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(PRI0038)**

We submit evidence to the Justice and Home Affairs Committee as independent researchers at University College London (UCL), specialising in prisoners' rights, inclusivity, and health and social care. Our research is driven by a commitment to enhancing the lives of individuals often marginalised by society. Through our work on prisoners' rights, disability advocacy, and the promotion of inclusivity in research and decision-making, we have developed extensive insights into the experiences of those affected by the criminal justice system. This submission will address several key questions raised in the call for evidence, providing insights based on our research and relevant studies conducted by other academics and the Ministry of Justice. The aim of this paper is to address three of the key questions highlighted in the call to evidence:

1. What makes a "good" prison officer from the perspective of prisoners? How do relations between prisoners and staff affect the experience of those in the prison system (staff and prisoners)?
2. What factors contribute to the 'culture' of a prison? How are prisoners affected when a prison is badly run?
3. How does the public see the role of the prison service and how can any misconceptions be addressed?

This research concentrates on the statistics provided by MoJ and HM Chief Inspectorate Annual report. The key points made are:

1. The importance of governors and prison cultures distinguishing between the male and female prison populations.
2. Insuring governors and prison officers are aware of the different needs of the prison sub-populations.
3. The importance of addressing the impact of discriminatory practices, through female estate tailored programs and training.

Please note we refer to sex rather than gender within this paper as this better reflects the conditions and classifications of the Criminal Justice System (CJS). As such, a woman or female is anyone serving a sentence in a female prison estate, and a man/male is anyone in a male prison estate. Therefore, we refer to women/men and males/females in this paper to reflect the binary classification of the CJS. This allows for the inclusion of those who identify as non-binary, as well as those whose sex at birth is different to their sex when sentenced.

Female Prison Estates¹

From the perspective of prisoners, a "good" prison officer treats all inmates, irrespective of their ethnicity or religion or ableism, with respect, fairness, and understanding while maintaining a safe environment. Due to ongoing research and guidelines concerning prison populations that predominantly rely on data from male prison estate, the unique challenges faced by female prison estates are often overlooked, or the facilities are ill-equipped to address these issues adequately. The female prison estate presents distinct challenges that may not be present, or may not exist to the same extent, in male prison estates. Many women involved in the justice system encounter gender-specific difficulties, including prevalent histories of trauma, mental health concerns, and caregiving responsibilities. These challenges necessitate a tailored approach to rehabilitation, which should not be presumed from the male prison population. The relationship between prisoners, prison officers, and governors is crucial in shaping the prison experience.

Several factors, including leadership, staff behaviour, prisoner demographics, and available rehabilitative programmes, shape prison culture. A well-managed prison cultivates an atmosphere of safety and rehabilitation, whereas a poorly managed one can result in violence, discrimination, and heightened mental health crises². Positive interactions with staff are key contributors to fostering a safer, more rehabilitative environment devoid of discrimination or neglect³. To illustrate this, we reference the Ministry of Justice's (2022) compiled statistics from various data sources within the Criminal Justice System (CJS) to provide a clearer understanding of women's experiences. This culminated in their report "Statistics on Women and the Criminal Justice System 2021," from which much of the data below has been extracted. Concurrently, between April 2021 and March 2022, HM Chief Inspector of Prisons for England and Wales published their annual report examining conditions in prisons, which included characteristics of participants who completed the surveys. In total, 3,726 responses were received, with 748 originating from women's prisons and 2,978 from men's prisons. The data below highlights some of their findings. While the survey was comprehensive, we have only included what the MoJ deemed statistically significant and are relevant to the current paper.

¹ Please note we refer to sex rather than gender within this paper as this better reflects the conditions and classifications of the Criminal Justice System (CJS). As such, a woman or female is anyone serving a sentence in a female prison estate, and a man/male is anyone in a male prison estate. Therefore, we refer to women/men and males/females in this paper to reflect the binary classification of the CJS. This allows for the inclusion of those who identify as non-binary, as well as those whose sex at birth is different to their sex when sentenced.

² Prison Reform Trust (2017). *Counted Out: Black, Asian and Minority ethnic women in the Criminal Justice System*. Briefing [online]
[<http://www.prisonreformtrust.org.uk/Portals/0/Documents/Counted%20Out.pdf>]

³ Swehli, M. (2022) "The only option they have is to go back to crime": Using Critical Race Theory to explore Labour Market Barriers Impacting Previously incarcerated individuals [unpublished masters thesis], UCL (University College London).

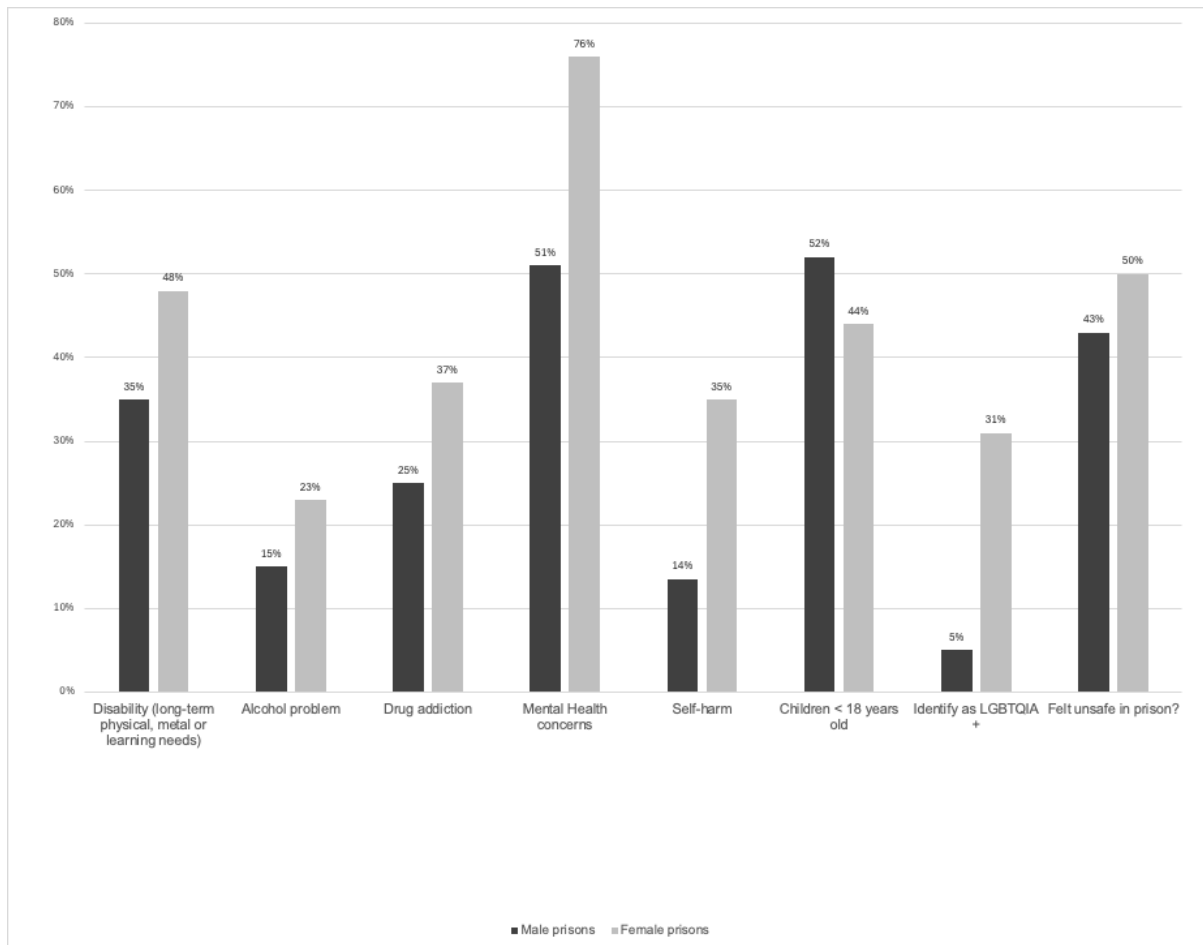


Figure 1. Male vs Female Prison population characteristics

Figure 1 presents key characteristics that highlight significant differences between male and female prison populations. These characteristics have been included due to their strong correlation with negative experiences in prison and post-incarceration outcomes⁴. Understanding these disparities is crucial for developing policies that address the distinct needs of incarcerated women and the support required by the governor and prison officer. In turn, this would foster an atmosphere of safety and rehabilitation.

As figure 1 highlights, the disability needs of male and female prison populations differs (35% vs 48% identify as having a disability, respectively). Given the ever-increasing concerns that these needs are not being adequately addressed⁵.

⁴ See Swehli, M. (2022) *"The only option they have is to go back to crime": Using Critical Race Theory to explore Labour Market Barriers Impacting Previously incarcerated individuals*.

Quandt, K., and Jones, A. (2021, May 13). Research Roundup: Incarceration can cause lasting damage to mental health. Prison Policy Initiative.

Dullum, J. (2017). Sentencing Offenders with Disabilities. *Scandinavian Journal of Disability Research*, 17(1), 60-73.

Bruton-Smith, I., and Hopkins, K. (2013). The factors associated with proven re-offending following release from prison: findings from Waves 1 to 3 of SPCR. Ministry of Justice Analytical Series.

⁵ Howard League for Penal Reform (2024, March 08). *Our One-Size-Fits-all approach to prison is failing women and girls*.

Swehli, M., and Wright, P (2023, April). Journeys to Freedom A report examining the need for and impact of Pact's holistic resettlement programme for women leaving prison. *Prison Advice and Care Trust*.

Prison officers must ensure they are appropriately addressing these needs as otherwise individuals may find themselves in unsuitable environments.

Second, governors and the prison culture must address the higher rates of drug and alcohol misuse amongst justice-involved women, in comparison to men. This is particularly relevant as women are more likely to develop these coping mechanisms as a result of domestic violence⁶. Being a victim of domestic violence also leads to mental health concerns, which can lead to higher rates of self-harm (35% vs.14% in the male estate). A well-managed prison fosters an atmosphere of safety and rehabilitation, while a poorly managed one can lead to violence, discrimination, and increased mental health crises⁷

Third, the survey data suggests that more men (52%) have dependent children in comparison to women (44%) in prison. However, women are disproportionately affected by caregiving responsibilities. This is possibly partly due to more mothers being the sole carer of the child in comparison to fathers or the main carer, as such, when the mother goes to prison, the child is more likely to end up with social services⁸. Consequently, this results in the mother not being able to see her child in prison, and potentially beyond, whilst fathers in prison are more likely to have the child's mother or family bring them in. During Swehli's time working at multiple prisons in England through a prisoner's charity, one of the family engagement managers said "it's really sad, you know, the child's dad will always say they're going to bring them to visit but it never happens. When I worked in [REDACTED] I'd see the mums bringing the children almost every week! But here? Sometimes, they don't even see their child until they've been released!". Mothers in prison may require services which allow their children to be able to visit them whilst they serve their sentence⁹. An example of such an initiative is Pact's 'Visiting Mums'¹⁰. If such services cannot exist, governors and prison officers must be sensitive to these issues and address the mental health and family relationship concerns that result from it.

Fourth, a significantly higher percentage of women (31%) identify as LGBTQIA+ compared to men (5%). Prison officers often fail to intervene when LGBT+ prisoners are bullied¹¹, this heightens threats of physical and sexual violence, institutional discrimination, health inequalities, and social exclusion¹². The prison

Prison Reform Trust (2022, Aug). Why focus on reducing women's imprisonment? England and Wales fact sheet [online].

⁶ Prison Reform Trust (2017, Feb). *Why focus on reducing women's imprisonment?* Prison Reform Trust briefing [online].

⁷ Prison Reform Trust (2023). Prison: The Facts. Bromley Briefings Summer 2023.

⁸ Murray, J., and Farrington, D. P. (2008). The effects of parental imprisonment on children. In M. Tonry (Ed.), *Crime and justice: A review of research* (Vol. 37, pp. 133-206). Chicago, IL: University of Chicago Press.

⁹ Swehli, M., and Wright, P (2023, April). *Journeys to Freedom A report examining the need for and impact of Pact's holistic resettlement programme for women leaving prison.* Prison Advice and Care Trust.

¹⁰ Pact (n.a.). Supporting mothers in prison. Webpage. <https://www.prisonadvice.org.uk/get-help/prison/supporting-mothers-in-prison/#:~:text=Visiting%20Mum%20identifies%20women%20who,strengthen%20these%20vital%20family%20ties>.

¹¹ Prisoners Advice Service (2023). Prisoners who are LGBT+.

¹² Donohue, G., McCann, E., and Brown, M. (2021). Views and Experiences of LGBTQ+ People in Prison Regarding Their Psychosocial Needs: A Systematic Review of the Qualitative Research

culture must ensure it recognises these sites of discrimination and actively foster an environment which is inclusive to all, as otherwise safety in prison is in question. Indeed, the statistics show that over half of female respondents and 43% of male respondents report feeling unsafe in prisons. The overcrowding of prisons beyond safety measures and prisoners' perceptions that their complaints against staff members as not taken seriously raise questions about the legally required duty of care, especially when we consider that the stress experienced by prison staff is linked to an increased likelihood of prisoners' suffering¹³.

As it currently stands, those leaving prison are likely to be in far worse conditions than when they entered. many suffering from increased mental health concerns and typically having lost their jobs, families, and homes¹⁴. These disparities highlight the importance of training prison officers in cultural competency, gender-specific needs, and trauma-informed care. Effective prison officers create environments where prisoners feel safe, respected, and supported, leading to better rehabilitation outcomes and reduced conflict within prison facilities.

When discussing what makes a 'good' prison officer and the 'culture' of prison, no discussion is complete without reference to ethnicity and religion. It is concerning, yet not unexpected, that minoritised populations within prisons experience disproportionate discrimination from staff, including prison officers. This issue is exemplified in Figures 2 and 3 below.

Evidence. *International Journal of Environmental Research and Public Health*, 18(17): 9335.

¹³ Shannon, S. K., and Page, J. (2014). Bureaucrats on the Cell Block: Prison Officers' Perceptions of Work Environment and Attitudes toward Prisoners. *Social Service Review*, 88(4), 630-657.

¹⁴ Lord Farma (2019, June). The Importance of Strengthening Female Offender's Family and other Relationships to Prevent Reoffending and Reduce Intergenerational Crime. Ministry of Justice [online].

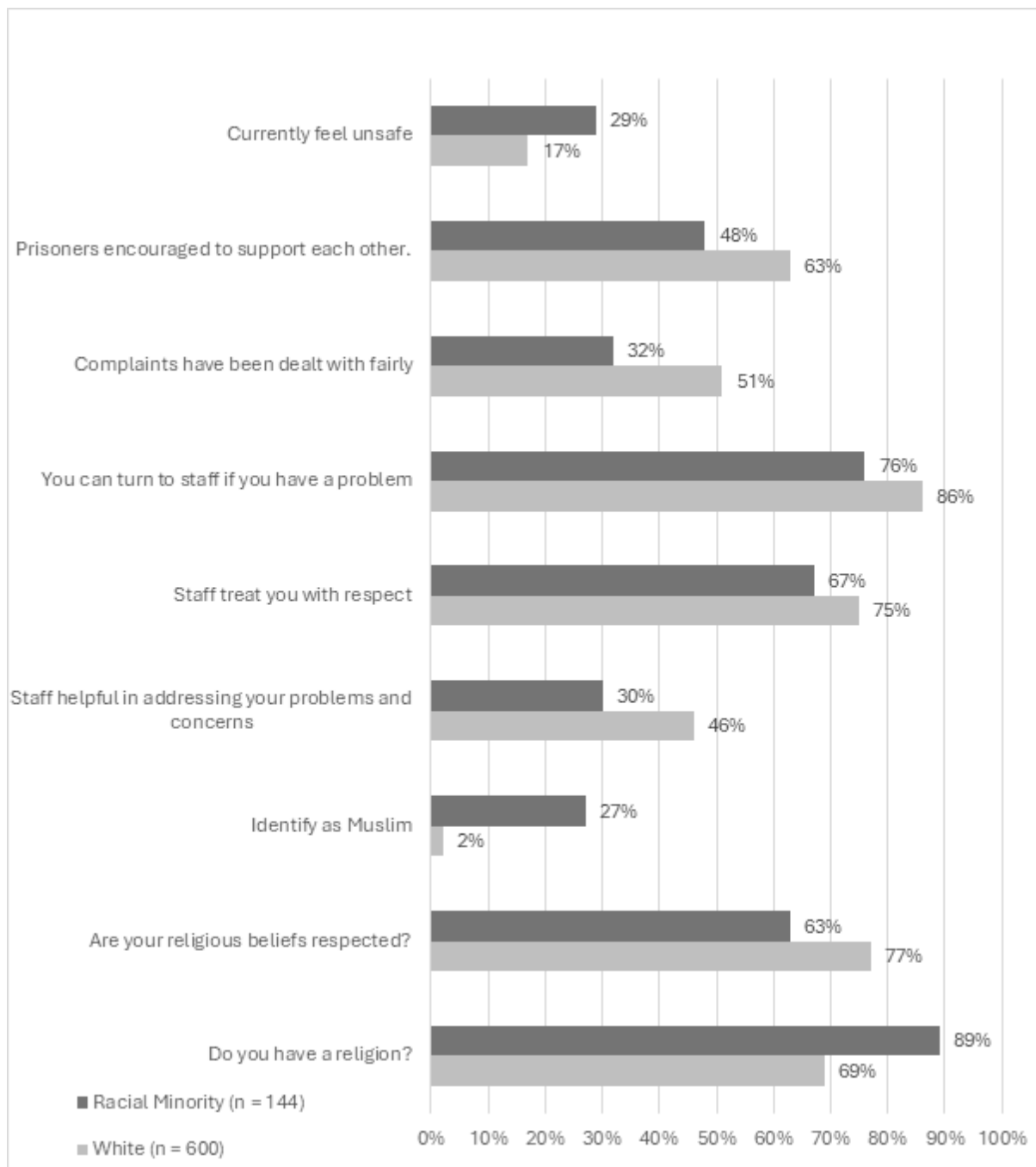


Figure 2. White vs minoritised women's support in prison.

Figure 2 presents some of the findings of the differences in treatment between White women and racially minoritised women. Across all categories, White women had more positive experiences with staff in prison compared to racially and ethnically minoritised women. White women are more likely to feel that staff are helpful in addressing their problems (46% vs 30%), that staff treat them with respect (75% vs 67%), and that they can confidently turn to staff for assistance when they encounter a problem (86% vs 76%). Furthermore, with regards to the handling of complaints, racially minoritised women are significantly less likely to believe their complaints are handled fairly in comparison to White women (32% vs. 51%, respectively).

When comparing staff encouragement towards prisoners, White women believe they receive more encouragement to support one another compared to women from racial minorities (63% vs 48%), and they are less likely to feel unsafe in prison (17% vs 29%).

Overall, these levels are still lower than for all justice-involved women but collectively, these responses highlight the diverse experiences encountered by women in the criminal justice system and how prison officers significantly impact the experience, safety, and treatment of prisoners. Therefore, while a prison officer may be regarded as 'good' concerning specific sub-populations within the prison estate, it is crucial that this positive perception extends to all prison sub-populations supported by racial, ethnic, and religious training. This underscores the necessity of intersectional approaches to understand how various intersecting characteristics influence the prison environment. For this reason, religious beliefs are also included in figure 2. A notably higher percentage of minoritised women (89%) identify as having a religion compared to White women (69%), with 27% identifying as Muslim in contrast to 2% of White women. When asked whether they felt their religious beliefs were respected, 63% of minoritised women responded positively, whereas a considerably larger percentage of White women (77%) expressed the same sentiment. As Islamophobia rises in England and Wales (Monetta, 2024), identifying as Muslim can be a source of discrimination, as illustrated in Figure 3.

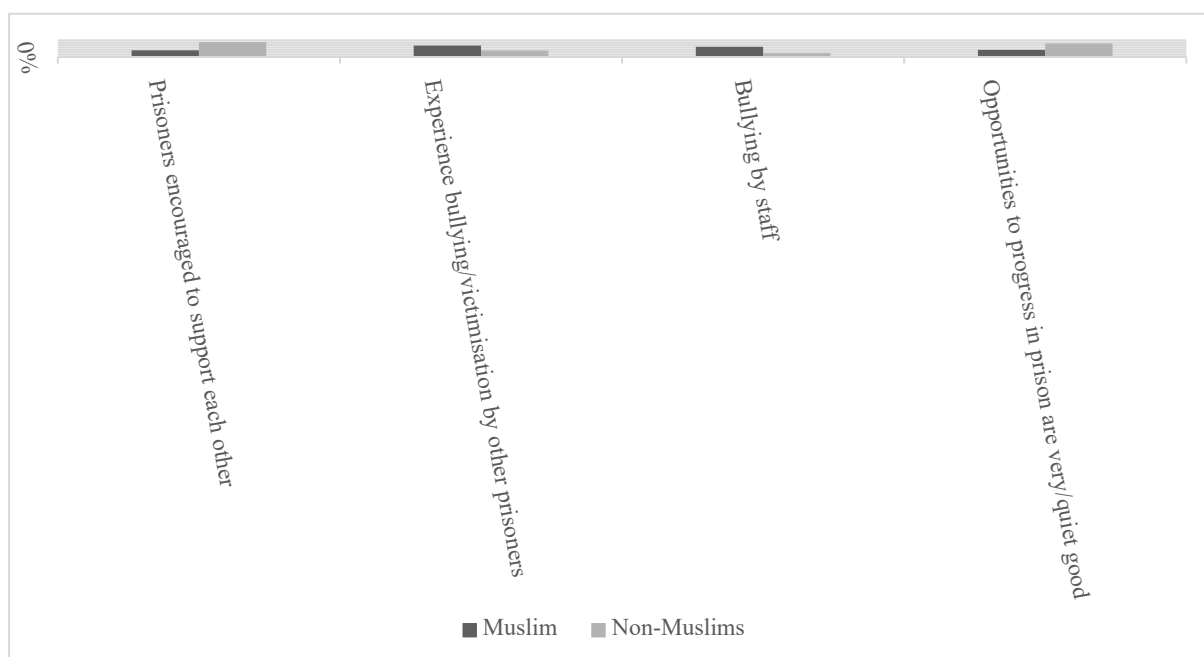


Figure 3. Muslim vs. non-Muslim experience in Female Prison

Figure 3 highlights various daily experiences of women in prison. Here, we must consider the treatment of Muslim women in comparison to that of non-Muslim women. Muslim women are not encouraged to support one another and have faced considerably more bullying from both fellow prisoners and staff. This severely impacts their safety in prison, their mental health, and how their bodies are treated¹⁵. As previously discussed, these issues must be at the forefront of

policies and practices. Whether they stem from conscious or unconscious biases is only relevant to the necessity of addressing the issue. Nonetheless, this discrimination must be resolved; from training and awareness to disciplinary action, prison officers and governors must face the consequences of failing to adhere to the Human Rights Act 1998

Concluding remarks

The misconception that prisons provide adequate rehabilitation is particularly problematic for female prisoners, who often serve short sentences that do not allow sufficient time for education, therapy, or reintegration programmes. Consequently, many women leave prison in worse conditions than when they entered, grappling with increased mental health concerns and limited access to resources for rebuilding their lives (Gormley, Hamilton, & Belton, 2022). The female prison estate requires a nuanced approach that addresses gender-specific challenges, the role of prison officers, and the broader prison culture. Poorly managed prisons not only harm inmates but also create stressful working conditions for staff. Public misconceptions further impede progress, reinforcing punitive attitudes rather than promoting rehabilitative solutions. Moreover, the public often remains unaware of the discrimination faced by minoritised women in prison. Figures 2 and 3 demonstrate that non-White and Muslim women encounter higher rates of unfair treatment, inadequate staff support, and safety concerns. Raising awareness through the media, developing new policies, and advocacy can help rectify these misconceptions and promote fairer treatment within the prison system.

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¹⁵ Buncy, S. and Ahmed, I. (2014). Muslim Women in Prison. Second Chance, Fresh Horizons. Muslim Hands and HPCA.
Ocen, P. (2013) Unshackling Intersectionality. *Du Bois Review*, 10(2), 471 -483.