Consultation Response Questionnaire



‘Empowering Change in Women’s Lives’

Strategy for supporting and challenging women

and girls in contact with the justice system

FINAL

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How do I respond to the Consultation?

The Department of Justice (DoJ), is seeking your views on a proposed framework/new strategy that seeks to support and challenge women and girls who come in contact with the justice system.

To help shape your response we have posed a range of questions throughout the consultation document.

Please note that you are not required to answer every question, and can choose to respond only to those questions which you consider are most relevant to you.

To assist us we would be grateful if you share your views on the proposed framework through either:

‘Citizen Space’, the NI Direct Consultation Hub <https://consultations.nidirect.gov.uk>

This questionnaire, which can be downloaded from the [DoJ website](https://www.justice-ni.gov.uk/consultations/proposed-strategy-support-and-challenge-women-and-girls-contact-justice-system).

Please note with regard to this questionnaire response boxes are not restricted in size.

Post:

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The consultation document is also available in alternative formats or a language other than English on request.

If you wish to request the document in an alternative format/language or if you have any queries about the consultation please contact us using the details provided.

Privacy, Confidentiality and Consultation Responses

For this consultation, we may publish all responses except for those where the respondent indicates that they are an individual acting in a private capacity (e.g. a member of the public) and that they wish for their response to be kept confidential. All responses from organisations and individuals responding in a professional capacity will be published. We will remove email addresses and telephone numbers from these responses; but apart from this, we will publish them in full. For more information about what we do with personal data please see our consultation privacy notice.

Your response, and all other responses to this consultation, may also be disclosed on request in accordance with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR); however all disclosures will be in line with the requirements of the Data Protection Act 2018 (DPA) and the applied General Data Protection Regulation.

If you want the information that you provide to be treated as confidential it would be helpful if you could explain to us why you regard the information you have provided as confidential, so that this may be considered if the Department should receive a request for the information under the FOIA or EIR.

DoJis the data controller in respect of any personal data that you provide. Further information on Freedom of Information - confidentiality of consultation and the Privacy Notice for this consultation is provided at Annex C and Annex D respectively.

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The closing date for responses is 12 March 2021.

Late responses are unlikely to be accepted.

About you and your consultation response

About you

I am responding *(please select one):*

As a private individual

On behalf of an organisation

Other *(please specify below)*

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Your contact details

Contact name:

|  |
| --- |
| Christine Hunter  Chair  Restorative Practice Forum (NI) RPFNI |

Contact e-mail address:

|  |
| --- |
| Christinehunter11@gmail.com |

Organisation name and address:

|  |
| --- |
| Restorative Practice Forum (NI) RPFNI  **The Restorative Practices Forum NI (RPFNI)** is an independent umbrella body for groups and individuals working to promote restorative practice. It has been active for over 25 years.  RPFNI welcomes the opportunity to respond to this consultation. Many of the planned developments sit within a restorative continuum.  The aim of the Restorative Practice Forum is ***to promote restorative justice philosophy and restorative practice across all aspects of society****.*  RPFNI involves wide representation from over 30 groups within the voluntary, community, justice, statutory and public sectors. It includes, educationalists, academics, social workers, and the judiciary as well as independent restorative practitioners. The forum has education and events sub committees. It has links with Restorative Practices Ireland.  The Forum has organised several successful conferences to promote restorative practice, including most recently in November 2019 - “Building a Vision for the Future of Restorative Practices”. In addition, to mark international Restorative Justice week in November 2020, the forum hosted virtual events in relation to restorative approaches in education and following sexual abuse. These were attended by approximately 220 people.  RPFNI has adopted the European Forum for Restorative Justice definition of restorative justice as “*an inclusive approach of addressing harm or the risk of harm through engaging all those affected in coming to a common understanding and agreement on how the harm or wrongdoing can be repaired and justice achieved”.*  NIACRO currently provides support to the Forum.  RPFNI support an ambitious approach to how we work with women/girls, especially those who are most vulnerable. Within this approach it is important that explicit principles/ values are agreed. From our perspective these include ensuring that:   1. the views and feelings of women/girls people are actively sought in relation to any decision regarding their services/sentences; 2. trauma-informed restorative approaches/training are adopted by all professionals working with this group. 3. We adopt the restorative spectrum, from language to the facilitation of complex restorative meetings, to maximise respect and inclusion and minimise inequality and disempowerment so that the women/girls remain central to any decision affecting her. 4. Effective cross departmental/multi agency collaboration must be maintained in the provision of a trauma informed holistic approach to prevention, sentencing, custody and resettlement. |

Do you want the information you provide in this consultation response to be kept confidential?

Yes

No

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| If ‘Yes’ please explain your reasons below |
|  |



Would you like to be kept informed on the progress of this work?

Yes

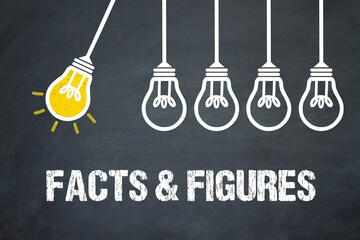
No

If ‘Yes’ please ensure you have provided a contact e-mail or name and postal address so we can keep you informed.

Background and context

Facts, Figures and trends

A range of facts, figures and trends about women and girls who come in contact with the justice system have been provided.



Q1 Are there any key facts, figures and trends that are missing?

Yes

No

Q2 If yes, please provide a brief description of what is missing

(and a source if available)

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| We would find an outline of PBNI stats on women subject to probation/licences , in custody and number of reports written for court useful. The age profile and % of women impacted by ill health, trauma and disadvantage are also important statistics. We are particularly aware of the impact of trauma on developing brains especially under 25. |

Strategic Context

We have also provided a summary of the landscape within which the new strategy is set, this includes:

* International obligations and Northern Ireland’s programme for government;
* Work that is ongoing or at an early stage e.g. the proposed new women’s facility, the review of regional facilities for children and young people; and
* The previous strategies on women who offend as well as some information on our early engagement on the new strategy.

Q3 Do you agree with the information in the Strategic context?

Yes

No

Q4 If applicable, please let us know if there is anything you would want us to change or add.

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Proposed framework

Title

The proposed title for the Strategy is: ‘Empowering Change in Women’s Lives: Strategy for supporting and challenging women and girls in contact with the justice system’.

We think the title reflects the need to support women and girls and, where appropriate, challenge their behaviour, and empower them to make positive choices and changes in their lives.

It is important to stress that the strategy will recognise the impact of societal issues outside their control, for example poverty.

Q5 Do you agree with the title we have proposed?

Agree

Disagree

Q6 If applicable, how would you change the title?

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| The explicit labelling of “Supporting” and “Challenging” suggests that women / girls who are victims and women / girls who are offenders are still being viewed as two disparate groups and require different responses. We believe the responses should be one and the same for all women in contact with the Justice System – trauma informed, and restorative to self, family and community in response. Many in RPFNI believe the word challenging should be deleted. Holding to account is a principle of restorative practice. Empowering might be a better word than challenging. |

Duration

We have also provided a number of options for the duration of the strategy. We consider these provide for an appropriate length of time to make some meaningful change in this important area of work.



Q7 The Strategy should be for:

Five years

Six years

Seven years

Five years with two action plans for years six and seven (that will lead into a new delivery framework)

Other

If ‘Other’, please provide an alternative

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The Vision

The proposed vision of the new strategy is ‘Ending harm by empowering women and society.’

We consider this vision reflects the need for a focus on the needs of victims, women and girls in contact with the justice system and wider society. Providing women and girls with the right support, at the right time, in the right way, to create positive outcomes for everyone.



Q8 Do you agree with the vision proposed for supporting and challenging women in contact with the criminal justice system?

Agree

Disagree

Q9 If applicable, how would you enhance the vision?

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| RPFNI agree with the headline Vision statement but think the wording of “challenging” is unhelpful. Please see Q6. The system and the responses to women’s needs is what is challenging.  The vision needs to reflect cross departmental response – including Departments of Health, Education and Communities as key partners in the strategy. |

Overarching Priorities

To deliver this vision we have suggested three overarching framework priorities focusing on prevention, alternatives in the community, and effective rehabilitation.



We consider working together with a shared understanding and commitment to deliver these priorities has the potential to ultimately realise benefits for everyone.

Q10 Do you agree with these overarching priorities?

Agree

Disagree

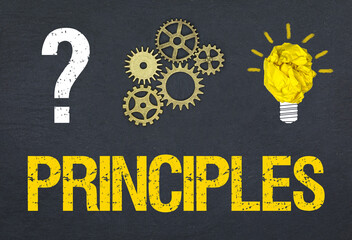
Q11 If applicable, suggested additions or changes

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| RPFNI believe that there should be a continuation of ‘child centred’ justice for those who reach their 18th birthday, with consideration for this until age 21/24. Equality, with how young males who offend are treated must be available, especially in custody. |

Principles

The strategy (and its out workings) should be supported by a strong foundation of principles. Six/three pairs of complementary and balanced principles have been suggested as a sound basis for this work;

* Gender informed and Person centred
* Trauma informed and Holistic
* Pro-active and Responsive



These principles recognise the need to focus on the individual needs of women and girls who come in contact with the justice system while planning for changes at a strategic level.

Q12 Do you agree with the principles?

Agree

Disagree

Q13 If applicable, suggested additions or changes

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| RPFNI would like to see a “restorative approach” as a named principle within the strategy, as a response to recognising and supporting the recovery from the “what happened to you” and” who has been impacted” trauma informed perspective.  The aim of minimising prison committals should be explicit. |

Strategic themes

We would suggest that the new strategy is constructed around three key themes that cover the full spectrum of potential contact women and girls might have with the justice system.



1. Prevention and Diversion

A focus on early intervention including support up to, and including, sentencing.

1. In the Community

Maximising community solutions.

1. In Custody and Reintegration

Rehabilitation to support positive outcomes.

Q14 Do you agree with the proposed strategic themes?

Agree

Disagree

Q15 If applicable, suggested additions or changes

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| Whilst we talk about maximising community solutions, RPFNI would support explicit reference to **minimising custodial** **sentences/ committals**. Women spending all their sentence on remand is unacceptable. Custody is not used as a response to care issues in the youth system, and a focus that realises this (with proper systemic support from Education, Health, Housing and Social Care Services) in the adult system should also be made explicit. |

Theme 1 - Prevention and Diversion

This first theme outlines the need for and opportunities to intervene earlier with women and girls who come in contact with the justice system



Q16 Do you broadly agree with the introduction and basis to this theme?

Yes

No

Q17 If applicable, proposed additions or changes?

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| It is crucial that these prevention and diversion responses emanate from universal Education, Health, Housing and Social Care services and not just from justice services to avoid “net widening.”Net widening is a current feature of the system. |

The theme outlines a range of current and promising practice at early stages of contact.

Q18 Is there any further practice you think should be highlighted here?

Yes

No

Q19 If yes, please provide some detail

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| RPFNI supports diversion from court through  partnership programmes between voluntary and community sector to support and promote Conditional Cautioning programmes. |

The overall aim of the theme is

‘A culture of prevention and early intervention for women’

Q20 Do you agree with the aim?

Yes

No

Under this aim we have outlined a number of key priorities around women and girls’ pathways into and out of offending and providing support in partnership to reduce the number coming in contact with the justice system.

Q21 Do you agree with the priorities?

Yes

No

We have also outlined what we will do to deliver these priorities including strengthening links with partners, improving communication and maximising opportunities and preventative measures.

Q22 Do you agree with what is proposed in ’to deliver this we will’?

Yes

No

Q23 If no, suggested additions or changes

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| Whilst we are acknowledging that women may be reluctant to seek help due to perceived potential negative consequences, then we also need to financially strengthen the funding, reach and involvement of community and voluntary based services such as community/ restorative justice providers, women’s groups, parenting groups and young mother groups, mentoring and befriending services for young girls, young women and mother’s and the need to properly train and educate community and voluntary services in trauma informed practice and restorative responses to systematic exclusion and stigmatisation. Trauma and Restorative trained staff in schools would also be a strength for early intervention. |

Theme 2 – In the Community

This second theme outlines the need

to promote and provide community solutions to reduce women’s offending and reoffending.



Q24 Do you broadly agree with the introduction and basis to this theme?

Yes

No

Q25 If applicable, proposed additions or changes?

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The theme outlines a range of current and promising practice used in the community.

Q26 Is there any further practice you think should be highlighted here?

Yes

No

Q27 If yes, please provide some detail

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| It is promising to see the commitment to a restorative approach in the justice sector but this could go further to recognise the need for restorative approaches across the community, education, health, and social care sectors also. Restorative approaches have significant value to contribute to this strategy in developing strong partnerships between the above sectors which do not sit solely within responses only at the point that a law has been broken, but recognises harm caused by and to women at a much wider level.  The PBNI Inspire model and community restorative responses as originally envisioned are helpful guides. |

The overall aim of the theme is

‘Robust alternatives to custody and management of women in the community’

Q28 Do you agree with the aim?

Yes

No

To deliver this aim we have outlined a number of key priorities around tailored and sustainable support in the community and promoting the need for community solutions for women and girls.

Q29 Do you agree with the priorities?

Yes

No

We have also outlined what we will do to deliver these priorities including improving work and enhancing understanding around community solutions to support pathways from offending for women and girls.

Q30 Do you agree with what is proposed in ‘to deliver this we will’?

Yes

No

Q31 If no, suggested additions or changes

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| Consideration of the term “management” of women does not lend itself to a trauma informed restorative approach – could this be reframed as support/ empowerment?  This section should highlight the need for women to remain in the community and ensure that there are the right resources available to support them refrain from offending. The INSPIRE model was a partnership approach to prevention and intervention – across statutory, voluntary and women sector. Such a model needs to be reviewed and supported. DOJ should consider the role for dedicated champion /’commissioner to review and ensure practice across the sectors. |

Theme 3 – In Custody and Reintegration

This third and final theme outlines that custody should be reserved for the most serious cases and should be a trauma informed and rehabilitative environment for women and girls.



Q32 Do you broadly agree with the introduction and basis to this theme?

Yes

No

Q33 If applicable, proposed additions or changes?

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| It is critical that resources , energy and partnership work is **prioritised in prevention and** **reintegration** , with health, housing and trauma informed community support services working together. Given the research , this should be a joint health/justice approach as is planned for the joint care/justice Youth Campus. Restorative approaches should be utilised , especially, for example, Family Group Conferencing and Circles of support. |

The theme outlines a range of current and promising practice in and beyond custody.

Q34 Is there any further practice you think should be highlighted here?

Yes

No

Q35 If yes, please provide some detail

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| Please see Q33  The use of a range of alternative/therapeutic therapies should be available , again prioritising services outside prison( ie speech and language therapy, music and art therapy , confidence building, group programmes etc) |

The overall aim of the theme is

‘A fit for purpose, rehabilitative, restorative custodial environment for women’

Q36 Do you agree with the aim?

Yes

No

Under this aim we have outlined a number of key priorities around the bespoke rehabilitation, an environment focused on the welfare of women and girls in custody.

Q37 Do you agree with the priorities?

Yes

No

We have also outlined what we will do to deliver these priorities, e.g. focusing on rehabilitation, through-care and support within and beyond custody, using the unique insights of women and girls in contact with the justice system.

Q38 Do you agree with what is proposed in ‘to deliver this we will’?

Yes

No

Q39 If no, suggested additions or changes

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| We agree with the aspirations programmes/services outlined .It is critical that these are readily available and resourced, especially with a framework that includes clear objectives for delivery in the community.  The importance of prison visits is critical.  It is critical that there is a separate women’s prison, with small units to support a therapeutic approach (max 6/8 persons); |

Framework for Delivery

The document outlines a broad framework for delivery including the fact that this can only be achieved through partnership across the justice system, other statutory partners and agencies, and the voluntary and community sector.



Q40 Do you agree with the proposed delivery framework?

Yes

No

Q41 If applicable, proposed changes or additions

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| As outlined in earlier questions, partnership with health and accommodation providers, committed to additional responsibilities in respect of this client group is critical .  It is important that the framework and delivery mechanisms are as simple as possible and are committed to making positive difference in a timely manner.  The delivery plans should give additional weight/resources to additional trauma informed prevention and resettlement services. |

Potential impact

We have considered the impact of the strategy on everyone around equality, human rights and rural . We think it will have a positive impact but that measures may be needed to ensure access and delivery to all the women and girls in contact with the justice system.

Q42 Do you agree with our assessment in terms of Equality?

Yes

No

Q43 Do you agree with our assessment in terms of Human Rights?

Yes

No

Q44 Do you agree with our assessment in terms of Rural Needs?

Yes

No

Q45 Is there any addition information and evidence you think we should consider (please provide brief summary and source if available)

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| In terms of Human rights and the concerning increase in prison sentencing for women, this consultation is also relevant to that on Reform of Rehabilitation periods in relation to criminal records. Disclosure of criminal records is an additional barrier to resettlement( employment , insurance, housing etc)  It is critical that sentencing of women is informed by specialist knowledge/training in terms of the different reasons women/girls offend and the impact of imprisonment on children. Those who complete court assessments and sentencers must be trained appropriately.   There is a definite need for more / enhanced gender sensitive approaches and female offender strategies, particularly within the custodial setting;  All those mandated to work with females need trained in female specific, trauma issues and needs.  The role for a dedicated champion /’commissioner to review and ensure practice across the sectors is progressed would be a useful one. |

Q Do you agree with the list of work lined:

Other work

The proposed strategy also outlines a range of departmental and cross executive work that may realise benefits for women in contact with the justice system.



Q46 Do you agree with the list of work outlined?

Yes

No

Q47 If applicable, proposed changes or additions?

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| --- |
| The Adult Restorative Justice strategy consultation( to which the RPFNI responded) and the Sentencing review are important considerations .  This is an ambitious list to cross reference with/ seek partnerships to benefit women and girls. The transitions between community , custody and between youth and adult women is critical. The use of Restorative practice provides good opportunities ie circles of support.  Clear agreed roles /commitment are critical for success. |

Final comments

We would also welcome any final comments you wish to make about the strategy and our proposed way forward with this important area of work.



Q48 Any final comments?

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| --- |
| The Restorative Practice Forum welcomes the opportunity to respond to this consultation.  Restorative sentences, with additional trauma informed supports could make a significant difference to women who cause harm and to the prevention of further victims. It is critical to commence from the premise women themselves have often suffered considerable harm and discrimination. |

We would like to thank you for taking the time to shape how justice will support and challenge women and girls who come in contact with the justice system in the future.