



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

Strategy for Supporting and Challenging
Women and Girls in Contact with the Justice
System: Department of Justice

30 September 2021

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Ms Sinéad Ennis (Deputy Chairperson)
Ms Sinéad Bradley
Ms Jemma Dolan
Mr Robin Newton
Mr Peter Weir
Miss Rachel Woods

Witnesses:

Mr Steven McCourt	Department of Justice
Ms Joanne McPadden	Department of Justice
Ms Paula O'Neill	Department of Justice

The Deputy Chairperson (Ms Ennis): I welcome Steven McCourt, deputy director of the reducing offending division; and Joanne McPadden, policy official in the reducing offending policy unit. We have with us Steven McCourt and Joanne McPadden. The session will be reported by Hansard, and the transcript will be published on the Committee web page. I invite Steven and Joanne to give the Committee a brief outline of the key issues that have arisen from the consultation and the Department's proposed way forward.

Mr Steven McCourt (Department of Justice): Thank you for the introduction, Chair. Joanne is beside me here in Castle Buildings, and Paula is on a separate screen.

The Deputy Chairperson (Ms Ennis): Apologies. You are very welcome as well, Paula.

Mr McCourt: We are pleased to brief the Committee on the outcome of the public consultation and the proposed next steps for a justice-wide strategy for supporting and challenging women and girls in contact with the justice system.

Every year, a small number of women and girls come into contact with the justice system because of their behaviour. We know that the impact of women and girls offending, coming into contact with the justice system and entering custody is significant and can have a long-lasting ripple effect, not only on victims but on the women and girls' families, future generations and society as a whole. We know from research and, more importantly, from the lived experience of women and girls that, when they face the justice system, it is often at a time of crisis or when they are at their most vulnerable. Many consider the justice system to be designed primarily for men and to be one that does not recognise or cater for their specific needs. We want to help and support women and girls to move away from offending at the earliest opportunity, de-escalating the criminal justice response where appropriate and adopting a

more holistic approach. For those reasons, we wish to develop a specific strategy for women and girls who are in contact with the justice system.

There has been extensive engagement on the strategy thus far, including ongoing discussions with the strategy development group, which draws membership from the range of justice agencies and wider statutory partners that will be key to providing help and support beyond justice.

I will spend a few moments updating you on engagement and the key issues that emerged from the public consultation on the proposed strategy. The consultation ran for eight weeks, from 14 January to 12 March 2021. Responses were welcomed in a range of formats, including online through Citizen Space and through a consultation questionnaire that could be submitted electronically or in hard copy. As well as the full consultation document, an easy read version was produced to simplify the key points outlined in the more detailed document.

Over 650 individuals and organisations were issued with links to the consultation. Key stakeholders were also offered the option of virtual consultation events, and officials met 26 organisations online in individual and group settings. During the consultation period, a number of organisations, in particular the Youth Justice Agency, NIACRO and the Turnaround Project, facilitated feedback from women and girls with a lived experience.

Prisons facilitated engagement with those in their care prior to the consultation. That informed the consultation document and provided the policy team with significant insight into women and girls' contact with the justice system. A total of 47 responses were received, with 26 providing answers to some or all of the consultation questions, with varying degrees of detail. A total of eight responded through the easy read version, and the remaining responses were provided by letter, email or practitioner-facilitated summaries.

We were very pleased that, generally, there was overwhelming support for the development of a justice-wide strategy. It was viewed as a significant opportunity to create and deliver meaningful and positive change. Some respondents qualified their support on the basis that the strategy would be trauma-informed, rights-based and that victims and the voice of victims would be appropriately represented. We unreservedly agree with those views.

In addition to that, the consultation report and briefing paper issued to the Committee highlight a number of key issues raised by respondents. I will touch on a few.

To successfully deliver a strategic, coordinated approach to support and challenge women and girls, respondents considered that more detail was needed about how the proposed priorities would translate into action. In line with the ethos of the proposed strategy, respondents recognised the need and vital role that preventative initiatives had in supporting women and girls. They also emphasised the need to ensure that the strategy used clear, consistent and trauma-informed language.

Respondents considered that there was a need for a distinction between women and girls in the strategy and its delivery. They underlined the need to provide age-appropriate services and interventions, with some recommending that young women aged 16 to 21 should be supported as young women who offend. With regard to supporting women and girls at an early stage and throughout their contact with the justice system, respondents promoted a cross-departmental approach with sustainable funding and resources that underpinned the delivery of the strategy.

Respondents highlighted the role of and reliance on the voluntary and community sector. The potential role of mentors and peer support was also recognised. Respondents considered that those who had been in contact with the justice system should be involved in supporting women and girls with similar experiences. The importance of smooth, supported transitions into, through and out of the justice system featured throughout the responses. The need for supported accommodation and accessible community support in rural areas was also highlighted.

Finally, respondents expressed the need for urgent and immediate action to support women and girls in contact with the justice system, many offering their support to progress this important work.

In taking forward the development of the strategy for supporting women and girls, we will need to take cognisance of those issues and ensure that we engage with all relevant stakeholders as it progresses. That will include colleagues in the Department, justice agencies and partners beyond the justice sphere and across sectors that are working on a range of areas that impact on that cohort. It is only by

working together that we will make meaningful change and improve the life outcomes for women and girls and seek to address the harm caused.

It remains our intention to adopt an approach that focuses on the range of contact with justice and on what can be done to prevent and divert women and girls from crime, supporting them to change in the community and helping to improve their lives and circumstances on the occasions that they enter and leave custody. We want to build on previous work. We see a new strategy as the next step in growing a culture of openness, partnership and continuous improvement in this very important area of justice.

I stress that that approach is not about giving women and girls an easier option or justice going soft on crime. Rather, it is about recognising that sometimes the most appropriate response is not about punitive justice or what might be considered traditional justice but about taking a step back and asking, "What circumstances have brought this girl or woman, who may have been a victim of crime herself, into contact with the justice system? Would an alternative approach that seeks to resolve some of the underlying issues be better for everyone?". It is also, importantly, about women and girls taking responsibility for their actions and addressing the harm that has been caused by their behaviour.

We are committed to delivering the strategy but recognise that this important work will be delivered in the context of wider competing challenges and pressures. We also understand that the impact of the pandemic will undoubtedly exacerbate the vulnerabilities and trauma faced by many of the women and girls who come into contact with the justice system. It is our intention to finalise the women and girls' strategy and associated action plan over the coming months, and those will be subject to ministerial and Justice Committee consideration in due course.

Chair, we are happy to take questions.

The Deputy Chairperson (Ms Ennis): Thank you very much, Steven. Apologies to Paula O'Neill. I did not formally introduce you at the start of the meeting because I could not see you on the screen. So, also with us is Paula O'Neill, who is head of the reducing offending policy unit. You are very welcome, Paula. I have a couple of questions, and then I will throw it open to members.

You said that there is a timescale for producing the draft strategy in the coming months. Can you be more specific about that and indicate when we might see something concrete?

Mr McCourt: We have a strategy development group that is working on finalising the strategy. It has considered and is considering the summary of responses. It is our intention to have the strategy completed in this financial year. Therefore, by March next year, the strategy should be ready for publication.

The Deputy Chairperson (Ms Ennis): OK. That is good news. I have an issue with the term "women and girls", because it is very broad and covers a wide cohort of people. If we are to put in place effective interventions, we will have to drill down into that more acutely. You touched on the fact that you could have older or younger women and girls, but you could also break it down by ethnic background, those who are new nationals and women and girls who are parents or have caring responsibilities. There is also the urban/rural divide. How do you incorporate all those varying needs in a single strategy? Are there plans to break it down more succinctly into those different groups, given that the term "women and girls" is very broad and open to interpretation?

Mr McCourt: You make a very valid point. That was certainly outlined in responses to the consultation. We are looking at a spectrum, from the minimum age of criminal responsibility, which is 10, all the way through to adult women in the custody system. What we are trying to do in the strategy is to focus on those different age spectrums in order to understand what works for women and girls.

It was mentioned in the consultation that we need to look at what works for young women between the ages of 16 and 21 or 18 and 21. We will have to take that back to the strategy development group and have focused work to see what works for the age spectrum that we are looking at.

I will invite Joanne and Paula to comment on their experience of the consultation and the engagement that they had. We need to be age-specific, because what works for young girls in the youth justice system will not be appropriate for young women, even in relation to the adult system, so the approach has to be very much gender-specific and focused on being age-specific, as you mentioned.

Ms Joanne McPadden (Department of Justice): We need, to a certain extent, to take a broader view in that women and girls generally have gender-specific needs that should be addressed. For example, when we look at any sort of interventions for women and girls who are in contact with the justice system, we need to remember that it is important for them to make real and lasting connections and relationships with individuals, and having a key support worker for them works better than it might for men and boys. We are also cognisant that, depending on age and backgrounds, offending patterns and profiles can be different, so we are mindful that there will need to be different approaches.

Any actions that come out of the strategy will also be equality impact-screened, so all the groups that you mentioned will be assessed against each of the actions to see what sort of mitigating action needs to be taken to address, for example, women in rural communities or women from a BME background, because we are mindful that they may need to access services in a slightly different way.

The Deputy Chairperson (Ms Ennis): Absolutely. Thank you for that. I have one more question, and then I will pass over to members. There was a view from the respondents that they were not overly fussed on the general messaging or maybe even the title, and I think that they are probably referring to words like "challenging" and "managing". Has any thought been given to changing those words or tinkering with the actual title of the strategy?

Ms McPadden: Chair, I will pick up on that one. The words "empowering" and "challenging" were both in the title. Just before we came in, I was sharing with Steven the fact that we flagged that, at the preconsultation stage, there were concerns about it, and we featured that in the consultation. We will look to revisit the title and consider how it could be more trauma-informed, because some respondents had concerns about that. They also considered that the word "empowering" did not necessarily take on the social constructs that often influence female offending and said that wider work had to be done by the Department, as well as the women themselves, to support them in changing behaviour.

Mr McCourt: Another aspect that we had to take into consideration was the use of the word "challenging". We have to think about the voice of the victim in the work that we are doing; we always have to bear that in mind. It may be appropriate or necessary, in certain circumstances, for the interventions to be challenging in supporting an individual to turn their life around, but, as Joanne rightly says, it is a difficult one when we are looking at a trauma-informed approach. We are more than happy to reflect again on what appropriate terminology we can use to make sure that it is consistent with the needs of the women and girls whom we are looking at.

The Deputy Chairperson (Ms Ennis): Yes, I agree with that. Thank you.

Ms S Bradley: Thank you to the officials for their attendance. It is important that there is real clarity on the strategy's age reach and who it covers, particularly because of our extremely low age of criminal responsibility. I would like to see a clearer proposal on the format of that. It will have to be broken down by age, because, as you said, while there may be some common threads between girls and women, there are wider differences in their needs as well.

One thing that jumped out at me was:

"Concern was expressed that 73% of women had a physical and/or mental health condition and 36% showed signs of self-harm at the time of their detention."

I was taken aback by that number only because I am also aware that people who have a personality disorder are not classified, as I understand it, as having a mental health condition. Yet there is lots of evidence coming from prisons that that is a real problem for daily management. Those figures are quite startling. What effort will the strategy make to take that into account, and will it be tailored particularly for that group in any way?

Reference was made to Shona Minson's research on the rights of the child and maternal sentencing, which was published by Palgrave Macmillan in 2019. I have heard harrowing stories. For example, there was a mother who was serving quite a long sentence and had a good relationship with her son. She was doing his homework with him remotely every evening and keeping that relationship alive. It was certainly a win-win situation from everybody's reading of it. The young boy, apparently, was doing very well for himself, and, suddenly, that provision was removed. The effect on the mother was obvious to see, but the effect on the child could not even be measured. This is an opportunity to look at those things. Will consideration be given to the rights of the child whose mother may be in prison?

I want to follow up on committal. What is the follow-on for women and girls if they have been detained? Who follows up on them to check their welfare and that they are integrating? If there is real ambition in the strategy, is there a bid for funding to support it? Like many strategies, unless it is properly funded, it is likely not to hit the mark. I appreciate that I have thrown a lot at you there.

Mr McCourt: Forgive me if I miss some of your comments, but I will try to cover most of the queries.

You are quite right to say that there is a significant tendency towards mental health conditions among individuals who are in custody. We are tied to wider strategies in relation to support mechanisms and to the mental health strategy in general. There will be cross-Executive support to address mental health needs. We are working closely with the mental health champion to support people and to see how we can improve the mental health provision for women and men in the custodial context.

Certainly, we work with the statutory sector and the wider community and voluntary sector across a range of services to address mental health needs. We work with the South Eastern Health and Social Care Trust and Action Mental Health to support people in the care of the Prison Service.

Contact between mothers and their children is an important area in the Northern Ireland Prison Service's family strategy. We try to maintain and support continued contact between young people and their mothers who may be in custody, as much as we reasonably can. As you quite rightly say, it is a very important aspect that we need to maintain.

We will, for all the reasons that you outline, look at how we can improve provision in that area of the strategy. We will try to improve that aspect in the family strategy and the action plan. Obviously, where we are with COVID at the moment has impacted on the level of contact that the Prison Service has tried to maintain for people in our care in relation to their family circumstances. We have sought to improve virtual provision, which has assisted, particularly in areas such as that, but having direct contact between a child and the parent is, obviously, the ideal situation for visitation, including allowing more frequent access to support them at times with children doing homework etc.

You are quite right: we are looking at how we can incorporate the rights of the child. The Northern Ireland Human Rights Commission was very clear about looking at the consultation document and the strategy to see how we can make sure that we accurately and fully adopt the rights of the child.

Ms McPadden: I will add to those two points. The first was around mental health. You will probably note from your briefing paper and the report that we had an innovation lab involving a breadth of stakeholders. There is absolutely no surprise about the fact that, when custody is being considered, one of the first priorities is to look at scoping, reviewing and improving mental health services and the support that is available for those in custody. You mentioned personality disorder. We have women and girls who have experienced a history of trauma. That trauma does not necessarily naturally fit in to a particular area into which mental health services can tap. We are mindful that we need to look at how we can support those individuals in custody and when they are out in the community.

Steven mentioned children and families. There was some shocking information in Shona Minson's report about the impact that the pandemic has had on children and children's visits. We are very mindful of that. There is a priority in the family strategy around making sure that visits are done at a time and in a way that supports children when spending time with their parent. Sometimes, the time is not ideal. As far as I am aware, there are ongoing initiatives across the different establishments around bedtime reading and doing homework. Virtual visits have brought about quite a few benefits, but we are aware of the impact that the lack of face-to-face visits up until recently has had on children and young people being able to see and speak to their parents, particularly their mothers.

Ms Paula O'Neill (Department of Justice): Chair, do you mind if I add to the member's point about mental health provision? The Department of Health is a member of our strategy development group; several officials from the Department sit on it. Given that the South Eastern Trust provides health provision in the prison setting, that is a very important connection for us. We have been working with Health officials to date on the development of the consultation, and we will continue to engage with them on matters such as physical health and mental health.

Ms S Bradley: Thank you. That was a valid point about personality disorders and trauma. Members will know from the Domestic Abuse and Civil Proceedings Act that coercive control, human trafficking and other effects can be part of a cocktail of reasons for a woman ending up in prison.

The final point was about funding. It is important that the strategy is properly funded. Thank you, panel, for your time and your answers.

The Deputy Chairperson (Ms Ennis): Thank you, Sinéad.

Mr Weir: Thank you, folks, for the information that you have given us so far. We are at a particular stage in this, but not at the end point. It is fairly clear that not only is the substance of this critical but that, as we have seen in a couple of the areas that we touched on, there is an importance and a delicacy in using the correct terminology and language. The Chair raised the point about whether particular terms are appropriate. We can debate the limitations of using the terms "women" and "girls" in the way in which things are phrased. I appreciate that there has clearly been an attempt to try to be sensitive and delicate in the use of language. Getting the language wrong, in one direction or another, can lead to unfortunate offence or to the concern that was raised. One downside is that it can lead to a little confusion or a lack of clarity on what the objectives are.

The focus of this strategy is, essentially, on female offenders or those at risk of offending, with the appropriate and worthy aim of trying to prevent offending or, for those who have offended, to take them off that pathway. Different services take different approaches and have different strategies. If we look at female offenders and potential offenders, we see that those who have been in contact with the judicial system can also be victims or witnesses of crime. They are not the focus of this strategy. Will you outline what coordination and read-across there has been with the provision of services for those who are victims and witnesses of crime? For this strategy to succeed, it will need to get everything right, and, to ensure that it is given priority, we will also need a level of public buy-in to whatever the strategy is. There is a slight danger, in that, at this stage, we are not seeing the final strategy. If there is too much of a direct disjoint between what is provided or done by way of intervention for female offenders compared with the victims of crime, there is a risk that the provision of services and support will be seen to be at a higher level for offenders than for victims. That could lead to public misunderstanding or concern that female victims of crime, who are also involved in the criminal justice system, are not being given support that at least corresponds with the support given to those who have offended. Clearly, services for the two groups will differ. What level of coordination and read-across is there between the different groups of females who are in direct contact with the criminal justice system?

Mr McCourt: You make absolutely valid points in raising that issue. From the victim's perspective, one of the things that came out of the consultation was the importance of making sure that the victim's voice is front and centre in the strategy. We will include Victim Support in the strategy development group. We keep in very close contact with Victim Support and consulted it closely on the strategy. To ensure that the victim's voice is heard, it is important that Victim Support is specifically included.

You are also quite right in indicating that poverty, child-caring responsibilities, pregnancy, complex childhood trauma and experiences of domestic and sexual violence may be present in the background of many women who have offended. We are looking at gender-specific diversion, pre-trial options and alternatives to imprisonment, and, as you point out, those elements need to be weighed against respect for the rule of law and the rights of victims. That all has to be central to the kind of gender-responsive approach that we are seeking to achieve, not only through this strategy but in a number of other elements that we are bringing forward in wider work through the Department. There is a review of the Inspire model for the Probation Board for Northern Ireland (PBNI) as an approach and how it will dovetail with the strategy. We are also doing work on a progressive youth justice system and a child-first approach to that. Taken together, all those aspects require a balancing act: we need to look not only at offending behaviour but at the fact that many of these women have themselves been the victims of some very significant trauma in their lives. How we balance that out will be important.

Ms McPadden: I will add that the one thing that I think is important around this strategy is that we are focusing as much as we can on prevention and diversion. In pure economic terms, that is less costly than having to support women in custody at a later stage. We recognise that, although initial investment may be needed in prevention and diversion, we could realise benefits down the line. We also are mindful that, when putting bids forward, we will, essentially, have to prioritise as a Department across the board.

Mr Newton: I welcome the officials to the Committee. Thank you for your attendance. I have a couple of what I think are simple questions. There was an eight-week consultation process, and there were 47 returns: 31 from organisations; 16 from private individuals. Is that number sufficient? Are there any gaps? Is there anywhere else that you might have expected returns from?

Mr McCourt: As well as the responses that you cite, we have undertaken, as Joanne mentioned, innovation labs to bring people together. Joanne and Paula spent nearly a week in Ash House in Hydebank Wood interviewing about 50 females who have been directly affected by the custodial system. From our perspective, the response has been quite broad. We very much welcomed our interaction with the 26 organisations, from the voluntary and community sector and elsewhere, that we met. Joanne will perhaps give you some indication of the breadth of organisations that responded. We consulted Victim Support and feel that it needs to be front and centre in the strategy's development, and, as I said, we will bring it in. However, at this time, we do not see any significant gaps.

Ms McPadden: We thought that eight weeks was an appropriate length of time, but anybody who wanted an extension was granted one because we wanted to make sure that we got a balanced view from organisations. As Steven mentioned, the Housing Executive, the police, the Simon Community, the Royal College of Speech and Language Therapists, Victim Support and Women's Aid all responded. There was a breadth of responses that reflected supporting women and girls who had offended or might be on the cusp of offending and also supporting individuals who had been victims, potentially, of that offending. Also, there was extensive preconsultation. For example, we sent letters to key stakeholders setting out the broad framework of what we wanted to put in the consultation document and the key priorities. I mention that because, at that stage, we got a response from and had meetings with the Safeguarding Board, for example, which did not provide a formal response. However, we have very much captured and are aware of the information that it suggested. As far as I know, our consultation was done at around the same time as consultation on the mental health strategy. Organisations had a number of consultations that they were interested in responding to. However, we have a good picture from respondents, and they have given a wide range of views.

Ms O'Neill: Chair, sorry. I was going to come in with an additional point, but I am happy for the member to continue.

Mr Newton: Sorry, Chair. That was not a criticism; it was just about the breadth of the consultation. This jumped out at me: you mentioned speech therapy and the South Eastern Health and Social Care Trust. Am I right that it is the only organisation in any of the trusts that responded officially to the consultation?

Ms McPadden: The Royal College of Speech and Language Therapists is listed but is not associated with a trust. The South Eastern Trust facilitated a workshop with women in Ash House at Hydebank Wood Secure College. Also, all trusts have been issued with letters. However, as Paula mentioned earlier, departmental officials sit on the strategy development group and can filter in information or comments.

Mr Newton: OK. That is grand. There is a very comprehensive list of priorities that needs to be translated into actions. The last one is:

"The need for urgent and immediate action to support women and girls."

I could not find a recommendation on the next steps in the report. Maybe that is my fault. Will you outline the next steps?

Mr McCourt: I can assure you that it is not your fault. The next steps that we classify as urgent and immediate are not in the documentation. We will take that back to the strategy development group. They will look at the actions that we consider can be met within a short timescale and that will have the most significant benefit for women and girls in the criminal justice system, women with custodial sentences and those in the community. We will prioritise that in the action plan.

Ms McPadden: I will add that, if you blink, you might miss it. The next steps are in paragraphs 5.3 to 5.7. As Steven said, many issues need to be considered. The strategy that emerges will have more detail and will identify more deliverables.

Mr Newton: Thank you, Chair.

The Deputy Chairperson (Ms Ennis): I understand your question on the consultation responses. When we were both members of the Communities Committee, we had that issue with the Licensing and Registration of Clubs (Amendment) Bill. There are varying degrees of uptake with each consultation. That was a fair enough question.

Miss Woods: Thank you for your presentation and the documentation. Much has already been covered, but I have a couple of points. The Department will develop a final strategy, but, at this stage, does anything require primary legislation?

Mr McCourt: Aspects of the work may or may not require legislation. At the moment, nothing jumps out of the consultation as requiring primary legislation.

Miss Woods: OK. That is good to know. A lot of issues came up in the consultation, such as improved data collection. The Committee has discussed that issue and its publication in the past. It is not the first time that I have heard about uncertainty in understanding pre-sentencing reports. The question of whether mitigating circumstances can be taken into account came through in the consultation. Can that be done now rather than waiting for inclusion in the finalised strategy? It is about communication and information sharing, so it is more of a process than something that needs to be, say, in a strategy.

Mr McCourt: Absolutely. I could not agree more with that comment. If there are easy wins that we can take forward without having to wait for the completion of the strategy, we will do so. That is one particular area.

Having reflected on your earlier question, I think that there is the possibility of legislation that may or may not impact on looking at a restorative justice approach in particular. That would not necessarily be gender-specific; it would be wider, and it would incorporate men and women. We are looking at that in the context of the wider adult restorative justice strategy. Some of the elements that come out of that may point towards legislation. Certainly, Judge Marrinan's hate crime review and, indeed, Judge Gillen pointed to aspects that may or may not lead to legislation. It is not beyond the bounds of possibility that there may be a need for legislation that will also be of benefit to this strategy. However, it is not specific to it, if you know what I mean.

Miss Woods: Thank you. I appreciate that. Of course, restorative practice and restorative justice were supposed to be legislated for by the end of this mandate but were removed from the Justice Bill. That kind of legislation would be very important, but, sadly, it will not hit the Assembly Chamber in this mandate.

The Committee has dealt with and discussed a violence against women and girls strategy before. We tried to amend the Domestic Abuse and Civil Proceedings Bill, but to no avail, and the Assembly has now called for such a strategy. I know that that is with TEO, but do you intend to join and engage with the Executive Office on any violence against women and girls strategy? We can see the parallels, especially in the consultation responses.

Mr McCourt: If there is a requirement to engage with TEO on the work that we are doing on the strategy, we will take that forward and pass on any lessons learned from our consultation and the wider piece of work on violence against women and girls. Colleagues who work on domestic violence are members of our strategy development group and have a particular interest in developing and taking forward the wider violence against women and girls strategy. Lessons will be learned and shared across the piece.

You made a point about the impact of the provisions on restorative justice being removed from the miscellaneous provisions Bill. There is a workaround for that: we have agency arrangements in place with the Secretary of State to allow the Minister of Justice to accredit organisations. In the short term, that will not cause us difficulty, but, in the long term, we wish to rectify the overall provision.

Miss Woods: Thank you. You have my support on that.

Maybe this has been considered. It is about tying in with the work of the Ministry of Justice. In 2018, it published a female offenders strategy, which stated:

"There is persuasive evidence that short custodial sentences are less effective in reducing reoffending than community orders."

Has the Department looked at that? Will it look at it?

Mr McCourt: Whether for women or men, we have the same problem with the benefit that somebody can receive from their time in a custodial setting if they are given a short custodial sentence. That is

not least because the time spent on remand counts against their time in custody, meaning that they have even less time, unless they wish to engage in intervention programmes or whatever else. We are looking at various programmes that we can deliver to cater for people serving short sentences, and we can learn lessons from other jurisdictions about what can be done in a custodial setting and in the community on the "through the gate" piece.

You will notice in the consultation document the importance of looking at that "through the gate" support, particularly for women and girls. We are looking in particular at how we can work across the Executive with other departmental colleagues to see how we can connect in a more timely way people who are moving out of custody to services in the community, meeting their needs in a community context in the post-custodial environment. We know from our statistics that people are most vulnerable for a three- to four-month period after release from custody. That applies not only to women but to men. We are trying to focus on that to see what we can do to address that particular period with regard to reoffending, because the reoffending rate tends to go up during that critical period after leaving custody, after which it comes down. It is an important area for us.

Ms McPadden: Here, women and girls on short sentences often present with complex needs that cannot necessarily be addressed within that sentence. Therefore, it is also important for us to consider tapping into the substance use strategy and the mental health strategy to realise significant benefits, where they are supported in the community and, indeed, for transition into the community.

Miss Woods: Thank you very much. I agree, 100%. A very sad event emerged from a report by the Prisons and Probation Ombudsman in England in September 2021. It is investigating the death of a newborn baby in prison in 2019. The mother was 18 years old and on remand for robbery. Despite repeated calls for help, she gave birth alone in her cell. There are now calls from a number of organisations for an end to the imprisonment of pregnant women. A lot of research coming out of Coventry University sheds a wee bit more light on that issue. It highlights countries, such as Brazil, Russia and Ukraine, where pregnant women are either not imprisoned or their incarceration is severely restricted. Has the Department looked at that previously? Has it come across that? Do you see that issue being part of the forthcoming strategy?

Mr McCourt: We know about the tragic circumstances that you have outlined. It is just horrific. There is an interest in how many women have given birth while serving a prison sentence in Northern Ireland during the past 10 years. The answer is six. Nobody has given birth inside prison premises during that period. All the women in question were catered for in a hospital context.

The Prison Service has various practice standards for how it addresses the needs of women in care. The most recent Criminal Justice Inspection Northern Ireland report on Ash House made a number of important recommendations on how its service could be improved. We can come back to the Committee on where those recommendations stand. On the current provision in those circumstances, individuals are in a residential setting in the wider healthcare setting in the prison; not in the normal residential units in Hydebank Wood.

One thing that has, quite rightly, been said is that this is one of the areas that we wish to look at with regard to circumstances. In order to do so, an area that we wish to focus on is alternatives to custody. It is important to look at an individual's particular circumstances, whether that be through the information provided in pre-sentencing reports or whatever, and, if there is an alternative to custody, it should be available to the judiciary to allow it to make an informed decision on remand or, indeed, a custodial sentence. We certainly wish to look at that.

Miss Woods: Thank you very much. You have given me the answer to my question for written answer. I appreciate it.

The Deputy Chairperson (Ms Ennis): Members, nobody else has indicated, so we will draw the session to a close. It is really good, first, that we have strong support for a new strategy. The Committee will definitely look forward to considering the action plan and any draft strategy that comes before us in the next short while. Thank you, Steven, Paula and Joanne, for your time. It has been really useful. I will let you go.