

**Cross Party Group on Women
Women and the justice system
Friday 14 July 2023, via Zoom, 11:30-12:30**

Attendees:

*Sian Gwenllian MS
Jane Hutt MS (Speaker)
Jane Dodds MS
Sioned Williams MS
Dr Robert Jones, Cardiff University (Speaker)
Leah Reed, Cardiff University (Speaker)
Dr Rachel Minto, Cardiff University (Speaker)
Dr Jo Roberts, University of South Wales
Abi Thomas, Plaid Cymru
Alison Parken, Cardiff Business School
Jane Fenton-May, Wales Assembly of Women
Chris Dunn, Diverse Cymru
Megan Thomas, Disability Wales
Sarah Thomas, NFWI
Stephanie Grimshaw, Welsh Women's Aid
Tanya Harrington, Stonewall Cymru
Tomos Evans, Chwarae Teg
Hade Turkmen, Oxfam Cymru
Rhianydd Williams, TUC Cymru
Rhianon Bragg
Wanjiku Mbugua-Ngotho, Bawso
Dr Larissa Peixoto, Cardiff University
Leanne Waring, Cardiff and Vale College
Kirsty Hudson
Gary Haggaty, Welsh Government
Sarah Evans, Welsh Government
Simon Borja, Safer Wales
Ioan Bellin, Plaid Cymru
Andrew Misell, Alcohol Change UK
Merisha Weeks, Welsh Government
Emma Henwood, Sports Wales
Will Davies, Senedd
Steffan Bryn, Welsh Government
Hannah King
Vera Baird
Catherine Brannigan, Waterloo Foundation
Megan Evans, WEN Wales
Jessica Laimann, WEN Wales*

Apologies:

*Heledd Fychan MS
Sara Kirkpatrick, Welsh Women's Aid*

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Welcomes, Apologies, Introduction – Chair

	<p>Sian Gwenllian MS welcomed everyone and advised that the meeting would focus on women’s experience in the justice system, with a specific focus on imprisonment and the context of devolution in Wales.</p>
<p>2</p>	<p>On the jagged edge – Welsh women’s experiences of imprisonment Dr Robert Jones and Leah Reed, Cardiff University</p> <p>The Chair welcomed Dr Robert Jones, Lecturer in the Welsh Criminal Justice System at Cardiff University and co-author of <i>The Welsh Criminal Justice System: On the Jagged Edge</i>, together with Leah Reed, a PhD Candidate in Criminology whose research aimed to produce the first in-depth empirical study of women’s imprisonment in Wales.</p> <p>Robert set out the general context of the criminal justice system in Wales. Despite the importance of devolution in areas like health, housing, education and social care, Wales remained subsumed in an England and Wales jurisdiction which was under the remit of the UK Government. Yet devolution had made it necessary to think about Wales as a distinct space in the context of the criminal justice system.</p> <p>The central claim in <i>On the Jagged Edge</i> was that Wales’ role in the England and Wales system had fundamentally changed and that it no longer made sense to think of an undifferentiated England and Wales system. A distinct Welsh criminal justice system was already emerging and there was a need for a better understanding of this and the many problems facing Welsh communities.</p> <p>Leah continued to explain to nature of women’s imprisonment within this context. There was very little empirical evidence on women’s experience in Wales as “England and Wales” remained the dominant unit of analysis. But there was recognition that Welsh women faced a distinct set of challenges, for instance there was no women’s prison in Wales, which meant women incarcerated in England were isolated from their friends and families and visitation was often difficult.</p> <p>Welsh women in the prison system experienced a “double bind of invisibility” – women in general were often invisible in academic debates on imprisonment, and Wales was rendered invisible within the “England and Wales” context. This was despite Wales having the second highest rates of female imprisonment across the England and Wales regions, with most sentences being for less than six months.</p> <p>Robert explained that, due to Wales making up only 5.2% of the UK population, it received comparatively little attention from UK policy makers and there was a lack of clear structures for democratic accountability and scrutiny over the criminal justice system in Wales. Home Office and Ministry of Justice policies were regularly overlooking the Welsh context and Wales-facing bodies like the HMPPS in Wals had very little policy-making influence. The “England and Wales” system remained essentially an English system in which Wales was too often an afterthought.</p>

	<p>This inevitably led to frustration when seeking to implement distinct policy, such as the Welsh Government’s focus on prevention and harm reduction rather than criminalisation and punishment, including in the context of female offending.</p> <p>In sum, there was a distinct Welsh criminal justice system, which produced comparatively poor outcomes. Effective policy making was very challenging due to the constitutional context, and this problem was exacerbated by weak scrutiny and accountability structures. There was an urgent need to need to better understand the problems facing Wales, Welsh women, and Welsh communities.</p>
<p>3</p>	<p>Response from the Minister for Social Justice, Jane Hutt MS</p> <p>The Chair thanked Robert and Leah for their insightful presentation, which highlighted the desperate need for structural changes to improve the experience of women in the prison system. She invited the Minister for Social Justice to respond.</p> <p>The Minister advised that the research in <i>On the Jagged Edge</i> had helped inform the Welsh Government’s thinking around the devolution of justice, which was a commitment of the Cooperation Agreement.</p> <p>She highlighted that, as well as making the case for transformation, it was important to drive improvements within the current system. This was what the women’s justice blueprint set out to deliver by providing practical support through services like the pathfinder programme, in collaboration with the Counsel General and women’s centres in Wales. A recent evaluation of the pathfinder programme showed that it was effective in improving the lives of vulnerable women. The Minister stated that factors like domestic violence, substance abuse, mental health problems, trauma and poverty were driving female offending and these could not be solved by imprisonment. Although criminal justice was not devolved, the Welsh Government was funding a range of initiatives, such as the Visiting Mums service.</p> <p>The Minister highlighted opportunities in light of the report of the Brown Commission as well as the Independent Commission on the Constitutional Future of Wales. The Welsh Government would continue to prepare the case for the devolution of justice and policing and welcomed further evidence to support this work.</p>
<p>4</p>	<p>Discussion and questions from attendees</p> <p>The Chair thanked the Minister and invited attendees for questions and comments.</p> <p>Vera Baird advised that, as an independent advisor she was looking at how to ameliorate the punitive approach toward female offenders, including by looking at the partial devolution model in Manchester, where probation was co-commissioned.</p> <p>Jessica Laimann (WEN Wales) asked if there was disaggregated evidence available on the experience of different demographics groups of women. Leah advised that, while her research would provide some disaggregated data, it would need to focus on a general overview with the hope of inspiring further work on this in the future.</p>

	<p>Sioned Williams MS observed the reliance on FOIs to get access to relevant data and asked if there was anything the Welsh Government could do to improve access. Robert confirmed that FOIs were still the go-to approach to get data and had been for a decade. He advised that the Welsh Government had prepared a list of required data for the UK Government. The Minister for Social Justice confirmed that they were in conversation with the UK Ministry of Justice and would be happy to provide a future update on this to the CPG.</p> <p>Larissa Peixoto (Cardiff University) echoed concerns over access to data and added that another difficulty was the use of England and Wales samples with no disaggregated data for Wales. As well as open data, better sampling for Wales was needed to improve our evidence-base and create better policy.</p> <p>Jane Fenton-May (Wales Assembly of Women) highlighted the need of safe housing to address recurrent reoffending.</p> <p>Wanjiku Mbugua-Ngotho (Bawso) emphasised that the population of Black and ethnic minority women prisoners included victims of VAWDASV who acted in self-defence but whose evidence was not considered due to language barriers. Bawso was looking to commence work with female prisoners in Eastwood Park prison to understand the impact of the double disadvantage due to discrimination, racism, and the lack of communication between the police and victims in the context of VAWDASV.</p>
<p>4</p>	<p>Update from the Women in Europe (Wales) Group</p> <p>Dr Rachel Minto advised that the European Parliament’s Committee on Women’s Rights and Gender Equality had adopted a draft report on the regulation of prostitution in the EU. The report called for a Europe-wide approach to tackle prostitution by decriminalising people in prostitution and supporting those who want to leave it, while targeting buyers and exploitative third parties. Similar models had already been adopted in France, Sweden and Ireland.</p> <p>Two key events for 2024 were the European Parliamentary Elections in June and the end of president’s Ursula von der Leyen’s first term. Von der Leyen had been instrumental in promoting gender equality in the work of the Commission and sought to integrate it in major policy proposals like the European Green Deal and the Covid recovery programme.</p>
<p>5</p>	<p>AOB</p> <p>Date of the next meeting: 15 September 2023.</p>
<p>6</p>	<p><i>Close</i></p>