ICPA TASKFORCE

Beyond Prisons: Women and Community Corrections

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Wāhine – E Rere Wāhine Ki Te Pae Hou: Women’s Strategy, Ara Poutama Aotearoa
We are pleased to bring you the third edition of the ICPA Taskforce’s newsletter. The Taskforce continues to receive a wide range of very interesting submissions from various international jurisdictions. This issue explores how women have largely been an afterthought in the realm of correctional models and tools, and shares some examples of exciting new approaches from different jurisdictions.

The development of correctional models and interventions has been historically grounded in gender-neutral paradigms. Both the widely used Risk, Need, Responsivity (RNR) framework, which has guided the development of the majority of assessment instruments, and desistance approaches were both established with gender-neutral lenses. Feminist-driven scholarship over the past few decades has attempted to rectify this by demonstrating the critical importance of better understanding criminalized women, and has resulted in the crucial development of gender-responsive tools, programs, and strategies in some—but not all—countries. The research section of this newsletter highlights some important feminist contributions to risk assessment and understanding desistance.

Research illustrating women’s distinct pathways into both offending and desistance has shown the importance of building a nuanced picture of the individual—including strengths and needs—so that they can “make good” not only of their personal struggles and trauma, but then situate this within the constraints of “gender-related, structurally available opportunities and cultural expectations”(1). Arguably, both RNR and desistance perspectives have always allowed for such individualization, but in practice operationalization has favoured knowledge about majority populations without adequately considering how gender and other factors shapes women’s lives.

This raises the question of how best to incorporate research about criminalized women in tools and models. There are obvious benefits to focusing on women as separate and distinct from men, and research has shown that gender-informed interventions are significantly more effective than gender-neutral programs when delivered effectively (2). Despite this, in many jurisdictions internationally, there are no or few risk assessment tools designed for women, and specialized programs remain vulnerable to budget cuts. In a 2019 Taskforce survey asking about gender responsive interventions, multiple responses indicated that they “do not discriminate” against women, that risks are measured with the same tools, and interventions delivered “equally”. Despite leading practices and an abundance of evidence that gender-responsive approaches work, the challenges of raising awareness about the importance of specific tools and approaches for criminalized women continues.

Perhaps we might consider whether corrections is ready for a paradigm shift, whereby a new approach focusing on the contextualization of both individual and societal factors (e.g. gender, class, age, the impacts of colonization etc.) is prioritized within the model, rather than considering these aspects separately, as secondary factors against a “neutral” background. As many countries continue to grapple with the over-incarceration of minority populations, systemic barriers such as gender,
race, and the impacts of colonialism have to be acknowledged and included in academic research, models, and practice in a meaningful way. In order to do this, more studies and samples would need to consider factors such as gender and race in their research.

While RNR and desistance have usually been positioned as opposites, more recently academics have proposed that these approaches are indeed complementary. Serin and Lloyd (2019) proposed viewing RNR and desistance as “opposite ends of a continuum […] rather than competing zero-sum philosophies” (3). As academics and practitioners move forward and consider how best to reconcile these two approaches, a parallel conversation about how to integrate and contextualize gender and other factors to ensure long-term desistance needs to be a central part of the conversation, not an afterthought.

Such issues are, of course, not limited to correctional models and tools. Considerations of gender are largely absent or overlooked within other public policy areas and tools. The Taskforce has contracted with US-based The Moss Group to produce a toolkit on how to conduct a gender-responsive cost-benefit analysis for criminalized women. This product will take into consideration how to measure success for women in the community, recognizing that success for women may look different from success for men. We will bring you more news of this in our December newsletter!

As the global prison population for women continues to skyrocket, the tendency to “add women and stir” has to be left behind. We hope that this edition of our newsletter will shed some light on these issues, and provoke conversation. The question is not whether to add more research about criminalized women – one only has to look at the important contributions to the field and the global increases to be convinced of the value. Rather, moving forward the question is how to include gender and other factors within correctional models as a priority, not as an afterthought.

References


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It is no longer becoming legally defensible in the United States to continue to treat incarcerated women the same as incarcerated men. In February of 2019 the US Commission on Civil Rights held a briefing focused on the disparities surrounding women in prison. Nearly two dozen scholars and experts on the issue convened to provide testimony on the inequities women, particularly women of color face every day inside US prisons. As one of those who testified, I felt it important to list a number of problems in the scholarship and practice, particularly with a lack of understanding that girls and women do not pose the same risk to public safety as boys and men. Risk, in fact, means something different for system-involved women than it does for system-involved men. Yet, they are treated by most correctional agencies and criminologists as if they were the same, with oftentimes dire consequences to the lives of women and their families. The costs of treating women like men are vast and exacerbated in confinement settings—whether it is through programming, policy, or assessment (1). A growing body of research shows that when we use offender risk and needs assessments designed for men with women, they most typically end up overclassifying women. A similar problem exists among juvenile risk assessment tools (2). This means that not only do these instruments not work, they harm women by overpredicting women’s likelihood of engaging in misconducts in prison and recidivism in the community. This overprediction causes classification staff to keep women in more severe prison conditions and to put more restrictions on them than is warranted by their behavior compared to men. Similar problems persist in community corrections settings using gender-neutral assessments (3). Further, even if an assessment demonstrates predictive validity for women, samples are frequently not compared to men to determine if overclassification of women is occurring. In other words, just because a tool demonstrates predictive validity (can successfully identify low, medium, and high-risk women’s future recidivism) does not mean it is effectively working with women to determine custody or case planning. Although the primary
The goal of classification is for custody purposes, many correctional administrations understand the important secondary goal of classifying for programming needs of those entering the facility. Needs assessments are intended to be used for case management purposes and for referring individuals to various treatment rehabilitation programs available in the facility. Many of these programs address criminogenic needs, which are factors that are statistically predictive of future criminal behavior and, when treated, reduce an individual’s likelihood of engaging in criminal behavior (e.g., substance abuse, antisocial attitudes, lack of employable skills, educational needs).

Similar to risk or custody classification systems, we have seen that the vast majority of needs assessments throughout U.S. prisons were developed for men and then applied to women, with the assumption that women have exactly the same criminogenic needs (and strengths) as men. Decades of research focused on qualitative and quantitative methodologies with women demonstrates that this assumption is false (4). Failing to recognize this myth harms women and their families by robbing them of desperately needed programs to complement their situational needs (e.g., healing from prior trauma and victimization, stabilizing symptoms of depression and anxiety, enhancing self-efficacy, self-worth, and resiliency, teaching economically self-sustaining employment skills, learning effective parenting, embracing themselves rather than harmful intimate partners).

On paper, it may seem that imprisoned men and women have similar needs, such as high rates of substance abuse. However, understanding, for example, the gendered onset of addiction highlights important nuances. For instance, women’s development of addiction is often described as faster and more intense than with men (5), and many young women begin their substance use to cope with emotional and physical pain surrounding ongoing trauma—not necessarily for the “thrill of the high.” Many others are introduced to and sustain their addiction through heterosexual relationships with male sexual partners (6). Mirroring the substance use of intimate partners is, in part, due to the self-worth and sense of relational security women frequently develop in connection with their partners (7). Thus, substance abuse programs that are strictly cognitive-behavioral in nature without holistically addressing the psychosocial and relational nature of women’s addiction are often less effective in reducing women’s recidivism, especially those following gendered pathways to crime (8).

Similarly, it may seem that both imprisoned men and women have significant economic and employment/vocational needs. Yet, a deeper exploration reveals that women are far more economically and socially marginalized than men in the vast majority of cultures and countries (9). For every dollar men earn in the U.S., women earn 81.8 cents. For every dollar White men earn in the U.S., Black women earn 67.7 cents and Hispanic women earn 62.1 cents (10). Additionally, incarcerated mothers are far more frequently the primary caregivers of children upon release. They return to familial situations that require them to find a living wage not only for themselves but for their children and families (11).

Even still, there are criminogenic needs that are predictive of women’s institutional misconducts and community recidivism that are not even included (and therefore not addressed in any treatment program) on traditional, male-focused needs assessments. This was largely the rationale for funding the development of the Women’s Risk Needs Assessment (WRNA) system by the National Institute of Corrections (12).

Perhaps the most important
feature of the WRNA is that it was literally created from the “ground up” alongside system-involved women. In addition to consulting the research literature, we conducted informed, consented interviews and focus groups with women in prison and the practitioners supervising them in an effort to answer the overarching question, “What would risk and needs assessment look like if we started with system-involved women in mind?” The WRNA process involves a collateral case file review, semi-structured interview, self-report survey, and case management treatment plan. The WRNA has been implemented in over 50 jurisdictions in the US, and is currently in use in Singapore and the United Kingdom, with capacity also in Namibia and the Czech Republic.

Finally, despite women comprising only 7-9% of most nations’ correctional populations, we must not forget that every single policy, practice, and procedure that is designed for men and then applied to women affects every single woman 100% of the time, not 7%, not 8%. We harm women, their children, and their communities daily when we don’t address their needs and empower their strengths.

References


In 1897 Aotearoa / New Zealand’s first Inspector of Prisons, Colonel Arthur Hume described the 71 women in prison as the “most degraded class”, beyond redemption. Jumping forward 120 years, in 2017 we released Wāhine – E Rere Wāhine Ki Te Pae Hou: Women’s Strategy, to recognise and provide direction about the differing needs of women in the correctional system. Drawing on international and national research, we know women need programmes that are gender focussed, trauma informed and consider women’s relationality.

In 2019 we released Hōkai Rangi, a five-year strategy document which addresses significant over-representation of Māori in our prisons and on community sentences and orders. Māori make up 52% of the total prison population, however, wāhine Māori (Māori women) make up 62% of women in prisons. This contrasts to Māori making up 16% of the general population.

Women make up a relatively small proportion of both our prison (6.5%) and community (19.7%) populations. Despite the small numbers, there are some unique characteristics and risk factors associated with these women. Our women’s strategy is a response to this, recognising a different approach to support women is needed. The strategy is underpinned by three principles:

• Providing women with interventions and services that meet their unique risks and needs
• Managing women in ways that are trauma-informed and empowering
• Managing women in a way that reflects the importance of relationships to women

Generally, the women we manage have committed less serious crime and pose a lower risk to the community than men. Women in our care have often been affected by:

• Trauma and victimisation
• Mental health issues
• Unhealthy relationships
• Parenting difficulty and stress
• Financial pressures

Three quarters of the women in our prisons have been victims of family violence, sexual abuse and/or sexual assault; almost two-thirds have both mental health and substance disorders; and over half have post-traumatic stress disorder.

Our women’s strategy and Hōkai Rangi are complementary and provide direction for the rehabilitative programmes and learning pathways offered to women by Corrections. Applying the principles of these two strategies, our programmes (including the three described below) have been designed to address women’s pathways into crime with a trauma-informed lens.

**Kowhiritanga:**

This medium intensity group based rehabilitation programme is one of our longest running programmes. It is run both in prisons and in the community and prioritises treating moderate to high-risk women.

Supported by highly trained facilitators, the women look at what influenced their behaviour and led to their
offending. They then build the skills to keep themselves safe and effectively manage the factors that led to their offending.

In a safe environment, the women talk with others about their beliefs and thoughts. Each woman develops a future plan that utilises the skills and strategies they learnt to safely manage future situations. This plan includes identifying people in their lives who will be able to provide positive support and good role models.

And what do the participants think? Susan (not her real name) says “if it wasn’t for that programme, I would still be a dysfunctional woman and family member”. She says that the programme changed her perceptions, thinking and attitudes. She has used all that new knowledge to restore multiple relationships; with her mother, siblings and her children. Family relationship dysfunction and sibling rivalry had led to her offending and she is now teaching her adult daughters how to deal with their own rivalries.

Kimihia Violence Prevention Programme:

This programme was first piloted in 2018 as a response to the increasing number of women being convicted of serious offending and the consequent custodial sentences. Women typically commit less serious offences than men and pose less risk to the community. However, a small subset commits serious, violent offences. These women are often considered to have high needs and may be a high risk to themselves and others.

The programme was developed in consultation with many stakeholders, including incarcerated women who had completed other programmes. These women reported that they had enjoyed the use of pūrākau (ancient legends/stories) and found the work on thinking and relationships beneficial. This was used to inform the content for Kimihia, which has a strong cultural focus.

The programme aims to create three healing pathways: oranga wairua (spiritual wellbeing); oranga hinengaro (mental wellbeing); and oranga tinana (physical wellbeing).

The programme has four phases:

- Responsivity Component: Preparing for intervention including engagement with whānau (family) to build support networks.
- Group Component: Consists of group and individual treatment and includes the identification of reintegration needs.
- Maintenance Component: Continuation of intervention based on ongoing treatment needs. This includes a continuation of whānau engagement.
- Release Component: Wrap-around services and consultation provided to our Community Corrections Service and community reintegration.

Programme updates were made in October 2019 following an evaluation that recommended we apply some of the principles of Hōkai Rangi. Specifically, the increase of partnership, participation and protection in the development of the programme. Current consideration is being undertaken as to whether the programme can be run within a special treatment unit; and the greater use of individual sessions and whānau hui (meetings).

Kia Rite:

Kia Rite means “getting ready” and the three week information and skills training programme is just that - a culturally responsive programme to help women get ready to make the most of their time in prison. Introduced as a pilot in early 2018, the programme is based on both New Zealand and international research which highlighted the challenges women face when entering prison.

The programme aims to:

- Assist women to navigate prison life
- Enhance motivation for change
- Provide women with skills and coping mechanisms
to help them now and in the future

• Prepare women for rehabilitation pathways based on Risk, Need, Responsivity Principles
• Identify, establish and strengthen support networks

Staff provide information on key prison processes and services, as well as teaching the women emotional, communication, and relational skills which can help them cope with living in prison. Practical tools for dealing with anger and stress are also taught. The programme enhances motivation and helps the women prepare to participate in rehabilitation, industry and learning opportunities while in prison and beyond.

The programme is well received by participants with an evaluation of the pilot finding:

• 97% thought the behavioural skills and techniques would be useful inside prison and beyond
• Almost two-thirds had an improved understanding of how to access opportunities in prison, while over half developed an increased awareness of where to go to get help in prison.
• Two-thirds reported an improved understanding of staff roles.

Numbers aside, it has been great to see the response of participants, including:

“When I came to jail, I thought my life was over. There’s nothing out there for me anymore. I’ve ruined my life, I won’t be able to get a job. I’ve lost everything coming to prison …...from this broken mess Kia Rite picked me up and put me back on the path where I should be.” (Young Māori Kia Rite graduate serving her first prison sentence).

Following the successful pilot, the programme was rolled out nationally in August 2018.

All three programmes include a strong cultural component. As we continue with the implementation of Hōkai Rangi we will ensure our programmes and initiatives are aligned with the vision captured in the strategy:

Kotahi anō te kaupapa: ko te oranga o te īwi – There is only one purpose to our work: the wellness and well-being of people.

A recent workshop of Kia Rite facilitators
Background – Literature Review

Both overseas and local desistance research in Singapore have identified a variety of individual and social factors that influence drug desistance (Binswanger et al., 2012; Bucklen, Zajac & Gnall, 2004; Choo, Ong & Sim, 2007; Reichert, Ruzich & Campbell, 2012; SPS, 2017; SPS, 2018). Some of the common factors for desistance are depicted in the figure below:

### Factors of drug desistance

#### Identity shifts: attitudinal and cognitive factors
- Agency and self-belief
- Identity
- Changes in mindsets and values
- Religion
- Cost of offending

#### Behavioural changes: coping and lifestyle factors
- Watchfulness
- Healthy coping
- Lifestyle changes
- Employment

#### Social/structural factors
- Community supervision
- Pro-social networks

Background – Literature Gaps

Despite the ever-increasing body of research examining the phenomenon of desistance, much is still unknown about how this process applies to female offenders with drug antecedents. As with many offending and rehabilitation theories, desistance theories have been founded on mainly empirical studies based on males. Therefore, it is unclear whether what we know about desistance currently is also applicable to females. Given that females have unique pathways to offending and experience certain life events (e.g. parenthood, marriage) differently from males (Rodermond, Kruttschinitt, Slotboom, & Bijleveld, 2016), it is reasonable to postulate that the process of desistance would look differently for females.
There are also other gaps in extant literature, namely the lack of process perspective, unclear desistance signals, as well as an absence of findings from Singapore’s local context. Past studies have mostly explored factors of desistance present at the point whereby individuals have arrived at the state of non-offending. However, desistance from drug abuse is a process of repeated attempts at abstinence before sustained abstinence is achieved (Dennis, Scott, Funk, and Foss, 2005; Laudet, Savage, & Mahmood, 2002). Examining factors at a single time-point ignores how factors for drug desistance could change over time. In addition, the lack of a consistent definition of “successful desistors” hinders community trust and acceptance when people are uncertain if the individual is a desistor or a potential reoffender. This is because desistance is a lifelong process and there might be some in the community who remain sceptical of an individual’s intention to change or ability to sustain the change. Therefore, Maruna (2012) suggested the concept of desistance signalling to identify a desistor by the credible actions they can take after release that reliably indicate that they have changed. Lastly, as the literature reviewed were predominantly from Western countries, local research is necessary to understand drug relapse and desistance in Singapore given the sociocultural and legislative differences. Taken together, these factors provided the impetus for us to better understand female offending and desistance, so that we can further support female offenders with drug antecedents in their desistance journey. This would also enable us to refine our rehabilitation approach to be increasingly gender-specific.

**Current Study**

Our study aimed to investigate: (1) why some female offenders with drug antecedents (i.e. female repeat drug abusers) relapsed while in the community, (2) how other female offenders with drug antecedents (i.e. female drug desistors) desisted from drug consumption using a process perspective, and (3) what were the desistance signals that contributed to their desistance process. Semi-structured interviews were conducted with 10 female repeat drug abusers and 10 female drug desistors to obtain qualitative information pertaining to factors of relapse and desistance. To be considered a drug desistor, they would have to be both drug-free and crime-free for at least 5 years as a likely indicator of stable abstinence. Our interviews asked participants about their reasons for relapsing and desisting and explored these reasons at different time points of their journey towards desistance. We also asked participants to recall some of the actions they took to signal their intention to desist.

**Key Findings**

Our findings showed that the individual, environment, and social factors involved in male drug desistance were also found to apply to female drug desistors. At the start of the desistance process, female desistors underwent identity transformations stemming from a strong desire to change, greater sense of self-efficacy, and motivation. These were then translated into behavioural changes such as setting goals and making post-release plans, which they diligently followed through with after their release from prison or rehabilitation. During the aftercare phase of their rehabilitation journey, supervision from Community-Based Programmes (CBP) bolstered the attitudinal and behavioural changes of the female desistors, equipping them with adaptive coping skills, a safe environment, and structure in their lives to aid their reintegration back into society. Following CBP completion, prosocial networks provided desistors with opportunities to build their social capital, which in turn helped them to persevere in remaining drug-free. Together, the interactions between the individual, environment, and social factors formed a reinforcing feedback loop that bolstered desistance efforts, helping desistors become more stable and stronger over the years.
Compared to male offenders with drug antecedents in past studies, relationships played a key role for their female counterparts. Namely, the female desistors in this study emphasized relational factors as facilitators for change, such as being motivated to change for their family and children, and were aided by significant others in the form of emotional support, financial support, and supervision in desisting from drugs. On the other hand, female repeat drug abusers tended to relapse back to drugs due to relationship problems such as conflict with their family or partners, or as a means to enhance their relationships with drug-taking partners.

Implications

Our findings highlighted the significant role of prosocial bonds and emotional connectedness with significant others in the female desistance process. Thus, a relational approach is recommended to better meet the needs of female offenders, such as having more family interventions and parenting programmes to address their relationship issues, family conflicts, and caregiving difficulties. To this end, Singapore Prison Service has developed a gender-specific psychological intervention programme with these elements for our female offenders with drug antecedents. In addition, more female halfway houses are recommended to scaffold post-release support, as supervision and counselling can facilitate mindset changes, as well as provide offenders with a structured environment to promote change and reintegration back into the society. Given that the process of desistance starts from prison and progresses into the community, a holistic approach involving collaborative efforts from criminal justice system agencies and community services is recommended to create an inclusive society that promotes desistance.

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Research

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Menna Gower et al., The Predictive Validity of Risk Assessment Tools Used in Australia For Female Offenders: A Systematic Review, *Aggression and Violent Behavior*, vol. 53 (July-Aug. 2020),

Eric Blaauw et al., Recidivism and Predictors of Recidivism Among Female High Level Persistent Offenders After a Special Court Order for Persistent Offenders in The Netherlands, *International Journal of Law and Psychiatry*, vol. 68 (2020),


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**Events / Training**

**Achieve- ICPA’s Online Academy for Continuous Learning & Sharing.** Session 4- Strategies for Women Offenders, Wednesday November 25, Thursday December 3, Thursday December 10.

**Association of Paroling Authorities International (APAI) Speaker Series-** GENDERED PAROLE: AN EXPLORATION OF TRAUMA-INFORMED AND GENDER-RESPONSIVE APPROACHES TO PAROLE. November 2, 2020

**Association of Paroling Authorities International (APAI) Speaker Series-** WHY PAROLING AUTHORITIES SHOULD INTEGRATE RNR AND DESISTANCE: THE IMPORTANCE OF ASSESSING PROTECTIVE FACTORS. November 16, 2020

**Council of Europe HELP online course on** Access to Justice for Women.

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**Her Story**

**Ready, Steady, Go!** Women in Prison Spring/Summer 2020 magazine (UK)


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**Resources and Publications**

UK- House of Commons, House of Lords Joint Committee on Human Rights,


UK- Howard League for Penal Reform Reset: Rethinking remand for women. July 13, 2020

Alaska - An Innovative Response To An Intractable Problem: Using Village Public Safety Officers to Enhance the Criminal Justice Response to Violence Committed Against Alaska Native and American Indian Women in Alaska’s Tribal Communities. Final report to the National Institute of Justice, July 2018
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