

STSM SCIENTIFIC REPORT
ORAL HISTORY PROJECT: OFFENDER SUPERVISION IN IRELAND

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COST Action: IS1106: Offender Supervision in Europe

Host: Gill McIVor – University of Stirling

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Period: from 12-08-2013 to 12-10-2013

1. Purpose of the STSM

- To know the community penalties system in Scotland
- To know the community-based services for women offenders in Scotland
- To know the gender-responsive policies in Justice
- To make a comparison between the Scottish and the Catalan system

2. Description of the work carried out during the STSM

- The stay in the University of Stirling can be divided in three phases:

- Phase 1: 3 weeks - Reading the most relevant bibliography (see annex 1)
- Phase 2: 3 weeks:
 - Writing a chapter of my PhD where I describe the community penalties system in Scotland and the development of gender- responsive policies in Justice
 - Contacting and preparing the meetings with practitioners
- Phase 3: 2 weeks- Interviews with practitioners and visiting services for women offenders:
 - **Local Criminal Justice Services:**
 - **Falkirk:** Interview with Anne-Marie Parnell (Team Manager) and Melanie Gardner (practitioner of the women offenders group)
 - **Perth:** Interview with each Team leader of the 4 areas of the multi-agency program for women offenders and the Team Manager, Nicola Rogerson:
 - Housing service- Susan Nicoll
 - Drugs and alcohol team - Colin Paton
 - Acting Team Leader (Public Protection)- Pamela Banks
 - Mental Health - Sheila Cron
 - **Glasgow:** Interview with Jim McBride (Service Manager)
 - **SACRO organization:** Interview with Sharon Stirrat (Mentoring program)
 - **Centre 218 in Glasgow:** visiting the center and I had an interview with Kim Ross
 - Interview with **Mary Beglan** (Women Offenders Team - Community Justice Division - The Scottish Government)
 - Attending the regular meeting of the **Scottish Working Group of Women's Offending** (Fife and Forth Valley CJA) in Edinburgh

3. Description of the main results obtained

Catalonia and Scotland have similarities in terms of legislative and management powers in Justice, having derived their powers from the central State. In addition, both countries have one of the highest rates of imprisonment in Europe, with a high percentage of female prison population, which has ignited the alarms.

In Scotland, the idea of putting the focus on the functioning of penal system for women was determined by several tragic incidents involving suicide and serious self-harm by women imprisoned between 1995 and 1997. This was the warning that opened the door to the study and evaluation of the system under a gender perspective. The concern so far only been shown in isolated studies, such as Pat CARLEN in 1983. This evaluation process ended with the publication in 1998 of "**Women Offenders - A Safer Way**", report that analyzed the needs of women offenders and highlighted the negative effects of prison, especially for mothers. The report concluded with a series of recommendations that should be implemented in the following years.

In 2002, four years later, the Scottish Government published "**A Better Way**". This second report, more ambitious than the last but with the same problem on the table, established the agenda to follow in order to reduce significantly the number of women in prison and promote community treatment. After the detection of system deficiencies in the previous report, it was now time to develop policies that effectively reduce the increasing rate of incarceration and recidivism. Both publications reported that, due to the profile of women and their background as victims of abuse, the prison sentence was not appropriate for them and marked the beginnings of gender policies in the Criminal Justice System. Despite these good proposals, the changes would be too costly and the visible effects away from the expected.

After these two assessments, we find several years of legislative amendments in the field of community sanctions in Scotland - mainly the introduction of the new penalty, the Community Pay Back Order (CPO)-. But, they were characterized by a lack of investment and resources from the Scottish Government.

During the first decade of the century we can identify reports that focus on the use of prison and living conditions, but with a lack of global perspective that characterized two previous reports. This is the case of which was made by the Scottish Consortium on Crime and Criminal Justice in 2006 (*Women in Prison in Scotland: An Unmet Commitment*). The common feature is its emphasis on the large number of women in prison and their profiles, in order to make inadvisable their incarceration.

Certainly influential, although not addressed the Scottish territory, was the called **Corston Report** published in 2007 and which marked the vulnerability of women in the Criminal Justice System in England and Wales, presenting a number of recommendations designed to keep these most vulnerable women out of prison (MALLOCH and Mc IVOR, 2011). The British government's response was to provide an additional £ 15.6 million for the development of community services for these women.

The evolution of gender- responsive policies in Scotland during these years came mostly from local agencies and organizations (third sector). Most notable is the creation of the **218 Centre** in Glasgow, product of the identification of this area as the most problematic by different studies. This center, exclusive for women, was opened in 2003 with the idea of offering a holistic and safe community-based for those women involved with the Criminal Justice System (BEGLAN, 2013: 153).

In Scotland, it was in 2012 when there was a definite step in the development of gender-responsive policies. It was created the Commission on Women offenders, under the Department of Justice guidelines, and published its first report. The significance of

this report resides much more in the response of the Government to carry out most of the recommendations done.

In Catalonia there are no studies concerning women offenders who are serving a community penalty. In fact, we do not know their profile, because the Government does not publish separate statistics by gender. One aim of my study is to determine the profile of women who are users of our Community Justice Service. Knowledge is essential to subsequently assess the adequacy of the measures and to design preventive measures. I am trying to make a snapshot of the system to be comparable across countries.

I cannot yet expose the conclusions of my study, because I am currently doing fieldwork in Catalonia. After completion of it, I will be able to compare the profiles of female offenders and practitioner's perception about their work, thanks to the information we have from the studies undertaken in Scotland.

4. Foreseen publications/articles resulting or to result from the STSM

- PhD work about the community penalties for female offenders with a comparison between the Catalan system and the Scottish system.

5. Confirmation by host institution of the successful execution of the STSM

- Please, contact with Gill McIVor (Host Institution)

6. Other comments

- Without the stay in Stirling would have not been able to know the Scottish system and share information and points of view with Gill McIvor, who has published a large number of works about female offenders. Moreover, I have had access to a wide number of relevant publications that I cannot in Spain.

ANNEX 1 (relevant bibliography)

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