

one small thing

One Small Thing's response to the Government's Mental Health and Wellbeing Plan call for evidence, July 2022

About One Small Thing

One Small Thing's vision is a justice system that can recognise, understand, and respond to trauma. Our mission is to redesign the justice system for women and their children. We do this by:

- **Redesigning** the way the justice system responds to women and their children in a way that can be replicated and scaled nationally- we are currently building Hope Street, a pioneering residential community for women and children.
- **Educating** prison residents to understand how trauma can affect them and equip them with the skills to respond; and train frontline staff to understand and respond effectively to trauma and adversity.
- **Influencing** politicians and policy makers to encourage culture change across the justice system and the people who work within it.

One Small Thing Response Summary

We welcome the opportunity to respond to this call for evidence and to advocate for changes that can support the mental health and wellbeing of women who are involved in the justice system. Through this call for evidence, the Government is seeking views on what can be done to improve mental health and wellbeing, particularly for those who experience worse outcomes than the general population. This will inform their new cross government 10 year Mental Health and Wellbeing Plan.

Women in the justice system disproportionately experience poor mental wellbeing, which can often be directly linked to their involvement in the justice system. Only around a fifth of those in prison said it was easy to see a mental health worker despite more than seven in 10 of women in prison reporting that they had a mental health problem (Prison Reform Trust Bromley Briefings Prison Factfile Winter 2022). It is therefore vital that the Government's new Mental Health and Wellbeing Plan is informed by the experiences of justice involved women, and takes action to specifically address the poor mental health outcomes achieved for this group.

Key points addressed in our response:

- An end to custody being used as a place of safety for women with mental health needs. Women should instead be provided with support and accommodation in the community.
- Stronger referral pathways to mental health services and other support in the community, underpinned by sustainable funding for both NHS services and voluntary sector organisations.
- Robust and consistent Mental Health Awareness training for those working in the justice system, including cultural competency and anti-racism training alongside a strategic action plan to address the unequal mental health outcomes for women from minoritized communities in the justice system.

- A focus on embedding trauma informed approaches across sectors when working with women in the justice system.
- Reduction of unnecessary custody, including the disproportionate use of remand for women. Sending women to an environment which exacerbates mental ill health and increases their risk of suicide, when they could be safely managed within the community, must end.

Please read on for One Small Thing's full responses to the questions answered in the Government's survey.

Response to questions

How can we all promote positive mental wellbeing?

1. How can we help people to improve their own wellbeing?

Before we focus on what women involved the justice system can do to improve their own mental wellbeing, we first need to ask how justice systems can establish the conditions where women can create change for themselves.

Women in the justice system disproportionately experience poor mental wellbeing. More than seven in 10 of women in prison reported that they had a mental health problem compared with nearly half of men (47%) (HM Chief Inspector of Prisons (2020) Annual report 2019–20, London: HM Stationery Office). Nearly half of adult women in prison identified as suffering from both anxiety and depression, and 46% have attempted suicide at some point in their lives - compared to just 6% of those in the general population (Prison Reform Trust Bromley Briefings Prison Factfile Winter 2022). Despite making up only 4% of the prison population in England and Wales, women account for 22% of self-harm incidents in prison (Safety is Custody Statistics to June 2021).

The inequalities in mental wellbeing outcomes for women in the justice system, do not exist in a vacuum. The state of women's wellbeing and their ability to take charge of it can be directly linked to their involvement in the justice system, and particularly whilst in custody.

'Prisons are not healthy environments. They are unable to address the physical and mental health needs of women and in fact exacerbate them... Many women enter prison in poor health (Independent Advisory Panel on Deaths in Custody, 2021). The unhealthy prison environment does not meet women's needs and exacerbates ill-health, giving women few opportunities to take control of their own health and well-being.' (Inquiry into women's health and well-being in prisons Briefing One, 2022, Howard League for Penal Reform)

Indeed, as Lilly Lewis, Women's Involvement Advisor at One Small Thing highlights, the experience of being caught up in the justice system can not only exacerbate, but even be the catalyst for poor mental wellbeing:

'When looking at the mental health of women who are involved with the justice system, I believe it is fair to say a high percentage of them, even if they did not have poor mental health before they entered, will develop it when going through the justice process.' (Lilly Lewis, Women's Involvement Advisor, One Small Thing)

2. Do you have any suggestions for how we can improve the population's wellbeing?

Urgent action needs to be taken to address not only the poor wellbeing of women entering the justice system, but also the subsequent exacerbation experienced by the system itself.

Many women who become involved with the justice system have experience of trauma. Nearly 60% of women in prison and under community supervision in England and Wales are victims of domestic abuse (Ministry of Justice (2018) Female Offender Strategy), just over half of women in custody experienced abuse as a child, and half witnessed violence in the home as children (Prison Reform Trust Bromley Briefings Prison Factfile Winter 2022, p26). Considering this, it is vital that those who come into contact with women at risk of entering the justice system, are able to respond to their needs in a trauma informed way, reducing the risk of retraumatising and contributing to worsening mental wellbeing.

For those with histories of abuse and violence, the experience of being arrested can be unnecessarily traumatising, and it is therefore crucial that police are trained in responding to women with experience of trauma. Lilly Lewis, Women's Involvement Advisor at One Small Thing, who herself was locked up for 13 consecutive hours following arrest, explains:

'Being arrested can have a detrimental effect on your mental health. It causes stress and anxiety. This needs to be recognised by the authorities and if a woman is arrested, being locked in a cell in the police station can have a detrimental effect on your mental health. Being locked in a cell in an area that can sometimes be extremely noisy with people banging and screaming is extremely traumatising... Those who are dealing with women, especially the police, should have trauma informed specialists when dealing with women in custody in police stations.' (Lilly Lewis, Women's Involvement Advisor, One Small Thing)

Considering how detrimental involvement in the justice system can be for women's mental wellbeing, it is essential that women are diverted towards the community for mental health support. Too often we see women with complex mental health needs deemed in need of 'protection' from themselves, being remanded to prison as 'a place of safety'.

'We were also concerned to see that prisons continue to be used as a place of safety. This is especially true for women... Senior managers at one women's prison counted 24 such incidents in the previous 12 months; these cases involved extremely vulnerable women being remanded in prison as a last resort, as suitable alternatives could not be accessed. We believe that prisons should not be used as a place of safety – it is inappropriate and inhumane.' (HMI Probation, HMICFRS, HMCRSI, HMIP, Care Quality Commission, Healthcare Inspectorate Wales Joint thematic inspection of the criminal justice journey for individuals with mental health needs and disorders November 2021)

This inhumane practice of criminalising women in need of mental health support must end. Women should instead be provided with access to high support specialist mental health provision when needed, and also support and accommodation in the community, such as One Small Thing are developing through our Hope Street project.

3. How can we support different sectors within local areas to work together, and with people within their local communities, to improve the populations wellbeing?

It is vital that sectors within local areas take every available opportunity to refer women involved in, or at risk of involvement in the justice system, to the services they need.

At the moment, opportunities to direct women to support are being missed. Clearer referral pathways between agencies such as the police, women's centres and mental health services are desperately needed. From as early as the moment of arrest or caution, opportunities should be taken to work in a joined-up approach between local services that can offer support around domestic abuse, addiction, homelessness and mental health. This in turn will not only support the wellbeing of these women, but can also play a role in diverting them away from the justice system altogether.

However, if a woman has been arrested and placed on bail it is especially important that there are referral pathways to support, as described by One Small Thing's Women's Involvement Advisor, Lilly Lewis:

'Women who have been arrested and placed on bail should be referred to mental health services or women's centres for support as they go through the process, as it can sometimes go on for an extremely long time. I was on bail for one year before being charged and then another year after I was charged before attending court. In that time, I took two attempts on my own life and was sectioned both times under the mental health act.'

Durable referral pathways between agencies such as the police and those in the voluntary sector such as women's centres, needs to be backed up by robust and sustainable statutory funding. According to the Women's Budget Group, *'Many Women's Centres have exhausted the funding options that have kept them afloat in recent years.. and can no longer maintain the 'hand to mouth' existence of managing multiple small grants'* – ultimately leaving them unable to plan for the future (The Case for Sustainable Funding for Women's Centres, UK Women's Budget Group, 2020). If we are to address the wellbeing of women within, or at risk of entering the justice system, the Government needs to ensure that there is a healthy network of services for women to be referred to in the community.

How can we all prevent the onset of mental ill-health?

1. What is the most important thing we need to address in order to reduce the number of people that are more likely to experience mental ill-health?

For women involved in the justice system, who disproportionately experience poor mental wellbeing, it is vital that those that work with them are trained in trauma informed approaches.

Many women who become involved with the justice system have experience of trauma. Nearly 60% of women in prison and under community supervision in England and Wales are victims of domestic abuse (Ministry of Justice (2018) Female Offender Strategy), just over half of women in custody experienced abuse as a child, and half witnessed violence in the home as children (Prison Reform Trust Bromley Briefings Prison Factfile Winter 2022, p26). Considering this, it is crucial that those who come into contact with women within, or at risk of entering the justice system, are able to respond to their needs in a trauma informed way, reducing the risk of retraumatising and contributing to worsening mental wellbeing.

‘Worsening mental health can be prevented by people working in the justice system being trained to work in a Trauma Informed way. Those who are dealing with women, especially the police, should have trauma informed specialists when dealing with women in custody in police stations. In fact, to prevent onset of mental health with women who are involved with the justice system, a trauma informed approach should be the ONLY way they are worked with.’ (Lilly Lewis, Women’s Involvement Advisor, One Small Thing)

From an independent evaluation of One Small Thing’s Healing Trauma intervention with women in prison, we can see a clear link between the use of trauma informed interventions and significant reductions in symptoms of depression, anxiety, psychological distress, PTSD, and trauma-related problems after completing the intervention.

‘Results of this evaluation suggest gender-responsive, trauma-informed interventions are effective in helping women address the factors that bring them into the justice system and have positive impacts on the emotional and psychological well-being of the women who complete the programme.’ (Evaluation into One Small Thing’s Healing Trauma Intervention in women’s prisons in England, Madeline Petrillo of the University of Portsmouth)

2. What is the most important thing we need to address in order to prevent suicide?

Urgent action needs to be taken to address the disproportionate rate of suicide amongst women who are involved in the justice system. Nearly half of adult women in prison have attempted suicide at some point in their lives, compared to 21% of men – and just 6% of those in the general population (Prison Reform Trust Bromley Briefings Prison Factfile Winter 2022). The risk remains high after release - in England and Wales, women have been shown to be 36 times more likely to die by suicide than others in the community, in the first year after their release from prison (Unlocking the evidence: Understanding Suicide in Prisons, Samaritans, 2019).

The reasons people take their own lives are complex, but it is no coincidence that those within prison are at higher risk of suicide, with the prison environment and experience being directly linked to an increased risk of suicide. Considering this, every opportunity to divert women away from custody needs to be taken. The majority of women entering prison to serve a sentence have committed a non-violent offence and present a low risk to the public, with just over half receiving a sentence of six months or less (Prison Reform Trust Bromley Briefings Prison Factfile Winter 2022). Sending these women to an environment which exacerbates mental ill health and increases their risk of suicide, when they could be safely managed within the community, is disproportionate and unnecessary. This also extends to the often inappropriate use of remand for women. In 2019, 46% of women who entered prison, did so on remand (Reset: Rethinking remand for women, Howard League for Penal Reform). This is particularly worrying considering that over a quarter of self-inflicted deaths in custody in 2020 were by people held on remand (Prison Reform Trust Bromley Briefings Prison Factfile Winter 2022).

As well as addressing suicide within the confines of prison walls, agencies such as the police who will often represent a woman’s first interaction with the justice system, must do more to direct women to appropriate support within the community.

‘Women who have been arrested and placed on bail should be referred to mental health services or women’s centres for support going through the process, as it can sometimes be extremely long. I was on bail for one year before being charged and then another year after I

was charged before attending court. In that time, I took two attempts on my own life and was sectioned both times under the mental health act.' (Lilly Lewis, Women's Involvement Advisor, One Small Thing)

How can we all intervene earlier when people need support with their mental health?

1. What more can the NHS do to help people struggling with their mental health to access support early?

For women involved in the justice system, especially those in prison, accessing NHS mental health services at the earliest opportunity is extremely difficult.

Despite the NHS England rollout of healthcare screening templates to identify people with mental health needs on entry to prison, only 1 in 5 said it was easy to see a mental health worker once in prison, and only half of those who died by suicide had been flagged on entry (Prison Reform Trust Bromley Briefings Prison Factfile Winter 2022). There needs to be drastic improvement in not only identifying support needs earlier, but crucially in being able to offer those identified during screening and beyond with ongoing support.

'Prisons need to have more mental health workers and therapeutic approaches... If mental health needs are identified in women in prison this should be the priority to be working with, before English or Maths.' (Lilly Lewis, Women's Involvement Advisor, One Small Thing)

We are also concerned about the long wait times for NHS mental health support women experience within the community, preventing them from accessing support earlier. Lilly Lewis, Women's Involvement Advisor at One Small Thing, who herself had to wait four months after leaving prison to receive therapy, explains:

'The wait time for mental health support is extremely lengthy and people struggling with their mental health can't wait that long. To cope in the meantime people will often self-medicate with alcohol and other substances. This is even more prevalent for women involved in the justice system as her situation and surroundings can change very quickly, causing her mental health to deteriorate very quickly without support.'

It is vital that the justice system, and NHS develop partnerships to ensure mental health needs are identified at the earliest opportunity, and that there is continuity of care when women transition from custody to community.

2. How can the rest of society (beyond the NHS) better identify and respond to signs of mental ill-health in groups who face additional barriers to accessing support?

For those working with women in the justice system, it is vital that they receive robust mental health awareness training which will not only support them to identify someone struggling with their mental health earlier, but give them the tools to appropriately respond.

'The way I think we can recognise mental health issues, and intervene earlier is by being more aware of what the signs of poor mental health look like and how it can appear differently for different people. If we are supporting people who are involved with the justice system either in a professional capacity or a friend or family member, we need to understand that no matter what, their mental health will be deeply impacted in a negative way. We need to have the tools to help that person get support and advice, even if they don't recognise that their mental health may be suffering.' (Lilly Lewis, Women's Involvement Advisor, One Small Thing)

Currently, not enough of those working in the justice system are given the tools to support those experiencing poor mental health, and opportunities for support are being missed. It was found that in a third of prisons inspected in 2019, officers had not undertaken adequate mental health awareness training (House of Commons Justice Committee Mental health in prison Fifth Report of Session 2021–22). We support the House of Commons Justice Committee's recommendation that HMPPS should (with the Royal Colleges and other experts in the field of prison mental healthcare) develop training for prison officers and other operational staff on how to identify mental illness, how to support and signpost prisoners to treatment, and to establish regular refresher training. This needs to go further and include cultural competency and anti-racism training, alongside a strategic action plan to address the discrimination in treatment and disparity in mental health outcomes for Black and minoritized women.

'Black women reported that they were stereotyped as 'loud and aggressive' and that mental health issues were more likely to be classed as 'anger management' if you were Black.' ("Double disadvantage" The experiences of Black, Asian and Minority Ethnic women in the justice system, Agenda and Women in Prison, 2017)

We are also concerned about the number of women with complex mental health needs and deemed in need of 'protection' from themselves, being remanded to prison as 'a place of safety'. Mental health awareness, and cultural competency training needs to extend beyond staff in prisons to those working in the community such as the police and magistrates. Too often a criminal justice response is used for women who need specialist care and mental health support, as this case study from our Women's Involvement Advisor demonstrates:

'There was a woman on remand who really stays in my memory, placed in the hospital wing in one prison I was in. She was on remand for a small financial crime. I was part of the Shannon Trust team who would support women who could not read or spell. I was going over to her wing every other day. When I met her it was so distressing, she was in her sixties and had no idea where she was or why she was there. She couldn't keep herself clean or tidy her cell, so when I was there to support her reading I would help her clean and teach her to spell at the same time, for example when we would make her bed I would spell out BED. I always remember her toenails were so long and I asked staff if they could help her cut them and was told 'that's not our job', devastating to say. I was advised this woman was remanded for her own safety as there was nowhere else to send her.'

Women should instead be provided with support and accommodation in the community, such as One Small Thing are developing through our Hope Street project.

How can we improve the quality and effectiveness of treatment for mental health conditions?

1. What needs to happen to ensure the best care and treatment is more widely available within the NHS?

Currently the availability of NHS mental health treatment is limited in prison with only 1 in 5 saying it was easy to see a mental health worker (Prison Reform Trust Bromley Briefings Prison Factfile Winter 2022). For women in prison, of which more than seven in 10 reported a mental health problem, this lack of availability can have devastating consequences.

To ensure treatment is more widely available, prisons need to have more mental health workers in order to cope with the huge amount of need present in prisons. An increase in staff will not only enable a higher availability of support for women in prison, but will also impact on the quality of care given. Currently, due to limited capacity staff are unable to offer individualised support, and rely heavily on prescribing antidepressants over therapeutic support. Lilly Lewis, Women's Involvement Advisor at One Small Thing, has described the prevalence of the antidepressant drug Mirtazapine and how difficult it was to get support beyond this:

'Everybody gets the drug, but not the further support. It's mirtazapine that's given to so many women for stress and depression, but they don't get much help beyond that. It's not always about needing medication- sometimes you need a therapeutic approach.'

We are also concerned about the long wait times for NHS mental health support women experience upon release and within the community, preventing them from accessing support earlier. Lilly Lewis, who herself had to wait four months after leaving prison to receive therapy, explains:

'The wait time for mental health support is extremely lengthy and people struggling with their mental health can't wait that long. To cope in the meantime people will often self-medicate with alcohol and other substances. This is even more prevalent for women involved in the justice system as her situation and surroundings can change very quickly, causing her mental health to deteriorate very quickly without support.'

In order to reduce wait times, and increase capacity to meet the high level of need in the justice system, the NHS needs more resources and funding. If the government is serious about improving mental health outcomes, particularly for those who disproportionately experience poor mental health – such as those involved in the justice system, then it must address the lack of adequate funding put towards mental health services both within prisons, and in the community.

How can we all improve support for people in crisis?

1. What can we do to improve the immediate help available to people in crisis?

Too often we see those in crisis being met with a criminal justice response. Although there is limited public data, what has been found suggests that up to a possible 4,500 people in mental health crisis were unlawfully held in police custody in England and Wales in a year (figures found in 2018 report commissioned by Theresa May's government obtained by BBC under FOI law, reported in 'Mental health crisis ends in cells for too many, snapshot suggests', 2021). Through One Small Thing's work in prisons, we see the disproportionate use of women being remanded to custody for their 'own protection'. This is inappropriate and re-traumatising:

'Women continue to be remanded 'for their own protection' under the Bail Act 1976—this is wholly inappropriate. Prison is a damaging and unsafe environment for people in crisis and should never be considered a place of safety.' (All Party Parliamentary Group on Women in the Penal System (2020) Prison for their own protection: The case for repeal, London: Howard League for Penal Reform)

Women who need specialist care and mental health support should instead be provided with support and accommodation within the community, rather than being locked away and further distanced from vital resources.

For women who experience a crisis within prison, it is crucial that staff are trained to recognise the signs of crisis and have the tools to appropriately respond. Currently, not enough of those working in the justice system are given the tools to support those experiencing poor mental health, and opportunities to prevent women from getting to the point of crisis are being missed. It was found that in a third of prisons inspected in 2019, officers had not undertaken adequate mental health awareness training (House of Commons Justice Committee Mental health in prison Fifth Report of Session 2021–22).

'To improve support for people in crisis, there needs to be more awareness. We need to ask more questions. When we ask questions, we need to really listen to what people are saying. I am trained as a Samaritan Listener and as I was providing this support in prison, I learnt that listening is one of my best skills. We need to be able to connect women in crisis in the justice system to the help and support they need.' (Lilly Lewis, Women's Involvement Advisor at One Small Thing)

This lack of knowledge and awareness on how to respond to those in crisis can have deeply traumatic effects. Lilly Lewis, Women's Involvement Advisor at One Small Thing described to us how a young woman she witnessed in prison who was clearly in a state of crisis and who had wet herself, was being laughed at by staff and other women.

For those working in prisons, who are often on the frontline of mental health crises, it is essential that they are specifically trained to respond to those in crisis with compassion and dignity.

Next Steps and Implementation

1. What 'values' or 'principles' should underpin the plan as a whole?

To improve the wellbeing of women involved in the justice system we would like to see the Mental Health and Wellbeing Plan underpinned by:

- **Trauma informed practice.** Many women who become involved with the justice system have deep experience of trauma. Working in a trauma informed way, with an emphasis on choice, trust and collaboration, can support women to feel empowered about their wellbeing. One Small Thing has developed a quality mark which provides a national benchmark for trauma aware, trauma informed and trauma responsive practice. Please visit our website for more information: www.onesmallthing.org.uk/quality-mark
- **People centred principles.** Any professionals working with people with poor mental health in the justice system should understand the principles of working in a person-centred way. With a focus on the individual, listening to women to fully understand their values, views and wishes.
- **Gender responsiveness.** The Government's plan needs to recognise that gender impacts the trauma people are likely to have experienced and the types of mental ill health that may result from this, for instance the high proportion of women who have experienced domestic and sexual violence.
- **Compassion and dignity.** These are basic elements that should underpin all work with those experiencing mental ill-health. However, through One Small Thing's work, we see those in the justice system often being denied the basic dignity of access to services and resources, and to those appropriately trained to support them.

Ends.

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We welcome the opportunity to share more information and discuss our response further. For more information, please contact: sarabs@onesmallthing.org.uk

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