supervisor.

a built-up area. Therefore, unless the minimum ratio of females to males is increased, questions must be asked about the continued suitability of this sentence for women.

The courts regard community service³⁷ as having a particular rehabilitative value in some circumstances (Ministry of Justice, 1999). These circumstances largely relate to the type of placement and sponsor or sponsoring organisation. The flexibility of this sentence makes it particularly suitable for women offenders, especially those who may have childcare responsibilities, as many placements allow parents to bring their children with them (for example, Kohanga Reo, Playcentres).

Supervision³⁸ is appropriate for offenders who warrant a degree of supervision and control, but whose offending is not considered serious enough to warrant periodic detention or imprisonment (Ministry of Justice, 1999). This is a flexible sentence and as such is particularly suited to women. Also, given the nature of women's offending,³⁹ supervision can be a realistic alternative to imprisonment.

Community programme⁴⁰ is viewed as being particularly appropriate for young Maori offenders who may not respond to the forms of discipline provided by more traditional penalties. This was the first acknowledgment in legislation that recognised that Maori community has a contribution to make in assisting the courts to make suitable dispositions, involving alternatives to imprisonment, for Maori offenders. However, the sentence has not always been utilized in

³⁷ Offenders can be sentenced to complete between 20 to 200 hours of community service with an approved community agency. Placements are usually individual, and the times and frequency of service are negotiated with the sponsor, the offender and the probation officer.

³⁸ Offenders can be sentenced to between 6 months and 2 years supervision. During this time they are under the supervision of a probation officer. Standard conditions of the sentence apply. Offenders can also be required to undergo programmes and interventions to address offending.

³⁹ The majority of women commit non-violent offences and are less likely to be reconvicted than males

⁴⁰ An offender can be sentenced to an agreed programme in the community with a programme sponsor for up to 12 months. The programme can either be residential or non-residential, or a combination of both.

this way, and Maori offenders, including Maori women, continue to make up the major percentage of those in prisons.

Community programme has not been an easy sentence to get, as both the sponsor's integrity and the offender's motivation to comply with the sentence have to be taken into consideration. Many judges are sceptical of the effectiveness of this sentence, although conversely, they are prepared to consider its imposition as a 'last resort' before imprisonment, particularly for women and youth.

Community programme is not limited to any ethnic or cultural group and can potentially involve any individual or community group as sponsor (Ministry of Justice, 1999). The decreasing use of this sentence in recent years raises questions as to its future⁴¹. However, the nature of this sentence, and the ability to impose a residential programme, has similarities with the proposals for women to serve sentences in community houses and hostels discussed earlier in this chapter.

In New Zealand, the Criminal Justice Act 1985 and the 1993 amendments have given new emphasis to community based sentences as alternatives to imprisonment. Since the introduction of the 1985 Act there has been a substantial increase in the use of these sentences, particularly periodic detention and community service, although, as stated above, there has been very low use of community programme as a sentence (Ministry of Justice, 1999).

One of the most frequently stated concerns about community-based sentences is the possibility of net-widening⁴². The use of community service as an alternative to a monetary penalty is a good example of this, as it brings people

⁴¹ Community programme is not considered as a stand-alone sentence in the current Sentencing Reform Bill. However, the proposed sentence of Community Supervision appears flexible enough to enable offenders to be placed on comprehensive programmes with community sponsors, similarly to Community Programme.

⁴² Bringing people into the criminal justice system who would not normally have received these sentences

into the criminal justice system who otherwise may not need to be there merely on account of their inability to meet a monetary penalty. Women offenders are more often than men likely to be in this group, as they are more likely to be in receipt of a low income or unemployed (see chapter 3).

Evidence is mixed when it comes to determining whether community based sentences are being used as actual alternatives to imprisonment or to each other. The prison population continues to rise (see chapter 3), although it is likely that in the absence of community based alternatives it would have risen substantially more. However, there is clearly a net-widening risk in that community based sentences are not only used as an alternative to imprisonment, but also continue to be used as an alternative for those who might otherwise have been dealt with by way of an alternate penalty such as a fine, deferred sentence or a conviction and discharge (Ministry of Justice, 1999).

Conclusion

Despite the recommendations arising out of the report of the Ministerial Committee of Inquiry into the Prisons System (1989) and the subsequent Report of the Department of Justice Working Party on Women in Prison (July 1990), women largely remain a 'forgotten population' within the prison system. Regionalisation, where prisoners remain in or near their home areas in order to facilitate rehabilitation and strengthen supports, is a reality for most men but has yet to happen for the majority of women in prison. Indeed, there appears to be a lack of interest or commitment by the current Department of Corrections to facilitate regional units for women. These are deemed to be too expensive for the small numbers of women involved.

Home detention is currently the only alternative to serving a full-time custodial sentence available to women. It is debatable whether this is a viable alternative for women inmates with young families. There are currently no habilitation

centres in New Zealand for women offenders and no immediate plans to address this.

While there has been a corresponding decrease in the relative use of imprisonment for offences of low to moderate seriousness, there has also been a decrease in the use of monetary penalties. This can largely be attributed to the imposition of community-based sentences, especially community service, where previously a fine would have been imposed (Ministry of Justice, 1999). This trend is also indicative of the growing number of offenders who are on very low incomes or are unemployed. Women offenders are disproportionately represented in these groups. One of the most frequently stated concerns about community-based sentences is the possibility of net widening. The use of community service as an alternative to a monetary penalty is a good example of this.

The placement of women's prisons in Auckland, Wellington and Christchurch means that the majority of women prisoners serve their sentences far from their homes and families. The Ministerial Committee of Inquiry into the New Zealand Prisons System (1989) recognized the need to place women's prisons closer to their home areas. However, little has changed for women in orison in the last 12 years.

Options that could be considered as alternatives to the current system of women's prisons include: community hostels run by prison staff similar to those operating in America; community houses run by the Probation Service, as advocated by Pat Carlen in Britain and Venezia Kingi in New Zealand; and the provision of smaller regional prisons. All are realistic alternatives for the imprisonment of women who, by the nature and seriousness of their offending, must be imprisoned.

At present the policy development and management of women's prisons at a national level are largely in the hands of men. It appears timely for the Department of Corrections to consider placing the overall management of

women's prisons in the hands of women. This would also facilitate the development of realistic alternatives to the imprisonment of women. Recently the Department has started to re-examine its policies for the management of women inmates and a report⁴³ on this was completed in June 2000. That report advocates for the establishment of the position of National Director of Women's Prisons. It also makes recommendations for the management of women in prison. What benefits for women inmates will eventuate from this report remains to be seen.

⁴³ He Kete Pokai Suitcase of Hope

Chapter 10

CONCLUSIONS AND RECOMMENDATIONS

Introduction

*“They are not treated equally. They are treated the same, and the same is this prevailing male way of doing things.”
(Cecelia Lashlie – Interview 15 Feb 2001)*

As we have seen in New Zealand (and similar nations), women prisoners have not been treated equally with males, nor have their real differences been acknowledged. Institutional demands to accommodate increasing numbers of male inmates have determined the location and conditions under which women were imprisoned. Decisions on the location of women’s prisons have never been made on the basis of women’s needs. Moved from one location to another, in the space left as new prisons or units are provided for men, most women have been and still are imprisoned hundreds of miles from their families and support systems. Their small numbers, compared to men prisoners, have continued to be used as justification for their treatment and lack of facilities close to their homes.

Women who are offenders in the criminal justice system present different circumstances and needs to their male counterparts. The profile of female offenders indicates that they are socially and economically marginalized and often victimized by family members and partners. They are also more likely than male offenders to be unemployed, in receipt of a benefit and have sole responsibility for children prior to incarceration. Compared to male offenders, female offenders also have a higher rate of mental health problems and depression.

More so than men, women tend to be the primary maintainers of social relationships and invest heavily in family/whanau. This gives them an emotional stake in the community. It also means that the cost of imprisonment is high. Women not only experience the added pain and anxiety of separation from their families and children while in prison, but they also face the expectation that they will provide stable homes and resume their roles as wives and mothers on their release. In many cases, women leave prison less prepared for this than when they enter.

In endeavouring to examine the treatment of women prisoners in New Zealand and how that treatment impacts on their rehabilitation and reintegration into society, this thesis accepts as a starting point women's invisibility within the prison system. This research comes from the basic assumption that there are gender differences between men and women, in their values as well as in the ways they feel, think and behave, and that these differences do not cease to exist once a woman goes to prison. This document does not provide an in-depth analysis of the treatment of female prisoners compared to that of men. However, where possible, comparisons are drawn and discussed.

This study is based on the belief that the women interviewed are the true experts of their experiences within the prison setting, be they managers or prisoners, and therefore are better able to identify areas where policy and practice developments might better respond to the needs of women in prison. Central to this research, therefore, are the experiences of the women interviewed: the women who have the experience of managing women prisoners within a male-dominated prison regime; and the women who have experienced this system as prisoners. Although the number of women interviewed for this study was small, the views they expressed are of great value, and certainly raise questions and areas for further research and development.

This chapter concludes the findings of the research, given the research limitations, and goes on to make specific recommendations for further research,

policy development and the future management of women prisoners. In doing so, it is my hope that the experiences and opinions expressed by these women do not go unheeded.

Conclusions and Recommendations

The conclusions and recommendations in this chapter are grouped under the following major headings: rehabilitation; reintegration; women prisoners' issues; and future policy and management considerations.

Rehabilitation

The Department of Corrections has established a goal of reducing reoffending. Programmes and work offered within prisons are intended to achieve this goal. It cannot, however, be assumed that programmes which are deemed suitable and effective for men will be suitable and effective for women. This assumes that the causes of women's offending are identical to those of men. The wide disparity between types and rates of women's offending and those of men indicates that there are likely to be different causes for women's offending. This further indicates that women are likely to need different programmes to men in order to address their offending.

Programmes and services offered within women's prisons are based on the needs of the majority prison population, adult male (see appendix 2). There has been little or no consideration as to whether or not they are appropriate for women without revision and redevelopment. This is reflective of the predominant opinion of prison administration since the establishment of prisons in New Zealand in the nineteenth century. Although the Department of Corrections has recently recognized that programmes and tools developed for Integrated Offender Management will need to be revised for use with women, that work has yet to be done.

Women prisoners have different needs to their male counterparts. Common needs attributed to women offenders include poverty, abuse issues, lack of

education and employment skills, substance abuse, responsibility for children, being a sole parent and having a history of self-harm. This has implications for the types of programmes, interventions and supports that should be available for women offenders. The fact that women offenders are a small percentage of the offender population is insufficient reason to ignore their specific needs, or to assume that they are no different from the adult male offender population.

Women prisoners have few programmes and resources available to them that specifically focus on women's issues and differences. Many of the programmes available to women to address their offending are similar to those provided in men's prisons. The alcohol and drug unit at Arohata is the only specialist unit currently available for women inmates. However, given the size of the female inmate population, this unit is unlikely to be replicated at any other of the women's prisons.

There is also a deficit in the availability of programmes to address the underlying causes of women's offending, those relating to abuse and trauma. Four out of the six women ex-prisoners interviewed for this study cited abusive and/or dysfunctional backgrounds as reasons for their offending. Censuses of prison inmates have also identified that up to 80% of women in prison have been victims of abuse. It can, therefore, be assumed that there is likely to be a need for such programmes for women offenders in New Zealand.

Canada has already developed a programme specifically for women survivors of abuse and trauma. This programme is included in the core suite of programmes available to women prisoners in Canada. It is timely for New Zealand to follow the lead of Canada and develop such a programme as part of a core suite of programmes for women. This is an area, however, where further research specific to New Zealand women offenders needs to occur, and programmes tailored to meet their needs. It is also important that women's specific needs are identified as part of any integral assessment process to enable placement of the appropriate programmes. Therefore, assessment tools must be sensitive to women.

Further, there are currently no rehabilitative programmes available in New Zealand women's prisons that take into account the specific cultural needs of Maori women. Given the high percentage of Maori women in prison compared to their percentage of the population as a whole, it is imperative that addressing this deficit be given high priority.

Programmes for Rehabilitation

Effective interventions for women should adopt a holistic approach and be multi-dimensional, rather than have discrete and exclusive areas of specialization. Successful interventions and programmes should also relate to the social realities from which women offenders come and to which they will return. In addition, they must also be sensitive to cultural differences and expectations. To be effective, programmes and interventions must be gender-responsive, and take into account factors specific to women, including treatment for drug abuse and trauma, as well as provide education and training in employment and parenting skills (Bloom, 1999).

Gender-responsive programmes are not 'women only' programmes that have been designed for men. They are programmes which are designed to address the unique needs and issues of women, and should be delivered in a woman-focused environment that is safe, trusting and supportive. Gender-responsive programmes should provide interventions in a manner that is holistic and constructive (Bloom, 1999), as well as being culturally appropriate. Programmes for women offenders must, therefore, reflect the complexity and diversity of women's needs. They must also be treated as a priority, not an afterthought, and provide a necessary link between the prison and the community. In order to provide programmes that are both suitable and effective for women, there is a need for a greater understanding of the causes and effects of women's offending.

Programmes specifically targeted to the needs of women will need to address offending as well as equip women for life beyond prison. What these programmes contain would only be speculative given the lack of research to date on the specific needs of women offenders. More research is necessary for this understanding to occur.

Recommendation 1:

In order to make programmes more relevant for women prisoners, it is recommended that the Department of Corrections undertakes research into the causes and effects of women's offending and develops a core suite of gender and culturally appropriate programmes, which take into account the specific needs, issues and differences of women offenders.

Recommendation 2:

Given the high percentage of women in prison who are survivors of abuse, it is recommended that the Department of Corrections develop a programme specifically for women survivors of abuse and trauma. A similar programme for Maori women must also be developed alongside the mainstream programme.

Programmes for Women on Short Sentences

Currently, women serving short sentences of imprisonment are not eligible for placement on programmes. This is concerning, since a significant percentage of women in prison are serving sentences of less than 12 months (see chapter 3). Many leave prison and return to the same situations that precipitated their offending. If nothing is done to assist these women while they are in prison, there is a good chance that many will continue to offend once they are released.

The Department of Corrections has, as one of its major goals, a goal of reducing reoffending. Not only must this equally apply to women as to men, it must also apply to women serving short sentences⁴⁴ as well as longer sentences⁴⁵. If the Department of Corrections is serious about addressing women's offending, consideration needs to be given to providing women with programmes and interventions that are suitable and available for those with

⁴⁴ Currently sentences of 12 months imprisonment and under. Offenders serve half their sentence before automatic release.

⁴⁵ Sentences of over 12 months imprisonment

short sentences. Given the current paucity of programmes for women, this appears to require urgent consideration.

However, providing interventions to inmates serving sentences less than three months imprisonment may not be realistic, as these people only serve half their sentence in prison and the resources needed to provide programmes to this group of people would be prohibitive. Other ways of addressing the needs of this group, so they will not reoffend, must also be found.

Recommendation 3

That prisoners serving more than three months imprisonment be provided with short intensive interventions in order to address their offending and reduce the chances of reimprisonment.

Employment within Prisons

Work within prisons is regarded as assisting rehabilitate inmates. Women prisoners, and particularly Maori women, represent the most economically disadvantaged group in New Zealand society. Therefore, work within prisons should ideally offer these women the opportunity to develop skills that will enable them to escape the poverty trap on their release from prison. However, there are not enough jobs within the women's prisons to accommodate the numbers of inmates, and work is more likely to be allocated to women serving longer sentences. Of the women interviewed for this study, only the two who had been sentenced to more than 12 months imprisonment were allocated employment while in prison. Women serving sentences of fewer than 12 months are therefore likely to be further disadvantaged.

Employment in women's prisons also illustrates how basic assumptions about gender are perpetrated. There is a lack of work outside of the traditional female work roles in prison. Work mainly revolves around kitchen duties, laundry, cleaning and sewing. Only one woman's prison offers horticultural and beekeeping qualifications for women. Consequently, there is little scope for women to develop skills that would enable them to obtain well paying employment on release. However, this situation needs to be balanced against

the realities of these women being able to gain full time employment on release, especially in areas where high unemployment is predominant. In some cases it may be better to assist women deal with the realities they face on release and assist them build skills in home management, rather than build unrealistic employment expectations.

For women hoping to find paid employment in the community, however, this type of 'women's work' reinforces women's domestic role in society and perpetrates their relegation to unpaid or underpaid work in the wider economy. As well, it continues to stereotype women in the same manner as earlier twentieth century prison programmes, which confined women prisoners to tasks associated with traditionally undervalued and underpaid female gender roles.

Women who are allocated work in prison may develop skills which will benefit them within their own homes. However, in the wider workforce, such work skills lead to benefit threshold wages and will not solve the problems of poverty which most likely underpinned their offending in the first place. To assist women escape the poverty trap, better access to education and work skills in line with those offered to men is necessary. Courses that are available to male inmates include trade skills, computer competency courses and small business courses. There appears no reason why female inmates, including those serving short sentences, should not be offered these as well.

Training courses provided in prison should link to those provided in the community, and women inmates should be able to transfer their attendance to the community either prior to or immediately on release. The provision of transferable work skills, work experience and working outside the prison are ways in which women can be assisted to improve their chances of employment on release. Prison staff should also actively encourage and assist women prisoners to undertake training in the community following release, in order to increase employment opportunities, and lessen the chances of women returning to criminal activities in order to survive financially.

Recommendation 4:

That the Public Prisons Service develop women prisoners' work options to include the acquisition of skills more likely to facilitate economic independence beyond the benefit threshold.

Education

Enrolling in education courses in prison is also restricted to women serving longer prison sentences. Greater access to educational qualifications is likely to assist women obtain meaningful employment on release, as well as facilitate growth in personal development and self-determination. There seems no reason why women should not be able to enroll in correspondence courses while they are in prison, and complete these courses after their release. While cost is no doubt a consideration, the overall benefit for the women's education and futures would be huge.

Recommendation 5:

That the Public Prisons Service encourage and assist women prisoners to enroll in correspondence education with a view to continuing that education following release.

A further point to note is that many certificates obtained while in prison are identified as such. To avoid the stigma of having been to prison and the hindrance that this may cause to employment opportunities, work and educational qualifications should be provided by and accredited to outside training institutions as much as possible, and consequently count towards further qualifications.

Reintegration

In order to assist women prisoners prepare for release, specific attention must be paid to their reintegrative needs. Women prisoners are more likely than men to have the role of main caregiver for children. Typical women prisoners are also solo parents, and therefore have the responsibility of financially supporting their children as well as care. The extent to which their life and that of their children has disintegrated as a result of their imprisonment, means that their

reintegrative needs are likely to be substantially different from those of male prisoners.

The reintegrative needs of women prisoners include lack of suitable accommodation, lack of employment or basic living skills, re-establishing relationships with children, partners and families, and coping with the social stigma of having been in prison.

Addressing Grief

Mothers in prison experience pain and anxiety at separation from their children. Children also become anxious at the absence of their mother. Re-establishing relationships upon the mother's return home can be difficult, especially if the women have not been able to deal with their own issues. Separation from children in particular raised grief issues for a number of the women interviewed. In some cases the women also had to cope with their children's distress at being separated from their mothers, and this added to their own anxieties and grief.

Issues also arose around difficulties experienced not only with maintaining relationships while in prison but also with re-forming relationships with children when the women returned home. Grief counselling was unavailable and the women tended to repress their feelings in order to cope with their pain while in prison. Provision of grief counselling within the prison would benefit mothers grieving at the enforced separation from their children, and assist them better prepare for release.

Recommendation 6:

Urgent consideration is given to providing grief counselling for women in prison who are facing significant grieving issues.

Reintegrative Services

Concerns were raised by the women interviewed about the lack of consideration given to assisting women with children attend to their parental

responsibilities after arrival at the prison. The need to ensure proper arrangements have been made for their children is important for mothers who are faced with going to prison. Better access to telephone calls or visits from family or support people soon after their being taken into custody would enable women who have not expected a prison sentence to make satisfactory arrangements, not only for children, but also for finances and other commitments. Being able to make satisfactory arrangements for children and other commitments at the beginning of her sentence, is likely to assist the woman prisoner reintegrate more successfully when she is released.

Women face added impediments to reintegration in that they are expected to provide stable homes and resume their roles as partners and /or mothers following their release. It cannot be assumed, however, that women are released to stable accommodation and relationships. Frequently accommodation has to be given up and furniture sold or stored once the woman has gone to prison. Often relationships with partners do not survive the woman's prison sentence, although the reverse is not true for men serving a prison sentence. Those women who are able to make arrangements to rent their homes and/or store furniture prior to going to prison have no guarantee that they will return to find their property as they left it. Often they return to find rent unpaid, furniture stolen, or wrecked, and mounting debts to attend to.

There is very little available in prison to assist women prisoners in their return to their home areas. For most women prisoners, home leaves and day paroles are unlikely. Also, many women prisoners are unlikely to have regular visits on account of distance and the inability of families to finance a trip to the prison. Most female inmates rely on mail and telephone calls to maintain contact with their families. This causes other problems for them. These problems, which included added strain on family finances, were discussed in detail in chapter 8.

Access to telephones in prison is restricted to a phone card system or the inmate's 0800 number, with approved numbers. The ability of women to adequately prepare for their release in the short span of time that a phone card

allows is severely limited. Issues arose for some of the women interviewed in this regard, as they were not only unable to maintain adequate contact with their children, but were also unable to deal with issues that arose concerning their homes and finances. Further, many women and their families cannot afford phone cards or struggle to provide them. For these women, there is no ability for the prison to fund their calls, thus even further restricting the woman's ability to make arrangements for her release.

Difficulties faced by re-establishing themselves in their communities point to a greater need for women prisoners to have better phone access and temporary release in the weeks prior to release. This, however, puts the women a situation where greater access to these facilities means a greater need for financial assistance, which in turn adds to the stresses that the women and their families already face.

If the prisons were to facilitate greater access to telephones and transport for home leaves by way of financial assistance, when seen in the context of a women in prison at considerable distance from her family/children, this is likely to have a significant effect not only on the survival of women prisoners and their families, but also on facilitating the women's release. There is currently no budget to provide such assistance.

The inability of women's prisons, through lack of resources or availability of programmes, to provide adequate reintegration strategies for women prisoners, means that for some women, making the successful transition from prison to the community is almost impossible.

Emphasis on developing strong community links is necessary to assist women reintegrate. Given the issues that women prisoners face on being sentenced to prison (children in care, property dispersed, accumulated debt, abandonment by partners), it is essential that effective networks are built/ rebuilt with the woman's community prior to her release. Currently reintegration services are highly reliant on local agencies and services to assist in building these

networks. Often these agencies and services have limited resources and rely heavily on volunteer labour.

The Department of Corrections is currently developing reintegrative strategies for inmates through the reintegrative services component of Integrated Offender Management. For women prisoners, these strategies mainly comprise provision of information about the availability of services in the community, basic life skills and parenting courses. Longer serving inmates will also be eligible for placement in self-care units⁴⁶ in the last 12 months of their sentences. There is a reliance on prison social workers and community agencies, such as PARS, to provide the reintegrative links with the community. Practical assistance for women nearing release, such as phone and transport assistance, is not currently included. Reintegrative Services are due to be piloted in June 2001. Arohata Prison is one of the pilot sites.

The reintegrative strategies introduced through the Integrated Offender Management regimes will go some way towards providing information and basic skills to equip women return to the community. However, in order to maximize the opportunities for women prisoners returning to their communities, often some considerable distance from the prison, there needs to be clear identification of their reintegrative needs and the issues they will face on release. The pilot at Arohata should provide some of this data. However, it is clear that further research in this area is needed in order to clearly identify the reintegrative needs of women prisoners.

Recommendation 7:

That the Department of Corrections undertakes research and in-depth analysis in order to clearly identify the reintegrative needs of women prisoners. Information from this research would inform the provision of appropriate reintegrative services for women.

⁴⁶ Currently available at Christchurch Women's Prison and planned for Arohata, these units enable inmates to live in a 'flattening' situation and develop skills to facilitate reintegration on release.

Recommendation 8:

That the Public Prisons Service budget to provide practical assistance to women prisoners within the month prior to their release, such assistance to include better access to temporary release and telephone. This assistance would form an integral component of any reintegrative services available to women.

Women Prisoners' Issues

There is a need for women going to prison to have access to good information. This was raised by a number of the women interviewed. Having a clear understanding of prison rules as well as the reception processes is important for women entering prison, particularly for the first time, as this is a particularly stressful time for women.

Some of the women interviewed commented that they obtained their information about prison rules and 'housekeeping'⁴⁷ matters from other inmates. This was in addition to the information given during the reception procedures. These 'housekeeping' customs may vary between prisons. Ideally there should be both oral and written information provided on first admission about the day-to-day customs within the prison: oral because some of the women may have literacy difficulties, and written so that the women have a copy for future reference. This information would be an additional resource to the booklets, *First Days* and *Marking Time*, which inmates receive during their reception into prison.

Prison Induction Processes

Prison reception and induction processes are comprehensive and prescribed. However, in order to ensure inmates have a clear understanding of prison rules and 'housekeeping' customs, clear, simple, written information about these should also be provided to inmates during their induction into prison.

⁴⁷ Such things as where to go to get an extra blanket, what rations/necessities are provided, what day do inmates purchase stores,

Recommendation 9:

That the Public Prisons Service continues to improve its induction processes by providing inmates with oral and written information in simple, unambiguous language, setting out relevant prison rules, regulations and customs.

Cultural Awareness

Cultural concerns regarding the attendance at tangi were raised as issues during this study. That these issues were raised points to a need for the Public Prisons Service to ensure that prison practices and management standards are fully aligned with the cultural requirements of Maori women as well as men. Further, it appears prudent that consultation with Iwi regularly occurs in order to resolve any cultural issues that may arise, particularly for women inmates who are more likely than men to be imprisoned far from their home areas.

Recommendation 10:

That the Public Prisons Service continues to ensure management practices take into account the cultural needs of Maori, and that consultation with Iwi occurs to resolve any cultural issues that arise.

Future Policy and Management Considerations

Women's prisons in New Zealand are managed under the same policies and procedures that apply to men's prisons. On the surface, this provides consistency in prison management and defines the treatment that prisoners receive. Although the reception and case management processes for women prisoners are identical to those for males, the managers did not consider that they needed to be different as long as staff in women's prisons are trained to recognize and sensitively address the issues that arise for women prisoners.

Staff Selection

It is considered essential that recruitment and selection procedures for staff who are to work in women's prisons contain screening processes for their understanding of wider gender issues surrounding sexual, emotional and physical abuse, the needs of primary caregivers, and sexual harassment. Therefore, the Public Prisons Service should review its recruitment and

selection processes and redevelop these where necessary to ensure that staff selected to work in women's prisons have this initial understanding.

Recommendation 11:

That the Public Prisons Service review and, if necessary, revise selection procedures for staff assigned to women's prisons to include screening for their understanding of the wider gender issues surrounding abuse, sexual harassment and the different needs of women prisoners.

Prison Staff Training

One of the managers interviewed stressed that it is crucial that staff are trained to recognize the stresses that women experience on entering prison, and ensure that they fully comprehend what is happening. Further, it is also crucial that staff employed in women's prisons not only have an understanding and awareness of the issues that arise for women in prison, but also are able to set clear boundaries and strategies to enable them to manage women prisoners fairly and equitably. It is therefore advisable that training in these areas is also provided. This would not only ensure that staff are sensitive to the needs of women prisoners, but also ensure staff safety in managing women who have a high percentage of abuse histories and relationship difficulties.

Recommendation 12:

That the Public Prisons Service develops and implement training specifically for staff working in women's prisons. This training must include the following modules:

- **Working with women inmates – different theoretical models and policies**
- **Best practice management of women inmates**
- **Identifying and managing risk situations within women's prisons (includes boundary setting)**
- **Working with survivors of abuse and trauma**

Performance Standards for Prison Staff

The lack of trust and respect for prison staff expressed by some of the women interviewed was due to their perceptions that aspects of the case management processes as well as conduct and attitudes towards them from some of the staff were unfair or inconsistent. That these issues were raised indicates the need

for good consistent performance standards and systems in order to measure the quality of service to prisoners. In particular, it is critical that staff manage women prisoners in a consistent and fair manner, to ensure their own safety within women's prisons as well as that of the inmate. These performance standards and systems should clearly specify not only what is expected, but also how they relate to both women and men prisoners, and recognise the differences between the two.

Recommendation 13:

That the Public Prisons Service develop and implement comprehensive performance standards and systems which specify their expectations of staff. In order to be effective, these performance standards will need to recognise the gender differences between male and female inmates.

Location of Women's Prisons

Despite recommendations arising out of the report of the Ministerial Committee of Inquiry into the Prisons System (1989) and the subsequent Report of the Department of Justice Working Party on Women in Prison (July 1990), women largely remain a 'forgotten population' within the prison system. Regionalisation, where prisoners remain in or near their home areas in order to facilitate rehabilitation and strengthen supports, is a reality for most men but has not happened for the majority of women in prison, as smaller, regional prisons for women are deemed to be too expensive for the small numbers of women involved.

The current small number of women's prisons means that the majority of women are imprisoned a long way from their homes. Society, however, expects that women will continue to have the main responsibility for the welfare of their families and children, and indeed some women continue to run their families and households from within the prison. The establishment of smaller prisons throughout the country would enable women who must be imprisoned, because of the nature of their crimes, to serve their sentences as close to their homes and children as possible. It would also enable families and children to visit more frequently and thus preserve or rebuild family

relationships. This is often neither practical nor affordable when distance from the prison is significant.

Establishment of small purpose built prisons for women would also enable the Department of Corrections to run specific programmes at each site that could cater for both short-term and long-term inmates. For example, one prison may focus on addiction programmes, another violence, and another more traditional, culturally based programmes. Under such a system women could transfer to another prison to attend an appropriate programme to address their offending, but spend the rest of their sentence in the prison closest to their homes.

The arguments against providing for and managing women prisoners differently to men are based around the small numbers of women prisoners compared with men, and the estimated costs for providing a different structure to that which is operating currently. The managers interviewed for this research acknowledge this argument but equally acknowledge that there could be a different way of managing women in prison. Similarly, some of the women ex-prisoners interviewed were of the opinion that smaller units for women would improve the situation for women in prison, and allow greater facility to keep female violent and non-violent offenders apart.

There is merit in the Department of Corrections re-examining the containment of women prisoners. In doing so, it is imperative that any alternatives to the current prison system for women cause the least disruption to their families.

Recommendation 14:

That the Department of Corrections re-examines its policy for the containment of women prisoners and considers replacing the current women's prisons structure with 6 small purpose built prisons placed strategically throughout New Zealand.

An Appropriate Management Structure

At present the management of women's prisons at a national level is largely in the hands of men. The effect of this is that resources are more likely to be allocated to male prisons than female. Men are more likely to be housed in women's prisons in times of overcrowding, and sometimes the women are housed within men's prisons for similar reasons. Neither situation is satisfactory for women prisoners. If women are to achieve equity within the prison system, the ways they are managed and contained will have to be improved.

Whether or not smaller prisons for women are considered feasible, it appears timely to consider the creation of a different management structure, including independent financial control, for women's prisons, otherwise women's needs will continue to be subsumed into the needs of the dominant group, that of adult males. This structure would ensure appropriate resources for women prisoners were available when required and could be run through a central management structure, with the site managers of the prisons retaining autonomy within their institutions.

The creation of a separate management structure for women's prisons would necessitate a separate administration structure within the Public Prison's Service to deal with all matters relating to women's prisons, including programme and service delivery. A suitably qualified woman national manager, to whom the site managers at the women's prisons would report directly, would ideally head this administrative structure. In order to protect the resources required to meet the needs of women prisoners, an independent budget with corresponding financial control vested in the national manager would also be required.

Recommendation 15:

That the Department of Corrections establish a separate management structure for women's prisons, which would include full operational responsibility as well as dedicated budget and resources.

Community Houses for Women

Given that there are a large number of women in prison for non-violent offences, and whose sentences are less than a year, alternatives to imprisonment for these women, other than the current⁴⁸ community based sentences should also be considered.

Alternatives to imprisonment are discussed in chapter 9. These include the establishment of residential community houses where women serve their sentences while remaining with their children. A variety of programmes can be provided in these houses, utilizing both internal and approved external resources. The advocates of community houses argue that they are the most appropriate and cost-effective alternative to women's imprisonment. They are certainly the least disruptive for families and children.

The Minister of Corrections has recently announced the establishment of day reporting centres for non-violent young offenders, many of who are considered a high-risk population. There seems no apparent impediment to considering this alternative for women offenders who, by and large, do not represent a high-risk prison population. If this concept was to be considered for women, it may well complement the establishment of community houses.

Recommendation 16:

That the Department of Corrections investigates the establishment of community houses for low risk, non-violent women offenders in the city area throughout New Zealand, which would be suitable for both residential and day programmes.

Meeting Women's Gender-specific Needs

Underpinning any changes identified for consideration is the need for policy to be developed which deals specifically with the containment and management of

⁴⁸ This thesis has not discussed the proposed changes in the Sentencing Reform Bill. However, the comments made here about alternatives to imprisonment would equally sit with the proposed changes to community-based sentences.

women in prison. The Department of Corrections has adopted the following policy statement for women offenders:

"The Department recognizes the specific needs of women offenders and in so doing ensures that its management of women has positive influence on sentence compliance and reducing reoffending"

(Policy and Service Development, April 1998)

To maintain the integrity of this policy statement, the Department needs to ensure that the policies and procedures by which the 'specific needs' of women offenders are to be addressed achieve equity within the prison system for women prisoners.

Currently, there is a strong element of male domination within prison policy. The major effect of this is that policies are developed for the majority prison population, adult male, and then applied to women. Consequently, women are treated the same as men. This is neither equitable nor acceptable.

In depth policy analysis is required to establish a policy framework which recognizes that women prisoners have different needs and requirements to men. Policies for women⁴⁹ must be developed in conjunction with those for men, rather than added as an afterthought as currently happens.

Women need to be empowered to develop solutions with women's needs paramount and independent of prison systems set up by men for men. The establishment of a small policy unit staffed by women with a focus on the development of policies for women would go some way towards bringing balance into the current male dominated regimes under which women prisoners are managed.

Ideally, this policy unit would be established within the Department of Corrections Policy Development Unit. This unit would not be dissimilar to that

⁴⁹ The same considerations are needed for young and disabled offenders to ensure that their needs are also addressed.

already in existence for Maori policy development, and may indeed also include specific focus on policy for youth and disabled offenders⁵⁰. Certainly policy development for young women would be within the scope of such a unit.

Recommendation 17:

That the Department of Corrections establish a Special Focus Policy unit within the current Policy Development Unit, with the specific task of policy development for women, youth and disabled prisoners.

Concluding Statement:

This chapter contains a large number of recommendations, some of which are straightforward and would be easily implemented with a minimum of effort. Others require further analysis and development of new structures. These, consequently, would require considerably more effort to implement.

It is my opinion that the New Zealand Department of Corrections has the ability and the opportunity to be a world leader in the management of women offenders. There is a danger, however, that it will continue to maintain the status quo.

*To do nothing will perpetrate the invisibility of women.
Courage and insight will bring them into the light.*

⁵⁰ Disabled prisoners are another high-need group within prisons for whom specific policies are negligible. This group is inclusive of both the physically and mentally disabled.

Appendices

Appendix 1:

New Zealand Prisons and Locations by Gender

<i>Female Institutions</i>	<i>Location</i>
<i>North Island</i>	
Arohata	Tawa, Wellington
Mt Eden Women's	Auckland
<i>South Island</i>	
Christchurch Women's	Christchurch
<i>Male Institutions</i>	<i>Location</i>
<i>North Island</i>	
Auckland Maximun Security	Albany, Auckland
Auckland Medium Security	Albany, Auckland
Hawkes Bay Regional	Hastings
Manawatu	Palmerston North
Mt Eden (male)	Auckland
New Plymouth	New Plymouth
Ohura	National Park
Rangipo/Tongariro	Turangi
Rimutaka	Upper Hutt
Waikeria	Hamilton
Wanganui	Wanganui
Wellington	Wellington
<i>South Island</i>	
Christchurch (Male)	Christchurch
Dunedin	Dunedin
Invercargill	Invercargill
Rolleston	Christchurch

Appendix 2:**Programmes available in New Zealand Prisons (1999)**

Institution	Type of Programme
Auckland Prison (Male)	Anger Management Alternatives to Violence (AVP) Workshop AVP Advanced Facilitator Workshop AVP Follow-up Substance Abuse Straight Thinking Art School Certificate Art Basic Computer Skills (x2) Computer Writing Computer Awareness Basic Computer Skills Computer Education Advanced Computers Maths School Certificate Maori Peer Tutor Training (x2) Peer Tutoring Distance Education Interviews Library - Resource Centre Independent Study Library/Updates/requests Distance Education Support Education Support One-to-one Tuition LINKS Programme (Preparation for Work
programme)	LINKS Programme/Speeches English for Speakers of Other Languages
(ESOL) (x2)	CV Presentation Driver Theory Drivers licence Job Seeking Basic Presentation Skills Basic Cooking and Budgeting Parole Board Workshop Pre-Release Health and Fitness Parenting

	Rugby League Band Practice Maro Tapeka (Cultural)
Institution	Type of Programme
Auckland (ctd)	Te Reo Maori (x2) Kapa Haka (x2) Whananga Whananga Follow-up Korero Annex Maori Culture Te Reo Maori - Beginners Whakapapa Research Maori Carving Class Kapa Haka/Maurakau Ropu Cook Island Reo Group A'oga Samoa Samoa Atia'e I Magete
Mount Eden (Men's and Women's)	Literacy (HEC Reading, Horizon Software) Maths (Maths Software) Employment (Careers Software) F 3-5 English F 3-5 Maths CV Preparation Straight Thinking
Waikeria/Bay of Plenty Regional (Waikeria) (Male)	Literacy 1-1 English Levels 1-3 Maths Levels 1-4 Trades Maths Computer Literacy 1 Communication Skills Budgeting Skills Parenting Skills Tikanga and Te Reo 1 and 2 Whakairo/ Wood Carving 1 and 2 Pre-Release Programme Straight Thinking
Central North Island (Male)	Basic Education Preparation for Release Life Skills Straight Thinking
West Coast North Island (Wanganui, Linton and New Plymouth Prisons)	Adult Basic Education (x2) Assertiveness (x2) Interpersonal Communications

(Male)	Communications Stress Management Education
Institution	Type of Programme
West Coast (ctd)	Health and Safety Basic First Aid Basic Life Support Straight Thinking
Hawkes Bay Regional (Male)	Literacy/Numeracy Education Skills - secondary and tertiary Lifeskills/Budgeting Fitness Training Growsafe Certification Certificate in Apiculture Chainsaw Maintenance and Operation National Certificate in Fencing Welding Certificate - Arc and Mig Basic Level Cookery Knife Skills Food Hygiene EQUIP (Youth Unit Only) Straight Thinking Te Mua Whanau Trust (anger management programme)
	AVP Parentline (parenting programme) Nga Puniwai Aroha Addictions Programme
Wellington Mount Crawford (Male)	Individual Education Programme Literacy (x7) Empowerment Skills Te Reo
Rimutaka (Male)	Literacy/Numeracy (x4) Distant education Needs Te Reo Straight Thinking Criminogenic Programmes
Arohata (Female)	Individual Education Programme Literacy/Numeracy (x6) Straight Thinking
Canterbury Prisons (Male)	Accounting for Small Businesses Boatmaster

	Classical Studies Computer Studies Day Skipper ESOL
Institution	Type of Programme
Canterbury (ctd)	F3 and F4 Graphics and Design F3 Japanese F3 and F5 Maori F3 Music F3 and F4 Maths F5 and F6 Economics F5 English F5 Human Biology F6 Accounting F7 Maths and Calculus Foundation Skills in Maths Individual Programme - Reading Legal Studies Look After Yourself Managing your Money Maori and Polynesian Art SC English SC Graphics and Design SC Mathematics SC Practical Art Society in Focus Writing Effective English Writing - Formal and Informal Basic Small Business Management Computer Skills for Business Electrical Service Technician Food and Nutrition Food Safety Horticulture Self-Respect National Certificate in Employment Skills
(NCES)	Social and Individual Psychology Supervisory Food Safety Workplace Skills Straight Thinking
Christchurch Women's Prison (Female)	Addictions Education Relapse Prevention Choices at the Cross-roads Understanding Co-dependency AA

	Living Without Violence Anger Management AVP Conflict Resolution Understanding Anger
Institution	Type of Programme
Christchurch Women's (ctd)	Straight Thinking Budget Advice Financial Management Literacy Assessment and Tutoring Correspondence School Open Polytechnic of New Zealand Distance Learning Te Reo Kapa Haka Mana Wahine Tukutuku Weaving Defensive Driving Learners Licence Women and Grief Parenting First Aid New Horizons DO2 Group GROW - Introduction Computers Outdoor Education Pottery Art Watea (for Christchurch Arts Festival)
Otago/Southland Prisons Dunedin Prison (Male)	Learning Assistance HIRE Employment Transition Basic Computing Straight Thinking
Invergargill Prison (Male)	(Nothing Recorded in Survey) Straight Thinking

Appendix 3:**Programmes Purchased by Community Probation
Service by Area 1999/2000 Financial Year**

Area	Community Programme Fund	Maatua Whaangai Fund
Taitokerau	Driver - drink (x2) Driver - Disqualified Training/Education (x2) Associates Anger/Violence (x4) Social Skills (x2) Cognitive Skills (x2) Cultural (x2) Domestic/Parenting (x2) Drug (x2) Alcohol (x2) Financial	Training/Education Anger/Violence (x3) Social Skills Cognitive Skills (x2) Cultural (x2) Domestic/Parenting (x2) Drug Alcohol Sexual Special Needs
Waitemata	Anger/Violence (x3) Domestic/Parenting (x2) Social Skills Training/Education Sexual Alcohol Drug Cultural	Alcohol (x2) Drug (x2) Cultural (x2) Financial Employment Domestic/Parenting Training/Education
Auckland	Sexual Anger/Violence (x6) Cultural (x3) Alcohol (x3) Drug (x5) Driver - Drink Driver - Disqualified	Anger/Violence Cultural (x3) Employment Training/Education Literacy Alcohol Drug
South Auckland	Alcohol (x6) Drug (x6) Anger/Violence (x6) Domestic/Parenting (x3) Cultural (x5) Sexual	Alcohol (x3) Drug (x3) Anger/Violence (x2) Domestic/parenting (x2) Cultural (x3) Social Skills

Area	Community Programme fund	Maatua Whaangai Fund
Counties- Manakau	Sexual Anger/Violence (x4) Alcohol (x3) Drug (x3) Cultural	Cultural (x2) Alcohol Drug
Hamilton	Anger/Violence (x2)	Cultural (x3) Alcohol (x3) Drug (x3) Domestic/Parenting (x3) Anger/Violence (x2) Financial Social Skills
Rotorua	Domestic/Parenting (x4) Alcohol (x5) Drug (x5) Anger/Violence (x4) Cognitive Skills Financial Employment Social Skills	Anger/Violence (x2) Alcohol (x3) Drug (x3) Driver - Drink (x2) Financial Employment
Bay of Plenty Coast	Cognitive Skills Social Skills (x5) Anger/Violence (x4) Leisure (x2) Domestic/Parenting (x4) Alcohol (x5) Drug (x4) Driver -Drink (x2) Driver -Disqualified Financial Employment Accommodation	Social Skills (x2) Cultural (x5) Domestic/Parenting (x4) Cognitive Skills (x2) Alcohol (x6) Drug (x6) Anger/Violence (x4) Driver - Disqualified
Hawkes Bay/ Gisborne	Alcohol Drug Anger/Violence (x3) Social Skills Domestic/Parenting Budgeting	Alcohol Drug Anger/Violence (x2) Social Skills Cultural

Area	Community Programme Fund	Maatua Whaangai Fund
Whanganui/ Taranaki	Anger/Violence (x2) Driver Domestic/Parenting Alcohol (x2) Drug (x2)	Anger/Violence Cultural
Taranua	Alcohol (x2) Drug (x20) Anger/Violence (x3) Sexual Domestic/Parenting (x5) Social Skills (x2) Cognitive Skills Financial	Alcohol (x3) Drug (x2) Anger/Violence Domestic/parenting Cultural (x5) Social Skills Physical Health Literacy Employment Training/Education
Wellington	Sexual Cultural (x4) Anger/Violence (x8) Social Skills Alcohol (x4) Drug (x3) Domestic/Parenting Training/Education Driver -Drink Driver - Disqualified	Anger/Violence (x3)
Nelson/ Marlborough/ West Coast	Anger/Violence (x5) Domestic/Parenting (x4) Social Skills (x4) Cognitive Skills (x4) Alcohol (x4) Drug (x4) Training/Education (x2) Sexual (x3) Literacy Driver - Drink Driver - Disqualified	Anger/Violence (x3) Domestic/Parenting (x3) Cultural Social Skills Cognitive Skills (x2) Alcohol (x2) Drug (x2) Driver - disqualified (x2) Driver - Drink
Christchurch	Anger/Violence Drug (x2) Alcohol (x2) Psychiatric Sexual	Anger/Violence Cultural (x2) Domestic/Parenting

Area	Community Programme Fund	Maatua Whaangai Fund
Dunedin	Financial Anger/Violence (x4) Alcohol (x30) Drug (x3) Sexual Cultural Social Skills Training/Education	Anger/Violence Cultural
Invercargill	Anger/Violence (x3) Alcohol (x2) Drug (x2)	Alcohol Drug

Note: Numbers beside programmes denote the numbers of providers contracted.

Appendix 4:**Women Prisoners in the Criminal Justice System****INFORMATION SHEET FOR MANAGERS**

My name is Margaret Agnew and I am currently enrolled as a student at Massey University. I am also employed by the Department of Corrections Community Probation Service, and work mainly in Wellington. I can be contacted through my Wellington office on 04 4961171, or through the Hasting Community Probation Office, phone 8781010 on Mondays and Fridays.

I am undertaking this research in partial fulfillment of a MA (Social Policy). My main interest is in the treatment women offenders receive in the criminal justice system compared with their male counterparts. This includes their issues, the sorts of resources and services that are provided for them, and what can be done to improve the treatment and services offered to women offenders in order to meet their gender specific needs.

The purpose of my study is to examine the treatment for women offenders who have been given a prison sentence and how this impacts on their rehabilitation and reintegration into society. I will be particularly keen to know about the programmes, resources and services that are provided for women in prisons, whether these meet their needs and what, if anything, can be done to improve the treatment and services offered to women offenders in order to meet their specific needs.

I would like to hear about your observations, experiences and opinions in this area. It is my assumption that you are experienced in the development of policy for, or the management of, women prisoners, and are in the best position to offer the most accurate knowledge and evaluation of this area.

Recommendations from this research should benefit women inmates within the Criminal Justice system by providing better information about women prisoners and what can be done to improve the treatment and services offered to them in order to meet their specific needs.

If you agree to be interviewed for this study, the interview should take up to an hour to complete. Your name will not be used in the research, unless you give permission for me to do so. However, given that you are a member of a small

select population it may be difficult to hide your identity, particularly if I need to quote from your interview and you do not wish to be named.

You are entitled to bring a support person (or persons) to the interview if you wish. However, you will need to ensure that any support person(s) you bring understand that the information you are supplying to me may be very personal to you, and that they will need to assure you that your information will remain confidential.

I would like to audiotape the interview. I shall be transcribing the tapes myself, but if I need to have someone else do that for me, that person shall be required to sign an agreement so that your information remains confidential. The information obtained from the interviews will be securely stored in a locked filing cabinet at my home and eventually disposed of (shredded) when the study is complete. I will return your taped interview to you once the research is completed if you wish.

You will be given a copy of the draft chapter to comment on before it is finally used for the study. Once you have read and commented on the draft, I will be in touch with you again to ensure that you are happy with the way in which your information has been used and how you have been quoted. I am also willing to provide you with a short summary of the results of the research if you wish to receive this.

You have the right to decline to participate in this study. Should you agree to participate you have the right to:

- *refuse to answer any particular questions;*
- *withdraw from the study at any time;*
- *ask any questions about the study at any time during participation;*
- *provide information on the understanding that your name will not be used unless you give permission to the researcher;*
- *be given access to a summary of the findings of the study when it is concluded.*

Copies of the final report of this research will be held at Massey University School of Social Work and Social Policy, the Massey University Library and the Department of Corrections Information Centre. I will also have a copy.

My supervisors are Dr Celia Briar and Wheturangi Walsh-Tapiata from Massey University. They can be contacted through Massey University - 06 3505799. I can be contacted on 025 457777.

This project has been reviewed and approved by the Massey University Human Ethics Committee, PN Protocol 00/121

Appendix 5:

Questions for Managers

Tell me a bit about yourself and your experiences. How have you acquired the knowledge about women offenders that you have? How did you come to work in this area? What has been the most rewarding aspect for you? The most disappointing/unrewarding? Where to now from here for you?

Now I would like to talk about the women offenders you have dealt with and the sorts of processes, programmes and interventions they receive while in prison.

1. **What are the first processes that women inmates go through when the first come to prison?** What is explained to them? When does this happen? Are these processes similar for male inmates? Are there any differences in the processes for women?
2. **What is the case-management process that women inmates go through—** ie caseplan, scheduled activities?
3. **What sort of work is available to women inmates within the prison?** Are all the women eligible for work? Who isn't eligible for work placement? How do the women get allocated work within the prison? What sort of skills do they acquire as a result of their work placements?
4. **What sort of work is available to women inmates outside the prison?** How do they become eligible for this work? Who decides when they can become eligible? What percentage would get full-time work as a result of outside work placements/ parole?
5. **What sorts of rehabilitation programmes/courses/interventions are available for women inmates in the prison? How often are they run?** How do they get allocated to these programmes? Who decides who gets what programme? Can they do more than one programme? Who decides in what order that programmes are done? What happens if a woman does not want to do a rehabilitative programme?
6. **What is the availability of these programmes for the women?**
7. **In what ways are these programmes different from those offered to men?** How suitable are they for women inmates?

8. **In your view, what needs to be done to make programmes/courses more suitable for women? How would you see this happening?**
9. **What sorts of programmes are offered in the prison to assist women re-integrate back into their communities? How are the women allocated to these programmes? How often are they run? At what time in their sentences would they get to do these programmes?**
10. **In your experience, how relevant are these programmes for women who are returning to a home district some distance from the prison? What links are there with their communities? How are these links established?**
11. **Given that a large percentage of women inmates serve their sentences some distance from their home areas, what difficulties do you see them having during their sentences? How are these dealt with? (Home leaves, phone calls, special visits etc?) What other things could assist women deal with these difficulties? (frequency of visits, assistance for families, costs paid by prison, etc?)**
12. **In your opinion, in what ways are women inmates treated differently from male inmates?**
13. **In what ways are they treated the same?**
14. **How does prison policy take into account the specific needs of women inmates? What do you think needs to be done to take these needs into account?**
15. **What are the gaps you see in the policy/management for women in prison? What needs to be done to fill these gaps? Ideally, how would you like to see this done?**
16. **From your experience, what practically do you think could be done differently for women inmates? How could they be managed differently? What alternatives, if any, could there be, other than imprisonment, for women who are currently serving prison sentences for non-violent offences?**
17. **Are you able to discuss your ideas with anyone else? Who would you be able to discuss them with?**
18. **Have I missed out anything? Is there anything else you would like to say?**

Appendix 6:**Questions for Women**

1. **Tell me a bit about yourself** – age, domestic situation, dependants, source of income, own home/ renting, family supports, other supports etc.
2. **Tell me about your offending** – what were you in prison for, how long were you in prison, was this your first time in prison? What other offences, if any, have you committed?
3. **What do you think are the reasons that you offended?**
4. **How did you react to being inside?**- withdraw, talk to others, get depressed, like the 'time out', feel helpless/powerless/afraid, ???
5. **What would have helped you prepare for a prison sentence?**
6. **What were the main practical problems you faced while you were inside?** – when you were first admitted, during your sentence? (Lack of contact with family/friends, getting on with officers/ other inmates, difficulties with relationships/ families, difficulties with obtaining 'stores'/ getting necessities, etc)
7. **How did you deal with these? Did that work?**
8. **What were the main emotional problems/ stresses you experienced while being inside?**
9. **How did you deal with these? Did that work?**
10. **What things were most helpful for you while you were in prison?**
11. **What were the main practical problems you faced on release from prison?**
12. **How did you deal with these? Did that work? What help did you have to deal with these problems?**
13. **What were the main emotional problems/stresses you faced on release from prison?**
14. **How did you deal with these? What help did you have? Did this work?**

15. **What cultural issues arose for you while you were in prison?** (for example, there was a tangi you needed to attend – what happened?)
16. **How were these issues addressed? How did you deal with them? What could have been done better to assist you?**
17. **What things have been most helpful for you since you have been back in the community?**
18. **What did you get to do in prison in terms of rehabilitation and work?** Did you get to choose the courses you did? How did you get into a certain area of work or on a course? Who decided how you got to do this? What other courses would you have liked/ would have worked for you? (If nothing offered – why do you think that was?)
19. **Did you have to do courses or work that you didn't want to do?** How did that happen?
20. **What were your expectations of the courses'/ work you did in prison?** In what way were your expectations met?
21. **While you were in prison were courses or work ever withdrawn from you as a punishment?** How did that affect you?
22. **How do you feel about the way you were treated while you were in prison?** By the officers? By other inmates?
23. **How were you affected by being in prison?** – as a person, a woman/mother/partner/daughter, a worker, a Maori woman
24. **How could it have been better for you/could be better for others while you/they were inside?** (within the realities of a prison setting).
25. **Do you know whether or not male inmates get the same treatment as female inmates?** In what ways do you see women inmates being treated differently to men?
26. **If I had just come into prison as an inmate for the first time, what would you tell me as the first thing I need to know about prison?**
27. **What have you done in terms of rehabilitation since your release?** Did you get to choose what you did? How did you get onto the course(s)? Who decided how you got to do this?
28. **What were/are your expectations of the course(s)?** In what ways have these been met?

29. **What things would have better helped you address the causes of your offending while you were in prison? Since your release?**
30. **You mentioned earlier that your income was..... How does being on that level of income affect you? Eg difficulties managing? Trapped in relationship? What would improve things for you? How do you see that happening? What would you need to do to help this happen?**
31. **What needs to happen for you so that you don't go back to prison? How do you see that happening? What can you do to help that happen? What supports do you need to help you do this?**
32. **Is there anything else that you would like to tell me?**

Appendix 7:

Dear

My name is Margaret Agnew and I am currently completing study at Massey University. I am also an employee of the Community Probation Service, and I work mainly in Wellington at Head Office.

I have asked your Probation Officer to talk to you about the possibility of my interviewing you as part of my study. This is so that I will only know who you are if you agree to be interviewed, I have attached an information sheet so that you know what that study is about. Your participation in this study is voluntary and is not related in any way to the sentence you are undertaking with the Community Probation Service.

If you are willing to be interviewed, your Probation Officer will tell me, and I will then make contact with you directly to arrange a time and place for us to meet and talk. If you prefer, I am happy to come to your home and see you. Alternatively, we can arrange to meet elsewhere and I can arrange this.

Yours sincerely,

Margaret Agnew

Appendix 8:**Women Prisoners in the Criminal Justice System****INFORMATION SHEET**

My name is Margaret Agnew and I am currently enrolled in a Master of Arts in Social Policy at Massey University. I am also employed by the Department of Corrections Community Probation Service, and work mainly in Wellington. I can be contacted through my Wellington office on 04 4961171, or through the Hasting Community Probation Office, phone 8781010 on Mondays and Fridays.

My main interest is in the treatment women offenders receive in the criminal justice system compared with their male counterparts. I am particularly interested in the experiences and treatment of women who have been to prison. This includes their issues, the sorts of resources and services that are provided for them, and what can be done to improve services offered to women offenders in order to meet their specific needs.

The purpose of my study is to examine the treatment for women offenders who have been given a prison sentence and how this impacts on their rehabilitation and reintegration into society. I will be particularly keen to know about the programmes, resources and services that are provided for women in prisons, whether these meet their needs and what, if anything, can be done to improve the treatment and services offered to women offenders in order to meet their specific needs.

I would like to hear about your observations, experiences and opinions. It is my assumption that you are the experts on your needs both within and following release from prison, and that you have the ability to offer the most accurate knowledge and evaluation of this area.

Recommendations from this research should benefit women within the Criminal Justice system by providing better information about women offenders and what can be done to improve the treatment and services offered to them in order to meet their specific needs.

If you agree to be interviewed for this study, the interview should take up to an hour and a half to complete. You don't have to answer any questions you don't want to. If you agree to be interviewed we will need to organize a time

for us to meet. Your real name will not be used and you can choose the name by which you wish to be known for this research.

You are entitled to bring a support person (or persons) to the interview if you wish. However, you will need to ensure that any support person(s) you bring understand that the information you are supplying to me may be very personal to you, and that they will need to assure you that your information will remain confidential.

I would like to tape the interview. I shall be transcribing the tapes myself, but if I need to have someone else do that for me, that person shall be required to sign an agreement so that your information remains confidential. The information obtained from the interviews will be securely stored in a locked filing cabinet at my home and eventually disposed of (shredded) when the study is complete. I will return your taped interview to you once the research is completed if you wish.

You will be given a copy of the draft chapter to comment on before it is finally used for the study. Once you have read and commented on the draft, I will be in touch with you again to ensure that you are happy with the way in which your information has been used and how you have been quoted. I am also willing to provide you with a short summary of the results of the research if you wish to receive this.

You have the right to decline to participate in this study. Should you agree to participate you have the right to:

- *refuse to answer any particular questions;*
- *withdraw from the study at any time;*
- *ask any questions about the study at any time during participation;*
- *provide information on the understanding that your name will not be used*
- *be given access to a summary of the findings of the study when it is concluded.*

Copies of the final report of this research will be held at Massey University School of Social Work and Social Policy, the Massey University Library and the Department of Corrections Information Centre. I will also have a copy.

My supervisors are Dr Celia Briar and Wheturangi Walsh-Tapiata from Massey University. They can be contacted through Massey University - 06 3505799.

This project has been reviewed and approved by the Massey University Human Ethics Committee, PN Protocol 00/121

Appendix 9:

Women prisoners in the Criminal Justice System

CONSENT FORM

I have read the Information Sheet and have had the details of the study explained to me. My questions have been answered to my satisfaction, and I understand that I may ask further questions at any time.

I understand I have the right to withdraw from the study at any time and to decline to answer any particular questions.

I agree to provide information to the researcher on the understanding that my name will not be used without my permission.

(The information will be used only for this research and publications arising from this research project).

I agree to being interviewed

I agree/do not agree to the interview being audio taped.

I also understand that I have the right to ask for the audiotape to be turned off at any time during the interview.

I agree to participate in this study under the conditions set out in the Information Sheet.

Signed:

Name:

Date:

This project has been reviewed and approved by the Massey University Human Ethics Committee, PN Protocol 00/121

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