



# The Farmer Review for Women Progress Report

January 2023

## Background

The Farmer Review for Women, published in 2019, was an independent review by Lord Farmer and commissioned as part of the 2018 Female Offender Strategy. The Review had a broader scope than Lord Farmer’s original review, in recognition of the Female Offender Strategy’s commitment to improving outcomes for women at all points of the criminal justice system.

The Farmer Review for Women concluded that ‘healthy, supportive relationships are not just a “nice to have” for every woman in the criminal justice system...they are utterly indispensable’.

Since the publication of the Farmer Review for Women, we have been making good progress on implementing Lord Farmer’s recommendations, and so far have completed 27 out of 33 recommendations.

We continue to work across the Ministry of Justice, Her Majesty’s Prison and Probation Service (HMPPS) and wider Government on taking forward all recommendations. We have embedded the importance of family ties and supportive relationships into delivery of the Female Offender Strategy and will continue to monitor this through the Female Offender Strategy Delivery Plan.

## Completed Recommendations

### Early Intervention

Recommendation	Update
<b>4</b> The Ministry of Justice’s evidence landing page and the National Concordat to include the learning from successful pilots, so future commissioners know what is proven good practice.	The Concordat on women in or at risk of contact with the CJS, published on 23 January 2021, includes information about how to establish a successful whole systems approach (WSA), including building on existing local structures, key partners in a WSA model, leadership, and tips on engaging partners and sustaining that engagement. This section has been informed by good practice examples from existing whole system approach areas.

# Community Solutions

Recommendation		Update
<b>5</b>	Manual Guidance (MG) forms to be amended by the Government to capture information about the dependants of offenders	Manual Guidance forms, used to share information between the Police and the Crown Prosecution Service (CPS), are being phased out by the Police from 2024 and will be replaced by the Digital Case File (DCF) by March 2025. Work on this is already underway, and guidance for the Digital Case File has been amended to ensure that the new system will facilitate collections of this information from relevant agencies, including the police.
<b>6</b>	The impact of remand on dependants to be considered in any bail decision.	We worked with the Probation Effective Practice Team in June 2020 on the National Bail Information Report, which now includes a specific prompt for report authors to consider the impact on dependent children. Through the Female Offender Strategy Delivery Plan, we will continue to improve access to bail support for women on remand and increase courts' awareness of caring responsibilities.
<b>6i &amp; 6ii</b>	<p>If the decision is made to remand a defendant who is a primary carer the opportunity to be given to make telephone contact before leaving court with family or other alternative carers to make arrangements for her dependants.</p> <p>Women sentenced to custody to be asked if they need to make telephone contact with dependants or organise childcare and allowed to do so before being put onto transport.</p>	The Standard Operating Practices (SOPs) of the contracts for the PECS service providers have been updated. The policy now allows for the opportunity for a telephone call to be made if the primary carer enters custody without prior opportunity for phone contact. The 'Prisoners Rights' and the 'Females in Custody' leaflets have been updated and have been translated into twenty-seven languages.
<b>7</b>	The Government to review regulations preventing children from living in Approved Premises.	A preliminary review was undertaken which concluded that, due to concerns over security and safety, it is not feasible to allow children at Approved Premises in any capacity. This will be reviewed in future work on Approved Premises.

<b>7i</b>	Women in Approved Premises or housed by Bail Accommodation Support Services with children, who are struggling with parenting or other family and relationship issues, to be encouraged to engage (voluntarily) with Early Help or Family Hubs, either through self-referral or through referral from women's centres, social workers or other professionals.	Approved Premises and Bail Accommodation Support Services are now encouraging any women in their care who are struggling with parenting or family relationship issues to engage with Early Help or Family Hubs. For Approved Premises this has been formalised in the refreshed expectations of Minimum Standards for female Approved Premises.
<b>8i</b>	Accurate information on relationships and family ties systematically obtained through the PSR process to be made available to sentence planners to inform custody and other disposal decisions.	The Aide Memoire was rolled out in August 2019 and should be used to inform all PSRs on women. It aims to ensure the right questions are asked to enable good assessments to be made and was designed to highlight key areas for practitioners to consider when assessing the diverse needs of women (including relationships and family ties) in context of offending and to make a robust proposal for a community sentence whenever appropriate.
<b>8ii</b>	Courts to indicate clearly when requesting Pre-Sentence Reports (PSR) if the initial assessment is that the custodial threshold has been passed, and convicted women made aware of this by the person conducting the PSR Interview.	When a report is requested and a custodial sentence has not been ruled out (because of the nature of the offence) the magistrate will make clear to the defendant that all sentencing options are left open, including custody. PSR authors also make offenders aware that there is a prospect of custody, and information gathered during the PSR process is routinely made available to sentence planners.
<b>9</b>	The National Concordat for Female Offenders to highlight the role women's centres can play in delivering whole systems approaches and examine opportunities to bring together cross-government funding for the services they deliver, given the potential savings to the Ministry of Justice and other government departments.	The Concordat highlights the often-key role women's centres can play in the delivery of effective Whole Systems Approaches (WSAs). The Female Offender Strategy Delivery Plan will include work to identify all relevant Government funding streams. This will highlight opportunities, including consideration for join up of funding streams.
<b>10</b>	Given the particular spending implications across government for women's offending, such as those relating to the greater likelihood that their children will	The Women in the Criminal Justice System Board, chaired by the Minister responsible for female offenders and attended by ministers from across government, will meet on a six-monthly basis to monitor and direct progress of the Female Offender Strategy Delivery Plan. A stakeholder focused Expert Group and separate cross-government

	end up in local authority care, the Reducing Reoffending Board (which takes a cross-Government approach to reducing reoffending) to have a ministerial lead for and pay regular attention to the specific needs of female offenders.	Delivery Board supports the WCJS board by advising on issues that affect women in the CJS and by coordinating government action on the Delivery Plan.
<b>11</b>	Funding for women's centres to be made sustainable, with core services paid for by those agencies which refer women (including Police and Crime Commissioners and Probation providers) and those which save through the interventions they provide, such as health and local authorities.	We are investing £45m into the women's community sector between June 2021 and March 2025 through rehabilitative services contracts commissioned via the Dynamic Framework. We have made a direct investment of £9.5m since 2018 and on 1 September 2022, we announced that up to £24m will be invested in women's community services over the next 3 years through a multi-year grant competition.
<b>13</b>	Models of custodial centres in the community to be considered as part of the Ministry of Justice's longer-term strategy for women whose crime is serious enough to merit a custodial sentence, but who are at low enough risk to retain care of their children.	As set out in our Prison Strategy White Paper, our longer-term ambition is to introduce smaller, trauma-responsive custodial environments for women on short sentences. This will focus on how to provide community-based provision in a prison setting, with a focus on addiction issues and complex needs, and on keeping women close to home.
<b>14</b>	Her Majesty's Inspectorate of Probation to assess the impact of recommendations from the 2014 joint thematic review on Resettlement provision for female offenders, in light of the MoJ's female offender strategy	HMI Probation and HMI Prisons have published their first report of the Offender Management in Custody (OMiC) model (October 2022). Fieldwork in the custodial estate included one women's prison. The inspection methodology includes a review of work undertaken in prison and a follow-up six months later focused on initial and intermediate resettlement outcomes. The final report will be published in March 2023. Recommendations from the Review will be taken forward through the Delivery Plan.
<b>15 (i)</b>	Ensure support for family and other relational ties is included in the contractual requirements of new probation providers and used to assess their bids.	Services for women are available on the Commissioned Rehabilitative Services (CRS) Dynamic Framework. Family services is a key part of the specification for women's services and highlights the value of working with women's centres where possible.

<p><b>15 (ii)</b></p>	<p>Address the problems of recall which can arise from the offender's relational background, such as their primary, and often sole carer status: penalties other than recall to be used which reflect the rehabilitative intent of the 12-month supervision period with rehabilitation and relationships at the forefront of probation practice and recall a measure only taken proportionately and in light of these overarching considerations.</p>	<p>Early engagement will ensure that probation practitioners have a much better awareness of issues that could lead to recall so that steps to avoid breaches of licence can be taken in advance. Guidance will be issued to practitioners on making sure that licence conditions are understood and issues that could lead to a breach of licence are addressed early on.</p>
<p><b>15 (iii)</b></p>	<p>Clarify who is locally responsible for securing post-release housing.</p>	<p>We are rolling out probation pre-release teams in all women's prisons that will work with local providers to address housing needs. We also introduced Strategic Housing Specialists in 20 prisons last year. Four of these roles are in women's prisons namely: HMP Styal, Bronzefield, Peterborough and New Hall. Our White Paper outlines our commitment to increase the number of Strategic Housing Specialists from 20 to 48 across England and Wales. We will recruit up to nine by the end of January 2023 across women's prisons.</p>
<p><b>15 (iv)</b></p>	<p>Ensure all offenders receive appropriate resettlement support through the gate including by connecting them with outside services whilst they are still in custody.</p>	<p>We are rolling out probation pre-release teams in all women's prisons. Providers will work with Through the Gate teams to connect women with community-based services while they are still in custody. A short-sentence function will ensure that probation practitioners can focus on sustaining what is already in place for those on short sentences and will fast-track women to support services in the community.</p>
<p><b>16</b></p>	<p>Social housing allocations to recognise needs of female offenders leaving prison with children</p>	<p>There are no plans currently to amend the statutory allocations guidance and we will continue to keep this under review. DLUHC continues to recognise the needs of female offenders as they take forward work on social housing allocations. DLUHC has considered and reflected the needs of female offenders in an updated version of the Homelessness Code of Guidance in July 2021.</p>

## Better Custody

Recommendation	Update
<p><b>18i</b> Each prison to survey regularly the women in their care, and families/significant others who visit to find out:</p> <ul style="list-style-type: none"> <li>• how many were able to attend family days and other forms of extended visits compared with how many wanted to attend</li> <li>• if certain groups (such as foreign national women and care leavers) are excluded from extended visits because they have no family members able to attend but do have friends/significant others who would come if eligible</li> <li>• how many days would their families and significant others be able to attend each year</li> <li>• what times would be most suitable for children and young people</li> </ul>	<p>Currently, surveys are carried out twice a year at all establishments in the Women's Estate by family service providers, and we have worked with providers to increase engagement with the existing surveys and to ensure results are addressed. New contracts have been in place since 1<sup>st</sup> October.</p>
<p><b>18ii</b> Prisons to provide evidence that survey results have been discussed and any issues flagged by the survey to be addressed by an action plan for improvement drawn up with the residents' council and families forum.</p>	<p>The requirement to respond to surveys has also been included in the Families Performance Measure.</p>
<p><b>19</b> Each prison to provide a physical space where women can spend private time with family members and significant others with appropriate risk assessment and safeguarding procedures in place (with the understanding that governors might need to prioritise this space for sensitive visits,</p>	<p>All prisons reported that they had a space that met this requirement in terms of providing private spaces for adoption discussions and other family court matters. In the Prisons Strategy White Paper, we have set out our commitment to introducing family units (where women can have extended visits or overnight stays with their children) to all women's prisons.</p>

	including pre-adoption and those which are family court related.)	
<b>20</b>	The Gateway Communication System to be two-way so that women inside prison who have ongoing caring responsibilities can express concerns, thereby alleviating their own anxiety and making it clear to those on the outside that they have not been abandoned.	We have made several improvements to improve prisoner communication, including the rollout of video calling and email-reply systems in all women's prisons, in-cell telephony in all closed women's prisons. We are planning to increase support staff by employing additional family engagement workers and piloting social workers in women's prisons.
<b>21</b>	The recommendations from this Review to be added to the implementation plan for the original Farmer Review, with progress monitored and reported on in the same way. This recommendation has already been accepted by the MoJ.	We have accepted Lord Farmer's recommendation for this work to be embedded into the implementation of the original Farmer Review, as such we are taking forward this work via the joint policy and operational Families and Significant Others Strategic Board.
<b>22</b>	Her Majesty's Inspector of Prisons to ensure the importance of family ties features prominently throughout the Expectations for women's prisons when they are reviewed, so governors know this has to be a cross-cutting priority in the running of their prison.	HMI Prisons developed a full set of expectations, which was published Spring 2021. The importance of maintaining family ties was included in the new Expectations.
<b>23</b>	A family-related prison performance measure to be defined which is designed to: <ul style="list-style-type: none"> <li>• compare similar prisons and therefore used in a relative rather than absolute way</li> <li>• stimulate ongoing improvement in all prisons</li> <li>• be responsive to the distinct needs and issues in women's prisons</li> </ul>	A Families Performance Measure is one of the 14 Key Performance Indicators included in the Prison Performance Tool for the 2022-23 performance year. Findings from the shadow measure in 2019 were used to inform this year's measure, including better use of data to strengthen self-assessment. This will continue to be iterated year on year, based made through the measure.
<b>24</b>	Ministry of Justice policy to allow governors in women's prisons to use ROTL more creatively and ambitiously to enable women	A new policy framework issued in May 2019 allows governors to authorise ROTL earlier and more frequently for men and women. This allows access to a broad range



	to resume contact with family and undertake caring responsibilities, and HMPPS to look at the scope for using monitoring technology where necessary.	of resettlement related activities, including to facilitate childcare and other caring responsibilities.
<b>25</b>	Eligibility for Child Resettlement Leave to not rest narrowly on sole carer status but be widened to include other family circumstances, so women in prison can continue in their caring responsibilities to the benefit of children, other carers and offender rehabilitation.	Childcare Resettlement Licence was extended to primary carers and not just sole carers. The policy has allowed men and women to have overnight release earlier, provided their day release goes well.
<b>26</b>	A Case Review of children removed from primary carers when they entered prison to be carried out by the Chief Social Worker for England (Children and Families), to ensure that decisions taken are always in the best interests of children. The review should examine social work practice, including the role of support services in keeping families together.	The Chief Social Worker for Children and Families conducted a case review of applications to Mother and Baby Units between 2018-2020. This was published on the 24 <sup>th</sup> November 2022. The review includes the findings of a survey of social workers on their knowledge, attitudes and experience of working with mothers in prisons, and a thematic review across all cases available in that period. The Minister has written to the Chief Social Worker responding to the recommendations in her report and work is underway as appropriate.
<b>27</b>	Funding to be allocated so that additional family engagement workers, working according to the evaluated model developed by the Family Support Alliance, are available in all women's prisons.	We have received funding to employ additional family engagement workers in the women's estate. This will be implemented over the next 12 months.
<b>28</b>	The Ministry of Justice to fund an on-site social worker as part of the multi-disciplinary team within each prison.	We are funding a pilot for social workers in the Women's Estate which will run until 2025. We aim to have the first social workers in place by 2023 and will use this to improve partnership working and collaboration between prisons and local authorities when supporting mothers in custody.
<b>29</b>	To ensure consistency in the operation of prisoner email schemes, all female establishments (which have not done so already) to develop an email reply system.	Since Spring 2021 all women's prisons have an email-reply system.

<b>30</b>	The Women's estate in its entirety to be prioritised for roll-out of virtual visits with all women routinely able to use facilities, where there are no security concerns, because of the disproportionately positive impact on children. There must be secure video conference facilities available in location managed by other government departments.	Secure Video calling technology is now available across the Women's Estate. Prisoners use secure laptops to conduct video calls. It is also our aim to expand the use of Video Conferencing Centres (VCCs) in the Women's Estate by approximately 4 sites over the next 3 years. VCC capacity is designated for criminal courts as well as official visits, including legal consultations, probation interviews or indeed when capacity allows, contact with Social Workers and other relevant professionals in a resettlement and rehabilitative capacity.
<b>31</b>	In-cell telephony (ICT) to be rolled out in all women's prisons as part of the next wave of installation given that so many women are primary carers.	All closed female prisons now have in-cell telephony.
<b>32</b>	Consideration to be given to piloting the use of simple, non-internet enabled mobile phones as a less costly solution.	As part of the Government's response to the COVID-19 pandemic, we distributed non-internet enabled mobile phones to the establishments in the Women's Estate without in-cell telephony.
<b>33</b>	Call providers to treat prisoners in the same way as other customers and provide 'frequent caller' and other packages which enable them to speak more with those who are most important to them.	Call charges have been reduced through contract negotiations and cheaper In-Cell Telephony calls are available at all closed women's prisons.

# Outstanding Recommendations

## Early Intervention

Recommendation	Update
<p><b>1</b> Local Criminal Justice Boards (or equivalent strategic local groups) to take responsibility for building links and encouraging all services to take a joined-up approach to addressing the needs of female offenders (and women at risk of offending). Police and Crime Commissioners should take a leadership role in facilitating this collaboration between system partners, in pursuit of an effective, efficient response to local need.</p>	<p>We have worked with Local Criminal Justice Boards since 2019 on understanding local variations in partnership working and the challenges they encounter. As set out in the Delivery Plan, we will build on this through implementing our Concordat and developing a series of “How To” events to support local areas in developing a partnership approach to supporting women in the CJS.</p>
<p><b>1i</b> Domestic abuse services, to be integrated, co-located where possible, and working in partnership with other help women are willing to access, including women’s centres, and sustainable local funding, as part of the whole system approach, for a range of proven programmes to meet diverse needs.</p>	<p>The importance of having access to domestic abuse services as part of Whole Systems Approaches and local partnership working was included in the Concordat. The needs of women in the CJS are also recognised in the Violence Against Women and Girls Strategy and Domestic Abuse Strategy. We will continue to ensure the delivery of these strategies support women in the CJS and will be funding specialist staff to support women in prison who have experienced domestic abuse and/or sexual violence.</p> <p>We have also now published a draft Victims Bill that will put victims at the centre of the criminal justice system.</p>
<p><b>2</b> Liaison and diversion services, and police (whether upon arrest or when an out of court disposal is being considered) to take opportunities to collect information on women’s key relationships to ensure</p>	<p>We have assessed where this information is already being collected and shared, where there are gaps and are looking at how to integrate the aims of this recommendation into our systems, including through Pre-Sentence Reports, Bail Information Reports, Basic Custody Screening Tool and Resettlement Passports.</p>

	better outcomes for them and their families. With her consent this will be held in a personal electronic file (Personal Circumstances File) which will be carried with her and added to until she is no longer involved with the criminal justice system.	NHSE&I is conducting a review of the L&D female offender pathway and in the Female Offender Strategy Delivery Plan we have committed to working with the Police to develop a tactical toolkit and minimum expectations when working with vulnerable women by March 2023.
<b>3</b>	Family and relationship work to be routinely included in diversion/ out of court disposal (OOCd) pathway programmes for women.	The PCSC Act has introduced a two- tier framework. This reform will bring transparency and consistency of OOCds across all forces and enable police to attach some condition to each OOCd. A landscape review found that around a third of police forces have chosen to focus OOCds on vulnerable cohorts, including women, which we will continue to build on through the Delivery Plan.

## Community Solutions

Recommendation		Update
<b>8</b>	Given the complexity of many female offenders' lives, and the greater likelihood that they are primary carers, obtaining a written Pre-Sentence Report to be made mandatory for all women (and male primary carers) before a custodial sentence is passed (if a recent report is not available)	The legislation as it is currently written already asks the court to obtain a pre-sentence report in all cases unless they deem it unnecessary. This would already capture women and primary carers going through the court system. However, we understand the need to improve the availability of PSRs for women defendants. We are running a PSR Pilot which is testing an alternative delivery model for cohorts including women. This pilot has been live in 15 Magistrates' courts since May 2021. A process evaluation will be published in spring 2023 and an outcome evaluation will be further scoped with an expectation that any findings would be available in autumn 2023, subject to funding and resource.
<b>8ii</b>	As part of the whole systems approach, a lead professional to ensure support (typically from women's organisations) is available at the pre-sentence stage, to help women prepare their children, family members and friends who might be	The Concordat highlights the often-key role women's centres and services can play in the delivery of effective Whole Systems Approaches (WSAs). We will be encouraging local commissioners to provide this service through implementation of the Concordat and guidance on local commissioning.

	able to support them throughout a custodial period, for the possibility of imprisonment.	
12	Residential women's centres to have places for women to bring their children, if they would not otherwise have sufficiently stable accommodation in which to complete community orders.	We have purchased a site for the residential women's centre in Swansea. Our planning application for change of use was turned down by the Swansea planning committee and Ministers are considering next steps.

## Better Custody

	Recommendation	Update
17	HMPPS to make significant improvements to the Assisted Prison Visits scheme for (male and female) primary carers in prison including: <ul style="list-style-type: none"> <li>• more generous rules</li> <li>• better advertising of how these operate, including advance payments</li> <li>• greater flexibility in who can claim expenses</li> <li>• piloting changes to ensure they result in the desired outcome of enabling more children to visit their mothers (or primary carers)</li> </ul>	We are piloting changes to the scheme to enable more children to visit which will be evaluated and recommendations implemented. There will be a relaunch of the Help with Visits scheme with refreshed posters and leaflets made available in all prisons. Note: The Assisted Prison Visits scheme is now called the Help with Visits scheme

## Ethnically Diverse and Foreign National Women

Lord Farmer has not made a direct recommendation on supporting ethnically diverse or foreign national women but has mentioned the need to be culturally competent in taking forward the recommendations. We recognise the unique challenges faced by this

cohort of women and have established the Female Offender Minority Ethnic Working Group (FOME) to oversee workstreams aimed at improving outcomes for this group.

In addition to this, we have carried out user-centred research to identify potential barriers ethnically diverse women face when it comes to understanding the legal processes they experience from arrest to pre-sentencing stage. Insight from the research has been shared with colleagues at the Home Office, National Police Chiefs Council, Association of Police and Crime Commissioners and the Courts and Tribunal Service.

The key finding from the research, the need for developing guidance for women as they navigate the criminal justice system, is also being taken forward by the FOME Working Group and is expected to be completed by March 2023.

We want to ensure that staff that are in contact with the women are trained to support them effectively. To achieve this, we are developing cultural competency training that will look at the impacts of culture, faith and sustaining family relationships for ethnically diverse women. We expect that this course will be completed and rolled out to staff in the next two years. To supplement this, we will be producing guidance for operational staff on how to strengthen and maintain supportive relationships.