

Statutory and Non-Statutory  
service-users experiences of  
gender-responsive practice in a  
post-Corston (2007) Women's Centre

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## Abstract

This thesis is concerned with the aims, operation and impact of one case study Women's Centre (WC) in the North of England, functioning as a post-Corston (2007), gender-responsive, non-custodial arena for women serving unpaid work (UW) sentences and women attending voluntarily due to social and structural marginalisation. The former are termed statutory service-users and the latter, non-statutory service-users. Utilising a critical criminological conceptual framework that challenges the socio-economic and political arrangements that give rise to inequalities and disadvantage, this project draws upon a range of key thinkers to make sense of neoliberalism and gendered neoliberal policies. This theoretical position draws upon the work of Stuart Hall, Stanley Cohen, Jamie Peck and Pat Carlen to critically analyse the narratives of 24 non-statutory service-users, 16 statutory service-users and 7 service-providers from the WC.

This thesis fills a significant gap in the literature in relation to the experiences of gender-responsive practice in a post-Corston (2007) WC from the perspectives of non-statutory and statutory service-users. Specifically, it addresses this deficit by contributing to this field through focusing on non-statutory service-users experiences of gender-responsive practice for the purposes of social inclusion, highlighting the links between the deconstructing of women's community services under neoliberalism and women's subsequent dependency and containment within the WC for social and welfare support. Additionally, this thesis outlines statutory service-users experiences of undertaking UW within a gender-responsive WC, highlighting the tensions in merging a traditional method of punishment with a progressive gendered approach. Further adding to previous research (Barton and Cooper, 2013; Carlton and Seagrave, 2013; Elfleet, 2017, 2018; Kendall, 2013; Malloch and Mclvor, 2013), this thesis evidences that gender-responsive practice mobilises a rhetoric of empowerment that fails to recognise the heterogeneity of non-statutory service-users, feminises their needs and promotes strategies of resilience that teach them to cope with their disadvantage. Also being the first critical study to explore the function of UW in a WC, this thesis highlights the surveillance, risk management and shameful practices that characterise the operation of UW in the WC.

This thesis considers the function of the WC for two service-user groups within the socio-economic and political context of neoliberalism. It outlines how the WC is at once a space of punishment, surveillance, coercion and shame for statutory service-users and a space of social inclusion and coercion for non-statutory service-users. It asserts that neoliberal state reforms and neoliberal policy including *Transforming Rehabilitation* have placed a responsibility on the criminal justice system to manage populations of women experiencing social and structural marginalisation and have instructed the WC to promote the visible punishment of statutory service-users undertaking UW within the woman-only space of the WC.

## Declaration of Published Work

Greenwood, K. (2018) 'Non-statutory experiences of gender-specific services in a post-Corston (2007) Women's Centre', *Howard League for Penal Reform ECAN Bulletin*, <https://howardleague.org/wp-content/uploads/2018/12/conference-ECAN-bulletin-December-2018.pdf>

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Greenwood, K. (2017) 'The Mobilisation of "deviant" female bodies: Carceral regimes of discipline in Liverpool Female Penitentiary, 1809-1921' in Peters, K., and Turner, J. (Eds.) *Carceral Mobilities*, Oxford: Routledge.

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# Abbreviations

APPG – All Party Parliamentary Group

CJA – Criminal Justice Act 2003

CJC – Criminal Justice Co-ordinator

CRC – Community Rehabilitation Company

HMP – Her Majesty's Prison

HMPPS – Her Majesty's Prison and Probation Service

MOJ – Ministry of Justice

NOMS – National Offender Management Service

NPN – No Page Number

ORA – Offender Rehabilitation Act

OM – Operations Manager

PbR – Payment by Results

PRT – Prison Reform Trust

RAR – Rehabilitation Activity Requirement

SAR – Specified Activity Requirement

SEU – Social Exclusion Unit

TR – Transforming Rehabilitation

TWP – Together Women Project

UW – Unpaid work

WC – Women's Centre

WORP – Women's Offending Reduction Programme

## Chapter One:

### Introduction

#### 1.1 Background

Women Centres (WCs) have been officially incorporated into the criminal justice system in England and Wales over the past twelve years as part of wider reforms to the prison estate (Malloch and McIvor, 2013). These reforms can be described as a re-imagining of justice and punishment for women by aiming to overcome 'existing barriers' involved in the community punishment and custodial imprisonment of women (Thain-Gray *et al*, 2016:11). While various centres for women have existed for several decades (Carlen, 2002), in relation to official criminal justice policy and practice in England and Wales, it was only following the Corston Report (2007) that what are now known as "Women's Centres" were officially recognised as spaces of gender-responsive support for women who have committed a minor or first time offence, or are considered at risk of offending. Corston (2007) conducted a review of vulnerable women in the criminal justice system and foresaw that WCs should be utilised as referral centres; as a way of diverting women from court and police stations, and providing a credible alternative to prison.

WCs were conceptualised on the basis that women in prison present a range of multiple and complex problems and needs that fundamentally cannot be addressed within prison, with most women feeling 'inadequately prepared for or supported on release' (McIvor *et al*, 2009: 349). The Corston Report (2007) highlighted how short prison sentences are less effective than community sentences at reducing offending and that enabling women to access support for

their multiple needs within a woman-only environment would signal a turning point in breaking the cycle of offending.

Corston (2007) contended that women who offend are often themselves victims of serious crimes or abuse and present a continuum of needs underpinned by their experiences of physical, sexual and emotional abuse, substance abuse, health issues, financial situation, family life, accommodation and education. WCs are also partly derived in the knowledge that children separated from their mothers or taken into care as a result of her offending or imprisonment are at an increased risk of offending, having poor educational attainment and poor health (see Baldwin, 2018; Prison Reform Trust (PRT), 2014). Hence the principal aim of WCs are to reduce the harmful consequences of imprisonment, particularly short-term prisons sentences. As a direct result, this should then break the cycle of women's offending along with its complex multigenerational effects (Corston, 2007).

Although WCs were designed as feasible *alternatives* to imprisonment, the female prison population since 2007 has remained at a steady rate whilst the number of women undertaking community punishments has decreased (WIP, 2018). The maintenance of the custodial arm of the criminal justice system has occurred alongside ongoing attempts to increase the 'opportunities and format' of community sanctions designed to meet the 'gender-responsive' needs of women (Malloch and McIvor, 2013: 4). Concerns, however, have been raised surrounding the expansion of the criminal justice system, with Barton and Cooper (2013: 141; emphasis original) suggesting that gender-responsive reform institutions are 'becoming *part* of the cycle rather than a solution to it', calling into question the legitimacy and effectiveness of gendered justice for women.



In the twelve years since the Corston (2007) Report and the official establishment of WCs across the penal landscape in England and Wales, the socio-economic and political climate has vastly altered. Within the context of neoliberalism, gender-responsive penal reforms have 'emerged in parallel with the dismantling of the welfare state' (Prugl, 2015: 616). Whilst it is difficult to provide a singular definition of neoliberalism, broadly, it emerged in the 1930s as both a political movement and set of ideas (Kiely, 2018). As noted by Harvey (2007: 2), neoliberalism 'proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterised by strong private property rights, free markets and free trade'. Processes of neoliberalism that '*act on and through*' institutional landscapes (Peck, 2013: 146-7; emphasis original) and the penetration and absorption of many inclusionary modes of social control from the public into the private sphere form part of the ongoing neoliberal project of the rolling back of the welfare state (Peck, 2013). Citizens are individualised as part of anti-statism and the economy is prioritised over the welfare of citizens (Peck, 2013), directly producing steep rises in inequality (Arestis and Sawyer, 2005). Processes of identifying and addressing the gender-responsive needs of women have arguably irrevocably changed as a result of the proliferation of the neoliberal socio-economic climate and neoliberal policy.

The neoliberal landscape represents a 'reassertion of the fundamental beliefs of the liberal political economy' (Clarke, 2005: 57), manifest in a set of public policies. Neoliberal policies encompass 'the deregulation of the economy, the deregulation of trade and industry and the privatisation of state-owned enterprise' (Steger and Roy, 2010: 14). Neoliberal culture arguably makes

individuals 'more dependent upon market mechanisms for accessing a range of social services' (Cahill and Konings, 2017: 3).

The Ministry of Justice (MOJ) (2010a) paper *Breaking the Cycle* and the subsequent *Transforming Rehabilitation: A Revolution in the Way we Manage Offenders* in 2013 (MOJ, 2013a) led to 'major structural reforms' to the probation system, including changes to service-providers and service-delivery (House of Commons, 2018: 3). Reforms also encompassed opening up the market to new providers of rehabilitation and introducing payment incentives for providers of probation services (House of Commons, 2018). Probation services for low and medium risk offenders were to be delivered under Community Rehabilitation Companies (CRCs) (Ibid). The management of women in WCs, under CRCs placed responsibility onto the voluntary sector to secure funding for gender-responsive services (Clark, 2014; Radcliffe and Hunter, 2016). This form of competitive tendering has raised concerns surrounding the effectiveness, legitimacy and accountability of WC services in parallel with a reduction in welfare and social services programmes for women outside of the criminal justice system.

Concerns have also been raised concerning the Payment by Results (PbR) culture within probation (Burke and Collett, 2015). PbR was established to reduce the cost of probation by the MOJ awarding payments to CRCs that have proven reductions in reoffending after two years (House of Commons, 2018). However, alongside the part-privatisation of WCs, it has provided a very weak system to hold gender-responsive services to account for their quality and has simultaneously placed them at risk from funding cuts and total privatisation or extinction in the future (Radcliffe and Hunter, 2016; Howard League, 2015). Neoliberalism has been able to 'obscure the ways that states have been reshaped to more closely resemble and operate like corporations' (Cahill and Konings, 2017: 3). Not only is

funding only provided to WCs in England and Wales based on demonstrable impact on female offending, but gender-responsive services have moved away from what the Howard League (2016: 2) call 'effective individual casework' and towards less effective groupwork.

The MOJ (2018c) announced in 2018 that they would seek to end CRC contracts in 2020, two years earlier than anticipated. The rationale for doing so was to explore 'more effective delivery arrangements and wider system improvements' with stakeholders and the market (MOJ, 2018c: 12). The National Audit Office (2019) published a progress review of *Transforming Rehabilitation* in early 2019, outlining the failure of most CRCs to meet key targets, citing limited innovation and a lack of progress, alongside significant increases in the number of people being recalled to prison. In May 2019, it was subsequently announced that the probation service would be renationalised with the supervision of all offenders in the community to be undertaken by the state (Grierson, 2019). The increasingly politicised and contested values of probation, the precarious funding arrangements of WCs, the target driven PbR culture of WCs and the uncertainty of the future of WCs all raise questions of whether the socio-economic exclusion and structural needs of women in WCs can be identified and addressed through the operation of gender-responsive practice.

## 1.2 Thesis and Research Questions

Considering the current neoliberal socio-economic and political context, this research explores the aims, operation and impact of one case study WC, functioning as a gender-responsive non-custodial arena in England and Wales, from the perspectives and experiences of service-providers and service-users. Service-users comprise two groups of women. They include women who attend the WC for

probation and/or unpaid work (UW). These women are referred to as statutory service-users in this research. Second, are women who have no legal recourse to attend the WC and thus attend voluntarily. These women access the WC predominantly for social support and inclusion and are often referred by their GP or through word of mouth. They are referred to as non-statutory service-users in this research. To meet the overarching aim of the research, this thesis addresses the following component aims which relate to key arguments made throughout the project:

1. Critically explore and analyse the historical, political, social and economic context through which community punishment in WCs has been established in England and Wales.
2. Undertake a statistical analysis of quantitative data related to the origin, function, remit and scope of WCs in England and Wales, including their date of inception, number and geographic location.
3. Achieve data and knowledge about the experiences of gender-responsive services in the case study WC from statutory service-users, non-statutory service-users and service-providers perspectives. This aims to explore the legitimacy of WC services in addressing the multiple and complex needs of both groups of service-users, as well as highlighting examples of good practice and identifying areas for improvement.
4. Achieve data and knowledge about the impact of gender-responsive services in the WC from the viewpoints of statutory service-users, non-statutory service-users and service providers.
5. Provide a critical analysis of the experiences and impact of WC services from both service-user and service-provider viewpoints.
6. Contribute to social policy and criminal justice debates in this area.

In order to address these research aims, a total of 35 semi-structured interviews and 2 focus groups were undertaken in one WC in the

North of England. 28 interviews were undertaken with service-users, 24 of which were with non-statutory service-users and 4 of which were with statutory service-users. 7 interviews were carried out with service-providers. 12 statutory service-users took part in one of two focus groups at the WC.

The following key research areas shape the focus of the research project:

- Both service-user groups experiences of gender-responsive services in the WC;
- Service-providers experiences of delivering gender-responsive services in the WC;
- The opportunities for service-users to have their voices, viewpoints and experiences heard;
- The issues surrounding the socio-economic and political context that the WC operates in, as a non-custodial alternative to imprisonment.
- The potential policy recommendations that could improve the current situation regarding the funding, service provision, effectiveness and sustainability of WCs as community-based, gender-responsive, integrative spaces to address female offending and the risk of female offending.

### 1.3 Neoliberalism and gender-responsive justice:

#### theoretically framing WCs

To address the questions outlined above, the research is underpinned by a critical criminological conceptual position (Carlen, 2017). Drawing upon critical criminologies to frame the theoretical approach enables the research to provide a platform for the voices of WC service-users and service-providers, particularly their personal experiences of the operation, effectiveness, and impact of gender-responsive services. Existing Home Office publications on WCs fail to

highlight how conclusions are 'arrived at' and 'what the stories are along the way' (Davies, 2000: 83), in terms of women experiencing gender-responsive practice. Essentially, the viewpoints of women subject to gendered justice have not been consistently considered in government or critical research. Adopting a critical criminological approach (Carlen, 2017) enables the production of new knowledge from the voices of the excluded and seeks to understand how 'the political context' (Hudson, 2000: 177), namely the neoliberal context impacts upon how WCs operate within a gender-responsive lens to meet the gender-responsive needs of women whilst fundamentally operating as a crime control institution that is driven by quantifiable results.

This theoretical framework facilitates a scoping of the emergence of WCs in the penal landscape. This is achieved first in terms of the transformation of the state being intricately connected to the emergence of neoliberalism as 'an ideological response to the crisis of the Keynesian welfare state' (Clarke, 2005: 57) and processes of neoliberal calculation becoming more deeply embedded 'within the apparatuses of the state' which 'commit the state to neoliberal policies' (Cahill and Konings, 2017: 45). Second, WCs are contextualised within the transformation of punishment for women since the late 1970s within the neoliberal context. Neoliberal penal policy developments focus less on 'enhancing social justice' and more on the development of what Steger and Roy (2010: 12) call:

Strategic plans and risk management, setting quantitative targets, closely monitoring outcomes, creating individualised, performance-based work plans and the transformation of bureaucratic mentalities into entrepreneurial identities.

Considering the political and socio-economic context of neoliberalism, the conceptual framing of this research project has explicitly emerged from the data. Neoliberalism as the underpinning

framework enables a critical understanding of the operation and impact of gender-responsive services for women within the evolving neoliberal era of 'privatisation, individualisation, deregulation and marketisation' (Cahill and Konings, 2017: 3). Whilst there is 'no single critical criminology' (DeKeseredy, 2017: 159), the critical criminological approach of this research prioritises social justice for women rather than criminal justice and challenges taken-for-granted notions of both gender-responsivity and the socio-economic and political function of WCs as non-custodial alternatives. This critical criminological approach coupled with the overarching research questions enables a probing of the realities of gender-responsive practice for service-users and service-providers, seeks explanations of the justification of the function of the WC for different service-user groups and uncovers the political structural realities which underpin and impact upon the operation of the WC.

Analysing the function, experiences and impact of the WC in isolation from these wider economic, social and political structures would result in the research project lacking an understanding and appreciation of the role of the state, neoliberalism and social regulation in women's experiences of gender-responsive practice.

#### **1.4 Statement of Originality and Importance of the Research**

Significant knowledge gaps exist in both policy analysis and critical academic research surrounding the operation and impact of WCs in England and Wales. This research provides an original contribution in this area by being the first critical study in England and Wales to examine the specific function and operation of gender-responsive WC services with an explicit focus on the experiences and viewpoints of service-providers and *both* statutory and non-statutory service-users. Whilst Corston (2007) supported a gender-responsive approach that would address the needs of both women who have offended and

women at risk of offending, the voices and experiences of both groups of women have been subject to little empirical or theoretical scrutiny.

Statistically, between 1995 and 2010, the female prison population in England and Wales more than doubled from 1,979 to 4,236 (WIP, 2015). Whilst in July 2018 there were fewer women in prison, at 3,810 (MOJ, 2018b), the high numbers of women being imprisoned can be explained by a significant increase in the severity of sentences that are not reflective of the crimes committed by women (PRT, 2018). In order to try and achieve a larger reduction in women's short-term imprisonment in England and Wales, the use of WCs as a form of community punishment was considered a feasible alternative in achieving solutions to women's offending outside of the prison (McIvor *et al*, 2010).

There has also been a decrease in the number of women sentenced to community disposals (WIP, 2018) which has occurred alongside a steady rate of female imprisonment, not a decline, as would be expected with the introduction of WCs as community *alternatives*. These statistics emphasise the significance of exploring the origin and operation of WCs as a form of non-custodial penal intervention in England and Wales to break the cycle of offending (PRT, 2015), particularly as there are currently no datasets indicating the number of women accessing WC services and on what basis; as either statutory, non-statutory or otherwise.

This research is concerned with exploring the function of gender-responsivity in the WC using statistics and the direct experiences of service-users and service-providers to provide new insights and possible challenges to existing limited understandings of the origin, aims and operation of WCs, including the impact they have upon the lives of women accessing their services. Whilst WCs operating as gender-responsive institutions are said to address the failures of the



prison by being more constructive in meeting women's individual and complex needs in a safe, woman-only space (PRT, 2014), very little is currently known about how different sanctions and measures are used with women in WCs and even less is known about how they impact upon different aspects of their lives (McIvor *et al*, 2010). Very few reports, studies or empirical research exist that specifically evaluate WCs in terms of policy, practice or effectiveness as a gender-responsive community service. There is, however, an emerging body of critical scholarship exploring statutory service-users experiences of desistance (Barr, 2016, 2019) and criminalisation (Harding, 2017, 2019) including neoliberal practices of empowerment (Elfleet, 2017; 2018) within gender-responsive WCs. Researchers including Fitzgerald (2014: 68) have emphasized that in order for gender-responsive services to be implemented effectively 'further research into and evaluation of the particular needs and circumstances of female offenders' needs to be conducted. This study begins to address this gap in knowledge and understanding.

Very little consideration has also been afforded to the ideological and theoretical assumptions that underpin the philosophies, politics and power relations surrounding WC operation in England and Wales which holds implications in terms of human rights and justice for women (Barton and Cooper, 2013; Cohen, 1985; Hall, 1984; Haney, 2010; Knepper, 2007; Lawston, 2013; Malloch and McIvor, 2013). This research has the potential to contribute to future policy by prioritising service-user and service-provider voices and viewpoints when exploring the operation and effectiveness of gender-responsive community provisions. Critically examining the function of the WC within the context of neoliberalism facilitates an analysis of gender-responsive services for women. The research thus opens up discussions of the political, social and economic context that WCs

operate, from the experiences of both women delivering services and those accessing them.

The time that the research has been conducted directly correlates to its originality. In November 2016, the Howard League published a report *Ten years after the Corston Report, is this the end of successful Women's Centres?*, claiming that WCs were at risk of becoming a 'thing of the past' due to funding struggles under the new CRC structure (Howard League, 2016: 1). Additionally, in May 2019, it was announced that the probation service would be renationalised, placing further questions on the future of WC operation. It is therefore an extremely appropriate point in time to be critically examining this topic, with the aim of increasing understanding of both groups of female service users' experiences of WCs, their effectiveness from service-provider and service-user viewpoints and improved policies in a climate of penal, economic and political uncertainty.

Finally, a quantitative analysis examining the terrain of WCs in England and Wales provides originality to this research. Whilst official reports undertaken by NOMS (2013) and the MOJ (2015) provide a stock take of community services for female offenders and analyse cost-effectiveness and rates of re-offending, research studies and analyses in this area predominantly focus on rates of recidivism, rates of re-arrest, and time-to-re-arrest of women who have accessed WC services (see Brennan *et al*, 2016). The quantitative analysis in this study produces the first statistical analysis of the location, remit and scope of WCs as a form of gender-responsive community intervention in England and Wales.

## 1.5 Chapter Outlines

Following this introduction, the thesis is set out in seven further chapters. Chapter Two is entitled 'Neoliberalism, the state and

gender-responsive punishment: A conceptual framework'. This chapter outlines the critical criminological framework that underpins the analysis in chapters five – seven in addressing research aims three, four and five. Outlining the critical criminological position adopted in this research, this chapter contextualizes the establishment and function of WCs within the socio-economic and political context of neoliberalism. The critical criminological position outlined in this chapter draws upon a range of contributions to the development of critical or alternative (Carlen, 2017) work in criminology. It begins by exploring neoliberalism, and neoliberalism and gender, outlining the impact of state restructuring for women, including how the removal of social welfare services negatively impact upon vulnerable women in the context of austerity. The operation of punishment within a neoliberal era is conceptualised in terms of punitive responses to social problems and increased utilization of state punishment and control for offending behaviour arguably exacerbated by the socio-economic climate. In terms of the ongoing neoliberal project of marketisation, privatisation and individualisation, the chapter concludes by considering how neoliberal reconfigurations of punishment have impacted upon the punishment of women in prison and in community alternatives. This is framed in the creation of social techniques of government through strategies of empowerment, individualisation and personal responsibility.

Chapter Three is entitled 'Corston (2007), WCs and Gender-Responsivity' and provides a review of the relevant literature in detailing the move towards gendered responses to female offending behaviour, and pre-emptive gender-responsive engagement with women considered at risk of offending, within WCs in England and Wales. The main purpose of this chapter is to subsequently explore the resonance of gender-responsivity to penal policy and practice

from the initial foundations of gender-responsive practice in the early 2000s to the official launch of WCs following the Corston (2007) Report. Specifically, it explores the theoretical origins and practical elements of gender-responsive practice, including how gendered justice is considered a progressive means of identifying and addressing women's needs outside of the custodial arena of the prison. It also outlines the small statistical analysis undertaken in this study to glean a broader understanding of the function, remit and scope of WCs across the penal landscape in England and Wales.

Several conceptual and empirical critiques of gender-responsive practice as operated within WCs are then explored. They include concerns of a steady female prison population despite the widespread operation of WCs as an alternative to prison, the potential neoliberal subversion of gender-responsivity in terms of the individualisation of women's needs and the conflation of their needs with risk of criminality, and the stereotypically feminine nature and content of gender-responsive interventions. Concerns are also presented surrounding the sustainability of WCs in light of their limited and precarious funding arrangements due to their operation under Community Rehabilitation Companies (CRCs) and their Payment by Results (PbR) approach. This exploration is essential in meeting one of the component aims of this research, to 'critically explore and analyse the historical, political, social and economic context through which community punishment in Women's Centres has been established in England and Wales' as it provides a contextualisation of where WCs originated and what the fundamental aims and objectives were. This then allows for an examination of the current political and socio-economic climate that WCs are situated and the impact that this has upon the funding, administration, and operation of gender-responsive services.

Chapter Four comprises the Methods chapter and is entitled 'Exploring service-user and service-provider experiences of gender-responsive practice in the WC'. It outlines the research design and methodology for this thesis in terms of addressing the research aims. The research process is explored including the sample size, the format of the interview schedules for the three-separate service-user groups, focus group schedules, the method of recording and analysing the data and the ethical considerations taken. The chapter provides a short reflexive account of the steps taken to negotiate access to the WC, including the change in research method used with women undertaking UW in order to include them in the study. This chapter provides an explanation of how I address the research aims and what methods I use to prioritise the voices and experiences of service-users and service-providers in the case study WC.

Chapters Five and Six present the findings from the data collected. Each of the two chapters has a distinct purpose in the thesis and addresses the component research aims in a different way. Chapter Five is entitled 'Gender Responsivity in the WC'. It begins by exploring the official aims of gender-responsivity, as outlined by Corston (2007) and outlines how gender-responsivity is conceptualised and operated in the case study WC. The chapter comprises service-provider and service-user viewpoints on the function of the WC and the experiences of gender-responsive practice. Service-providers views on the aims of the WC centred upon making women aware of their potential are presented, along with non-statutory service-users thoughts on the WC bringing women together as a form of social support and inclusion. These experiences are juxtaposed with statutory service-users perspectives of the function of the WC for women undertaking UW, highlighting the punitive and monotonous tasks they are obliged to fulfil. The chapter then delineates service-

providers viewpoints on the operation of gender-responsive practice in the WC as comprising collective treatment of women as a homogenous group. To conclude, non-statutory service-users direct experiences of gender-responsivity as a method of producing gendered neoliberal subjects out of citizens are explored, prioritising women's narratives on their experiences of gender-responsive empowerment practices that emphasize individual responsibility for socio-economic and structural marginalisation.

Chapter Six is entitled "It's just punishment isn't it?!: Visibility, Punishment and Shame for statutory service-users in the WC'. This chapter outlines the function of UW in the WC in terms of what it hopes to achieve for women who have offended. The chapter prioritises statutory service-users experiences of undertaking UW in the WC, highlighting the location of UW in the WC garden as promoting their visibility to society as offenders. Other emerging themes include the punitive nature of UW, the dimensions of shame directly invoked by the location and content of UW and the potential gendered injustices that arise from this method of non-custodial community alternative to imprisonment. The tension between the gender-responsive WC and the facilitation of state punishment is highlighted, particularly the conflict between service-providers and statutory service-users perspectives on the operation and impact of gender-responsive practice for statutory service-users.

Chapter Seven comprises the discussion chapter. It outlines the implications for practice and research as well as the theoretical implications of the study. It is structured into nine themes/key findings in the analysis of statutory and non-statutory service-users experiences of gender-responsive practice in the WC, including their impact. The nine themes include individualised yet homogenous gender-responsive practice, the feminisation of women's needs, promoting a discourse of resilience, the receding welfare state and

widening carceral net, coercive methods of control, containment and co-dependency, a new carceral logic, shame and stigma and the creation of a hidden custodial system. The chapter concludes with a critical analysis of the multi-functional operation of the WC for several service-user groups highlighting its very different function for statutory service-users and non-statutory service-users. This chapter highlights how the critical criminological framework of neoliberalism that conceptually frames the research findings emerged explicitly from the data collected in the case study WC.

Chapter Eight provides a conclusion to the research and draws together the arguments made throughout the thesis, highlighting how this research has made an original and significant contribution to existing literature. Several recommendations are drawn up for the WC and the probation service, with the aim of improving both the lives of, and services provided, for non-statutory and statutory service-users outside of the realm of the criminal justice system. The limitations of the research are discussed and future avenues for further exploration and research relating to the operation of gender-responsive services within England and Wales are provided.

## Chapter Two:

# Neoliberalism, the state and gender-responsive punishment: A conceptual framework

This chapter outlines the theoretical framework that underpins the analysis in chapters five - seven. Outlining the critical criminological position adopted in this research, this chapter contextualizes the evolution and operation of the WC within the neoliberal socio-economic and political landscape. The critical criminological position outlined here draws upon a range of contributions to the development of critical or alternative (Carlen, 2017) work in criminology.

This chapter begins from a recognition that:

The term 'critical criminology' no longer refers solely to Marxist perspectives on crime... Nowadays it is used to denote any theoretical position which in saying 'No' to old ways of knowing and taken-for-granted hierarchies of knowledge, also challenges the taken-for-granted social or political arrangements which give rise to inequalities of wealth, knowledge and power with their accompanying exploitative criminal justice systems. (Carlen, 2017: 7)

The critical criminological position developed here seeks to question the taken-for-granted social and political arrangements under neoliberalism and to outline how these have affected, and continue to affect, the system of gendered punishments within which the WC has developed and currently operates.

As critical criminology has developed beyond a narrow reliance on Marxist perspectives, it is informed and enriched by a range of perspectives that contribute to the broad challenge posed to mainstream criminology and the general aspiration toward social justice and human rights (Stubbs, 2008). At its core, it provides a



critical alternative to administrative criminology (Carlen, 2017), which is predominantly concerned with managing the problem of crime and the consequences of structural inequalities rather than identifying and addressing the underlying causes (Young, 1986; Georgoulas, 2012). By challenging the 'taken-for-granted social or political arrangements which give rise to inequalities of wealth, knowledge and power' (Carlen, 2017: 7), critical criminologies seek to re-engage 'the research object' to its 'social origins', emphasizing cultural, economic, historical and political contextual issues (Georgoulas, 2012:13). All criminological theories, as stated by Carlen (2017: 9) are written from a range of 'epistemological, anti-epistemological, cultural, political and emotional standpoints'. Due to what she refers to as 'changing cultural and political circumstances', theoretical standpoints are frequently understood and acted upon 'differently at different times' (Carlen, 2017: 9). It is necessary therefore in this study, to draw from a range of perspectives to effectively make sense of neoliberalism and gendered neoliberal policies.

From the 1980s, critical criminologists have been concerned with the relationship between neoliberalism and the conditions of crime (Reiner, 2007), as well as the ways that key neoliberal principles can be detected in reforms of policing, sentencing and penal practice (O'Malley, 2008b). This research seeks to contribute to this work through an analysis of WCs in the neoliberal context. However, to engage with and understand neoliberalism, 'it is necessary to grasp the epistemological and political foundations upon which it is built' (Gane, 2014: 3). The critical criminological framework developed here therefore outlines what we need to know about neoliberalism in order to understand the changing nature of gendered justice for women.

## 2.1 Neoliberalism

Neoliberalism is in the first instance a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterised by strong private property rights, free markets, and free trade. The role of the state is to create and preserve an institutional framework appropriate to such practices. (Harvey, 2005: 2)

The 'long march of the neoliberal revolution' is the result of several conjoining forces and contradictions that are constantly 'in process' (Hall, 2011c: 705). Neoliberalism is not a single system, nor is it solely a UK phenomenon— it is a global phenomenon and different countries have different variants (Bell, 2011; Hall, 2011c). Arguably, 'there has everywhere been an emphatic turn towards neoliberalism in political-economic practices and thinking since the 1970s' (Harvey, 2005: 2-3). Neoliberal values are characterised by policies attributed to privatisation, deregulation and the withdrawal of the state from numerous spheres of social provision (Harvey, 2005) and practices that emphasize global economic trade, market values and individualism (Rose, 1999). Neoliberalism results in 'the sale of public assets, the destruction of public services and 'the redistribution of income and wealth from the poor to the rich' (Levitas, 2012: 322).

By the mid-1970s in Britain, inflation soared, and the world capitalist recession deepened (Hall, 1984). The 'postwar Keynesian mixed economy, welfarist consensus' (Reiner, 2012: 141) was under huge critique for being 'tyrannical (...), oppressive' (Hall, 2011c: 706) and underpinned by a 'busybody' state, operating with too much bureaucratic interference (Hall, 1984: 13). From this perspective, it was viewed as the antithesis to freedom (Ferguson, 2009). Infamously, 'there is No Such Thing as Society' became the dominant

political idea (Hall, 1998: 9) after the election of Margaret Thatcher as Prime Minister in May 1979. This political era was typified by: an extension of personal responsibility to activate suppressed entrepreneurial spirits; privatisation – the sale of government assets to the private sector; the forging of consent through the middle-class; the rolling back of the state from the provision of welfare; the rise of the New Right; and individualism (Hall, 1984; Peck, 2013).

The interventionist logic that underpinned the state's role in the post war period was rapidly replaced by a neoliberal hegemony – a dominant neoliberal ideology, in both social and economic policy (Hall, 1984; Reiner, 2012). The state's aim was to reduce dependencies on social welfare by reducing governmental controls in business to enable the market place to meet the social and welfare needs of the population and facilitate 'economic and social prosperity' (Pollack, 2010: 1266). Individual successes and failures became conceptualised within an entrepreneurial values framework (not class exclusions) (Harvey, 2005) and people became more dependent upon market mechanisms for accessing a range of social services such as housing, childcare, disability support, advocacy and services specifically for women (Cahill and Konings, 2017).

The notion of less governmental control encapsulated by the rolling back of the state (Cahill and Konings, 2017) in practice *increased* state involvement in the military, in immigration control and in the criminal justice system (Pollack, 2010; emphasis added). The 'progressive destruction' of the state's 'collective provision against risk' (Levitas, 2012: 322) resulted in the proliferation of the 'justice model' and a reduction in the rehabilitative ideal (Carlen, 2013). Crime was considered a 'major threat to society' with a new 'law and order' emphasis on 'policing, prevention and punishment' (Reiner, 2012: 142). Although neoliberalism was 'the key source both of the crime explosion of recent decades and the repressive

reactions to it' (Reiner, 2008: 124), Thatcher's so-called "'ring of steel" against crime and disorder' framed criminal behaviour as an issue of law and order and the result 'purely of (the) *individual* pathology' (Reiner, 2012: 142; emphasis added).

Because neoliberalism is both a 'political-economic-cultural phenomenon' and an 'explanatory concept' that is in constant flux; it never goes away but it also never remains what it was (Peck, 2013:133). The ideological foundation of neoliberalism is founded upon what Peck *et al* (2018: 8) describe as 'an idealised vision of market rule and liberal freedoms'. Competitive individualism and market rationality are utilitarian concepts that hold an inherent aversion to 'social redistribution and solidarity' (Ibid: 8). Recognising the utopian nature of a 'neoliberalistic ideology' based on market rule and liberal freedoms, Peck *et al* (2018: 8) warn that rather than being free from state intrusion and regulatory restrictions, neoliberal reforms are often in practice 'doubled-edged' and generate 'a significant intensification of coercive, proactive, and invasive forms of state intervention' to facilitate versions of market rule and to control and discipline so-called 'unruly subjects'.

Even though it is hegemonic, neoliberalism is never the '*entire* story' or the '*only* causal presence' (Peck, 2013: 150; emphasis original). As further substantiated by Peck *et al* (2018: 10):

Actually existing programs of neoliberal transformation are always contextually embedded, institutionally grounded, and politically mediated – for all their generic features, family resemblances, patterned dynamics and structural interconnections.

The so-called 'two faces of neoliberalism' outlined by Peck (2010); the attack on the welfare state and the mobilisation of new forms of government intervention to meet neoliberal principles of competition 'in all forms of social life and culture' requires a range of

critical thinkers to provide a clear explanation of neoliberalism (cited in Gane, 2014: 22).

The critical criminological position outlined at the start of this chapter, influenced by multiple key thinkers, is essential in confronting the 'necessary hybridity' and 'complex spatiality' of neoliberalisation and its relationship to crime and crime control (Peck *et al*, 2018: 7). Because crime and justice constitute such a complex mix of elements, by constructing an 'alternative way' of theorising the relationship between criminal and social justice within the neoliberal context (Carlen, 2017: 10), this critical criminological position facilitates a deconstruction of criminal justice operation 'at the level of the political and in everyday discourse' (Carlen, 2017: 4). Crime and justice, according to Carlen (2017: 2) are 'kaleidoscopic' - constantly shifting and evolving, producing new and nuanced experiences, somewhat reflective of the nature of neoliberalism. Due to the complexity of neoliberalism, the coalescence of a number of standpoints committed in the pursuit of social justice facilitates the conceptualisation of gendered justice in the neoliberal context.

Tensions inevitably exist between different 'ontological and epistemological understandings of neoliberalism', with many focusing upon market forces free from governmental regulation and others emphasizing the ideological and philosophical dimensions of neoliberalism (Peck, 2013: 49). Nevertheless, there is plenty of scope for dialogue and discussion. Two predominant positions from which neoliberalism is understood and analysed within the context of critical criminology are the political-economic or macro institutional path (economics of market rule), and more particularised approaches including poststructuralism (disciplinary nature of neoliberal governmentality) (Peck, 2013). The critical criminological position adopted in this research enables the key ideas outlined by Hall (1980), concerning the macro structural changes in the state

and criminal justice system at the level of the political economy to be contextualised with Cohen's (1985) micro analyses of evolving criminal justice practice due to state restructuring under neoliberalism.

Hall (1980, 1984, 2011c) expands the scope of cultural studies to include gender and incorporates ideas from Foucault. Foucault's (1977) work on the societal transformation towards a disciplinary society conceptualises disciplinary power as becoming a more visible mode of social control which works upon and through individuals via processes of normalisation. Within a neoliberal context however, as outlined by O'Malley (1996: 189), there is a shift away from the 'disciplinary technology of power' towards more actuarial techniques of behaviour monitoring and reducing opportunities for crime. Crime is understood as a set of risks to be managed (O'Malley, 1996). Through actuarial 'techniques of power', discipline is displaced according to 'the political rationalities ascendant' in the neoliberal setting (Ibid: 190). Actuarial techniques are 'not to be understood as the gradual encroachment of a more efficient technology of power', but instead reflect 'the uneven, negotiated and partial implementation of a political programme' and the appropriation of 'social techniques' (O'Malley, 1996: 193).

Hall (1984) situates Foucault's (1977) micro level analyses of productive disciplinary power at the macro level within a 'hegemonic ideology' while giving credence to his 'bottom-up' governmentality approach (Springer, 2012: 133-5). Providing a framework for understanding the culturally informed political economy, Hall (2011b: 26) reminds us that neoliberalism in the Gramscian sense is hegemonic- 'it is a process, not a state of being'. It is 'neither unitary or monolithic, but itself rife with contingencies, ruptures, and contradictions' (Springer, 2012: 138). It has no identifiable beginning or end yet 'the hegemonic project' has specific

'policy goals that reshape state formations' (Springer, 2012: 19). Neoliberal hegemony redefines 'the political, social and economic models and governing strategies' (Hall, 2011c: 708) that reformulate what Cohen (1985) conceptualises as macro-level cultural norms, principles and values. While Hall's work provides a framework that can incorporate many of Foucault's key ideas and connects most powerfully to Gramsci's understanding of the relationship between hegemony and common sense, the intersection of Foucault and Gramsci in analysing neoliberal ideology 'fails to adequately link macro and micro structures of power' (Gill, 1995: 403). Hall's (1980, 1984, 2011b) cultural analysis enables a broader appreciation and understanding of the socio-economic and political context of society. The critical criminological position of this study however, acknowledges the tension between 'the politically engaged standpoint of critical theory and the attention to discourse of poststructuralism' (Stoddart, 2005: 43).

Programs of neoliberal re-structuring including the production of (often privatised) actuarial programmes are frequently forged 'in dialectical tension with inherited social and institutional landscapes' meaning that new programmes can never be abstractly understood- the historical and geographical configurations must be contextualised (Hall, 2011 cited in Peck, 2013: 140). Neoliberal programmes are used as a technique for reducing welfare provisions and justifying it (O'Malley, 1996: 195). Neoliberal concerns with 'rational, responsible and free individuals' reject therapeutic criminal justice programmes and ignore links between crime, social marginalisation and social justice (Ibid). Inherently occupying contradictory circumstances of co-habitation (Peck, 2013), the neoliberal criminal justice policy of 'just deserts' (O'Malley, 1996: 198) represents an ongoing interpretative dialogue due to the

continually moving social and political terrain of neoliberalism (Peck *et al*, 2018).

Both punitiveness and actuarialism are consistent with a governmental discourse of rationality and individual responsibility, promoting individuals who 'take command of their own lives and bear the consequences of freely-made decisions' (O'Malley, 1996: 198). Discourses of risk reduction justify the imprisonment of less serious offenders whose economic and social positions make them more likely to reoffend (Carlen, 2013a). In this 'positivistic pursuit of "what works"', neoliberal policies aiming to reduce (re)offending, reframe citizens as 'risk-laden techno-entities of surveillance' and vital social provisions rapidly close down (Carlen, 2013a: 95). Individuals are conceptualised as neoliberal entrepreneurial subjects, consumers and self-sufficient citizens (Hall, 2011a). Welfare and penal systems become 'increasingly punitive, with social assistance regimes mirroring the suspicion, surveillance and control techniques of the penal system' (Pollack, 2010: 1266).

Hall analyses neoliberalism as a form of 'dominant ideology theory' (Flew, 2014: 57) with a central concern being power, which take from Marxist (including Gramsci) theorists' critiques of power. Marxist standpoint highlights the interconnection between politics, economics and culture originating from capitalism, with Gramsci highlighting culture as a key instrument of political and social control. Synthesizing the works of Hall, Marx and Foucault therefore enables an examination of neoliberal culture as an apparatus of social and political control.

The focus of analysis is upon the economic structure of society within the context of global capitalism. Hall (1980) draws upon the work of Gramsci (1971) because of his focus on civil society as a space 'where the economic structures and superstructures unite and



where a struggle for political dominance between ideologies is conducted' (Davidson, 2008: 71). Gramsci's (1971) location of civil society allows hegemony, as 'the mode of rule in modern states' involving the organisation of consent, to be fought for and contested (Davidson, 2008: 71). Gramsci's (1971) work on advanced capitalism and the politics of the state in *Prison Notebooks* asserts that the relationship between coercion and consent is inherently linked to the capitalist political economy.

Within this culturally informed understanding of neoliberalism common-sense reflects the daily realities of life; it is a form of everyday thinking which offers frameworks of meaning within which to make sense of the world (Hall and O'Shea, 2013). Common sense is a collective noun – there is no universal common sense because it is a by-product of history and part of the historical process of that particular state (Gramsci, 1971). It is, however, often misleading, being the product of traditional and cultural values- those reflecting neoliberalism, such as 'the position of women in society and fears of immigrants' which are often mobilised to 'mask other realities', commonly linked to economic crises (Harvey, 2005:39).

'Good sense' on the other hand, is 'a practical, empirical common sense in the English sense of the term' (Gramsci, 1971: 323). To a certain extent, common sense is shared by all classes (Hall *et al*, 2013) however, as pointed out by Trafford (2017), it is through common sense that many political battles are fought because sedimentations of common sense are left behind by 'philosophical currents' (Gramsci, 1971: 326). Neoliberal political rhetoric can therefore be mobilised through common sense notions to disguise specific social and political strategies (Harvey, 2005).

The 'insistence on the fragmentary and heterogeneous formation of common sense' identifies the work of political articulation required

to conceptualise selected strands of common sense (Clarke, 2015: 279). The appearance of a shared and coherent common sense is reflective of 'selected elements' of common sense, 'constituted by varieties of domination and subordination' (Clarke, 2015: 279). A prime example is Hall *et al's* (1978) analysis in *Policing the Crisis* where crises of British social formation were conceptualised as being articulated through race. Many 'common senses' and indeed, 'good sense' can, however, be mobilised to build alternative hegemonies (Clarke, 2015: 279).

## 2.2 Neoliberalism and Gender

While most criminological theories 'have no concept or theory of the State' (Hall *et al*, 2013: 192), the 'state' is a 'historical phenomenon: (...) a product of human association- of men and women living together in an organised way; not of Nature' (Hall, 1984: 1). Within the neoliberal era, the state is in a post-laissez faire and post welfare form – it is not monolithic or neutral; nor does it represent the interests of all in society equally (Hall, 1980; Hall 1984; Hall, 1998; Hall *et al*, 2013; Harvey, 2005). The state is a space of contending forces whose outcomes define the rights of those in society. Within the context of neoliberalism, rights are decontextualised from their social and historical process so that they can be fitted onto a class divided society (Hall, 1980; Hall, 1984). Thus, the poor, women and the disenfranchised are excluded from possessing these naturalistic rights and 'freedoms' described by neoliberal doctrine since the late 1970s (Hall, 1980: 8).

The neoliberal reconfiguration of the social-welfare state has disproportionately impacted upon women (Ballinger, 2009; Bibbings, 2009; Bumiller, 2009). The state invests less and less in programs used by women as focus shifts towards policies that promote individual responsibility and "choice". Discussion of 'existing

inequities in power and economic status or between genders' are essentially removed from public and political debate (Coulter, 2009: 28). Neoliberal changes have resulted not in less government but in different government (Peck, 2004). On the one hand, the rolling back of the state has retracted state welfare assistance for women yet on the other, neoliberal restructuring of 'relations of power, production and social reproduction' have increased state intrusion and regulation into women's lives by enhancing the mobility and power of the capital, often exacerbated by increased poverty (Roberts, 2017:140). Through this 'punitive neoliberal model' (Ibid: 140), eligibility criteria for social welfare benefits have been made more stringent, cuts have impacted mental health, health care, social services and childcare, whilst employment benefits have been reduced (Pollack, 2010).

Neoliberalism's economic and institutional restructuring has altered the government-citizen relationship by emphasizing individual identities as 'tax-payers or service-users' (Coulter, 2009: 26). This has included a 'radical reduction in welfare state provisions and protections for the vulnerable; privatised and outsourced public goods' including education to social welfare and prisons, and most recently 'the financialisation of everything' (Brown, 2015: 28). The deconstruction of the welfare state dictates that women should enhance their personal capital through demands for 'active citizenship' and 'social cohesion' (Lister, 1990: 15). Active citizenship, reflecting neoliberal values, comprises the 'successful, self-reliant, enterprising citizen' (Lister, 1990: 15).

Neoliberal demands for social cohesion have shifted obligations from 'the public sphere of tax-financed benefits and services' to the 'private sphere of charity and voluntary service' (Lister, 1990: 16). Welfare benefits have been reduced with women as 'the primary recipients of state services' being affected the most (Howe, 2008:

182). Women are forced to rely upon charity underpinned by state control and authority, with the state as 'a manager of personal lives' penetrating authority and control into 'quasi-governmental instruments as part of a growing state presence' (Bumiller, 2008: 6). This then creates dependency and passivity (Howe, 2008). A neoliberal society 'increasingly organised around consumption and market values' (Lister, 1990: vii) shifts obligations from the public arena of 'tax-funded benefits and services' to this 'uncertain private arena of good works' (Ibid: 21). Dependence on the charity sector to serve state functions obscures and reinforces 'inequalities of power, resources and status' (Lister, 1990: 21) with growing inequality being a direct result of neoliberalism (Brown, 2015). 'The mutual entanglement' of neoliberalism and feminism is occurring globally, as 'progressive movements' are enfolded into 'mainstream common sense', erasing structural inequalities and oppression experienced by women across a range of political systems and in a range of different contexts, (Rottenberg, 2018: 3).

David Cameron's programme for a Big Society was a policy launched on 18 May 2010 after a Coalition agreement was reached between the Liberal Democrats and the Conservatives to form a government (Cabinet Office, 2010). The Big Society encompassed 'ideals of philanthropy, self-help and volunteerism through the devolution of power from the state to local communities' (Williams *et al*, 2014: 2). Emphasis was placed upon 'market-led individualism and politicised objectification of the charitable self' (Williams *et al*, 2014: 2).

Coincidentally, neoliberal social welfare reforms intensified following the austerity programme introduced by the Conservative-Liberal coalition from 2010 (Grimshaw and Rubery, 2012). This is highlighted in the quote below by Levitas (2012: 322):

'Austerity' became the justifying mantra for Coalition economic and social policy. The driving imperative of this policy is to force down public sector spending. Cuts in welfare spending impinge directly on the poor, the young, the sick and the disabled. Eligibility conditions for work-related benefits have been progressively tightened over the last thirty years, including requirements for job-search or 'work-related activity' by lone parents of progressively younger children.

Austerity driven Coalition budget cuts fell disproportionately on women, at 86% (Stewart, 2017). In 2010, in excess of 70% of revenue raised from benefit and tax changes came from female tax payers, and public sector cuts disproportionately impacted women with women constituting 65% of public sector workers (Unison, 2019). Tax and benefit changes have cost women £79 billion since 2010 compared to £13 billion for men (Stewart, 2017). While policy makers maintained that the Big Society was not a continuation of 'Thatcher era neoliberal policies of privatisation', as outlined in this chapter and in chapter seven, the reduction in welfare, the rolling back of the state and the promotion of individual responsabilisation and entrepreneurialism could be conceptualised as neoliberal policy (Ishkanian, 2014: 334).

Neoliberalism has reversed the benefits of a social welfare state and decimated the economic safety net whilst simultaneously reducing women's social rights and access to publicly funded support services (Nadasen, 2012). The neoliberal promotion of rational individuals exercising free will has eroded social democracy, widened the class divide between women and ultimately intensified their oppression (Nadasen, 2012). The disproportionate impact of neoliberalism on women informs women's experiences of marginalisation and exclusion and of gender-specific WC services designed to rehabilitate and empower both women who have offended and those at risk of offending.

### 2.3 Neoliberalism and Punishment

As outlined earlier in this chapter, increasing punitiveness in the UK can be traced back to the commencement of the neoliberal agenda in the late 1970s, with punishment and control measures increasingly used rather than rehabilitation (Bell, 2011). During these times of social crisis, discipline and regulation are frequently called upon (Hall, 1980), and are intensified during periods of austerity (Levitas, 2012). Economic issues are shifted onto the ideological space of law and order, justice, authority, discipline, control and welfare (Cohen, 1985). Fiscal crises facilitate a 'crisis of authority' which give rise to a 'new authoritarian consensus' (Cohen, 1985: 107-8). Politicians invoke popular opinion by '*shaping and influencing it* so that they can harness it in their favour' (Hall and O'Shea, 2013: 8; emphasis original). The ability of those in positions of power to construct 'a definition of "the crisis"' shapes the opinion of the public into believing that 'more Law and Order' is the only way for society to claw itself out of financial and social crisis, denoting the construction of common sense (Hall, 1980: 3). This punitive rhetoric is reflected both in the increased prison population and in the number of individuals who are subject to surveillance of the criminal justice system but are not imprisoned (Bell, 2011: 43). The increasing scope of carceral power, the increased responsabilisation of individuals and the decreasing recognition of poverty, marginalisation and welfare needs are key elements of the neoliberal agenda of state restructuring, disinvestment and deregulation (Bonds, 2006).

Punitive responses to social problems (predominantly caused by neoliberal cuts to social and welfare services) involving social regulation, social control, and surveillance are communicated as resolutions to the perceived crisis in morality (Hall, 1980). This then aids in 'the forging of a *disciplinary* common sense' (Hall, 1980: 3;

emphasis added). By directly informing the opinion of the public, calls for a more punitive, law and order society 'secures a degree of popular support and legitimacy amongst the powerless' who are led to believe there is no other solution (Ibid: 4) than to increase the strength and breadth of the carceral net (Cohen, 1985). The creation a 'law and order society' via the 'management of consent' (Hall, 1980: 3) is meticulously planned for capitalist production to expand (Hall *et al*, 2013: 200) in what Hall (2011b: 9) calls 'the long march of the Neoliberal Revolution'. Fundamental to the 'neoliberal narrative' (Hall, 2011b: 11) is capturing the freedom of individuals and 'turning them against the interventionist and regulatory practices of the state' so that capitalist class interests are protected and, in some cases, restored (Harvey, 2005: 42).

Through the construction of a definition of the crisis, those in power forge a 'disciplinary common sense' to 'flatter the desires' of the working classes (Hall, 1990: 3; Hall, 1998). Disciplinary common sense is presented as a set of factual social configurations yet they are a cluster of highly political and material practices ingrained in society (Hall, 1980; Hall, 1984; Hall and O'Shea, 2013; Trafford, 2017). The contradictory elements of neoliberal ideology which work best 'by suturing together contradictory lines of argument and emotional investments' (Hall, 2011b: 713) become part of society's common sense and consciousness and are able to form public opinion (Hall, 1980).

Hall (1980: 3) maintained that the move towards a law and order society in the 1970s was not a 'short-term affair' that was a form of resistance to the 'permissive excesses' of the 1960s. Instead, it pertained to the 'structural backwardness of the British economy' and the presence and power of the state (Hall, 1980: 3). The overarching practical element of a law and order society, or what Hall (1980: 3) calls, a 'regression to a stone-age morality' constitutes

'the feeling that the only remedy for a society which is declared to be "ungovernable" is the imposition of order, through a disciplinary use of the Law by the State'. The 'type of order which the *state express and impose* is an "*order of cohesion*" that encompasses force and coercion via disciplined labour (Hall *et al*, 2013: 200; emphasis original). Cohesion is achieved by the disciplining of men and women as free individuals to obey the aims and objectives of the state (Hall *et al*, 2013) with freedom being synonymous with 'common sense' (Harvey, 2005: 39).

The state takes on the new role as an 'educator'; one that provides leadership, education, direction and tutelage via the 'production of consent', not coercion (Hall *et al*, 2013: 200). Crime is 'framed in terms of law and order' with connections between social and economic structure often excluded from political debate (Reiner, 2008: 124). The politically constructed notion of increased criminal behaviour in society is responded to via the imposition of modes of governance (Garland, 1996) termed 'an exceptional form of the capitalist state' or 'authoritarian populism' (Hall, 1979: 15).

Although attributed to the emergence of Thatcherism, authoritarian populism marks the beginning of a 'general shift' towards 'the disciplinary pole of state power' (Jessop *et al*, 1984: 34). Due to challenges of the authority of the state and the ruling class, crime and the risk of crime is politicised and the law and order agenda gains momentum.

The increased global prison population is an example of the neoliberal state's new punitive paradigm; attempting to maintain social order by reducing the supposed threat posed by marginalised groups (Howe, 2008). Modes of governance and norms become mobilised by 'expert' opinion from doctors, social workers and psychologists; extending the operation of judicial power over an increasingly wide spectrum of the population (Garland, 1985). Crime



control consequently moves towards 'containment and coercion' and rather than being reduced, state control is redirected (Cohen, 1985: 107). Enforced social discipline within legal institutions and the boundaries of the law remain a last resort as it is considered a more disciplined society if individuals learn to respect and discipline themselves and/or where discipline is the outcome of consent (Cohen, 1985; Foucault, 1977).

Attempts are made 'not just to responsabilise offenders as rational actors' but to also 'address the cultural causes of crime via social interventions designed to remoralise the underclass' via notions of responsibility (Bell, 2011: 165-6). As further highlighted by Bell (2011: 166):

Both crime policies and social policies which were aimed at tackling the causes of crime therefore focused on bringing about cultural changes which would force offenders and potential offenders to take responsibility for their actions. The state was no longer expected to tackle the structural causes of crime but rather, to manage the crime problem.

This 'correctional managerialism'; a product of neoliberal crime policies, places a 'duty of care' on correctional facilities to 'reduce the risk that something might happen' thereby increasing the 'warehousing function' of prisons and non-custodial arenas in managing risk (Tubex, 2015: 7). Penal arenas then function as 'businesses' who conduct quantitative evaluations on 'what works' (Tubex, 2015: 7) in order to 'address the insecurity caused by crime' as a new way of governing (Bell, 2011: 167). The principle role of the neoliberal state becomes the 'guarantor of market freedom' instead of social and economic security- the state redefines social problems as crime problems through crime policy (Bell, 2011: 167). The boundaries between 'social and penal systems' are blurred (Ibid: 167) due to this evolving phenomenon of the 'reconfiguration(s) of penalty' (Carlen and Tombs, 2006: 338).

While Hall initially outlined the operation and proliferation of a law and order society over four decades ago, his theoretical reasoning remains more relevant than ever in the present day due to the rapid advancement of the neoliberal agenda. Hall's (2011b: 9-27) 'long march of the Neoliberal Revolution' describes how individual crises originating from 'opposed political regimes' since the 1970s have contributed to the 'maturing' of the ongoing neoliberal project. Contemporary neoliberal logic has numerous aims including the targeting of those reliant or dependent upon public services and the state (Hall, 2011b). State cuts to social welfare minimise the space that women in particular 'can find a voice, allies, social as well as material support; and in which their concerns can be recognised' (Ibid: 24). The neoliberal state 'returns public and state services to private capital', aims to 'devolve power to "the people", pitches "communities" against local democracy' and reduces state involvement in 'quality of life by undermining structures of local democracy' (Hall, 2011b: 24).

Eleven years after the Global Financial Crisis and eight years since the Coalitions public sector cuts described as 'austerity measures', communities continue to be 'devastated' (Cooper and Whyte, 2017: 1). Although Prime Minister Theresa May initially rejected a strategy of austerity, she legitimised a 'logic of austerity' through the operation of common sense to the public who were 'sold' that public sector cuts would 'restore economic order' (Cooper and Whyte, 2017: 5-8). Welfare recipients were scapegoated as the main cause of austerity, cementing austerity as a 'class project' that disproportionately 'targets and affects working class households and communities' which ultimately 'protects concentrations of elite wealth and power' (Ibid: 11).

The critical criminological position adopted in this project acknowledges Hall's conceptualisations of the state and the

propagation of a 'law and order society' (Hall, 1980: 3) in addition to Peck's more recent explanations of the neoliberal socio-political economy. Both are utilised as a foundation for adopting Cohen's critical ideologies of state social control applied in the neoliberal context. The post-welfare neoliberal agenda outlined by Hall (1980, 1984, 2011b) that promoted ideologies of individualism, actuarialism and self-responsibilisation reconstructs the boundaries and possibilities of methods of social control (Cohen, 1985) employed in controlling the behaviour of individuals targeted by neoliberal reforms. Both Hall and Cohen's theorisations and explanations are used in this research to analyse the 'relations between states and social control' and to understand 'the normative aspects of social control' embedded in neoliberal gendered justice (Coleman, 2004: 21).

Hall (1980, 1984) and Cohen (1983, 1985) function together, not as an 'immediate identity' but as distinctions within a 'unity' (Hall, 1985: 113). There are parallels between their work; they were constructed during the same Thatcherite political era and they both acknowledged the dispersal of state power through several institutions such as the school and the prison, recognising that private initiatives also form the apparatus of the 'political and cultural hegemony of the ruling classes' (Gramsci, 1971: 258). Cohen's (1985) micro level analyses of the coercive apparatus of the state and the putative hidden elements in all state-sponsored social (welfare, health and education) and penal policies enable a consideration of how neoliberal social relations foster specific practices of social control.

Hall's (1984) acknowledgement and analysis of the 'political and ideological struggle for hegemony' and recognition of the 'relations between economy and polity, class and party, structures and strategies' is a useful vehicle of analysis in approaching neoliberalism

and its impact upon punishment at a cultural level; recognising methods of political and social control (cited in Jessop *et al*, 1984: 60). Moreover, the work of Cohen suggests that these controls are used as a means through which a society in a given political and cultural epoch regulates the individual and collective conduct of individuals. Politicizing social control systems and ideologies, appreciating the increasingly and seemingly non-political state controls of individuals and locating them within their particular cultural, political and socio-economic context enables this critical criminological approach to adopt the conceptual tools outlined by Cohen and Hall to analyse state informed responses to female offending and risk of offending within the neoliberal context.

The development of alternative forms of community control to 'bypass the whole criminal justice system' and develop 'new forms of intervention' and 'ideologies which justify them' are key principles of neoliberal restructuring (Cohen, 1985: 4). Reflecting the hegemonic nature of neoliberalism, these criminal justice reforms are contradictory and ambiguous. Characteristic of the establishment of non-custodial community spaces within the neoliberal deconstructing movement, the state reconstitutes the definition of the private to legitimate intervention 'in areas which had hitherto been considered inviolable' (Hall, 1984: 21-2).

The expansion of the reach of the neoliberal state into the private sphere, outlined by Peck earlier as a different mode of government, re-draws and re-defines the public/private boundaries under the guise of social construction (Cohen, 1985). Individuals become subjected and responsabilised as part of this neoliberal shift towards so-called soft power that penetrates previously unreachable realms of private life (Ibid). Positivism merges 'act with actor' and judgements about private life, including the family and personality become part of the public sphere (Cohen, 1983: 118). Previously

'unpatrolled' areas of social life become subject to surveillance and intervention as the power of the neoliberal state is extended (Cohen, 1983: 118). Inclusionary controls encompass criminal justice, social welfare, immigration, and health institutions. Interventions then force their way into the social sphere and deregulation takes place as the economy is liberalised and competitiveness is restored (Bell, 2011).

Due to the breakdown and hostility towards the welfare state, the government's responsibility in the social sphere reduces, yet the responsibility of individuals, either as offenders, at risk of offending individuals or welfare recipients, increases (O'Malley, 2014). As the welfare state is effectively dismantled, state intervention into the public and private sphere increases (Haney, 2010). The intensification of the neoliberal agenda thus enables an intense focus on the private individual (Davison *et al*, 2010: 20) and simultaneously maintains the state's position in advanced capitalism (Cohen, 1985).

Enabled by the preconditions of neoliberalism, the spatial boundaries of new "reformist" community institutions and the way 'into' and 'out of' them are disguised (Cohen, 1985: 57; original emphasis). The boundaries of punishment become blurred and the penal net widens (Ibid). Garland (2001) in his text *The Culture of Control* points to the community as being one of the most prominent new actors playing the role of the neoliberal state with voluntary services brought into the realm of punishment and criminal justice via community alternatives. Subverting the role of the criminal justice system into the community as an adjunct to the prison increases the likelihood that community alternatives end up replicating more traditional carceral institutions (Garland, 2001).

## 2.4 Punishment and Gender

The next part of this chapter explores how the emergence of ‘new governmental configurations’ (Gane, 2014: 4), reflecting neoliberal changes, have impacted upon the punishment of women, both within prison and in non-custodial community spaces.

State power within this context could constitute a ‘heterocrisis’ where commonsensical normality is under attack (Bibbings, 2009: 36). ‘Appropriate heterosexuality’ – a ‘male centred ideology’ of feminine and masculine heterosexual behaviours, is threatened and ‘anything which is identified as being *non*heteronormative tends to be denied, rejected and repressed by the state apparatus’ (Bibbings, 2009: 36; emphasis original). The ‘heterosexual hegemony’ concerns gender, sex and sexuality, seeking to ‘create and reinforce a moral consensus around the “natural” binary order’ of women and men (Ibid: 36). This form of heterosexuality purports that men and women should behave according to their prescribed gender roles thus prioritising certain femininities over others and disregarding male dominance (Bibbings, 2009). The neoliberal structures that create and support both the heteropatriarchal social order and hegemonic masculinity ‘police men and women who transgress’ against this idea of morality (Bibbings, 2009: 37).

The treatment of women within the heteronormative state depends upon their femininity. This gives credence to the Madonna/whore dichotomy with perceptions of women polarised between good/chaste and deviant/unchaste (Ballinger, 2009). Neoliberal reforms and re-structuring are underpinned by hegemonic heterosexuality as outlined by Bibbings (2009), with non-heterosexual behaviours marginalised at best, and regulated and controlled at worst. The state maintains its own interests by ‘encouraging the production and reproduction of the gendered

subject which in turn supports the existing social order' (Smart, 1995 cited in Ballinger, 2009: 24). It has been claimed by Snider (2003: 354) that because so much attention has been paid to the punishment of women's crimes by feminists, criminologists and critical scholars, the 'punishable woman' has been constructed, therefore potentially targeting criminalised women. Feminist criminologists' constructions of women has 'structured their punishment and has failed to feed back into analyses of knowledge/power' (Snider, 2003: 355). Discourses on female offenders, emphasizing less punitive treatment of women due to their multiple social and structural needs go 'ignored or unheard or received' in a way that legitimises 'increased social control, repression and surveillance' (Snider, 2003: 361).

Upholding the ideology of the family, cultural justifications for women's unpaid reproductive work are enhanced as they are central to neoliberal capitalist expansion (Radhakrishnan and Solari, 2015). Traditional ideologies of women's confinement to the private sphere are reinforced (Ballinger, 2009) and neoliberal state control is intensified with the state 'increasingly constituting, regulating and disciplining individuals and relationships' (Bibbings, 2009: 46) in its quest to maintain the 'dominant heteropatriarchal social order' (Ballinger, 2009: 22). The neoliberal state defines what conduct and behaviours require intervention and why certain strategies often reflect gendered ideologies of 'notions of masculinity and femininity, and dominance and difference' (Haney, 2010: 8). Within a neoliberal culture, progressive reforms are received in ways that 'reinforce rather than challenge dominant cultural themes' that serve to 'strengthen hegemonic (not counter-hegemonic) practices and beliefs' (Hannah-Moffat, 2001: 369).

Within the neoliberal context, government is 'devolved, decentralised and diversified' (Haney, 2010:87). The delivery of local

services for women is transferred to local officials and penalty is reconfigured (Hannah-Moffat, 2000). Local level partnerships with both private and non-governmental agencies ensure boundaries surrounding state policies are 'even more diffuse' (Haney, 2010: 87) in what Hudson (1998: 557) refers to as 'the death of the social'. Techniques of government enable a distance to be created between the decisions of political institutions; the 'de-governmentalisation of the state' (Hannah-Moffat, 2000: 516).

With an ever-decreasing concept and sense of 'society' and a reduced expectation of state and welfare assistance within the neoliberal context, the population becomes increasingly individualised (Hudson, 1998: 557). 'Ethics of personal responsibility' become the 'cornerstone of the neoliberal agenda' (Bumiller, 2008:5), facilitating a neoliberal strategy of governance for women (Hannah-Moffat, 2000). New conceptions of women offenders and welfare recipients as 'subjects of responsibility, autonomy and choice' are acted upon 'through shaping and utilising their freedom' (Rose, 1996 cited in Hannah-Moffat, 2000: 511).

The neoliberal construction of the individual as a self-governing subject promotes ideologies of self-help at the expense of the social structures that shape their lives (Ballinger, 2009). Self help; 'a mode of government that works through the maximisation of citizenship' is both voluntary and coercive because the neoliberal individual is constructed as a rational, calculating, free and responsible consumer, capable of minimising and managing their own risk (Cruikshank, 1999: 48). The actions of social control within non-custodial institutions are frequently disguised and subverted to an agenda of personal choice and personal control (Hannah-Moffat, 2000). The discourse of self-help enables women's structural and social marginalisation within the heteropatriarchal social order to be



effectively silenced by neoliberal discourse (Ballinger, 2009; Haney, 2010).

Shifts in 'the gendered realities of punishment for women', known as the 'governance of gender' are inherently linked to 'broader discussions' of neoliberal state power (Haney, 2010: 7). Gendered punishment functions 'to connote patterns of power and regulation that shape, guide and manage' the social conduct of women according to the neoliberal agenda (Haney, 2010: 7). Political techniques of empowerment, frequently used in non-custodial institutions produce a 'technology of citizenship'; a method for composing citizens out of subjects (Cruikshank, 1999: 67). Feminist reformist discourses of empowerment are often aligned with neoliberal political rationalities and 'used as a strategy of responsabilisation' by policy makers, funders and state actors (Hannah-Moffat, 2000: 510). When linked to penal power and neoliberal strategies of individualism, empowerment can be subverted to create new regimes of governing which reinforce existing relations of state power (Hannah-Moffat, 2000).

Gendered forms of governance are also intrinsic to the concept of need because 'definitions of need act as a strategy of governance' (Ibid: 9). Women's constructions of need; their social, health and structural needs within gendered justice programmes are 'reflective and constitutive' as they draw upon and establish neoliberal common-sense notions of what individuals' social roles and social positions are for women in society (Haney, 2010: 9). The neoliberal state constructs what it classifies as need to maintain legitimacy and social order (Ballinger, 2009; Bibbings, 2009) and to facilitate gendered governance, the state translates 'need' into behavioural deficits which merge individual need for resources into a need for 'character modification' (Haney, 2010: 9). 'Needs talk' can then be mobilised to condemn women's need for welfare assistance and

instead, instil neoliberal values of independence and self-sufficiency (Cooper and Sim, 2013: 205). Gendered punishment schemes therefore 'actively define what women need and what is needed of them' to reflect their dichotomous independence from state support yet dependence on normative gendered roles as mothers, homemakers and caretakers (Haney, 2010: 10; Ballinger, 2009; Bibbings, 2009).

The neoliberal transformation of punishment for women not only individualises and responsabilises women but develops 'new networks of accountability and responsibility' (Hannah-Moffat, 2000: 516) which resonate with Cohen's (1985) concept of net-widening in his thesis of social control. Gender-specific community institutions 'manage individuals' through segregative neoliberal techniques to absorb different populations of women including offenders, welfare recipients and women seeking social support, through the use of 'assimilative control' (Cohen, 1985: 111). While gendered punishment arenas are distanced from a political centre, the state expands and consolidates these new arenas of gendered governance that operate new modes of social control (Haney, 2010) to manage the risks posed by women impacted the most by neoliberal state re-structuring (Bell, 2011).

Gender-responsive institutions as new penal realms ultimately legitimise the prison and are conducive to drawing in new populations of individuals and new state actors due to the increasing diffuseness and widening of the boundaries of the neoliberal state (Cohen, 1985), in an attempt to manage the cultural causes of crime (Bell, 2011). Using Cohen (1979: 357), this is a phenomenon called 'community absorption'. It appeals to both soft ideologies of community, and punitive aims of restitution (Cohen, 1979). While the community absorbs new populations of women, the 'scarcity' of resources in the 'community' relevant to women's needs including

childcare, education grants and employment, subverts progressive attempts to operate successful alternatives to custody (Carlen, 1998: 167).

The only way for gendered justice schemes to be successfully operated 'for women' involve a 'holistic approach' encompassing support from social services, welfare services, the government and the criminal justice system (Carlen, 1998: 170; emphasis original). Neoliberal state destructuring, the dismantling of the welfare state and increased inequality and poverty make holistic gendered reforms almost impossible in the current political and economic climate. Carlen (1998: 167) warned over twenty years ago that without a holistic approach, reform programmes would 'deteriorate into *fin de siècle* workhouses for the welfare states "undeserving" and poverty-stricken mothers' (Carlen, 1998: 167). The operation of gender-specific justice within the context of neoliberalism therefore has the potential to expand and augment the criminal justice system via increased social controls, surveillance and gendered governance (Cohen, 1979, 1985; Hannah-Moffat, 2000; Haney, 2010) with Carlen's (1998) fears potentially coming to fruition.

## 2.5 Conclusion

This chapter has outlined the critical criminological position adopted in this study, underpinned by several key thinkers that will be used to provide a nuanced understanding and analysis of the neoliberal context of service-users and service-providers experiences of gender-responsive practice in the case study WC in chapters five, six and seven. The following chapter outlines existing policy, literature and research relating to gender-responsivity in the criminal justice system for women in England and Wales. A quantitative analysis depicting the function, scope and remit of WCs in England and Wales in the present day is also presented in order to contextualise the

penal landscape of gender-responsive Women Centre provisions for women.

## Chapter Three:

### Corston (2007), WCs and Gender-Responsivity

This chapter outlines policy and practice initiatives central to the development of gendered responses to female offending and pre-emptive gender-responsive engagement with women at risk of offending, in the context of WCs in England and Wales. The main purpose of this chapter is to explore the resonance of gender-responsivity to penal policy and practice from early theoretical

foundations in the 1990s, to the formal establishment of WCs post-Corston (2007).

The chapter begins by unpicking the historical context of gender-responsive practice in the criminal justice system in Britain, in terms of policy and practice developments in both Britain and the USA. This exploration includes an outline of the often contested, core principles of gender-responsive practice and the rationale for developing gender-responsive provisions for women. Consideration is given to the disproportionate impact that neoliberal policies have on women experiencing social, structural, and economic marginalisation and oppression. A crucial part of this analysis is the political and socio-economic context of WC operation. The exploration of gender-responsive practices for women, suggests that neoliberal market deregulation and the receding welfare state produces an unintentional criminalisation of social policy with social policies subverted into the realm of criminal justice policy (Barton and Cooper, 2013; Beglan, 2013; Malloch and McIvor, 2013; Radcliffe and Hunter, 2016). The next part of this chapter considers the historical context of gender-responsive practice in Britain.

### **3.1 Trends in women's offending: Why gender-responsive practice was introduced**

Following the Gladstone Committee in 1895, British penitentiaries marked the beginning of distinct official differences in the treatment of female offenders who were subject to tighter disciplinary rules than male offenders (Bartley, 2000; Barton, 2005). This involved creating a series of feminised penal practices and extending state control over a population of predominantly young (under 25), mainly white, working-class women convicted of 'minor sex-related offences' (Howe, 1994: 112). The consequence was that the prison was decentred and other institutions were established to

complement existing controls. It shifted in its position as the fundamental sanction to become one institution among many in an extended grid of penal sanctions (Garland, 1985), what Dobash *et al* (1986: 72) call the 'widening of the carceral net'. The network of female reformatories led to the 'dispersal of coercive methods of control usually reserved for the prison' into specialist community institutions (Bartley, 2000: 89). This mid-Victorian period subsequently saw the establishment of a variety of semi-penal institutions for deviant women, which were considered as alternatives to imprisonment but in practice acted as extensions to most of the rules and regulations of the prison (Wiener, 1990). Deviant women were considered 'unruly' if they transgressed 'discourses surrounding motherhood, domesticity, respectability and sexuality' (Greenwood, 2017c: 65).

The Victorians highly restricted definition of 'proper womanhood' contoured penal responses to women's law-breaking and deviant behaviour in the nineteenth and early twentieth century (Dodge, 1999: 908). Victorian theories of female criminality nonetheless 'all expressed the possibility of reform – the malleability of women's wills, the "weakness" of their minds- all offered to Victorian penal reformers the possibility that women were more open to change' (Godfrey and Lawrence, 2005: 142). The social control of women took many forms. Within the wider context of the state and philanthropic institutions, systems existed to support the larger power structures that oppressed and subjugated working-class women (Faith, 1993, 1996, 2011).

Semi-penal institutions were the predominant 'transformative institutions' for women (Bartley, 2000: 28). They existed outside of state control, comprising 'charitable enterprises' entered voluntarily by middle-class members of society and governed by self-elected management committees (Barton, 2004; Greenwood, 2014;

Przyblyski, 1999; Rafter, 1990). Semi-penal institutions were 'by nature, sites of inequality, control and oppression' (Bosworth, 2003: 137). A prison specifically for women was, however, developed in the early twentieth century. HMP Holloway in London was first built as a House of Correction in 1852 but became designated as a woman-only prison in 1903 (Davies, 2018). Scott and Codd (2010: 44) note that during the first two decades of the twentieth century, Holloway was subject to media attention as it imprisoned women 'convicted of offences linked to the struggle for women's suffrage'. As such, several well educated and influential women experienced imprisonment, describing experiences of 'humiliating and degrading practices' (Scott and Codd, 2010: 44). Following the rebuilding of Holloway on the same site in the 1970s and 1980s, an inspection report one year after opening was very critical of its operational practices and overcrowding (Ibid).

Subsequently, up until the late 1970s, women as both victims and offenders were a relatively invisible demographic in the criminal justice system in England and Wales (Smart, 1976). Due to their small numbers, they were not fully recognised by the state until the publication of the Howard League's (1979) report entitled *Women and the Penal System*. The report stated that the number of women and girls in prison had reached a record high of 1,485 - 398 above the recommended capacity (Howard League, 1979). Carlen (1983) and Dobash *et al* (1986) argued that women who appeared before court, while few, were being sentenced according to the court's assessments of them as wives, mothers and daughters, rather than in proportion to the seriousness of their offence, demonstrating differential sentencing logic. Their sentencing corresponded to their 'social characteristics' (Hudson, 2002: 23). According to Carlen (1998), the courts used their discretionary powers to sentence women to prison regardless of their crime. If they were single,

divorced or had children in state care, they received a harsh sentence whereas less harsh sentences were imposed on women who appeared to come from a stable family upbringing (Carlen, 1998). 'The "justice" they received was more to do with "who" they were than "what" they had done' (Cook, 1997: 82; original emphasis).

With the election of Margaret Thatcher in May 1979, a 'major shift in both British politics and economic policy' took place (Arestis and Sawyer, 2005: 199). Despite the resulting dramatic rise in inequality across England and Wales, as outlined in chapter two, the plausible link between poor social and economic conditions and crime was considered irrelevant by the conservative government. Hudson (1987) maintains that this was representative of the justice model of criminal justice where the legal system is used as a critical instrument in the apparatus of repression, and crime is abstracted from its social context (Hudson, 1987). This is central to the state's attempt to maintain social order during times of political unrest (Hall, 1984).

A 'recourse to the law, to constraint and statutory power' was legitimated as 'the only, effective means left of defending hegemony in conditions of severe crisis' (Hall *et al*, 2013: 273; original emphasis). Increasing inequality resulted from the promotion of the 'self-regulating market' (Steger and Roy, 2010: 2) and the 'use of incentives and rewards' (Arestis and Sawyer, 2005: 206). The paradoxical conservative position of minimal state intervention in the punishment of offenders alongside the rolling out of new forms of state activity however, lead to an increased centralisation of the state's penal activities (Hall, 1984). The state's possession of power, with the criminal justice system being an arm of the state, enabled it to shape society and intervene and act upon it (Hall, 1984).



Since the 1980s, the number of girls and women entering the formal justice system in both Britain and the US has increased (Chesney-Lind and Okamoto, 2001). Programmes on both sides of the Atlantic realised that 'their operational practices were inappropriate for girls and women' (Evans, 2011: 133). This prompted research informed policy to develop 'girl-specific services' to understand 'the development differences between boys and girls' (Walker *et al*, 2015: 744). For women, programmes needed to reflect that women who offend 'respond to more informal and personal interventions and relationships with service deliverers' (Evans, 2011: 133). They also needed to recognise that women require practical and emotional support to identify and address their multiple personal problems (McIvor and Burman, 2011). Hudson (2002: 304) states however, that for girls, evolving social policies have 'failed to acknowledge how family and community relations shape both the "problems" girls present and the welfare responses which they precipitate'. Evans (2011) also recognises that both girls and women's need for equality, fairness and social justice has largely been silenced and absorbed by the criminal justice system.

Against the backdrop of the increasing neoliberal political climate and during a brief period of penal reductionism in the mid-1980s due to campaigners on women's imprisonment becoming more visible, 'Women in Prison' (WIP) was founded (Sim, 1987). WIP was established by Pat Carlen and Chris Tchaikovsky. They campaigned for the specific needs of women in prison and the damaging effects of prison, on women, to be highlighted in political and public discourse (WIP, 2019). WIP set out to define what was *special* about *women's* imprisonment, highlighting the distinct gendered pains of imprisonment (Carlen, 1998: 21-2; original emphasis). This included women being separated from their children, being placed long distances from home and experiences of discriminatory practices by

prison staff and administrators (Carlen, 1998). Feminist and critical criminologists began to highlight gender bias within so-called expert criminological theory, outlining that women and girls were overlooked in legislation, policy and practice developments (Smart, 1976; Sim, 1987; Renzetti, 2013).

Due to persistent campaigning illuminating contextual factors of poverty, violence, and abuse that characterised the lives of women in prison (WIP, 2019), Carlen (1990a) recommended that women's prisons should be abolished. Her main argument was that women posed little risk to the public due to their committal of non-violent offences. Making a bold proposal in 1990, Carlen (1990a: 121; emphasis original) stated:

*I am suggesting that, for an experimental period of 5 years, imprisonment should be abolished as a 'normal' punishment for women and that a maximum of only 100 custodial places should be retained for female offenders convicted or accused of abnormally serious crimes.*

This strategic plan, however, was never realised. When reviewing Hannah-Moffat's *An Ideal Prison and Punishment in Disguise*, Carlen (2002: 120) stated that while reports on women's imprisonment in Britain had never been as radical as those in the Canadian context, emphasis had almost entirely been on "improving" the prison regimes, getting more "programmes" into the prisons and providing more money for organisations willing to run such "programmes". The problem with this approach is that 'the state retains its power to punish' (Carlen, 2002: 120) and due to the relatively small number of female offenders in comparison to men, the implementation of evidence-based gendered programmes are not considered economically sustainable (Walker *et al*, 2015). No serious attempt has therefore ever been made by the state to implement Carlen's (1990a) recommendations since then.

Between 1995 and 2005, a 126% increase in the female prison population in England and Wales ensued (Silvestri and Crowther-Dowey, 2008: 26). More recent statistics highlight how women entering prison are disproportionately likely to be serving short sentences, with 71% serving 12 months or less with a reconviction rate of 62% (PRT, 2016: 7). These figures are slightly higher than men's reconviction rates, highlighting poor reoffending outcomes from short-term prison sentences for both men and women (Ibid).

Due to the socio-economic and structural circumstances surrounding women's offending behaviour, Hudson (2002), as briefly discussed earlier, maintains that formal justice disproportionately affects women. Supporting this argument, Gelsthorpe and Morris (2002) state that the continued steady rate of female imprisonment in England and Wales is due to both legislative changes and increases in the social, structural, and economic injustices which poor and marginalised women face. Theft for example, often an indicator of poverty and economic marginalisation, with little threat posed to the public (Malloch and McIvor, 2013) is an offence most likely to bring women into the criminal justice system, with shoplifting accounting for almost 50% of all indictable convictions for women in Britain (Petrillo, 2015a).

Women sentenced to a period of imprisonment are frequently subject to a geographical penal lottery and are placed in custodial institutions long distances from their family and friends (Barton and Cooper, 2013; Cooper, 2014; Prison Reform Trust, 2016). 12 prisons accommodate women in England; however, there are no women's prisons in Wales. In Baldwin's (2017) study on mothers sentenced to imprisonment, women described the profound impact on both themselves and their children. Many felt suicidal whilst separated from their children, many were made homeless due to their sentence and several had their children taken into state care

(Baldwin, 2017). The offences committed by women included in Baldwin's (2017) study included benefit fraud and shoplifting for formula and nappies. Because of the short-term nature of their sentences however, women received little help in prison in terms of resettlement and, in corroboration of Hedderman *et al's* (2011) argument, were much less likely to have accommodation or employment/training in place when released from prison. This perpetuates a cycle of homelessness that traps many women who also struggle to regain custody of their children upon their release (Baldwin, 2017).

Women also account for a 'disproportionate number of self-harm incidents in prison – despite making up only 5% of the total prison population' (PRT, 2018: 4). According to the PRT (2018), in the year to June 2016, 21% of all self-harm incidents in prison were women and as stated by Inquest (2019), since 1990, 123 of 214 deaths in women's prisons were self-inflicted. An ostensible solution to the continued increase in the number of women being imprisoned and, in a bid, to reduce the harmful impacts that custodial, particularly short-term sentences have on vulnerable women, several policy initiatives promoting the operation of gender-responsive services within non-custodial arenas. The potential to prevent the unnecessary criminalisation of women by exploring the relationship between criminal and social justice and attempting to address women's social and structural needs outside of the prison underpinned the inception of WCs following the commissioning of the Corston Report in 2007 (Petrillo, 2015b).

### 3.2 Gender-responsive policy and practice developments

Gender-responsive practice aims to meet the multiple and interrelating needs of women to prevent their unnecessary criminalisation and imprisonment, assist them into leading non-

criminal lifestyles and consequently, reduce the female prison population (Corston, 2007; MOJ, 2008a, 2009). While the Corston Report (2007) 'marked a bold endorsement of a gender-responsive approach to female prisoners', as outlined later in this chapter, it was preceded by feminist and penal reformers campaigns as well as policy developments across the globe (Carlton and Segrave, 2013: 36).

The rationale for the utilisation of gender-responsive practice with female offenders is informed by feminist engagement with alternative justice (Daly and Stubbs, 2006). Two theories inform the development of gendered justice for women - feminist pathways theory and relational/cultural theory. Feminist pathways theory explains girls and women's involvement with the formal justice system due to their experiences of trauma and/or histories of victimisation (Belknap and Holsinger, 2006). This theory suggests a link between 'early victimisation or trauma and justice involvement' (Walker et al, 2015: 746). Cultural theory 'listens to the voices' of women (Bloom et al, 2003: 118), based on Gilligan's (1982) concept of 'moral reasoning' (cited in Daly and Stubbs, 2006: 10). Gilligan (1982) states that women and girls moral reasoning is 'guided by an ethic of care centred on moral concepts of responsibility and relationship', emphasising the need to 'respect and honour "women's ways of knowing"' (cited in Daly and Stubbs, 2006: 10). Within this theory, Heidensohn (1986) argues for an approach that values 'caring and personal relations and is centred on responsibility and co-operation' (cited in Daly and Stubbs, 2006: 10). Directly informed by the ways that women 'develop their identity and relationships with others' (Daly and Stubbs, 2006: 10), there are concerns that this theory would not result in the automatic addition of women's voices and experiences to the criminal justice realm. While both theories have their limitations, they began to inform a

gender-responsive approach to treat girls and women who have offended.

Gender-responsivity was first officially developed in the US in the 1990s to address the 'realities of women's lives' via a social justice framework (Bloom, 1999: 22). One of the very first proponents of a gender-responsive strategy claimed that women often struggled to survive 'outside legitimate enterprises' resulting in them being drawn into the criminal justice system (Bloom, 1999: 22-3). Women's complex *needs* were not being acknowledged by gender-neutral assessment in traditional 'risk, need, responsivity' (RNR) models of offending behaviour programmes (Radcliffe and Hunter, 2016: 977). The RNR model or 'what works', previously adopted by the Probation Service in England and Wales failed to account for the differences in the characteristics of women who offend and was not responsive to their gender-specific needs as women (Ibid: 977). Gender-responsive services in the US were initially designed as preventative and early intervention techniques to reduce the unnecessary criminalisation of women (Bloom, 1999, Lawston, 2013; Shaylor, 2009).

Despite a number of stand-alone projects by Heidensohn (1985), Harris (1987), Gilligan (1987) and Daly (1989) calling for the criminal justice system to adopt the 'care/response model of reasoning' (Harris, 1987: 32) with an emphasis on achieving social justice for women, it took another seven years for England and Wales to take the first tentative steps towards official gender informed practice under New Labour government proposals (Kendall, 2013). New Labour's implementation of the 'Accredited Cognitive Behavioural Programmes' as a key feature of Probation Service practice characterized offending as a result of faulty thinking (Mythen *et al*, 2013). A narrow focus was placed upon 'individualistic forms of problem solving' with little consideration of 'other forms of

domination in women's private and public lives' (Bumiller, 2008: xiv). This reflected the problematic alliance often forged between the state and reform movements under neoliberalism. New Labour 'rejected the social causes of crime' and instead attributed poverty, inequality, social exclusion and marginalisation to individual personal failings and exclusion from paid work (Kemshall, 2002: 41). While a key manifesto aim at the start of their term in government was claiming to acknowledge and address wider social factors in determining criminal behaviour, attention remained focused upon individual factors associated with some forms of behaviour and increased emphasis was placed on risk and public protection (Kemshall, 2002; Bell, 2011, 2014). Neoliberal modes of practice were thus retained.

Despite the increasingly neoliberal political climate, in 1998, the Women's Policy Group was established at Prison Service Headquarters to develop expertise on gender issues (Kendall, 2013). This represented the first official provision to consider the specific issues facing women prisoners and women's prisons (Kendall, 2013). Up until this point, policy affecting women had been dealt with together with policy affecting young offenders (Ibid).

Two years after the Women's Policy Group was established, the Home Office produced the consultation document 'The Government Strategy for Women Offenders' (Home Office, 2000) and published its outcomes in the follow up paper 'The Government's Strategy for Women Offenders: Consultation Report' (Home Office, 2001). A key feature of both publications was for all criminal justice services to address gender differences for the first time to reduce women's involvement in crime and subsequently divert them from prison (Hedderman, 2011). The Wedderburn Report, *Justice for Women: The Need for Reform* (2000) published by the PRT following a two-year independent study, recommended that 'a network of women's

supervision, rehabilitation and support centres' should be set up in recognition of a cross government approach to rehabilitating women in the community (Carlen and Worrall, 2004). These recommendations were designed to give women better access to a range of community agencies under one roof, via multi-agency working (Ibid). This was considered imperative because women's broader lives including their social, personal and economic experiences inform their everyday lives, not just their offending behaviour (Cain, 1990).

The Social Exclusion Unit Report (SEU) (2002) further advanced conclusions drawn in the Wedderburn Report, recognising that women subject to prison sentences are amongst the most socially deprived, disadvantaged and marginalised in society (Hedderman, 2011). It acknowledged that female offenders' needs were frequently greater than men's, women's rates of imprisonment were increasing more rapidly than men's and that women's needs were being persistently overlooked in a criminal justice system designed for men (Social Exclusion Unit, 2002).

The SEU Report (2002) identified nine key factors specific to reducing women's re-offending which are central to gender-responsive service delivery in WCs in England and Wales. They include education and training, employment, drugs and alcohol, mental and physical health, attitudes and self-control, institutionalisation and life skills, housing, benefits and debt and families. The same year however, Hudson (2002) identified three key and interrelated issues central to policy and practice proposals for girls. While this project is concerned with women, 'problematizing gender relations' has been central in the development of gender-responsive practice in the present day for girls *and* women (Hudson, 2002: 304). The three themes included: empowerment and participation, giving girls the power to define their own needs, and



giving girls the space to talk about and act upon the issues they feel most effects their lives (Ibid). An inherent tension identified by Hudson (2002: 305) however, is that state welfare agencies are 'often constrained by their statutory roles' which can reduce the 'sense of safety and confidentiality' for girls and women thus undermining gender-responsive practice attempts.

In light of this, two years later, the Women's Offending Reduction Programme (WORP), considered a progressive response to the SEU Report, stressed that the intention of gendered justice was 'not to give women offenders' preferential treatment but to achieve equality of treatment and access to provision' (Home Office, 2004: 5) within existing systems and approaches (Hedderman, 2010). To be effective in reducing re-offending, gender-responsive practice aimed to consider the 'distinctive features of women's lives and needs' as being interrelated, multiple and complex (Gelsthorpe *et al*, 2007 cited in O'Neill, 2011: 94).

Gender-responsive programmes were designed to integrate three key features (Bloom, 1999). Firstly, the environment should be free from physical, emotional and sexual harassment and spoken and unspoken rules of conduct provide appropriate boundaries. The second feature was connection – exchanges among female staff and service users should feel mutual rather than one way and authoritarian. The third was empowerment, denoting that the programme should model how a woman can use power with and for others, rather than using power over others or being powerless (Bloom, 1999). These three levels of intervention included cognitive, affective and behavioural approaches. Cognitive approaches involve education to help 'correct the misperceptions of women and girls and teach them to think critically when making decisions' (Bloom, 1999: 24). At the affective level, women must 'learn to express their feelings appropriately and contain them in healthy ways' whilst the

behavioural component involves changes in substance abuse (Ibid: 24). Assessment was considered a vital component in gender-specific community programmes, with an emphasis on matching services and programme interventions to women's individual, specific needs (Bloom, 1999: 24). Interventions, however, still needed to be 'more informal, less structured and more focused upon issues other than offending behaviour' (Barry and McIvor, 2010: 28). Women need to be 'empowered to engage in social and personal change' (Gelsthorpe, 2013:15). As explored later in this chapter, interventions that narrowly focus upon risk of recidivism and criminogenic need often fail to identify women's practical and emotional support needs that were outlined in the cultural theory of gendered justice as crucial in achieving social justice for women.

### 3.3 Gender-responsive practice in England and Wales pre-Corston (2007)

Following recognition of women's minority position in the criminal justice system in the SEU Report (2002), several practice-based initiatives began to emerge across the UK (Gelsthorpe, 2013: 15). Years of promotion work from charities and campaigning organisations (Carlton and Segrave, 2013), and academic research which 'consistently underlined the inadequacies or inappropriateness for women of most conventional criminal justice interventions' (Radcliffe and Hunter, 2016: 976-7) including the 'revolving door of prison' (PRT, 2016: 7) paved the way for new gender-specific non-custodial arenas. Van Wormer (2010: 4) emphasized the need to focus upon 'equity or fairness rather than equality' in the treatment of women because it entails 'a consideration of differences'. When a woman's individual circumstances are different, equity and fairness warrant 'differential treatment' (Ibid: 4). A gendered approach thus encompasses service

provision and treatment that is responsive to the individual needs of women (Gelsthorpe, 2013).

Gender-informed policy developments fuelled the development of gender-responsive justice in the form of the women-centred Asha Centre in Worcester (Roberts, 2002), Calderdale WC in Halifax and the 218 Centre in Glasgow (Loucks et al, 2006; Malloch et al, 2008). The 218 Service was established in 2003 in response to a series of suicides in Scotland's only women's prison, Cornton Vale (Gelsthorpe and Hedderman, 2012) and increased concerns from policy makers, academics and practitioners at the lack of female-centred provision in a system designed for male offenders aged 18-24 (Beglan, 2013). The 218 Service intended to serve as a simultaneous diversion from prosecution and alternative to custody, with the fundamental objectives of reducing stigma and isolation, increasing confidence and self-esteem, improving social skills, altering criminal attitudes and behaviour and ultimately engaging with female offenders on a more personal, one-to-one level (Loucks et al, 2006). All three WCs operated via a lens of gender-responsive practice and were 'pioneers of a woman-centred approach', being a 'real alternative to prison' (Corston, 2007: 10). They intended to recognise the significantly different pathways into and out of crime for women in comparison to men and were appreciative of their non-homogeneity (O'Neill, 2011; NOMS, 2015a).

By March 2004, the Home Office Women's Policy Team was tasked with creating an action plan and co-ordinating the WORP, securing £9.15 million in March 2005 to fund a demonstration project entitled 'Together Women' (Kendall, 2013: 36). Together Women was initiated to demonstrate how 'a multi-agency approach in the community could address women's complex needs more effectively' (MOJ, 2008a: 5), provide holistic support for women and support those whose 'social exclusion needs were considered to put them

“at risk of offending” (Hedderman, 2011: 34). The emphasis on interventions designed for women at risk of offending suggests an expansion of the role of the state as ‘a manager of personal lives’, as state power and authority penetrates ‘quasi-governmental instruments as part of a growing state presence’ (Bumiller, 2008: 6). WORP however, was coined ‘a milestone in mainstreaming gender’ in criminal justice policy (Corcoran, 2011: 26) by being influential in sculpting subsequent developments in gendered holistic and individual support for women in the community (Gelsthorpe, 2013).

While service delivery and management varied between the centres, core provisions were focused upon managing mental health, life, thinking and parenting skills and addressing offending behaviour (Gelsthorpe, 2013). This approach intended to involve female service-users in the design and review of their support plans to allow them to exert some degree of control over their lives which was perceived as being lost by their experiences of victimisation (Gelsthorpe, 2013). Together Women aimed to empower women to take control over their own lives whilst simultaneously improving their confidence to enable them to make life-changing decisions. Whilst these factors were viewed as crucial in reducing their chances of re-offending and identifying their socio-economic marginalisation (Gelsthorpe, 2013), they reflect neoliberal notions of individualisation and responsabilisation. Within a neoliberal culture, social solidarity is eroded, people are mobilised as individuals. Suggestive of the exercise of social control by the state, women’s needs directly relating to their experiences of poverty and social and structural marginalisation are often re-conceptualised as cultural choices to be managed within a framework of gender-responsive justice (McNaull, 2018).

### 3.4 Corston (2007), gender-responsivity and WCs

The official prompt to recognise women offenders' distinctive needs in UK policy and practice came from the self-inflicted deaths of 6 women between August 2002 and August 2003 at HMP Styal and the consequential report produced by the Cheshire Coroner and the Prisons and Probation Ombudsman (New Economic Foundation, 2008: 11). This led the government to commission Baroness Corston (2007) to review 'women with particular vulnerabilities' (Gelsthorpe, 2013: 15), in the criminal justice system in a report entitled '*The need for a distinct, radically different, visibly-led, strategic, proportionate, holistic, woman-centred, integrated approach*'. Corston (2007: i; emphasis original). The report emphasised the inappropriate and disproportionate use of prison for women who are non-violent and/or minor offenders, placing the burden of responsibility on society to 'support and help establish themselves in the community' (Corston, 2007: i).

Highlighting the ineffectiveness of short prison sentences, Corston (2007) stated that enabling women to access what she called gender-specific support for their multiple needs within a woman-only environment would signal a turning point in breaking the cycle of offending. Corston (2007) stated that women who offend are often themselves victims of serious crimes or abuse and thus present a continuum of needs underpinned by their experiences of physical, sexual and emotional abuse, substance abuse, health issues, financial situation, family life, accommodation and education (Ibid).

Corston (2007) recognised three categories of vulnerability in criminalised women: domestic circumstances including childcare and domestic abuse, personal circumstances including mental health, low self-esteem and substance misuse, and socio-economic factors

of poverty, unemployment, and isolation. Corston (2007: 1) emphasized that a combination of these three types of vulnerabilities would lead to a 'crisis point that ultimately results in prison'. However, she also paradoxically stated that these vulnerabilities must be addressed in each individual case to help women 'develop resilience, life skills and emotional literacy' (Ibid: 1). While the Corston (2007) Report *acknowledged* factors of social justice, equality and human rights, they are conceptualised as personal deficits. Women are considered emotionally illiterate and in need of developing strategies of resilience to cope with their disadvantage.

Nevertheless, Corston (2007) called for the countrywide establishment of WCs alongside educating sentencers and other criminal justice professionals of the provision of gender-specific community sentences. These reforms were intended to be achieved via a Commissioner for Women who would lobby for gaps in provision, services and knowledge to be addressed as a matter of urgency. Corston (2007) foresaw that WCs would be utilised as referral centres. They would divert women from court and police stations and provide a credible alternative to prison. NOMS (2015a) highlighted the overarching aims of WCs in England and Wales:

Their broad approach is to treat each woman as an individual with her own set of needs and problems and to increase their capacity to *take responsibility for their lives*. They recognise the impact that victimisation and isolation by disadvantage can have on a woman's circumstances and behaviour; the shame and stigma that many women feel by a number of life experiences, not just being convicted of an offence but also mental illness or being a single parent. Perceptions of being judged as a failure serve to reinforce disadvantage, isolation and social exclusion. The centres are able through multi-agency partnerships to provide the support of community-based services, which themselves

recognise the value of centres because they provide access to many women whom they have previously been unable to reach. (NOMS, 2015a: 6; emphasis added)

All WCs aimed to ‘support, encourage and enable women to improve their quality of life and well-being’ (MOJ, 2015: 2) by providing integrated individualised support services (PRT, 2014).

Although this project is critical of the neoliberal operation of WCs, as demonstrated by Carlen (1998), any form of progressive reform that is women-centred is better than no reform. Tchaikovsky for example, along with Carlen, was ferocious in highlighting the harms that prison inflicts on women (Carlen, 1998). As outlined earlier, this prompted Carlen to lobby for the abolition of women’s prisons. While this recommendation did not come to fruition (although it came close), Carlen and Tchaikovsky continued in their efforts to deliver support to women affected by the criminal justice system (WIP, 2019). To this day, WIP provides gender-specialist support to women in all twelve women’s prisons in England as well as running three WCs. While their original aims were not achieved, progression is vital for them. Although this research outlines numerous operational critiques of WCs, there is an appreciation that their establishment has been crucial in providing many women with much needed help, advice and support.

Embodying a ‘gendered justice’ framework developed by Bloom et al (2003), WC services are underpinned by an understanding that ‘women’s crimes are embedded within the conditions of their lives’ which cannot be solved in prison (Carlton and Segrave, 2013: 3). For gender-responsive justice to be successful however, attention needs to be paid to the human rights implications of community sentences for women. Many women have caring responsibilities – for children and other dependents, alongside criminal justice commitments to a community sentence in a Women’s Centre (Barry and McIvor, 2008;

Goodwin and Mclvor, 2006; Loucks *et al*, 2006; Malloch and Mclvor, 2013; Mclvor, 2007). The two, according to Carlton and Segrave (2013), often collide which often result in breach proceedings and imprisonment.

The introduction of the Gender Equality Duty in the UK in 2007 insisted that policies were 'subjected to a gender impact assessment to prevent discriminatory outcomes' (Malloch and Mclvor, 2013: 5). Gender-specific community interventions therefore need to be planned specifically with women in mind and based upon an identification of their gender-responsive needs including how agencies assess their needs appropriately to prevent (re)offending. These three considerations sought to ensure equality of treatment for women and men so that they receive support commensurate to their personal needs, circumstances and structural marginalisation.

Despite the All Party Parliamentary Group (APPG) on Women in the Penal System, established in July 2009, with Corston as chair and administrative support from the Howard League for Penal Reform pushing for full implementation of Corston's recommendations, most were never realised. Corston's call for a Commissioner for Women was never implemented, the replacement of women's prisons with suitable, geographically dispersed, small, multi-functional custodial centres within ten years was not realised, the reservation of custody for serious and violent offenders who pose a threat to the public has been ignored and community solutions for non-violent women offenders becoming the norm has also not been pursued (Kendall, 2013).

### 3.5 The function, remit and scope of WCs in England and



## Wales: A statistical analysis

This section constitutes the small quantitative analysis undertaken in this research to provide a picture of the function, remit and scope of WCs in England and Wales. Existing datasets from the Charity Commission Database were identified for the statistical analysis. The Charity Commission register and regulate charities in England and Wales (Charity Commission, 2018). Their priorities include developing public confidence in the charity sector, developing the sector's compliance and accountability and developing the self-reliance of individual charities (Ibid). All WCs analysed as part of the quantitative analysis were registered charities at the time of research. This included the Together Women Project (TWP); established in 2006 with funding from the MOJ which became an independent charity in April 2009.

The Charity Commission Database retains the annual reports, operational data, trustee reports and funding data for WCs in England and Wales. As this data is publicly available, they can be accessed at any time for analysis and evaluation. Up until now, the datasets have been subject to very little critical analysis. This research addresses this gap in understanding.

Due to the haphazard and scarce implementation of Corston's (2007) recommendations, WCs have developed 'organically' across England and Wales (NOMS, 2013: 10) via a combination of existing services for women being provided with MOJ funding and several new services being established 'with the help of start-up funds' from the MOJ (MOJ, 2013b: 8). In 2007, the National Directory of WCs listed 99 WCs in operation in England and Wales (Corston, 2007). By 2013, this number had decreased to 53 (MOJ, 2015). Although NOMS (2013) stated in 2013 that there were an additional 21 WCs being prepared for opening, subject to funding and staffing, in

November 2016, the Howard League published a report stating that WCs were at risk of becoming a 'thing of the past' due to funding struggles under the new CRC structure implemented post-TR (Howard League, 2016: 1).

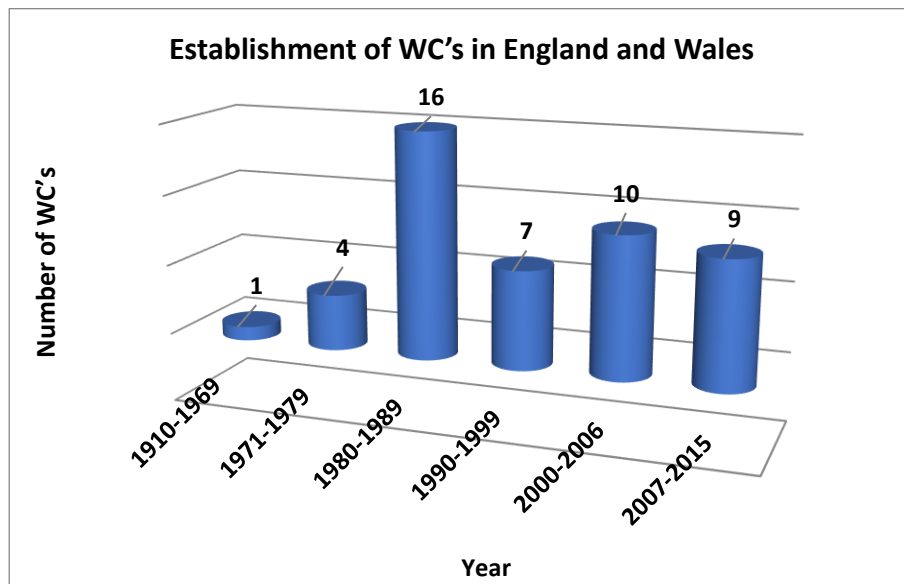
WCs, as defined by the MOJ (2015: 2) 'offer a range of services and opportunities to women in the community, including those that have an offending history across the UK'. WCs operate differently according to regional need, however, they 'all share the common aim of helping to support, encourage and enable women to improve their quality of life and well-being' (MOJ, 2015: 2). Women accessing WCs are considered to have a variety of gender-responsive needs that 'sit across a spectrum of risk of both re-offending and harm' (Ibid: 2).

This quantitative analysis has identified 47 WCs in operation in England and Wales. Although additional WCs such as the Shantona Centre and Hertfordshire WCs are in operation, their services are not framed within the gender-responsive mode of operation outlined by Corston (2007). Instead, they work towards providing services for women, children, young people and men and thus, are not gender-responsive, woman-only environments. These WCs were not included in this small-scale statistical analysis.

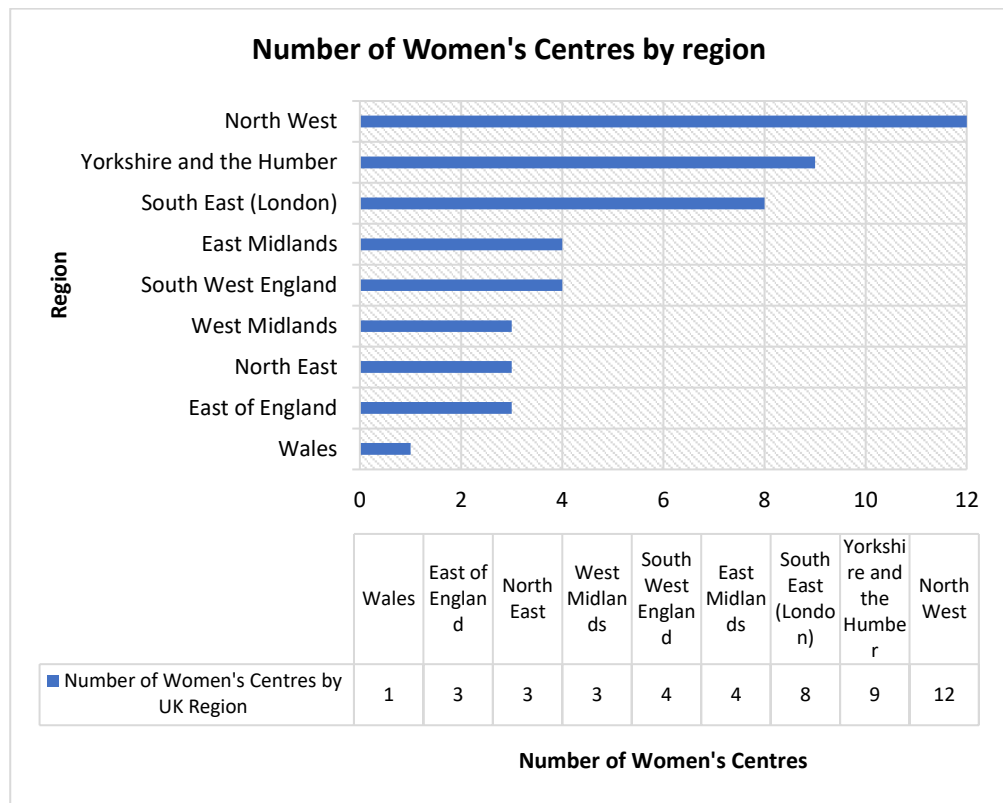
A limiting factor of this quantitative analysis however, is that not all of the 47 WCs identified in England and Wales made their records publicly available. 'Missing data' was thus an issue during the collection of these existing datasets (Bryman, 2004: 220). Additionally, because all WCs are registered charities, freedom of information requests could not be utilised to access this missing operational data. Statistics indicating the average number of women accessing WC services in England and Wales was not possible due to missing data.

### 3.5.1 WCs year of inception

Before the Corston Report (2007), services specifically for women were in operation; however, they were not called WCs until 2007. Over half of WCs in England and Wales were established pre-Corston (2007). The scatter graph below outlines the year of inception of each WC in England and Wales. It also highlights that no new WCs have been established since 2015. The graph indicates that only nine WCs established post-Corston were still in operation in 2017. The remaining 38 WCs were established pre-Corston Report.



Concurring with NOMS (2013: 10) premise that WCs emerged 'organically', the data presented below highlights the uneven and non-uniform dispersal of WCs in England and Wales.



As the bar chart demonstrates, the NW of England has the highest number of WCs. Wales; however, has only one WC, located in NW Wales.

### 3.5.2 WC Funding

Immediately following Corston's (2007) recommendations, WCs in England and Wales received MOJ funding with no account or assessment of local need; if funding was applied for, it was received (MOJ, 2013b). The Corston Report generated the *Women's Diversionary Fund* to 'provide start-up costs for WCs for diverting women from custody' which was supplemented one year later by a joint grant fund established by the MOJ and the *Corston Independent Funder's Coalition* (Corcoran, 2011: 26).

In 2009-10, in line with the new governmental strategy of diverting women away from crime, £15.6 million was allocated from the New Opportunities Fund to tackle the complex causes of female offending (MOJ, 2013b). In 2011-12, NOMS then took responsibility

for funding WCs. This changed again in September 2012 when NOMS wrote to all Probation Trusts to confirm that funding would be allocated to the community budget for additional services for women in 2013-14 (MOJ, 2013b). Thus, in 2013-14, every Probation Trust had access to funds 'enabling them to provide additional women offenders services based upon need (MOJ, 2013b: 8).

As a direct result of the government consultation Report *Transforming Rehabilitation- a revolution in the way we manage offenders*, probation became subject to part-privatisation. As explained by the MOJ (2013b: 9):

The proposals included opening the majority of Probation Trust services to competition, managing commissioning centrally and allowing providers more scope to innovate, with innovation in rehabilitation of offenders incentivised through the use of payment by results.

*TR* became the government's programme for managing offenders in the community in England and Wales in what they considered to be the most cost-effective way possible:

Under this reform programme there has been a replacement of the previous 35 individual Probation Trusts with a single National Probation Service, responsible for the management of high-risk offenders; and 21 Community Rehabilitation Companies (CRCs) responsible for the management of low to medium risk offenders in 21 areas across England and Wales, referred to as Contract Package Areas (CPAs). (Drinkwater, 2016: 8)

Funding for WCs, in response to the de structuring of probation services has become increasingly unstable and short term characterised by precarious contracts and underpinned by a quantifiable PbR approach.

Following concerns that WCs would struggle under *TR*, the APPG launched an inquiry to measure the impact of *TR* on women's community services (Howard League, 2016). Of the WCs that

responded to the inquiry, the Howard League (2016: 3) claimed that the response was 'overwhelmingly negative and indicated serious damage being inflicted to women's services'. They further explained that:

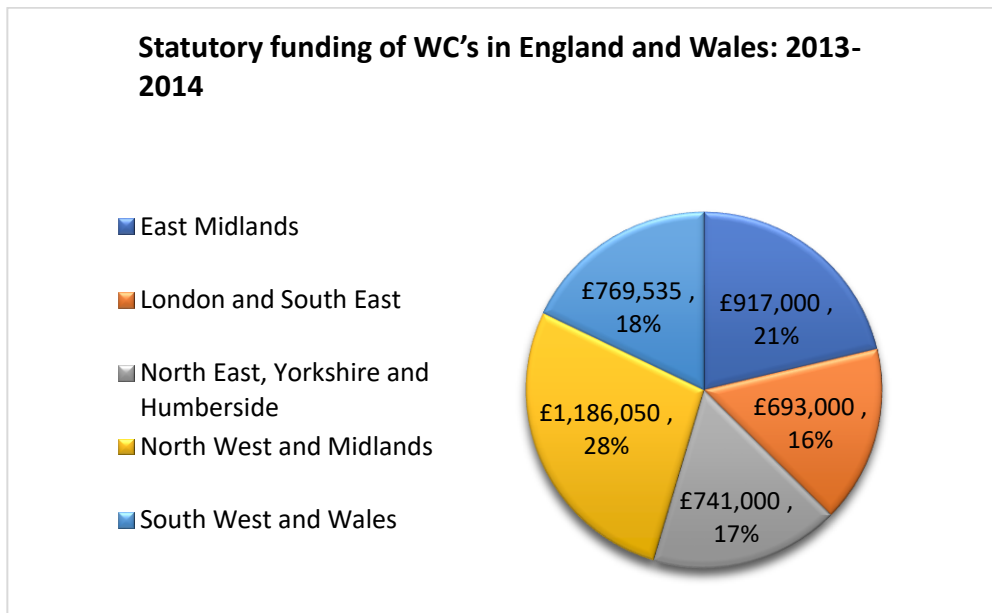
Several Women's Centres received no funding from CRCs, some were providing services temporarily but felt unable to continue long-term, and others had entered into contracts with CRCs but this involved providing services of a much lower quality than they were doing previously or would like. (Howard League, 2016:3)

Many CRC contracts meant that WCs could no longer provide targeted and tailored one-to-one support for women with women instead being sent to group-based activities (Howard League, 2016). This new method benefits CRCs as they can record large numbers of women being processed by WCs, regardless of the appropriateness or usefulness of that service for individual women (Howard League, 2016). The part-privatisation of the probation service, resulting in the marketisation of WCs contradicts their fundamental aims. Director of Campaigns at the Howard League for Penal Reform, Andrew Neilson, stated in 2016 that after several years of success, community WCs were threatened with extinction under new funding and PbR administrative arrangements (Howard League, 2016). Subsequently, in 2017, the Asha WC in Worcester was forced to close due to a lack of funds and both Alana House in Reading, Berkshire and Anawim WC in Birmingham both suffered a loss of criminal justice service provision.

All WCs in operation in England and Wales are registered charities. The case study WC in this research study became a registered charity soon after opening. The project manager stated in local press that this was a positive move because it would involve bidding for Lottery grants and reaching out to more women. Bidding for grants however, is part of a neoliberal culture rooted in 'entrepreneurial

values' including 'competitiveness' and 'decentralisation' and facilitates the development of the 'self-regulating free market' as the new mode of government (Steger and Roy, 2010: 12).

Nationally, in 2013-2014, WCs in England and Wales received £3.78 million with an additional £523,000 provided from Probation Trust cluster budgets (MOJ, 2013b). Funding, however, was distributed in an uneven manner. Not all WCs received the same level of funding, as is demonstrated in the pie chart below.



Using MOJ (2013b) statistics, the chart highlights the total funding available by probation cluster and geographical region in England and Wales. An immediate anomaly is that although the East of England has three WCs, there is missing data published by the MOJ (2013b).

The average funding for each WC per region in England and Wales is also highlighted below in table 3.1. There are clear disparities in the level of funding provided to different regions of England and Wales. The East Midlands were allocated on average £229,250 per WC, per annum. The North East, Yorkshire and Humberside however,

received on average £61,750 per WC, per annum, in government funding.

**Table 3.1: Funding of WCs in England and Wales per region**

<b>Region</b>	<b>No. of WCs</b>	<b>Regional funding</b>	<b>Average funding per WC</b>
East Midlands	4	£917,000	£229,250
South West and Wales	5	£769,535	£153,907
London and South East	8	£693,000	£86,625
North West and Midlands	15	£1,186,050	£79,070
North East, Yorkshire and Humberside	12	£741,000	£61,750

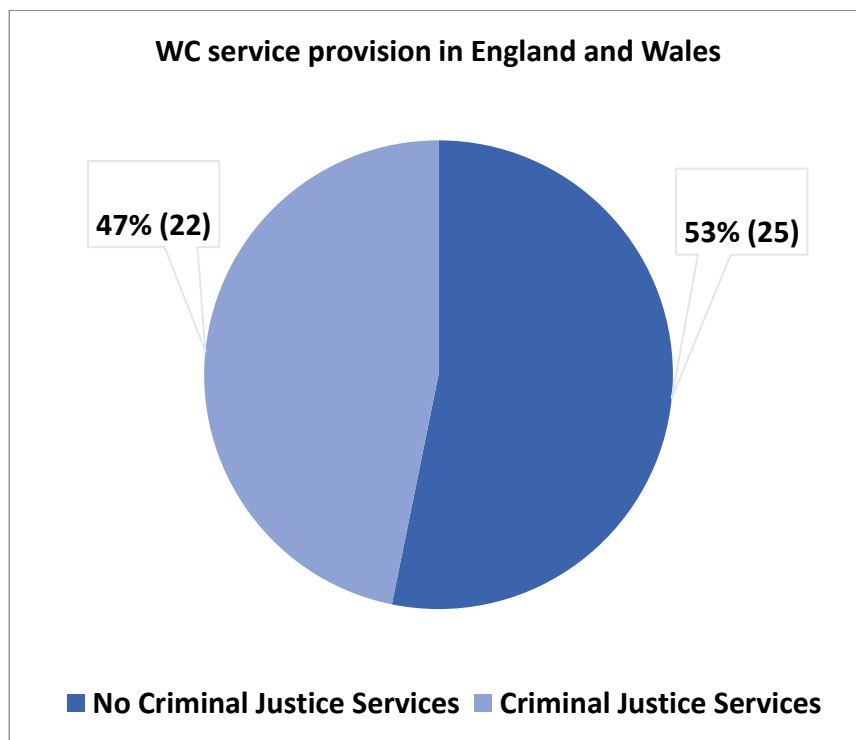
In 2013/14, nationally, WCs were allocated a total of £4,306,585. Of the 47 WCs in operation in England and Wales in 2017, only 22 made their operational statistics publicly available. Of these 22 WCs, on



average, more than 44,734 women engaged with their services annually. Therefore, on average, less than £97 of government funding per annum is invested in each woman accessing a WC in England and Wales. This figure is likely to be much less than £97 due to 27 Women’s Centres operational statistics being absent from this analysis.

### 3.5.3 Service provision in WCs

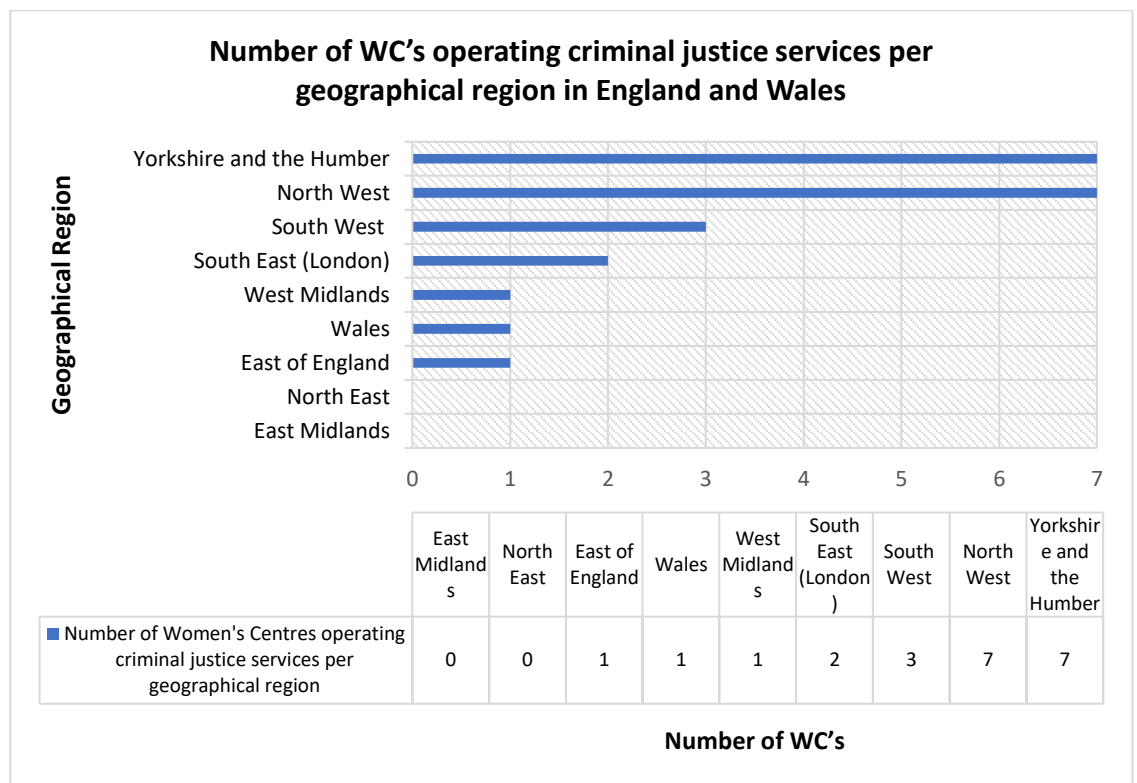
Criminal justice service provision in WCs comprises either Probation services located within the WC, or the co-ordination and undertaking of UW schedules within the WC.



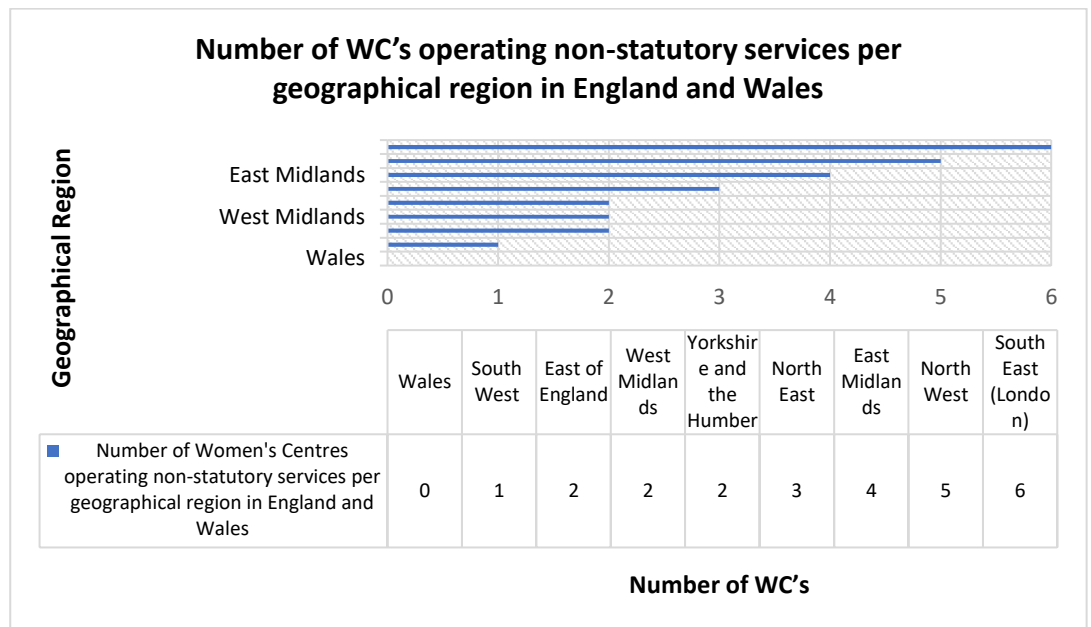
The chart above indicates that 25 out of 47 WCs in England and Wales operate solely as a non-statutory service, only for women attending voluntarily. The number of WCs providing criminal justice services, either stand alone or in addition to non-statutory services, is 22. There are therefore more WCs in England and Wales that

operate non-statutory service provision than there are who offer criminal justice services as an alternative to custody.

As is demonstrated in the chart below, the East Midlands and the North East of England do not have any WCs that currently operate criminal justice services for women. The East of England, Wales and the West Midlands each have one WC offering criminal justice services. The chart also identifies the high density of WCs providing criminal justice services for women in the NW and in Yorkshire and the Humber.



The chart below highlights the high density of WCs in the East Midlands, the NW and the South East of England that operate services for non-statutory service-users. WCs are thus unevenly geographically distributed across England and Wales. WCs, whilst originally designed primarily as alternatives to custody, are increasingly becoming spaces of non-statutory support.



### 3.6 Gender-responsive practice: Conceptual critiques

Whilst gender-responsive practice in WCs has been embraced by numerous practitioners – mainly those focusing narrowly upon statistical rates of completion and recidivism (see Brennan et al, 2016; MOJ, 2015; NOMS, 2013), it has received plentiful critique. Questions surrounding the legitimacy and effectiveness of gender-responsive programming centred upon a struggle between achieving ‘justice’ and ‘social justice’ for women remain at the forefront of critical research (Carlton and Segrave, 2013). The next part of this chapter considers these conceptual and practical critiques of gender-responsive practice, thus recognising the critical voices in this field.

Feminist reformers initially campaigned for gendered justice to ‘highlight what they understood to be different needs of women not addressed adequately by a prison system designed for men’ (Shaylor, 2009: 148). The premise that gender-responsive practice involves ‘creating an environment (...) that reflects an understanding of the realities of women’s lives’, is based upon liberal feminist thought and is arguably theoretically and practically limited (Bloom

and Covington, 2000 cited in Shaylor, 2009: 148). Liberal feminist understandings of female punishment and imprisonment seek to reach a stage where the prison and criminal justice system operate in a way that addresses the needs of women by employing 'better programmes' and planning for 'nicer cells' (Shaylor, 2009: 149). This reinforces the state control of women's bodies and identities, avoids questions of *why* oppressive structures exist in the first instance and seeks to maintain an oppressive system of punishment (Ibid; emphasis added). Shaylor (2009) argues that it both strengthens the prison system and enhances the power of the neoliberal state.

Liberal feminism therefore makes little attempt to reduce the reach of state control into the lives of women. If the female prison estate is still in operation, its carceral logic 'erodes all prison reform attempts' and 'via transcarceralism, strangles at birth many non-custodial programmes too' (Carlen and Tombs, 2006: 340). As maintained by Carlen (2002: 115) in her response to Hannah-Moffat's (2000; 2001) texts, even in the operation of non-custodial alternatives intended to be less punitive than prison, 'the explicit threat of incarceration for non-compliance with the conditions of their non-custodial alterity' limits their potential of being progressive, reformist institutions. Carlen (2002: 115) coins this 'carceral clawback'.

WCs operate via a gender-responsive lens, intended to re-imagine justice and punishment for women by 'overcoming existing barriers' and locating a space 'to rethink power, change institutions and systems of state' (Thain-Gray *et al*, 2016:11). In light of the neoliberal reassertion of the 'fundamental beliefs of the liberal political economy' (Clarke, 2005: 57), with the state using its power to 'guarantee open economic exchange' (Steger and Roy, 2010: 3), encapsulated in the *TR* reforms to probation services in 2013 (MOJ, 2013a), the original aims, objectives and practices of the Probation

Service have drastically altered since 2007 and have restricted WCs ability to achieve their potential. *TR* led to a complete restructuring of probation services in England and Wales (Robinson et al, 2015). It implemented changes in the organisation of the probation service and contracted out services for medium to low risk offenders under CRCs (MOJ, 2013a). In May 2019, the proposed renationalisation of the probation service will undoubtedly further influence the operation and future of WCs in England and Wales. The remainder of this chapter will focus upon conceptual critiques surrounding the operation of gender-responsive practice, taking into consideration the influence of policy reforms on practice as well as the neoliberal socio-economic and political context.

### 3.6.1 Adhering to the neoliberal agenda?: A continued steady rate of female imprisonment

In the two years preceding the election of the Coalition government in 2010, New Labour progressed in ‘supporting and fostering the development of community-based programmes for women offenders; rhetorical *and* financial’ (Hedderman, 2010: 495; original emphasis). Over £26 million was invested in significant support of socially disadvantaged women in England and Wales via WC provision (Ibid). Escalating rates of female custody continued with almost one third of women imprisoned in 2008 for low-level offences (Hedderman, 2010). While the number of women in prison decreased from 6.0% of the overall prison population to 4.6%, between 2004 and 2014, the number of women held on remand *increased* between 2013 and 2014 (MOJ, 2014). The MOJ (2014: 73) claimed that this was due to ‘an increase in demand on the courts’ often leading to longer waiting times. In November 2017, the female prison population in England and Wales stood at 4,035 (WIP, 2018) with women accounting for 4.7% (4,035) of the total prison population. Whilst in July 2018 there were fewer women in prison,

at 3,810 (MOJ, 2018b), women are still serving short prison sentences for crimes linked to poverty, including theft and non-payment of council tax which demonstrably link to higher rates of reoffending (PRT, 2018).

MOJ statistics highlight the increasingly problematic situation of women being held on remand for low-level offences, only then to be released from custody or to be sentenced to prison for less than 6 months (WIP, 2015). In 2016, 60% of women remanded by the magistrates' court and 41% by the Crown court did not receive a custodial sentence (PRT, 2018). There has also been an increase in the severity of sentences given to women that are not reflective of the crimes committed, with 83% of women entering prison under sentence having committed a non-violent offence (PRT, 2018). WIP (2018) statistics demonstrate that the number of community sentences being given to women fell by nearly 50% between 2006 and 2016. This occurred *alongside* an increase in predominantly short-term female imprisonment (WIP, 2018). A significant decline in female imprisonment, as would be expected with WCs operating as alternatives to custody is yet to be achieved.

Questions regarding the capacity of gender-responsive WCs to respond to the complex and diverse experiences of women as a non-homogenous group have been raised (Carlton and Segrave, 2013; Malloch and Mclvor, 2013). In her evaluative study on the 218 Service in Glasgow, Beglan (2013: 165) claims that since its introduction, and despite positive individual reports from women, imprisonment rates in Scotland have continued to rise to 'unprecedented levels'. However, a limitation of Beglan's (2013) study is that she does not speculate why this phenomenon is occurring.

In their edited book *Women Exiting Prison*, Carlton and Segrave (2013) conversely contend that one of the key conceptual priorities in the community punishment of women lies in this continued steady rate of female imprisonment alongside increasing investment in gender-responsive non-custodial alternatives. They argue that the increase in the criminalisation and imprisonment of women directly linked to their persistent and chronic social exclusion and marginalisation is actively enabled 'under conditions of neoliberalism within Western democratic nations' (Ibid: 5). More specifically this is due to the 'implications of the emphasis on market-driven economies, individual responsibility over social welfare and the entrenchment of poverty' (Carlton and Segrave, 2013: 5).

Broader neoliberal state developments are directly linked to 'increasing rates of imprisonment among disadvantaged women' with gender-responsive reforms linked to increases in women's criminalisation and imprisonment (Carlton and Segrave, 2013: 4). Gendered justice from the viewpoint of Carlton and Segrave (2013: 4), serves to further compound women's experiences of both marginalisation and social control with gender-responsive initiatives 'supporting the expansion and consolidation' of new forms of gendered control within the prison and the community as well as drawing women into the system who have not offended.

Malloch and McIvor (2013: 6) support Carlton and Segrave's (2013) argument, stating that;

Ostensibly well-intentional correctional policies [can] easily become subverted by criminal justice agendas and may ironically serve to enhance rather than challenge the legitimacy of imprisonment as a response to female crime.

By enhancing the legitimacy of prison for women, gender-responsive reforms can potentially be 'integrated into neoliberal rationalities and

logics' through the 'neoliberalisation of feminism' (Prugl, 2015: 615). While feminist reform movements aim to promote social justice, equality and autonomy, in the US context, Bumiller (2008: 2) has argued that many of these strategies align with the coercive power of the state and become 'incorporated into the regulatory and criminal justice apparatus'.

'Neoliberal penalty' according to Wacquant (2003: 198), is paradoxical due to the state using the criminal justice system as an instrument in managing social insecurity and poverty directly caused by neoliberal policies of economic deregulation and the rolling back of the state. Through the 'penalisation of poverty', the state attempts to 'manage the effects of neoliberal policies at the lower end of the social structure of advanced societies' (Wacquant, 2001: 401). Within this neoliberal 'transformation of the state', social instability is managed through the widening of the penal net, with penal institutions 'entrusted with maintaining social order' (Ibid: 404).

Kendall's (2013: 35) research, echoing both Carlton and Segrave (2013) and Malloch and McIvor's (2013) concerns, explored post-release support available for women in England and Wales within a framework that analyses neoliberal policies and practice as having contributed to the 'abandonment and containment of society's most marginalised populations while rationalising inequality as the consequence of individual failure'. Kendall (2013: 35) maintained that the central issue is that;

Gender-responsive practices and policies have contributed to the expansion rather than the contraction of the prison-industrial complex, that gendered justice ultimately fails to address structural inequalities and that its progressive potential has been largely absorbed by the neoliberal agenda.



Kendall (2013) argues that the potential for neoliberalism to subvert progressive policies including gender-responsive WCs to fit its own agenda is a potential danger because many women's community services compete for funding to deliver services which ultimately punish women.

Kendall (2013) also raised additional concerns that the neoliberal risk management approach assumes that women who have offended and those who have not offended, possess the *same* gender-responsive and social exclusion needs. Kendall (2013) suspects that this practice unnecessarily draws women into the criminal justice system via a form of net-widening. Echoing Kendall's (2013) concerns, the Howard League (2015) reported that the unnecessary criminalisation of women via premature or unwarranted contact with the criminal justice system exacerbates women's existing problems and simultaneously stigmatises them. The Howard League (2015) argued that problems faced by women should be addressed by other agencies at an earlier stage as a form of diversion from the criminal justice system.

Because of the continued growth of women on remand and the lack of significant decline in female custodial sentences, research into the effectiveness of WCs has become consumed by statistics on recidivism and quantifiable outcomes (PRT, 2016). This has taken place in order to locate evidence to legitimise their operation as feasible alternatives to imprisonment which results in a "what works" rhetoric in the task of legitimisation (PRT, 2016). The potential marketisation of WCs following *TR* (2013) reforms is a key issue surrounding gender-responsive operation which has been outlined by several scholars and is explored next in this chapter.

### 3.6.2 The marketisation of gender-responsive services?

As a direct result of *TR*, by 2013, commissioning arrangements for WCs were made at a local level by probation trusts (Plechowicz, 2015). Women who had offended would be managed by independent providers from voluntary, not-for-profit or private sectors (Clark, 2014). This is a defining feature of neoliberalism as the boundaries of the state become 'even more diffuse' (Haney, 2010: 87). The small amount of government funding that *was* commissioned to serve gendered justice emphasized the provisions of the Offender Management Act 2007 and reiterated and re-emphasized a Payment by Results (PbR) approach envisaged for future operation (MOJ, 2012; Burke and Collett, 2015). A fundamental tension in community programmes between managing risk and rehabilitating women exists largely because risk management is not in harmony with a therapeutic, community response to female offending (Sheehan, 2013).

Within what Sheehan (2013: 131) terms the 'risk paradigm', rehabilitation is undermined, women are subject to intense surveillance and resources originally designed for a therapeutic, progressive and gender-specific environment are unsuited to the risk-based, penal arena. In addition, the resulting ambiguity and uncertainty concerning the funding and future status of WCs is due to services being procured via a bid process 'covering large geographical contract package areas, with a lead provider securing the contract and subcontracting arrangements for local delivery' (Clark, 2014: 3).

Kendall (2013: 43) has considered how this neoliberal vision of the government will 'result in growing numbers of people competing to participate in the punishment and control of women (and men) in prison and in the community'; a concept she coins 'their sister's

keepers'. Competitive tendering presents concerns of programme accountability and legitimacy. Gender-responsive WCs are effectively service-providers within the 'competitive penal services market' which advances concerns of the commodification of women's lives as 'customers' of gender-responsive services and the 'commodification of services as "products"' (Corcoran and Fox, 2013: 152).

The Howard League (2015) similarly expressed their pessimism about the penal landscape created by *TR* (MOJ, 2013a, 2013b), arguing that more women are being drawn into custody due to criminal justice reforms not reflecting gender-responsive practice and existing WCs not being protected from funding cuts or private operation (Howard League, 2015). They maintained that private providers running most community services for women lacked experience, vision and knowledge of gender-specific service provision (Ibid). Additionally, gender-specific requirements contained in the Offender Rehabilitation Act (ORA) 2014 were far from robust, offered little protection for women-centred services and, as reiterated by Radcliffe and Hunter (2016), provided no solid system to hold WCs accountable for the quality of their service provision. The operation of WCs post *TR* was thus thrown into administrative, practical and economic disarray (Radcliffe and Hunter, 2016).

In terms of administration, the MOJ began collecting quarterly reports from WCs in 2009 and whilst this was initially continued by NOMS, it ceased in March 2012 (MOJ, 2013b). Accountability was then shifted from NOMS to probation trusts with ensuing evaluative processes labelled 'long' and 'problematic' (MOJ, 2013b: 15). WC services were funded until March 2015 by NOMS. The provision for women that CRCs will make available in the long-term however,

remains uncertain (House of Commons Justice Committee, 2013-14), particularly in light of the supposed renationalisation of probation.

The Howard League (2016: 2) expressed concern that *TR* would 'reduce the quality of specialist services for minority groups in the justice system, including women' which translated directly into effective individual casework in WCs being replaced with less effective groupwork (Howard League, 2016: 2). Whilst the Howard League (2016) claim that WCs have a positive impact on reducing reoffending via individual casework, their concerns stem from funding under *TR* only provided to WCs under CRCS that can visibly demonstrate the impact they have on female offenders.

This PbR approach raises numerous concerns. WCs that engage with a PbR approach effectively 'risk-manage individuals as part of their contracted responsibilities', are not fully aware of the complexities and nuances involved in the rehabilitation of female offenders and fundamentally undermine the recommendations of the Corston Report (Kendall, 2013: 42). Problems exist in part due to 'the current level and quality of data recording observed' in several WCs not being of a standard which 'supports the creation of an evidence base from which to extrapolate general conclusions about levels of need or progress made' (Gelsthorpe and Hedderman, 2012: 382).

Funding stability is vital if sentencers are to feel confident that WCs will be sustainable for the full length of a community order, otherwise custodial sentences, namely damaging short-term imprisonment, will continue to be over-used (Corcoran, 2011; Clark, 2014). WCs, however, struggle to provide evidence of their effectiveness when they are registered charities in receipt of little to no government funding and are forced to operate from a groupwork system which has proven to have a less positive impact upon different aspects of women's lives (Howard League, 2016).

### 3.6.3 Neoliberal ideals of gender-responsivity: Individual responsibilisation and risk management

The final part of this chapter explores critical elements surrounding the operation of gender-responsive practice within WCs within an era of neoliberalism, namely the individual responsibilisation of women to manage their own “risky behaviour”. While WCs intended to support women and offer services reflective of their personal needs, a tension exists between treating women as individuals and enabling them to form a collective to identify and address their needs as a *group* of women. Thain-Grey *et al* (2016; emphasis added) contended that WCs were designed to address and challenge issues of sectarianism, by establishing networks to make women’s views visible whilst highlighting the effects of poverty, exclusion, and the importance of community control over local resources. The implementation of services, however, operate within a ‘wider social, political, and economic context’ (Burgess *et al*, 2011: 4), characterised by a neoliberal culture that influences their operation, their effectiveness and the impact they have upon women’s lives.

Risk management via the individual responsibilisation of women was a central feature of gender-responsive practice outlined in the Corston (2007) Report. Referring to the now defunct Asha Centre, Corston (2007:60) reflected on her time spent with a woman who was a recidivist offender, having been in prison many times yet, with the help of the WC ‘for the first time in her life’ was ‘*accepting responsibility for her own actions* and thinking about their consequences’ (emphasis added). Corston (2007: 60) claimed that the WC was able to challenge her behaviour and make her ‘face up’ to her problems which had caused her repeated imprisonment. This is reflective of the assumption that ‘criminalised women are fundamentally flawed and that gender-responsive practices can fix them’ (Kendall, 2013: 45).

While the Asha Centre claimed to focus on 'increasing women's income, personal development and employment' (Corston, 2007: 60), Carlen and Worrall (2004: 152) suggest that it is unlikely that any form of punishment would 'work' with women unless *all* 'factors of "social justice"' were addressed, including; housing, income, health, education and employment, not just factors centred upon individual responsibility. The focus on delivering an 'individual, therapeutic, criminal justice response' (Radcliffe and Hunter, 2016: 977) displaces social, structural and economic conditions that shape the lives of marginalised women and therefore contradicts the very nature of gender-specific justice (Moore and Scraton, 2014).

Writing in the early 1990s, Eaton (1993) maintained that women offenders can only change their lives when they have access to these 'structural preconditions of social justice' (Cited in Carlen and Worrall, 2004: 152). Structural factors alone, however, are not enough; women need to feel that they are 'people of worth who can sustain and be sustained in reciprocal, rather than subordinate or exploitative relationships' (Ibid: 152). Corston's (2007: 60) earlier explanation of a woman 'accepting responsibility for her own actions' suggests that gender-responsive practice in WCs is fundamentally problematic, as it is predicated upon women's personal failures rather than the structural preconditions of their lives.

Brennan *et al's* (2016: 5-6) study of a British female triage service claimed to be the first research project to take into consideration women's wider social circumstances that could influence their offending. Brennan *et al* (2016) explored the operation of normative gendered workshops in gender-responsive women only projects as a form of early diversion for women arrested for low level offences. This was in light of earlier concerns, particularly in the Canadian context by Shaw and Hannah-Moffat (2011: 101) who highlighted that while

'the substantive contextual and qualitative gender differences between offences and offenders' remains poorly understood, Brennan et al (2016: 5-6) claimed that this 'is not a question we can answer'. Instead, the study by Brennan et al (2016) emphasized favourable results in terms of rates of re-arrest.

Because so few studies have sought to identify these differences in terms of women's patterns of offending; assessment tools and programmes which fully understand and address the multiple factors that can contribute to female offending, as first outlined by Bloom (1999), gender-responsive services often become over-reliant upon stereotypes of femininity and womanhood (see Barton, 2005, 2011; Barton and Cooper, 2013). Scholars including Barton and Cooper (2013) and Gelsthorpe (2013) have argued that numerous historical myths and ill-informed facts and misconceptions regarding the gender-specific needs of women continue to influence and inform policy and practice due to ideological reasoning.

Barton and Cooper (2013: 142) maintained that regimes within custodial institutions for women have 'historically operated around feminised constructions that serve to regulate female prisoners as gendered beings' with similar discourses extended to the community punishment arena. They claim that many community interventions cling to the historical construction of 'normal femininity' as the benchmark for success in terms of women's conduct being understood and explained 'by recourse to biologically and socially deterministic conceptualisations' (Barton and Cooper, 2013: 140). Contemporary gender-responsive community institutions, according to Barton and Cooper (2013: 14), reflect 'the hegemonic and paradoxical construction of "normal" femininity' where women's individual behaviour is identified and explained within the stereotypical recourse of '(biologically and socially) deterministic

conceptualisations'. Personal 'moral failings' become synonymous with criminal or potentially at risk of criminal behaviour (Ibid: 140).

The feminisation and individualisation of women's personal problems is mirrored in policy recommendations made by Corston (2007) and in the MOJ (2009) report of a programme emphasising the management of emotions and the construction of healthy relationships amongst women. Barton and Cooper's (2013: 143) assertion that stereotypical, gendered constructions of the female body are transported into the gender-responsive realm of community punishments is highlighted by Corston's (2007: 6) statement of the teaching of life skills including 'how to cook a healthy meal' to women. Reinforcing stereotypes of femininity and reproducing romanticised 'conceptualisations of "the family"', gender-specific practice reinforces the private sphere as being a site of oppression and paternalism (Barton and Cooper, 2013: 144). The twin-track outcome of this approach, according to Shaylor's (2009) research on gender-responsive justice is that male stereotypes of violence and dangerousness are reinforced, and understandings of sex and gender demarcate the ways that men and women can be understood within society; excluding those who do not conform to normative notions of standard male or female behaviour due to state definitions.

The diverse population of many WCs with statutory and non-statutory service-users raises questions of the applicability of gender-responsive programmes to a non-homogenous group of women. As highlighted by Corcoran and Fox (2013) and McNaul (2018), the treatment of women as a homogenous group places groups of women within the same context and can thus conflate their gender-responsive needs with risk. Many women have never committed a criminal offence however, their presenting needs ranging from social isolation, to unemployment to experiences of domestic abuse;



automatically place them at risk of offending within the context of WCs.

Risk reduction and risk management as well as public protection 'dominate criminal justice discourse and practice' within the neoliberal society (McAlinden and Dwyer, 2015 cited in McNaul, 2018: 93). The indistinct 'conceptual boundaries' between women's 'criminality' and 'vulnerability' inherent within a gender-responsive framework creates what McNaul (2018: 93) calls an 'institutionalised response' to vulnerable women, with social issues redefined as risks to be managed, often via coercion. The MOJ (2018a: 6) report *A Female Offender Strategy* confirms this assertion, stating that vulnerability can 'drive offending behaviour' and 'prevent people from breaking out of a cycle of reoffending'. The higher prevalence of need of women, according to the MOJ (2018a), increases their risk of offending. This tension between need and risk has been highlighted by Sheehan (2013) in the Australian context with risk management strategies including intense surveillance often contradicting therapeutic gender-responsive aims and objectives.

Barton and Cooper (2013) assert however, that not only is risk and need conflated, but risk can also be defined within the narrow, gendered and stereotypical conceptions of normal femininity. Women's failures to behave within the confined prescribed gendered roles within society can therefore result in her being considered at higher risk of (re)offending and subject to greater state control via gendered justice. Not only does this raise questions of the legitimacy of gender-responsive services available within WCs but still very little is known about the cultural or ethnic differences between women, particularly 'the qualitative differences between white and non-white offenders' (Shaw and Hannah-Moffat, 2011: 100) since no 'universal woman' exists (Bouchard *et al*, 1999 cited in Shaw and Hannah-Moffat, 2011: 100).

Corston's (2007) description of the emphasis placed upon individual women to accept and manage their structural marginalisation in the Asha Centre positions WCs within what Dobash and Dobash (1992: 216) call a 'therapeutic society', where the socio-economic contexts – the injustices of female offenders lives are ill-accounted for and instead, individual issues are said to require individual intervention in the name of crime prevention and the tackling of social problems (Hillyard et al, 2004; Lawston, 2013; Scott and Gosling, 2015). A neoliberal rhetoric was therefore inherent in Corston's (2007) aims of gender-responsive justice. Too much emphasis was placed upon personal characteristics insofar as social marginalisation was viewed as cultural; being a product of women's individual problems, individual choice and cultural background (Barton and Cooper, 2013).

### 3.7 Conclusion

This chapter has provided a critical analysis of existing scholarship surrounding the emergence of gender-responsivity as an operative practice utilised in the treatment of women who have offended, and the management of women considered at risk of offending. Whilst Corston (2007) officially established WCs in 2007 with gender-specificity comprising the overarching method of operation, the notion of gender-specificity originated in the US as gender-responsivity (Bloom, 1999). In the UK, it was only owing to numerous reform and feminist campaigners that women began to be recognised as needing support and treatment that was commensurate to their specific needs as women.

The most recent illustration of the female penal landscape in England and Wales highlights no reduction in the female prison population and a large increase in the number of women on remand. This raises concerns of the legitimacy of WCs as credible alternatives to custody for women. Questions regarding the capacity

of gender-responsive WCs to respond to the complex and diverse experiences of women as a non-homogenous group have also been raised in view of the continued expansion of the criminal justice system. The potential for WCs to operate as new forms of gendered social control for both women who have offended as well as those who have not, brings into focus, concerns around human rights and social justice for criminalised women (Barton and Cooper, 2013; Beglan, 2013; Carlton and Segrave, 2013). Moreover, this chapter highlights the potential expansion of the criminal justice system via the operation of non-custodial WCs due to underestimating the degree to which 'carceral clawback' (Carlen, 2002: 115) undermines and halts initial processes of deconstructing and decarceration (Moore and Wahidin, 2018), particularly in the context of neoliberalism.

A conceptual critique of gender-responsive practice highlighted in this chapter is that it often assumes an essentialised notion of the female subject with her problems needing 'individual therapeutic recovery and transformation' through empowerment and self-esteem enhancement programmes (Radcliffe and Hunter, 2016: 977). Not only is the ability of such programmes to 'empower' whilst being part of a criminal justice system aimed at 'punishment and social control' questionable (Malloch and McIvor, 2013), but women's social, economic and structural marginalisation that shapes their daily lives is frequently ignored in favour of a focus upon individual risks.

Questions have also been raised concerning the sustainability of WCs within the current neoliberal climate, largely due to their charitable operation post-TR. It has been highlighted that the new PbR and risk management approach is fundamentally in tension with the intended therapeutic aims of gender-specific practice outlined by Corston (2007).

The chapter has presented literature contending that gender-responsive practice post-Corston is operating with a neoliberal framework of individual responsibility. Arguments presented from both Malloch and McIvor (2013) and Moore and Scraton (2014) contend that within gender-responsive practice, women are encouraged to think and behave differently which resonates more with neoliberal perspectives that place an emphasis on personal responsibility. Responsibility is shifted away from state agencies and onto individual women (Carlton and Segrave, 2013) which suggests a contradiction of Corston's premise of 'society' being responsible for 'supporting women' (Corston Report, 2007: 7). Crucially, the existing literature discussed in this chapter has failed 'to acknowledge and respond to class-based, racialised and gendered structural relations that shape the lives of criminalised women' (Clarke and Chadwick, 2018: 63).

Finally, reflecting on Barton and Cooper's (2013) research, concerns have been raised surrounding the stereotypically feminine and domestic nature gender-responsive interventions available to women. This aligns with earlier thoughts on the neoliberal responsabilisation of women, with women individually held to account for their economic marginalisation and poverty and coached into behaving according to normative standards of femininity. By exploring the origin, aims and operation of WCs within existing policy, research reports and literature, this chapter has presented critical literature highlighting how the key tenets of neoliberalism and the key concepts underpinning gender-responsive practice overlap and often reinforce one another. Existing research suggests that gender-responsivity is being subverted to serve the neoliberal agenda of the state. This analysis has provided a springboard for later empirical chapters which capture service-user and service-providers experiences and impact of gender-responsive provisions in the WC.

## Chapter Four:

### Methods: Exploring service-user and service-provider experiences of gender-responsive practice in the WC

This chapter outlines the methodology and research design adopted in this project. Commencing with an exploration of the methodological approach to the research process, the chapter outlines the selection of the research site and sample, the methods of data collection including interview and focus group schedules, methods of data recording and analysis, ethical considerations and a brief reflective account of my time in the field. This chapter is crucial in providing an outline of how I addressed the research questions and objectives in a way that gave a voice to my participants in the most valid and reliable way possible.

The project explores how women as offenders, women considered at risk of offending and service-providers perceived and experienced gender-responsive practice in one case study WC. The case study WC was established as a criminal justice service from the outset. This is contextualised in terms of how gender-responsive practice is operated in the WC and the impact it has upon service-users personal lives including their structural marginalisation and disadvantage. It explores what gender-responsive justice means and how it is experienced for both groups of women, how they viewed the WC as a gender-responsive institution from their own subjective experiences and the impact, if any, that attending the WC had upon them. Focusing upon the experiences of both statutory and non-

statutory service-users enables this research to explore the dual aspect of gender-responsive practice within the WC and the impact that it has upon both service-user groups' lives.

#### 4.1 Methodology

Methodology can be described as a 'plan of action' (Crotty, 2003: 3), referring to the 'choice of research strategy' (Grix, 2001: 36) that informs the research process (Harding, 1987). This research draws upon feminist methodology but is informed primarily by the principles, values, ideas and philosophy of critical criminology. Both feminist and critical research are defined by epistemological and methodological commitments (Harding, 1987). From a feminist viewpoint, it is possible to 'gain a clearer and better understanding of social reality by ending the marginalisation of women's lived experience' (Landman, 2006: 432). One of the main objectives of this research, drawing upon a standpoint epistemology, was to give a voice to women's experiences of gender-responsive practice in the WC, by valuing their subjugated knowledge and placing them 'as knowers at the centre of enquiry' (Naffine, 1997: 46). This methodology appreciates that women do not 'share the *same* experiences', as they are all 'ontologically fractured and complex' (Stanley and Wise, 1990: 22; emphasis original). Because women's social contexts formulate how they make sense of their lives differently (Stanley and Wise, 1990), this approach is concerned with 'all aspects of social reality and all participants in it' (Stanley and Wise, 1983: 31). Only by adopting the critical criminological stance outlined in chapter two to understand these realities for women does this research begin to construct a critical analysis of the experiences of gender-responsive justice in the WC.

The critical criminological approach rejects 'traditional epistemological theories for their empiricism and rationalism'

(Coward, 1997 cited in Aitchison, 2003: 23- original), affording a diversity of critical criminologies encompassed by critique and imbued by 'visions of justice' (Carlen, 2017: 9). This critical criminological epistemology 'seeks to establish what underlies the surface appearances' of gender-responsive practice for both non-statutory and statutory service-users in the WC, to inform policy and practice developments (Stubbs, 2008: 12). Because there is 'no single critical criminology' (DeKeseredy, 2017: 159), this approach seeks to question the often 'taken-for-granted assumptions' of crime and justice within the neoliberal political terrain (Stubbs, 2008: 12) and to engage with, and understand, women's experiences of gender-responsive justice as operated by the neoliberal state. As argued by Maidment (2006), only by deconstructing and exposing the value-laden assumptions of scientific knowledge can women's situated experiences be understood. However, we need to further deconstruct the operation of gender-responsive justice within the context of neoliberalism. Neoliberalism is itself, value-laden, with its aims and objectives often concealed.

Neoliberal principles are often detected in 'reforms of policing, sentencing and penal practice' with many operational practices 'changed to reflect the political environment' (O'Malley, 2008b: 57). Because neoliberalism entails 'a reorganization of programmes for the government of personal life', understanding the role of the neoliberal state and how it plays a key role in the organization of political power, as experienced by women in the WC is essential (Rose and Miller, 2010: 298). Although neoliberal reforms place an emphasis on individualism and personal responsibility (Carlton and Segrave, 2013), drawing on feminist standpoint theory, this methodology privileges women's voices and personal experiences (DeVault, 1996), and highlights their wider social and structural

marginalisation within the wider context of the neoliberal society. As outlined in chapter two, because neoliberal reforms have been linked to rises in female rates of imprisonment and the entrenchment of social marginality, poverty and disadvantage, the relationship between knowledge and power is central in this research in understanding, prioritising and theorizing women's experiences of gender-responsivity within the WC (Grimwade, 1999; Worrall, 2002). Borrowing from Scraton (2007: 17), 'hearing, recording and contextualising' the testimonies of the marginalised within critical social research enables the project to speak 'truth to power'.

Drawing upon the innovative work of Holloway and Brookman (2008), Malloch *et al* (2008) and O'Neill (2011) and identifying gaps in their evaluations of the Women's Turnaround Project, the Scottish Women's 218 Service and the Inspire Women's Project respectively, this research explore the aims, operation and impact of one WC in the North of England. Anonymity is afforded to the WC. As a mixed methods project, the study has already commenced with a small quantitative analysis of existing datasets to glean a general picture of the scope of WCs within the penal landscape in England and Wales in terms of their date of inception, scope and operation. This was presented in chapter three. While there has traditionally been a 'feminist case against quantification', there are 'other ways of knowing' that may be important 'to, and for, women' (Oakley, 1998: 712). The small statistical strand of this project provides what Leininger (1994) would coin as a form of 'directional orientation' in research exploring the operation of WCs in England and Wales (cited in Oakley, 1998: 711). The second part of the project consists of qualitative focus groups and semi-structured interviews which, enables the collection of 'detailed views' (Creswell, 2003: 21). As Westmarland (2001: 10) found in her research, these qualitative



methods help to 'fully understand women's experiences' and can 'theorise' women's experiences within the theoretical context of this project. The use of two different qualitative methods of data collection allows for a more nuanced investigation of the social reality of WCs for service-users, 'seeking divergence' in 'complexity and richness of understanding' (Hesse-Biber, 2012: 137).

Using triangulation, this study involves 'mixing interpretations' from 'a variety of sources' that are often 'at odds with each other' (Oakley, 1998: 715). Triangulation, as defined by Denzin (2009: 297) includes 'the combination of methodologies in the study of the same phenomenon'. Here, this involved triangulating data from non-statutory service-users, statutory service-users and service-providers from both focus groups and semi-structured interviews. These qualitative methods are crucial for 'delving further' into the often subjugated and marginalised experiences of gender-responsive practice from service-user and service-provider perspectives (Westmarland, 2001: 9).

Building on the pioneering mixed methods study into women's imprisonment in the early 1980s by Carlen (1983), the three methods of data collection aimed to provide different 'pictures' of gender-responsive practice to 'yield a fuller and more complete picture' of the function and operation of gender-responsive practice in the WC (Erzberger and Kelle, 2003 cited in Hammersley, 2008: 27). The preferred philosophical approach is constructivism which was adopted to meet the aims and objectives of the research project. This is a form of interpretivism which asserts that meaning itself is contested because, as articulated earlier, reality is created through the filter of women's lived experiences and knowledge. The epistemological position of this approach views 'truth and meaning' (Gray, 2014: 20) as actively constructed by service-user and service-provider participants interactions with gender-responsive practice in

the WC. Constructivism, as outlined by Gray (2014: 20), enables research subjects to 'construct their own meaning in different ways'. This thus allows insights to be gleaned into practices operated in the WC from the different but 'equally valid viewpoints' (Gray, 2014: 20). Service-users experiences of the WC, particularly statutory service-users attending to undertake a criminal justice sentence, would otherwise potentially 'be rendered invisible or only partially rendered' (Landman, 2006: 432).

Contradictory interpretations within research projects can be viewed as a 'reflection of unreliability in the data' (Rubin and Babbie, 2010: 233), however, 'people's accounts of their lives are culturally embedded' and their descriptions reflect a 'construction of these events' combined with 'an interpretation of them' (Maynard, 1994: 23). From a constructivist approach, these "inconsistencies" can be conceptualised as a 'reflection of multiple realities' of the WC that enable a 'better understanding of the range of subjective realities' that operate within it (Rubin and Babbie, 2010: 233). The research process is therefore 'an interpretative and synthesizing process which *connects* experience to understanding', prioritising women's experiences (Maynard, 1994: 24; emphasis original). It is subject to 'on-going "theorising" and on-going attempts to understand, explain, re-explain what is going on' (Stanley and Wise, 1983: 160) within the WC from the viewpoints of service-users and service-providers.

The overarching objective of the qualitative methods is to involve service-users and service-providers in the research process as much as possible. Qualitative methods hold an inductive view of the relationship between theory and research and are interpretivist in their epistemological position, thus emphasizing the 'understanding of the social world through an examination of the interpretation of that world by its participants' (Bryman, 2016: 375). The ontological

position of qualitative research methods, as outlined above, is constructionist with 'social properties' the outcome of interactions between individuals (Bryman, 2016: 375). My critical criminological approach refuses 'to accept uncritically the definitions of crime and justice' outlined by the state (Carlen, 2017: 7) and questions 'existing theoretical common-sense and taken-for-granted conceptions' of gender-responsive practice (Carlen, 2017: 8). This involves the critical interrogation of the populist language of common sense (Carlen, 1990b) employed by the WC, including their rhetoric of "empowerment" and "women supporting women". Questioning these common-sense notions of gendered justice and moving towards what Scraton (2007: 9) calls 'social action, interaction and reaction' enables the 'interweaving of the "personal", the "social" and the "structural"' of women's lives to be understood within the context of the operation and function of gender-responsive practice in the WC. Challenging seemingly value-free and taken-for-granted assumptions elicits what Symon and Cassell (2004: 4) call 'new insights' on 'accepted practices'.

By championing the 'view from below' (Scraton, 2007: 10), women's experiences of state defined gender-responsive practices are 'heard and represented'. Privileging the experiences and voices of women reduces the risk of both individualising women and ignoring their structural inequalities. Gleaning knowledge that 'engages the prevailing social structures' including 'oppressive structures' based on gender (Harvey, 1990 cited in Scraton, 2007: 9) aims to challenge mainstream academic discourse and 'alter the shape' of the existing 'hierarchy of credibility' (Becker, 1967: 240-1). 'Hearing, recording and contextualising' the testimonies of women as service-users and service-providers and 'ensuring they are afforded the credibility they are due' (Scraton, 2007: 17), is a core aim of this critical criminological research project.

## 4.2 Research Aims and Objectives

This research explores the aims, operation and impact of one case study WC, functioning as a gender-responsive non-custodial arena in England and Wales, from the perspectives and experiences of service-providers and service-users. Service-users comprise two groups. One group consist of women attending the WC for probation and/or UW. These women are referred to as statutory service-users in the research. Second, are women who have no legal recourse to attend the WC and thus attend voluntarily. These women are referred to as non-statutory service-users in the research. The case study WC was established initially as a criminal justice service serving statutory service-users. Only after twelve months of operation did it expand in scope to provide a service for non-statutory service-users. The decision to do so was in an attempt to instil a positive intergenerational effect that would cascade into women's families. To meet the overarching aim of the research, this thesis addresses a number of component questions, as stated on pages 18 and 19, which relate to key arguments made throughout the project.

## 4.3 Selection of the research site

The WC where the empirical data was collected was selected for several reasons. First, its unique dual operation as a gender-specific WC for both statutory and non-statutory service-users enabled access to a dual clientele. As outlined in the chapter three, very little research has been undertaken with statutory service-users subject to community sentences in WCs in England and Wales. Additionally, non-statutory service-users experiences of gender-responsive WC practices are also largely absent in existing critical criminological analyses (see Hedderman, 2010; Hedderman *et al*, 2011; Kendall, 2013; Elfleet, 2017, 2018; Harding, 2017, 2019). The WC was therefore selected to produce original knowledge that has the

potential to contribute to policy and/or practice developments and theoretical debate within community-based gendered justice for women. It also aims to explore the different experiences of women attending the WC for different purposes and the operative scope of the WC.

Second, the WC was established as a direct result of the Corston Report (2007); adhering to and promoting Corston's aims of gender-responsive practice. The operational framework of the WC, particularly in the context of *TR* (MOJ, 2013a) reforms and the part privatisation of the probation service enables a critical analysis of the wider social and political neoliberal context and contextualises this with women's experiences of gender-responsive services.

The project was commenced in May 2016 by informally approaching the Operations Manager (OM) of the WC. This approach was conducted via email, briefly outlining the aims and purpose of the study and enquiring about undertaking data collection in the form of interviews with a sample of non-statutory and statutory service-users and service-providers (see appendix C). At that point, I was still in the process of constructing my ethics application to LJMU's research ethics committee for approval. I made the decision, however, to initiate contact with the WC as early as possible. This was done, not to undertake research, but to familiarise myself with the institutional space of the WC so that once ethical approval was granted, any potential delays in data collection could be minimised, if at all possible.

Because the WC operates for both non-statutory and statutory service-users, it was a relatively 'open' institution (Smith and Wincup, 2000: 335). Although statutory service-users attended the WC to fulfil court ordered probation and/or UW, non-statutory service-users could enter and exit the institution very freely. My approach was therefore welcomed by the OM who suggested I visit

the WC on a number of occasions until ethical clearance was granted and data collection could commence. I attended the WC on four occasions over a six-month period before commencing data collection. During these occasions of observation I acted as a 'complete observer' (Creswell, 2003: 186). Rather than attend gender-responsive courses contained within the WC timetable, I spent my time in the community room; the social hub of the WC, familiarising myself with the service-users, the daily operation of the WC and the physical space of the institution. The method of observation I adopted is characterised by Creswell (2003) as observation without participation. Sitting and informally chatting with non-statutory service-users and volunteers enabled me to develop 'firsthand experience with participants' (Ibid: 186). By mid-December 2016 when I received ethical clearance, I was a familiar presence in the WC to both service-providers and service-users. If I was to undertake the study again, as outlined in chapter 8, a period of participant observation may warrant a deeper understanding of the content and operation of gender-responsive courses contained within the timetable of events in the WC as well as the general culture of the WC.

#### 4.4 Ethical Considerations

An ethics application was composed and submitted for approval to LJMU Research Ethics Committee. The selection of participants and the conduct of focus groups and interviews were directly and continuously informed by numerous ethical considerations. All empirical work was conducted in accordance with the ethical guidelines of the British Society of Criminology (2016) Statement of Ethics and LJMU Ethical Guidance and Procedures requiring that research participants have full information regarding the research including how far they will be afforded anonymity and

confidentiality. To provide legally required informed consent, provided of their own free will, all participants were provided with a range of information including who I was, why I was undertaking the research, and where the research findings were likely to be disseminated.

All service-users were considered 'vulnerable' (Wincup, 2017: 48) which presented numerous 'ethical imperatives' (Scruton, 2007: 16). While vulnerability is a highly contested term, providing that the participant held the capacity to provide informed consent, she was able to participate in the research. In concordance with guidance in the Code of Practice under the Mental Capacity Act 2005 (MCA), a person can lack capacity if she has a mental illness, learning disability, brain damage or is intoxicated via drugs and/or alcohol (Ransome, 2013).

On one occasion during data collection, statutory service-user-Amelia, who was attending the WC for probation and who possessed additional needs pertaining to alcoholism, wished to take part in an interview but did not appear to me to fully grasp the concept of the research. She had a support worker in attendance with her at the WC, who, in accordance with the Mental Capacity Act 2005, acted as her 'personal consultee' (Wiles, 2013: 37). Her support worker did not provide consent *for* Amelia but advised me that Amelia fully understood the information leaflet I had provided, was able to comprehend what the consent form constituted and that she did wish to participate.

To maintain anonymity and confidentiality throughout the research project, only the informed consent forms contained personal information. All consent forms and data collected using an audio recording device were immediately stored in a secure filing cabinet

at LJMU. In accordance with article 5 (1) (e) and Recital (39) of the General Data Protection Regulation (GDPR), all personal data is being kept for the shortest time possible - until the viva-voice examination. The reason for doing this is because GDPR permit 'identification of individuals for no longer than is necessary for the purposes for which personal data is processed' (CDRC, 2018: 5). All data that was transcribed onto word documents during transcription was anonymised using pseudonyms chosen by the women themselves or code names provided to statutory service-users in focus groups.

Whilst information concerning the research project was provided at the start of each interview, verbally and within a written information leaflet, several non-statutory service-users were keen to ascertain from the start of their interview that I would not discuss anything they disclosed during interview with service-providers at the WC. Similarly, statutory service-users participating in the focus groups were particularly keen to ensure that all of their viewpoints remained confidential and would not negatively impact the remainder of their sentence at the WC. I reiterated the research aims to both groups, my role in the research as an academic researcher in no way affiliated or employed by the WC or the Probation Service, and that everything discussed was completely confidential. As written in law, I did, however, emphasize that disclosure of serious risk to self or others may breach confidentiality. I explained at the start of each interview and focus group that certain circumstances may have meant that participants' confidentiality could not be upheld. Examples of this included being informed of suicidal tendencies, abuse or information about poor practice at the WC (Wiles, 2013). While nothing was disclosed to me during data collection, if this had been the case, then urgent and



prompt response would have been necessary with information given to the relevant authorities for the women's safety.

None of my participants withdrew consent during their interview or focus group. I also explained verbally and contained on the PIS that service-user participation could provoke feelings of stress or anxiety. However, I highlighted that participation was voluntary, and that they could pause or stop the interview/focus group at any point without explanation and withdraw their consent, as outlined in the GDPR (2018). I explained to participants that they could withdraw consent after their participation and their data would be removed from the study up to the point when I commenced data analysis. A limiting factor and something which could be improved upon for future studies is that I should have provided participants with a specific date after which they could not withdraw their consent or ask for their data to be destroyed.

Participant's identities were always protected. I asked my interview participants to choose a pseudonym from a list of 100 women's names at the start of their interview to uphold their anonymity and confidentiality and to avoid the same pseudonym being chosen twice. Each time a name was chosen, I removed the name from the list. Due to both the complexity in transcribing focus group data and the time constraints imposed by the WC in statutory service-user participation in the research, statutory service-users did not choose a pseudonym. Instead, I provided each focus group participant with a code as I was transcribing the data. Focus group 1 and 2 are referred to as FG1 and FG2 and participant numbers 1-7 are written as P1-P7. Both codes are collated. For example, participant one in focus group one is referred to as FG1P1 and participant six in focus group two is referred to as FG2P6. When women referred to other

service-users or service-providers by their names during interview or focus group, I allocated a pseudonym of my choice during transcription to protect their anonymity. The same was done when women referred to local road names, local parks and identifiable place names.

During both focus groups, because all participants expressed an understanding of the research information leaflets and consent forms and they were provided with an opportunity to ask questions prior to data collection, I assumed that all service-users were 'knowledgeable, willing and capable of communicating' (Carey and Ansbury, 2012: 16). I also emphasized to participants, the need to uphold confidentiality and anonymity between themselves. This was to 'respect each other's wishes concerning confidentiality' (Bloor et al, 2002: 16). Those who were more reserved, or shy were potentially at a disadvantage during focus groups, particularly if they wished not to discuss certain topics within the group setting. When discussing sensitive topics, it was my responsibility to ensure that my participants did not suffer harm and to minimise any potential distress they could have experienced as a direct result of the focus groups.

To minimise any distress or upset to participants, participant information sheets were provided which detailed the nature of the research. This was provided prior to the commencement of data collection and before they agreed to participate. The aim of this was to allow participants to gain a thorough understanding of the research project, including the nature of the questions asked during interview. They were also encouraged to discuss the research project with family and friends if they wished. There is an awareness however, that due to the time sensitive nature of focus groups undertaken with statutory service-users, that less time was provided to participants to think and about and reflect upon the

research project before agreeing to take part. At any time during the study however, participants had the right to withdraw their participation from the research. Whilst this scenario did not arise during data collection, it was explained to participants verbally and in the PIS that doing so would result in all of their data being removed from the research project. While the above steps were taken to minimise any potential distress, distress could have been felt after the focus group had ended. I explained to my participants that if at any point during or after the study they felt emotionally affected, relevant support agencies contact details were supplied on the PIS. I also supplied participants with contact details of a range of organisations in case they needed to access advice or support.

A key ethical feature of this research was the anonymisation of the identity of the WC. Revealing its identity would risk breaching participant confidentiality and anonymity. The identity of the WC remains anonymous throughout this research and will do so in any publications produced from this study to uphold the confidentiality and anonymity of my participants.

#### 4.5 Role of gatekeepers

Due to ethical clearance being granted in mid-December 2016, further contact was made with the OM, the gatekeeper, to formalise official access to the WC in January 2017 to conduct empirical research. I had attended a one-to-one induction at the WC in June 2016 which included a tour and introduction to volunteers. Before being permitted to conduct interviews and focus groups at the WC, I attended an informal meeting with the OM. This meeting felt like a form of negotiation centred upon 'the kind of person' I was (Beyens *et al*, 2015: 68). I felt that my position as a young female researcher made me appear somewhat 'passive' and 'submissive' (Ibid: 69), which helped to build a rapport with the main gatekeeper and

portrayed my research as non-threatening and non-critical. The OM was very welcoming, friendly and approachable. I feel however, that my relatively young age and appearance contributed to my 'nonthreatening' manner (Ibid: 69).

Once DBS clearance was granted by the end of January 2017, I was advised by the OM that I could approach any statutory or non-statutory service-user for interview whilst they were located in the community room – a social meeting point in the WC. I was permitted unlimited access to the WC premises and to service-providers and service-users until data collection was complete. By February 2017, I began identifying a sample of non-statutory and statutory service-users for semi-structured interviews. The OM actively promoted the research project to service-providers and service-users and facilitated the first three interviews with non-statutory service-users by approaching them in the community room and introducing me and my research project to them. This acted as an icebreaker and after the first three service-user interviews, when visiting the WC, I routinely made a point of sitting at a table in the community room where other service-users were present.

All women were very welcoming and friendly. I operated my own personal judgement on a few occasions when service-users were visibly distressed and were being comforted by other women and/or service-providers in the community room. When this occurred, I did not intrude by sitting at their table. On other occasions nonetheless, if I wasn't familiar to service-users, they would ask me who I was and why I was attending the WC, before I even had a chance to introduce myself. If I was already familiar to them, they would almost always ask how my research was going and would also ask if I'd "got enough women yet", i.e. had I managed to speak to more service-users. This relatively informal approach, facilitated by the openness of both the OM and the service-users in the WC, meant that many service-users

volunteered their participation before I even asked them because they had already probed me on what the research project consisted of and had heard the OM discussing it to other service-users.

I distributed research participation posters in the community room (see appendix D), inviting service-users and service-providers to participate in the research and advising them of how to do so. While this intended to promote my research within the institution, very few participants approached me on the basis of having seen the poster. All participation was achieved through face-to-face contact either in the community room or the garden space of the WC.

No information was afforded to me by service-providers concerning statutory service-users UW sentences at the WC in terms of their time and location. After a couple of days undertaking interviews with non-statutory service-users in the community room and sporadically seeing women wearing high-visibility clothing in various outdoor spaces of the WC, a volunteer informed me that statutory service-users undertaking UW were located in the garden of the WC on Fridays and were frequently off-site on Mondays.

Access to women undertaking UW was not as straightforward as first anticipated. Although the WC was a relatively open institution, women undertaking UW were more closed to scrutiny than non-statutory service-users. Statutory service-users were primarily located in the garden. While promoted by the WC as a space to be enjoyed by all service-users, during data collection, the garden was populated only with women wearing high visibility clothing who appeared to be undertaking regimented tasks. Only by chance, had four statutory service-users already participated in semi-structured interviews by April 2017. This was because they were attending the WC as part of a probation order and were not undertaking UW.

After initially being informed that there were no restrictions on approaching service-users, the OM outlined in April 2017 that undertaking individual semi-structured interviews with women on UW sentences would constitute a breach of their sentences as they would not be actively performing UW during the time spent participating in interview. Access was thus negotiated with the OM and Criminal Justice Co-ordinator (CJC) – the person responsible for supervising women undertaking UW, between April and June 2017. I was informed that discussions needed to take place between the two service-providers before I could embark upon statutory service-user participant recruitment.

A viable alternative was considered which I presented to the OM and CJC for their consideration. I proposed to utilise focus groups with statutory service-users during the lunch break from UW as a means of enabling these women to participate in the study. I offered to provide lunch for the women to offer some form of recompense for their time, particularly as their breaks were limited during their UW hours. Service-providers granted permission to utilise focus groups, however, it was done so with less than 48 hours-notice. This presented few problems for me in terms of preparation; however, it was too late to apply for funding to provide food and drink for the participants. Two focus groups were undertaken with two different groups of women, on days outlined by the OM and CJC as being most suitable. Focus groups proved to be an effective research tool in terms of the ‘openness’ of participants (Bloor *et al*, 2002: 25) because they belonged to ‘pre-existing social groups’ (ibid: 22) in the WC. Comments were made about their shared experiences of undertaking UW in the WC and supporting Kitzinger (1994b) cited in Bloor *et al* (2002: 22), speaking to women in these pre-existing groups enabled me to ‘tap into interaction’ which approximated to “‘naturally occurring’ data’, such as participant observation.

## 4.6 Piloting

A very small pilot study was conducted before commencing semi-structured interview schedules with my sample. The interview schedule for non-statutory service-users was piloted with two women on-site at the WC in February 2017. The reason that a pilot project was not conducted with service-providers was due to their very small number. The pilot project provided me with some experience of undertaking interviews, something which I had not previously undertaken in my undergraduate or Masters research projects. I found the original interview schedule too narrow in scope, with questions primarily relating to likes and dislikes about the WC which ascertained very brief and yes/no answers and allowed little space for elaboration (see appendix A). Piloting therefore prompted me to make my interview questions more open-ended.

The initial schedule was amended to ask women about their structural circumstances including living arrangements, mental and physical health, employment/education status as well as more open-ended questions relating to their attendance at the WC including their method of referral and level of engagement. This more flexible approach contextualised the socio-economic and structural preconditions of women's lives into analyses.

## 4.7 Methods

A qualitative case study method was adopted to contribute to the limited existing knowledge on gender-responsive practice at an organisational, individual, social and political level. Case studies, as outlined by Reinharz (1992: 171-4), are a 'tool of feminist research' that 'document aspects of women's lives'. From a critical criminological perspective, this approach privileges women's voices and experiences of gender-responsivity in the WC. Because the research sought to explore the aims, operation and impact of

gender-responsive practice in the WC, the term gender-responsivity was purposely not defined in interview and focus group schedules. This meant that participants could explore their own experiences and perspectives associated with gender-responsive practice.

Face-to-face semi-structured individual interviews were undertaken with non-statutory service-users, statutory service-users and service-providers responsible for service delivery in the WC. They were 'predicated on establishing personal, moral and political relationships of trust' (Scruton, 2007: 16) between participants and I. Methodologically, the use of semi-structured interviews allowed for a degree of flexibility (Bryman, 2016; Cargan, 2007) and placed an emphasis on participants own understanding and experiences of gender-responsivity in the WC. Following what King and Horrocks (2010: 44) call 'good practice', giving participants a choice of location of interview within the WC; in a private room or in a quiet space of the community room ensured that my participants were 'as comfortable as possible' both physically and psychologically (King and Horrocks, 2010: 42). Although privacy is vital and undertaking an interview in the community room increased the 'danger of being overheard' (King and Horrocks, 2010: 44), all service-users expressed discomfort at the prospect of sitting in a private room. As this was the wish of all service-users, I had to respect this.

Due to the nature of the semi-structured interview schedule (see appendix A), most interview questions were open ended to enable my participants to express their opinions, thoughts and feelings without being misled (King and Horrocks, 2010). Good listening then enabled me to ask follow-up questions, probe their responses and ask interpreting questions. This helped to facilitate a dialogue with participants and build up a 'rapport' or 'trust' (King and Horrocks, 2010: 48) whilst adhering to the loose schedule for interview so that all issues would be addressed, and comparisons could be drawn



between participants (see appendix A). The semi-structured interview schedule also enabled participants to respond to specific set questions including “How long have you been coming to the WC?” and “How often do you attend?”, which using Jupp (1989: 141), became ‘the basis for further “talk” and exchange of mutual interpretations’. For example, when asked how often they were attending the WC, many non-statutory service-users replied by not only directly answering the question but by then discussing their reason for attendance and often, talking about their family circumstances and personal social context surrounding their attendance. Providing non-statutory service-users with the choice to pick a pseudonym for their interview transcript hoped to enable women to recognise themselves in the research accounts in order to establish the validity of the research method.

Previous research projects exploring community punishment (see for example Carlton and Segrave, 2013; Easton and Matthews, 2010; Loucks *et al*, 2006; O’Neill, 2011; Radcliffe and Hunter, 2016) adopted similar qualitative approaches to data collection. Given that service-user participants were vulnerable women and were by virtue, ‘so often themselves the subjects of power struggles’ (May, 1997: 35), a ‘bottom-up’ approach enabled a ‘closer degree of involvement’ (Henn *et al*, 2006: 31) with participants, by prioritising their accounts of their experiences of gender-responsivity.

Semi-structured interviews were also employed in interviews with service-providers (see appendix A). If I had conducted interviews with social workers and probation officers as well as staff employed directly by the WC, then a differentiation would have been made between practitioners and service-providers. However, because all interviews were undertaken with staff and volunteers employed by the WC and primarily involved in service-delivery, the term service-provider is used throughout the study. Each interview began with

asking the service-provider how they viewed their working role in the WC and what they perceived the function of the Centre for both service-user groups to be. I then asked a series of reflective questions concerning the gender-responsive culture within which they worked, how the specific needs of individual women informed their work, how their gender-responsive services helped both service-user groups and what impact their services had. Interviews were concluded with open-ended questions on practical and/or financial challenges involved in working with a broad clientele as a charitable WC.

Interviews with service-users lasted between 10 minutes and 60 minutes. Interviews with service-providers were between 20 minutes and 60 minutes. This minimised disruption to participant's schedules and limited the time that they had to talk about potentially distressing topics. The main limiting factor in using semi-structured interviews was the potential for my participants to become distressed during interview. The ethical considerations undertaken to minimise these risks were outlined earlier in this chapter.

Focus groups undertaken with statutory service-users attending the WC to undertake a sentence of UW at the time of research were designed to complement the semi-structured interviews undertaken with other statutory and non-statutory service-users and service-providers. I intended to utilise semi-structured interviews for all participants at the start of the research process however, due to reasons outlined earlier, reflecting the 'fluid' and 'changing shape' (Smart, 2009: 305) of research, focus groups were considered a more appropriate and practical 'means of knowledge co-construction' (ibid: 305) with statutory service-users undertaking UW.

Focus groups were used as ‘an ancillary method’ (Bloor *et al*, 2002: 8) alongside qualitative interviews and statistical analysis as they generated ‘deep, strongly held beliefs and perspectives’ (Carey and Asbury, 2012: 17) on group understandings of gender-responsive practice and UW within the WC. Because of the strict time regulations surrounding UW orders in the WC, focus groups allowed me to address the research objectives by ‘documenting the complex and varying processes through which group norms and meanings’ (Bloor *et al*, 2002: 17) were shaped within the institutional space and crucially, how they were experienced and understood by statutory service-users themselves.

Focus groups were ‘semi-structured’ (Carey and Asbury, 2012: 15) sessions that I made as informal as possible. I used ‘general guideline questions’ (*ibid*: 15; see appendix B), focusing upon women’s experiences of gender-responsive practice. The groups were largely participant led with themes relating to experiences and viewpoints on attending the WC, the role of gender-responsivity in their sentence at the WC, the positive and negative aspects of undertaking UW in the gender-responsive space of the WC and any impact they felt the WC and gender-responsive interventions had upon their lives. This enabled what Bloor *et al* (2002) call the transfer of power to the research subjects in terms of what they wished to discuss.

What made the focus groups unique was the ‘co-presence’ of women who were ‘similarly situated’ (Bloor *et al*, 2002: 16) because they knew each other through their continued contact throughout their sentences. Women in both focus groups, borrowing from Carey and Ansbury (2012: 16) constituted ‘pre-existing social groups’. Upholding the critical criminological methodology, the focus groups were ‘fluid’ (Bloor *et al*, 2002: 16), thus prioritising the experiences of statutory service-users and enabling them to discuss aspects of

gender-responsivity in the WC that were important to them.

Because the experiences of statutory service-users in WCs is such an under-researched area of focus in criminological research, focus groups enabled me to capture experiences and beliefs when few other instruments existed to understand the experiences of gender-responsive practice for female offenders in the WC.

Quantitative research involved the statistical analysis of existing datasets. Data was sourced and identified from WC annual reports and Charity Commission reports concerning individual WCs funding, location and service provision across England and Wales. Statistics were extrapolated from these existing datasets as a form of secondary analysis (Bryman, 2016; Walliman, 2001, 2006) which, existing 'independently of the research process', lent 'authenticity' (Cargan, 2007: 65) to the research due to a reduced chance of bias. Existing datasets can also be reanalysed to check the reliability of my analysis which provides transparency to the research process (Ibid).

#### 4.8 Sampling

Due to the scarcity of empirical research in WCs and limited existing knowledge on the personal characteristics and presenting needs of women attending the WC, the criteria for inclusion in this research study was quite broad. Given that I sought to explore statutory and non-statutory service-user groups experiences of gender-responsive practice in the WC, the primary requirement for inclusion in the study was that the women were aged 18 years and over and were either being formally processed through the criminal justice system as a statutory service-user or were voluntarily accessing the WC as a non-statutory service-user.

One of the very few existing research studies exploring the operation of a gender-responsive service is Malloch *et al's* (2008) evaluation of the 24-hour residential and community 218 Centre in Glasgow.

Malloch *et al* (2008) conducted 66 service-user interviews and 80 key stakeholder interviews. In comparison, the WC in this study was open Monday-Friday from 9-5pm, had an attendance of approximately 500 visits per week from service users and operated a paid staff team of five. Due to its relatively short opening hours in comparison to the 218 Centre, its small staff team and its non-city centre location, my initial aim was to interview 35 service-users and 5 service-providers to provide a sample of the service-user and service-provider population that was as representative as possible. It is however, impossible to say that there was no bias in this study because of the relatively small sample size/ However, as indicated by Oakley (1998: 714) in her research, validity is established because all 'insights gained are likely to reflect the social world of research participants'. When an agreement was reached with the OM and CJC to facilitate focus groups with women undertaking UW, I aimed to include as many of this population in the study as possible because they represented only 5% of the WC clientele.

One aspect of data collection that I had little control over however, was ensuring that my sample included women from different demographic backgrounds. This was difficult due the WC being located in a predominantly all-white, deprived area in the North of England. My 'non-probability' sampling method (Aita and McIlvain, 1999) which relied upon 'available subjects' (Babbie, 2007: 203) was 'purposive' (Oliver, 2006: 244). Purposive sampling allowed me to 'use my own knowledge' (Rubin and Babbie, 2010: 148) of the community in the WC to choose people who best understood the role and impact of gender-responsive practice. It was therefore my responsibility to identify and recruit service-providers and service-users and to undertake all interviews and focus groups. This ensured that participants were representative of the target population (Grinnell and Unrau, 2008) and that service-users did not feel coerced

or pressured by staff; subtly or directly, into participating in the interview or focus group. An advantage in using purposive sampling was that my research population was located within one location, in the WC. This approach and sampling method facilitated a research process that enabled my participants to answer interview questions and focus group prompts as freely and honestly as possible within the relative constraints of the WC environment as a criminal justice institution.

By April 2017, 24 interviews had been undertaken with non-statutory service-users and 4 with statutory service-users who were attending the WC for probation and/or drug rehabilitation orders. Statutory service-users undertaking UW were present at the WC on Mondays and Fridays. I therefore undertook one focus group on a Monday and a second on a Friday. This was mutually agreed with the OM and CJC. I intended to include different women in each focus group which was straightforward because most women, for reasons pertaining to employment, childcare and the avoidance of off-site UW (explored in chapter six) undertook their UW on one day per week only; either Monday or Friday.

By August 2017, I had completed two focus groups with 12 statutory service-users. It was not possible to conduct any more focus groups as my sample represented the total number of women undertaking UW at the WC at the time of data collection. The sample of statutory women undertaking UW was therefore representative of the target population. This meant that each focus group had different women participating. In summary, it was decided that this sample of 16 statutory service-users and 24 non-statutory service-users was of sufficient size and diversity to concentrate on the ongoing transcription and analysis of this data.

Below, table 4.1 outlines the age of participants in the research study.

**Table 4.1: Age of participants**

<b>Age</b>	<b>Statutory Service User</b>	<b>Non-Statutory Service-user</b>	<b>Total</b>
<b>18-24</b>	2	0	2
<b>25-34</b>	6	1	7
<b>35-44</b>	4	7	11
<b>45-54</b>	3	5	8
<b>55-64</b>	0	7	7
<b>65-74</b>	1	4	5

**Modal group of all service-user participants: 35-44 years**

**Median age of all service-user participants: 44.5 years**

The service-provider participants were drawn from a range of positions within the WC with varying experiences of working in other social welfare contexts prior to their position in the WC. The sample size for paid service-providers is 3 with a sample size of 4 for volunteers which included students on placement at the WC. None of the 3 service-providers or 4 volunteers, however, had previous experience of working in a criminal justice context.

The total sample size for this project is 47.

## **4.9 Analysis**

Interviews with service-providers and service-users were transcribed within a few days of being undertaken. I did this in order to become familiar with the interview material and to utilise my time effectively

so that, as described by Bryman (2004: 332) I was 'more aware of emerging themes' that I could probe in later interviews. This became the first step in the process of data analysis. 33 of the 35 interview responses, with consent from each participant (Gomm, 2008, 2009) were digitally recorded to increase authenticity (King and Horrocks, 2010; Markle *et al*, 2011; Roulston *et al*, 2003). One service-provider and one non-statutory service-user wished not to be tape recorded. In these cases, I made notes during our interview, continuing as I would if the tape recorder was to malfunction. Both focus groups were recorded with the consent of all participants.

Both interviews and focus groups were transcribed with the aim of being as close to the exact spoken words as possible including the use of 'verbatim' quotations (Crabtree and Miller, 1999: 106). Verbatim quotations are identified by Spencer *et al* (2003) in Corden and Sainsbury (2006: 3) as having a key role in how evidence and conclusions are derived from qualitative data. They provide opportunities for participants to give their own views about policy and/or practices which affect them (Ibid). The preservation of the 'multivocality and complexity' (Crabtree and Miller, 1999: 107) of participants experiences of gender-responsive practice in the WC intended to empower them by inclusion of their spoken words. This aligns with the critical criminological methodology of this study. Verbatim quotes also allow readers to make their own judgements regarding the fairness and accuracy of the analysis which makes the 'audit trail' of the voices of participants, transparent (Cameron *et al*, 2014: 1). Quotes were therefore purposely not "tidied up"; slang terms and colloquialisms were retained.

Initially, traditional highlighter, pen and paper, and cut and paste methods of data analysis were going to be used however, due to the larger than anticipated size of the final sample, the data management tool NVivo was utilised via descriptive code production (Braun and



Clarke, 2006). A thematic analysis was considered the primary method of analysis for qualitative research. This consisted of identifying, analysing and reporting patterns and themes within the data through the construction of codes, or nodes in NVivo, before distinguishing overarching themes within the context of the research aims (Braun and Clarke, 2006; Bryman, 2016; Fielding, 2012). A form of 'inductive data-driven coding' enabled the production of a thematic framework that aided in achieving the research aims (Chamberlain, 2013: 86). This method of data analysis allowed me to immerse myself within the data, search for patterns (Bryman and Burgess, 2002), including identifying surprising phenomena in the form of statutory service-users experiences of the WC, and being sensitive to the tensions between different service-user groups experiences as well as inconsistencies in opinions and viewpoints. Throughout this process, the building blocks (Bryman and Burgess, 2002) for emergent concepts were produced.

Qualitative interview data from statutory and non-statutory service users was used in several ways: it was triangulated with responses from service-providers; triangulated with data from other service-user groups and used to explore the relationship between the aims and function of the WC and the appropriateness and effectiveness of the gender-responsive services. This form of comparison in its simplest form enabled the realities of gender-responsive practice to be analysed from different viewpoints and perspectives, particularly in relation to the disparity in experiences of gender-responsive practice between statutory service-users and non-statutory service-users. The data was analysed to directly address the research objectives outlined in chapter one and the theoretical concerns outlined in chapters two and three.

The statistics presented in chapter three are derived from the quantitative analysis undertaken in this study to examine the

function, remit and scope of WCs within the penal landscape in England and Wales. As outlined in chapter three, data was identified from Charity Commission Reports and Annual Reports from individual WCs. Due to the inconsistency of datasets in existence, univariate analysis; ‘the analysis of one variable at a time’ was the main approach to quantitative data analysis (Bryman, 2004: 227). Diagrams were therefore used most frequently to display quantitative data due to their ease in interpretation. Additionally, because I was working with ordinal variables, including the year of establishment of each WC and their service-user groups, either statutory, non-statutory or both, pie charts and bar charts (Bryman, 2004) were the two easiest methods to use. Pie charts were able to ‘show the relative size of the different categories’ and showed ‘the size of each slice relative to the total sample’ (Ibid: 228). All diagrams were produced using Microsoft Excel for Windows.

This mixed methodological approach to inquiry allowed me to analyse the penal landscape in relation to the operation of gender-responsive justice in WCs. Rather than triangulating statistics with qualitative research findings, the quantitative part of this study aims to “fill in the gaps” in relation to the establishment and operation of WCs in England and Wales.

#### 4.10 Validity

Validity refers to ‘the extent to which an empirical measure adequately reflects the real meaning of the concept under consideration’ (Babbie, 2016: 148). One of the key factors in maximising validity was avoiding what Miles and Huberman (1994) call an elite bias where too much emphasis is given from ‘high-status informants’ and too little emphasis on data from lowers-status participants (cited in Hall, 2008: 80). Participation was a key element of my research approach (Fraser, 2008). The voices of women

experiencing gender-responsive practice need to be heard because proponents of gender-responsive justice services ‘too often speak for, rather than listen to, the political positions and expressed needs’ of those experiencing and subject to services and interventions (Shaylor, 2009: 151). This was an additional justification for the use of verbatim quotes.

Producing new knowledge from the voices of the excluded and those from below (Scraton, 2007) intend to expose ‘the political context’ (Hudson, 2000: 177) that criminological knowledge surrounding the operation of WCs is produced and re-produced within a neoliberal society. Only by employing the research methods proposed and including a representative sample of service-providers and service-users can we begin to evaluate the operation and effectiveness of gender-responsive services in order to obtain an understanding of their impact, in terms of what works well and what does not. The aim was to give a voice to relatively powerless, marginalised women and provide a platform for their voices to be heard in order to influence future policy and practice (Carlen, 2017; Clarke and Dawson, 1999; Scraton, 2007; Stubbs, 2008).

During data collection I made every effort to ensure that participants were elicited from a wide cross section of service-users within the WC. These included women of various ages who were at various periods of engagement at the WC. While it was relatively easy to visibly identify women of different ages within the WC (taking care not to profile my participants), it was not until dialogue was initiated with each woman that further personal factors could be ascertained. Whilst intersectionality is imperative within critical social research (Scraton, 2007), the number of women I interviewed from minority ethnic backgrounds is very low. This can be accounted for due to the predominantly white working-class demographic that the WC was located.

As discussed earlier in this chapter, considering that the impartiality of research findings may have been affected to an unknown degree by undertaking almost all interviews in the community room of the WC, this was a pragmatic choice undertaken with care to ensure that participants felt they could exercise choice over the research process and that their needs and wishes were fully respected. Upholding the wishes of my participants was vital during data collection. To maximise validity, interview responses between statutory, non-statutory and service-providers were compared to enhance confidence in the conclusions drawn. Thematic analysis ensured that no data or what Hall (2008: 80) calls 'discrepant evidence' was overlooked, and all viewpoints were taken into complete consideration.

Due to spending 6 months located in the WC conducting research, when exiting the field, it was necessary to gradually limit the amount of time I was spending there. The process of 'disengagement from the setting' (Labaree, 2002: 115) considered my position in the WC. Although working as a researcher, many non-statutory service-users treated me as a fellow service-user. Taking into account my ethical 'responsibilities and obligations' (Labaree, 2002: 115) to my participants, I gradually reduced my attendance at the WC from three days per week to one day per week, down to one day fortnightly and one day every month until I stopped attending. A clear schedule of gradual withdrawal from the field not only provided me with a clear timeline but also enlightened service-users as to my gradual withdrawal from the WC.

#### 4.11 Reflective account of the research methods

Reflexivity is vital in the generation of knowledge (Hertz, 2000). The vulnerability of all service-user participants was a key factor when making practical arrangements for the location of interviews

and focus groups at the WC. Because many service-users were attending the WC on a regular basis, it was most practical to undertake data collection on site at the WC. At the start of data collection, three service-provider interviews were undertaken in a private room within the WC. One service-provider wished not to be tape recorded in case she “said the wrong thing”. It appeared that the use of a recording device was disconcerting, and she was ‘alarmed’ at the potential of her ‘words’ being ‘preserved’ (Bryman, 2004: 330). I asked her if I could take notes using a pen and paper during our interview, to which she agreed. I therefore proceeded with the interview in the same way I would if the recording device was to malfunction (Bryman, 2004).

Three remaining service-provider interviews and all remaining service-user interviews and focus groups took place in the communal areas of the WC. All non-statutory and statutory interviews took place in the community room of the WC. The spatial division from the outside world, provided by the WC enabled all participants to be interviewed without interruption from men. This fostered ‘an atmosphere conducive to sharing personal information, and to create a more reciprocal relationship’ (Elwood and Martin, 2000: 651) with participants. All non-statutory service-users were given a choice of where they wished their interview to take place within the WC. Conducting interviews in communal spaces of the WC, namely the community room; described by participants as safe and relatively informal, disrupted the potential ‘power hierarchy’ (Elwood and Martin, 2000: 651) between me and my participants.

The location of the first three and the final service-provider interviews in a private office aimed to achieve the same objective, however, there is always the possibility that because service-providers were interviewed at their place of work, their responses

may have offered 'explanations and answers' based primarily on the 'priorities and viewpoints' of the organisation rather than their opinions outside of the goals of the WC (Elwood and Martin, 2000: 655). Providing participants with a choice, albeit limited, on the location of interviews within the WC enabled an understanding of how they situated themselves and their lives 'within the shifting fields of power and meaning that constitute the spaces and places' (ibid: 652) within the WC that the interviews took place. The first focus group with statutory service-users, at their request, took place in the garden area of the WC. The second focus group took place at a dining table in the quiet zone of the community room in the WC. All non-statutory service-user interviews were conducted during the WCs 9am-5pm opening hours.

Many of the non-statutory service-users began to view me as a member of the research population- a fellow service-user, due to the frequency of my visits to the WC, particularly between January and March 2017. This so-called 'insider-outsider' position as described by Dwyer and Buckle (2009) was relevant to my role as researcher in the WC. Several non-statutory service-users had spoken to me in the community room prior to their participation in the research project. I feel that this positively impacted upon the research because many women expressed feeling at relative ease because they had already engaged in conversation with me and we had had chance to discuss the aims and rationale of my project. My reasoning for not participating in or observing gender-responsive courses held at the WC was to reduce the risk of me becoming an 'insider' who may unwillingly adopt the 'characteristic, role, or experiences' of my participants' (Dwyer and Buckle, 2009: 54). Although I had visited the WC on four occasions prior to the commencement of data collection, I remained a 'peripheral member

researcher'- someone who did not 'participate in the core activities of group members' in order to maintain impartiality and prevent the boundaries between being a researcher and service-user from becoming blurred (Adler and Adler, 1987 cited in Dwyer and Buckle, 2009: 54).

During interview, several non-statutory women became emotional when explaining the positive effect, they felt the WC had had upon them and many referred to the interview process as being a therapeutic and enjoyable experience. The methodological approach and relative informality of interviews due to their location, facilitated a research process that enabled service-users to answer interview questions as freely and honestly as possible, without it being overly visible to service-providers that they were participating in an interview. Nevertheless, I acknowledged the potential to be overheard by service-providers and other service-users, particularly in relation to participants potentially withholding opinions and/or experiences. In addition, the impartiality of the interview process may have been undermined by the interviews being located in the WC due to reduced privacy.

The location of the two focus groups was open to less choice. Focus groups had to be undertaken within the 30-minute window that the women undertaking UW could eat their lunch during their timetabled break. This presented ethical dilemmas of interrupting the women during their break, however, after negotiating within the CJC and OM, this was the only method that I could access this subjugated group of participants. The method and time of data collection also limited the participants' choice on where their focus group could be located within the WC premises. A private room was not offered by the OM or CJC. Focus groups were to be held in either the WC garden or in the community room. This ethical dilemma was

outweighed by the fact that this was the only opportunity for statutory service-users undertaking UW to have their voices, experiences and opinions heard. I followed the same ethical procedures as I had with non-statutory service-users including explaining the research project, how findings would be disseminated, how their confidentiality and anonymity would be upheld and the need for explicit written consent in the consent forms. All statutory service-users approached were very keen to participate in a focus group and expressed understanding of why their lunch break was the only opportunity for them to participate in the research.

The garden was considered by the women themselves to be the most practical location for focus group one as it was a warm day and the women had been undertaking manual gardening work all morning. As such, they expressed a desire to sit and eat their lunch in the garden space rather than in the community room of the WC. No service-providers were present during focus group one and considering the circumstances of the location, the focus group was relatively private as there were no other (statutory or non-statutory) service-users present in the garden for the duration of the focus group. I feel that this generated rich data because the women could discuss topics relatively freely in the knowledge that service-providers in particular, were not within earshot or within physical company.

Akin to the interview process, the impartiality of the focus groups may have been undermined by the location of data collection. The degree of this potential impact is unknown. Poorer weather conditions were experienced when conducting focus group two and as such, the women expressed a desire to eat their lunch and participate in the second focus group indoors in the community room. Again, there were no service-providers present however,



because of the location inside the WC, the potential to be overheard by service-providers and non-statutory service-users was higher than in focus group one which may have impacted upon the impartiality of views discussed.

#### 4.12 Conclusion

The ensuing analysis, discussion and conclusion chapters demonstrate the validity of the empirical work undertaken for this study. The empirical work is contained in two findings chapters. All data is presented and analysed in relation to gender-responsive practice in the WC within the context of neoliberalism, beginning with the aim, function and impact of gender-responsive practice in the WC from the perspectives of non-statutory service-users and service-providers and the function of the WC for statutory service-users undertaking UW.

## Chapter Five:

### Gender-responsivity in the WC

Key findings are presented in this chapter and data is analysed from non-statutory service-users, statutory service-users and service-providers experiences of the function and impact of the case study WC. This analysis seeks to address the overarching research questions. First it provides an exploration of the experiences of gender-responsive services from statutory service-users, non-statutory service-users and service-providers viewpoints. The chapter then unpicks the impact of gender-responsive services in addressing the multiple and complex needs of both non-statutory and statutory service-users, highlighting examples of good practice and identifying areas for improvement.

To protect the anonymity and confidentiality of the case study WC and its service-providers and service-users, descriptors of the location and outward appearance of the WC have purposely been excluded. A description of the internal spatiality of the WC in direct relation to its function for statutory and non-statutory service-users, however, is necessary in analysing the broad operative function of the WC for what transpired to be three service-user groups.

#### 5.1: Official aims of gender-responsivity

The specific needs and vulnerabilities of women involved in the criminal justice system were highlighted by Corston (2007) who called for the development of a network of holistic Women's Centres across England and Wales. Corston (2007) also called for the educating of sentencers' and other criminal justice professionals of the provision of gender-responsive community sentences in WCs. These reforms were intended to be achieved via a Commissioner for

women who would lobby for the current gaps in provision, services and knowledge to be addressed as a matter of urgency. Whilst the recommendation for a commissioner was not achieved, Corston's (2007) aim for WCs to be utilised as referral centres; as a means of diverting women from court and police stations and providing a credible alternative to prison are significant in the present day.

According to the MOJ (2015: 2), WCs offer a 'range of services and opportunities to women in the community', sharing the 'common aim' of 'helping to support, encourage and enable women to improve their quality of life and wellbeing'. WCs are specialist referral centres that support women who have multiple needs and who 'sit across a spectrum of risk of both reoffending and harm (MOJ, 2015: 2). While all WCs provide different services, they are all 'based in a welcoming building that is a focal point' for women to receive help for their specific needs (Howard League, 2016: 2).

Women's needs are identified and addressed with WCs providing some or all of drug treatment, childcare, housing assistance, counselling and mental health services, employment skills and help for abusive relationships. The central aim of WCs is 'to provide a safe space for women where they are treated as individuals and their needs can be addressed holistically' (Howard League, 2016: 3).

Corston (2007) identified this as the best approach for women in the criminal justice system.

Since Corston (2007), the outsourcing of probation to the private sector was initiated in the Offender Rehabilitation Act (ORA) (2014) that created 21 CRCs to manage individuals in the community considered low and medium risk (Drinkwater, 2016). Because WCs work with both women who have offended and those at risk of offending, their method of operation became increasingly premised upon a Payment by Results (PbR) approach and they were placed under regional CRCs (NOMS, 2016). CRCs were to be funded in

accordance with their ability to reduce re-offending through a PbR approach. As outlined by the Howard League (2016: 3), the ORA stipulated that CRCs 'must identify and address the particular needs of women'. Community sentences undertaken in WCs were also subject to change with the Specified Activity Requirement (SAR) replaced by the Rehabilitation Activity Requirement (RAR) (HMPPS, 2019). The RAR allowed providers of probation services to decide on the best ways to rehabilitate individuals and actively encouraged CRCs to access a range of rehabilitation providers from the private, voluntary and social sectors (HMPPS, 2019). As outlined in chapter three, the operation of women's services in WCs within an increasingly neoliberal context has facilitated numerous problems in terms of women not having their specific structural and social needs identified and met.

## 5.2: Service-providers views on the aims of the WC: "It's making women aware of their potential"

The case study WC in this research is a charity committed to reducing female imprisonment and offending, aiming to provide assistance to women who want to make positive lifestyle changes. The WC aims to encourage the integration of women to enable them to share their skills and experiences in a non-judgemental environment. The regional CRC is based within the WC which provides women with opportunities to access support from local agencies. The woman-only space of the WC is promoted as a safe environment where agencies can work with women. During interview with the OM, the following dialogue took place which encapsulated the rationale of the WC:

KG: How and why was it decided that this Women's Centre would operate with both statutory and non-statutory service-users in the same space?

OM: Because our CEO is er... or was, a Case Manager for Probation so she came across when we, when obviously the pilot was initiated it was based on the Corston Report, so obviously Corston set out her principles about Women's Centres and women in the criminal justice system that Centres like this are better equipped to deal with females within the criminal justice system than sending them off to prison - erm, for offences that doesn't really warrant a custodial. So, our CEO was very much on board with that ethos, so she set it up with her cohort of female offenders and I think she had about 28 or something like that. So, another charity next door hosted us which is Lidgate Change. We had one room and er... things took off really because what they were saying was, based on Corston, we had to be looking at females differently within the criminal justice system. When women were coming to see their case managers they were maybe bringing their daughters if they're over 18, their sisters, their mums, their aunties, anybody else that...so that it wasn't as daunting say - and they could be people that could potentially also enter the criminal justice system so it's preventative. Erm, so that's how it started- it started, obviously statutory because it was a probation initiative erm, and then obviously they were like, right, we need to be working differently with these women now. So that's when we started linking up with other agencies to come here and deliver. So, we became the hotspot or hub. Erm, so then everybody else came in and then obviously it just grew and grew. We were with the other charity and then they couldn't host us anymore because we just got too big. And plus, they had men in that charity and obviously that's not what Corston was saying. Erm so the other charity obviously lost a lot of funding at that time. And this building became available, so we moved in. And then from then it's just imploded. We've just kind of got bigger and bigger. And our thing was, it was all about integration. We had to integrate women on the periphery, women within the criminal justice system, and just women generally. That's how it started. And that's what Corston said the integration of it and stuff really. So that's why we work with statutory and non-statutory service-users.

The operation of a monthly timetable of courses and workshops was described in the mission statement of the WC as covering issues to prevent women from getting into difficulties in their lives.

Established post-Corston (2007), the WCs mission statement also

claimed that a series of targeted interventions tailored to each individual woman through a multi-agency, problem-solving approach were afforded to all women. The WC's official gender-responsive approach to women emphasized a holistic, person-centred approach to improve the health and wellbeing of individual women. The WC viewed its role as integrating women from the local community regardless of background or issues. Its official ethos was "women supporting women". This was thought to be achieved by the WC providing a space for women to make themselves a priority and by enabling women to disseminate their learnings to their communities. The impact of doing so was described by the WC as having a positive intergenerational effect within the local community.

When asked how non-statutory service-users were referred to the WC, the following conversation took place with the OM:

KG: How do you, it's probably the wrong word but 'recruit' voluntary service-users- how do they often hear about this place or get referred?

OM: Oh....so if they haven't come through- sort of Probation services?

KG: Um hmm...

OM: A lot of it is word of mouth. So, a lot of women might have come via probation and then they've gone to their mates 'oh have you heard about this Centre?!', erm, we get a lot of GP referrals and we get a massive amount of social care. So social care are referring to us a *lot*. Erm, we get a lot of women just walking off the street- word of mouth is the best way. We've got a big impact now as we've got a Comms Officer and she's been with us about a year so that's had a better impact within social media for us. Erm, Diane obviously keeps our website updated, she does a lot of tweeting – I'm not into twitter at all but she does tweeting, she does all the Facebook posts and stuff and she's obviously got us erm, on Instagram now. So, having solely Diane doing that, that's pushed us further into that, everyone- well not everyone but most have got

smartphones, or they've got Facebooks and things like that. But yeah, we get a lot of referrals from statutory -GPs, social care, family support workers, drug and alcohol services as well erm, so they refer women in but then I think yeah, a lot of it is just women coming to access us and then telling their friends and stuff like that so word of mouth is probably the big one.

Operating as a charity, the WC had a relatively small number of service-providers. Paid staff included the CEO, the Operations Manager (OM), the Criminal Justice Co-ordinator (CJC), several empowerment workers and an office manager. Other service-providers included volunteers and students undertaking work placements at the WC. Staff structure was discussed by the CJC:

Right, so there are four empowerment advisors with different specialities. We've got the criminal justice side which is myself, Claire comes from the domestic abuse side of things, Jill comes from the social care side of things and Charlotte works alongside the drug and alcohol and the health services.

The CJC held a dual role in the WC. She was employed as both an empowerment worker and criminal justice co-ordinator. The official role of an empowerment worker in the WC comprised working with women, providing advice and support, and encouraging women to pursue a positive path in life. The job description of an empowerment worker included supporting and empowering women considered to enter the WC feeling broken, lost and alone but who leave the WC feeling stronger, empowered and optimistic, ready to make positive changes to their lives. One of the key descriptors of the role of empowerment worker was helping women achieve this transition by facilitating positive lifestyle changes. As the CJC, this service-provider was also responsible for supervising women on Mondays and Fridays undertaking UW either in the WC or on outreach schedules in local community garden spaces. Echoing the

OM's account, the CJC stated that the WC was designed as a progressive alternative to prison:

Ok, so...well when the CEO first started it up, it was called Lidgate Change and basically it was just women offenders who were coming here to access the service. Erm the CEO approached one of the agencies from housing, money advice, debt, domestic abuse, specialists and so on to work with, not only with the female offender but to have an intergenerational effect and have a change on them families from the young daughters, to nans, aunties and that's how the WC started, and started growing.

It appears therefore, that one of the aims of the WC was to operate as a non-custodial community space for women. The CJC stated that the gender-responsive services provided by the WC have a positive impact upon both individual women and female members of her family. Drawing on Cohen (1985), the family was potentially considered by service-providers as a site to treat 'deviance'. Aiming to induce a change so profound in women that they could impart this change onto their family members, suggests that the WC views the family, in line with Cohen's (1985: 79) research on community alternatives to prison, as both 'preventing and containing the deviance of its own members' and as 'an obvious source for treating the deviance of others'.

The CJC further substantiated the suggestion that one of the aims of the WC was to educate women so that the intended positive impact could also positively impact their families:

The women who are on the cusp of offending attend the Centre and work alongside the agencies... And it's educating them. So that they then go home and they're educating their own families and children. So ya know...we're looking at the long-term here, it's not just a short-term fix.

The CJC continued to state that not only can the WC and its gender-responsive services positively impact a woman and her family, but



the WC gives women space and time away from family life to focus on personal needs:

Ya know, women have hectic, chaotic lives especially if they've got children or they might be a main carer for a parent or grandparent. Their time is short, it's precious and they have to do a lot of things in a short space of time so, the likes of, getting their benefits sorted out, getting their housing sorted out, ya know. They might be involved in social care and social care are asking them to do a parenting programme, ya know, an anger management programme and they can do all of that under one roof. Because all the agencies come to us, ya know. Them women, feel safe here. Erm, they know that it's a safe environment, there's no males, there's no children allowed because, because of probation. But what happens there is, a woman will actually work on, what she needs to work on, while the kids aren't with them.

The WCs woman-only environment was thus landscaped by the CJC as a space of sanctuary for women to utilise their limited time productively whilst their children were cared for elsewhere.

The woman-only space of the WC was described by the CJC as a refuge, this time more so for statutory service-users attending to undertake a court ordered period of UW. The CJC maintained that the WC environment facilitated the identification of women's gender-responsive needs:

Because it's not clinical and ya know, you're sat over a table with a cuppa tea with a woman- it's a lot more relaxed setting. And they will talk, what you really will find- about their issues. They're in a safe environment, it's comfortable.

Describing one function of the WC for statutory service-users, the CJC highlighted how their gender-responsivity encouraged women to talk about their personal lives:

Sending them to custody can cause damage not only to herself, but to her family, to her community, erm, ya know, women need, again, I constantly keep saying it, but you need to work with women differently. And once you sit

down with a woman and start talking about what's led her to offence, if a woman who comes in and is upset, (long pause), a pattern emerges and you can sort of identify like ok, you need help with this and you need help with that and that will make her a more confident person.

This method of gender-responsive operation recognised that women possess different needs to men however, there appeared to be reliance upon women's ability and willingness to disclose personal issues to service-providers.

Additionally, almost all interventions in the WC comprised of group-based activities, as suggested by the OM:

So, I know the timetable's open to anybody but there is that underlying thread that I have to ensure that there's criminogenic need there so obviously things around relationships, anger management, money management; anything that could prevent women from re-offending and then to potentially prevent anyone from offending; those on the periphery of offending. So yeah...

The OM's account pointed to the WCs broad clientele. The gender-responsive timetable was thus open to all women, as articulated by the OM:

Because at the end of the day, we can all drink a little bit too much of a night, but we've never entered the criminal justice system, but the potential is there. You know, we could get in a car and drive the next day and still be you know... You just, we're just all a bloody... oh I shouldn't say that... we're a step away you know from entering, everyone is a step away from that. You don't know what's around the corner for you.

The OM also emphasised the role of the WC in empowering women to make informed choices:

I'd say the main aim of the Centre is to empower women. So, it is, er... it is just making women aware of their potential. And sort of enabling them to achieve things that they wanna achieve but have maybe been told they can't, or you know, feel they can't. So, I think predominantly, we're just, I'd say we're just a Women's Centre for *anyone*

over the age of 18 who wanna make positive lifestyle changes and wanna be empowered to move forward. (OM; original emphasis)

The OM's account infers that the WC responds to multiple forms of vulnerability. This is potentially supportive of Barton and Cooper's (2013: 140) premise that the 'conceptual boundaries' between women's 'criminality' and 'vulnerability' are often indistinct within an institutional framework of gender-responsivity. The broad function of the WC for any woman over the age of 18 allowed vulnerability to be overlaid with criminality because all services and interventions were simultaneously targeted at vulnerable women yet underpinned by criminogenic need. This mode of operation could be attributed to the WCs limited resources as well as the operation of a gender-responsive timetable of interventions being the cheapest possible way of attempting to identify and address the gender-responsive needs of women.

The CJC used statistics to highlight the small number of statutory service-users engaging with the WC and, subsequently, the large population of non-statutory service-users attending the WC:

The percentage of women that are accessing the services through Probation is down now; I think it's 5% now. We have over 50 odd women attend this Centre on a daily basis and that is basically, over the week, 5% of them women are probation women.

The CJC's account was supported by office manager Eleanor who stated that "there aren't very many female offenders – only a very small number". While these accounts may have intended to demonstrate the positive impact of the WC by having only a small number of statutory service-users, they highlight the very different role that the WC provides for non-statutory service-users in comparison to statutory service-users.

The CJC noted the function of the WC in educating women who have offended in the following dialogue:

CJC: Yes, ok, the statutory organisations and probation is here; we host the Probation Service. The women who are on the cusp of offending, attend the Centre and work alongside the agencies, can you know, get their finances sorted out because a lot of people we work with here, it is benefit fraud. Erm so it's getting all the right things in place so that they don't offend. And it's educating them. So that they then go home and they're educating their own families and children. So ya know...we're looking at the long-term here, it's not just a short-term fix.

KG: So, do you think that shows a positive effect?

CJC: Yeah. There's a massive effect. And you can also see the long term with the offenders – the CEO does a lot around stats and statistics – she has to, and erm ya know, we can see that the re-offending rate is going down in the local area so it is having a massive, positive change.

Ava, a social work student on placement at the WC corroborated the OM's earlier account by describing the overall function of the WC as a place "to empower women and support women". She stated that her role was "shadowing the empowerment workers here at the WC, supporting women and referring women to different services when they want support". While she noted that "other women will obviously be referred to the service for example through social care, so like, they'll be told they have to come here to do domestic violence courses", she also suggested that many women attended voluntarily "in a panic, don't know what to do, they've got a situation, they might have become homeless and they want some advice so you can refer them to certain services that come into here like NACRO, solicitors and things like that". Ava's description of the operation of the WC and her role in the WC emphasizes the function of empowerment. Ava's comments suggest that the WC's role as a gateway to other services was itself considered itself a method of empowerment.

Ava's account also indicates the dearth in state sponsored services for women outside of the criminal justice system, with women who have not offended having to depend upon the WC for help and support. The WC provided a vital, free service for vulnerable women in times of crisis. The function of the WC is therefore much more expansive than that envisioned by Corston (2007). While Corston promoted WC provisions for women at risk of offending, accounts from service-providers in the WC suggest that the WC was potentially being used as a substitute for women's services no longer provided by the welfare state.

The OM maintained that criminogenic need underpinned the gender-responsive timetable at the WC - "the timetable basically, is based on criminogenic need so obviously we host probation service so that when women are sentenced to RARs erm there's obviously a timetable that can enable them to achieve them RARs". Therefore, while the OM emphasised the primary objective of ensuring criminogenic need is accounted for, for non-statutory service-users, many of the agencies and services available helped with personal needs that were not criminogenic but were arguably produced and exacerbated by the hollowing out of the state. There is the potential that women are being drawn into the WC because there are no other spaces of support available outside of the criminal justice system.

Non-statutory service-users Poppy and Emma for example, were attending the WC on a regular basis and had so for a prolonged period. They had not committed an offence but were attending the WC due to their multiple personal needs. Poppy was referred to the WC by her Doctor due to depression and arthritis, stating "you know what; I'm going on to my fourth year now. So, I've kept it up. I do courses all the time". Emma stated that she had been attending the WC for "about three or four years now" on a twice weekly basis, first

attending due to the closure of a community advocacy group she was a member of. Poppy and Emma both attributed the overarching benefits of attending the WC, to social inclusion and support. The impact that neoliberal state reforms have had upon the reduction of social support and welfare services appeared to be an overarching factor in their attendance at the WC.

Supporting this argument, service-provider Emily referred to the role that the WC had in alleviating social isolation in women by discussing their personal problems and receiving moral support. A sixth form student volunteer, Emily described her duties at the WC as “just helping out”:

It’s a lot more of support and speaking to the women – letting them get things off their chest and you can see the difference that it makes. Some women don’t normally get the chance to speak to someone.

Emily’s account suggests that the negative impact of neoliberalism on women has forced the traditional welfare state and social services to be substituted by the WC. The WC appeared to be the last available means of social support for vulnerable women. The mission statement of the WC and service-provider accounts suggest that aiming to empower women was a guise for making women more resilient and self-sufficient by encouraging the discussion and resolution of their personal problems.

Supporting the argument that women are shaped into citizens through resilience training in the WC, volunteer service-provider Skye, accounted for her role in the WC:

Skye: So, I come in and I can basically, sit on the coffee bar, and make tea and coffee. I can just sit with the clients, talk to them, and get to know them. I can join in with the classes, so a lot of the classes involve filling out a lot of paperwork, things like that, so I might sit down with them and go through it with them step-by-step.

KG: How would you describe the Centre to someone who doesn't know what you do here?

Skye: It's more communicating with them than actually doing things. A lot of it is talking, you know, they might just wanna talk about their problems. Going through stuff with them and being able to take action on that. It's very open. You come in and you do feel liberated when you leave (laughing in a positive manner). It's very empowering and things like that so you can just come in and sit in here and you'll leave feeling very empowered.

Skye's role of talking through personal problems with women suggests again that the WC was attempting to replicate the work of the fractured welfare state whilst simultaneously guiding women to be resilient and self-sufficient.

Due to neoliberal government devolvement of state sponsored social and welfare services for women, service-provider accounts suggest that the WC operated as part of a social welfare system for non-statutory service-users and as part of a criminal justice system for statutory service-users. Office manager Eleanor stated that the WCs mode of operation was "mainly social problems via groupwork"; however, the potential for this format to achieve these two things independently and for different groups of women is questionable and is explored in sections 5.3, 5.4 and 5.6 of this chapter.

### 5.3: Non-statutory service-users views on the aims of the WC: "It's bringing women together"

The official function of the WC for both statutory and non-statutory service-users, as outlined by service-providers has been explored. The next part of this chapter highlights non-statutory service-users experiences of what they felt the aims of the WC were, from their own accounts and experiences. Corroborating the OM and CJC's earlier descriptions of one of the primary aims of the WC, non-

statutory service-user Becky discussed how gender-responsive practice operated at the WC to educate service-users and generate a positive effect on their families:

Because we all have children and so when you've got women with mental health issues or isolation issues, alcohol issues, domestic violence issues and they've got children then coming here can change your life around and it can change your kids' life around – the youth of today. So, you can affect the next generation... The kids are our future.

Becky's view appeared to reflect the mission statement of the WC that indicated intergenerational effect on women's families.

In support of earlier suggestions by service-providers Emily and Skye that the WC was enacting the role of the social welfare state and promoting the resilience and self-sufficiency of women, non-statutory service-user Rosie described how she attended the WC twice a week as a form of respite from her caring responsibilities for her disabled adult son. She expressed that she had previously attended a council run community centre but "that one closed down". As such she stated that:

One of the citizens advice bureau got me involved here because I got so depressed staying at home all the time. I mean I've got carers to help me, but I was stressed out because the amount of time they give me to look after him... (her son) I literally just went shopping and got home again. And now this is actually forcing me to stay the full time away...because you can only shop so much until you get bored of shopping.

Rosie was thus utilising the WC as a space for social inclusion. Her account suggests that if the WC did not exist, Rosie would not be able to access any form of support in her community. The multi-functional operational premise of the WC provided a lifeline for Rosie as well as for non-statutory service-user Lottie. Lottie was in



her early 60s and described her reason for attending the WC due to a health diagnosis:

I've just been diagnosed with erm...early onset Alzheimer's so I need to get my mind...ya know... so this is...there's so much activity going on in here that it keeps you active. And I'm talking whereas, at home, I sit with all four walls until the weekend when I'm with family or I go out. But ya know, I feel I'm getting a lot, a lot of good out – I just can't believe how much help and support really (coughs and voice breaks) ...oh I'm getting emotional now.

Lottie undoubtedly treasured the time she spent at the WC. The role that the WC had in supporting Lottie suggests that it had a very different function for non-statutory service-users than for statutory service-users and is thus different from Corston's (2007) original aims of supporting both statutory and non-statutory service-users in the same space due to their shared needs.

Lottie further noted that:

I should have come here months and months ago because my daughter, she works in, erm...with dysfunctional families and she kept asking me are you going, why don't you go. And I didn't know what to expect so I wouldn't go. And then, when I got this diagnosis, I thought yeah, I will go.

From both Rosie and Lottie's accounts, it appears that the WC attracted older women with minimal risk of offending but who possessed complex personal needs and health needs for which no other networks of support were available.

Nevertheless, two non-statutory service-users, Becky and Daisy, discussed how they initially attended the WC for probation and/or UW and had either remained at the WC after their order was complete or had returned after a period away. Daisy explained how:

A lot of them now, like me... they stay on after their community service. And carry on until you get, like, a job... It's like a home from home when you come here. If it wasn't for here, I don't know where I'd have been.

Daisy had benefitted from the social support she had received from the WC. While she stated that many women stay at the WC until they enter employment, akin to many other women who participated in the study, she had already been attending the WC for two years. Additionally, at the time of data collection, the WC did not operate employment schemes for service-users.

Non-statutory service-user Becky similarly described how she originally attended the WC for probation - "I've been coming off and on for a few years, but I've been coming back for about seven months, everyday". Becky highlighted the overarching issue of loneliness and isolation in the population of non-statutory service-users, contending that one of the main functions of the WC was to help alleviate this:

It's like having a social life that you don't have outside of here- you can be isolated. I mean... (Pointing towards the tables where numerous women sit) there's a lot of people over there who don't really have friends...you know. And I mean, I don't want it to come across like we come here for a social life, we don't, but it's interacting with the other women. We can have a laugh. We still attend courses... I mean there's the floristry, there's the nails, there's the crafts, there's all that but it's bringing people together- it's bringing women together.

Becky's concept of "bringing women together" aligns with Hudson's (1998) argument that under neoliberalism, the population is increasingly individualised, and that the desire for social connections in the WC is a potential response to individualisation. This represents an inherent tension in the function of the WC. It echoes the WCs overarching aim of "women supporting women", however, it contradicts the empowerment rhetoric and the WC teaching women to be resilient in the face of adversity and disadvantage.

#### 5.4: Statutory service-users perspectives on the function of

## the WC: “You come here, and you do gardening!”

The WC appeared to have a dual function for non-statutory service-users. It operated as a space of sanctuary and support for women experiencing the negative impacts of the neoliberal restructuring of state services, yet it simultaneously functioned to teach women to develop individual resilience and strategies of self-help to cope with their structural marginalisation. The next part of the chapter, in contrast, analyses the function of the WC specifically for statutory service-users.

Almost all statutory service-user participants were undertaking a sentence of UW at the WC. At the time of participation, those undertaking UW were at different stages of their orders. The Criminal Justice Act (CJA) 2003 requires that the end date of a community order must be no more than 3 years after the date of the order, by which time all of the requirements must have been compiled with (NOMS, 2016). There is also an obligation on the offender under section 200 of the CJA 2003, to complete the UW hours imposed within a 12-month period (NOMS, 2016). FG1P7 was attending the WC for UW for the first time, while FG1P2 had been attending for one year, due to a 100-hour UW sentence. Many women had calculated their sentence length from the hours sentenced so that they had an end date to look forward to. They did this because, according to them, neither probation nor the courts informed them of a completion date of their sentence and without their own calculations, they risked working too many hours, as described by FG1P1:

I used to do Mondays and Fridays just to get shut of my hours... I only had what... I think I had a hundred and I'd come in on a Monday and I'd say you know what CJC, I'm comin' in on a Friday too to get shut of them. And then I come in here on a Friday and I went “I must nearly be up now” and she went “No, I don't think so Penny”. And then

at dinner time she went “you can get off if you want Penny” and I went “why”, and she went “your hours is up now”. And I thought, you would have kept me here longer if I hadn’t have mentioned it (laughs).

Regardless of their sentence length, all women were expected to undertake the same UW schedules either within the WCs “community garden” or “on outreach” (CJC) in dilapidated garden areas in the community, identified by the WC as in need of clearing and/or tidying.

As outlined in section 5.2, the OM noted that the WC supports all women with their gender-specific needs. Statutory service-users in focus group two however, expressed that the WC, in their opinion, was more of a lifeline for non-statutory service-users than for them:

KG: Ok, so how would you describe this place to somebody who doesn’t know what goes on here or what you came here for?

FG2P3: I’d say this place is like a place of refuge for women that need help and assistance and it’s somewhere safe for them to come...

KG: Do you think it helps women who come here voluntarily more than it helps you?

All chorus: Yeah!!

FG2P4: I wouldn’t come ‘ere if I wasn’t doin’ what I was doin’... it’s not for me no.

FG2P3: Some people come here because you know... a lot of people have very difficult backgrounds...Some people do need help. I mean some people are dead happy in their lives but some of the ladies here, they don’t seem to have a lot do they? Bless them.

FG2P4: No.

FG2P3’s comments give credence to the potential that the WC was experienced more positively by women attending through choice, to help address their needs, than by statutory service-users attending the WC due to a probation or court order. Statutory service-users

were aware that support was predominantly afforded to non-statutory service-users in the WC, and not them. They talked of their desperation for the WC to provide purposeful activities for them to engage with during their UW sentence. In focus group two when asked “Would any of you say that the Centre has helped you in any way?”, the first reaction from all participants was awkward body language with most looking down at the table or the ground. This prompted me to reiterate my impartiality in the research process and the upholding of their confidentiality and anonymity. The women then engaged in the following discussion:

FG2P2: See I thought they'd be givin' us trainin' or things to help us with the outside (world)...

FG2P6: Yeah!!

FG2P3: Yeah, I would have said that too...

FG2P5: I feel like a gardener...

FG2P2: You know like it'd be good to learn stuff like, how to change a light bulb!

KG: More practical things?

All service-users: Yeah!

FG2P3: I didn't know what happened here, when you came here, and I assumed that when you came here, somebody would assess each individual person's abilities and needs and do some sort of plan or something. So, say for instance, somebody come here, and they've got a family and they can't cook, then they could teach you to cook, couldn't they?

KG: Umm hmm...

FG2P3: You know, very practical. So when you come in here and then you go home, ok, I've been here all day but I can go and cook a nice meal for the kids now... or somebody maybe, who has difficulty filling forms in, you could go on a course for that but instead, it's a one size fits all, no matter what you've done – you could have murdered somebody or robbed...

FG2P4: Robbed a penny sweet out of the shop...

FG2P3: You come here, and you do gardening!

Additionally, rather than educational gardening activities or horticultural training that held the potential to facilitate learning and acquire new knowledge; FG2P4 exclaimed “Because we’re not puttin’ smiles on our faces ‘ere, just weedin’ the same patch of grass!”, suggesting a monotony to the labour-intensive activity that statutory service-users undertook. The women further suggested that they were seldom afforded the time during their UW sentences to engage with the gender-responsive timetable that was advocated by service-providers to non-statutory service-users. Although FG2P3 expressed that the WC was a lifeline for many non-statutory service-users, along with other women from FG2, she pointed out that the WC failed to identify and/or address any of their specific needs as statutory service-users.

A significant tension existed between service-user and service-providers perspectives on the purpose of the WC for women convicted of an offence. While statutory service-users wished for meaningful activities to make their time at the WC more productive, the CJC responsible for their supervision emphasised the role of the WC in identifying and addressing their personal wellbeing and emotional needs by signposting them to gender-responsive courses:

We identify the needs of the women at induction stage and what you have to work on with a woman on probation is, you have to identify, what are her needs, whether that be housing, whether that be domestic abuse, whether that be drugs or alcohol and then what we do is, we signpost them to them courses. But, if the women are given in court, a RAR, which is a Rehabilitation Activity Requirement, which replaced the SAR- the Specified Activity Requirement, then erm, the empowerment advisors sit in on induction with a probation officer and we do a three way. So, on that three way, we come to the conclusion together: the probation officer, the empowerment advisor and the client. It has to

be a three-way. It's not about telling that woman, right, you *need* to do this course. Obviously, you have to work on your criminogenic need, so what the offence was but erm, but in the end that can only be a small part of that woman. So, say for instance she's up on an assault charge – that woman could have been in a violent relationship for I don't know, 15 or 20 years and on that one occasion, she's retaliated, she's been charged, erm...so we have to look at all emotion and wellbeing. Everything around that woman and in the three-way, that's where the needs are met to be honest. (emphasis original)

The CJC therefore stated that each statutory service-user was subject to a “three way” assessment at the start of her sentence to signpost her to services suitable for her individual needs. This was in tension with statutory service-users experiences of the WC. In contrast to what appears to be the production of resilience in non-statutory service-users, the WC appeared to have a productive function for statutory service-users that was experienced as punitive. UW schedules were productive because they kept women busy with work tasks to produce a visible output in the form of a presentable, weed free garden in the WC or tidy community spaces. They are, however, ultimately punitive because they are monotonous and non-purposeful for service-users in terms of identifying and/or addressing their individual needs.

Although statutory service-users were permitted to access gender-responsive courses from the WCs timetable providing it did not clash with their UW hours, they claimed that their needs were not identified at the start of their sentence. They discussed their treatment as a homogenous group present to undertake punishment schedules in the WC in FG1:

FG1P6: The other negative is... I think...if they're gonna give you community service... don't you think it'd be more appropriate if they gave you community service that was suitable to each individual person not just a one size fits all...

KG: Umm hmm... so do you have any sort of individual assessment when you first come here to see what you like doing, what your strengths or weaknesses are...?

FG1P2: No, you just get told what you're doing...

FG1P1: Yeah...

KG: Do you think that might be a good way to improve it?

FG1P6: Yes. See, I mean, I was told, you know, I cannot do physical work. But this is the only thing physical I do. But I can't see how it's overly productive. There's a million other things we could be doing...

FG1P2: Like, Alana who came here, she couldn't do stuff with her back...like she couldn't... 'remember Alana...?' (gestures towards P1). She had a bad back and I don't think she had to do as much.

FG1P6: I broke my back in a car accident, so I genuinely cannot do physical work. When I got down before, I was quite happily weeding and then I thought, how the hell am I gonna get back up?! (laughs).

FG1P1, FG1P2, FG1P6 and FG1P7 laugh

FG1P6: And I was sitting there thinking, I hope somebody passes me and helps me in a minute (nervous laugh)

This discussion highlights that although FG1P6 possessed specific physical health needs, UW schedules were the same for all women. The only opportunity for statutory service-users to engage with services they felt may benefit them, were to be accessed outside of their UW hours.

While gender-responsive practice was outlined by Corston (2007) to identify and address the specific needs of women, the experiences outlined by statutory service-users in FG1 suggest that the location of UW in the WC as well as service-providers promotion of the gender-responsive timetable of activities enabled the realities of UW schedules to be masked. The way that women described the content of UW and the manner that they were "told" what they were doing (FG1P2), suggests that the location of UW in the woman-only



environment was the only factor that was consistent with gender-responsive operation. Statutory service-users experiences of undertaking UW in the WC is explored in chapter six.

### 5.5: Service-provider viewpoints on gender-responsive practice in the WC: “We treat everybody exactly the same”

The multiple functions of the WC have been explored from the viewpoints of service-providers and service-users. The chapter now explores the operation of gender-responsive practice in the WC, firstly from the opinions of service-providers. Reflecting other service-providers emphasis on managing women’s personal emotions, the OM highlighted how gender-responsive practice scrutinised social insecurities:

At the end of the day, when they come in, we treat everybody exactly the same and it does break down those barriers and then, you know, they do start talking a bit more and they realise oh you know, I’m not actually any different from the next woman I’m sitting next to in the community room. We all have the same insecurities, we just all deal with them differently. That’s the thing at the end of the day isn’t it. (laughs). We all have the same issues, the same hormones, it’s all that stuff – it’s just how you deal with it.

Referring to women as “we” suggests that the WC conceptualises women as possessing the same insecurities which reflects Carlton and Segrave’s (2013) concerns that women are treated as a homogenous group within gendered justice arenas. The OM’s referral to shared “hormones” and “insecurities” also resonates with Barton and Cooper’s (2013) argument that gender-responsive practice adheres to and reproduces stereotypical gender norms. By voicing that “it’s just how you deal with it”, the OM decontextualises women’s structural and economic marginalisation and places the

responsibility on the individual woman to “deal with” and cope with circumstances often outside of her control and attributed to poverty and socio-economic exclusion. Her resilience is key.

The CJC’s explanation of the role of gender-responsive practice referred to the WCs recourse to stereotypically feminine behaviour when discussing the role of women’s emotionality:

No one understands another woman like another woman. And it’s working with... you have to work with women differently to men, you do, yeah. Women have a lot more emotion which erm... can be challenging but it can also be; you can also get a lot of work done with that person because women will open up a lot more than men.

The CJC’s comparison between men and women does not afford equitable treatment on the basis on each individual woman’s needs. The CJC’s description of gender-responsive practice gives credence to what Barton and Cooper (2013: 143) call ‘entrenched constructions of femininity’ in their research on semi-penal institutions for women, specifically in terms of women’s perceived “emotionality”:

I constantly keep saying it, but you need to work with women differently. And once you sit down with a woman and start talking about what’s led her to offence, if a woman who comes in and is upset, (long pause), a pattern emerges and you can sort of identify like ok, you need help with this and you need help with that and that will make her a more confident person. You’re educating that woman as well- what’s right and what’s wrong. A lot of the women we work with, not only probation women but other service-users coming in, have not had positive role models in their lives so some women, being on probation to them can be normal if you like.

Regulating women’s individual liberty appeared to be promoted by the WC; referred to by the CJC and service-providers Emily and Skye, thus decontextualizing women’s socioeconomic problems.

Service-provider Phoebe for example, expressed the WCs operational function:

I think the Women's Centre is actually very good for women because it kind of like gives that boost to women because most of the time women tend to think that they need to stay at home. If they're not working or if they have no friends, then they have to stay at home and look after the kids and everything. So, it's actually very good that they have got a place where they can all meet, where we can all meet as women, talk about different problems and what we're going through in life and see how we can actually empower each other.

Phoebe's statement that "we can all meet as women" while suggesting an appeal to solidarity, appears primarily conducive to convincing women to participate in their own empowerment. Achieving empowerment in the WC related to women becoming more resilient.

Echoing Phoebe's emphasis on the WC operating as a dichotomous form of escape from family life, yet a space to discuss issues stemming from family life, the OM focuses again upon the "intergenerational effect" of gender-responsive practice:

I know there's men everywhere- there's men all over the world, you walk past them on the streets, you're probably married to one or whatever, you have sons, that doesn't matter. What I'm saying is that's there, but you should be able to have a couple of hours out in a place like this and concentrate on themselves without being a wife, a mother, a sister, you know, without all of that. All those bloody titles that come with it. It's just going, right, sod that for a couple of hours, I'm gonna concentrate on me here.

The OM and Phoebe's claims that women were able to remove their gendered identities when accessing the WC was in tension with the WCs operational focus on family life, intergenerational effect and the reproduction of stereotypically gendered norms of behaviour.

Service-provider accounts placed an emphasis upon women engaging in methods of self-help to regulate social conduct, positioned within a framework of gender-responsivity, as noted by the OM:

But we're saying, its giving women a couple of hours out, to concentrate on themselves and be who they wanna be for those couple of hours and access what they wanna access.

The OM emphasized that women attending the WC exercised agency in terms of the gender-responsive courses they wished to engage with, within the structural constraints of the WC.

The mission statement of the WC outlined its function for women attending for probation and/or UW and for those attending for personal issues. It did not explain the role of the WC for a third service-user group; social care service-users. While the original aims of WCs in England and Wales, as set out by Corston (2007), did not include social care clientele, the OM discussed the increasing reliance of social care on the WC to deliver services to their clients in recent years, stating "we get a massive amount of social care, so social care are referring to us *a lot*" (OM; emphasis original). This presented several difficulties for the WC, as outlined by the OM:

So, because usually what you'll find is that women will come in and access us and then social care will ring us and say "we've told a mum to come down- can you tell us what she's attended?". And we're like, well you didn't tell us that this mum was coming down, so you never had that conversation with us, you didn't communicate that to us so it's a bit difficult for us now, to sort of feed that back. Whereas, what we're trying to get social care to do is to either bring the mum down with them, introduce the mum to us – now we've got one of our empowerment workers is a – she's designated around social care.

The OM pointed to the expanding role and function of the WC and the scope within which gender-responsive services, originally designed by Corston (2007) to reduce offending and risk of offending

were increasingly considered by social care as suitable for their service-users. It also suggests that state funded services are increasingly placing the burden on the voluntary sector to deliver their objectives.

Service-provider Phoebe highlighted how the different functions of the WC for statutory and non-statutory service-users and women referred due to social service intervention meant that women's consent was often overruled by coercion:

Some of the women are actually referred through social services because, let's say, social services will probably say to them, you probably need to do a course or a number of sessions on parenting, anger management, domestic abuse and everything because if you don't do it, your kid will be removed.

When asked if women referred through social care were subject to monitoring, Phoebe replied:

Yeah because when they come, they will have a support worker who comes with them or who actually monitors when they come here. Most of the women are very good because they know what the consequences are of not attending a session. Basically... which I'm actually not very happy with because here's the thing, you know, just because, you attend doesn't mean you're actually going to do anything. Like for example, I had this lady who was forced to attend because she was living with a violent male partner and social services just said to her, you need to attend a domestic violence course. So, she's attending and then she said to me, this course will never be able to tell me that if a man comes to me for the first time... Unless you actually start dating a person and you recognise the first signs. And the fact that I've been there once already, I know.

Phoebe's account of the operation of the WC for social care service-users implies that a woman who was the victim of domestic abuse was herself forced to attend a domestic abuse course that appeared to accrue her few benefits.

The rationale surrounding women subject to social care intervention attending gender-responsive courses in the WC was attributed to court requirements, as described the OM:

With social care- they're obviously saying to Mum, you need to be doing x,y and z for Court because when we write the report, we want it to look like you're pro-active.

While social care service-users were forced to engage with gender-responsive courses, this was positioned by the OM as helping women to achieve a better outcome at court.

When Phoebe was asked how she would describe the broad clientele in the WC, she stated:

I think there's definitely a difference between women who attend as part of an order and those who come voluntarily because the ones that are referred by social services or probation, some of them are not actually happy to be here. They've got this thing about social services- they hate social services- they hate the authorities. Anything that says that they have to do something in order to have something which is actually very, very bad.

Further suggestive of the WC operating coerced attendance was service-provider Ava's account of statutory service-users attendance at the WC:

When courses come up that they feel will benefit them, then they'll do them. Whereas, it might have been one of their RAR'S to do that course and *they were forced to do it*, they might recognise now, that yeah that might help me actually (emphasis added).

Ava refers to the use of coercion with women subject to RAR's. Statutory service-users are ordered by the courts to fulfil their community sentence requirements and RAR's, and social care service-users are compelled to undertake courses to fulfil the requirements outlined by social services, not the WC.

## 5.6: Non-statutory service-users experiences of gender-responsive practice in the WC: Producing gendered neoliberal subjects

Gender-responsive services provided by the WC, as ascertained earlier in this chapter from service-provider accounts, were underpinned by criminogenic need. The WC claimed that addressing women's criminogenic need enables women to become confident and develop resilience which then facilitates their empowerment.

Non-statutory service-users generally held positive views on their experiences of gender-responsive services in the WC. Non-statutory service-user Amber discussed what she described as a dual role of empowerment in the WC; "I accessed the domestic abuse drop-in, also the freedom drop-in...and the first aid course, a bit of laughter therapy". Amber had also undertaken "an empowerment course" and when asked what this course entailed, replied "It was a six-weekly course...erm...it was where you change your thinking around being the victim". Amber's explanation of what empowerment meant within the WC was still unclear so when prompted to elucidate further, she explained that:

I don't see it as an environment where you're here to be punished but it's maybe an environment which will erm...I'm trying to think of the word...erm... encourage responsibility...ya know... and to inform and to not hide away.

Amber's account suggests that the WC focused upon personal responsibility and individual psychological deficits as a method of addressing gender-responsive need.

Personal responsibility is a key principle of neoliberalism and was reflected in the range of gender-responsive courses at the WC. Non-statutory service-user Orla stated that "I've been on a First Aid

course, a confidence building course last year, I've done a sort of 'ways to look after yourself' course". Poppy also stated she had attended a course called "valuing you". Therefore, whilst a personal responsibility was placed on women to manage their disadvantage, it appears that the WC encouraged women to attend courses within the gender-responsive timetable to shape them into self-managing citizens that possess personal qualities of resilience, individualisation and entrepreneurialism; key tenets of neoliberalism.

Orla described her negative experiences of the facilitation of gender-responsive practice in the WC in the following abstract:

I had a go at the sign language course but I've got to be in the mood for it...because you've got to watch here, that if you're sitting around the table, they like you to join in with courses (says the latter part of the sentence in a very low voice so as not to be overheard in the community room). And they did that with me one day when I got here and when I got home that day, I was braindead (...). I try and go on courses that suit me and I'm not sitting for hours in one place. Because I've got to get up and move about. But at the moment there's nothing on the board as yet. (...) They do, do a lot of courses here for you to join in and that's not a problem, but as I say, I've got to be wanting to do the courses and there's a particular member of staff and I pulled them up over it... I said I can't just sit down, and you get me on a course, have a break and then another course, I said I'm sorry, I just can't do that. And I said, and I'm not like everybody else. I said, I've got to plan it, I can't just have you saying, you can't sit there (in the community room) and I put her in the picture and I made her more aware that I've got to do it when it suits me and not them.

Orla highlighted how service-providers encouraged attendance on gender-responsive courses and discouraged sitting in the community room. Non-statutory service-user Daisy echoed Orla's feelings of discomfort with the often-coerced attendance on gender-responsive courses:

KG: Is there anything at all, on the flipside that you haven't enjoyed here or anything you feel could be improved?



Daisy: I think it's pretty good as it is...but sometimes... I'm not saying any names... but some of the staff can be a lot more strict than other staff and it can make you feel a bit uncomfy. You know you're here...not to be... you know what I mean...

KG: Strict as in...within the courses you're attending or when you're sitting here in the community room?

Daisy: Well... (gestures towards a paid member of staff whose job title is empowerment worker) she likes to get you on... to do all the courses... she doesn't like you sitting in the community room and stuff all day. But sometimes when you're new, you don't want to be bothered- you just wanna sit in the corner and mind your own business.

Daisy's contention that service-providers often used a degree of coercion to encourage gender-responsive course engagement suggests that the WC sought to make neoliberal subjects out of marginalised women by training them to be both self-sufficient and constructive with their time. The role of empowerment workers in the WC potentially pertains to making women productive, or at least appear productive by taking part in courses contained within the gender-responsive timetable. The exercise of coercion in course attendance also suggests that the WCs neoliberal operation required justification of continued service delivery to funders to visibly demonstrate impact on service-users to CRCs. The OM referred to fulfilling course capacities as achieving "bums on seats". The more women documented as attending gender-responsive courses, the more favourable position the WC was placed to justify funding and bids for future funding. The WCs gender-responsive mode of operation suggests the "success" of the WC in managing women who are victims of the deregulation of the economy and the desocialisation of wage labour due to neoliberalism.

Daisy's account also suggests that a continuum of coercion existed in the WC which was open to manipulation by service-providers because of the WCs precarious funding arrangements. Service-

providers' level of authority in coercing both non-statutory and social care service-users to engage with gender-responsive courses suggests that women were constituted as subjects in the WC. Several non-statutory service-users including Lexie discussed the often-coerced participation in gender-responsive activities:

I've done an empowering course which I've just passed. I've done a course with Alice Smith which is working on abuse and recognising abuse in relationships as well...that was a 12-week course. Lots of confidence groups. I do a lot of the nice groups as well...the cooking and all the nice stuff. That's all the nicer side of it but *there are other groups that you need to push yourself to do*...because coming here is obviously all well and good and feeling good and sitting here and drinking the tea and coffee... but there's a lot of opportunities here and *a lot of lovely people to help push you*. And they do... when you speak to the staff...they recognise your weaknesses in a way and sort of, not like push you into it but they'll sort of go... well, this will sort of suit you and we think this would be of benefit to you (emphasis added).

Lexie's account highlights self-encouragement and service-provider encouragement to engage with services. Having service-providers "push you" (Lexie), is akin to Daisy's experiences of the manipulation of consent within the WC, which then blurs the definitional boundaries between coercion and consent as women are the subject of and subject to, gender-responsive power in the WC.

Viewed in isolation, Amber's response to the question "is there anything maybe that you've found unhelpful about the Centre or anything that you think could be improved?" highlighted a level of distrust towards fellow non-statutory service-users and again suggested a continuum of coercion in the imposition of rules by the WC:

Amber: No, no. *Not really* erm... they do have ground rules ya know...like suggestions... don't swap numbers, don't go to each other's houses and stuff like that. Try and keep your friendships within the Centre because you don't really know

the person, you can't say you're 100% sure that you know anybody here.... erm. But I know there's a few people that they'd say ahh I'll take you out for a drink or come and do this with me and it might not be in your best interests. That's more with the clientele not with the staff (emphasis original).

Amber did not therefore explicitly describe her experiences of the WC rules as unpleasant. She did, however, acknowledge the level of authority operated by service-providers. Angel similarly stated:

Somewhere along the conversation, you're not meant to have friends outside. But I *do* have friends outside (defiant tone). But I don't think they allow a lot of lesbians here- they don't like relationships...So friendships only...I don't think they allow relationships to go on. I think that's what it is, but no-one's directly said, here's your rules... (emphasis original).

The informality of rules concerning friendships and relationships in the WC suggests that non-statutory service-users were subject to gender-responsive power that attempted to regulate their personal lives.

The role of empowerment in the WC appeared to encompass coaching women to be productive and actively tackling unproductive uses of the WC, as well as teaching resilience. For example, as discussed by Jasmine when she was asked if attending the WC had impacted upon her:

Definitely, because I would probably just be at home thinking, how am I going to fill my day today – what am I going to do? Start brooding on stuff ya know... so. It definitely has and for me to walk here...it definitely proves that I want to be here.

The WC operating gender-responsive courses to tackle the unproductiveness that appeared to capture many of the lives of non-statutory service-users was depicted by other service-users including Georgia who stated that “it makes you get up and get out in the morning. It gives you a sense of purpose”. When asked what courses

or support Georgia engaged with at the WC she stated “erm... mindfulness, origami and flower arranging”. Fran also referred to the role of the WC in making her productive, stating that “it’s something to do and it’s something that gets me out of the house”. Gender-responsive practice thus also appeared to operate to produce productive subjects in women experiencing social isolation.

Because most non-statutory women were unemployed, the WC helped maintain social cohesion and a sense of productiveness by operating as a space where women could pass time, engage in services which felt like paid work and receive mutual support for their social exclusion. Regular engagement and attendance at the WC encouraged non-statutory service-users to behave according to the gendered neoliberal social order. Lexie for example, presented both conformity and commitment to the WC. She stated that “it’s like this is my job... I come here...I love it and I’ve gained so much to be honest”. She further reiterated that “I’m here nine ‘til four. As I said, it’s like my job at the moment...I get up and come here for nine and I’m first in, last out”. For Lexie, who had been attending the WC for over twelve months at the time of interview, her eagerness to participate in courses at the WC and to adhere to a daily attendance routine suggests the training function of the WC and the installation of values of work.

Several women in the WC, however, appeared to possess very complex needs that arguably required more targeted one-to-one intervention(s) than the group-based courses available. As service-provider Phoebe stated:

I was working yesterday in this place, and I was talking to a lady who had accessed this place before and she stopped and I said, well, why did you stop using the Centre because obviously I need to know. And she said that it was because of the lack of one-to-one sessions. And unfortunately, that is something that the Centre cannot afford to do because of

the lack of funding and everything. Because obviously all of the sessions we have are in groups, so everybody is talking but for women who are not very good at talking in front of people – that was her issue- which I did understand.

Non-statutory service-user Ruby presented discomfort with the gender-responsive group-based services at the WC. Ruby was an alcoholic, was living in a women's refuge and had been attending the WC for "five years on and off", stating "I've always been voluntary". When asked if she had experienced any personal benefits since attending the WC, Ruby responded:

I've recently come out of an abusive relationship and my self-esteem is very low and I feel vulnerable. I've not been offered any classes or workshops- you have to find these things out for yourself. At the moment, I'm in no position to commit myself to any courses – I'm not strong enough. It also depends on the day – I've got appointments to keep and I'm seeing a key worker.

Ruby highlighted complex substance, accommodation, personal and social issues. Although she claimed to be more determined by attending the WC, she stated that you needed self-motivation to find out what gender-responsive courses would suit your needs.

Gender-responsive courses provided by the WC, including "personal and social development"; detailed as a course that "will help you grow, build confidence, self-esteem and progress your future", "happy healthy home: parenting course" and "enterprise workshops – eBay to etsy and 1 page business plan" suggests that the WC works towards the production of gendered entrepreneurial subjects because, individually, each person in a neoliberal society is considered responsible for their own well-being, welfare and life chances. All gender-responsive courses focused upon the individual attributes, characteristics and personalities of women, highlighting neoliberal perspectives that emphasize individual responsibility. Emotion management courses such as "personal and social

development” and “managing your emojis” proposed to educate women on increasing self-esteem, self-confidence and self-belief.

Service-user Annabelle stated that “I’ve done an anger management course, a positive parenting course and cooking from scratch”.

Annabelle first attended the WC due to social services involvement with her child. The OM outlined courses that social care service-users were often mandated to attend:

Erm, so they’ll (social services) probably state that they want them to do, predominantly it’s usually a domestic abuse course because it seems to be one of the big ones. Erm, so they’ll sort of say, we want you to do a domestic abuse course, maybe something around confidence and self-esteem, and emotional wellbeing, erm, maybe ETE-education, training and employment. So, they’ll probably want them to do that and they will sort of set it – it won’t be us.

For Annabelle, the “positive parenting” and “cooking from scratch” courses she attended were mandatory. While Annabelle was obliged to attend these courses, there may have been other women on the same courses that were attending as non-statutory service-users.

This was because the gender-responsive operation of the WC, according to the OM, promoted inclusion:

So, I’ll never really let courses run that will single out who can go on it. And I think that makes the difference because I don’t think that’s fair. People only get funding for certain criteria, so if that’s the case then I’ll ensure I have the others on, or I’ll say to the people who are saying I can only deliver it to probation or whatever and I’ll say ok, what’s the maximum number for that. And if they’ve got, if they need 6 or 7 bums on seats for that, I’ll say ok, can we have 7 non then. Alright, they might not get the certificate at the end, but we can do the certificates for them instead. We just get it so that it’s still that mix. And nobody’s being like, saying you can’t go on there because you haven’t got this offence. I think that then is when it would have become segregated and that would have given us issues with women going, well why are they getting all that. So that

doesn't happen. I have to ensure that everyone gets the same across the board.

The OM's account suggests that an influencing factor in gender-responsive practice in the WC was to enable non-statutory service-users to access the same services as statutory service-users.

Non-statutory service-users experiences of gender-responsivity suggests that the WC also acts upon the private lives of women. Intruding into the private sphere, even when experienced as positive by women, serves to re-emphasize and strengthen the 'private/public distinction' inherently rooted in the 'sexual division of labour' (Hall, 1984: 20). Evelyn for example, discussed how she "did mainly the sewing, the knitting... I've done cooking, the relaxation..." and Becky referred to the courses more passively stating that "there's the floristry, there's the nails, there's the crafts". While the OM emphasized that gender-responsive courses were always underpinned by criminogenic need designed to prevent statutory service-users from (re)offending, Evelyn and Becky's descriptions of gender-responsive courses align with the feminisation of women's needs.

Daisy highlighted the gender-responsive courses she had attended:

Cookery... I always have a go and see if I like it. Oh, I've just learnt to sew as well- I've done a five-week sewing course. I couldn't sew 5 weeks ago, and I can sew now so I've got that skill now for life".

Daisy's notion of gaining new skills points to the potential simulation of new forms of behaviour that align with sexual divisions of labour and the exclusion of women from the public sphere. Encouraging women to predominantly operate within the private sphere increases their invisibility in society and potentially increases their dependence on men as participants in the public sphere.

The empowerment discourse that seemed to be interweaved into the gender-responsive mode of operation in the WC decontextualises wider socio-economic issues and instead focuses upon resilience and self-management in the production of certain kinds of subjects; neoliberal subjects.

## 5.7: Conclusion

This chapter has presented data outlining the aims, function and experiences of gender-responsive services in the case study WC from the perspectives of service-providers, non-statutory service-users and statutory service-users. Both service-provider and non-statutory service-users accounts of the aims and operation of gender-responsivity in the WC highlight the potential that as a non-custodial alternative to the prison, the WC aligns with Cohen's (1985) theory of individuals being unintentionally drawn into the criminal justice system due to the absence of social welfare support services in the local community. Many non-statutory service-users had never committed a criminal offence but possessed needs relating to social isolation and exclusion and were being diverted into the WC.

Several women's experiences of the closure of community-based, non-criminal justice services prompting their attendance at the WC points to the criminal justice system being used as a proxy for government funded services specifically for marginalised women. The focus of gender-responsive practice on family life and intergenerational effect aimed to empower women, encourage self-sufficiency and induce societal cohesion in a climate of social and political uncertainty. The WC is also increasingly being utilised by social services for women subject to civil orders. Their non-compliance with specific gender-responsive courses could result in the removal of their child(ren) from their care. The WC as a criminal



justice institution has thus potentially been co-opted into the realm of civil enforcement which was previously the responsibility of the welfare state.

The WC as an extension of the state appears to attempt to shape the social and political lives of women through processes of gendered individualisation. In addition to women's emotional state being targeted for intervention, the family is also considered a site for intervention. The experiences of several women, including Becky and Lexie suggests that gender-responsive practice aims to restore the lost function of the family with a focus on intergenerational impact, parenting, cooking and managing personal emotions as an attempt to achieve conformity to the economic structure of neoliberal society. Women's experiences also give credence to the reinforcement of gendered norms of conduct and behaviour that align with stereotypical sexual divisions of labour and the exclusion of women from the public sphere. The use of coercion, however, was commented upon by non-statutory service-users Daisy, Orla and Amber in their accounts of the coercive power exerted by service-providers in the WC, the rules and regulations of the institution and the exercise of authority concerning friendships and relationships between service-users. The operation of gender-responsive practice suggests a form of state penetration into the personal, civil and social lives of women to enable the production of practiced, neoliberal subjects. A blurring of the lines between consent and coercion is also suggested within the accounts of non-statutory service-users to instil self-discipline and self-regulation, reflective of neoliberal principles.

Whilst gender-responsive practice, as outlined by Corston (2007), intended to address women's multiple and complex needs, the data suggests that the WC operates within a neoliberal culture that emphasizes individual responsibility, resilience, entrepreneurial

values, and ultimately, works towards the production of gendered neoliberal subjects. Addressing gender-responsive need in the WC appeared to place a responsibility on each woman to address her personal social and psychological deficits by becoming more self-confident and self-sufficient and possessing more self-esteem so that she could then become accountable for her actions and manage her poverty and disadvantage, demonstrating her resilience. Ultimately, the data suggests that the WC teaches women to manage their disadvantage rather than addressing and alleviating it. The WC, however, for many non-statutory service-users is a social sanctuary. Without it, they would continue to experience entrenched social exclusion.

On the contrary, statutory service-users appear to be subject to surveillance and control. Tensions exist between service-user and service-provider views on the operation, or lack of, assessment of individual women at the start of their sentences, the role of UW in rehabilitating women and the operation of informal social support from service-providers. Overall, statutory service-users emphasize how the WC is a lifeline for women attending through choice but is experienced much more negatively by those attending due to a court order. The next chapter critically analyses the operation of UW sentences in the WC from the perspectives of statutory service-users.

## Chapter Six:

### “It’s just punishment isn’t it?!”: Visibility, punishment and shame for statutory service-users in the WC

This chapter explores statutory service-users experiences of attending the WC to undertake UW sentences and considers the impact that undertaking UW orders within a gender-responsive arena has upon the way they experience the WC. Links are drawn to the literature and theory discussed in chapters two and three, with consideration given to the operation of UW sentences within the woman-only space of the WC.

Themes that are drawn from the data include: the visibility of UW in the WCs garden; UW experienced as punishment; dimensions of shame induced by the location of UW sentences; and gendered injustices experienced by statutory service-users. Consideration of these four main themes is necessary because the data collected indicates considerable tensions and discontinuities between service-providers and service-users viewpoints of the aims, operation, and impact of statutory attendance at the WC.

Unpaid work (UW) is the legal term used in legislation to describe a sentencing disposal often termed ‘community payback’ (MOJ, 2010: 5). UW has four overarching aims: punishment; reparation to the community; increased public confidence in the criminal justice system; and reduced re-offending (MOJ, 2010). UW meets the sentencing purposes of punishment and reparation with potential ‘rehabilitative benefits’ as it is considered to provide opportunities to ‘develop life and vocational skills that reduce the risk of re-offending’ (MOJ, 2010: 6). UW requirements are only usually

suitable for offenders who pose little risk of harm to the public. UW involves individuals working on projects that benefit the community, often including decorating and renovating buildings, environmental conservation and working with local charities (MOJ, 2010). UW is examined in this chapter, from the perspectives of women mandated to undertake it within the WC.

## 6.1: Aim of UW in the WC

The OM outlined the aims and objectives of the facilitation of UW sentences in the WC in the following conversation:

KG: What would you say the aim of women coming here to do unpaid work is?

(long pause)

KG: Would you say it's to rehabilitate them, to punish them or to kind of, teach them new ways of learning?

OM: For us it wouldn't be to punish them (nervous laugh). Though I know that's why Court's doing it, as a form of punishment. Erm, what we found was when women were put into, say mainstream unpaid work parties, so, you've gotta look at it- it's predominantly male. So, you'd have basically maybe 20 males and a female on an unpaid work party- working in cemeteries, parks and stuff. It's not something a female really – it's not the nicest experience probably for that. Erm, so we did kind of fight quite a bit to get our female only unpaid work parties and we obviously run one on a Monday and we run one on a Friday. Erm, and I think for us it was, (sighs), it is obviously hard work. They have to pay back to the community. They want people to see that they're paying the community back; so obviously they wear the high-vis' and stuff. Erm, so the women when they come and do it in here, they still have to wear the high vis' which says "community payback" and stuff like that er, so that people can see that they are paying their community back. And then on a Monday now, we go off-site, and we do community projects. So, the unpaid work girls go with the CJC and go and do community projects and stuff like that. So obviously, they're out in the community doin' that as well. But we find that, when they're doing their unpaid work here- the CJC gets to know them women

*really* well and then we can sort of track back and understand more, maybe why they've offended and then we can put things, provisions in place for them women – so we can be saying- do you know we've got a course comin' on that deals with this or do you know that we've got a counselling service here that you could tap into that could potentially help you. So, you know, the CJC is very proactive in doing that and the women are a good support for each other. And what we've found is- when people go into somewhere like a charity shop that charity shop are not doing any interventions around that woman's offence whereas here, our timetable is built on all of that to prevent entering the criminal justice system or women on the periphery or if women have been in and that's what predominantly our timetable's about and that's why all these agencies come into us. To support them women. So that woman's come in with, I dunno, she's on unpaid work and she's got issues around drugs and alcohol, and there's abuse there, whatever, then we can say oh well, we've got Lidgate Response that come in, which is our local drug and alcohol service. They're here on a Tuesday, they're here on a Friday, they're here on a Wednesday. You can tap into them people outside of your unpaid work hours. But the CJC can signpost them to that. But if they're in a charity shop say, they're going in- the charity shop manager doesn't really, can't really give them any support around that. All she's saying is right you're in here, you've got your hours, you're gonna hang those clothes, you're gonna do that and then off they go. So, there's nothing addressing why that woman's entered that, entered into the criminal justice or got unpaid work and stuff...

Considering the OM's description of the function of the WC for statutory service-users, the WC thus operated as a dual space for non-statutory and statutory service-users. The community room was the primary base for non-statutory service-users and the garden was the primary base for statutory service-users. The full length of the community room overlooked the large garden space of the WC which was the primary site for UW orders. The garden was presented as an area for all service-users to utilise but also as a dedicated space where statutory service-users kept the garden presentable for other service-users and visitors.

## 6.2: Visibility: UW in the WC garden

The main topic of discussion during both focus groups; at the preference of statutory service-users themselves, were their experiences of UW in the WC. Statutory service-users suggested that although UW took place in the garden of the non-custodial WC, the visibility of this garden space to both non-statutory service-users and the public, meant that punishment and surveillance usually reserved for the prison dominated their experiences of UW.

Women-only UW schedules operated weekly on Mondays and Fridays in the garden of the WC comprising predominantly of weeding tasks. The visibility of UW to the wider community was considered a key factor in the aims of UW, with the OM explaining earlier that women “have to pay back to the community. They (court) want people to see that they’re paying the community back”. At the time of data collection, a new UW initiative called “community outreach”, established by the OM at the WC, was considered an additional way to provide women with work tasks to meet the demands of their UW sentences. Community outreach involved tidying and weeding dilapidated spaces outside of the WC building, in the local community, thus further enhancing women’s visibility as offenders to the local community yet adhering to the aims of UW as outlined by the MOJ.

While community outreach was a new method of UW, the horticultural space of the WC remained the primary site for UW. The WC garden was adjacent to a busy main road leading to the local town centre and was separated by a wrought iron fence. This made UW schedules and statutory service-users visible to members of the public. The length of the community room of the WC also overlooked the WCs garden, subjecting statutory service-users to surveillance by both members of the public on one side of the

garden and by non-statutory service-users on the adjacent side. Experienced as part of their punishment, the visibility of UW, particularly to members of the public, was a large factor in women's negative experiences of UW in the WC. Wrought iron fencing being 2.4m in height provided a physical barrier between service-users and the local community however, little privacy and anonymity was afforded to women fulfilling their UW sentences in the outdoor space. The fact that statutory service-users were also obliged by probation to wear high visibility clothing with "community payback" printed on the reverse of jackets, was experienced as an additional factor that cemented their experiences of UW as punitive and shameful.

The location and visibility of UW sentences appeared to be a key function of UW in the WC. UW being primarily located in the WCs garden made it a visible sanction. Statutory service-users expressed feelings of frustration surrounding the purpose of the enforced wearing of high visibility clothing in the already very visible garden space. They reached the conclusion that whilst the OM maintained that UW was rehabilitative, mandatory clothing constituted part of their "punishment" at the WC:

FG2P3: Can I be honest with ya? No-one has ever told us why we have to wear these!

FG2P4: Is it part of ya punishment?!

FG2P5: Yeah, it's part of your punishment yeah.

FG2P3: But I didn't think we were supposed to be getting punished, I thought we were supposed to be getting rehabilitated... so I don't know why they try and embarrass us...

KG: So... do you get given one (high-vis jacket) on your first day and it's explained to you as part of the rules?

FG2P3: Well no, they're all just in a big pile so you just go in and you take any one.

KG: And do you have to wear boots?

FG2P3: Yeah, you've got to wear boots.

FG2P5: Yeah...

FG2P2: And you've gotta wear gloves when you're in the garden but that's not too much of a problem is it?

FG2P3: I think it would feel more inclusive in the Centre if we didn't have to wear these jackets. You know because as we've said, how many times have we seen people walking past

FG2P4: Yeah, it's embarrassin' ...because you don't want people to know.

FG2P3: Ya know, and none of us have done really bad things in terms of behaviour so we want to keep it (our punishment) private but you can't keep it private if someone you know walks past...

KG: So, people have actually walked past that...

FG2P3 directed at P4: Because someone you knew walked past the other day didn't they?

FG2P4: Yeah! And he was like "ya alright?!"

FG2P5: It's always like that... they (the WC) don't care.

The publicly visible punishment and shaming of women who committed a first time and/or minor offence appeared to be part of gender-responsive practice for statutory service-users in the WC.

The OM, however, justified the spatial layout of the WC for both service-user groups as a way of integrating service-user groups:

KG: Ok, so it's going back a little bit to some of the first questions, but, do you think that there are any challenges in working with both client groups- statutory and non-statutory, in the same physical space?

OM: blank look...

KG: So, for example with the community room predominantly having non-statutory service-users and then the garden adjacent with statutory service-users- do you think that works quite well?



OM: (Very low tone)- I'd say it works quite well. (Long sigh). So, when you're saying statutory, do you mean probation girls?

KG: Yes.

OM: Ok... so I think it works quite well because that was always the intention. It was never to segregate or to, make it "them" and "us". It was never about that. I think, once you start doing that, that's when your challenges come about. It was always when women come in here, obviously our bread and butter for a better word, our main ethos is around women in the criminal justice system. It's all based on Corston. But Corston always said about the integration of non and offenders together.

While the OM referred to Corston's integration of women to explain the WCs physical design, Corston (2007: 64) referred to the non-differentiation between offenders and non-offenders due to them 'sharing the same complex life problems'. The WC had therefore adopted one of Corston's (2007) aims in a way to reflect their operational needs, not in reflection of women's gender-responsive needs.

Non-statutory service-user Angel highlighted her own feelings towards statutory service-users having to wear high visibility clothing:

Angel: I don't think they should wear those vests though because that's, I think that is degrading for them if I'm honest. They're getting their punishment, they're being punished, they're doing their time- why embarrass them even more by wearing those horrible vests?

KG: So, they've got to wear those vests? (Interview took place prior to focus groups with statutory service-users)

Angel: They've got to wear those vests as it says community payback on them. And I think that's, that's telling everyone "oh I've been naughty, I've broken the law" and I think that's wrong for them because when they come here, there probably are people here who are judging them – I don't know. There could be because as I said before, there can be clicks here so there could be people judging them whereby

they don't wanna be associated with them. You know, I don't wanna be around those people on community service. Even though they're coming here because they've got their problems, they're probably broken the law because they've got their problems, it's just a different issue. Don't judge them.

KG: So, do you think if they didn't have to wear those vests it would be any different?

Angel: Oh yeah...they'd be treated differently! Seriously I think, because you wouldn't know then if they're doing this or that, you wouldn't have a clue. Because seriously, I do, I do think people look at them and think, I'm not going anywhere near that... because you know, they are, offenders...because you do know who they are because also you do see their faces regularly. Because maybe you know when they come when they haven't got their community service, you do know their faces. But then sometimes I've come in and thought, oh I've not seen their faces and then you realise who they are...I don't judge them, ya know, I spoke to a few of them last week on lunch club. And they were over there, and I don't know what I was saying to them, but I was talking to them. Ya know, because I think sometimes, they might be scared to talk to *us* because maybe they feel the same way- that we're not allowed to talk to them because they're not one of them. It probably works both ways really. I think if they didn't have those bib things on- the more people would integrate but it should not be like that. They shouldn't be singled out because they've broken the law.

Angel therefore pointed out that the function of the WC for statutory service-users undertaking UW created a barrier between them and non-statutory service-users. This contradicts the OM's premise that the WCs mode of operation encouraged the integration of offenders and non-offenders.

FG2P3, however, recognised that it was the ruling of the state that required the wearing of high-visibility clothing and that the WC were responsible only for enforcing this state regulation:

FG2P3: And it's not the Centres that make us wear these (high-vis vests) – it's Probation. I think a big fault is

probation because if the CJC said to us “take them off” and then somebody from Probation came in...her job would be on the line, so she can’t...

Kirsty: Um hmm...

FG2P3: She can’t let you take them off...

When asking the OM about the role of high visibility clothing in UW sentences for women at the WC, after briefly answering, she abruptly ended the conversation:

KG: You know you said earlier about the wearing of the high-vis vests, is that something as a Centre that you decided to do or is that something enforced from higher up?

OM: That’s from higher up yeah. So that’s obviously something that Probation have. That’s something Court and I think Probation have said because I think we did, we did ask that question and say, do they have to. And then it was, we obviously went to, erm, people higher up than us to say, is there, do we have to have this, and they said, yeah you do because they need to be, the... (long pause), we need to be showing the community that they’re paying back for their offence.

KG: So, it’s like a visible thing?

OM: Yeah. So, it has to be visible because it’s *community* payback or unpaid work, so it has to be visible that, that’s what that person’s doing. Yeah. (emphasis original)

The body language of the OM suggests that she wasn’t totally comfortable with the role of visibility in women’s experiences of UW at the WC. This may be because visible punishment invoking feelings of shame, embarrassment and humiliation in women is in tension with Corston’s (2007) aim of Women’s Centres providing a ‘safe space for women’ to be treated ‘as individuals’ and ‘their needs addressed holistically’ (Howard League, 2016: 3). Whilst the WC is considered safe, Corston’s (2007: 60) recognition of the ‘the shame and stigma that many women feel by a number of life experiences’ including the ‘perception of being judged as a failure’ which serves

to 'reinforce disadvantage, isolation and social exclusion' appears in tension with the WC directly producing feelings of shame and stigma by adhering to regulations outlined by probation. The conflict between the aims of UW as outlined by HMPPS, the aims of gender-responsive practice, as outlined by Corston (2007) and women's personal experiences of UW in the WC becomes more visible.

### 6.3: "It's like a little chain gang!": UW as punishment

The CJC discussed how community payback was considered the preferred method of dealing with women who had committed a first time and/or minor offence:

For some women, they could have worked all their lives, come from a working family, never been in any trouble and one small mistake, they will, they give themselves the worst punishment that the court could give them. And they will try and fix anything, ya know, not just for themselves but for other people and payback that community. So yeah definitely, women should be out in the community. If some of the magistrates you know, visited a lot of the Women's Centres, to see what's going on in the community a little bit more... I mean the WC; we actually won an award. Erm and I think, that just shows you.

Very few women wished to discuss their offences during the focus groups apart from FG2P6 who stated that she was given a community order because she "finally fought back" from domestic abuse. Two statutory service-users, Chloe and Eliza, had completed their UW sentences at the WC and thus were able to participate in an interview because they were no longer subject to time restrictions imposed by UW. Chloe was convicted for theft and sentenced to 100 hours of UW, 15 RAR's and two years of probation. Eliza had been convicted of animal cruelty and was sentenced to UW in the WC. She did not state her sentence length. Populations of women defined as criminals due to their offences become visible as offenders to society due to the function of UW in the WC, yet the

initial premise of WCs was to reduce the criminalisation of women. The experiences of statutory service-users, however, suggest that rather than reducing the power of the criminal justice system, the opposite is occurring. Additionally, denying the penalty of UW schedules, the CJC failed to elucidate further regarding the content of UW, choosing instead, as outlined above, to talk of an award won by the WC for the success of their UW in terms of rates of completion. The CJC's account suggests a lack of awareness of statutory service-users experiences of UW.

Reflecting the many contradictory viewpoints of UW between service-users and service-providers, negative feelings were expressed by all women regarding the aim of their community sentences and what they felt it achieved for them. Statutory service-users in FG2 made a distinct effort to point out that they were undertaking very few gardening or educational horticultural activities despite the garden being showcased to visitors as a product of the skills acquired during UW, hence my question:

KG: Do you get a gardening certificate do you?

FG2P4: No!

KG: Do you get anything to show that you've learnt how to garden?

FG2P6: They actually have a gardening course here but that's different. I used to come here voluntarily, and you can get a certificate for doing the gardening course but not by doing this...

KG: So, you're more likely to get certificates or qualifications if you come here voluntarily?

FG2P4: Yeah!

FG2P3: Because the rehabilitation order, that should be them looking at what crime you've committed and them saying, what can we teach you to stop you reoffending? Weeding is not gonna stop you reoffending! (laughs). I

actually feel like going out and committing a crime when I leave here! (laughs again).

FG2P3's premise that UW comprised weeding rather than educational activities gives credence to HMPPS' official aim of UW as community payback. It contradicts Corston's (2007: 60) claim however, that in WCs, women are 'primarily "women" not "offenders"'.

Statutory service-users experienced UW as predominantly punitive. The OM, however, held a different viewpoint from statutory service-users:

Because we *used to* have a, we *have* a horticulture tutor who comes in, Denise, she's fab and she works in a lot of deprived areas, doing community gardens and she was the one who initiated saying, could the girls, because she did loads of work with the girls – get them qualifications in unpaid work on stuff about horticulture. And that's where the CJC gained her knowledge on our garden (laughs) (emphasis added).

According to the OM, women were understood as "girls" undertaking UW in receipt of educational training. Statutory service-users however, stated that they were engaging in repetitive weeding tasks in receipt of no skills, training or qualifications. When asked if they were based in the garden throughout the day (apart from lunch and break times), statutory service-users responded in the following manner:

FG2P4: Yeah (depressed tone).

FG2P3: It's like a little chain gang! (laughs)

KG: So, is there like a timetable of things that you've got to do when you come in, in the morning?

FG2P3: No, you just do, you come in at 9 and you just do whatever they tell you to do!

FG2P4 and FG2P6: (both chime) Weedin'!!

FG2P4: 9 'til 11 you're weedin'...

FG2P3's referral to UW as being "like a little chain gang" was symbolic of the menial and monotonous, yet physically demanding garden labour that statutory service-users were forced to undertake. It also gives credence to recent concerns raised by Frances Crook (2019: NPN) of the Howard League that part-privatised probation services operate 'bureaucratic contracts to provide gangs of labourers' who often experience insufficient unpaid work tasks. She also claims that service-providers often 'make inflated claims that they provide training' (Crook, 2019: NPN) which also appeared to be the case in the WC.

FG2P3, FG2P4 and FG2P6's opinions suggest an inherent contradiction in locating punishment within a gender-responsive arena. It appears that the WC tried to promote UW as rehabilitation due to the availability of group support and services located in the WC, however, this did little to minimise the fundamental punitive nature and definition of UW as a community sentence. When members of FG2 were asked "Do you feel that this is rehabilitation?" they responded in the following way:

FG2P2: No!

FG2P4: Torture.

FG2P3: Rehabilitation, I would say is...

FG2P4: I haven't even got a garden so why would I wanna go and sit and weed?!

FG2P5: I hate goin' out in that garden... (gestures to the WC garden).

Negative feelings were similarly expressed by women in focus group one:

KG: Do you think that coming here is making any difference to your life?

FG1P3: No.

FG1P4: No, not at all... we know how to garden!

FG1P6: No, because it's not educational is it?!

FG1P2 to FG1P1: Does it make a difference to your life?

FG1P1: No not really.

FG1P2: I've learnt how to drive a car and a minibus  
(sarcastic response followed by FG1P2 and FG1P1 laughing)

FG1P6: I mean alls we do is come out into the garden and  
weed and that's not really gardening.

FG1P4: And we already know how to do that (gardening), so  
it's nothing new is it?!

FG1P1: I suppose it's supposed to rehabilitate you isn't it...

Statutory service-users explanations of weeding and a distinct lack of rehabilitative activities suggested that for them, UW in the WC was not a gendered practice as it did not consider their specific needs as women and was experienced negatively. It also raises questions of whether the WC has the resources and funding to provide unpaid work tasks that go beyond weeding and gardening.

For example, when women were asked if they were afforded any agency in terms of their UW tasks, the following dialogue occurred:

FG1P2: You just get told. On workdays (Mondays and Fridays), she (CJC) has like plans. If you come here on a Tuesday, Wednesday, Thursday, you're in there (points to the community room of the WC), you're on your own.

KG: Umm hmm...The last bit is about impact. I know that there are slogans around the building about how the Centre empowers women and changes their lives, but I know that may be a bit different for you because you *have* to come here... (emphasis original)

FG1P2: It's made mine worse.

FG1P4: Yeah...

FG1P6: It's just punishment isn't it.



FG1P6's notion that UW is purely punitive was also expressed by FG1P2:

FG1P2: It's like you come into prison for the day and then you get out (at the end of the day). That's what it is... You can't er...you wouldn't just say like today because you don't like gardening that you can do painting. It's like whatever jobs you've got on today, you do. The garden round the back needs weeding so we're doing that garden. It's like what needs doing in the Centre you do.

The OM discussed alternative tasks often undertaken by statutory service-users when bad weather precludes gardening tasks:

There'll be things like, if we want things painting, if we want things like – a *proper deep clean* in the Centre. We can't afford cleaners – we're a charity so we do it as staff and obviously things slip a little bit. So obviously if the weather's really bad then the girls will be doing stuff like that. It's just basically making sure that the Centre is to an acceptable standard. And stuff, and things with the grounds and painting and stuff, it's just ongoing. Because of the amount of footfall we have in here, per day, week and month, it's a lot so yeah... (emphasis original)

Whilst this account began by describing tasks to undertake within the internal space of the WC during poor weather, the OM continued to explain that UW sentences often involved the general maintenance of the WC, due to its charitable status. Little consideration appeared to be afforded to identifying each woman's individual and specific needs.

FG1P2's earlier description of UW in the WC that "it's like you come into prison for the day" supports the Howard League's (2015) concerns that Women's Centres can unnecessarily criminalise women instead of acting as a form of diversion. The non-purposeful weeding was commented upon by women in focus group one when asked "What is it that you'd like to learn here?", in response to their negative feelings towards their UW:

FG1P4: They should do different things like each day we come here because we're just doing the same thing...

KG: Does it get monotonous?

FG1P4: uhhh yeah, it's borin'! That's why I hate comin' here because it's just so borin'. People don't come in and that...

FG1P6: I don't know, I mean it's difficult isn't it because it's meant to be punishment isn't it? I thought the idea of court systems was rehabilitation, so if they're trying to rehabilitate, I don't know how possibly... because it's very minor offences, it's difficult to try and rehabilitate you whereas a lot of juries wanna humiliate you. But with rehabilitation surely, you'd be much better off sending you somewhere where your skills will be made use of or where someone could maybe advise you on how not to go wrong again.

FG1P4's description of UW as boring points to the potential that the WC possessed a lack of resources to engage women in meaningful tasks and/or rehabilitation within the constraints of the CRC structure post *Transforming Rehabilitation*. The garden space of the WC was always going to adhere to HMPSS' official aims of UW being community payback due to its visibility in the local community. However, the idea that statutory service-users could be used to maintain the WC in lieu of paid staff members was arguably in keeping with one of the objectives of UW being beneficial for the community.

The positive impact that UW tasks had on the WC, for the benefit of non-statutory service-users was discussed by non-statutory service-user Daisy:

In the garden...they do the gardening and they paint the fences. They do cleaning in here... whatever needs doing. And they do courses as well, I mean they put on courses to do.

Statutory service-users roles of almost being caretakers of the WC building was echoed by several statutory service-users in both focus groups, including FG1P2:

You can't er...you wouldn't just say like today because you don't like gardening that you can do painting. It's like whatever jobs you've got on today, you do. The garden round the back needs weeding so we're doing that garden. It's like what needs doing in the Centre you do. (FG1P2)

The aims and objectives of UW in the WC again, suggests a form of productive labour, in the community setting of the WC. It is productive because it provides free labour in maintaining the WC, yet it is simultaneously non-purposeful because women are neither rehabilitated nor educated and their gender-responsive needs are not addressed. The WCs mode of operation, as outlined by both statutory and non-statutory service-users is that women undertaking UW are used by the WC as free labour to maintain the running of the institution.

The overarching aim of the WC was outlined by several service-providers in chapter five as empowering women to make positive changes to their lives. The UW tasks undertaken in the WC lead to feelings of disempowerment. Disempowerment was experienced by statutory service-users in several ways, including feelings of humiliation, the removal of personal liberty and inconveniencing their personal lives:

FG1P6: That's what I'm saying... you look up in a law book the general idea of prison and everything is that it's meant to rehabilitate you, but I don't know how gardening is rehabilitating anybody. Personally. It's just my opinion! (defensive tone).

KG: Yeah totally, there's no right or wrong, just opinions...

FG1P6: I'll get thrown out tomorrow won't I?! (laughs)

FG1P1: You'll be painting railings tomorrow! (laughs)

KG: Everything here is confidential- you won't be identified in anything...

FG1P6: I mean, as I say, I've got no objections to doing it – it's gotta be done and I'm going to try and get it done as quickly as possible...

FG1P2: It's just an inconvenience to you. That's what they're trying to do isn't it.

FG1P6: That's what I'm saying but the idea of the law system is to rehabilitate not to humiliate...

FG1P1: They're just taking your liberty off you.

The account provided by the CJC minimised the feelings of humiliation and disempowerment experienced by women undertaking UW:

We explain to them- there's rules and regulations for the statutory service-users that they have to abide by but if you look at the wider Women's Centre, everybody who attends the Centre abides by the same rules, so you don't judge anybody and we're massive on confidentiality. Massive on safeguarding. So, the ladies who *have* to come... the feedback we get, a lot from the probation women is not that bad (emphasis original).

Although the WC was "massive on confidentiality" (CJC), little confidentiality was afforded to women weeding in the publicly visible WC garden, where they were often recognised and identified by members of the public, thus compounding their experience of the WC as punitive and shameful.

Statutory service-users further referred to the punitive nature of UW, discussing the tedious nature of weeding the same physical space of the WC garden repeatedly. As explained by FG2P2: "But we're just in the garden all the time...I wanna do other things". The consensus between service-users that their time at the WC lacked purpose was shared in focus group two:

FG2P2: I said to Probation on the phone... so it's like doing free work (laughs)

FG2P4 and FG2P5 laugh in solidarity.

FG2P3: Like I said, with all due respect, you can go into Aldi and for £1.99 you can buy a great big thing of weed killer, you could spray all those weeds, brush them up the following Friday and they never come back. So, every week, we dig up the same weeds and then a fortnight later, they've grown back and so we dig them all out again!!

KG: Is that what you have to do?

All service-users: Yeah!

FG2P4: It's for absolutely nothin'

FG2P5: It's monotonous really...

FG2P3: I mean sometimes, don't get me wrong, sometimes we do, do other stuff.

KG: Do you not learn about the plants?

FG2P3: We would learn a bit about plants and Jill teaches us a little bit doesn't she?

FG2P4: Yeah...

FG2P2: Yeah...Jill volunteers here...

FG2P3: And on some days they do let you do the plants and the time goes nice and quickly then, but I'd say a good 65-75% of the time is de-weeding isn't it? So even if they said, we haven't got much free work for you, they could use us for much better work. Ok I know we painted the fence and we had a nice time painting but still...

This discussion highlights the monotony and meaningless nature of UW for women at the WC. While UW was outlined by service-providers as a form of rehabilitation with the OM stating that women received educational garden training, it also suggests the potential that rehabilitation can be used as a disguise for labour. Women's labour appeared to be utilised to maintain the operation of the WC.

#### 6.4: Dimensions of shame in the WC: It's to "humiliate you on purpose"

Consideration is now given to statutory service-users experiences of shame resonating from their UW schedules undertaken at the WC. Women expressed three dimensions of UW that produce feelings of shame. First was a fear of being seen visiting the WC due to the risk that their reason for attendance would be revealed to family, friends and neighbours. Second, feelings of shame and embarrassment were expressed when undertaking UW tasks in the WC garden. Third, intensified feelings of shame were discussed due to the risk of identification when undertaking UW "on outreach" in community garden spaces in the local area. All 12 women discussed feelings of embarrassment and shame as a direct result of their sentenced period of UW at the WC.

The CJC demonstrated an awareness of feelings of shame often experienced by women when first commencing their UW orders, commenting that:

I think when the women first, on probation that is, when they first initially come, they don't wanna come. Ya know, erm... they're either nervous, embarrassed, they think they're gonna be judged ya know, they've been to court but they're still gonna be punished while they're here.

The comment that statutory service-users think "they're still gonna be punished while they're here" highlights the considerable disconnect between women's direct experiences of UW, service-providers conceptualisations of UW and official government aims of UW as being a form of community punishment.

The WC was felt to be a chronic source of shame by statutory service-users. Rather than just the initial commencement of UW being experienced as shameful, as commented upon by the OM, their continued attendance at the WC for the duration of their

sentence was a perpetual source of shame and humiliation. This was discussed in focus group two:

FG2P3: Yeah but when you look at all the politicians that fiddled their expenses, and they can just write a cheque out and say, here you go, here's that fifteen thousand, which means I didn't need it in the first place – if any of us had have done anything like that then we'd have like a thousand hours. They keep their job.

FG2P4: They don't get shamed...

FG2P3: Apart from it being on the telly but they've got no shame, have they?!

FG2P4: No.

KG: Do you think shame is a factor here like when you're travelling in here?...

FG2P3: Yeah...

FG2P4: Yeah... you're embarrassed! You're embarrassed to come here.

KG: Do you tell anybody that you come here? Like close family?

FG2P4: No! Just like, your Mum.

FG2P2: Just like me fella and that's it...

FG2P3: Oh, I wouldn't have even told my Mum- she'd have been mortified! (Mum was no longer alive).

FG2P2: The kids think I'm volunteering somewhere on a Friday.

FG2P4: My kids think I'm doin' a gardenin' course! Coz, I'm not tellin' them that I'm here! You don't wanna be here do ya? And that's what I mean by, when... when you worry in case, you know, you think, oh my god, am I gonna know this person who's gonna come in (to the WC).

FG2P2, FG2P3 and FG2P4 all expressed feelings of shame surrounding their continued attendance at the WC. Their discussion of how they had only informed a limited number of family and friends of their sentence and FG2P2 and FG2P4 actively concealing

their punishment from their children, demonstrated the lengths taken to disguise their sentences.

FG1P1 discussed similar feelings in focus group one. While FG1P2 was very open with her friends and family about her sentence, FG1P1 ensured that the true purpose of her attendance at the WC was disguised:

KG: What do you tell your friends and your family about coming here?

FG1P2: Yeah, I tell me friends and family and people I work with and that...

KG: How do you describe it to them?

FG1P1: I just say... when people say to me... what are ya doin' there...I go, they have all sorts in there – they help ya with ya housin', they help ya with all ya bills, so that's what I say to them. In other words, mind ya own business.

FG1P2: My family say, you're going to "scrubs" aren't you...

FG1P1: It used to be scrubs years ago... fuckin' hell (laughs).

Fear of being identified attending the WC for UW by friends, family or neighbours was therefore not experienced by all participants in both focus groups.

Due to the spatial design of the WC and location of statutory service-users, suggesting a panoptic design, fear of identification manifested in other ways. Because the WC operated an open-door policy for any women aged 18+ to attend, the potential for neighbours, friends, or family of statutory service-users to enter the WC at any point appeared to instil a level of fear and trepidation into several women. Women experienced shame because of the visible punitive nature of their UW sentences in their local community where their friends, family and members of their children's school community lived:

FG2P5: But people can walk in from the outside – I don't like that. It's a good job my auntie knew I was here, our



Katie, because when I was here the other week, she used to come here, and she just came over to see the girls and I was here. But luckily, she already knew.

FG2P2: My neighbour's been in here.

FG2P3: Oh, you know every bugger you!

(all laugh)

FG2P5: So, it's a good job she knew.

Several women also explained fears of being identified by members of their child's school community due to their visibility in the WC. This was felt acutely due to the proximity of their children's primary school and the women's home addresses, to the WC. As described by FG2P4:

FG2P4: It's like, our kids (FG2P2, FG2P4, FG2P5) are in the same school. Us three. So, I've sat here one time and I've thought, oh my God, what's she doin' here?! Because you're mortified. And the following week, oh my God, another one! (FG2P3, P4 and P5 laugh). You know, I'm trying to keep this a secret and it's like the whole school's gonna know! And that's just horrible!

FG2P3: You can have your own little criminal's corner (laughs).

FG2P4: Yeah! Like it's sports day today and we're all gonna be sittin' together! (all laugh)

The comment by FG2P4 that she felt "mortified" at the prospect of other Mums from her child's school identifying her in the WC as she was "trying to keep this a secret" suggests a degree of shame attached to her attending the WC for UW. The level of solidarity between the three service-users whose children were attending the same school was nonetheless evident in their statement that they would be sitting together at the school sports day.

While feelings of shame and embarrassment were a key factor in the negative experiences of UW due to their visibility and fear of

identification, several women discussed feelings of ambivalence surrounding the location of their sentence in the WC:

FG2P3: I think one thing we can say about the Centre, is that we are appreciative that it's here.

FG2P4 and FG2P5: Oh yeah!

FG2P4: I'd hate to be out!

FG2P3: I'd hate to be out, going around Lidgate Park doing it!

FG2P5: But you might as well be in Lidgate Park doin' it when you're next to these roads here!!

FG2P4: Yeah because I've seen people I know walking past... I know everyone... and everyone goes Smith (Street) and you're like oh my god.

FG2P3: Well, the one in the Rockville- they meet you outside at a quarter to nine and you get in the van and they take you to wherever...

FG2P4: I'd rather go to the city if I was doin' it outside. Wouldn't you- so that you don't know anyone!

FG2P5: Yeah! At the end of the day, regardless whether you're doin' this, and people findin' out – they're gonna find out if you go to jail as well.

FG2P4: Exactly....

Complexities of feelings were therefore experienced by statutory service-users. The WC felt relatively safe, however, the potential to be identified by individuals walking past the WC garden induced feelings of shame and placed women in a position of vulnerability.

FG1P1 discussed a time when she tried to actively manage feelings of shame induced by the power exercised by the WC, by using the very small amount of agency the WC afforded her. She removed herself from the outer perimeter of the WC garden to actively resist the imposition of shame:

FG1P1: I had one of them on (high-visibility jacket) and I was doing the garden there (points to the railings by the

main road where members of the public can clearly see in if they walk or drive past) and I thought na, I'm getting away from them railings because too many people know me...you know what I mean...

KG: Umm hmm...

FG1P5: Yeah, I'm the same...

FG1P1: Too many people know ya don't they? 'Ooh, I seen her in community service...' and I feel like saying'; say it to me face.

While the experiences of UW discussed by statutory service-users highlighted the shame imposed by UW schedules, one positive factor from the viewpoints of many women, was that they felt relatively safe undertaking their sentence within the secure confines of the WC. As FG1P6 commented, "I suppose the only positive about coming here is that you are just in here...". Administrators' decision to extend community service schedules beyond the WC and out into green spaces in the local community was met with trepidation by many women. This was because unlike male-centred community service schedules outlined by FG2P3, that transported individuals to another area to undertake UW, "outreach" facilitated by the WC involved travelling within the local community wearing high visibility clothing, thus further increasing their chances of being identified and experiencing shame.

New UW schedules were called "on outreach" by service-providers and were reserved for Mondays. Fridays were retained for UW in the WC garden. In addition to feelings of insecurity, the initial concerns of "outreach" by women in focus group surrounded the monotonous and non-productive nature of community service:

FG2P6: We went to Rakelid Road (approximately two miles from the WC)

FG2P4: What dya do there, weedin'?! (sarcastic tone)

FG2P6: Yeah.

FG2P3: (Laughs). I mean, as I say, it's not the Centre's fault...

FG2P4: No!

FG2P3: To be truthful...I mean the Criminal Justice Co-ordinator's nice...

FG2P4: But we could be used in a better way!!

FG2P3: I think the problem is with the courts and Probation...you know I've only got hours to do but some of the girls have got RAR's to do...

KG: Umm hmm...

FG2P3: So, they tell them they've got like 10 RAR's to do or 20 RAR's to do and then there's no courses available for them so they say, "well go and weed instead!". Well that's really gonna rehabilitate them isn't it?! (sarcastic tone). You know, rehabilitation order- I think the meaning is in the actual word itself! It's to help you rehabilitate!

The continued feelings of monotony and tedium of UW extended out into community spaces. While the punishment of women appeared to penetrate the wider community, the tasks that statutory service-users were obliged to undertake offered little in the way of education, rehabilitation or support, thus questioning the role of gender-responsivity in facilitating UW from a WC.

In addition to feelings of frustration at the continued lack of purposeful activities provided by UW "on outreach" schedules, FG1P1 highlighted feelings of apprehension with the new UW arrangements:

FG1P4: We go out on the bus as well...

KG: Oh yeah... where do you go?

FG1P4: We go to different places, er... at the moment, we're at Highdean and we do a garden there for an old woman.

KG: Oh really?...

FG1P4: Yeah...

FG1P1: I've never known that... they never put me on a bus.

The lack of awareness by FG1P1 can be attributed to the absence of an announcement or meeting with service-users to inform them of the new UW scheme. FG1P2 was fully aware however, and intended to exercise agency by avoiding participating in "outreach" UW activities:

FG1P2: Up until about two weeks ago... I don't come in on a Monday anymore... I won't go out on the bus...just in case anyone sees me.

FG1P4: I thought that ya know... coz I thought it was gonna be a bus where people can see in it...but you can't see in at the back...

KG: Is it like a van?

FG1P4: Umm...yeah, it's like a van. There's like two windows and then at the back you can't see.

KG: Do you have to wear your vests (hi-vis) when you go out on the bus?

FG1P3: Yeah, you've got to wear them with that on the back (Probation Trust; Community Service/Payback) and I thought oh, no way!

KG: So, is that a rule that you've got to keep those vests on?

FG1P1: Yeah... coz everyone knows you're on community service when you've got those on...especially when it says it on the back; paying back the community.

KG: What do you think that tries to achieve?

FG1P2: Just to show us they that hate ya.

FG1P1: Yeah...

FG1P6: To humiliate you on purpose. You can understand the purpose of having an orange jacket on because it's reflective and whoever is supervising you can see you...

KG: Umm hmm...

FG1P6: But to put that on the back (slogan)...the only purpose I can possibly see is to just humiliate you.

Feelings of humiliation and the fear of being recognised engaging in a community sentence in the local community were suggested to exist due to the requirements set out by probation. FG1P2's comment that she no longer attended the WC for UW on Mondays because UW took place on "outreach" suggests that she was exercising agency and actively resisting the state's attempt to stigmatise her. By avoiding the possibility of being seen in public wearing high visibility clothing, she was afforded some agency by the WC in managing the potential shame and further experiences of disempowerment imposed on her by the state. A problematic element of outreach UW schedules, however, was that because FG1P2 was contesting her role in public shaming by avoiding undertaking UW on Mondays, the length of time taken to complete her sentence was extended.

While statutory service-users were in a position of disempowerment, akin to FG1P2, FG2P3 demonstrated an attempt she had made to minimise the discipline imposed on her by the rules of the WC. Referring to an anomalous high visibility jacket with no "community payback" slogan on the reverse, FG2P3 attempted to resist the shaming experience and engaged in a small act of agency:

FG2P3: I think it's... I don't see the point in it... even if you have to wear a high-visibility jacket and it didn't say anything on it. And they're the ones I keep trying to get and I managed to get one today...

All women laugh in solidarity.

FG2P4: I'm havin' that one when you go!!

FG2 P3: (Laughs) I'll tell you where I hide it!

Women therefore attempted to minimise the negative impacts of shame imposed on them by their UW schedules at the WC and on outreach.

The shift towards community punishment being undertaken outside of the WC suggests an enhancement of the visible presence of women who have offended. It also pertains to a new method of punishment due to the limits of garden labour within the WCs garden. Little consideration, however, appeared to be afforded to women's gender-responsive needs or, as highlighted next, their right to family life and the maintenance of their human rights.

### 6.5: "I think it's slave labour": Gender-responsivity or gendered injustice?

The WCs gender-responsive mode of operation pertained to the gender-responsive timetable of courses afforded to service-users. Statutory service-users could only attend courses outside of their UW hours or when service-providers arranged for statutory service-users to partake in specific courses. Statutory service-users chose to discuss what they defined as disappointing experiences of a limited number of gender-responsive courses which were sporadically offered to them during their sentence. Following FG2P4s exclamation that "I just wanna do more practical stuff!", I asked the group if they had undertaken any of the workshops or training contained within the gender-responsive timetable. FG2P3 replied, saying that "We've done one workshop which lasted for like eight hours and that was on...like a motivational course". The individualised premise of the course related to the WCs overarching aim of empowering women with a focus placed upon each service-user taking control of her life.

Instead, statutory service-users highlighted that on the rare occasion when they *were* provided with opportunities to attend gender-responsive training courses, the context of the courses reflected an unwarranted penetration into their private lives. For example, in

focus group two, service-users talked of attending a women's health workshop:

FG2P4: We went on a menstruation course (laughs)

FG2P3: \*laughs\*...

KG: Was it helpful?

FG2P4: No! We've all had periods for *many, many* years; we really didn't need to know how to get a wash! (All participants laugh in response) (emphasis original).

FG2P3: I'm at the menopause so it was a bit odd...

The menstruation course was a workshop advertised and organised by the WC as "Period Power" for World Menstrual Health Day. The use of the word "power" suggests a link to the WCs overarching aim of empowering women, to enable them to take responsibility for their own lives. Statutory service-users, however, expressed the opinion that the workshop was bizarre. The inappropriate nature of the workshop was also supported by the aims and objectives of the conveners of the course, an educational company providing free and confidential sexual health and wellbeing advice for under 25s, in schools and colleges. FG2P4 pointed out however, that their frustrations were not directed at the WC - "It's not about the Centre- we're not slagging the Centre off- we're slagging Probation", with FG2P5 continuing by saying "Just a bit of variation would be good...". The statutory attendance on this course could be attributed to the WC agreeing with the organisation to deliver "bums on seats" (OM) or it could have been the WCs way of providing a different activity for the women to participate in, albeit a bizarre one.

Most of statutory service-users time in the WC, nonetheless, was spent undertaking UW tasks, as stipulated by probation. A tension exists between service-provider and service-users opinions of the impact that UW at the WC has upon the personal lives of women, predominantly in relation to childcare responsibilities, employment



and family life. A lack of appreciation of the demands of childcare that many women experienced appeared to operate in the WC. Statutory service-users discussed that the punitive UW schedules were so physically demanding that they were left feeling physically exhausted. This exhaustion, they expressed, then impacted upon their ability to care for their children once they returned home at the end of the day. Several of the women had young children and stated that balancing their community sentence with their childcare responsibilities was difficult:

KG: Some of you work, don't you?

FG2P2: Yep! And I've got loads of things to be doing – I've got kids at home!

FG2P3: For a judge to commit a woman who hasn't committed a violent crime, it is not punishing them- it is in general, punishing their children. Because I don't know about you but when I get home...

FG2P4: I can't be bothered doing anything!

FG2P3: My kids are grown up now, so it doesn't affect me but when I go home on Friday, I am *knackered*. Now I can't imagine then going home and deciding...

FG2P4: To look after three babies!

FG2P3: To cook for your kids and take them to the park and what not...so really what they're doing is, they're not punishing you – they're punishing your kids.

FG2P6: But then in their eyes, we've gone out and committed the crimes so we're criminals...

The WC was presented by numerous service-providers including the CJC, as a space where women could work on what they need to work on whilst their children are not present, thus presenting the institution as a sanctuary away from family life. In practice, however, statutory service-users discussed how they were not afforded this time to work on themselves. Instead they were allocated

punishment schedules which negatively impacted upon their family life.

As reflected upon by two statutory service-users, service-providers did not appear to appreciate the demands of UW, including the impact on their childcare responsibilities:

FG2P5: But organising childcare and things like that (rolls eyes). Like there is school like but... you know I've gotta stay here til 4 and they rolled their eyes yesterday because I asked to leave early because I had to go and pick the baby up from school.

FG2P4: And it's gotta be done hasn't it?!

FG2P5: Exactly. It'd be good if they could do our hours child friendly...

FG2P4: Or if you don't come in til the afternoon if you've got babies at home. You know, because we start at half nine...

FG2P5: and if you've got sports day or assemblies... especially this time of year (summer) \*sighs\*

While the women were not prevented from undertaking their childcare responsibilities by picking their children up from school, they expressed that service-providers viewed these responsibilities as a nuisance and were not appreciative of their roles as mothers, thus contradicting the WCs operational focus on family life, mothering and positive parenting. Gender-responsive practice did therefore not appear to be operated with statutory service-users in mind in the WC.

Statutory service-users in focus group one spoke of this at the start of FG1. Somewhat naively, the first question presented to the service-users was; "Have you got a favourite thing about coming to the Centre?" The women responded stating:

FG1P2: I hate it...

KG: You hate it?

FG1P2: Umm hmm...

KG: Is there anything in particular that you don't like?

FG1P2: Just all of it...

FG1P1: Don't say the people...

FG1P2: No, I just think, I've got other things to do...and it's like an inconvenience.

KG: Umm hmm... Ok... How long have you been coming here for if you don't mind me asking?

FG1P2: A year. I only had a hundred hours...

KG: So how much longer have you got left of your community service?

FG1P2: Err...after today, about 16 hours.

KG: That's not much is it...

FG1P1: And you know what, you could do that in two days, if you did it on a Monday and a Friday.

FG1P2: I know but then I have to pick him up from school so it's not worth it...

FG1P1 emphasized that she hated coming to the WC because it was an "inconvenience". When further prompted, FG1P2 explained that being in employment was prolonging the length of her sentence, stating "I can't come on Mondays because I work". This statement sparked discussion between the women:

FG1P1 directed at FG1P2: What happens if you can't get the Friday off (work)?

FG1P2: I only work x3 twelve hours a week, so I always have a day off in the week but...

FG1P1: Do you pick your day?

FG1P2: Yeah, I mean I was meant to be in work today, but I came here...

Focus group one took place on a Monday and FG1P2 had already stated that she could not normally attend the WC on Mondays. Her statement that "I was meant to be in work today, but I came here"

suggested that she had sacrificed her paid employment to complete her UW sentence as quickly as possible.

FG1P2 expressed further hatred towards her sentence due to the dual responsibility of UW and paid employment:

FG1P2: I hate it, I'd rather just like... coz' ...I work as well so it's like your day off when you've gotta clean the house and you come in here.

FG1P3: It's hard for people who work...

A consensus was felt across the group surrounding the inconvenience of undertaking UW when having both children to care for and employment to maintain:

FG1P7: It's just annoying when you've got other stuff to do. I mean I've got two kids and my days off work, I need to do housework...

FG1P2: Same with me... I get a day off from work and then it's this.

While discussions of employment were not a central theme in focus group two, FG2P6 talked of her struggle in balancing her community sentence with paid employment: "I've just got 300 hours...and I work full time – I do 12-hour shifts... So, I get two days off a week, so I've got to fit these hours in around work". Talking of the reason for her sentence, FG2P6 stated - "I'm here because I finally fought back...". She had experienced domestic abuse, was in paid employment and was undertaking UW. The accounts from FG2P6 and several women in both focus groups raised questions about the potentially damaging impact that UW undertaken in the WC has upon women's family life, working life and personal health.

The conditions that UW sentences were being undertaken also raised concerns of the implications for women's health. The rhetoric of the WC was the empowerment of women. During focus group one, the question "would you say you feel empowered?" was

presented to the women. They subsequently responded in a negative manner:

FG1P2: No.

FG1P4: No.

FG1P6: No.

FG1P1: I mean it's nice doing the gardening in the summer but wait until the winter comes.

FG1P5: Am I ok to just go and have a ciggie?

KG: Of course

FG1P6 towards P4: You were here yesterday weren't you and it was teeming down wasn't it?!

FG1P1: Oh, the winter's worse.

FG1P4: They just make you stand outside.

KG: So, in the winter, do you stay inside and do other things?

FG1P1: No, you're in the garden.

FG1P4: Even if it's pouring down with rain...

FG1P6: Well it was teeming down yesterday... and we had a lot of rain last week.

The weather conditions that the women were undertaking their sentences in, contributed to experiences of punitiveness. This was further highlighted during the same discussion:

FG1P2: I think it's slave labour.

FG1P6: And last Friday the Centre was closed so we obviously had to stay outside (new carpets were being fitted in the WC). So, we were literally gardening all day. I got home...and I looked like a drowned rat.

FG1P4: We were soaked.

FG1P6: I was just covered in mud!

KG: I thought you went inside if the weather got really bad?

FG1P1: No!

FG1P6: So, I literally had to have like two showers before I could actually feel slightly human again.

FG1P3: And she's pregnant (pointing to P4).

Several concerning factors were therefore raised by the women. UW at the WC comprised garden labour which was experienced as punitive in its own right due to its visibility and monotony. However, during winter and/or during poor weather conditions as described above, statutory service-users explained that garden work continued as normal.

In addition to undertaking UW in poor weather conditions, FG1P3 stated that FG1P4, one of the youngest service-users participating in the focus group, was pregnant. During the thirty-minute focus group, FG1P4 was persistently coughing. While she did not state that this was a result of UW schedules, the context of wet weather conditions and prolonged outdoor work presented questions of the legitimacy of these UW schedules, not just as part of the gender-responsive operational status of the WC but as sentences that protect women's human rights. FG2P4 was also pregnant at the time of data collection with FG2P3 stating "I'm not being funny here, but this young lady here (FG2P4) is pregnant and they've stuck her on weedin' and that's ridiculous! Coz you get knackered standing up don't ya?!". FG2P4 replied: "Yeah... my back (groans)...my back's killin!". The health needs of each individual woman are potentially not being fully considered by sentencers and by service-providers at the WC, suggesting a lack of gender-responsivity.

When the prospect of poor weather conditions impacting upon the ability of women to carry out UW safely was raised with the OM, the dialogue that took place suggested that the WC did not afford gender-responsive practice to statutory service-users, nor did it appear to protect their human rights:

KG: Umm hmm... is there any sort of back-up if the weather is really bad?

OM: (Laughs and then pauses for a prolonged period of time)

KG: For when they're going out in the garden? Like practicalities?

OM: As the Criminal Justice Co-ordinator says, you don't melt in the rain do you, so you're fine. I mean if it's *raining* then they can still go out and do bits. If it's like torrential... (emphasis original)

KG: Or snowing?

OM: Yeah- well snow can't stop us here you know! (laughs). If it's torrential yeah, there's always stuff to do in here.

The OM also appeared to overlook the potential human rights implications of women with specific health needs undertaking weeding in the rain and/or snow. As outlined in the Gender Equality Duty 2007, policies must be assessed to ensure they do not produce discriminatory outcomes for women and that gender equality is promoted (Malloch and McIvor, 2013). Additionally, Article 5 of the United Nations Declaration of Human Rights states that 'no one shall be subjected to torture or to cruel, unhuman, or degrading treatment or punishment' (Lawston, 2013: 115). Having pregnant women undertake physical weeding tasks in poor weather conditions raises questions of whether this constitutes degrading treatment.

Although UW was intended to be a form of community payback; the gender-responsive rhetoric that service-providers from the WC claimed impacted so positively upon women and their families, endorsed as having an intergenerational effect, was in total contrast to the experiences of statutory service-users who cited the physical and mental demands of UW directly negatively impacting upon their childcare responsibilities, employment schedules and personal health.

## 6.6: Conclusion

This chapter has explored the conflicting viewpoints and experiences of UW in the WC from the perspectives of statutory service-users and service-providers. In contrast with the individualising, feminising and entrepreneurial focus of gender-responsive practice for non-statutory service-users, statutory service-users experiences of the WC point to a punitive environment characterised by physical labour, disempowerment, shame and gendered and social injustice.

The first theme of visibility pertains to the location of UW almost embodying a powerful panoptic premise due to statutory service-users permanent visibility in the WCs garden to service-providers, non-statutory service-users and members of the public. The additional wearing of high visibility clothing enhanced the visibility of women to non-statutory service-users and to the public, as offenders.

The second theme reflected the punitiveness of UW schedules, with FG1P2 stating that attending the WC was “like coming to prison for the day”. Contradictory viewpoints were held by service-providers however, with the CJC stating that whilst most women had committed a minor or first-time offence, they “should be out in the community”. A tension also existed between service-providers perspectives that each woman is individually assessed for rehabilitation and service-users discussions of collective, disempowering punishment schedules that afforded them no individualised assessment and no new skills or qualifications, referring to their work as similar to that of a chain gang. Whilst the visibility of the punishment of women could be considered a form of public reparation and denunciation, the WC also relied upon UW labour to maintain the WC. Service-providers were keen to demonstrate the self-sufficiency of the WC, much like the aims of



gender-responsive practice for non-statutory service-users in making them self-sufficient subjects of the neoliberal state.

The third theme focused upon the dimensions of shame experienced by statutory service-users. The WC itself was expressed by the women as a source of shame. Women felt ashamed undertaking garden labour in the visible WC garden and consequently, felt humiliated and disempowered when forced to undertake visible reparatory community service in gardens within the local area, termed “outreach” by service-providers. The final theme explored the social and gendered injustices experienced by statutory service-users undertaking UW at the WC. The injustices were threefold and comprised the punishment of women’s children, penalising women in employment and women with specific health needs not having their needs identified and addressed.

The data presented in this chapter outlines how the WC operates as a custodial institution within the community for statutory service-users undertaking UW. The lack of autonomy afforded to individual women, the punitive, tedious tasks they are forced to undertake in the visible garden of the WC, the level of surveillance they are subject to and the rules and regulations that have to abide by can be framed using Cohen’s (1985: 69) argument that whilst community alternatives claim to be ‘less intrusive, onerous, coercive, stigmatising, artificial and bureaucratic’, in practice, ‘inside, the same old things are being done’. The unique location of UW in the WC for statutory service-users, however, appears to induce new and novel, yet harmful and criminalising impacts upon women that are not produced by traditional penal institutions such as the prison. The WC operates as a new institution of control for women in the community.

## Chapter Seven: Discussion

### 7.1 The expanding scope of the WC

This chapter explores the main findings from the research project and considers the implications of the analysis. The discussion responds to the overarching objective of exploring the aims, operation and impact of one case study WC, functioning as a gender-responsive non-custodial arena in England and Wales, from the experiences of service-providers and service-users. Upon commencement of data collection at the WC, I was only aware of two service-user groups accessing gender-responsive services: non-statutory service-users and statutory service-users. It soon became apparent after my first interview with a social work master's student, that the WC operated with a third service-user group in mind; social care service-users. These women were required by social services to attend various courses contained within the gender-responsive timetable facilitated by the WC. The function and scope of the WC was visibly expanding, and was being utilised for additional purposes, outside of the aims envisaged by Corston (2007).

As outlined in chapter two, neoliberal reforms are often 'double-edged' (Peck *et al*, 2018: 8) and rather than being totally free from state restrictions, coercive and invasive forms of state intervention can intensify within the context of neoliberalism. The WC, whilst established in recognition of the multiple harms inflicted upon women via the use of custodial sentences, in practice, operates as another form of control in the lives of all three service-user groups.

Conflicting perspectives exist in statutory and non-statutory service-users experiences of the function and impact of gender-responsive services in the WC. Non-statutory service-users consider the WC to

be a social sanctuary whereas statutory service-users experience the WC as punitive and shameful, questioning its purpose for them. An even more considerable disconnect exists between statutory service-users and service-providers perspectives on the objectives and function of UW sentences in the WC. Service-providers depict the function of the WC for *all* service-users as positive, inclusive, educational and empowering, reflective of their operational ethos of “women supporting women” to make “positive lifestyle changes”. The realities for service-users, however, are more diverse and nuanced than this, reflecting their mode of attendance at the WC as either mandatory or voluntary.

The precariously funded WC operates along a continuum of coercion. Coercive methods of control are often used with non-statutory service-users to increase course attendance numbers to demonstrate optimum engagement levels to funders. This suggests a market driven premise central to the continued function of the WC with a responsivity to the specific needs of women accessing services being a secondary concern. What appeared most troubling, however, was the potential co-dependent relationship that exists between non-statutory service-users and the WC. Many women had attended the WC for long periods of time, some since it opened over seven years ago, yet, many discuss little indication of “moving on”, as is outlined in section 7.7.

Statutory service-users experiences of gender-responsivity in the WC were in direct contrast to Corston’s (2007) aim of WCs operating as less stigmatizing, non-custodial alternatives to prison. They cited shame, monotonous weeding tasks and surveillance as key features of their experiences of UW in the WC. Considering these overarching findings, this chapter now explores how the function of the WC has expanded beyond the scope of Corston’s (2007) initial aims for a

gender-responsive justice and outlines the key findings of this research project.

## 7.2 Individualised yet homogenous gender-responsive practice

In Corston's (2007) call for the countrywide establishment of WCs, she aimed for WCs to operate simultaneously as referral centres for women and as a form of diversion from custody. WCs were envisioned as spaces that would recognise three distinct categories of vulnerability in women. These three categories included domestic, personal and socio-economic circumstances. Identifying and addressing these vulnerabilities was considered to enable women to 'develop resilience, life skills and emotional literacy' (Corston, 2007: 1).

The first key finding of this research, concurring with the work of Malloch and McIvor (2013) and Carlton and Segrave (2013) is that gender-responsive practice individualises women's socio-economic and structural problems which then misses the potential for trained staff to help women identify contextual factors in their lives that contribute to their ongoing marginalisation. It also recognises an emerging body of work by Harding (2019) that considers gender-responsive methods of practice in WCs to be potentially re-traumatizing for women with past experiences of trauma and/or multiple mental health conditions. Delving further into the specific features of methods of individualisation in WCs and exploring what they mean for women is Elfleet (2017). She asserts in her study on gender-responsive practice in a case study WC that the neoliberal context is fraught with difficulties, with the initial aims of gender-responsivity, as first outlined by Bloom (1999), often subverted to neoliberal principles of individualisation, rationality and responsabilisation. Elfleet (2017) claims that gender-responsivity

ultimately teaches women to change their thinking patterns on the causes of their oppression, marginalisation and powerlessness rather than identifying and addressing these issues. Elfleet (2017: 35) maintains that women are expected 'to be prepared, adaptive, self-sufficient and reflexive beings'. Empirical data in this research suggests that this was also an occurrence in the case study WC in this project.

During interview with the CJC, the role of sitting and talking with non-statutory service-users to encourage them to be reflexive and "open up" so that they could be signposted to gender-responsive services in the WC was emphasized. Whilst this could be considered a key component in identifying non-statutory service-users' specific needs, the CJC attributed the ultimate aim of participating in gender-responsive courses at the WC as making women "more confident". The OM also stated that most courses are "just helping them improve their confidence really". Whilst empowerment was the operational rhetoric of the WC, it was not specifically defined by any service-providers during their participation in the research. The logic of empowerment in the WC did appear nonetheless, to encourage self-transformation through confidence building. There was, however, no tool of measurement for this. Social transformation centred upon acknowledging and addressing the structural preconditions of women's lives, as identified by Corston (2007) as crucial in meeting women's complex needs was not afforded to non-statutory service-users at the WC.

Service-providers in the WC, including the OM, other paid members of staff and student volunteers facilitated a process of self-transformation through their operational practices. Emily, giving credence to Elfleet's (2017) notion of reflexivity, noted that "it's a lot more support and speaking to the women - letting them get things off their chest". Service-providers speaking to women about their

personal issues pertains more to control than empowerment and is in tension with Thain Grey *et al's* (2016: 11) notion in chapter three that gender-responsive WCs are spaces to 'rethink power, change institutions and systems of state'. It does, however, link to Harding's (2019) findings on striking a difficult balance between addressing individual and structural needs.

The concept of talking through individual issues, in some way, adheres to the premise maintained by Hudson (2002) that gendered justice must encompass participation, by giving women the opportunity to talk about their lives and thus identify their own needs so that they can then act upon them. There is a tension, however, between women being adaptive and women identifying their own needs. Whilst Hudson's (2002) concept of participation places a degree of responsibility on women to manage their own needs, Elfleet's (2017) premise of reflexivity is more reflective of the neoliberal context of the case study WC researched in this study, with its promotion of individualisation and coaching non-statutory service-users to become managers of their own disadvantage and marginalisation.

Gender-responsive practice has previously been criticised in various institutional settings for failing to recognise the heterogeneity of women (Clarke and Chadwick, 2018; Moore and Scraton, 2014; Moore and Wahidin, 2018; Shaw and Hannah-Moffat, 2011). This was proven to be the case in the WC with respect to non-statutory service-users. Non-statutory service-users were treated as if they shared similar, if not the same needs and personal experiences, encapsulated in low self-esteem, low self-confidence and poor life skills. Reflecting what Rottenburg (2018: 3) calls the 'mutual entanglement' of neoliberalism and feminism, non-statutory service-users structural inequalities were effectively erased in the WC and individualised support was scarcely available to women. This reflects

the problematic elements of gender-responsive groupwork that was highlighted by the Howard League (2016: 2) as a direct negative result of *TR*. The operation of gender-responsive practice in the case study *WC* affirms the Howard League's (2016: 2) concerns that post-*TR*, the quality of services for women has been reduced. One-to-one casework with individual women has been replaced with groupwork, which is proven to be less effective in identifying individual specific needs.

There is an inherent tension in avoiding the promotion of a 'competitive individualism' (Peck *et al*, 2018: 8) and self-responsibilisation (Hall, 2011b) in neoliberal social redistribution, and in individualizing women in order to treat them as a non-homogenous group who possess very different needs according to their socio-economic and political marginalization as well as their race, sexuality, ability and class (Lawston, 2013). The gender-responsive mode of operation in the *WC* promoted self-responsibilisation and individualisation of women as if they were 'united by common gender experiences' (Lawston, 2013: 113) albeit within group settings. This thesis contributes to existing research that has considered the limitations and potential harm that applying homogenous treatment to women has upon them (Clarke and Chadwick, 2018; Lawston, 2013; Moore and Scraton, 2014; Moore and Wahidin, 2018; Shaw and Hannah-Moffat, 2011). What is significant in this study, is that this lack of gender-responsivity was afforded to non-statutory service-users, not formally criminalised women, as outlined in existing research. As such, this study highlights the need to undertake empirical qualitative research with non-statutory service-users in more than one *WC* context.

### 7.3 The feminisation of women's needs

The second key finding of this research is that whilst gender-responsive practice was outlined by Corston (2007) as a progressive, holistic approach in meeting the multiple needs of vulnerable women, in the WC, non-statutory service-users needs were largely conceptualised within the strict confines of often historical conceptualisations of femininity and domesticity. Numerous scholars, including Barton and Cooper (2013) have argued that gender-responsive services for women in the context of hostels and halfway houses in England, frequently become over-reliant upon stereotypes of femininity. In the WC, stereotypically feminine gender-responsive courses operated daily, comprising courses on parenting, nail art, cooking, floristry, knitting and sewing. Although several of these courses were enjoyed by mainly older women who expressed pleasure at learning how to knit and sew, the gender-responsive timetable of services appeared to reproduce normative gendered roles that narrowly focused upon traditional discourses of femininity and domesticity. Feminine practices in the WC were thus passive and compliant.

The OM promoted the “non-clinical” environment of the WC as a safe space for women to “talk” about the gendered issues affecting their lives. Women's needs were therefore arguably feminised to an extent, within the WC. Teaching women to become domesticated, motherly and feminine yet failing to account for structural factors that shaped their everyday lives does not constitute gender-responsivity. Service-providers, however, were constrained by the form and function of the WC. This finding corroborates Malloch and Mclvor's (2013: 5) premise that the precarious funding organisations experience ‘compromise their ability to carry out vital functions’ that support women. Without the ‘availability of resources’ (Malloch and Mclvor, 2013: 5) to support the complex needs of women, the WC is



always going to be limited in what it can fundamentally achieve. Continuing to operate stereotypically feminine courses under the premise of gender-responsive practice, however, enables the WC to continue to define what it classifies as women's needs.

This feminization of women's needs is problematic for several reasons. Barton and Cooper (2013) outline in their findings on the operation of semi-penal institutions for women that gender-responsive practice promotes and conforms to traditional mothering and caring roles that women hold. They argue that women's presenting needs are understood within 'biologically and socially deterministic conceptualizations' of what it means to be female (Barton and Cooper, 2013: 140). In the WC, there was a suggestion of a similar recourse to biologically and socially deterministic interventions. This suggests that whilst WCs were established as a result of scholarly, activist and feminist progressive reforms, they have the potential to revert to nineteenth and early twentieth century modes of operation in semi-penal institutions for deviant women, characterised by regimes of femininity, domesticity and motherhood (Greenwood, 2014; 2017a).

Additionally, by focusing narrowly upon women's stereotypically feminine roles, the private realm of the family is almost 'romanticized' (Barton and Cooper, 2013: 14) which suggests that the private sphere as a site of paternalism and oppression is reinforced in the WC. The private sphere has long been thought of as 'the "domestic kingdom" where women and feminine virtues prevail' (Hall, 1984: 20). Through the operation of gender-responsive services that teach non-statutory service-users to cook, to parent more effectively, to flower arrange, to sew, and to dress and groom themselves in a more presentable manner, the WC acts upon the private lives of women which arguably serves to re-emphasize and strengthen, what Hall (1984: 20) calls in his research, the

'private/public distinction' inherently rooted in the 'sexual division of labour'. Therefore, far from being a site of radical reform, the WC could be considered a space of hegemonic heterosexuality (Bibbings, 2009) that reinforces women's confinement to the private sphere. Using Smart (1995), the WC 'supports the existing social order' (cited in Ballinger, 2009: 24).

#### 7.4 Promoting a discourse of resilience

Whilst non-statutory service-users needs were undoubtedly subject to feminisation in the WC, the third key finding of this research is that the WCs rhetoric of empowerment was translated into a discourse of resilience in terms of the aims of gender-responsivity. The concept of resilience is 'related to the way that societies adapt to externally imposed change' (Joseph, 2013: 39), such as neoliberalism. Therefore, whilst it is not necessarily tied to neoliberalism, the 'shift away from a sovereign-based understanding to a societal understanding of security under the guidance or goal of resilience' (Chandler and Reid, 2016: 27) situates the neoliberal socio-economic and policy context as a contributing factor in the promotion of resilience in the WC. For non-statutory service-users in the WC, resilience was a strategy promoted to adapt to external change and cope with the negative impacts of neoliberal state restructuring.

As outlined in chapter two, neoliberalism involves the state divesting responsibility for security, instead, placing it on to citizens (Chandler and Reid, 2016). Citizens are then empowered to 'govern themselves' by 'making better life choices in the face of risk and complexity' (Ibid: 30). Neoliberalism itself, is thought to be resilient with Mavelli (2017) outlining one of two schools of thought in understanding the relationship between neoliberalism and resilience. In understanding neoliberalism primarily as a 'regime of

subjectification' that produces resilient neoliberal subjects, subjects are trained to be capable of adapting to 'neoliberal mechanisms of production, exploitation, accumulation and dispossession' (Mavelli, 2017: 490). The neoliberal context is then dependent upon the 'resilience of its subjects' to 'withstand the shocks of a socio-economic order naturally attuned to produce crises' (Mavelli, 2017: 491).

As presented in chapters five and six, the WC focused upon non-statutory service-users lives at the level of the self directly through the operation of gender-responsive courses. This suggests that the WC aimed to make women resilient so that they adopt the skills and possess the ability to manage uncertainty, disadvantage and marginalisation, all three of which are produced and/or exacerbated by neoliberalism. Teaching non-statutory service-users in the WC to govern themselves through: making better life choices in the face of risk; managing their emotions; recognising abusive behaviour in relationships, and increasing their self-confidence and self-esteem is conducive to producing women who require minimal state assistance because they are able to develop strategies of resilience. Whilst these gender-responsive courses were promoted by the WC as central to achieving empowerment (even though this term was not specifically defined by service-providers), they are inextricably linked to resilience.

This finding contributes to Elfleet's (2017) research on the neoliberal rhetoric of resilience promoted in a WC in the North West of England. In Elfleet's (2018: 19) analysis of experiences of gender-responsive practice for formally imprisoned women with mental health diagnoses, she maintains that gender-responsivity is underpinned by a responsabilising agenda due to Corston's (2007: 2) aim for the criminal justice system to help women 'develop resilience, life skills and emotional literacy'. Elfleet (2018: 19) argues

that Corston conceptualised women's structural marginalisation and disadvantage 'through a narrow lens of personal failure and social inadequacy'. Borrowing from Chandler and Reid's (2016: 4) theoretical commentary of neoliberalism and the production of subjects, non-statutory service-user Amber's description of an empowerment course as "changing your thinking on being a victim", suggests that in the WC, non-statutory service-users were taught to be reflective of neoliberal tenets of resilience and self-management.

For several non-statutory service-users, the WC replicated the traditional 9-5 working pattern. As Lexie noted, "as I said, it's like my job at the moment...I get up and come here for nine and I'm first in, last out". She also stated that "if I wasn't coming here...and working on myself... I'd probably be at home falling into a bigger trap of watching Jeremy Kyle and just sitting there really and not actually doing anything". What Lexie's narrative suggests, utilising Chandler and Reid's (2016: 5) conceptualisation of practices of resilience and subjection, is that the 'psychic or inner life' of Lexie became the 'sphere of transformation' in the WC 'in order to develop faculties of resilience and adaptive efficiency'. Facilitating individual transformative activity through the operation of gender-responsive workshops such as "out of the corner", "finding me" and "empowering voices" enabled non-statutory service-users to become more self-aware, self-sufficient and responsabilised. They were encouraged to self-evaluate which gives credence to Cruikshank's (1996: 234) concept of 'technologies of citizenship'. This discourse involves encouraging women to evaluate and act upon themselves, so that government officials do not have to (Ibid). It comprises a process or set of practices used to transform individual subjects into citizens through programs or discourses that aim to make individuals 'capable of self-government' (Cruikshank, 1999: 1).

Whilst principles of resilience were clearly present in the Corston (2007) Report, the impact of neoliberal policy including *TR*, has arguably resulted in the subversion of gender-responsive practices to neoliberal objectives of individualisation and entrepreneurialism. These defining neoliberal features, borrowing from O'Malley (2014: 91), aim to create and promote 'more "self-reliant" and "independent" subjects' that are resilient. The process of creating subjects in the WC involved encouraging women to accept responsibility for their structural marginalisation and poverty whilst teaching them to cope with, and be resilient in the face of adversity. The constantly evolving neoliberal context has arguably accelerated Corston's (2007) individualised and responsabilised schema, particularly considering that only 2 out of Corston's 43 recommendations were realized (Scruton and Carlton, 2018).

Drawing on the critical criminological conceptual framework of this study, as outlined in chapter two, although the Corston (2007) Report emphasized individualisation, responsabilisation and resilience, it appears that the neoliberal state has been able to assume the 'new role of facilitator of market solutions to both social and economic problems' (Bell, 2011: 158). The WC is being considered a viable solution to socio-economic problems by teaching non-statutory service-users to manage their personal and structural circumstances. By doing so, the WC affords non-statutory service-users tools of resilience.

## **7.5 The receding welfare state and widening carceral net**

The receding welfare state, as outlined in chapter 2, disproportionately impacts upon women (Lister, 1990). Women are encouraged to enhance their personal capital by becoming more 'active' citizens (Lister, 1990: 15). Following on from the WC operating in response to neoliberal social and economic uncertainty

by producing resilience in non-statutory service-users, gender-responsive practice, using Cruikshank (1996: 235) is also able to link 'power to subjectivity'. A widening web of governmentality characterised by gender-responsive practice is able to reach into the everyday habits of women, often instilling work-based values. This is potentially a political strategy employed by the WC to 'act upon others by getting them to act in their own interest' (Cruikshank, 1999: 68). Referring to Cohen's (1985) terminology in relation to the expansion of the criminal justice system and the widening of the carceral net, most non-statutory service-users attending the WC were 'shallow-enders', having not committed a criminal offence but forced to rely upon the WC due to the dismantling of the welfare state and the diminishing landscape of social support services in local communities.

Although non-statutory service-users were not subject to mandatory attendance, the WC potentially operated as a site of neoliberal power through its constitution and regulation of the 'political subjectivities' (Cruikshank, 1999: 69) of the women it sought to empower. Contributing to Elfleet's (2017: 37) conclusions in her study, neoliberal strategies of empowerment in the WC also 'clearly conform to neoliberal ideals' by promoting self-sufficiency, self-reliance, entrepreneurialism and individual responsibility. This research further adds to Elfleet's (2017) argument by highlighting that empowerment in the WC not only conforms to neoliberalism, but also teaches resilience and promotes the production of resilient subjects in women.

The fourth key finding of this research is that because the receding welfare state has left many vulnerable women without sources of help and support, in response, the WC has attempted to perform many of the tasks that were previously, predominantly the responsibility of the welfare state via 'new forms of intervention'

(Cohen, 1985: 4). The result is that the WC, primarily a criminal justice institution, has expanded its reach into the non-statutory populace of women as part of the neoliberal 'transformation of the state' (Wacquant, 2001: 401). The break-down of the welfare state and the huge reduction in social services for women has reduced the government's responsibility in the social sphere and in the lives of women. However, an increased responsibility has been placed upon women to accept and manage their personal circumstances as 'intervention strategies' and 'specialist services' to support women have been dismantled (Mansfield and Cooper, 2017: 189). Neoliberal state power has arguably extended into the lives of women under the guise of empowerment and gender-responsive practice in the WC. Within the neoliberal context, everyone is held accountable and responsible for their own actions and well-being (Harvey, 2005). Rather than being attributed to class exclusion, poverty and inequality most commonly ascribed to neoliberalism and austerity, non-statutory service-users failures were interpreted in the WC in terms of 'personal failings' (Harvey, 2005: 66). Gender-responsive practice taught non-statutory service-users to both recognise these failings, including structural marginalisation and deal with them.

Gender-responsivity in the WC can thus be conceptualised in 'entrepreneurial terms' (Rottenburg, 2014: 421), as a way of enhancing the 'coping practices' (Chandler and Reid, 2016: 27) of non-statutory service-users with their social and structural disadvantage within the uncertain context of neoliberalism. Contributing to Mansfield and Cooper's (2017) thoughts on the failure of the criminal justice system to protect women due to austerity, empirical data in chapters five and six suggest that women's multiple and complex needs that are arguably products of the social and economic inequalities in a neoliberal society, are not

being challenged, identified or addressed by current gender-responsive operation in the WC.

## 7.6 Coercive methods of control

Considering the reduction of WCs across the penal landscape in England and Wales as outlined in chapter three, from 99 in 2007 to 47 in 2019, service-providers in the WC were acutely aware of the need to continuously prove to funders that their services were well attended and worthy of continued operation. Gender-responsive justice was outlined by Bloom (1999) as integrating three key features including safety, connection and empowerment. While the WC was experienced as a safe environment by all non-statutory service-users, exchanges between non-statutory service-users and service-providers were not always mutual. The fifth key finding of this research is that a continuum of coercion operated in the WC. Gender-responsive practice, with respect to non-statutory service-users, whilst intending to be 'proactive' in the neoliberal sense of Peck *et al* (2018: 8), by encouraging women to attend workshops, instigated coercive methods of control by compelling women to partake in courses so that they appeared active and productive.

Utilising pressure to encourage women to attend gender-responsive courses appeared to be a necessary aspect in managing non-statutory service-users and getting them to participate in workshops centred upon teaching them to manage their structural marginalisation and to become resilient (Chandler and Reid, 2016; Mavelli, 2017). Whilst most non-statutory service-users had not committed a criminal offence, the WC conceptualised them as "at risk" of offending due to their complex needs. This key finding further emphasizes Haney's (2010: 211) view that gender-responsive programming has to 'negotiate (...) contradictory mandates'. On the one hand, the WC aimed to empower non-



statutory service-users, albeit through resilience training, yet on the other hand, again reflecting Haney (2010: 211), the WC felt it necessary 'to control and constrain' them. The function of the WC for non-statutory service-users gives credence to Cohen's (1985: 107) notion that crime control strategies enacted by the state often include methods of 'containment and coercion'. It is important to emphasize, however, that service-providers in the WC were not unkind or dispassionate towards non-statutory service-users. The WC was managing women in the most productive and most cost-effective way possible considering its funding constraints and precarious future operation.

The use of coercive methods of control directed towards non-statutory service-users also suggests that gender-responsive practice in the WC discouraged idleness. Applying one of Cruikshank's (1999:7) concepts, coercion potentially operated as 'social technique of government' in the WC. Cruikshank (1999) sought to analyse how liberal democracies produce citizens who are capable of self-government, exploring the relationship between subjectivity and subjection. Social techniques of government extend the reach of political power into the lives of individuals and society (Ibid). In the WC, utilising pressure to encourage non-statutory service-users to attend gender-responsive courses suggests that service-providers aimed to make them productive as a way of reconstituting them at the 'social level' (Cruikshank, 1999: 7). The acts, habits and motivations of women were arguably 'brought into harmony' (Ibid: 7) with the neoliberal order of the state- that is, individuals who are productive, resilient and entrepreneurial. Using Cruikshank (1999: 9), gender-responsive practice as a 'technology of citizenship' in the WC sought to make 'good citizens' out of non-statutory service-users as the WCs rhetoric of empowerment was arguably a measure of subjection. Non-statutory service-users' observations that service-

providers often used a degree of coercive control to encourage gender-responsive course engagement suggests that the WC utilised the 'art of coercion' (Cruikshank, 1999: 9). This is a concept developed by Cruikshank (1999: 9) to describe a method to make people self-governing.

Many women, however, experience coercion in their personal lives and relationships. For the WC to then utilise coercion over them suggests its use as a neoliberal tool. Borrowing from Kelly's (1988) conceptualisation of a continuum of sexual violence that could not be understood within the legal confines of definitions of sexual violence, a continuum of coercion arguably existed in the WC. Pressure and encouragement was predominantly reserved for non-statutory service-users whilst more forceful coercion was adopted towards social care service-users and statutory service-users to guarantee civil and criminal justice order completion. Rather than reflecting a hierarchy of coercion in the WC, the continuum of coercion reflects the complex experiences of coercion from different service-user groups within the institutional space of the WC. Adopting Malloch's (2018: 83) argument that a wider acknowledgement of the criminal justice system is needed due to its failure to meet its own crime control and reduction objectives, it is perhaps necessary for the WC to similarly acknowledge its failure to empower whilst using these coercive practices of control towards its service-users. Encouragement to attend gender-responsive courses was, on occasions, however, experienced positively by non-statutory service-users.

For women experiencing social exclusion, the state's regulatory role in the social conduct of marginalised women operated at the 'level of the individual' (Cruikshank, 1999: 8) in the WC. This was also suggested in non-statutory service-users' accounts of the WC instilling a routine into their private lives. This proposes that the

power of the state, through the operation of gender-responsive practice permeates 'into the minute and mundane reaches of the habits, desires, interests, and daily lives' (Cruikshank, 1999: 8) of non-statutory service-users in the WC. Rather than teaching women how to use power with and for others, as outlined by Bloom (1999) as a key feature of gender-responsive justice, the WC adopted an approach that frequently resorted to operating power *over* its three service-user groups. This is arguably due to the WCs market-driven neoliberal character and its official aim of reducing re-offending and risk of offending.

Non-statutory service-users' experiences of persuasion and forceful encouragement suggests that the WC was both actively pursuing its aim to attract future funding and to shape women into neoliberal subjects possessing qualities of resilience, individualisation and entrepreneurialism. Using Cruikshank (1999: 24), the WC attempted to 'make subjects out of citizens' by actively operating against idleness and non-productiveness, of which sitting in the community room, drinking tea and chatting to other women was considered. The WCs drive to produce productive subjects extends the reach of political power into women's lives whilst simultaneously de-politicizing them.

The level of coercion operated in the WC can also be attributed to the PbR and profit orientated funding framework that the WC had to adhere to. The phrase "bums on seats" (OM) was frequently used to describe the need to fill gender-responsive courses to capacity. Achieving this would increase the likelihood of securing future funding from sponsors. However, utilising pressure over non-statutory service-users to meet the demands of funders prioritizes profit over the gender-responsive needs of women, including the suitability of courses to women's individual needs. This finding contributes to Corcoran and Fox's (2013: 152) argument that as a

direct result of *TR*, probation services effectively become part of the 'competitive penal services market'. Because WC services are procured via a funding bid process; characteristic of neoliberal ideologies of market driven economies, non-statutory service-users have effectively become customers of the WC, with gender-responsive services considered the products of competitive business. The need for the WC to operate sustainably characterises its neoliberal delivery, not only with respect to probation services but also to non-statutory services provision. This argument contributes to the statement made by Clark (2014) that precarious funding contracts force WCs to monitor and record the number of women accessing their services to adhere to CRC's PbR approach, reflecting a move towards the marketisation of gendered justice.

Social care service-users were also subject to coercion in the WC, in terms of the courses they were mandated to attend. They were made fully aware that non-attendance risked the removal of their child(ren) from their care. Courses on parenting, domestic abuse, cooking and managing personal emotions were typical of those that social care service-users had to undertake. Student social worker Phoebe expressed unease at the use of coercion with these women in terms of what it was capable of achieving. Whilst she noted that women "know what the consequences are of not attending a session", she also stated "just because you attend doesn't mean you're actually going to do anything". Phoebe was therefore acutely aware of the conflict in forceful attendance. Her account also highlights the tension between the WCs operational rhetoric of empowerment, promoting the discourse of "women supporting women" to make positive lifestyle changes whilst using coercion for social care service-users. There is a tension in wanting to empower women and simultaneously subjecting them to coercion.

Empowerment, as defined by Bloom (1999), models how a woman can use power with and for others, rather than using power over others or being powerless. Whilst it could be claimed that social care service-users need to be coerced to attend gender-responsive courses in order to not breach their civil orders, coercion to participate in courses effectively disempowers women as it involves the use of power *over* them. This finding appeals to Haney's (2010: 153) argument that in two community-based gender-responsive programmes for women in California, women's feelings of disempowerment stemmed from 'being forced to participate in therapeutic practices'. In the WC, aims of empowerment and coercion are therefore fundamentally incompatible.

Coercion was also a necessary aspect of statutory service-users experiences of the WC. Women were sentenced to a specified period of UW and it was the obligation of the WC to ensure that they fulfilled their sentences. Whilst service-providers maintained that UW constituted a fraction of women's time at the WC, and that they were still subject to an individualised assessment to identify their specific needs, statutory service-users in both focus groups refuted this. Whilst it could be argued, using the MOJ's (2010) official definition of UW as visible community punishment that the WC was upholding the state's objectives of UW, all statutory service-users claimed not to have undergone any individual assessment with service-providers at the WC to identify their specific needs. FG2P3 noted that "it's a one size fits all, no matter what you've done – you could have murdered somebody or robbed... you come here, and you do gardening". The futility of the WC for statutory service-users was therefore clear and rather than being empowered, most statutory service-users were fed up and disheartened. The gender-responsive needs of statutory service-users were not fully considered, with the overarching aim appearing to be the

maintenance of the WCs garden as this constituted the majority of women's UW tasks.

Although WCs were initially considered progressive alternatives to custodial sentences for women, the case study WC failed to address structural disadvantage and marginalisation in statutory service-users. An emphasis instead was placed upon adhering to the state's power to ensure women paid back the community for their wrongdoing(s). The CJC was keen to inform me during interview that the WC had received a national award based on rates of completion for UW sentences. Juxtaposed with the overwhelming negative and punitive experiences of UW from the viewpoint of statutory service-users, it appears that Kendall's (2013: 43) warning that the neoliberalisation of gendered justice will facilitate competitive tendering for the punishment of women, is becoming a reality in the WC. Contributing further to Kendall's (2013: 43) critical viewpoint, the service-providers in the WC are (perhaps unintentionally) becoming 'their sister's keepers'. In light of the lack of investment in women in terms of identifying their structural and social need, the WCs narrow focus on proving impact by narrowly focusing upon statistics also contributes to Corcoran and Fox's (2013: 152) argument that women are gradually becoming 'customers' of gender-responsive services, with little regard for their gender-specific need. This key finding suggests that the PbR approach that the WC must adhere to, enables a continuum of coercion to be used as a standard operating procedure in the WC, leaving little room to consider accountability or legitimacy of gender-responsive practice.

What is also pertinent in this study is Haney's (2010: 213) notion that 'power and punishment do not simply evaporate' in the case of gender-responsive programming. While Malloch and McIvor (2013: 7) note that the concept of "community" is 'under theorised' and 'widely contested' (Malloch and McIvor, 2013: 7), this research helps

to address this gap in the literature. While the “community” is often considered a more benign alternative to custody, the use of a continuum of coercion in the WC for three different service-user groups, attending for very different purposes suggests that systems of punishment and control have expanded in their reach and strength into the lives of vulnerable women outside of the traditional custodial arena.

## 7.7 Containment and Co-dependency

The sixth key finding of this research and a strand of thought that has not yet been fully considered in existing literature or critical research is the level of dependence that is promoted by the WC through the operation of gender-responsivity within the neoliberal context. Resilience strategies, as outlined in 7.4 have been defined by Chandler and Reid (2016: 3) as producing a ‘resilient, humble and disempowered being that lives a life of permanent ignorance and insecurity’. Achieving empowerment within practices that promote resilience is subsequently questionable. A sense of insecurity in their personal lives was suggested by several non-statutory service-users who had attended the WC for prolonged periods of time and had little intention of “moving on” from the WC. Becky had attended for a number of years, commenting that “oh I love it here. This is home. I just go to where I live to sleep”. Two years after data collection, Becky’s image is still promoted in social media outlets where the WC advertises recent past events. This suggests that Becky is still a regular service-user at the WC.

Similarly, Poppy had been attending the WC for four years and referred to an exhaustive list of courses and workshops she had participated in during that time. Poppy stated that she was asked by the OM to become a peer mentor in the WC, which she declined as she wished to train to be a nurse. She asked me during our interview

if I knew how she could get accepted into a university to do a nursing course. It appeared that Poppy had long “outgrown” the WC and was ready to make steps forward in education and training but was in receipt of no help or assistance from the WC to guide her through practical steps she needed to take. The WC thus operated inclusionary controls encompassing social welfare (Bell, 2011) and promoted a level of dependence by providing little support or guidance for women who wished to rely less on its services.

Tubex (2015: 7) talks of neoliberal crime policies constructing a form of ‘correctional managerialism’ where individuals are managed in order to reduce the chance of (re)offending. Whilst referring to non-statutory service-users, there is the potential, borrowing from Tubex (2015), that the increasing ‘warehousing function’ of both prisons and non-custodial arenas in the neoliberal context was being actively utilised by the WC to manage risk of offending in its non-statutory population of women. The WC, whilst operating along a continuum of coercion for three separate service-user groups, appeared to foster this warehousing function, specifically with respect to non-statutory service-users. A conflict exists between the pressure to attend gender-responsive courses and the fostering of a dependency on the WC. The WC provides services and support infrequently available outside of the criminal justice system by operating in response to the demise of women’s community services. A consequence, however, is that because gender-responsive courses promote the development of resilience, the social and structural contexts of women’s lives are denied in the WC and they become dependent on continued access to the institution.

Several service-users and service-providers outlined that all women attending the WC were lonely and had little social support outside of the WC. The “ground rules” that the WC promoted, according to non-statutory service-user Amber were “don’t swap numbers, don’t



go to each other's houses and stuff like that. Try and keep your friendships within the Centre because you don't really know the person, you can't say you're 100% sure that you know anybody here". The WC therefore actively promoted the individualisation of non-statutory service-users as rational, calculating individuals. Considering the complex and often entrenched social marginalisation experienced by most non-statutory service-users, for the WC to simultaneously discourage the continuation of friendships outside of the institution yet place a strong emphasis on maintaining friendships and social bonds within the WC, promoted a level of dependence on the institution. With all non-statutory service-users receiving little to no social support outside of the WC, they were effectively forced to continue attending the WC to meet their social exclusion needs.

The account by Amber that it would be "excellent" if the WC "could open in the evenings" supports the premise that the WC contained women but did little to (re)integrate them into society or to identify or address their social issues in their everyday lives. This dichotomous position that the WC places women in is problematic. It clearly provides a lifeline and system of social support for socially marginalised women, however, it does little to promote social inclusion outside of the WC. Women are ultimately forced to keep returning to the WC as an artificial social environment, in order to feel socially included. Amber demonstrated an awareness of this phenomenon of containment, recognising that there was a time when she "needed to come away from the Centre for a bit" in order to "try not to institutionalise" herself.

The WC therefore arguably actively fostered the long-term attendance of women experiencing structural marginalisation and poverty. With the WCs continued charitable operation reliant upon the consistent "footfall" (OM) of non-statutory service-users on

gender-responsive courses, the WC appeared to capitalize on continued attendance, viewing women as customers. The WCs 'denial of the social' (Haney, 2010: 211) meant that non-statutory service-users continued to require the support of the WC.

Subsequently, if women's multiple needs *were* identified and addressed by the WC, beyond developing strategies of resilience, they would not need to engage with the WC on a prolonged basis. The WC, however, would then likely experience a reduction in footfall which would place their future operation in a precarious position, thus consolidating the WCs operation in the market.

The WC is forced by neoliberal policy, namely *TR*, to operate like a business by constantly being required to prove course engagement and impact through the attainment of key performance indicators to funders to remain in operation. Considering the precarious funding structures post-*TR* and the Howard League's (2016) warning of WCs being at risk of becoming extinct, the case study WC was faced with little choice but to operate in this consumerist, marketized manner. Justifying service engagement to funders was a central factor in service delivery at the WC, taking precedence over identifying women's personal needs including referring them to appropriate services. The operation of the WC contributes to Carlton and Seagrave's (2013: 5) argument that neoliberal reforms and ideologies provide an 'emphasis on market-driven economies'. The result is that women's persistent social exclusion and marginalisation remain unchanged and women are effectively contained within the WC. In many respects, the WC has become what Carlen (1998: 167) warned may happen in the absence of a holistic approach with women: 'fin de siècle workhouses' for the most socially marginalised and poverty stricken women.

## 7.8 A new carceral logic: Gender-responsive unpaid work

Statutory service-users experiences of UW juxtaposed with the empowerment ethos of the WC and Corston's (2007) aim for a credible alternative to prison demonstrates a fundamental tension in the treatment of women as offenders in the WC. Carlton and Segrave (2013: 4) highlight that gender-responsive programming will always struggle in its quest to achieve 'justice and 'social justice' for women because the neoliberal context emphasizes individual responsibility and market-driven economies at the detriment of social welfare and poverty. Whilst several scholars have considered the impact of neoliberalism on gender-responsive practice, citing the expansion of the criminal justice system (Carlton and Segrave, 2013; Kendall, 2013; Malloch and McIvor, 2013), there has been little consideration of how UW operates in practice in a gender-responsive WC and what the implications are in merging a traditional method of punishment with a progressive non-custodial approach. Beginning to address this gap in knowledge represents the seventh key finding of this research.

Using Carlton and Segrave (2013: 4), in the WC, the aim of the MOJ is to achieve 'justice' while the WC using Corston as a blueprint for gendered justice, is supposed to help women achieve 'social justice'. Statutory service-users experiences of UW as punitive, shameful and disempowering suggests that the WC operated in a similar manner to traditional punishment regimes in custodial arenas. This places Carlton and Segrave's (2013: 4) argument that gendered justice supports the expansion and consolidation of new forms of control which acts as a form of net widening, at the centre of the analysis of statutory service-users experiences of UW in the WC. Giving credence to Carlen's (2002: 115) concept of carceral clawback, while 'alternatives to custody may not appear to be primarily punitive'; as was the case in the WC, they are always 'backed up by the explicit

threat of incarceration for non-compliance with the conditions of their non-custodial alterity'. Additionally, against the neoliberal backdrop, as noted by Corcoran (2011: 32), charities that provide public services under contract have become 'intricately related to the marketisation of welfare' and the restructuring of 'prison and probation services', resulting in the proliferation of 'a penal marketplace'.

UW being primarily located in the WC garden made it a visible sanction, reflecting Foucault's (1977) discussion of Bentham's panopticon. UW operated as a means of inducing 'a state of conscious and permanent visibility that assures the automatic functioning of power' over statutory service-users (Foucault, 1977: 200). The 'architectural apparatus' of the WC promoted the visibility of women, not only to non-statutory service-users and service-providers occupying the remaining space of the WC, but to members of the public (Ibid: 201). This enabled the creation and sustainability of a 'power relationship' between statutory service-users and the rest of society (Ibid: 201). Being obliged to wear high visibility jackets with a "community payback" slogan emblazoned on the reverse whilst undertaking monotonous and purposeless tasks of weeding and gardening highlights UW as a punitive experience for women and also suggests a performative element to UW. This performative element could be conceptualised as a form of 'expressive justice', cementing the increased politicisation of crime, almost as a 'crisis' that 'undermines social order' (France *et al*, 2012: 5). Calls for expressive justice, as outlined by Garland (2001) are accelerated by a growing sense of public insecurity and in a quest to find new ways to manage risk. This echoes recommendations forwarded in the Casey Review (2008) entitled *Engaging Communities in Fighting Crime*. Casey (2008: 51) outlined how the public wished for 'justice to be seen to be done' via visible community punishments to

reassure the public that ‘crimes are being brought to justice and to deter potential offenders or re-offenders’. Publicly demonstrating the “failure” amongst women who have offended further emphasizes neoliberal elements of responsabilisation, individualisation and self-realisation by so visibly locating the ‘problem’ with individual women, thus creating shamed neoliberal subjects (France *et al*, 2012: 5). It also addresses one of the recommendations drawn from public opinion in the Casey Review (2008: 53) that:

A strong majority (of the public) wanted work under community sentencing to be made more visible to the public, either through signs placed where work is being carried out (71%) or by those carrying out the work wearing clothing identifying them as offenders (52%).

Although the Casey Review (2008: 53) was published eleven years ago, the sentiment captured in the report that ‘the perpetrators should wear clothing that identifies them. (...) They should be shamed’ appears to have been captured in the operation and facilitation of UW sentences in the WC. Whilst statutory service-users experiences of UW corroborate the official aims of UW sentences as punitive, as outlined by the MOJ and the Courts’, service-providers maintained that because UW was located in a woman-only space, it was automatically gender-responsive.

The contradictory aims of UW in the WC were reflected in service-providers contradictory viewpoints. Whilst the WC was considered a safe haven for women to undertake UW in the company of other women, the CJC claimed that women “have to pay back the community” because the courts “want people to see that they’re paying the community back”. Service-providers were arguably trying to operate a service that was as gender-responsive as possible

within the constraints that the courts, probation and the state imposed on them as facilitators of community punishment. Neoliberalism, has unquestionably, as outlined by Hannah-Moffat and Maurutto (2016: 180) 'reshaped the political and institutional environment' in which WCs operate. An unintended consequence of neoliberalism is the proliferation of a new carceral logic that emphasizes the visible punishment of women in the WC, justified under the umbrella of gender-responsive risk-management.

### 7.9: Shame and stigma

The eighth key finding of this research relates to shame as a factor in women's experiences of UW in WCs. This is an original contribution to knowledge as it is not something that has been considered by practitioners or researchers. While NOMS (2015), in their aims of WCs outlined that many women come to WCs with existing experiences of shame and stigma, the potential for UW sentences themselves to directly induce feelings of shame, stigma and embarrassment have not been deliberated. The visible location of UW in the garden space of the WC was a central element in women's experiences of shame. Again, the architectural design of the WC sustained a level of surveillance over women for the duration of their community sentences. The physical separation between statutory and non-statutory service-users in the WC created a divide between women. The OM described this spatial design as a form of integration, yet both groups of service-users experienced it as divisive. Using Tyler's (2013: 8) research on experiences of shame as a form of governance in neoliberal Britain, the contrasting openness of the WC for non-statutory service-users, yet its utilisation as a restrictive, punitive space for statutory service-users enabled the risk of stigma to 'operate as a form of governance' due to its visibility to other WC users and members of the public.

Women experienced shame due to the state enforcement of the wearing of high visibility clothing whilst undertaking weeding tasks in the WCs garden, located in the direct vicinity of many of the women's homes and their children's school. The risk and often the reality of being recognized whilst subject to state punishment in the WC by friends and neighbours was experienced as a dimension of shame. Manion's (2003: 21) work on gender and moral agency highlights how shame operates to encourage women to maintain self-respect and personal integrity, with shame including the 'sudden awareness of the self as less good than hoped for and expected'. Culturally, shame and stigma are synonymous with a feminine response to a situation or event (Manion, 2003). Because shame was such a large factor in women's experiences of UW in the WC, with the OM even outlining that "we've had people going past and saying stuff and shouting things to them", there is the potential that gender-responsive practice is being subverted to serve the neoliberal agenda of the state in several ways.

It appears that women are encouraged to take personal responsibility and reflect upon their (criminal) actions. Publicly shaming women within their own communities, even in the relatively safe confines of the WC is arguably a method of denunciation, retribution and punishment. Women were also not permitted to leave the premises of the WC during their UW hours due to the risk they would reoffend and/or induce harm upon society. In a disquieting parallel to Hannah-Moffat and Maurutto's (2016: 180) analysis of gender-responsive community-based support for women in Canada, the 'risk logics' employed in the WC operated as 'exclusionary tactics' and 'actuarial practices that prioritise risk and security'. Statutory service-users, again contributing to Hannah-Moffat and Maurutto's (2016: 180) conclusions, were primarily conceptualised by service-providers within a risk and security

framework as individuals who needed to be 'managed'. This consequently leads to 'more punitive penal outcomes' (Hannah-Moffat and Maurutto, 2016: 180). The operation of gender-responsive reforms thus conflict with the 'institutional logics' (ibid: 180) of the WC for statutory service-users. The state sponsored shaming and risk management of women in the WC points to a neoliberal state mechanism of imposing a new system of punishment on women as a method of crime control.

Statutory service-users discussions of UW consisting of repetitive gardening and weeding tasks further suggests that no matter how gender-responsive the WC attempted to operate with respect to non-statutory service-users, for statutory service-users, gender-responsivity was absent in their experiences of the WC. The progressive gender-responsive reforms outlined for women in the Corston (2007) report, including the MOJ's (2015) aim for women to improve their quality of life are in direct tension with the surveillance, punishment and distrust afforded to women undertaking UW in the WC. Corston (2007) lobbied a gender-responsive approach to female offending that would prevent women's unnecessary criminalisation by exploring the relationship between criminal and social justice. The WC, however, following instructions from the MOJ and probation, reproduced experiences of criminal justice by treating statutory service-users as individuals at risk of recidivism, to be punished via visible, repetitive gardening tasks. For statutory service-users, the WC did not constitute an alternative to custody, it was ultimately a new mode of punishment. FG1P2s comment that "it's like you come into prison for the day and then you get out" is indicative of this.



## 7.10 A hidden custodial system

The ninth and final finding of this research is that UW in the WC constitutes the creation of a new system of punishment, surveillance and risk management for women who have committed a first time and/or low level offence. FG2P3's referral to UW as being "like a little chain gang" was symbolic of the monotonous, yet physically demanding garden tasks that statutory service-users were forced to undertake. In the American sense of the term, chain gangs 'intended to appease a crime-weary public' and were 'a simplistic solution to complex penal problems' (Burley, 1997: 129). They were first integrated into the American prison system after the Civil War. Whilst they were abandoned in the 1950s and 1960s, they were reinstated in Alabama in 1994 with prisoners forced to work along public roads 'clearing debris and weeds' (Burley, 1997: 132). Working along a public road whilst undertaking weeding tasks is characteristic of UW in the WC from the direct experiences of statutory service-users. Burley (1997) discusses how in US chain gangs, prisoners were forced to break up large rocks into smaller rocks with sledgehammers whilst they were chained to other prisoners. Despite the WC in no way using physical restraints such as chains, the repetitive and purposeless nature of this form of labour is symbolic of UW in the WC. Frances Crook's (2019) recent concerns that UW for men who have offended ultimately constitute 'gangs of labourers' opens up discussions concerning the operation, function and legitimacy of UW. However, a critical scrutiny of UW facilitated by WCs specifically for *women* is yet to be embarked upon. This study provides the first critical insight into women's experiences of UW, as operated by a WC.

Women's experiences of UW suggest that gender-responsive prison de-structuring processes post-Corston (2007) represent 'surface rearrangements disguised as radical transformations' (Kilroy *et al*,

2013 cited in Carlton and Segrave, 2013: 6). WCs, as outlined by Corston (2007) were intended to be rehabilitative and therapeutic for women with their gender-sensitive operation designed to identify and address women's individual needs to prevent reoffending. Experiences of both shame and punishment suggest that in practice, UW is similar to the aims of US chain gangs that are 'uniquely designed' to 'divest' individuals of human dignity (Burley, 1997: 154). While several women performed small acts of agency to resist the imposition of shame, the punitive nature of UW suggests that these sentences were predicated upon the notion that as women they had failed to act within the neoliberal entrepreneurial values framework characterised by self-sufficiency and self-control, that was so fiercely advocated to non-statutory service-users in the WC.

From the viewpoints of statutory service-users, of the nine factors identified by the SEU Report (2002) as central in reducing women's re-offending: help in terms of education, employment, drugs/alcohol, mental and physical health, attitudes and self-control, life skills, housing and families, none were afforded to them during their UW sentences in the WC. They were only able to access the WCs gender-responsive services on their days off from UW, and even then, the services on offer largely focused upon personal attitudes, resilience and self-control as outlined in sections 7.2-7.7. Additionally, many women were in employment and thus could not attend the WC at any other time during its Monday-Friday opening hours. Many spoke of UW negatively impacting upon their employment, their physical and mental health and their family life. Using McNeill's (2019: 212) research on the penal character of community supervision for men in the current neoliberal context, the 'socio-structural dynamics of rehabilitation' are said to be neglected in probation services for men yet they are afforded

rehabilitation as a 'personal project of transformation'. For statutory service-users in the WC, it would be expected that the socio-structural dynamics of rehabilitation would be considered within the gender-responsive framework. However, the fact that the WC provided few evidence-based rehabilitation activities for women, instead compelling them to weed the WC garden and undertake general maintenance duties of the WC highlights that they were not even afforded the personal transformation project that is promoted to non-statutory service-users through the ethos of empowerment and to men in non gender-responsive probation practice (McNeill, 2019). The operation of the WC for statutory service-users was productive for the WC as women provided free labour yet the location, structure and content of UW simultaneously reflects the state's drive to punish.

Corston's (2007) main objective in establishing WCs was to reduce the number of women being unnecessarily drawn into the criminal justice system. 'Society' was considered the location of 'support' for vulnerable women by Corston (2007: i). However, the level of surveillance that the WC directed towards statutory service-users as well as the level of distrust afforded to them to not offend outside of the WC during their sentence highlights what Sheehan (2013) describes as a fundamental tension in managing women's risk and rehabilitating them in non-custodial community programs. In the Australian context, Sheehan (2013) describes how gender-responsive reforms are being enveloped by the power of the prison. In this sense, the rules afforded to statutory service-users, involving not being permitted to leave the WC premises during UW hours reflects the fundamentally punitive aims of the criminal justice system. In the WC, the potential risk of reoffending in statutory service-users was arguably considered more important than their (re)integration into society.

The gendered impact of *TR* on the operation of gender-responsive WCs has arguably promoted a culture of discipline, surveillance and punishment with respect to statutory service-users. As outlined in chapter three, Malloch and Mclvor (2013: 6) warned that reformist, progressive policies underpinned by a desire to achieve social justice, can become easily subverted by criminal justice agendas. In the case of the WC, it appears that *TR* has undermined and, in many ways, appropriated the gender-responsive reforms promoted by Corston (2007) to serve its own purpose. Using Malloch and Mclvor (2013) again, rather than challenging the legitimacy of punitive responses to female offending, the operation of the WC for statutory service-users has reinforced the punishment and stigmatization of women who have offended.

Using Cohen's (1985: 58) exploration of the reconfiguration of criminal justice, the punitive nature of UW sentences in the WC actively blurs the 'boundaries of punishment' because the WC reproduces 'regimes and sets of rules' that are transferrable to a traditional prison environment. The outcome of boundary blurring is the creation of 'a hidden custodial system' (Cohen, 1985: 62) in the relatively benign space of the WC, disguised under the charitable sponsorship of the institution. Additionally, by the WC expanding its statutory UW programme out into the wider community as a form of "outreach", it appeals to both the 'soft ideology of community absorption' and 'the more punitive objectives of restitution and compensation' (Cohen, 1979: 357). It also suggests an attempt to strengthen the power of the state and intensify the visible presence of law and order (Hall, 1980, 1998), by moving punishment into even more visible arenas than the WCs garden. What could hardly have been predicted in the subversion of neoliberal policy to gender-responsive reforms, however, is the creation of a new penal realm for women in the visible garden space of the WC. The perhaps

unintentional forging of a novel space for the visible punishment, surveillance and injustice afforded to women is *as* harmful, damaging and marginalising as the problems identified in the Corston Report (2007) that WCs intended to remedy.

### 7.11: Conclusion: The multi-functional WC

The function of the WC for non-statutory service-users is reflective of the neoliberal rhetoric of individualisation and resilience which was arguably present in the Corston (2007) Report. Corston (2007) emphasized the need for women to become more resilient, foregrounding gender-responsive practice as a means of making women emotionally literate and teaching them to manage their structural marginalisation and disadvantage. Whilst the method of gender-responsive practice in the WC teaches and promotes strategies of resilience in non-statutory service-users, the neoliberal socio-economic and political landscape has arguably accelerated and advocated these practices. The fundamental aim of the case study WC was to empower women through the operation of gender-responsive services. The WC operated as a form of social support via the operation of group-based activities for non-statutory service-users predominantly experiencing loneliness and social exclusion. For this service-user group, the WC operated in direct response to the hollowing out of the state and the closure of state services for women.

Statutory service-users undertaking UW experienced the WC negatively due to the visibility of punishment and the monotony and meaningless nature of UW tasks. Women appreciated the gender-responsive space of the WC as a safe arena, away from men to fulfil their sentences; however, the woman-only environment was the only gender-responsive factor in their experiences of the WC. Social care service-users were not included in the sample; however, whilst

not subject to punishment schedules like statutory service-users; their mandatory attendance at the WC to undertake specific courses is in tension with the WCs gender-responsive rhetoric of empowerment and “women supporting women”.

The WC upholds a multi-functional premise. It is at once, a space of punishment, surveillance, coercion and shame for statutory service-users, a space of coercion and social sanctuary for non-statutory service-users and a space of coercion for social care service-users. The extremely broad clientele accessing the WC suggests that its operational premise is continually expanding. Initially established to provide gender-responsive services for women who had offended, and women considered at risk of offending, the WCs large population, predominantly of non-statutory service-users demonstrates the demand for women’s services in the community. The WCs failure to address structural marginalisation increases women’s dependence on the WC for social support, and the precarious funding of the WC forces it to rely upon the continued engagement of service-users. The WC effectively becomes a space of containment for vulnerable women. Rather than acting as a space of amelioration, women are contained within the institutional environment. The ‘neoliberalisation of feminism’, a term coined by Prugl (2015: 615) has thus potentially taken place at the WC with gender-responsive practice integrated and embedded into neoliberal rationalities, characteristic of this phenomenon. The WC is therefore at once, a space of containment for non-statutory service-users and a space of punishment for statutory service-users. It embodies a net-widening effect by actively attempting to manage a large population of women, referred via numerous methods: the criminal justice system; GPs; social services; citizen’s advice and self-referral. All women have access to very few other, if any, community services. The neoliberal state has therefore arguably shifted state

obligations of social and welfare assistance onto the WC as a criminal justice institution.

The wider neoliberal, part-privatized probation system demonstrates policy failure, not a workforce failure at the level of the WC. Neoliberal reforms are increasingly placing responsibility on the penal system to manage populations of women experiencing social and structural marginalisation as well as women subject to social service intervention(s). A distinct lack of resources are afforded to the WC to deliver gender-responsive services commensurate to the needs of individual women. The WC wants to appear self-sufficient- reflecting neoliberal aims of competitiveness and self-management but this is at the detriment of one-to-one gender-responsive support and targeted rehabilitation. The neoliberal gender-responsive agenda of the WC is contributing to the expansion of markets for imprisonment and punishment related services.

The following conclusion chapter draws together the main findings of this research, including how the research questions were answered as well as outlining a number of recommendations for the probation service and the WC, for the purpose of improving women's experiences of gender-responsive practice.

## Chapter Eight: Conclusion

This research has addressed the aims and objectives outlined in chapter one. A critical analysis has been provided concerning the origin, aims, function and impact of gender-responsive practice in WCs, with a particular focus on the viewpoints of service-users and service-providers in one case study WC located in the North of England. In the course of this thesis, a review of the literature has included an exploration of the historical and contemporary treatment of women as offenders in the criminal justice system, as well as the emergence of gender-responsivity in policy and practice. The current function, remit and scope of WCs as contemporary gender-responsive, non-custodial institutions has been presented in the form of statistical data. The overarching conceptual critiques of gender-responsive practice have been outlined through an examination of literature on gender-responsive community practice, within the specific socio-economic and political context of neoliberalism.

The methodological aspects of the study were presented, highlighting the use of interviews and focus groups in the case study WC. The next three chapters subsequently examined the very different functions and experiences of the WC for three service-user groups; statutory, non-statutory and social care service-users, as well as service-providers considerations of gender-responsive practice. The final empirical chapter has considered how the socio-economic context of neoliberalism and neoliberal policy may have impacted upon the operation and experiences of gender-responsive justice in WCs for both service-users and service-providers. In this final chapter, I present key research findings, outline the limitations of the research and discuss recommendations for future research



before concluding the thesis. I will first, however, return to the research questions posed at the beginning of the project.

## 8.1 Context

This research has explored the operation and impact of gender-responsive practice in one case study WC from the perspectives of women accessing these services and staff delivering them. A review of relevant literature highlighted the significant gaps in knowledge related to the specific function and impact of WCs post-Corston (2007) and following the part-privatisation of the probation service as a result of *Transforming Rehabilitation*. It was clear also, that WCs had also been subject to very little theoretical and critical scrutiny in comparison to analyses of women's punishment in prisons. The central aim of the research was to provide a platform for the very different experiences of gender-responsive practice in the WC, for women with different modes of attendance, to be heard. By prioritizing the experiences of these women, the research attempts to address the overarching aims of the thesis below.

## 8.2 Research Aims

1. Critically explore and analyse the historical, political, social and economic context through which community punishment in WCs has been established in England and Wales.
2. Undertake a statistical analysis of quantitative data related to the origin, function, remit and scope of WCs in England and Wales, including their date of inception, number and geographic location.
3. Achieve data and knowledge about the experiences of gender-responsive services in the case study WC from statutory service-users, non-statutory service-users and service-providers. This aims to explore the legitimacy of WC services in addressing the multiple and complex needs of both groups of service-users, as

well as highlighting examples of good practice and identifying areas for improvement.

4. Achieve data and knowledge about the impact of gender-responsive services in the WC from the viewpoints of statutory service-users, non-statutory service-users and service providers.
5. Provide a critical analysis of the experiences and impact of WC services from both service-user and service-provider viewpoints.
6. Contribute to social policy and criminal justice debates in this area.

### 8.3 Findings

In order to address the above research aims, I spent a period of 6 months at one WC in the North of England. During this time, I conducted 24 semi-structured interviews with non-statutory service-users, 4 semi-structured interviews with statutory service-users and 7 semi-structured interviews with service-providers. Following this, I conducted 2 focus groups with 12 statutory service-users undertaking unpaid work (UW) sentences at the WC. Focus groups and interviews were transcribed and analysed using NVivo software. Data analysis included looking for overarching themes relating to existing literature on gender-responsive practice and the impact of neoliberalism on the punishment of women.

In addressing the first research aim, this thesis has outlined that whilst gender-responsivity in WCs is considered a relatively new and progressive approach in treating women as offenders in the community, the beginnings of a separate approach for women can be located in the early nineteenth century in England and Wales. Specific semi-penal arenas for women operated up until the early twentieth century in the form of penitentiaries, halfway houses and reformatories (Greenwood, 2017b). Rather than being directly controlled by the state, these institutions were predominantly

philanthropic; aiming to reform deviant and offending women. Their specific women-centred practices varied from institution to institution, however, they shared the aim of remoralising women via regimes of domesticity, religiosity, motherhood and femininity (Greenwood, 2017b). After many of these gendered institutions closed in the early twentieth century around the same time that HMP Holloway began to be utilised for women, it wasn't until the late 1970s that women as offenders were recognised as possessing different social and structural characteristics to men. Whilst littered with feminist campaigning and scholarly research, the 1980s was characterised by neoliberal political discourse, emphasizing personal responsibility, individualism, privatisation and the rolling back of the state (Bruff, 2014). It took until the 1990s for the harms imposed on women by the criminal justice system to be officially recognised by Carlen, with her recommendation of an experimental period of abolition of imprisonment for women. Since then, numerous policies have placed women as a category of offender onto the political agenda.

Despite Corston (2007: 10) officially prompting the establishment of WCs in England and Wales as a diversion from custody and as a 'real alternative to prison', her calls for a gendered approach to recognise the multiple needs of women were arguably inherently informed by neoliberal principles that reduce the opportunity for women's individual and specific needs to be identified and addressed, instead placing responsibility on them to change their thinking and their behaviour to manage, not address, their disadvantage. Corston's (2007) referral to WCs aiding women in developing emotional literacy and becoming more resilient suggests a neoliberal underpinning to gender-responsive criminal justice services for women. Rather than addressing women's needs holistically in terms of their socio-economic and structural marginalisation and disadvantage, the

neoliberal context combined with Corston's (2007) approach, arguably informed by neoliberal tenets, has enabled gender-responsive practice to be moulded into strategies that reflect key neoliberal principles of individualisation, responsabilisation and entrepreneurialism. Women are ultimately taught to develop resilience to cope with their structural marginalisation and poverty.

Undertaking a statistical analysis of the remit, scope and function of WCs in England and Wales contributes to the limited understanding of the penal landscape of WCs as a form of non-custodial alternative to prison. This thesis concludes that there are currently 47 WCs in operation in England and Wales, demonstrating a reduction of 52 WCs since the Corston (2007) Report was published. 22 WCs operate a combination of criminal justice and non-statutory services, whilst 25 WCs operate solely as non-statutory service providers. The data analysed highlights that although the government initially invested a modest amount in establishing WCs in immediate response to the Corston (2007) Report, all WCs now operate as charitable enterprises and are forced to bid for funding to remain in operation. Additionally, whilst primarily considered non-custodial alternatives, over 50% of WCs in England and Wales provide services only to women not involved in the criminal justice system. This raises questions of the function of WCs and their future operation within the criminal justice system.

Additionally, 81% of WCs currently operating in England and Wales existed prior to the Corston (2007) report and the formal establishment of WCs. This highlights that although numerous policy initiatives published prior to the Corston (2007) Report including the Social Exclusion Report (2002) noted the need for investment in women's community services, alongside Corston (2007) outlining the harmful and often deadly effects of custody on women, the government has not adequately invested in services specifically

designed to meet the needs of women. Without state investment in gender-responsive services for women, as illustrated in chapters five - seven, WCs are forced to operate as businesses, with service-user engagement perceived by funders as transactions in the market of gendered justice.

Addressing the third and fourth research aims, this research has, first and foremost, provided a platform for the voices and perspectives of women experiencing and those delivering gender-responsive justice in WCs to be heard. Service-providers viewpoints on the function of WCs for women as offenders and women at risk of offending highlight a disconnect between service-provider and service-user experiences of gender-responsive practice. Service-providers maintain that the positive role of the WC in the lives of all service-users empowers them, makes them aware of their potential and provides practical advice and guidance on how to achieve their potential. However, the previously hidden narrative of non-statutory service-users outlines the poor quality of most gender-responsive services in the WC.

Whilst services adopt an individualised approach, they are not proportionate to the specific needs of women as a heterogeneous group. They operate from a groupwork system that emphasizes the sharing of personal information with other similarly disadvantaged and marginalised women and stereotypically gendered constructions of femininity and domesticity are emphasized. Due to the PbR culture within which the WC functions, there is no funding or scope available for the WC to provide one-to-one gender-responsive services for women to reflect their very different needs. Although almost all women attending voluntarily as non-statutory service-users enjoyed their time at the WC, noting social support and forming friendships as a key factor in their continued attendance, their experiences of gender-responsive practice point to pressure to attend group-based services delivered to women en masse and courses focused upon

teaching women to manage their poverty and marginalisation by becoming resilient, self-managing, neoliberal subjects.

The impact of gender-responsive services on non-statutory service-users is confined to the institutional space of the WC. Women felt socially included in the WC, something which most women stated they did not experience in their personal lives due to their social exclusion. Gender-responsive services, however, failed to address women's wider social and structural needs beyond the artificial space of the WC. Instead, women were taught to develop strategies of resilience to cope with their social and structural marginalisation. Data from service-providers suggest that a failure to engage women in services that identify and address what Bloom (1999: 22) calls the 'realities of women's lives', creates a false dichotomy between experiencing social inclusion and support in the WC, and experiencing isolation, loneliness and poverty outside of the WC. One of the coping strategies arguably promoted by the WC was non-statutory service-users' continued attendance at the WC. The WC fostered the containment of non-statutory service-users within the institutional space. Operating as a space of containment for vulnerable women enabled the WC to meet the demands set out by funders, including filling gender-responsive courses to capacity to quantifiably prove that there is a justifiable demand for the institution. This perpetuated a troubling co-dependent relationship between the WC and non-statutory service-users with non-statutory service-users operating both as customers and dependents of gender-responsive WC services.

Supporting research by Kendall (2013) and Carlton and Segrave (2013), this research contributes to existing literature by suggesting that Corston's (2007) use of an individualistic framework to explain and respond to women's structural and social needs places too much emphasis upon women taking responsibility for their marginalisation,

instead of engaging with holistic services that identify their specific needs. Empowerment practices aimed at improving women's self-confidence and self-management in order to become resilient, as popularised by the WC are important, however, they need to constitute a wider spectrum of services that go beyond forensically focusing upon women's personal deficits. In the context of *TR*, it appears that the WC, obligated by funders, has become so fixated on fostering and maintaining a steady clientele that it has been forced to transform the fundamental aims of gender-responsive practice from being women-centred to being market-centric. The WC must not conflate course attendance with identification and solution of women's social and structural needs. Doing so is dangerous and represents a false assertion that WCs are achieving their objectives. This thesis therefore contends that the WC as a criminal justice institution operating under *TR* is not only failing to address women's gender-responsive needs but embodies a net widening effect by drawing new populations of women into the criminal justice system. The case study WC reinforces the strength of the penal net by making it difficult for women to function outside of the official enterprise of criminal justice services because the support they receive is ringfenced to the confines of the WC and their structural needs are overlooked.

The WCs multi-functional premise enabled it to function for different service-user groups at the same time. Whilst the intentions of service-providers in the WC are invariably positive, by providing services for women who have no other avenues for support because of neoliberal state destructuring, previous clients of the welfare state, including women who have never offended constitute 95% of service-users in the WC. This is problematic as it suggests that agencies operating under the premise of gender-responsivity have been 'co-opted into the criminal justice system' (Cohen, 1985: 53), with the WC not only

representing a new community institution for women who have offended but also operating as a new network of control for women previously outside of the reach of the criminal justice system. The thesis deduces that the WC simultaneously operates both as a neoliberal institution and *in response* to the neoliberal demolition of non-criminal justice, community services for women. It both enacts neoliberal principles and responds to the harmful impacts that neoliberal state reforms have upon women.

Both quantitative and qualitative data presented in this thesis highlight a tension in the operation of WCs in the context of neoliberalism. The dramatic reduction in the number of WCs in operation since the Corston (2007) Report, arguably due to a lack of government investment and precarious funding arrangements within the charity sector, point to the uncertain future operation of WCs. Findings in this research further emphasize the Howard League's (2016) concerns about WCs becoming a thing of the past. From the data collected in the case study WC, service-providers were acutely aware of the uncertainty of future operation due to precarious funding structures. In response to this, the WC actively drove to increase the number of women accessing and engaging with their services by self-promotion through social media, community fairs and community fundraisers. The ambition to continually increase service-user numbers suggests that the WC is actively contributing to a widening of the carceral net as women are drawn into the institution and as highlighted earlier, become dependent on its operation.

In addressing the third and fourth research aim, for statutory service-users, their candid and honest experiences of undertaking UW sentences within the WC highlights a fundamental incompatibility between gendered justice and the state's drive to punish. The only gender-responsive aspect of UW for women in the WC was the location of their sentences. Women felt relatively safe and secure,



albeit ashamed and stigmatised due to the mandatory wearing of high visibility vests and/or jackets in a semi-public garden area and in community garden spaces. A contradiction exists in the aims of UW within the WC environment. Service-providers claimed that women who commit a minor and/or first-time offence punish themselves more harshly than any official sanction could possibly achieve. Yet the aim of UW, also termed “community payback” as outlined by the MOJ, is for society to visibly see women paying back the community, hence the high-visibility clothing, with community payback slogans emblazoned on the reverse. UW being located in a woman-only space does little to reduce its punitiveness or stigmatizing effect. UW sentences function from an administrative criminological approach that prioritises crime control, punishment, denunciation and reparation which fundamentally contradict Corston’s (2007) aims for a gender-responsive justice for women.

WCs need to be given the freedom to be responsive to the needs of statutory service-users, firstly as women, and secondly as offenders. The current operation of UW in WCs treats women solely as offenders. Their roles as mothers, as employees in their jobs outside of the WC, as individuals possessing different health, socio-economic and structural needs and as women of different abilities, race, class and sexuality are not considered because their presence in the WC, as outlined by the MOJ and NOMS, is to be punished. Monotonous weeding and gardening schedules for all women in receipt of an UW sentence, including pregnant women and those with physical health conditions suggests a failure to constitute a gender-responsive approach and arguably breaches the Gender Equality Duty 2007 and Article 5 of the UN Declaration of Human Rights. As outlined by Malloch and McIvor (2013: 5) the Gender Equality Duty in the UK insists that policies are ‘subjected to a gender impact assessment to prevent discriminatory outcomes’. Gender-specific community

interventions including UW therefore need to be planned specifically with women in mind and based upon an identification of their gender-responsive needs. This needs to include an assessment of women's specific individual needs to firstly identify and alleviate their social and structural marginalisation, and secondly, to try to address and prevent reoffending. The facilitation and content of UW sentences also need to consider the potential violation of women's human rights in terms of 'inhuman or degrading treatment or punishment', as outlined in article 5 of the UN Declaration of Human Rights (Lawston, 2013: 115). The implications of these findings will now be considered.

#### 8.4 Implications of the research

Focusing on non-criminal justice services for women, I firstly recommend conducting further empirical research and critical questioning on the function of UW in more than one case study WC. I then recommend removing women's services from the criminal justice system to avoid further net widening and dependence on penal services for structural and social issues. Chapter 6 discussed how women who have not been involved with the criminal justice system as offenders are increasingly becoming reliant on the WC to receive social support and inclusion. Due to the neoliberal PbR operation of the WC post-TR, facilitating a steady clientele or "footfall" was a central factor in the WC remaining in operation. Creating a co-dependent relationship between women who have not offended, and the criminal justice system is arguably dangerous. Not only are women becoming reliant upon criminal justice provisions but when they do engage with gender-responsive services, their social and structural disadvantage is not identified or addressed. The WC operates as a site of containment for vulnerable and lonely women. The criminal justice system must not be utilised as a site of support or help for vulnerable women. Services for

women need to be (re)commissioned outside of the criminal justice system so that women can begin to tackle their social and structural issues in an environment that prioritises their specific individual needs over quantifiable results and neoliberal coping strategies.

Focusing on justice services for women, I recommend revisiting the original aims of UW, as outlined by the MOJ and exploring how these aims could ever be implemented within a gender-responsive WC. UW is fundamentally concerned with community work, including decorating, removing graffiti and clearing community spaces with individuals mandated to wear a high visibility jacket or vest. Corston's (2007) vision of gender-responsive justice services included reducing women's existing experiences of shame, stigma and abuse by providing a credible alternative to imprisonment. By rethinking how UW could possibly function within a gender-responsive lens of operation, this recommendation requires recognition of the possibility that UW cannot be gender-responsive if its fundamental aims remain unchanged.

Several statutory service-users in the case study WC outlined that they were appreciative of the woman-only space of the WC, as they felt relatively safe and secure; however, many questioned the role and indeed, the supposed rehabilitative function of UW in the WC. The gardening tasks statutory service-users were obligated to undertake were not rehabilitative. Several women also questioned why they had not been subject to an individualised assessment. Service-providers conversely claimed that assessments comprised the initial stage of an UW sentence in the WC.

A lack of transparency was thus apparent in the aim(s) and function of UW in the WC from both service-user and service-provider perspectives. A joined-up approach between the MOJ, the courts, probation and the WC on the purpose of UW within the gender-

responsive penal space also seemed to be absent. The WC promoted a rhetoric of empowerment, with “women supporting women” being the ethos of the institution, however, this was not experienced by women undertaking UW orders. I recommend deconstructing exactly *how* UW that is fundamentally underpinned by the state’s drive to shame and punish can be gender-responsive and receptive to the needs of women. The only way in which this could be achieved would be to interrogate ‘criminal justice itself’ (Malloch, 2018: 83). As was the case for statutory service-users in the WC, the realities of their everyday lives had been ““decoupled”” from their socio-economic and structural needs and ““recoupled”” with collective risks (Malloch, 2018: 83).

There is potential, however, for a gender-responsive practice that pro-actively identifies and addresses the specific individual needs of women as statutory service-users to be developed and implemented, without containing them for punishment within the institutional space of the WC. What is needed, drawing again upon the work of Malloch (2018: 84) is a reduction in individualised conceptions of women’s vulnerabilities through ‘actively contesting the vulnerabilities that are a direct result of inequitable and destructive social, political and economic systems’ that proliferate the current neoliberal climate. What is also needed is a reconceptualisation of WCs as alternatives to punishment, not alternatives to imprisonment. This may then enable them to function as non-penal gender-responsive arenas of holistic support and practical help for statutory service-users. Developing community based programmes that resist the dismantling of women’s community services, that contest the role of punishment in women’s lives and that go beyond exclusively improving confidence and self-esteem could offer a way forward for gender-responsive practice.

Focusing on 'the political rather than the personal' (Malloch, 2016: 155) by providing bespoke practical support for women who have long term structural needs in terms of housing, experiences of abuse, money management and local authority intervention with their children, needs to be prioritised. The current PbR approach to commissioning services for women needs to be eliminated.

Quantifying numbers of women processed through UW must be revised, as outcomes for women cannot be measured in this way.

Women's needs are multiple and complex and cannot be shoehorned into narrowly quantifiable results. For gender-responsive services to operate specifically with statutory service-users in mind requires government investment in women's community services. Funding needs to be prioritised for gender-responsive services that are meaningful, offer one-to-one, individualised support and promote inclusion into society by focusing critique on 'patriarchal structures, redistribution and reconceptualisations of power' (Malloch, 2016: 155).

Fundamentally, the 'central concepts' of 'crime', 'punishment' and 'rehabilitation' must be critically unpicked to explore why certain behaviours come to be defined as a 'crime', whilst multiple harms that women experience as a result of neoliberal state "reforms" 'do not result in such a definition' (Malloch, 2018: 84). Echoing Malloch and McIvor's (2013: 7) recommendations in helping women achieve social justice, women who have offended require a 'wider political and public commitment and socio-economic change' that enables their needs to be met 'through mainstream, community-based service provision'. Currently, there is too much focus on the criminal justice system as a way of addressing the needs of vulnerable women. This is contributing to the proliferation of a new space of punishment and a subsequent widening of the carceral net, as evidenced in this research. The common sense notions of criminal

justice in the Gramscian sense need to be challenged. Situating women's services outside of 'the penal context' (Malloch, 2016: 158) would not only reduce the criminalisation of women who have committed minor offences, but it may help identify and address their social and structural needs and go some way in reducing both the female prison population and the scope of the carceral net.

### **8.5 Limitations of the study and ideas for future research**

Throughout the project, themes emerged, issues arose, and lines of further questioning were raised that did not allow further elaboration and exploration within the time and space of the research. For example, when commencing fieldwork in the WC, it was thought that there were only two service-user groups present; statutory and non-statutory. However, service-providers in the WC spoke of a third service-user group- women attending due to social service intervention with their child(ren). This third group of women were termed social care service-users in the research.

The OM discussed the increasing pressure placed on the WC by social services to monitor social care service-users and follow up their attendance on gender-responsive courses in the form of written reports. Whilst I did speak to one woman who initially commenced her attendance at the WC due to social services intervention with her child, I did not actively recruit social care service-users for the study. Thus, if the study was to be repeated, efforts would be made to recruit social care service-users for inclusion in the research to reflect the expanding multi-functional premise of the WC and to ascertain their experiences of being subject to civil orders within a criminal justice setting. Social care service-users experiences of gender-responsive practice in WCs therefore need to be considered in future research. This could also include social service practitioners' viewpoints and perspectives on

utilising criminal justice services for civil interventions into the lives of women. The states use of the criminal justice system for civil enforcement needs further critical questioning and empirical qualitative research that is beyond the scope of this project.

The thesis discovered how the WC conceptualised gender-responsivity in their operation of gender-responsive courses within their monthly timetable of events. Non-statutory service-users frequently referred to these courses, with many women listing the courses they had attended. Although I probed women on what many of these courses, ranging from empowerment to laughter therapy, consisted of and entailed, I did not observe the operation of any gender-responsive courses. If further research was to be undertaken either in the case study WC or in other WCs, a period of observation would perhaps highlight the substance and content of gender-responsive courses, in terms of how they are delivered, how women's individual needs are conceptualised within them and what women achieve by attending. It may also further highlight interactions between service-providers and service-users.

Additionally, all fieldwork was carried out at one WC. The geographical locality of the project means that findings on the function, experiences and impact of gender-responsive practice cannot be generalized to all Women's Centres in England and Wales. Further critical research that prioritizes the experiences and voices of service-users could be undertaken at different WCs, in a broader geographical or national context. Similarly, this thesis largely focused upon white, working-class women's experiences of gender-responsive practice in the WC. Gender-responsive practice, as experienced by women of different social classes and different ethnic backgrounds requires exploration in further studies.

This thesis has argued that the socio-economic and political context of neoliberalism has subverted progressive, feminist aims of gender-responsivity to those that teach women to be resilient neoliberal subjects, that punish women in the most cost effective manner to produce quantifiable results for probation and that ultimately, prioritise profit over the individual and specific needs of women. Current proposals to re-nationalise the probation service, the continued precarity of the future of WCs and the continued political unrest in England and Wales mean that further research needs to be carried out in light of the fluctuating structural, economic and political context of WCs.



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## Appendices

### Appendix A: Interview Schedules

Pilot interview for service-users

Interview for service-users

Interview for service-providers



## PhD Research Study

### ***‘Women’s Centres: Operationalisation, Experiences and Impact’***

#### **Pilot Interview Schedule for Service Users**

##### **Interview Schedule for Service Users**

- 1. How would you describe the Women’s Centre in your own words?**

*Prompts if not covered;*

*What do you think the Women’s Centre hopes to achieve?*

*What do you think the aims of the Women’s Centre are?*

*Do you think the Women’s Centre hopes to make a positive difference to people’s lives?*

- 2. How often do you attend the Women’s Centre?**

- 3. What services have you accessed here at the Women’s Centre?**

*Prompts if not covered;*

*Have you accessed any services in relation to training or employment?*

*Have you accessed any educational services? For example Maths or English courses?*

*Have you accessed any services in relation to debt and finance support?*

*Have you accessed any legal advice from Solicitors and/or the Police here at the Women's Centre?*

*Have you accessed any physical/mental/sexual health services?*

*Have you accessed any other services that you feel you would like to discuss?*

**4. What, if anything do you find helpful about attending the Women's Centre?**

*Prompts;*

*Are there any particular people here who help you?*

*Are there any particular services or workshops which you have enjoyed or found helpful?*

*Is there anything you feel works particularly well here? Provide examples if necessary.*

**5. What, if anything do you find unhelpful about attending the Women's Centre?**

*Prompts;*

*Is there anything you feel needs improving or changing here at the Women's Centre?*

*Are there any challenges you face when attending the Women's Centre?*

*Are there any particular services or workshops which you haven't enjoyed?*

**6. Has attending the Women's Centre made any difference to your life?**

*Prompts if not covered;*

*Has attending the Women's Centre had any positive or negative impacts on you*

*personally?*

*Has attending the Women's Centre had any positive or negative impact on your offending?*

*Has attending the Women's Centre had any positive or negative impact on any aspect of your life which you wish to discuss? For example your self-esteem, mental health, education, skills, accommodation, employment, personal relationships.*

**7. Women's Centres are designed as alternatives to prison. Do you think that**

**Women's Centres are effective?**

*Prompts if not covered;*

*Do you think that women who have committed a criminal offence are better off*

*attending a Women's Centre or going to prison?*

*Please explain why you feel one is more effective than the other – what do they help women to achieve; whether they have committed a criminal offence or not?*

**That was the last question. Is there anything else you would like to add?**

## PhD Research Study

### *'Women's Centres: Operationalisation, Experiences and Impact'*

#### Interview Schedule for Service Users

##### **A} ABOUT YOU**

1. Which age bracket would you identify under?

##### **Age Bracket**

18-24

25-34

35-44

45-54

55-64

65 or older

Prefer not to say

2. How far do you travel to attend the Centre? (Prompts: do you live in the local area or come from further afield?)
3. How do you travel to the Centre? (Prompts: walk, public transport, drive?)
4. What is your current situation with respect to education, training or employment? (Prompts: currently employed, unemployed, voluntary work, caring responsibilities, disabled, health condition(s); how long has this been the case?)

**B} ABOUT THE CENTRE AND YOUR ATTENDANCE AT THE CENTRE**

5. How did you hear about the Centre? (Referred by GP, mental health services, probation, word-of-mouth?, friend?)
6. On what basis do you attend the Women's Centre? (Prompts: attending voluntarily, attending as part of an (statutory) order) – **If statutory order Q4-8, If not, Q10-12:**
7. What is your order?
8. In your opinion, has being able to attend this Centre been helpful? Please explain.
9. Have you ever spent time in custody/prison?
10. How would you describe the ideas behind custody/prison?
11. Did your experiences of custody/prison make any difference to your offending or your life? Please explain.

**If no/after statutory order:**

12. How long have you been coming to the Centre?
13. How often do you attend the Centre?
14. Is this the first period of time in which you have attended the Women's Centre? (Prompts: have you had any previous engagement with the Centre?, if so when?)
15. Do you tell friends or family that you come here? (Prompts: has this always been the case?)

16. Do you enjoy coming here? (Prompts: Has this always been the case?)
17. Is there anything specific that you enjoy here? (Examples?)

**C} YOU AND WOMEN'S CENTRE SERVICES**

18. What courses/workshops/services have you accessed here?  
(Prompts: in relation to training/employment, educational services such as Maths/English courses, services in relation to debt and finance support, legal advice from solicitors or the Police, health services, any other services you would like to discuss?)
19. What, if anything, do you find helpful about attending the Centre?
20. Are there any particular people here that help you?
21. Are there any particular services or workshops which you have enjoyed or found helpful?
22. Is there anything you feel works particularly well here? Provide examples if necessary.
23. What, if anything, do you find unhelpful about attending the Centre?
24. Is there anything you feel needs improving or changing here?
25. Are there any challenges you face or worries you have when attending the Centre?
26. Are there any particular workshops/courses which you haven't enjoyed?

**D} YOU AND WOMEN'S CENTRE IMPACT**

27. Has attending the Women's Centre made any difference to your life? (Prompts:
28. Has attending the Centre had any positive or negative impacts on you personally?
29. Has attending the Centre had any positive or negative impacts on your offending? – How would you describe this to somebody who doesn't know you personally?

30. Has attending the Centre had any positive or negative impacts on your;

- self-esteem
- mental health
- education
- skills
- Accommodation or employment?

**E} WOMEN'S CENTRES AS ALTERNATIVES TO CUSTODY/PRISON**

31. Women's Centres are designed as alternatives to custody/ prison.

Do you think that they work well for ladies who do community service? Prompts:

32. Do you think women who have committed a criminal offence are better off attending a Centre like this or going to prison?

33. Do you think that this Centre is important to local women in this community? (Prompts: do you think the services provided here could be accessed anywhere else in this area?)

**That was the last question. Is there anything else you would like to add?**

**Thank you for your time.**

## PhD Research Study

### ***'Women's Centres: Operationalisation, Experiences and Impact'***

#### **Interview Schedule for Service-Providers**

1. Demographic Information about the Service Provider
  - Current Position
  - Amount of time working in community services/women's services
  - Time in current post
  
2. How do you see your role working in the Women's Centre?  
*Prompts to ask if not covered; duties, responsibilities, tasks.*
  
3. What is the function/what are the main aims of the Centre?
  
4. Has the function/aims of the Centre remained the same since it opened?
  
5. As you know, Women's Centres have a variety of operational models across the country. How and why was it decided that the Women's Centre could work with both statutory and non-statutory groups of women?  
*Prompt: Who was responsible for the design of the Centre?*



6. How does the Women's Centre operate with respect to voluntary service-users?

7. How does the Women's Centre operate with respect to statutory service-users?

8. How does a consideration of the specific needs of women inform your work with voluntary service-users?

*Prompts; How important are gender-specific services/interventions here at the Women's Centre?*

*How important is a woman-only space for voluntary service-users?*

9. How does a consideration of the specific needs of women inform your work with statutory service-users?

*Prompts; How important are gender-specific services/interventions here at the Women's Centre?*

*How important is a woman-only space for statutory service-users?*

10. How do you think the services you provide help/impact voluntary service-users?

*Prompts; Do you think the Women's Centre impacts on women's lives in terms of their self-esteem, mental health, education, employment prospects, skills, accommodation, and/or personal relationships? How do you think this is achieved?*

*Do you think services here at the Women's Centre reduce women's likelihood of offending in the future? How do you think this is achieved?*

11. How do you think the services you provide help/impact statutory service-users?

*Prompts; Do you think the Women's Centre impacts on women's lives in terms of their self-esteem, mental health, education, employment prospects, skills, accommodation, and/or personal relationships? How do you think this is achieved?*

*Do you think the Women's Centre reduces the likelihood of re-offending in the future? How do you think this is achieved?*

12. How do you think the statutory group of women experience the Centre?

13. What impact do you think the Centre has on them?

14. How do you think the voluntary group of women experience the Centre?

15. What impact do you think the Centre has on them?

16. Are there any challenges involved in working with both voluntary and statutory service-users in the same physical space?

17. Would you say that enabling women to stay in the community and attend a Women's Centre is more or less effective than sentencing them to custody? How would you explain this?

*Prompts; What do you think attending a Women's Centre enables women to achieve in comparison to custody?*

18. Do you feel that there are any gaps in current policy and/or funding which impact upon the services you can provide?

*Prompts; Do you think there are any ways in which you feel the operation/implementation/effectiveness of services can be improved?*

19. How do you see the future of the Women's Centre?

## Appendix B: Focus Group schedule

### PhD Research Study

#### *'Experiences and Impact of the Women's Centre'*

#### **Focus Group Schedule for statutory women undertaking unpaid work**

##### **Engagement Questions:**

1. What is your favourite thing about coming here to Tomorrow's Women?
2. What do you tell your friends and family about the Centre?

##### **Exploration Questions:**

3. What activities/workshops/training have you done here?
4. How do you feel about coming here? Has this changed as time has passed?
5. What do you think are the pros and cons of coming here to do unpaid work?
6. Do you think the Centre has made any difference to your lives? How would you explain the impact/difference?

##### **Exit Question:**

7. Is there anything else you would like to say about your experiences of the Women's Centre or any impact it has had on you?

## Appendix C: Correspondence with the WC

From: Greenwood, Kirsty

Sent: 11 May 2016 13:03

To Whom it May Concern,

I am a first year PhD Criminology student and part-time lecturer at Liverpool John Moores University. My PhD aims to evaluate through policy and practice, the role of Women's Centres in England including how services provided by Women's Centres impact upon women accessing them. A large part of my study hopes to involve research with female offenders and female non-offenders currently accessing support services, as well as any insights into the day-to-day operationalisation of Women's Centres from the perspective of practitioners and volunteers.

Although I understand that you may be inundated with research requests, I would appreciate it if you could consider my project. I am local to Tomorrows Women Wirral, having lived on the Wirral all of my life. I have a BA (Hons) Criminology degree and a Master of Research (MRes) in Criminology degree from Liverpool John Moores University. I am also currently embarking upon a collaborative project with a fellow PhD colleague - Nicola Harding, from Manchester Metropolitan

University. We are exploring the lived experiences of female offender supervision from the late nineteenth century to the present day, using archival and photographic research materials.

My PhD aims to inform future policy developments by providing evidence, arguments and insights of the realities of the operation of Women's Centres, from the experiences of women accessing your services and the individuals involved in service delivery.

My research is not due to commence until early 2017 however, I thought I would try to make contact to see if there would be any possibility of me carrying out my research at Tomorrows Women Wirral. I would also welcome the chance to participate in any volunteering opportunities you may have available. Thank you for taking the time to read my email and I look forward to hearing from you.

Very Best Wishes,

Kirsty Greenwood

BA (Hons), MRes, PhD Researcher.

Sent: 18 May 2016 09:37

To: Greenwood, Kirsty

Subject: Re: FW: PhD Research

Hi Kirsty,

Thank you for your email and interest in the WC.

We are always happy to help and support any research that is being conducted around women's services and women within the criminal justice system. Have you been to the WC?

We have a web site which is worth a look to learn a bit more about what we do.

We are open Monday to Friday 9-4.30pm and it would be great for you to pop down and see the centre and what we do here. They is always someone to show you around so please call in when your free, just to get a feel for the place.

If after you have visited us you still feel you want to volunteer then please do get back in touch with me and we can look at areas of interest for you.

Best wishes

Operations Manager

## Appendix D: Information sheets and consent forms

Service-user information sheet

Service-provider information sheet

Gatekeeper information sheet

Service-user consent form

Service-provider consent form

Gatekeeper consent form

Participant recruitment poster



## **LIVERPOOL JOHN MOORES UNIVERSITY SERVICE USER INFORMATION SHEET**

### **Women's Centres: Operationalisation, Experiences and Impact**

**Researcher and Ph.D. Student: Kirsty Greenwood**

**Faculty of Arts, Professional and Social Studies, School of Humanities and Social Science, John Foster Building, 80-98 Mount Pleasant, Liverpool, L3 5UZ**

**For any further information please contact Kirsty Greenwood: Email [K.L.Greenwood@2016.ljmu.ac.uk](mailto:K.L.Greenwood@2016.ljmu.ac.uk)**

You are invited to take part in a research project. Before you decide it is important that you understand the purpose of the research and what it involves. This information sheet has been provided to you to explain the research project. Please take as much time as you need to consider the research study and decide if you wish to take part or not. Feel free to discuss the project with family or friends if you wish. If there is anything unclear or you would like more information then please ask.

#### **1. What is the purpose of the study?**

The aim of the study is to explore how Women's Centres operate. In particular, it will look at women's experiences of services provided by a Women's Centre to try to understand women's views of the services and how they feel they impact upon them. Understanding women's experiences of Women's Centre services is important because very little is known about the opinions of women who access Women's Centres. Even less is known about how Women's Centres impact upon women's lives even though more and more women are attending Women's Centres. This research study is an independent, academic project which is not funded by the government, the Probation Service or any other official governing body.

#### **2. Do I have to take part?**



No. It is up to you to decide whether or not to take part in the research project. Participation in this study is voluntary. To take part you must be aged over 18 years old and attend a Women's Centre. If you decide to take part, you will be given this information sheet to keep and asked to sign two consent forms. One consent form is for you to keep and one is kept by me for record to show that you have agreed to take part. Even after signing the consent forms, if at any time you decide that you no longer wish to participate, you are free to withdraw without giving any reason(s) for doing so. A decision to withdraw will not affect your rights or any future treatment or services you receive at the Women's Centre.

### **3. What will happen to me if I take part?**

If you agree to take part you will be asked to take part in **one** interview lasting between 30 minutes and one hour at the Women's Centre. With your permission, the interview will be audio recorded. I will be present at the Women's Centre in the community room for three days per week (Mondays, Tuesdays and Fridays) between 9am and 3pm if you want to ask questions. It will then be possible to make arrangements for your interview which will take place in a private room at the Women's Centre.

During the informal interview you will be asked a number of questions which will include:

- Your involvement with the Women's Centre
- Your experiences and views of the Women's Centre
- Any impact you feel the services have had upon you personally.

The interviews will be flexible and if there is anything else you would like to discuss during the interview, you will have plenty of opportunity to do so.

Your name and the Women's Centre will not be identified in any written work and will be anonymised at all times by using fake names. You will get to choose your own fake name from a list provided by the researcher. Once the study is finished, your role in the study will be explained to you again and you will be given a chance to ask questions.

### **4. Are there any risks / benefits involved?**

You will be asked to choose a fake name from a list of fake names at the start of your interview. You will be asked to respond to all interview questions as honestly as possible. Your responses will not be identifiable when the research is written about. All information will be anonymised and the name of the Women's Centre will be replaced with a fake name when the research is written about. All personal information will be stored securely. Only Kirsty Greenwood and her research supervisors will have access to your personal information in the form of an audio recording device. The recording device will be kept in a secured filing cabinet at Liverpool John Moores University. In accordance with the Data

Protection Act 1998, once the study is completed, your data will be kept for five years and will then be securely destroyed (GDPR had not come into effect at the time of ethics application and approval).

The interviews should be a positive experience for you and whilst I cannot ensure that the study will help you personally, the information from this study will help to understand women's experiences of services provided by Women's Centres.

A number of reports relating to this project will be produced at the end of the study, a number of journal articles will be published and findings will be discussed at academic conferences. This may influence the future policy, practice and funding of Women's Centres. A leaflet containing a summary of research findings will be available to you at the Women's Centre once the research project is complete.

#### **5. Will my taking part in the study be kept confidential**

Yes, your data will be kept confidential and anonymous. The information provided by you will not be identifiable in all publications, written work or conference papers. All signed consent forms will be secured in a locked filing cabinet at LJMU with only Kirsty Greenwood having access. All electronic data containing personal information collected during this study will be stored securely on a LJMU password protected computer or secured in a locked filing cabinet at LJMU. A recording device will also be kept secured in a locked filing cabinet at LJMU with only Kirsty Greenwood having access.

As written in law, certain circumstances may mean that your confidentiality cannot be kept. Examples of this include you informing the researcher of suicidal tendencies, abuse or criminal activity or information about poor practice at the Women's Centre. In these cases, urgent and prompt response from service providers at the Women's Centre may be necessary with information given to the relevant authorities.

#### **6. If you have any concerns after taking part in this research**

If you have any concerns about your involvement in this research, firstly, please talk about them with the researcher, Kirsty Greenwood, in person at the Women's Centre or by email: [K.L.Greenwood@2016.ljmu.ac.uk](mailto:K.L.Greenwood@2016.ljmu.ac.uk). If you wish to make a complaint, please contact [researchethics@ljmu.ac.uk](mailto:researchethics@ljmu.ac.uk) and you will be re-directed to an independent person as appropriate.

Your welfare as participants in this research study is very important. Your participation may cause feelings of stress or anxiety however, your participation is voluntary and you can pause or stop your participation in the research project at any point without any explanation. If at any point during or after the study

you feel emotionally affected, the support agencies detailed below are available to provide help.

MIND

Tel: 0300 123 3393

Website: [www.mind.org.uk](http://www.mind.org.uk)

Email: [info@mind.org](mailto:info@mind.org)

Text: 86463

Sane Line

Tel: 0300 304 7000 (6pm-11pm)

Website: [www.sane.org.uk](http://www.sane.org.uk)

The Samaritans

Tel: 116 123 (24 hours a day, free to call)

Website: [www.samaritans.org](http://www.samaritans.org)

Email: [jo@samaritans.org](mailto:jo@samaritans.org)

NHS 111 Service

Tel: 111

## **7. Who is funding this research**

This research study is funded by Liverpool John Moores University.

**This study has received ethical approval from LJMU's Research Ethics Committee** (*insert REC reference number and date of approval*)

**Contact Details of Researcher:** [K.L.Greenwood@2016.ljmu.ac.uk](mailto:K.L.Greenwood@2016.ljmu.ac.uk)

**Contact Details of Academic Supervisor** [J.Jamieson@ljmu.ac.uk](mailto:J.Jamieson@ljmu.ac.uk)

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## **LIVERPOOL JOHN MOORES UNIVERSITY SERVICE PROVIDER INFORMATION SHEET**

### **Women's Centres: Operationalisation, Experiences and Impact**

**Researcher and Ph.D. Student: Kirsty Greenwood**

**Faculty of Arts, Professional and Social Studies, School of Humanities and Social Science, John Foster Building, 80-98 Mount Pleasant, Liverpool, L3 5UZ**

**For any further information please contact Kirsty Greenwood: Email [K.L.Greenwood@2016.ljmu.ac.uk](mailto:K.L.Greenwood@2016.ljmu.ac.uk)**

You are invited to take part in a research project. Before you decide it is important that you understand the purpose of the research and what it involves. This information sheet has been provided to you to explain the research project. Please take as much time as you need to consider the research study and decide if you wish to take part or not. Feel free to discuss the project with family, friends or colleagues if you wish. If there is anything unclear or you would like more information then please ask.

#### **1. What is the purpose of the study?**

The aim of the study is to explore how Women's Centres operate. In particular, it will look at women's experiences of services provided by a Women's Centre to try to understand women's views of the services and how they feel they impact upon them. It will also explore service providers' viewpoints and opinions of delivering Women's Centres services. Understanding both service user and service provider experiences of Women's Centre services is important because very little is known about the opinions of those who access Women's Centres and those who provide services. This research study is an independent, academic project which is not funded by the government, the Probation Service or any other official governing body.

#### **2. Do I have to take part?**

No. It is up to you to decide whether or not to take part in the research project. Participation in this study is voluntary. To take part you must be aged over 18 years old and be employed by a Women's Centre. If you decide to take part, you will be given this information sheet to keep and asked to sign two consent forms. One consent form is for you to keep and one is kept by me for record to

show that you have agreed to take part. Even after signing the consent forms, if at any time you decide that you no longer wish to participate, you are free to withdraw without giving any reason(s) for doing so. A decision to withdraw will not affect your rights or your position at the Women's Centre.

### **3. What will happen to me if I take part?**

If you agree to take part you will be asked to take part in **one** interview lasting between 30 minutes and one hour at the Women's Centre. With your permission, the interview will be audio recorded. I will be present at the Women's Centre in the community room for three days per week (Mondays, Tuesdays and Fridays) between 9am and 3pm if you want to ask questions. It will then be possible to make arrangements for your interview which will take place in a private room at the Women's Centre.

During the informal interview you will be asked a number of questions which will include:

- a. Your involvement with the Women's Centre
- b. Your experiences and views of the services provided by the Women's Centre
- c. Any impact you feel the services have upon service users
- d. How you see the future of the Women's Centre.

The interviews will be flexible and if there is anything else you would like to discuss during the interview, you will have plenty of opportunity to do so.

Your name and the Women's Centre will not be identified in any written work and will be anonymised at all times by using fake names. You will get to choose your own fake name from a list provided by the researcher. Once the study is finished, your role in the study will be explained to you again and you will be given a chance to ask questions.

### **4. Are there any risks / benefits involved?**

You will be asked to choose a fake name from a list of fake names at the start of your interview. You will be asked to respond to all interview questions as honestly as possible. Your responses will not be identifiable when the research is written about. All information will be anonymised and the name of the Women's Centre will be replaced with a fake name when the research is written about. All personal information will be stored securely. Only Kirsty Greenwood and her research supervisors will have access to your personal information in the form of an audio recording device. The recording device will be kept in a secured filing cabinet at Liverpool John Moores University. In accordance with the Data Protection Act 1998, once the study is completed, your data will be kept for five years and will then be securely destroyed.

The interviews should be a positive experience for you and whilst I cannot ensure that the study will help you personally, the information from this study will help to understand female service users and service providers' experiences of Women's Centres.

A number of reports relating to this project will be produced at the end of the study, a number of journal articles will be published and findings will be discussed at academic conferences. This may influence the future policy, practice and funding of Women's Centres. A leaflet containing a summary of research findings will be available to you at the Women's Centre once the research project is complete.

#### **5. Will my taking part in the study be kept confidential**

Yes, your data will be kept confidential and anonymous. The information provided by you will not be identifiable in all publications, written work or conference papers. All signed consent forms will be secured in a locked filing cabinet at LJMU with only Kirsty Greenwood having access. All electronic data containing personal information collected during this study will be stored securely on a LJMU password protected computer or secured in a locked filing cabinet at LJMU. A recording device will also be kept secured in a locked filing cabinet at LJMU with only Kirsty Greenwood having access.

As written in law, certain circumstances may mean that your confidentiality cannot be kept. Examples of this include you informing the researcher of suicidal tendencies, abuse or criminal activity. In these cases information may have to be forwarded onto the relevant authorities.

#### **6. If you have any concerns after taking part in this research**

If you have any concerns about your involvement in this research, firstly, please talk about them with the researcher, Kirsty Greenwood, in person at the Women's Centre or by email: [K.L.Greenwood@2016.ljmu.ac.uk](mailto:K.L.Greenwood@2016.ljmu.ac.uk). If you wish to make a complaint, please contact [researchethics@ljmu.ac.uk](mailto:researchethics@ljmu.ac.uk) and you will be re-directed to an independent person as appropriate.

Your welfare as a participant in this research study is very important. Your participation may cause feelings of stress or anxiety however, your participation is voluntary and you can pause or stop your participation in the research project at any point without any explanation. If at any point during or after the study you feel emotionally affected, the support agencies detailed below are available to provide help.

MIND

Tel: 0300 123 3393

Website: [www.mind.org.uk](http://www.mind.org.uk)

Email: [info@mind.org](mailto:info@mind.org)

Text: 86463

Sane Line

Tel: 0300 304 7000 (6pm-11pm)

Website: [www.sane.org.uk](http://www.sane.org.uk)

The Samaritans

Tel: 116 123 (24 hours a day, free to call)

Website: [www.samaritans.org](http://www.samaritans.org)

Email: [jo@samaritans.org](mailto:jo@samaritans.org)

NHS 111 Service

Tel: 111

**7. Who is funding this research**

This research study is funded by Liverpool John Moores University.

**This study has received ethical approval from LJMU's Research Ethics Committee** (*insert REC reference number and date of approval*)

**Contact Details of Researcher:** [K.L.Greenwood@2016.ljmu.ac.uk](mailto:K.L.Greenwood@2016.ljmu.ac.uk)

**Contact Details of Academic Supervisor** [J.Jamieson@ljmu.ac.uk](mailto:J.Jamieson@ljmu.ac.uk)

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## LIVERPOOL JOHN MOORES UNIVERSITY GATEKEEPER INFORMATION SHEET

### **Women's Centres: Operationalisation, Experiences and Impact**

**Researcher and Ph.D. Student: Kirsty Greenwood**

**Faculty of Arts, Professional and Social Studies, School of Humanities and Social Science, John Foster Building, 80-98 Mount Pleasant, Liverpool, L3 5UZ**

**For any further information please contact Kirsty Greenwood: Email**  
[K.L.Greenwood@2016.ljmu.ac.uk](mailto:K.L.Greenwood@2016.ljmu.ac.uk)

*The following questions can be headings in your information sheet and beneath each you should add text that is relevant to your study:*

**1. What is the reason for this letter?**

Following on from my email correspondence to the Operations Manager in May 2016 and my subsequent visits to the Women's Centre over the summer, this letter provides information regarding the potential to conduct my research project at the Women's Centre.

**2. What is the purpose of the study/rationale for the project?**

The aim of the study is to explore how Women's Centres operate. The study will explore the experiences of individuals accessing Women's Centre services and the experiences of individuals providing Women's Centre services. The study aims to understand how Women's Centres operate and how effective Women's Centre services are. It will also investigate the experiences of women who are accessing services provided by a Women's Centre to try to understand their views on the services provided and how they feel they impact upon them. Understanding service users' and service providers' experiences of Women's Centres is important because very little is known about their viewpoints and opinions. Even less is known about how Women's Centres impact upon women's lives even though more and more women are accessing Women's Centres. This research study is an independent, academic project which is not funded by the government, the Probation Service or any other official governing body.



**3. What we are asking you to do?**

In this proposed research project, the researcher Kirsty Greenwood aims to undertake interviews with approximately 35 service-users and approximately 5 service providers.

Participants will not be asked to provide any details that could be used to identify them, the Women's Centre or any service users. All interviews will be recorded with a digital audio recorder and will then be written up. In order to protect participants' anonymity and confidentiality, their names will neither be asked nor recorded during the interview process. Instead, participants will be asked to choose a fake name from a provided list of fake names and the Women's Centre will also be given a fake name.

**4. Why do I need access to your staff and service users?**

Very little research has been undertaken which explores the experiences, views and opinions of service users and service providers who access and provide Women's Centre services. Access to your staff and service users will enable their voices, although anonymised at all times, to be heard. Once complete, the study has the potential to influence the future policy, practice and funding of Women's Centres in England and Wales.

**5. If you are willing to assist in the study what happens next?**

I would like to ask your permission to attend the Women's Centre and meet with all service providers to discuss the aims of the study. This will give me the opportunity to explain the study in detail and provide relevant information to service providers.

**6. How I will use the Information/questionnaire?**

The anonymised findings of the research study will be used and published as part of the thesis requirements for the Ph.D. Degree programme at Liverpool John Moores University and will be discussed internally amongst supervisors. An anonymised briefing paper will be produced for the Women's Centre and a leaflet with no identifiable quotes, summarising the main findings of the study will be available for service-users. Anonymised research findings will also be presented at academic conferences, written in journal articles for publication and may contribute to official enquiries as appropriate.

**7. Will the name of my organisation taking part in the study be kept confidential?**

The Women's Centre will not be identified in any written work and will be anonymised at all times by using a fake name. The Women's Centre will be referred to as being located in the North West of England.

**8. What will taking part involve? What should I do now?**

- Sign and return the **Gatekeeper Consent Form** provided

**This study has received ethical approval from LJMU's Research Ethics Committee**  
*(insert REC reference number and date of approval)*

Should you have any comments or questions regarding this research, you may contact the researchers:

**Contact Details of Researcher:** [K.L.Greenwood@216.ljmu.ac.uk](mailto:K.L.Greenwood@216.ljmu.ac.uk)

**Contact Details of Academic Supervisor:** [J.Jamieson@ljmu.ac.uk](mailto:J.Jamieson@ljmu.ac.uk)

**If you have any concerns regarding your involvement in this research, please discuss these with the researcher in the first instance. If you wish to make a complaint, please contact [researchethics@ljmu.ac.uk](mailto:researchethics@ljmu.ac.uk) and your communication will be re-directed to an independent person as appropriate.**



**LIVERPOOL JOHN MOORES UNIVERSITY**

**SERVICE USER CONSENT FORM**

**Women’s Centres: Operationalisation, Experiences and Impact**

**Researcher and Ph.D. Student: Kirsty Greenwood**

**Faculty of Arts, Professional and Social Studies, School of Humanities and Social Science, John Foster Building, 80-98 Mount Pleasant, Liverpool, L3 5UZ**

- 1. I confirm that I have read and understand the information provided for the above study. I have had the opportunity to consider the information, ask questions and have had these answered satisfactorily
- 2. I understand that my participation is voluntary and that I am free to withdraw at any time, without giving a reason and that this will not affect my legal rights.
- 3. I understand that any personal information collected during the study will be anonymised and remain confidential
- 4. I agree to take part in the above study: one semi-structured interview
- 5. I understand that the interview will be audio recorded and I am happy to proceed
- 6. I understand that parts of our conversation may be used verbatim in future publications or presentations but that such quotes will be anonymised.
- 7. I understand that disclosure about poor practice at the Women’s Centre will result in prompt response from the Women’s Centre.

Name of Participant	Date	Signature
Name of Researcher	Date	Signature
Name of Person taking consent <i>(if different from researcher)</i>	Date	Signature



**LIVERPOOL JOHN MOORES UNIVERSITY**

**SERVICE PROVIDER CONSENT FORM**

**Women’s Centres: Operationalisation, Experiences and Impact**

**Researcher and Ph.D. Student: Kirsty Greenwood**

**Faculty of Arts, Professional and Social Studies, School of Humanities and Social Science, John Foster Building, 80-98 Mount Pleasant, Liverpool, L3 5UZ**

- 1. I confirm that I have read and understand the information provided for the above study. I have had the opportunity to consider the information, ask questions and have had these answered satisfactorily
- 2. I understand that my participation is voluntary and that I am free to withdraw at any time, without giving a reason and that this will not affect my legal rights.
- 3. I understand that any personal information collected during the study will be anonymised and remain confidential
- 4. I agree to take part in the above study: one semi-structured interview
- 5. I understand that the interview will be audio recorded and I am happy to proceed
- 6. I understand that parts of our conversation may be used verbatim in future publications or presentations but that such quotes will be anonymised.


Name of Participant	Date	Signature
Name of Researcher	Date	Signature
Name of Person taking consent <i>(if different from researcher)</i>	Date	Signature



**LIVERPOOL JOHN MOORES  
UNIVERSITY**

**GATEKEEPER CONSENT FORM**

**Women’s Centres: Operationalisation, Experiences and Impact**

**Researcher and Ph.D. Student: Kirsty Greenwood**

**Faculty of Arts, Professional and Social Studies, School of Humanities and Social Science, John Foster Building, 80-98 Mount Pleasant, Liverpool, L3 5UZ**

Please tick to confirm your understanding of the study and that you are happy for your organisation to take part and your facilities to be used to host parts of the project.

- 1. I confirm that I have read and understand the information provided for the above study. I have had the opportunity to consider the information, ask questions and have had these answered satisfactorily.
  
- 2. I understand that participation of our organisation and service users in the research is voluntary and that they are free to withdraw at any time, without giving a reason and that this will not affect legal rights Service users access to services at the organisation will not be threatened if they do not wish to take part in the research project.
  
- 3. I understand that any personal information collected during the study will be anonymised with a pseudonym or fake name and will remain confidential.
  
- 4. I agree for our organisation and service users to take part in the above study.
  
- 5. I agree to conform to the data protection act

Name of Gatekeeper:

Date:

Signature:

Name of Researcher:

Date:

Signature:

Name of Person taking consent:  
(if different from researcher)

Date:

Signature:

# Seeking Women's experiences of Women's Centres

Do you attend a Women's Centre and are aged 18  
and over?

If your answer is yes –  
Would you like to take part in a short interview  
exploring your experiences of attending the  
Women's Centre?

Your interview would contribute to a research project  
about  
Women's Centres and their impacts for women who use  
them.

If you think you may be interested in taking part and would  
like to hear a little more information about the project  
please come and speak to Kirsty Greenwood at the  
Women's Centre on Mondays, Tuesdays and Fridays  
in the Community Room or contact via email:  
[K.L.Greenwood@2016.ljmu.ac.uk](mailto:K.L.Greenwood@2016.ljmu.ac.uk)