

**The Cycle of Female Prisoner (Re)Integration:  
Pathways, criminal justice and imprisonment**

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## **Abstract**

With increasing rates of female imprisonment, and female prisoner re-imprisonment rates of 33% for first time prisoners and 48% for recidivist prisoners within four years, women's experiences of (re)integration are in need of examination. Issues of abuse, addiction, economic, social and political deprivation and poor education are not only seen to underpin women's pathways into crime, but also the treatment of female offenders within a system that has redefined their welfare needs as risks. Using a feminist, qualitative methodology that provides often unheard women with a voice, semi-structured interviews were conducted with female ex-prisoners and those who work with women once released from prison. Interviews examined women's experiences of release and the areas that contribute to successful or unsuccessful (re)integration. Findings reveal that support networks, release conditions, employment, accommodation and treatment services are key factors that either help or hinder women's (re)integration. Consistent with literature on women's (re)integration, interviews further revealed that female offender pathways are not addressed prior to, during, or after release from prison. To address such problems, this thesis argues that collaborative, holistic, gender-specific programmes, that are tailored to meet women's daily needs and experiences, are required both within the community and prisons.

## Chapter One: Introduction

We can focus on the building of more prisons. We can work to make conditions in the existing prisons tougher. We can continue to talk about the need for greater collaboration among the agencies working in New Zealand communities. We can sit in our comfortable chairs with a glass of wine in our hand and lament the lack of parenting skills among the lower classes. In the end, however, if we want to see those children born in New Zealand released, if we want to see those children born with shackles of poverty and lack of hope around their ankles fly, as they are capable of doing, we need to learn to work with the mothers (Lashlie, 2011:223).

In September 2013, New Zealand detained 8,474 prisoners: 7,961 male prisoners (6,464 sentenced and 1,497 remand) and 513 female prisoners (415 sentenced and 98 remand) (Department of Corrections, 2013a). For females – consistent with international trends – rates of imprisonment, over the last two to three decades, have increased at a significantly higher rate than they have for men, albeit that rates of imprisonment have decreased and stabilised from 2007 (Statistics New Zealand, 2010; also see Appendix Four)<sup>1</sup>. In addition, the female proportion of imprisonment sentences has significantly increased to 9.34% in 2013 from 6.2% in 1980, 6.3% in 1990 and 8.8% in 2000 (see Appendix Four and Statistics New Zealand, 2013c).

Of the 512 female prisoners in an April 30<sup>th</sup> 2010 Corrections weekly prisoner snapshot, 390 women had received a sentence; with sixty two being held on remand as ‘accused’ and sixty remand ‘convicted’. From the 390 sentenced female prisoners, almost 40% were imprisoned for violence offences, over 25% for dishonesty offences and over 16% for drugs and antisocial offences. On average, women tend to receive shorter prison sentences than men. Their sentences typically (39.49%) tend to be two years or less, with a further 23.85% receiving a sentence of two to three years, 15.9% three to five years, 7.18% five to seven years, 4.62% seven to nine years, 0.78% nine years and over,

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<sup>1</sup> Unfortunately due to changes made to the Department of Corrections Website, trend data pre-dating 2010 is no longer available. See Department of Corrections (2013a) for the revised prison facts and statistics snapshot data.

and 8.21% with an indeterminate sentence (Department of Corrections, 2010)<sup>2</sup>. As will be discussed in Chapters Three and Four of this thesis, these shorter prison sentences have often been linked to arguments that women are treated more leniently in sentencing, a point critiqued by many writers (Smith and Natalier, 2005; Carlen and Tombs, 2006; Chesney Lind, 2006; Rodriguez, Curry and Lee, 2006; Davidson and Chesney-Lind, 2009; Hannah-Moffat, 2010; Malloch and McIvor, 2013). Authors have detailed that women's sentencing reflects their offence types which are often less serious and generally have no sexual or serious violence component (Kingi, 2002, 2009; McIntosh, 2011).

Those women given a sentence of imprisonment in New Zealand will be placed at one of three female institutions, at the top (Auckland Regional Women's Correctional Facility (ARWCF)), middle (Arohata Women's Prison (AWP)) and lower (Christchurch Women's Correctional Facility (CWCF)) parts of New Zealand. ARWCF has the ability to hold 462 women with security classifications from minimum to maximum; AWP has a maximum capacity of 154 prisoners classified as minimum to high security; and CWCF can hold up to 138 women classified as minimum to high security (Department of Corrections, 2012a). Due to the shape of New Zealand's land mass, these prisons are not only located at great distances from each other, but also from the cities and communities which women come from. For example, many of the female ex-prisoners featured in this thesis were placed in Arohata, over four hours away from their homes in the Hawkes Bay region.

While there are a few differences between the 16 men's and three women's prisons in New Zealand – for instance, there is a specific 'Kowhiritanga' women's programme (Department of Corrections, 2013e), the inclusion of Mother and Baby Units (Department of Corrections, 2013f) and different staff training for those who work in female prisons (Department of Corrections, 2012b) – New Zealand's criminal justice system, including its penal institutions, are governed by a national 'gender-neutral' approach aimed at providing equality to all it oversees (Department of Corrections, 2012c). In line with feminist scholars (Rafter, 1990; Hannah-Moffat, 1995, 2001; Morris and Kingi, 1999; Carlen, 2002, 2008; Carlen and Worrall, 2004; Chesney-Lind

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<sup>2</sup> Unfortunately due to changes made to the Department of Corrections website, this data can no longer be readily accessed.

and Pasko, 2004), this thesis shows the use of ‘gender-neutral’ approaches to be ineffective and see them to be more correctly termed ‘male-neutral’.

### **Female Prisoner Snapshot**

In New Zealand, the ethnic make-up of the female prison population is broken into six categories: Asian, European, Māori, Pacific peoples, Other and Unknown. Research regarding women’s imprisonment in Western countries (Easteal, 2001; Richie, 2001; Carlen and Worrall, 2004; Maidment, 2006) highlights the overwhelming commonality of ethnic minorities and/or indigenous groups being greatly over-represented within prisoner numbers. This is also the case in New Zealand, where Māori comprise 14.6% of the total population (Statistics New Zealand, 2006) yet equate to 50.9% of the prison population (Department of Corrections, 2010a). This number increases to 60.74% for the female prisoner population (ibid).

Drawing on the 2003 Correctional Census data, which represents the most recent in-depth data set on prisoners, the situation and needs of the female prisoner population can be further outlined, albeit in a dated way. This Census (Department of Corrections, 2003) showed there to be 60.7% of sentenced female prisoners under the age of 35, with 74.1% of these prisoners receiving their first Corrections sentence before the age of 35. The majority of female prisoners (42.8%) had left school before year 11 (fifth form) which in New Zealand typically means between the age of 13-15 years old. Another third of female prisoners (33.6%) had attended one extra year of school, leaving at the completion of year 11. Just 1.9% of female prisoners had received some form of tertiary education and almost half (46.6%) had received no qualifications after their schooling had finished.

In this Census, prisoners were also asked to identify their income source prior to imprisonment (Department of Corrections, 2003). Receiving some form of government benefit was the most cited source of income identified by 46.9% women. 34.7% were said to be in paid work prior to imprisonment, with a further 16.5% of women’s income source unknown. A small percentage (3.1%) acknowledged crime as their source of income.

At the time of the Census, New Zealand had a female prison population of 335 (Department of Corrections, 2003) and 262 women were reported in the prison census data. 166 (49% of the total 335 female prisoner population) identified as having one



child or more, with 35% stating they had a child living with them prior to their incarceration. For further small sample New Zealand research relating to the children of women and prisoners in New Zealand, see Kingi (2002, 2009) and Gordon (2009).

Many women arrive at New Zealand's prisons (Department of Corrections, 2003; Kingi, 2009; McIntosh, 2011), and elsewhere (Easteal, 2002; Richie, 2002; Carlen and Worrall, 2004; Maidment, 2006), with health needs, and health problems can also be developed during their prison sentence. As such there are a high number of prisoners who receive some form of medication while in prison. The 2003 Census recorded that 39.1% female prisoners were taking non-psychiatric medication, with a further 15.4% being prescribed psychiatric medication (Department of Corrections, 2003); arguably, these numbers under-estimate the true nature of medicinal needs of women in prison.

This New Zealand data highlights the context of marginalisation and disadvantage from which female prisoners emerge. Given this, it is clear that many women can find that they struggle to lead 'good lives' on release from their imprisonment. Research conducted by Nadesu (2008, 2009)<sup>3</sup> for the Department of Corrections looked at the reconviction and re-imprisonment rates of prisoners throughout New Zealand after 36 months, 48 months and 60 months. At the 48 month follow-up period, 313 women had been released from prison, with 33% returning to prison in 48 months and 36% by the 60 month follow-up point. When an analysis was conducted into the different rates of re-imprisonment for first time prisoners, compared with prisoners who had received more than one prison sentence (Recidivist), these percentages significantly increased. Female recidivist rates of re-imprisonment at the 48 month mark was 48%, increasing to 54% after 60 months. This research shows that a significant number of recidivist female prisoners return to prison and that the chance of this happening increases when the amount of time spent in prison increases. Understanding this cycle of female imprisonment, how women experience their release from prison, and how New Zealanders might break it, is the focus of this thesis.

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<sup>3</sup> Unfortunately this research does not provide a significant gender breakdown across sentences, offences and re-imprisonment.

## **Key Questions**

The overarching key question for this master's thesis is: How do women, who have been out of prison for no less than one month up to around one year, experience release from prison?

For this question to be answered a number of sub-questions have been produced:

- What needs do women have on their arrival to prison?
- What skills, if any, did women learn/gain in prison to help them on release?
- What services/ assistance have women received on their release from prison?
- What factors have assisted, or hindered, women to successfully transition from prison into the community?

The number of female prisoners in New Zealand, and the number of women who return and re-return to prison, is a serious concern. As such, the current study seeks to understand female ex-prisoner experiences of (re)integration. For this to occur, literature (Richie, 2001; Covington, 2002; Carlen, 2002, 2008, McIntosh, 2011) suggests the need to understand women's pathways to crime, their treatment in the criminal justice system (CJS) and their experiences of imprisonment. This thesis seeks to unpack each of these areas to help understand why the cycle of women's crime, imprisonment and re-imprisonment occurs, and to analyse how (re)integration processes are currently implemented and how they might be improved to break this cycle. This study explores the key issues women are facing upon release, and highlights the services and provisions in New Zealand prisons and communities that can help or hinder the (re)integration process.

Making this research possible was a scholarship received through the Napier Pilot City Trust and the Robson Collection of Napier. Together with financial assistance, the Napier Trust encouraged the author to develop networks in the Hawkes Bay region and provided assistance in finding participants for this study. As such, this thesis provides a New Zealand perspective on (re)integration through the eyes of women and community workers from the Napier/Hastings district. In total, 13 interviews were conducted, nine with women who had been imprisoned and four with people who had worked with women in the community. Qualitative semi-structured interviews were conducted to

provide participants with a 'voice', and to allow them to speak freely about their experiences.

Throughout this thesis it is argued that female pathways to criminality are significant and varied from their male counter-parts. Therefore, policies and approaches relating to women during imprisonment and (re)integration need to be suitably tailored to meet the needs of women. Women enter prison with issues relating to abuse, addiction, victimisation, poverty, health, education and employment. These factors then contribute to the use of imprisonment sentences for women by sentences who perceive that prison can provide treatment, reform and rehabilitation. Unfortunately, as this thesis outlines, when women are in prison they often do not have access to gender-specific programmes that can address their pathways to crime. Consequently, women leave prison with their problems unaddressed, and with the stigmatised label of ex-prisoner also placed on them. On release, women have to cope with (re)integrative needs such as finding support, employment or accommodation, while complying with release conditions. As will be seen throughout this thesis, the culmination of the above factors, produce a cycle of criminality and imprisonment that is not being broken by current (re)integrative policies and practices.

Celia Lashlies (2003) book highlights how, it should not be about accepting or minimising the harm caused through these individuals actions, it is about understanding it, as without understanding the lives, choices and opportunities that have led women and men to prison, how can we ever seek to positively change their futures and our countries? If we help the women, mothers, wives and daughters of the men filling New Zealand prisons, not only can a difference be made for women within the criminal justice system but also for the numerous fathers, husbands and sons that account for the majority of those serving sentences of imprisonment (Lashlie, 2011).

## **Chapter Summaries**

The following **Chapter two** provides a discussion of the research methodology and methods used to conduct this study. Feminist methodologies are detailed and key issues, such as the choice of topic, the choice of methods, researcher-participant relationships, reflexivity and policy and action are discussed. This chapter also provides an introduction to all the research participants, to set the scene for their experiences

outlined in the rest of the thesis. Lastly, this chapter highlights some limitations to the current study that are significant to future work in this area.

**Chapter three** delivers insights into the historic and contemporary theories surrounding women and crime. It begins with illustrations of the academic neglect shown to the topic of female criminality and reflects on how historical perspectives of female offenders continue today. In particular, ideas of chivalry, liberation and double deviance are shown to have an impact on contemporary understandings of female offenders and prisoners. This chapter also presents an overview of female pathways to crime. Cyclical theories that describe women's pathways as linked to abuse, addiction, victimisation, trauma, poor health, poor education or financial instability are outlined, in relation to findings from the current study.

**Chapter four** provides both a statistical and theoretical discussion on women's treatment within the criminal justice system. Original statistical data on apprehensions, prosecutions, convictions and sentences is highlighted and links are made to current theories surrounding the rise of the risk ethos. Risk has become a dominant theme of offender management and a discussion of its implications and effects on female prisoner populations is provided.

**Chapter five** presents a brief historical overview on the development of female prisons in New Zealand. The treatment of female prisoners is discussed and the effects of imprisonment on women begin to be highlighted. The chapter propels discussion regarding the effects and pains of imprisonment for women. Finally, the chapter focuses on women's needs and whether these are being met, as well as identifying whether women's pathways issues are adequately being addressed to prepare women for (re)integration. Criminological literature is used alongside research findings to highlight the ways in which women experience prison and the preparation for release.

**Chapter six** provides a brief overview of the changing rhetoric and theory surrounding (re)integration which includes discussion on the significance of risk management paradigms. Next, the chapter highlights key literature and findings in the study of female prisoner reintegration. Themes of employment, accommodation, support, family reunification and health are shown to dominate the (re)integrative needs of female ex-prisoners. This chapter shows that these issues are not currently being adequately addressed by correctional services.

**Chapter seven** draws a number of key conclusions and highlights the need for more gender-specific programmes, services and provisions in both the community and prisons. These general conclusions are linked to a number of recommendations of change that could help to promote successful (re)integration and stop women returning to prison.

Overall, this thesis provides an original contribution to the extremely small literature on female ex-prisoners in New Zealand. Drawing upon the insights of ex-prisoners, and those who work with them, this thesis outlines how and why the current approach to female offenders and prisoners does not break the cycle of offending behaviour, and the factors that need to be addressed to create more positive (re)integrative change for these women, their whānau/families and our communities.

## **Chapter Two: Doing the Research**

This research endeavours to uncover how New Zealand women experience the transition from incarceration to life in the 'community'. In New Zealand, the female statistics on women's imprisonment and reconvictions indicate that what happens to women on release from prison is in need of greater examination - to allow for an improved understanding of how 'successful' release can best be achieved.

The purpose of this research is to voice and understand how women experience release from prison; with particular interest in finding out what the key issues for female ex-prisoners are when navigating (re)integration. These objectives mean that the research design, methodology and methods used to conduct this study have been appropriately selected to allow for these intentions to be met. For this reason, and as will be discussed throughout this chapter, feminist methodologies were used as the theoretical underpinning for conducting gender specific research which seeks to give a 'voice' to its participants through the use of qualitative methods. Although there is no one feminist methodology, many (Daly and Chesney-Lind, 1988; Abbott, Wallace and Tyler, 1990; Stanley and Wise, 1993; Eichler, 1997; Ramazanoglu and Holland, 2002; Burns and Chantler, 2011) argue that there are a number of characteristics which shape most feminist pieces of work that should be adhered to if 'good research practice' is to be achieved: the choice of topic, power and authority, reflexivity, critique, policy and action. This chapter will discuss the development of feminist methodologies, the key features of feminist research and its relevance for this study. This section will be followed by an overview of the methods employed to conduct this research, taking a reflexive stance which will highlight the benefits and limitations of the methods and measures taken.

### **Feminist Methodologies**

The research is framed by a theoretical underpinning of feminist criminology. Feminist methodologies of research were established to facilitate the study of female offenders and, therefore, fill gaps in previously under researched or inadequately researched areas (Gelsthorpe and Morris, 1990). Pollock (1999: 142) argues that feminist methodologies are guided by the belief that women's criminality occurs as women's "choices are constrained by informal and formal social controls and such things as poverty, blocked

opportunities, victimization and sex-role stereotypes”. Therefore, feminists believe that for the ‘true reality’ of women’s criminality to be revealed, research must be done on women, by women and for women (Gelsthorpe and Morris, 1990) As Smart (1976: 185) outlined:

Criminology and the Sociology of deviance must become more than the study of men and crime if it is to play any significant part in the development of our understanding of crime, law and the criminal process and play any role in the transformation of existing social practices (Smart, 1976: 185).

Feminist research has become a prominent feature within social science, criminology being no exception. Its development and subsequent methodologies have been a direct reflection of the first, second and third waves of women’s rights movements from the 1960s and 1970s whereby women fought to secure equal rights and opportunities in the domestic and occupational spheres, alongside equal social rights (Daly and Chesney-Lind, 1988). During these periods, it was identified that social constructions, institutions and stereotypes are patriarchal tools used in the continued oppression and marginalisation of women (Daly and Chesney-Lind, 1988; Cancian, 1992; Britton, 2000). In accordance with these views, numerous other movements took place such as those related to civil rights, youth rights and gay rights, which also sought equality in societies that often saw less powerful groups treated in harsh, inhumane and subordinate ways. Feminists, in line with the afore-mentioned groups, argued that ‘equality’ had been developed through the knowledge of white, middle-upper class, hetero-sexual men and therefore was not equality for all (Eichler, 1997; Daly and Chesney-Lind, 1988; Taylor, 1998). In line with these civil movements, similar action emerged within academia, and academics began to question the processes of attaining ‘true’ and ‘reliable’ knowledge. The development of feminism within research has sought to illuminate the inaccuracies of dominant scientific research processes and results, to critique ‘male-stream’ research and promote methods which allow women to share their experiences within multiple social contexts in a valid, reliable and meaningful way (Fonow and Cook, 2005; Burgess-Proctor, 2006; Gringeri, Wahab and Anderson, 2010).

Feminist scholars (Naffine, 1997; Flavin, 2001; Daly and Stubbs, 2006; Heidensohn and Silvestri, 2007) have argued that for accurate knowledge to be produced, it must be attained by sharing and understanding the lives and lived experiences of those who have

often be rendered invisible, oppressed or marginalised. Daly and Chesney-Lind (2004:10) argue that all too often “male-centred or androcentric systems of knowledge are inaccurately presented as objective and authoritative depictions of the human condition”. Such accounts have tended to be generalised to the whole population as the ‘norm’ and women are ‘made-to-fit’ into writings and recommendations often made from research with male participants. In the case of criminology, this has been an overwhelming truth described as ‘the gender ratio problem’ (Hannah-Moffat, 1995; Heidensohn and Silvestri, 2007). This term refers to the fact that gender is the greatest predictor of criminal behaviour as it is a universally acknowledged fact that women commit significantly less crime than men. For this reason, feminists such as Hannah-Moffat (1995), argue that women have been ignored in criminological research and criminal justice practice as their numbers are seen to make them less relevant or unimportant. In response, Flavin (2004) states that as gender is the best predictor of criminal activity, it would be of great benefit to ask gender orientated questions such as “why are women so under-represented in crime?” This aligns with Heidensohn’s (1986, 1992) contentions that women are socially controlled both formally and informally, meaning that women have less opportunity for crimes, and are socialised in such a way that prevents them from engaging in criminal activity.

It is from this standpoint - where women are neglected or misrepresented in research - that feminist scholars have developed their own methodologies for research. Daly and Chesney-Lind (2004) repeat an often voiced trait of feminism when discussing their methodologies: that there is no one feminism or way of defining a feminist research process but that there are a number of feminist perspectives under the feminist branch. Mitchell and Oakley (1986:3) take this a step further and state that “it is easier to define feminism in its absence rather than in its presence”. This comment is reinforced throughout numerous feminist pieces of work when attempts are made to illustrate a clearly defined feminist research process (see Maguire, 1987; Brooks and Hesse-Biber, 2007; Gringeri, Wahab and Anderson, 2010; Burns and Chantker, 2011). Gelsthorpe and Morris (1990) argue however, that there are commonalities found within feminist work which should be present for research to be defined as feminist.

First, when choosing a research topic it should be significant and sympathetic to women. The research should contribute to knowledge on women’s realities and have both “political and practical import” (Gelsthorpe and Morris, 1990: 90). Second,



research should take into account the subjectivity of those being investigated and therefore qualitative methods are preferred as they better reflect experiences. Qualitative research contributes to a more in-depth understanding. Feminist methodologies are concerned with giving the researched ‘a voice’ that allows them to become a central part of the research data. Lastly, feminist methodologies are concerned with self-awareness and self-criticism. It is imperative for the researcher to reflect not only on the feelings of those being researched but also her own feelings as a researcher (Gelsthorpe and Morris, 1990). These ideas will be further discussed later in the chapter in relation to this thesis.

Research consistently tells us that women who have been incarcerated share a commonality of life experiences (Radosh, 2002). To then understand how women experience release from prison, it was important to recognise and appreciate their lives prior to criminality, as well as their life while incarcerated (Richie, 2001). From this standpoint, a feminist methodology, which incorporates principles used in Kaupapa Māori research is appropriate due to the high over-representation of Māori women within the New Zealand CJS, allowing for a sensitive approach to be taken to research with women, including Māori women (see discussion below). It also allows for female respondents to actively participate in producing accurate details of their experiences of release from prison and to guide how interviews progress.

Several characteristics of feminist research - Choice of topic, Choice of research methods, Reflexivity, Researcher-subject relationship, Recruitment, and Policy and Action (Cook and Fanow, 1986; Gelsthorpe and Morris, 1990; Cancian, 1992) will now be further discussed, to show how each issue impacted on the current research.

### **Choice of Topic**

In its simplest form, feminist methodologies are characterised as informing research which is ‘on, for and by women’ (Stanley and Wise, 1993). Although this tended to be the case in the initial development of feminist research, it is now seen that this is an over-simplistic way of producing gendered research and that such descriptions can lead to the production of the types of inaccurate, sexist knowledge that feminists also critique (Schram and Koons-Witt, 2004; Daly and Chesney-Lind, 2009). It has been noted that traditionally within criminology, research and theories have promoted “negative, stereotypical perspectives of female offenders” (Schram and Koons-Witt, 2004:7) or ignored women altogether due to their small numbers. Such research has

meant women as offenders are often seen to be worse than their male counter-parts and that female offenders are viewed through a distorting male-centric framework. This links to Stanley and Wise's (1993) argument urging feminist researchers to choose topics in which 'women's perspectives' and interests have not been truly explored.

Gelsthorpe and Morris (1990) state that when choosing a research topic it should be significant and sympathetic to women. Flavin (2004) argues that when choosing a feminist research topic there should be a reflection of diversity and originality. Similar to feminist authors, Kaupapa Māori authors share similar emancipatory goals "including the displacement of oppressive knowledges and a social change agenda" (Pipi, Cram, Hawke, Hawke, Huriwai, Mataka, Milne, Morgan, Tuhaka and Tuuta, 2006: 141).

When choosing the current Master's research topic, a number of things led to the final topic for study. Firstly, as an honours student I was drawn to the subject of women and crime after visiting Arohata women's prison in Tawa, Wellington. It was surprising to me that women prisoners received little attention and were not privy to the same medical, psychological, educational or employment options that men in prison receive due to their small numbers. Further, 48% of the women who enter prison in New Zealand return within four years (Department of Corrections, 2008) and little is known about why this occurs.

The women I saw came from places of marginalisation, poverty and abuse, and were the mothers and wives of the many men who go to prison. I noticed that an opportunity was being missed to not only reduce the already small numbers of women in prison, but to also impact upon the lives of the future men who will go to prison. With this in mind, I wanted to find out why women were returning to prison and what services and provisions are provided to help or hinder with successful (re)integration. To meet these objectives, the goal of this research was to find out about the range of services offered to women in preparation for release and upon release, what women's knowledge and experience of these is and what women themselves think they need. These goals are intended to produce accurate knowledge that provides a voice to women and could inform future policy and (re)integration industries when designing, developing, funding and implementing initiatives.

My initial focus on women in Wellington was changed following an approach by my supervisor Elizabeth Stanley about a scholarship opportunity in Napier. A community

group called the Napier Pilot City Trust in connection with the Napier City Library and the Robson Collection had offered a scholarship that would enable a post-graduate student to compile a piece of research for and within the Napier community. I was successful in my application and this community scholarship provided me with the opportunity to produce a piece of research that was not purely for an academic purpose, but also helps to fulfil feminist values of research that positively influences policy and real life 'action'. This community scholarship meant that I would be able to conduct the research I was passionate about, but that it would be for someone else: a community that embraced and held the same values and wishes for women being released from prison as I do.

The chosen topic is important as women who enter prison tend to be a group that are rarely given a voice. Through this research, it was hoped that not only could a gap in the literature be filled, but that a voice could be given to often unheard women who have suffered marginalisation, victimisation, physical and sexual abuse, drug and alcohol addiction and have received a limited education. For policy on female offenders to be implemented in a successful way, women need to be heard, and their perceptions and experiences need to be acknowledged, otherwise their needs cannot be met. It is hoped that this research will have "political and practical import" (Gelsthorpe and Morris, 1990: 90). With this research, the aim was to produce positive change for women by helping to inform future policies, services and provisions through the articulation of women's voices. In turn, by helping women who have been in prison it is hoped that their family and whānau may also receive benefit, as secondary recipients of services and positive relationships.

### **Choice of Research Methods**

When prescribing to 'do' feminist research, the choice of methods used to conduct a study are imperative to success. As previously mentioned, at the heart of feminist research is the goal of fostering the empowerment and emancipation of women, a group who have been subject to marginalisation, stereotyping, and bias and who are often seen to have lesser knowledge (Brooks and Hesse-Biber, 2007). Feminist scholars have argued that the 'voice' of women has been nullified due to power relations in which man's voice is the universally accepted voice or knowledge of reason. Research, using feminist principles and methods is then:

In opposition to mainstream (i.e sexist, patriarchal, androcentric, gender-blind, status quo-orientated, positivist, objective, quantitative, alienated and alienating, etc) research (Eichler, 1997:11).

Many researchers strongly advocate for the use of qualitative methods in conducting feminist research. This approach allows for an individual's experiences to be 'voiced'. Maguire (1987) reinforces this view in her outline of six methodological characteristics for feminist research. She argues that methods used should be qualitative allowing for 'uniqueness' within findings rather than 'generalisations or universality'. For this to happen, feminist scholars often support the use of methods such as interviews, ethnography and oral histories. Such qualitative methods provide narrative statements that can provide a 'human face' to social problems. However feminist researchers still see a place for quantitative methods. Many academics use a mixture of both qualitative and quantitative elements to help rid the research of limitations within single method approaches. As a result, this research has also employed quantitative data collection and analysis.

Interviews conducted with thirteen participants formed the primary data of this thesis. These interviews took place over periods of time ranging from one and a half hours to three and a half hours, and information of a demographic, quantitative nature was also collected. After all thirteen interviews were completed, a transcriber was employed to provide confidential transcriptions of the recorded interviews (see Appendix Five for the Transcribers confidentiality agreement form). Once transcriptions were returned I began a process of 'ground up' thematic analysis whereby themes were identified within the information provided by participants about their experiences.

Secondary data consisting of an academic literature review and an analysis of statistical data provided by Statistics New Zealand and the Department of Corrections was used to guide the research and provide evidence in support or disagreement of qualitative results. Due to a lack of raw data analysis provided by Statistics New Zealand regarding apprehensions, prosecutions, convictions and sentences, further examination and analysis of statistics was completed by the researcher. The statistics provided are raw number data sources that do not provide any analysis allowing for proportional or percentage comparisons to be made across gender, age, ethnicity, sentence, offence, or location. As such, data was exported into excel spreadsheets that allowed for further

specified analysis to be conducted. This was necessary for the current study as significant gender-specific information was needed to address hypothesis and access the relevance of international theories in New Zealand (see Appendices for further descriptions of each analysis completed).

### **Recruitment of Participants**

In the initial stages of this research, emails were distributed to a number of non-government agencies within the Wellington area (such as PARS, the Salvation Army, the Prison Fellowship and Women's refuge) that provided information regarding the proposed research topic and asking for assistance in finding respondents to participate. Through this process, only one respondent was found who provided preliminary feedback on research questions, but did not wish to participate further in the interview process. The time allowed to complete a Master's project further meant that it was an unrealistic objective to pursue ethical approval through the Department of Corrections which would have allowed for participants to have been contacted during their prison sentence and those working for the department to also have been interviewed. Following these experiences, a number of other strategies were employed to access respondents.

Firstly, after receiving the community scholarship, I conducted a short questionnaire at an initial seminar in Napier, in which I introduced myself as the recipient of the community scholarship. This questionnaire was designed to ask seminar attendees about the local situation and encourage their input into the research direction. It was also hoped that relationships could be built to help in the recruitment of participants for the research. Unfortunately only five of the thirty questionnaires were returned to me, however several community members did contact me for further discussion and helped to establish relationships with research participants.

Secondly, a community group hui was attended in Napier to help better understand current services and provisions within the Napier/Hastings district. In attendance were a range of people who worked with women and families in the areas of health, housing, employment, gangs, violence and criminality. This provided me with an opportunity to hear what community developments were happening and what each agency's focus for the future was. Although female prisoners and their (re)integration was not a key discussion point, an interview was established with a community worker that had

previous work experience with women's accommodation issues upon release from prison.

Thirdly, as a result of my community scholarship, I was contacted by media organisations who wished to interview me. This was an opportunity to promote the research and reach out to participants. Two newspaper articles (in the Napier Mail and Hawkes Bay Today), a National Radio (Radio New Zealand) and television (Television Hawkes Bay) interviews were conducted and following each came contacts from interested members of the general public. A number of phone calls, emails and meetings occurred as a result of the media reports, however these only provided help in gauging community perspectives and opinions and did not extend to further interviews that would provide raw data for the research.

All forms of communication described above provided a way to let people know about the research topic, get people involved and helped to make contacts with others who have similar holistic goals. Although ex-prisoners were not found through such avenues, such communications did help to inform the types of questions I asked during interviews and they assisted me with the recruitment of four community worker interviewees.

My major breakthrough came when I built a relationship with Pat MaGill, a Napier community member and founder of the Napier Pilot City Trust, who provided me with help to contact and access potential participants. Pat has developed working relationships with numerous families within the Napier/Hastings district through his work within the courts and his unrelenting passion to provide better criminal justice outcomes for those who are marginalised and disadvantaged.

As a result of the relationship with Pat, and his ability to provide me with advocacy and give assurance to women regarding my intentions, eight of the nine female ex-prisoner interviewees (one who would also be interviewed in her capacity as a community worker) were finally recruited. The final, ninth, ex-prisoner was recruited via communication with her lawyer, who also participated in the research. It should be noted that three other female ex-prisoners were recruited, however contact was unable to be maintained and they subsequently dropped out of the research process.

After initial contact via email, phone call or text message, meetings were arranged as a way to develop personal relationships and discuss the research and interview process. It was important that these initial meetings took place as it provided participants with an opportunity to get to know me, ask questions about the research and decide from there whether they would be willing to take part in the research. Once the recruitment stage was finished, and an offer and consent to take part had been given, a time and place for interviews was established.

### **Reflexivity and Researcher-Subject Relations**

Feminist research has often been criticised for its subjective nature. Feminists, on the other hand, have critiqued positivist research for a lack of awareness about how objectivity is impossible to achieve within a research process (Brooks and Hesse-Bieber, 2007). As such, feminists do not disregard objectivity, only its failure to account for women's own experiences (Brooks and Hesse-Bieber, 2007) and researcher biases (Flavin, 2004). Being reflexive, then, becomes a way of identifying potential biases, it provides clarity to the research process and outcomes, and allows the reader to make assessments on the validity of data. Further to this, Flavin (2004) highlights how the identity of the researcher can influence the research. Being aware of this can help to promote honesty within the research and subsequent documentation of results, as well as help to enhance relationships based on respect and understanding.

One feature of choosing a topic and producing feminist research is the 'by women' element. There is some disagreement among feminists as to whether male researchers can produce feminist work. Flavin (2004) argues that being a female researcher does not automatically make you a representative of all female experiences and therefore being male should not render you unable to produce research from a feminist perspective. Others, such as Stanley and Wise (1993), argue that feminist research must be carried out by women. Similarly, there is debate among Kaupapa Māori researchers as to whether studies involving Māori respondents or issues can and should be conducted by non-Māori. Smith (1999) recognises problems with both 'insider' and 'outsider' researchers however she advocates a need for all researchers to be reflexive, and to be critically aware of the processes being used, the relationships being built and the quality of the data being collected.

As a researcher, I am aligned as an insider as I am a female; however I am aware that my circumstances and life experiences are very different from many of the women that I interviewed. As a European New Zealander, I have had a different cultural upbringing but through the use of Kaupapa Māori principles (alongside good practice methods), cultural awareness and sensitivity was adopted through my research methods and implementation. These principles include “Aroha kit e Tangata”, meaning “a respect for people” (Smith, 1999: 120); this allows for people to dictate their own terms about spaces to meet (Pipi et al, 2004). Second, “Kanohi Kitea”, meaning “the seen face, that is present yourself to people face to face” (Smith, 1999: 120), which allows for relationships and trust to be built between people (Pipi et al, 2004). Third, “Titiro, whakarongo ... korero”, meaning “look, listen ... speak” (Smith, 1999: 120), focuses on the importance of developing an understanding through looking and listening and then choosing appropriate times to speak (Pipi et al, 2004). Fourth, “Manaaki ki te tangata”, meaning “share and host people, be generous” (Smith, 1999: 120), emphasises the need to approach research collaboratively with reciprocal gain (Pipi et al, 2004). Fifth, “Kia tupato”, meaning “be cautious” (Smith, 1999: 120), reflects the need for researchers to be aware of their role as an insider or outsider (Pipi et al, 2004). Sixth, “Kaua e takahia te mana o te tangata”, meaning “do not trample over the mana of people” (Smith, 1999: 120), through sharing ideas, distributing any findings, asking for feedback and keeping people well informed (Pipi et al, 2004). Lastly, “kaua e mahaki”, meaning “don’t flaunt your knowledge” (Smith, 1999: 120), is about sharing your knowledge productively in a way which is not ‘showing off’ (Pipi et al, 2004).

With any research there is a large amount of power given to the researcher who has decided to undertake a specific piece of work for their own personal reasons. Therefore, the use of the above principles in this research was key to building a recruitment and interview process that mitigated power imbalances. After initial contact was made with women and workers, meetings were organised to provide a chance to build relationships prior to the interviews. Interviews also took place in a location chosen by the respondent and tokens of food were taken to provide thanks and show appreciation to those who participated.

One incident, that on reflection shows the impact of researcher-subject relationships, happened while taking a lunch during an interview. As a smoker I had left my packet of cigarettes outside that contained only one remaining cigarette. When I went to have my



last cigarette I found that half of it had been smoked and the other half had been returned to the packet. This shows that in one way the participant did not feel comfortable enough with me to ask if she could have one, but at the same time shows that some relationship of respect had been built as she felt it was important to leave me with something.

Further to the described researcher-subject relations, interviews were conducted in a semi-structured way that allowed for participants to direct the flow and discussion that they saw as important to the research topic (see Appendix Three for the draft schedule). This was done to ensure that participant voices and experiences were prioritised and to make sure they felt they were a significant part of the research process. Questions were structured in a way that acknowledged the researchers lack of knowledge and experiences being discussed, and participants were encouraged to talk about whatever they saw to be important. In writing up this research, I have worked hard to ensure that their stories are strongly reflected in the thesis. Lastly, all participants were asked whether they would like to be provided with feedback, findings and information regarding their interviews and the research. This was undertaken in a bid to give control to participants on what was recorded in this work. This last principle became difficult to undertake and maintain due to the transient nature of the group who changed address and phone numbers on a regular basis. Therefore the effect on this research is that although participant's voices are used throughout the thesis, I chose what would be used and therefore what I considered to be of importance.

### **Limitations**

This study is limited in three main ways. Firstly, the sample size is small and cannot be seen to be representative of all women who have been in prison in New Zealand. However, this small sample did allow me to spend more time, with each participant, to ensure that her voice was heard. Secondly, research respondents all belong to one region within New Zealand. This means that results cannot be seen to be accurate reflections of women's experiences within other regions of New Zealand. Thirdly, and as detailed above, the geographical distance and transient nature of the participants meant that a continued and consistent line of communication was not able to be maintained through the research process. Many women changed phone numbers after interviews were conducted or did not have email addresses and I was unable to reach them for input on

transcribed data. This breakdown also occurred due to the four hour drive time it took me to have contact with participants.

### **Policy and Action**

As mentioned above, feminist researchers are primarily concerned with interpreting the social world, its realities and its knowledge production from the perspective of women and other marginalised, stigmatised or oppressed groups (Gelsthorpe and Morris, 1990; Cancian, 1992; Fonow and Cool, 2005; Daly and Stubbs, 2006). For a piece of research to then be coined ‘feminist’ it must also endeavour to take the research process one step further, and influence policy and action (Daly and Cheseny-Lind, 1988; Eichler, 1997; Flavin, 2004). Feminist research should help to raise awareness and provide strategies for establishing, designing and implementing actions of positive change (Flavin, 2004).

After interviews had taken place, it was apparent that a few of the interviewed women were very interested and motivated in developing their own type of support for women who have been in prison. In June 2013, this vision came to fruition as the women established a community group for “the sole purpose of providing help and advocacy for women who are, or have been incarcerated” (He Ngakau Hou – A New Heart, June 2013:6). The founders agreed that the current system is failing women and that many are set up to fail due to “a lack of support and ridiculous conditions on parole” (He Ngakau Hou – A New Heart, June 2013:6). This research project was one action that spurred the idea for the group and provided women with some energy to take action (He Ngakau Hou – A New Heart, June 2013:6). This is an extremely exciting development of a 40 member group that meets weekly and maintains contact through a private Facebook group. They have introduced their “group to the wider community including staff from Arohata women’s prison, as well as those working in social services” (He Ngakau Hou – A New Heart, June 2013:6). The coming together of these women is the beginning of an action process that will hopefully be adopted in other communities, to offer support to women in prison, prior to their release.

### **Participant Introductions**

This final methodological section provides a ‘human face’ to the women and community workers interviewed, that will ensure a more accurate reflection and portrayal of recipient responses. Some introductions are not as informative as others due

to women not wanting to discuss certain sensitive information. All of the names are pseudonyms.

**Marie** is a 43 year old New Zealand Māori who was “born and bred” in Napier. Raised by her father and with ten siblings, she describes her childhood as very dysfunctional. She was sexually and physically abused as a child and subsequently turned to drugs and alcohol at the age of twelve, an addiction she still struggles with. This abuse then became a reoccurring theme in adulthood when she was the victim of rape and numerous domestic violence relationships. Marie is mother to a twelve year old son and has been in a long term relationship with her partner for eleven years. She has served three sentences of imprisonment dating back to 1994. These sentences include drink driving, grievous bodily harm and breaching a probation order.

**Sharne** is a 30 year old European Pākehā who grew up in the Hawkes Bay. She describes her childhood as very rough, as she was physically abused by her father and shipped around family homes, schools and youth facilities. This experience of trauma and abuse was repeated in adulthood through domestic violence relationships. She fell pregnant at fifteen years old and now has six children that she regrettably has very little contact with. She remembers thirteen years old as being the time she started to do ‘everything’ from drugs, alcohol and sex to stealing cars, theft and fraud. At this time, she began to come into contact with police more regularly and at eighteen years old served her first imprisonment sentence. She has subsequently served four more prison sentences for fraud and breaches of her probation and protection orders.

**Stacey** is a 34 year old Māori with nine older siblings. She is the mother of three children and describes her time growing up in Napier with family as very rough due to the presence of alcohol, drugs and domestic violence. She talked about her father being very violent to her and her brother and sisters, and noted that her older siblings were heavily involved with, or in, gangs. After being involved in drugs for numerous years, at sixteen years old she was sent to her first drug facility and, after this, spent the remainder of her adolescence in a friend’s family home. In this environment she described feeling as though she had a real family, although she was still the witness to a lot of domestic violence. Stacey has been sentenced to nine imprisonment sentences for theft, supply of drugs and breaching community sentences.

**Rochelle** is a 43 year old Māori who was born in Gisborne and has two children. She is one of seven siblings who moved between Gisborne and Napier as her grandparents also helped to raised them. She describes her first trauma being at age two when her grandfather passed away and that from this time her grandmother was quite nasty to her. For Rochelle, everything in her life changed when she was sexually abused at aged ten, and although family were aware of this happening, it was swept under the carpet until 22 years later when she reported the incident. Drugs and alcohol became an 'out' for her, along with gang involvement and crime. Pregnant at fourteen years old she began selling drugs to support herself and her daughter which subsequently led to her serving two imprisonment sentences for the supply of drugs.

**Monique** is a 25 year old Māori woman who has five siblings. Being the second youngest in her family, she described knowing that she would go to prison at the age of five because of who her family were. Gang involvement has played a significant role in her life and as such she found she was targeted by police from a young age. Monique describes her first criminal offence as shoplifting at eight years old as her family needed some bread and pegs. She was first imprisoned at fifteen years old and has subsequently received numerous further sentences for breaching parole conditions and further offending. Monique is also the mother to a young child.

**Christina** is a 21 year old of Māori heritage. She was born and raised within a family of five who have been associated with gangs as long as she can remember. She described thinking prison was a normal place to be as she has had numerous family members in prison throughout her life. After being expelled from school, Christina began to get into further trouble and received her first imprisonment sentence at eighteen years old. She has been back to prison three times and described stigma and the lack of opportunities in society as hindering her ability to successfully (re)integrate and stay out of prison.

**Nikki** is a 41 year old who identifies as Māori. She described her family as transient and at times unstable and illustrated verbal abuse to be a childhood occurrence. She is the sister of six other siblings, some of whom had experienced prison before her. Nikki was in an extremely bad domestic violence relationship that continues to impact upon her life due to her fear of reprisal after ending the relationship. She has received only one sentence of imprisonment and is determined to not go back. Nikki described feeling

imprisoned in society now due to the stigma associated with being an ex-prisoner, but has a supportive family that are helping with her (re)integrative needs.

**Danielle** is a 33 year old mother of one who identifies as being Māori. She described prison as a normal life experience due to having siblings and parents who had also been incarcerated. Her involvement in a gang was highlighted as a key factor that led to her imprisonment but she described her childhood as relatively normal.

**Louise** is a 55 year old with Māori heritage who was interviewed as both an ex-prisoner and a worker. She grew up with her mum in Napier and describes herself, from eleven years old, as very rebellious due to the anger and pain she felt after her father committed suicide. Much of her youth was spent in and out of state care and youth penal institutions until, at 16 years old, she was sent to Mt Eden women's prison on remand for three months, then released and given a fine. Turning to drugs and becoming a heroin addict saw her criminal offending become more severe and Louise decided to move to Australia where she received numerous imprisonment sentences before returning to New Zealand. After becoming involved in restorative justice as an offender she confronted her past and the realities of her crimes, which led her to first leave her offending behind and then want to work with other offenders in a restorative capacity. Working for a community agency she became an advocate and support person for both prisoners and ex-prisoners. Although Louise is still passionate about promoting change for prisoners and their (re)integration and she still helps in the community, she is no longer employed in such a role due to funding cuts.

**Susan** is a 65 year old female who identifies as New Zealand European. She currently works for an organisation that helps with domestic violence education and intervention. Prior to this, she was a teacher and also worked for Housing New Zealand. Her eleven years at Housing NZ created an interest in (re)integration because she saw people struggling to achieve success in life after prison due to barriers of employment, accommodation and lack of support. Susan described an inherent need within the prisons and the community for the support and advocacy of vulnerable people.

**Jack** is a 53 year old male of Scottish heritage. He was the manager of a prison and released prisoner support agency for two years but was released from that position due to funding cuts. Unfortunately, this has meant that he is no longer seen to be an approved person within the prison and is unable to undertake the advocacy role for

prisoners he once played. Jack describes his work now as being an advocate and support person for people who have been released from prison. He has a real passion for this role, and has continued to work with people once released from prison even though he is no longer employed in this capacity.

**Joan** is a 62 year old female of both European and Māori heritage. She is the team leader for a (re)integration programme that runs within a community agency. This entails helping released prisoners to find accommodation and playing a support role in accessing other community services and provisions. Prior to this, Joan was a registered social worker who came into contact with many 'broken' families and parents wanting to regain custody or contact with their children after being released from prison.

**John** is a 49 year old European male. He is currently a criminal defence lawyer who comes into contact with offenders at all stages of the criminal justice system. His role is to present each person's case as effectively as possible to the court while obtaining the best outcome, however he also described a number of issues for both prisoners and ex-prisoners when being processed in and out of the prison system. John highlighted access and communication difficulties in his role when working with female prisoners due to their geographical location and prison management requirements such as lockdown.

### **Further Reflections**

The experience of conducting a feminist and sensitive piece of research was extremely rewarding albeit at times tremendously emotional. Each woman I met touched my heart with their story and as such I have felt a huge responsibility to share their voice above and beyond my own throughout this thesis. I had the privilege of getting to know women and understand their lives as a result of their pure honesty and great desire to advise other women and promote positive change for those walking similar paths to their own. Although initially conducting this research was difficult due to a lack of participants, once women and workers were found to interview their willingness to engage with me and their openness 'blew me away' and their stories have become the foundation for a piece of work I am extremely proud of. As I reflect on this finished thesis, I only hope that more people will take the journey I have taken and will seek to promote and produce positive outcomes for women who enter the criminal justice system. As will be seen through interview quotes, these women face many injustices

that need to be righted, not only for those who experience them but for the good of our society.

## Chapter Three: Women's Pathways to Crime

For the most part, offenders are “ordinary individuals who ... engage in sporadic and unskilled crimes” (Chesney-Lind, 1986: 78). Although regarded as different, criminality among men has largely been accepted and become an extensively theorised topic. Balfour and Cormack (2006) argue that women, on the other hand, were not commonly regarded as offenders, and therefore not an area to be studied; female offenders were and are unusual. Even with the ever reinvented headlines dedicated to a new phenomenon of female offenders and “bad, violent, and mean girls” (Chesney-Lind and Eliason, 2006: 30), it is still an overwhelming fact, that relatively few women are processed through the criminal justice system (McQuaide and Ehrenreich, 1998).

Gender blind, “male-centred” discourses have permeated traditional criminological thought (Balfour and Cormack, 2006: 22), with women's crime filling a small place in the literature. Historically, women's pathways into crime were linked to ideological assumptions of biological or psychological abnormality, promiscuity, low intelligence, premenstrual tensions and insanity (Dobash, Dobash and Gutteridge, 1986). Such theories were widely critiqued with the emergence of feminist thinkers whose work was dedicated to women and crime (for example, Carlen, 1985; Rafter, 1992; Rodash, 2002; Carlen and Worrall, 2004; Van Wormer, 2010). Yet, skewed approaches to women have remained in contemporary times. Carlen (1985) and Carlen and Worrall (2004) identify prevailing themes that have remained at the centre of debates on women, crime and punishment. They argue that females who engage in criminal activity have been subjected to feminisation, domesticisation, medicalisation, infantilisation and pathologising (Carlen and Worrall, 2004). As few women commit crimes, there is also a media-led ‘othering’ of offending women as extreme “monsters, misfits and manipulators” (Balfour and Cormack, 2006: 22).

The punishment of women's crime has attracted much debate as to whether women who engage in criminal activities receive lenience or harsher treatment within the criminal justice system (Triggs, 1999; Jefferies, Fletcher and Newbold, 2003; Bond and Jefferies, 2011); debates have also highlighted the perceived appropriateness of punishments such as imprisonment for women (Carlen and Worrall, 2004). Rafter (1983) and Harris (1998) both detail the punishment received by women as harsh and unequal, due to women receiving sentences for actions that men would not be convicted of. The historic reality was that women



were often confined to penal institutions due to their sexual behaviour or activities such as petty larceny, intoxication, vagrancy and waywardness (Harris, 1998), which were deemed to be inconsistent with womanliness as well as a defiance of femininity (Rafter, 1983). Although such inequality amongst offence type convictions is less prevalent today, the basic premise of womanliness and femininity as mitigating factors in the prosecuting and sentencing of female offenders still holds a strong place (Jones, 2008).

Chapter One provided a clear illustration of the current female prisoner population: this chapter will however step backwards and address female offender pathways to crime and prison. It will be show that many assumptions about women's criminality and punishment have remained, with ideas such as chivalry, leniency, liberation and double deviance holding much relevance when analysing the current context. This chapter will first provide a theoretical overview of the women and crime literature, focussing on historical philosophies and then developing more current perspectives. It should be noted here that pathways to female criminality are argued throughout this thesis, and by feminist scholars (Carlen, 1983; Rafter, 1983, 1985 and 1990; Pollack, 1999; Radosh, 2002; Carlton and Segrave, 2009; Uggen and Kruttschnitt, 2012; Malloch and McIvor, 2013), to influence how women experience imprisonment and (re)integration. Although female pathways to crime have remained relatively unchanged over time, political debate and policies would suggest that women are becoming more like their 'dangerous' and 'violent' male counterparts. As such, discussion will also be provided within the following chapters on the rise of philosophies of 'risk', 'securitisation' and 'penal populism' in relation to female offenders and the direct impact such ideas have on how female offenders are perceived, punished and (re)habilitated within the CJS.

### **Women and Crime: A Theoretical Overview**

It is now widely accepted that women who engage in criminal activity share a number of commonalities in their life experiences: abuse, chaos, victimisation, trauma, poverty, poor education and mental health concerns are universally viewed as factors that drive or facilitate women's initial engagement in criminality (Richie, 2001; Radosh, 2002; Carlen and Worrall, 2004). In recent times, such vulnerabilities, although acknowledged, have been redefined as 'risk' factors that help to legitimise the facilitation of harsh punishments for women who are either a 'risk' to society, or - continuing the theme of 'chivalry' - to themselves (Carlen, 2008). Prior to feminist scholarship, philosophies relating to female pathways into crime were

very different, focussing on theoretical philosophies of morality, biology and psychology as causes of women's criminality (Chesney-Lind, 1986; Zedner, 1991). These approaches tended to focus on factors inherent within a woman that made her criminal, rather than investigating the social and structural influences that propelled her towards criminal behaviour. Such theories have produced subsequent themes – domesticisation, medicalisation, feminisation and double deviance – which have continually infused criminological, governmental and media thought, providing similarities within women and crime discourse over time.

The theoretical ideas, above, not only contribute to general discussion on female offenders but have a significant place within debates around how women are processed within and through each stage of the CJS (discussed later in the chapter). Until more recently, theories of crime have tended to be generalised to the whole criminal population or, when referencing women, have been presented within a specific trajectory, most commonly focussing on traditional ideals of womanliness and femininity. In illustrating this point, Gelsthorpe (2004:) states:

While criminological theorising about crime and pathways into crime has been abundant then, criminology has seemingly had almost nothing to say of interest or importance about women. Whether this reflects the apparent rarity of female offenders, simple neglect, sexism on the part of theorists, or some other reason it is difficult to say, but it has meant that the trajectory of theories relating to women has been unusually conservative.

### ***Historical Perspectives***

Prior to the nineteenth century, criminal women were defined largely in terms of moralistic approaches to criminality (Rafter, 1983, 1985; Zedner, 1991). Women were seen to be exemplary moral beings, who conformed to traditional roles through their actions in the domestic sphere as well as through their personality and temperament traits. As such, women were judged to either be the Madonna – women who knew their place in patriarchal society and conformed to the loyal, nurturing nature of a 'true' woman – or the Whore – who was sexually promiscuous and did not conform to traditional expectations of being a wife and mother (Marcus-Mendoza, Klein-Saffran, Lutze, 1998). Women categorised as 'Whores' were seen to be in need of moral reformation and were criminalised for activities that did not align them as 'true' women, even though such acts tended to be acceptable of males (Carlen

and Worrall, 2004). The idea of criminal women being morally deficient was also extended to theories suggesting criminal women to be biologically inferior (Rafter, 1983). The combination of these philosophies has produced a long-standing perception of criminal women being either 'bad' or 'mad' (discussed below with regards to how women are processed into and within the CJS).

When presenting discussions on biological theories of crime, Cesare Lombroso is the most noted theorist. His 1895 work with Ferrero, *The Female Offender*, began what was to become a longstanding preoccupation with the medicalisation of women's criminality (Smart, 1976; Gelsthorpe, 2004), the idea that women are sick and lack any control of their actions due to biological or psychological factors (Smith and Natalier, 2005). Female offenders were described as 'biological atavisms' (Smart, 1976) who presented with masculine or abnormal bodily features or a lack of womanly temperament characteristics such as a maternal instinct. Such women were seen to be untreatable and therefore significantly worse than their male counterparts (Rafter, 1983, 1985; Zedner 1991).

Biological determinism can be viewed in two forms. The first relates to the bodily processes or biological functioning of a woman's body. This approach prescribes that some women will commit criminal acts as a direct or related effect of hormonal imbalances during menstruation or menopause (Zedner, 1991). The second form of biological determinism focuses on biology as a determining factor of temperament, intelligence, ability and aggression. Due to their biological composition, women were seen to be inherently disinclined to criminal acts. This pathology, during the rise of psychiatry (Zedner, 1991), was extended to a pathology that is viewed as mental. Smart (1976) argues that female offenders have consistently been treated as a homogeneous group – sentiments echoed by more recent feminist scholars (Richie, 2001; Balfour and Comack, 2006; Maidment 2006) – whereby other factors such as class, status, power, age and culture have been dismissed when theorising about women's criminality.

Those that do not conform to this mould are seen to have a fundamental physical pathology. As a result of what was seen as biologically determined causes of female crime, women were viewed as 'doubly deviant' from both biological and social standpoints (Gelsthorpe, 2004). Female offenders were seen to be doubly deviant as their crimes were "anomalous compared with other typically male offenders" (Gelsthorpe, 2004: 16) and were seen to conflict with the natural biology of normal women. As such, Smith and Natalier (2005) suggest that women's behaviour was not and is still not solely judged on its criminality and further extends to

ideological gender assumptions that expect women to be home-makers, loyal to men's needs, submissive and sexually inexperienced. This concept of 'double deviance' has become a persistent theme throughout the 'women and crime' literature, whereby women are not only criminalised for the deviant act they commit but also for their deviation from the prescribed norms and role of femininity (Carlen, 1985; Heidensohn, 1994; Carlen and Worrall, 2004).

The medicalisation of female offenders became more prominent during the late nineteenth and early twentieth century with a shift towards psychiatric models of crime. The focus for psychological theories of women's criminality has been based on perceived mental inadequacies or deficiencies as a cause of criminal behaviour (Gelsthorpe, 2004). Therefore perspectives shifted away from categorising women as purely 'bad', to classing them as 'bad' because they were 'mad'. In 1933, Freud rationalised female criminality as a psychological defect due to women's inability to accept their biological inferiority to men. He describes a process whereby women adopt masculine behaviours and characteristics in order to compete with men; a point that was later reemphasised within theories of women's liberation (Adler, Adler and Levins, 1975; Daly, 1985; Naffine, 1987). Other theorists, such as Deustch (1944), argued that women who engage in criminal activities have psychological illnesses such as personality disorders. He argued that for a woman to defy her true nature, temperament and role which is characterised by passivity and a yearning to be a wife and mother, she therefore must be psychologically disturbed referring to women as 'mental' (Zedner, 1991). Like the perspectives on biological determinism, psychologically based theories failed to illustrate how factors external to the individual woman affected criminality, instead they outlined that criminal behaviour occurred due to mental instability which therefore diminished individual responsibility (Carlen and Worrall, 2004; Gelsthorpe, 2004).

It should be also noted that, although unrecognised during this time, femininity and gender-role stereotypes commonly dominated discourse. These stereotypes influenced whether women received a label of 'mad' – in which women were seen to be 'savable' and in need of treatment – or 'bad' – and viewed as incapable of reform (Dotter, 2004). Dotter (2004) describes the process by which gender-norms affected whether or not a woman was – and arguably today still is – defined as deviant, based on five assumptions of femininity. The five categories of gender norms which informed a deviance-defining process of women are: (1) how a woman presents herself through both emotional and physical appearance; (2) a woman's marital and maternal status(es); (3) a woman's sexual orientation and how that

sexuality is exhibited; (4) a woman's pursuit of traditional occupational roles, and (5) a woman's engagement in deviant acts defined by gender norms (Dotter, 2004). As will be discussed in a later section of this chapter, such concepts arguably still apply throughout the CJS and remain at the forefront of feminist discussions regarding the lenient or harsh treatment women receive in sentencing. Criminal justice treatment was (and arguably is) determined by the categories above, for, if a woman upheld these stereotypes of femininity, she was more likely to receive a form of informal control implemented by either a father or husband. Processes of informal control were seen to be acts of chivalry carried out by men, as certain women needed to be saved from themselves and taught how to be 'proper' daughters, wives and mothers. On the other hand, those women seen to defy gender norms were subjected to harsh treatment and punishment, due to the philosophy that formal control was needed as such women were beyond redemption and inherently worse than deviant men (Rafter, 1983, 1985; Chesney-Lind, 1986, 1991; Heidensohn, 1987, 1992; Carlen and Worrall, 2004).

The idea that crime could occur as a result of women having too much freedom or not enough control from powerful men was at the core of work undertaken by Adler and Simon in the 1970's. In response to a rise in female crime, Adler (1975), and others such as Simon (1975), argued that a new breed of female criminals was emerging as a direct result of emancipation and the gender equality that ensued. They argued that the liberation of women provided females with a new and greater opportunity to engage in criminal activity due to a reduction in informal controls placed on women within the domestic sphere, and an increase in the time spent within social and public spaces. Although greatly influential in propelling feminist criminology and the topic of women and crime into mainstream debate, the liberation hypothesis has been greatly critiqued and is now seen to hold only slight validity (Chesney-Lind, 1986; Daly, 1989; Steffensmeier and Allen, 1996). For instance, Steffensmeier and Allen (1996) argue that although it is possible that emancipation could account for some increases in certain crimes within the public sphere, these findings are not consistent when tracing increases in crime across groups of women in society. For example, many scholars provide evidence that petty crime such as larceny, although increased, were committed by economically marginalised women who did not enjoy the 'fruits' of the women's movement (Chesney-Lind, 1986). Critics (1976) had similarly criticised early liberation theories due to their inability to provide reasons for the common connection between minority groups, sole parents, the unemployed, the self-dependant and crime. Critics (1976) argued that emotional,

physical and economic survival characterised women's crime, not expanded opportunities provided by women's rights movements; these sentiments would later be echoed to form an overwhelming consensus view held by feminist scholars (Rafter, 1990; McQuaide and Ehrenreich, 1998; Pollock, 1999; Richie, 2001; Carlen and Worrall, 2004; Van Wormer and Bartollas, 2007).

Although now seen to be historical, these perspectives continue to be commonly reiterated within the discourse and policy of women and crime. These ideas of chivalry, double deviance and traditional femininity will continue to be developed throughout this thesis. This is necessary as, although the discourse and rhetoric in which such ideas are used has changed, their prevalence and basic ideological assumptions remain firmly intact.

### ***Contemporary Perspectives***

With the rise of feminist critique came a new wave of academic literature that sought to identify not only bodily or psychological explanations of female offending but also external perspectives. This produced a clear shift away from arguments that criminality was predetermined, to those that centralised debates on both social and structural influences. Feminist writing has consistently found a relationship between victimisation, poverty and the defiance of stereotyped femininity. Such a focus can be seen in New Zealand (for example, with the work of McIntosh, 2011). Her analysis of literature and official statistics illustrates a connection between Māori women, physical and sexual abuse, economic marginalisation, normalisation of crime and imprisonment.

Arguments illustrating women's pathways to crime as cyclical or survival-orientated dominate contemporary feminist perspectives. Overwhelmingly, statistics of female offender populations depict lives of deprivation, marginalisation, stigmatisation and victimisation (Richie, Freudenberg and Page, 2001; Carlen and Worrall, 2004). This is especially true when analysing female prison populations, whose lives are characterised, often from childhood, by physical and sexual abuse, drug and alcohol abuse, trauma, poverty, lack of education, unemployment, poor health and mental health, unstable living environments and solo-parenting (Richie, Freudenberg and Page, 2001; Richie, 2001). Such vulnerabilities are present within a woman's life prior to offending behaviour, and are argued by many (Covington, 2002; Richie, 2001; Radosh, 2002; Carlen and Worrall, 2004) to propel women into criminal activity due to the often co-morbid follow-on effect each factor has on another.

In the New Zealand context, the work of McIntosh (2011), Goldingay (2008) and Kingi (2008, 1999) have each described New Zealand's female prison population as a group who have suffered trauma, abuse and restricted opportunities prior to criminality. Kingi (2008) notes that, although official data is scarce, documents such as the Roper Committee Report on New Zealand Prisons (1989), the Census of Prison Inmate and Home Detainees (2003), the New Zealand Crime and Safety Survey (2006) (Mayhew and Reilly, 2007) and the New Zealand Health Committee (2008) indicate female offenders and prisoners experience high levels of physical and sexual abuse, alcohol and drug misuse, health and mental health problems, a lack of educational achievement, low income levels and low employment. Women who offend tend to be significantly more likely, than the general New Zealand female population, to have lives depicted by such characteristics: this is even more pronounced when focussing on Māori women (McIntosh, 2011). Similarly, such life experiences were found to be an overwhelming reality for women interviewed for this research.

The women interviewed for this thesis all described their childhoods as relatively unstable and filled, at times, with chaos and dysfunction. All of the women except one experienced exposure to parties, drug and alcohol use and abuse, gang involvement and/or family violence. Many of them noted that they felt their own behaviour was a reflection of the environment they had been brought up in, as they had learnt to model their behaviour on family members who did not set positive boundaries for what was wrong, right, appropriate or inappropriate. In addition, because of their own problems, these adults did not provide them with a sense of belonging or support.

For example Stacey highlighted a number of chaotic influences in her life from childhood:

I grew up in a family of nine. I am the youngest of the nine. My upbringing was pretty rough, but considering me being the youngest, I actually got it easy. My dad he was a pretty violent fellow. My mum -- she used to, like, try -- she done her best to raise us. My mum and dad were pretty much alcoholics, and brothers were in gangs. My sisters ended up with patched members.

Marie describes her involvement with alcohol from the age of 12:

At first I think I really turned to it because they were doing it anyway... something I learned, yeah. So I used to steal the old whiskey from them fill it up with tea and leave it in the cabinet thinking that they wouldn't know any better.

Although drugs and alcohol were not always discussed in terms of abuse or addiction by the women interviewed, all eight women mentioned the use of substances prior to their incarceration. Alcohol, glue, solvents, marijuana, heroin and P were all made reference to, which alludes to what some (Morris, 1987; Covington, 2003; Widom, Schunck and White, 2006; DeHart, 2008) describe as a 'masking effect' relationship between abuse and addiction. Such researchers argue that women engage in the use of substances as an attempt to hide from, mask or forget the pain inflicted upon them during abuse in childhood.

A parental death in childhood for two women began a downward cycle of rebellious behaviour. As Louise describes, this trauma in childhood had a significantly negative impact on the way the rest of her life was experienced:

When I was about 10 or 11, like everything was quite normal for me, from birth to about that age ... my father committed suicide when I was 11. For me, that's when the wheels came off, and my life went to custard, so I didn't last long at school. I became quite rebellious. I became a kid from hell really, and that's how things spiralled out of control for me.

While Marie ran away from home to escape her abusive situation, others were removed from their homes by Child Youth and Family Services (CYFS). Two women experienced state intervention in the form of CYFS in their pre-teen years. They described being shipped from family home to family home and youth institution to youth institution, all the while never understanding why this was happening to them or knowing what they had done wrong to experience this. As Sharne outlined:

My childhood, that was really quite rough. My father, like, hit me quite a lot, which sort of led me to be quite an angry, upset child and I didn't do very well at school. I was shipped from family home to family home, which interrupted my schooling and ... CYFS became involved because I was so unhappy, and I didn't want to stay at home with my dad hitting me all the time, but CYFS -- they didn't really believe me. My parents would tell them I'm making things up so CYFS would put me into family homes and I just kept running away which led for me to be moved from family homes to



institutions where I couldn't run away. That was really hard because I still couldn't understand why I was in such a horrible place like that, with really strange horrible people watching us. We were kids and we weren't listened to ... and I didn't get any help. I never saw a counsellor. Never had a psychologist or anyone sit down with me and say, "Look, well, what's the problem? Why are you doing these things?" We didn't have anything like that (Sharne).

I had been incarcerated as a child prior to imprisonment. Yeah, in every juvenile home that was going. I'd been into Day Street in Hamilton, I'd been to Margaret Street in Palmerston North, I'd been in a foster home in Waihi, and I also spent time in Kingsley. So from the age of 12 was my first experience of incarceration ... but nobody even approached me about changing my behaviour. Ever! There was never anything offered to me in terms of, you know, "why do you do the things you do? And, have you thought about the people you hurt?" Nobody ever spoke to me about that sort of stuff. There was no -- there was no addressing the offending behaviour. And that would have been superficial I believe now anyway, because it wasn't my offending that was the issue. The issue was the unresolved grief of a child. That was what needed to be mended and healed before I could even address anything else (Louise).

For other women, physical abuse and sexual violence were triggers for 'going off the rails'. Three women disclosed experiences of sexual abuse as children and two women were sexually abused or raped in adulthood. Furthermore, four women experienced physical abuse as children, with five women being subjected to domestic violence by a partner in adulthood. Six of the eight women also disclosed a high level of emotional and verbal abuse, right throughout their lives, either in the form of parental or partner abuse.

When I got sexually abused it all sort of went out the window ... It was after I was touched that's when I saw the pattern change. It was -- yeah, trust went out the window, insecure, and all of that. Because, to me, I felt that my mum and dad never really helped me out, helped me through that. But when I did confront my mum, when I was 32 actually, and asked her why she didn't help me, she said because she couldn't cope because it happened to her when she was a child, yeah. So, yeah, I forgave my mum (Rochelle).

There was a lot of violence in my house, in front of me and eventually towards me but also sexual abuse. I was sexually abused and I think that's what led to me eventually running away. But yeah, my life's just been unfortunate ... Relationship issues, protection orders. I mean everyone has their ups and downs but for me, I mean, my relationships were just violent, just useless. I ended up with a lot of losers, abusive, drunks, jailbirds - probably because I attracted them (Marie).

Given these traumatic and unsettling conditions, many of these women struggled with school and later employment and financial stability. All of the women had left or been expelled from school between the ages of 12 to 16. Although some went on to short term jobs between this time and their prison sentence, no one received any further educational training prior to their incarceration. As such, all women identified receiving government benefits as their main source of income at one point in time prior to one of their prison sentences. Other forms of income included drug dealing, escorting, burglary item sales and short term jobs.

Health and mental health problems are also significant among prisoner populations (Department of Corrections with the Ministry of Health and Justice, 1999). The interviewed women identified this as a significant problem within the prisons however they tended to speak only of the health of other women they knew. Anxiety, panic attacks and depression were the three most commonly noted mental health issues as well as heart problems, skin irritations and sleep disorders. It is impossible to determine whether women enter prison with health/mental health problems or whether these issues have arisen or become exacerbated due to the prison environment.

Six of the women had children prior to one of their prison sentences with the total number of children being fourteen. Of these fourteen children, nine were in their mother's care prior to imprisonment, with all nine returning to their care after their prison sentence. Women cited their children's grandparents and aunties as the care providers during their time in prison. Findings are in line with those found by Kingi (2002) and Gordon (2009) which describe the difference in the care of children when a male and female go to prison.

These findings all provide further evidence to national and international literature of the life experience commonalities shared by female offender populations. These life experiences continue to illustrate women's pathways to crime through depictions of abuse, victimisation,

trauma and deprivation. Further up to date research into these experiences, to accurately represent findings for NZ's total female prisoner population, is however needed.

### **Pathways, Vulnerabilities and Risk**

In the last twenty years, growing attention has been paid to the implications of 'risk aversion' throughout society. The criminal justice system is not alone in its shift towards the use of risk management, risk analysis and managerialism as tools used to promote efficient and effective working structures. However, the discourse of 'risk management' has been significantly embraced within the domain of criminal justice and particularly within corrections. Simon and Feely (1992, 1994, 1995) describe the rise of risk in their work which illustrates a trend within neo-liberal democratic criminal justice systems which have seen a decline in treatment based solutions and an increase in the rhetoric of public safety. Such shifts have arguably played a prominent role in the rising rates of imprisonment worldwide that do not correspond with declining or stabilised crime rates.

The greatest increase in sentences of imprisonment sentences can be seen when gender is taken into account. In many countries over the past three decades, female prison populations, although still small by comparison, have increased at a far greater rate than that of their male counter-parts (Statistics New Zealand, 2013a). In New Zealand the female prison population has risen from 98 in 1986 to around 500 in 2013 (Department of Corrections, 2013a; Statistics New Zealand, 2013a). This increase raises many questions in regards to the rise of risk and the interpretation of risk, as women's pathways to crime, the characteristics of female offender populations and, most importantly, the types of crimes women commit have not changed significantly and are still very different to that of men.

Malloch and McIvor (2013) argue that women's vulnerabilities are unable to be sufficiently addressed in the community due to an absence of gender appropriate resources, and therefore criminal activity among women is further undergoing a deepening process of criminalisation that has led to harsher penalties and the increased use of imprisonment for female offending. In earlier work, McIvor (2007) also states that the increased use of imprisonment as a sentence for women appears to reflect a more punitive stance to female offending within the courts rather than an actual rise in the severity of female offending. Carlen and Tombs (2006) attribute rising female prison populations to an exponential growth in reintegration industries in that women are sent to prison for the purpose of general 'treatment' rather than punishment for their offending. They further argue that transcarceralism – attempting to make non-

custodial penalties as painful as imprisonment in the belief that sentencers will then have more faith in community sentences – has actually directly affected women’s imprisonment rates and, at times, worked to increase the numbers of women in prison (Carlen and Tombs, 2006).

The rise of penal populism against female offenders, and the incarceration of women to protect society against risky and dangerous women, has been developed with an approach that sees women’s own vulnerabilities as risky. The vulnerabilities that women experience in their lives - from physical and sexual abuse, broken families, drug and alcohol addictions, poor education, low incomes and health and mental health problems – are redesigned as imprisonable attributes. Hannah-Moffat (2010) argues that such experiences and needs have been merged into ‘risks’, gender has been built into risk classification tools used throughout the CJS. As a result, risk management measures are continuing to be prioritised ahead of need-based models, and facilitate responses to women offenders that are punitive, intrusive and control-based. Many feminist scholars (Malloch and McIvor, 2013; Sheehan, 2013; Pollack, 2010; Hannah-Moffat, 2010; Carlen and Tombs, 2006) argue that such responses to women are overly harsh and unjustified, as the social problems women face prior to criminality is what attracts them into the CJS. Such social problems are reclassified as ‘high risk’ within a paradigm that prioritises security and surveillance over therapeutic and rehabilitative services, within regimes designed to punish based on an offender’s risk level. Sheehan (2013) reminds the courts that a prison is not a social service and viewing it as a place where women’s needs can be met should be avoided. Furthermore, Carlen and Tombs (2006) agree and argue that the rise of risk analysis should not allow the CJS to legitimise the use of harsher sentences and imprisonment for women.

Malloch and McIvor (2013) describe women’s pathways to crime as a culmination of events and experiences that result in women’s criminalisation and can be traced to social, political and economic contexts. Tracey McIntosh (2011) highlights women’s lives of limited opportunities and constriction and develops the idea of a forced identity which is characterised by social, economic and political stigma, marginalisation and deprivation. Although there is clear evidence of the collective, social and structural causes of female criminality, there continues to be a focus on individual offender deficits and the ‘risks’ that women present when they are processed into and through the criminal justice system. This focus continues to play a role in women’s experiences of imprisonment and (re)integration.

The following chapters will provide evidence of the effects and implications of risk in prison and the community. As will be seen, although women are being sentenced to imprisonment for ‘treatment’ reasons relating to their ‘risk’, such issues are not addressed as a result of high risk classifications, short sentences and the lack of services and opportunities provided to women in prison. Furthermore, risk and its association with release conditions plays a significant role in the non-compliance and non-completion of community sentences that are seeing a large portion of women re-imprisoned. As such, risk management tools and the risk ethos contribute to the revolving cycle of female offending, imprisonment and (re)integration.

## **Chapter Four: Women and the Criminal Justice System**

Women comprise a small proportion of those being processed through the criminal justice system. Statistics on police apprehensions, prosecutions and convictions highlight an internationally accepted fact that women engage in less criminal activity than men. Although this remains unchanged, political discourse and media led ‘othering’ continue to reinvent the ‘ever more violent female offender’, which some (Balfour and Comack, 2006; Cecil, 2006; Chesney-Lind and Eliason, 2006) argue has directly impacted on legislative changes and a more punitive stance towards female offenders in sentencing. In turn, over the past 20 years, an increase in women’s imprisonment rates can be seen throughout Western countries (Easteal, 2001; Carlen and Worrall, 2004; Maidment, 2006; Walmsley, 2006), however New Zealand statistics reveal a decline in imprisonment sentences since 2008 with a few fluctuations in between (see Appendix Four/Two). Many feminist scholars (Carlen and Tombs, 2006; Chesney Lind, 2006; Davidson and Chesney-Lind, 2009; Hannah-Moffat, 2010; Malloch and McIvor, 2013) have been sceptical of the perceived need to take a harsh stance towards women within the CJS. Instead, they provide continuing evidence of stable female offender rates in relation to offence categories and seriousness of offences. Such perspectives bring to light both historical and contemporary ideas surrounding biases, differential treatment and hypothetical gender neutrality for women within the CJS process.

There are also suggestions amongst criminological scholars (Smith and Natalier, 2005) that women who commit criminal offences are not solely judged on criminal law but are further judged in relation to gender assumptions. Such perspectives lead to debates surrounding the preferential or chivalrous treatment of women, or harsh and double deviant views of female offenders. These historical ideas have been recently reinvented with the rise and use of risk management tools within the CJS and can be seen to play a significant role in the legitimisation and justification for the use of harsh sentences, specifically imprisonment, in relation to female offenders (Hannah-Moffat, 2004; Carlen and Tombs, 2006; Pollack, 2010; Malloch and McIvor, 2013).

The following chapter provides discussion on the next dimension in the cyclical argument present throughout this thesis; it is necessary to understand how a woman experiences life before, and during imprisonment to then understand her experience of (re)integration. This argument is supported by a significant body of research (for example see Richie, 2001;

Covington, 2002; Chesney-Lind and Pasko, 2004; Carlen, 2008; Carlton and Segrave, 2009; Baldry, 2010; Malloch and McIvor, 2013) suggesting women enter and leave prison with the same issues and therefore the cycle of criminality, imprisonment and subsequent (re)integration continues. Presented in this chapter will be a statistical and theoretical overview of female offenders once they become involved within the CJS. This will include a look at both historical and contemporary statistics and perspectives from New Zealand. The chapter will begin by illustrating female offender apprehension, prosecution and conviction statistics, paying particular attention to the types of crimes that women commit and the sentences they receive for such crimes. With a greater understanding of the statistical facts, the chapter will go on to develop the theoretical arguments surrounding the treatment of women throughout the CJS process, related legislative changes, and the implications of such treatment and law on female offenders, including the subsequent rise in women's imprisonment rates.

### **Statistics at a Glance**

To develop a thorough statistical picture of how women are being processed through the criminal justice system, statistics provided on apprehensions, prosecutions, convictions and sentences by Statistics New Zealand were used. Due to the limited analysis provided on such statistics, further examination and analysis was conducted by the researcher to help ascertain a number of gender specific, population specific proportions and percentages needed to highlight key facts regarding women's imprisonment. Statistics New Zealand provides total number data analysis that does not allow for comparisons to be made across gender, offence types, convictions or sentences. As such, Appendix Four contains a more detailed gender analysis of the Statistics New Zealand data. This Appendix shows gendered comparisons for offence type and sentences received in New Zealand. Appendix Four also provides percentage ratios and proportions of individual and total populations for the thirty three years prior to 2013.

### ***Apprehensions***

In 2013, there were 185,627 total apprehensions made by police, a number that has significantly decreased from 2009 when there were 233,125 total offence apprehensions (Statistics New Zealand, 2013a). Of the total apprehensions made by police in the year to June 2013 (Statistics New Zealand, 2013a), females were linked to 38,581 (16.5%) offences, a number which has also been decreasing from 49,929 in 2010, 46,534 in 2011 and 44,110 in

2012. Of the total apprehensions, 12,345 were recorded within the Eastern District region of NZ (that covers the location of the primary research for this study) and, of these, 2,769 were offences by female offenders. This means that 22.4% of apprehensions in the Eastern District were of women (Statistics New Zealand, 2013a). It can be seen that female offender apprehension rates in this area are significantly higher than that of the total NZ population. Such information is significant to allocating resources and funding for (re)integrative services and provisions in the community.

The decrease in the total apprehension rate of female offenders can be seen across all offence categories, except for 'robbery, extortion and related offences'. With regard to this offence category, it should be noted that this rate only increased in relation to the 2012 statistics and had actually decreased on the 2010 and 2011 statistics. Also of note is the rarity of such crimes among women (see Appendix Four/One and Appendix Four/Three) and therefore small shifts can be seen to greatly affect overall rates. A Statistics New Zealand document detailing patterns of police apprehensions for the years 2005/2006 to 2008/2009 was released in 2010 (Statistics New Zealand, 2010). This report found there to be a 4:1 ratio of male to female offending at a national level. When comparing the offence based female offender apprehensions with those of male offender apprehensions, the proportion of female offender apprehensions increased to its greatest point (26% female) for dishonesty offence and decreased to 2% for sexual offences (Statistics New Zealand, 2010). These statistics align with feminist criminological arguments, discussed in the next section, which detail women's criminality to be of a less serious, less violent and less sexual nature than that of men.

### ***Prosecutions***

As seen with the apprehension statistics, the number of people prosecuted (95,429) within the 2012/2013 fiscal year have significantly decreased from 125,017 in 2009/2010, 112,019 in 2010/2011 and 102,530 in 2011/2012 (Statistics New Zealand, 2013b). Similarly, the number of prosecuted charges has also decreased within this time period from 331,042 in 2009/2010 to 260,871 in 2012/2013 (ibid). Unfortunately, the data provided for prosecutions does not include any analysis of gender and therefore outcomes of and comparisons with female offender apprehensions are unable to be accurately determined.



### **Convictions**

Of the 98,783 people prosecuted in the 2012/2013 year, 77,906 were convicted with a total of 77,396 sentences being received<sup>4</sup> (Statistics New Zealand, 2013b and 2013c). Of the 260,871 prosecuted charges in the 2012/2013 year, 190,155 resulted in convictions (Statistics New Zealand, 2013c). In 2012/2013, 22% or 17,253 people convicted after prosecution were female (Statistics New Zealand, 2013c), a significant increase from the total offender apprehension rate of 16.5% for females in 2012/13 (Statistics New Zealand, 2013a). Without further statistical analysis of contextual information, that is unavailable from Statistics New Zealand, the New Zealand Police, the Ministry of Justice or the Department of Corrections, why this increase occurs between apprehension and conviction is unknown.

### **Sentences**

In 2012/2013, female sentences of imprisonment accounted for 9.34% of all imprisonment sentences (Appendix Four/One and Statistics New Zealand, 2013c). In 1980/1981 the proportion of female imprisonment sentences was 6.2% and remained stable at 6.3% in 1990/1991. In the two decades since then however this has increased significantly reaching 8.8% in 2000 and 10.3% in 2010/2011. In 2012/2013 this proportion has decreased along with all crime statistics to 9.34%<sup>5</sup> (Statistics New Zealand, 2013c).

Of the total sentences received (17,253) in the 2012/2013 year, the breakdown of the proportion of sentence type received by the female offender population was as follows: 34.02% 'Fines', 24.41% 'Community Work', 8.14% 'Conviction and Discharge', 7.27% 'Community Detention', 5.30% 'Reparation/Restitution', 5.02% 'Supervision by Community Corrections', 4.3% 'Other', 4.11% 'Custodial Sentences', 4% 'Home Detention', 1.72% 'Intensive Supervision' and 1.6% 'Disqualified from Driving' (Appendix Four and Statistics New Zealand, 2013c)<sup>6</sup>. For a comparison of gender differences across sentence types see Appendix Four/One.

When sentences of imprisonment (including life imprisonment) are examined, it can be seen that the largest proportion of female offender imprisonment sentences (21%) are for 'Offences Against Justice Procedures, Government Security and Governmental Operations'.

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<sup>4</sup> Total sentences received excludes the number of Unknown/Corporation gender category. This was done to provide a clear comparison of female and male offenders known to the Department of Corrections.

<sup>5</sup> Further analysis of the Statistics New Zealand (2013c) data was needed to ascertain specific gender imprisonment sentence proportions.

<sup>6</sup> Further analysis of the Statistics New Zealand (2013c) data was needed to ascertain the proportion of sentence types received by the female offender population.

Other proportions are as follows: 15.24% 'Theft and Related Offences', 11.53% 'Illicit drug Offences', 11.4% 'Acts Intended to Cause Injury', 10.61% 'Fraud, Deception and Related Offences', 10.39% 'Traffic and Vehicle Regulatory Offences', 8.26% 'Unlawful entry with Intent/Burglary, Break and Enter', 3.41% 'Robbery, Extortion and Related Offences', 1.85% 'Dangerous or Negligent Acts Endangering Persons', 1.70% 'Property Damage and Environmental Pollution', 1.28% 'Abduction, Harassment and Other Offences Against the Person', 1.13% 'Homicide', 0.71% 'Prohibited and Regulated Weapons and Explosive Offences' and 0.56% for both 'Sexual Assault and Related Offences', and 'Public Disorder'.

When an examination of what women are being imprisoned for over a thirty year period is conducted (see Appendix Four), the statistics suggest that women's crimes have not changed. The proportions of offences that contribute to sentences of imprisonment have remained stable and consistent since 1980. This provides evidence that political rhetoric and penal populism suggesting that there are increasingly more violent female offenders is unsupported (Appendix Four/One, Appendix Four/Two and Appendix Four/Three also provides analysis of male offence proportions for imprisonment sentences).

The statistics provided regarding the sentences received by the female offender population show a number of key findings. Firstly, although the proportion of the female prison population has not significantly increased, the proportion of imprisonment sentences women receive has. Such findings provide evidence of the high use of short term prison sentences received by women that will be discussed in the next chapter. Second, community sentences used as an alternative to imprisonment such as Home Detention and Supervision by Community Corrections are currently not often used for female offenders however they constitute a large proportion of the sentences received by men (see Appendix Four/Two). Further analysis of how such sentences correlate with offence types is needed to determine whether this is a reflection of women's involvement in less serious, less violent crimes. Lastly, examination of the offence types women commit when receiving sentences of imprisonment reveals that women are being sentenced to imprisonment for reasons other than the crime they have committed. This finding reflects what Carlen and Tombs (2006) describe as a reaction to risk-based frameworks which redefine women as 'risky' based on their social, economic and political situation rather than their crimes.

## **Theoretical Discussion**

As can be seen from New Zealand statistics regarding criminal apprehensions, prosecutions, convictions and sentences, a very small number of women (compared with men) are processed through the CJS. Although this has been the case historically and today, Western countries have seen a significant increase in the use of imprisonment sentences for female offenders that does not correspond with the stabilised proportion of women being processed within the CJS. There is no significant evidence to suggest that women's treatment within the CJS is an inevitable result of female offenders becoming more violent or engaging in more serious crimes. Indeed, from recent statistics, it would appear that over a fifth of all imprisonment sentences are linked to 'Offences against Justice'. This indicates that many women are being sent to prison for their lack of conformity to previous punishment and monitoring processes, rather than for their serious offending per se. As such, it is useful to consider the historically-derived perspectives and techniques of legitimacy used to justify female imprisonment today.

As shown in the previous chapter, the terms chivalry and double deviance have been prominent within criminological discussions relating to female crime and the sentencing of female offenders. Such perspectives have either argued that women have been treated more leniently or more harshly within the CJS than their male counter-parts. The idea of chivalrous treatment of female offenders is described by Smith and Natalier (2005) as a power imbalance whereby men seek to control and protect women due to women being seen as the weaker, submissive sex. This perspective advances that women have reduced individual responsibility for criminal activity. This point is further illustrated by Rodriguez, Curry and Lee (2006) who state that women were viewed as child-like and erratic and therefore in need of a man to save them. Chivalrous approaches should therefore attempt to minimise women's pain rather than punish them. Rodriguez, Curry and Lee (2006) discuss the preferential lenient treatment women receive at all stages of the CJS when officials such as police officers, prosecutors and judges are male, however they further indicate that such treatment only occurs when feminine characteristics and traditional stereotypes of womanhood are upheld by the individual woman (a sentiment further described by scholars such as Carlen 1983; Carlen and Worrall, 2004; Chesney-Lind and Eliason, 2006). For example, Carlen (1983) found married women to receive leniency due to the expectation that husbands could control women informally, as well as finding that 'good mothers' were less likely to receive custodial sentences compared with those deemed 'unfit'. Such findings suggest that female

criminality is not solely judged on the criminal act committed by a woman, but instead with reference to gender typologies (Smith and Natalier, 2005). This deviance defining process of women is described by Carlen (2002) as 'double deviance' due to women being subject to treatment based on their defiance of criminal law and their defiance of traditional constructions of femininity (for further reading on the historical treatment of women throughout the criminal justice system and sentencing perspectives see Zedner, 1991; Rafter, 1983, 1985 and Gelsthorpe, 2004).

In more recent years, the use of discretion in sentencing has become less prominent, especially for more serious offending whereby minimum sentence requirements have been set for the judiciary. However, the rise of risk assessment tools within the CJS has seen an increase in the variables used to assess an offender's risk to society and their potential for re-offending. Such tools have arguably seen a rebirthing of chivalrous ideology which stems from the redefining of women's needs (those which lead women to criminality) to that of criminogenic risk factors that legitimise the need for custodial sentences (Carlen and Tombs, 2006: 345).

From the statistics outlined above it can be seen that women receive a significantly larger proportion of custodial and non-custodial community sentences than twenty years ago. Carlen and Tombs (2006) argue that the increased demand and use of 'tough', 'harsh' community sentences has played a significant role in the increase seen across the Western world in female prison populations. In the case of New Zealand, Sheehan, McIvor and Trotter (2007) make note of the changes in the use of custodial sentences up to 2004. They found that, although the female prisoner proportion has remained stable, there had been a 113% increase in the female prisoner population compared to a 30% increase in the male prisoner population from 2000/2001 to 2004/2005. This increase was even more significant when focussing on those remanded in custody which, over the period ten year period from 1994/1995 to 2004/2005, saw a 387% increase for women compared to a 147% increase for men. They suggest, along with Tolmie (2007), that the Sentencing Act 2002 played a significant role in these increases of remand and imprisonment, especially for women.

The Sentencing Act 2002 saw the abolition of suspended sentences in New Zealand which disproportionately affected women (Tolmie, 2007). Prior to the Act, women tended to receive a proportionately higher number of suspended sentences due to female offenders being convicted for first time offences, committing minor offences, being responsible for dependent

children and being less likely to re-offend. Although such factors are unchanged, the Sentencing Act 2002 meant that women who previously would have received a suspended sentence now receive a sentence of imprisonment due to a lack of alternatives. Unfortunately this has contributed to a greater number of first time female offenders who have committed minor crimes such as theft, property, traffic and vehicle and fraud being sentenced to a custodial sentence. Evidence of such is provided in statistics showing an increase from 554 sentences of imprisonment for women in 2001/2002 to 731 in 2002/2003, 929 in 2003/2004, 944 in 2004/2005 and a peak of 1,038 in 2006/2007 before declining to 702 by 2012/2013 (see Appendix Four/Two). Kingi (2002, 2009) describes how these crimes often reflect the economic marginalisation endured by women, as well as being related to the social vulnerabilities that woman experience throughout their lives.

Another factor that may have a direct effect on female offending sentencing is the punitive stance taken towards non-custodial sentences. Community sentences are increasingly influenced by a 'get tough on crime' rhetoric (Carlen and Tombs, 2006) – a point, highlighted in New Zealand, with the recent introduction and rise of sentences such as 'Home Detention', 'Community Detention' and 'Intensive Supervision', and the decline in the use of sentences such as 'Community Work'. Malloch and McIvor (2013) illustrate the way in which community sentences, although a better option for women, have not been tailored to address gender differences in offenders. In addition, these sentences regularly lack the appropriate resources to address women's offending and, as such, have seen female offenders being ultimately punished with imprisonment sentences due to breached community sanctions. This is evident in NZ with the high percentage of women (21%) being sentenced to imprisonment during 2012/2013 for 'Offences Against Justice Procedures, Government Security and Government Operations'. Carlen and Tombs (2006), and Malloch and McIvor (2013), argue that although community sentences have become more available, they are not appropriately tailored to women and they are unequally harsh and intrusive for female offenders. Due to women's high addiction, mental health and violence prevention needs, as well as their childcare and financial needs, women on community sentences undergo more intrusive and extensive surveillance and have to complete a myriad of sanctions on top of their sentence that men are often not subjected to (Pollack, 2010).

Statistics show that a higher percentage of the female prisoner population (21%) have received sentences due to breaches, compared with men (14.8%) (see Appendix Four/Two and Statistics New Zealand, 2013c). This high proportion of females when compared to men

can be evidenced as increasing since 2005 (see Appendix Four/Two), with more significant increases to women's rates coinciding with the introduction of Intensive Supervision, Home Detention and Community Detention in 2006. Sentencing statistics (Statistics New Zealand, 2013c) and Appendix Four's further gender analysis, provide evidence of the lack of use of these community sentences for women and provide evidence supporting Carlen and Tombs (2006) who describe such sentences as being seen to be too tough for women and imprisonment as more beneficial. It should also be noted that, due to women's needs being unmet in the community, these women are then sent to prison with the same problems and vulnerabilities that are linked to their offending pathways (discussed above).

Building on from the inappropriateness and under-resourcing of current community sentences is a key argument regarding how judges legitimise giving women sentences of imprisonment even when their criminal offence could warrant a lesser punishment. For instance, Carlen and Tombs (2006) have found an increase of in-prison cognitive-behavioural, psychological programmes that are designed to address offender's criminogenic risk factors. With women's needs being redefined as 'risk factors', many sentencers believe that if women's rehabilitative needs are going to be met, prison is the only place to send them (Sheehan, 2013). Sheehan (2013) argues that women have become disadvantaged during sentencing as risk based paradigms tend to rate women's complex array of needs as high risk, in a system that implements punishment within a risk spectrum. Therefore, women become punished for their needs that have classified them as high risk, not for the offences they have committed. Tombs (2004) found that those sentencing women believed prison to be most effective place to address women's needs. She also outlined that, due to the assessment tools used, a legitimisation process occurred for sentences in which the incarceration of women who commit minor offences was accepted.

Not only did sentencers legitimise the use of imprisonment sentences for women, on the basis that prisons were able to provide therapeutic services that the community could not (a point further discussed and critiqued in the next chapter), they provided explanations eluding to their own 'chivalrous' motives. For example, judges spoke of "not being in the business of setting people up to fail" (Carlen and Tombs, 2006: 347) and arguing that it was often in the woman's best interest to go to prison as it would provide her with respite from addiction issues, as well as violence she may be enduring while in the community. Unfortunately, as Carlen and Tombs (2006: 340) articulate, "a prison is a prison" and "if indeed prisons were not multifunctional, it would not have been so easy for governments to justify the

disproportionate locking away of the poor, the sick and the stranger”. Hannah-Moffat (2010) concurs, and adds that there needs to be a shift away from risk management models that legitimise imprisonment due to women’s complex vulnerabilities and inequalities.

## **Conclusion**

This chapter has provided an analysis of New Zealand statistics on female offender apprehensions, prosecutions, convictions and sentences, with specific attention paid to the use of imprisonment as a sentence. It supports the view that women’s crimes are a reflection of their life experiences prior to criminal activity, as was seen in Chapter Three, and that those same experiences of abuse, addiction, trauma, low education, unstable family environments and social, economic and political deprivation are also used to determine the types of sentences they receive. This is significant when discussing female offenders, as women’s imprisonment has been increasing at a far greater rate than that of men even though there is no clear evidence to suggest this is a result of increased or more serious female crime.

The brief overview of the academic debates surrounding women’s sentencing and the subsequent increase in women’s imprisonment highlights a number of key issues that may have directly affected this trend: (i) a ‘get tough’ community sentence rhetoric; (ii) legislative changes such as the Sentencing Act 2002; (iii) criminal justice officials engaging in new forms of chivalry and; (iv) the use of risk management tools that redefine women’s needs and experiences as risk factors. As a result of these changes, prisons (that have been established and designed to punish) become a ‘service provider’ that is ill-equipped and cannot appropriately deal with the complex addiction, victimisation and mental health needs that women who commit crime have. Female offenders arrive at the prison doors with a range of other issues, including financial instability, limited education and work skills, socio-cultural marginalisation and the stress of separation from family/whānau. The next chapter addresses these issues further, with discussion on imprisonment and women’s experiences of prison.

## **Chapter Five: A Woman's Place in the Penal Institution**

Historical accounts of female incarceration are consistently expressed through discourses of inequality, differential treatment, inhumane conditions and neglect (Heidensohn, 1985; Dobash, Dobash and Gutteridge, 1986; Rafter, 1985; Easta, 1992; Hannah Moffat, 1995; Pollock, 1999; Pimlott and Sarri, 2002; Carlen and Worrall, 2004; McKenzie, 2004; Blanchett and Brown, 2006; Newbold, 2007). Female crime, criminality and punishment were for the most part forgotten, being of low priority arguably due to the “one universally accepted fact about crime – men commit more crime than women” (Blanchett and Brown, 2006: 3). As women constitute a small proportion of those sentenced to prison, many penal systems have developed in a male-centred way, giving attention to the changing pressures and issues arising within male institutions (Covington and Bloom, 2003; Carlen and Worrall, 2004; Newbold, 2007). This has meant that women's imprisonment has been directed by ideologies, policies and regimes designed and implemented for men. Such effects are important to unravel if the gendered experiences of imprisonment are to be understood. Notions of power and ‘maleness’ are central to findings of how women leave prison and go on to navigate (re)integration. It is argued throughout this chapter that a woman's experiences prior to and during prison will have a significant impact on the way (re)integration is experienced. It is also proposed that the prison system is currently ill-equipped to deal with gender-specific, female pathways to criminality and that risk management tools have helped to maintain women's involvement within the CJS.

This chapter begins with a brief overview of the development of female prisons. This is done to highlight some of the key injustices and themes that have remained a prevalent feature of women's experiences of incarceration. Next, the current NZ female prison population will be examined, and the characteristics of the research participants will be outlined. Drawing on research findings and local literature, the chapter will then go on to discuss the broader treatment and experiences of female prison populations. Particular focus will be paid to four themes that were regularly highlighted by research respondents: risk assessment, in-prison programmes, the pains of imprisonment, and preparing for release. With 48% of recidivist women returning to prison within four years of their release, it is important that research provides a holistic view and is able to critique the policies and practices within female prisons alongside women's own experiences of being imprisoned. Such perspectives can help



advance understanding of what female prisoners need, the effects of current practices towards them, and the importance of beginning processes of (re)integration prior to release.

### **The Advent of Female Prisons: A Brief Overview**

Narratives of the history of female imprisonment from the United Kingdom (UK) (Carlen and Worrall, 2004), the United States of America (USA) (Rafter, 1990), Canada (Hannah-Moffat, 1995) and Australia (Easteal, 1992) all illustrate women's imprisonment beginning within the confines of male prisons. The situation for female prisoners in colonial New Zealand (NZ), from the 1840s, greatly resembles that previously found overseas (Mckenzie, 2004; Newbold, 2006). Literature pertaining to the advent of women's prisons is relatively scarce in NZ (Mckenzie, 2004; Taylor, 2004; Newbold, 2006) however, from what is available, similar international themes of isolation, neglect and male dominance can be found.

Mckenzie (2004) found evidence of women in prisons in 1842, when a Chief Police Magistrate selected a matron to care for female prisoners. Reports also documented how women were to be employed in the domestic sphere through laundry and the mending of other prisoners' clothes (Mckenzie, 2004). This type of policy reflects the ideologies of femininity and domesticisation that have permeated procedures and literature on women's crime, punishment and subsequent imprisonment (Robinson, 1983; Carlen, 1983; Carlen and Worrall, 2004). Until the 1860s, there had been little attempt in NZ to provide special provisions for female prisoners and separation was not standard procedure (Newbold, 2007). The first separate wing for women was established in 1850 at Auckland prison (McKenzie, 2004), however in other areas women were often held in solitary confinement as a means of segregation and had little, if any, access to staff, work or provisions (Newbold, 2007). From here, the first primarily female prison, Addington, was established in Christchurch in 1871, but by 1872 this had become for the most-part a male prison (Newbold, 2007). Mckenzie (2004) identifies 1913 as the year that Addington re-opened as a female prison and was declared a reformatory, following penal ideologies for women in England and the USA.

During the 19<sup>th</sup> Century, reformatories for women were established in England and the USA as a form of domestic training for those women seen to have 'fallen from grace' (Barton, 2005). Women, who were categorised as 'savable' received reformatory sentences, whereas those not suited, were sentenced to custodial imprisonment. Such practices were a continuation of the leniency or double deviance, described above, whereby a woman's sentence and punishment was discretionally linked to her marital status, mothering abilities or

ethnicity as well as her criminal behaviour (for further reading on the history of female imprisonment see: Rafter, 1983,1985; Zedner, 1991; Carlen, 1983, 2002; and Carlen and Worrall, 2004). Reformatory provided domestic training in the form of house making duties, cosmetics and other activities deemed to provide women with the skills needed to fulfil their traditional gender roles. Such eligible women were seen to be child-like, erratic and in need of womanly teachings (Rafter, 1985, Gelsthorpe, 2004). Custodial prisons, on the other hand, received women of ethnic minorities, those defying feminine traditions, and those deemed masculine in looks and nature. The women, here, were subjected to labour intensive punishment regimes and overcrowded, poorly ventilated cells (Rafter, 1985, Zedner, 1991). These women were deemed irreparable, and although they had commonly committed similar crimes to those women in reformatories, they were deemed unworthy of intervention (ibid).

Today, New Zealand has three female prisons, each located at great geographical distance from each other; there are also 16 male prisons (Department of Corrections, 2013). Although reformatories no longer exist, the premise of feminine training can still be viewed within the work opportunities provided to women. The ‘femininity’ of prisons for women is portrayed through the pastel colour paint scheme, the women being called ‘girls’ and the attention paid to the work industries of cooking, laundry and sewing. However, as will be seen later in this chapter, women prisoners are subject to intensive supervision and surveillance under the remit of risk management. Further, the prison estate has not developed to substantively address the gender-specific needs of the women who are sentenced to custody. In this respect, they remain ill-equipped to deal with women’s offending and (re)integration.

### **Recap: Female prison population**

As presented in Chapters One to Three, there are a number of characteristics shared among the female offender and prisoner population that directly affect their life experiences as well as their experiences within the CJS. Unfortunately, New Zealand statistics tend to be maintained at a total prisoner population level and provide very limited information or analysis by gender. As a result, the 2003 Census of Prison Inmates and Home Detainees (Department of Corrections, 2003) is the most current statistical analysis available that provides contextual information at a gendered, ethnic and age related level about the population of prisoners in New Zealand.

Statistical analysis of female prison populations around the world have shown rates of female imprisonment to be increasing. In the past 15 years much attention has been drawn to the

substantial growth in female prison populations that has far exceeded the growth rate of male prison populations. Through the Department of Corrections website, snapshots of the female prison population could be examined from 1991 up to 2013<sup>7</sup>. In 1991, NZ had a female prison population (sentenced and remanded prisoners) of 154, increasing to 165 in 1995, 220 in 1997, 230 in 1999, 234 in 2001, 335 in 2003 and 558 in 2010. More recently, the September 2013 'Prison facts and statistics' (Department of Corrections, 2013a) shows the female prisoner population to have declined to 513 (414 sentenced and 98 remand women in prison), which, as discussed previously, corresponds with falling apprehension, prosecution and conviction rates (Statistics New Zealand, 2013a, 2013b, 2013c).

The growth rate within female prisons over the past two decades is even more acute when focusing on the 'remand' female prison population. Growth rates of both sentenced and remand female prisoners have been explained by the use of risk management tools which classify women's needs as high risk factors for re-offending (Carlen, 2003; Carlen and Tombs, 2006). As such, the incarceration of women, on remand or on sentence, is legitimised as a way to prevent the risk of re-offending. As seen in the previous chapter, more women are receiving imprisonment sentences for 'breaches' than men even though the proportion of female 'Offences Against Justice Procedures, Government Security And Government Operations' has remained stable for 30 years. Carlen and Tombs (2006) argue that the growth of psychological profiling and risk management tools is the main explanation for increases in female prison populations.

Within the growing female prison population, Māori women continue to be over-represented with over half of women in NZ prisons identifying as Māori. Although Māori comprise only 14.9% of the total population (Statistics New Zealand, 2013d), Māori constitute 50.9% of the total prison population and approximately 60% of the female prison population (Department of Corrections, 2010a). European women make-up approximately 29% of women in prison, followed by Pacific people at approximately 3%, Asian 4% and other or unknown 2%. The ethnic make-up of the female prison population has remained fairly stable since 1991, with Māori women having consistently high rates of over-representation. Arguments surrounding the over-representation of female ethnic minorities in prison return to ideas of double or triple deviance and selective chivalry (Covington and Bloom, 2003; Carlen and Worrall, 2004) within the criminal justice system. Such arguments become entwined with those described by

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<sup>7</sup> Statistics dating back to 1991 are no longer available due to recent changes made to the Department of Corrections website.

McIntosh (2011), who argues women's crime to be a reaction to and a reflection of economic deprivation, social marginalisation, abuse and addiction (see also Quince, 2008).

First time offenders make-up a greater proportion of the total female prison population than is true for the male prison population (Department of Corrections, 2001, 2003). Unfortunately up to date data regarding prisoner offending and sentencing history is no longer available. Decade old data reveals that women are more likely than men to receive a sentence of imprisonment for first time offences having received no prior sentences. A 2001 report to the Minister (Department of Corrections, 2001) identifies that 25% of women compared to 17% of men receive imprisonment sentences for first time offences. The 2003 Census of Prison Inmates and Home Detainees (Department of Corrections, 2003) found this to have increased to 34% of women and 21.4% of men receiving first time offence imprisonment sentences. An interesting reflection on these statistics was that the highest proportion of men was imprisoned after one to ten previous sentences however for women they were more likely to have had no previous sentences. Such findings further provide a critique of chivalry and leniency arguments around women's sentencing (Gelsthorpe, 2004).

Many feminists (Dobash, Dobash and Gutteridge, 1986; Eastaer, 1992; Hannah-Moffat, 2001; Carlen, 2002; Chesney-Lind and Pasko, 2004; Balfour and Comack, 2006) also question the use of imprisonment for women as their offending is less serious and they often have a shorter offending longevity. Offence histories and severity would suggest that women present a lesser risk to society than their male counterparts. Furthermore, as Carlen (2008) notes, women's imprisonment is often regularly justified with the argument that it can provide respite for women suffering from abuse and addiction issues in the community. It seems, therefore, that incarceration for less serious offending, by women with less prolific offending histories, can be justified on perceived 'welfare' grounds.

Although findings suggest that women are increasingly entering prison due to their 'needs', female prisoners tend to receive short sentences that provide extremely limited access to services. Baldry (2010) describes those women receiving short sentences as more likely to have mental health issues, and to be those who cycle in and out of prison, have high recidivism rates and high breaching rates. Arguing about the injustice and ineffectiveness of short sentences does not however suggest advocacy of longer sentences for women, rather it provides an argument for the abolition of imprisonment for women and the prioritising of resources and funding within community settings. From the current research, all nine women

interviewed had received sentences of three months or less. Further to this, eight of the nine women had received between two and six further sentences that ranged in length from three months to three years. Also providing support for the above are the recidivism rates and re-imprisonment rates of female offenders illustrated in Chapter One. These statistics, along with other literature, suggest that prisons can often exacerbate women's problems due to their anti-therapeutic nature (National Health Committee, 2008). As will be seen below, women's needs are often not met within the current system, therefore female offenders leave prison with the same issues they arrived with as well as those which have developed in prison. This is combined with the added stigma and marginalisation of a prison record.

### **The Female Prison: Geography, Security and Surveillance**

This section describes the experience of female prisoners at a broad level, with a particular focus on the issues of geographical location, isolation, security and surveillance, population size, stigmatisation and support. This will be followed by a section that explores the provisions for women in prison, and their effectiveness in addressing women's 'risk factors' and pending (re)integrative needs.

First and foremost, prison is a place of punishment whereby even the architecture produces connotations of intimidation and fear through the visibility of security and surveillance tools. Women's prisons are less visible and geographically more isolated than men's prisons (Carlen and Worrall, 2004). Due to their small numbers, women tend to be in prisons a great distance from their families and friends, creating a loss of connections with the outside world (Dobash, Dobash and Gutteridge, 1986). This geographical isolation is greatly significant in New Zealand where female prisons are located in Auckland (the top of the north island), Wellington (the bottom of the north island) and Christchurch (the middle of the south island). Feminist criminologists argue that women are disproportionately disadvantaged by this isolation, particularly as women are significantly more dependent on social relationships (Carlen, 1983; Carlen, 2002; Carlen and Worrall, 2004; Hannah-Moffat, 2004). This was confirmed by many of the respondents to this research:

I think it's even more severe, because women by nature are nurturers and if they can't have that regular physical contact with children in particular -- How on earth are these women going to change their behaviour, or even look at addressing the behaviour, if they're not having that? -- I don't know -- that, yeah, that emotional attachment to somebody who cares and loves them (Louise).

Given the geographical isolation of female prisons, family and friends often have to travel great distances and spend significant amounts of money to visit women for an hour. This is particularly the case for those visiting from the Hawkes Bay, the location of this research. As a result, many families cannot afford the travel and accommodation costs that visiting incurs and are unable to visit women while they are serving their sentence. Research suggests (Carlen and Worrall, 2004; Maidment, 2006, Malin, 2007) that while men are in prison, women tend to keep relationships strong by visiting often, however women in prison tend to receive fewer visitors. Consequently, phone calls and letters become a significant part of a woman's day to day life in prison. With limited communication and support from the outside world, women's relationships can become strained and difficult to rebuild upon their release from prison (Richie, 2001; Carlen and Worrall, 2004). During interviews many women described the difficulty they had in maintaining family relationships while in prison. This was hard as a result of location but also due to the effect it had on them mentally:

I had some contact with my family -- My mum especially, she was sending me cards and money and, you know, and the phone calls. The phone, the visits, the cards, the letters. I didn't like to talk to my daughter, because every time I spoke to her on the phone, she was crying all the time, yeah, so I tried to, you know, stop from ringing her, and it was better that I rang mum and dad, and just let them know that I was doing alright. But I tried not to ring [my daughter] because of her being upset all the time. It was like I had died, kind of thing. Because the way she cried was like a tangi, like...I had passed away (Rochelle).

The size and geographical location of women's prisons also affects the opportunities and access to services and provisions for women in prison. Medical staff, programme facilitators, and work industries staff tend to be housed within male prisons, with women only receiving short-term or allocated time slots to access them. Women who took part in this research described not being able to see a doctor when needed and not being able to participate in programmes or work industries due to availability, resourcing or eligibility:

No, you couldn't just go and see them [the doctor]. We had to fill in a form so you're waiting to get seen. You had to wait for like, oh man, about a week to actually get seen by them, and then you're either dead or you're hospitalised or you've gotten over whatever what was wrong with you. It's really slow (Stacey).

Susan who has worked with women upon release described a local initiative whereby numerous NGO agencies collaborated to provide a support service to men coming out of Spring Hill prison. She highlights geography as a barrier to such initiatives being available to women:

It was good. Everyone was on board, we started these monthly meetings, and they worked really, really well, so that before somebody came out, there was some support in place with the community. But again that could only happen for the males coming. It was just a local initiative you see so the distance really is a big barrier, it definitely is (Susan).

It is apparent that women are disadvantaged in their access to family, whanau, friends and support networks as a consequence of the current location of penal establishments. In addition, due to the small number of women in prison, many argue that female prisoners are subjected to more intensive security and surveillance. Carlen (1983) described how female prisoners are more closely supervised and controlled by officers because small numbers and small areas allow for more intensive oversight. Wright, Salisbury and Van Voorhis (2007) also found there to be a greater scrutiny of female prisoners by officers, due to their easy identification and officer's ability to enforce more rules. Officers may justify this greater surveillance of female prisoners as they view that women are more difficult to deal with, as they ask more questions and can be emotionally challenging (Lashlie, 2010).

The number of female prisoners means that all prisoner classification levels tend to be imprisoned within close proximity, in the same prison. Parker (2007) argues that, as a result, all women are subjected to the highest level of security irrespective of their own security classification level. In addition, women receiving short sentences or on remand tend to spend a significant amount of time in maximum security divisions within the prison due to initial induction classifications that deem women to be in greater need of surveillance (Baldry, 2010) – an illustration, again, of how needs on arrival can be re-designated as 'risks' (Carlen and Tombs, 2006). Therefore women tend to be exposed to greater levels of security and surveillance as well as being unable to access treatment, education and work programmes. Limited access to programmes can be seen as paradoxical to the justifications given by sentencers for sending women to prison for minor crimes as a result of their 'risk' to themselves and society. Women interviewed provide some understanding of how the classification system affects them and others in prison:

It's up to them to re-class you and it's like, "Oh, no, well, she hasn't changed". Well, of course she hasn't changed. Youse haven't given her that time to let her change [or] used those programmes that are there for people to change. You just haven't given her that opportunity, and it's like, "Man, where's the justice here?" (Christina).

Maxie, which I always end in, you get fuck all courses, because you're in maximum security, and they have a -- they do a risk evaluation on you, like to see if I'm a danger for them or, like if they're in danger being around me. Yeah, so when you're on maxie, you don't really do much courses, so you've got to try and behave to do a course and get out. It works like that (Monique).

Not only is it argued that women receive more intensive security and surveillance while in prison, Chesney-Lind and Pasko (2004) also suggest that women are more adversely affected by security and surveillance measures than male prisoners. Strip searches, visitation regulations and prison rules often create further isolation and produce fear, anxiety and depression in female prisoners (McCulloch and George, 2009). Women who enter prison have often been subjected to physical, sexual and emotional abuse at the hands of parents, family or spouses. Continual searches are seen to be a re-victimisation of women who are already coping with the effects of abuse. Within interviews such effects were discussed, alongside the way in which protocols actually prevented women from wanting or receiving visits:

We had to be prepared for the strip-search after a visit. The strip-search is embarrassing too the first time, yeah, you feel abused ... Then the inmates actually explain to you it's going to happen to you every time you have a visit and then at first you say you don't want another visit. X didn't come back and visit me until like a week before I got out after that (Rochelle).

Visiting regulations also prohibited women from physical contact with children, family and friends due to the possibility of contraband being passed. Although men are subjected to the same regulations, many argue (Carlen, 2002; Chesney-Lind and Pasko, 2004; Parker, 2007; Wright, Salisbury and Van Voorhis, 2007) that women are more greatly affected by these rules, due to their personal identities being tied to their social roles as mothers, daughters, sisters or partners. Women generally engage in wider social relationships than men, and these relationships are often prohibited within a punitive environment. Security regulations conflict



with the (re)habilitative goals within female prisons that promote traditional gender stereotyping of womanliness and appropriate female behaviour (Rowe, 2011).

### **Women's Reflections of Imprisonment**

A consistent finding throughout the research was the normalisation of going to prison. McIntosh (2011) highlighted that young Māori women have knowledge of incarceration long before their own imprisonment and, as such, although prison is viewed negatively it is also viewed as a normal and accepted part of life. The following interview quotes illustrate women's thoughts on going to prison:

I knew I was going to prison from five years old because my family is known to the police. They target you because of the gang, even as kids they are always questioning you, trying to find some reason to get involved (Monique).

My dad's been, my sisters have been. I knew I would go, it's part of life (Danielle).

I really didn't care if I was going to go prison. I was quite happy to go, there was no stress in there. At that time, I had no responsibilities so it didn't bother me. As I got older and the lags got longer, you know, I started realising and I had responsibilities at the time, that's when I started feeling things because of my children. I was like, "Man, you know, I've got to change my ways". You know, my mum started getting sick, and it's pretty hard dealing with things when you're locked up, and there's situations going on on the outside for you (Stacey).

I just felt that that was the way life was, and that's just -- you just suck it up, and that's the way it is. You know, I kind of had the view that was the hand that was dealt to me in life, and I had to just suck it up and get on with it, and deal with things as best I could. That was just the way I thought about stuff (Louise).

Such statements reflect the normalisation of criminal justice involvement and imprisonment within women's lives. Women spoke of dysfunction, marginalisation and stigma from an early age and of feeling excluded and branded by society prior to criminal justice intervention which led them to view criminal justice punishment as a normal life occurrence. Many interviewees spoke of some form of state intervention in their childhood which illustrates ideas of transcarceration, described by Carlen and Tombs (2006) and Carlen (2008) in which women experience multiple forms of incarceration across decades – including family homes, youth facilities, mental health institutions and prisons. The findings from this research

suggest that once women become entwined in state intervention at a young age, prison becomes the normal next step in their lives.

Women spoke of childhood interventions being ineffective and they discussed not receiving the help or support they needed:

I was placed into a private home there, and we had two shifts, like women would come in the day, and then one would stay at night, but I never really understood why I was there, just that I was being supervised and I couldn't understand why it kept happening because no one talked to me about anything like that, I didn't know. At 17 they released care of me, but they weren't a help or anything. They didn't do anything for me. I think had they have helped, I don't think I would have had all these children at such a young age or been to jail so many times.

As such, women entered prison with an array of problems from addiction, abuse and health battles to financial, familial and educational instability. They were also very frightened and shocked on arrival:

I remember that time, I was like really scared of going to jail. The unknown sort of thing, you know, it is quite daunting. Yeah, I didn't like it at all. I cried all the way there. I was just like, "Ah man, just put me out of my misery", and yeah I did not like it (Nikki).

I was scared. I sat in 'At Risk' crying for three days. But it wasn't the fact I was going to jail, it was the fact that I had left my baby out here and I was breastfeeding. My baby was only two months old (Danielle).

I absolutely shat myself, I was terrified...I was absolutely terrified my first time in there I was yeah really, really terrified. I was scared. Just about being beaten and just not knowing what was in there, what was going to happen. I was thrown straight into high security and even though my door was locked I was still sitting up against the door with my feet up against the bed thinking that someone was going to break my door down (Marie).

I wasn't really worried. I was just shocked that I fucking was in jail, and I didn't get a fair chance. That's why I hate the fucking government, that's how I feel. They didn't give me a chance, because who the fuck sends a 15 year old to jail? (Monique).

Women did however describe that they quickly realised that they needed to ‘get through their time’. It was also found that women talked about the prison environment as providing them with respite and at times a better life than they had living in the community – they had no money worries, three meals a day and other women to talk to who shared many of their own lived experiences.

Once in prison, women felt that their issues were not adequately addressed and that the punishment of prison would not, could not and did not help them to become a more integrated part of society. A number of key themes, developed throughout the interviews, of what the prison system provided women in terms of help and support that would ensure desistance from crime once released. Themes of sentence length, programmes, work, risk management and pre-release support were found to be significantly linked to how women reflected upon their experiences of (re)integration.

Prison systems often claim to not only punish offenders but to reform offenders and return them to society as contributing citizens. The New Zealand Department of Corrections provides a number of treatment programmes, work opportunities and educational training that aim to (re)habilitate offenders (Department of Corrections, 2013b, 2013c, 2013d, 2013e). Although such services are designed and implemented, women’s experiences of them illustrate difficulties with participation opportunities, as well as problems of availability and effectiveness. As literature suggests (Hannah-Moffat, 2001, 2004, 2010; Carlen, 2002, 2008; Sheehan, 2013), rehabilitative efforts within a punitive environment are often fruitless and are not designed (i) with gender-specificity in mind or if they are, they denote stereotyped traditional femininity as a way to reform; (ii) with sufficient longevity and high levels; or, (iii) connection to long-term collaborative follow-on initiatives in the community. Furthermore, availability, funding, resources and eligibility are hindered by punitive management regimes that prioritise security and surveillance above therapeutic measures (Carlen and Tombs, 2006; Carlen, 2008; Hannah-Moffat, 2010; Pollack, 2010; Malloch and McIvor, 2013); the use of risk assessment tools is arguably further impeding the use and effectiveness of (re)habilitative methods.

Currently the Department of Corrections provides a number of employment activities, prison-based industries, educational and training opportunities and rehabilitation programmes to both male and female prisons throughout the country (Department of Corrections, 2013b, 2013c, 2013d, 2013e). There is currently one ‘Kowhiritanga’- female specific rehabilitation

programme running within female prisons, which from interviews, appears to not run continually at all three women's prisons at once. Furthermore, although both men's and women's prisons do provide work, education and training opportunities, female prisons are equipped with far less resourcing, and initiatives and those available tend to highlight historical concepts of reform through domesticity rather than targeting pathways to crime and (re)integrative needs. This can be seen through the types of work industries available to women in prison: Cooking, Laundry and Sewing (for further examination of programmes available in New Zealand prisons see the Department of Corrections, 2013b, 2013c, 2013d, 2013e and 2013f).

The focus of programmes was raised by the women as a problem, and this is echoed within the criminological literature (Sheehan et al, 2007; Hannah-Moffat, 2010; Gideon, 2011). Women have always and tend to receive far fewer opportunities to engage with treatment, work and educational services within the prison environment than men do (Gelsthorpe and Morris, 1990; Pollock, 1990; Carlen and Worrall, 2004; Britton, 2009). Those that are provided are argued to be inadequate at addressing gender-specific needs, they over-emphasise traditional femininity and do not sufficiently skill women for the labour market (McPherson, 2007; O'Keeffe et al, 2007; Sheehan et al, 2007; Tarlow, 2011).

I did about six lags and every time I've gone in it's the same course. Even if you've done it, you could have did the fucking course like five times, and because on your fucking -- your sentence report, it says you have to do that course, you have to that course (Monique).

Every time you go it's the same shit, the same courses again. Numeracy, Literacy, stuff I did as a five year old (Danielle).

They're of no use. They look good. They sound good. They don't work. You can't have a therapeutic community operating in such a punitive environment. You can't tell the truth. They tell the truth, they get punished (Louise).

Interviews highlighted that many women felt their needs were not being met by the programmes provided within prisons. They described doing the same educational type programmes time and time again and none felt they had sufficient help or support to start addressing their offending or the issues that led to their offending. Those who participated in the Drug Treatment Unit (DTU) programme were the only ones who felt that they had gained

any real life skills and knowledge that could be used upon release to help them stay out of prison.

Programmes available do not necessarily address reoffending, however as Carlen and Tombs (2006) found, some women tended to see participation in activities as a great way to pass the time and have something to do. Women found that they were often presented with coping strategies that were good in theory but not designed with their lived experiences in mind. They also found programmes to be too 'psychological' that used tick box approaches to pigeonhole them.

Upon discussing their involvement with programmes run within the prison, risk classifications and sentence length were the two key themes continuously mentioned. As literature also notes (Department of Corrections 2001, 2003; Carlen and Tombs, 2006), it was found that many women had received numerous short sentences and spent time in high security due to their high 'risk', meaning that they were not eligible to become involved in programmes. Stacey described the injustice she saw in a system that expects changes but does not adequately support or provide help to change:

You've got to be a minimum [security]. It's the high risk ones that are the ones that need it the most. They're the ones crying out for help. It's really back to front coz you can't start them. You've got to be there at least a year until you get on a programme, or to get a job there. So it's like, well, she can't change because there hasn't been that help. There has been no help here (Stacey).

Stacey later went on to say that the only way you can get help from the beginning of your prison sentence is if you are a drug offender and you have been court ordered to take part in the DTU.

Christina, as highlighted earlier, also talked about the classification system which sees short sentenced, high risk offenders provided with few services and little opportunity to become re-classified, to be able to access programmes. Monique and Sharne also described the lack of services available to women who are serving sentences of under a year:

It depends on how long your lag is, like if you're doing a little lag, say like... a year, you're only going to do half of that; it's a waste of time. You don't do shit in there. There's nothing you can do (Nikki).

My first lag was only something like three months. When you're doing like short lags like that, it's a waste of time. You can't do anything in there. Play Chance, play Scrabble. You just do really boring work. You sleep, think. You know when you're doing nothing, you're just thinking all the time, and it's not healthy mentally. You just think about the outside, like your family, you know, hope everything's all good out there. Your mum, dad, kids. It's quite sad. It's pointless, by the time you get called over for anything, you're already released (Stacey).

Women being unable to take part in prison programmes again raises questions about the legitimacy of the use of imprisonment for first offences and minor offences, as well as raising issues regarding the wider effects of imprisonment on women, their families and especially their children (Covington, 2002; Carlen and Worrall, 2004; Gordon, 2009; Kingi, 2009; Roguski and Chauvel, 2009; McIntosh, 2011).

Women are often sent to prison because of their offending and their life experiences of abuse, addiction, poverty, poor education and financial instability, however the services and provisions provided to women in prison are relatively scarce, non-gender specific and most women do not get to start or finish programmes due to their ineligibility, based on their risk or sentence length (Carlen and Tombs, 2006; Malloch and McIvor, 2013; Sheehan, 2013). Given these issues, their impending release is often a concern for women. The following section will now illustrate the pre-release support women received and the perceived effectiveness of this type of support.

### **Pre-release Support**

With public safety as a key objective of the Department of Corrections, pre-release support and resettlement aims should form a significant part of government policy (McNeill and Whyte, 2007). Ideas of through-care suggest that prisoners will receive a wide range of provisions and services whilst in prison that will help them to successfully transition back to the community and give prisoners the skills and services to maintain a crime free life (Baldry, 2010). As Baldry (2010) and Sheehan et al (2007) describe, when women are released they are faced with immediate challenges that they should be prepared for prior to their return to the community. For pre-release support to be effective, Baldry (2010) argues there needs to be a continuum of support and services provided to women while in prison that are connected to the community. For females in prison such initiatives are commonly ineffective as short-

term sentences see women unable to partake or complete programmes while in prison or services are not readily available to women prior to release (Baldry, 2010).

Interviews revealed that women felt unsupported and, at times, set up to fail during their preparation for release. They highlighted issues with the managerial risk based assessments used by case workers, the lack of help when trying to establish connections to accommodation, employment and family prior to release and they described opportunities of spontaneous early release with conditions that saw pre-release support unachievable. Sharne described pre-release support as non-existent. She talked about going through a ten minute 'tick box' questionnaire with prison staff only days before release. This questionnaire, that was not individualised to her or her needs, was the only in-prison (re)integration support she received:

They [prison staff] just pretty much say, "do you want us to get you a bus?"... and that's it. I mean you have a prison officer sit down with you, and they're meant to be your case officer the whole time you're there ... they just sit there and boxes are ticked (Sharne).

In line with Sharne's comments, Stacey said she thought there would be more help and that without the right kind of support women cannot change and are therefore likely to keep returning to prison:

Na no help, they say "well you're not here for long so just tick this and sign that". There's no help. I mean you'd think that prison staff would sit down and talk to you and make sure you see someone to get ready for when you do get out, so that changes can be made, but na you just keep going back... all these little lags all the time (Stacey).

Women also stated that if they wanted help to prepare for when they were released they either had to sort it out themselves or contact volunteer groups such as PARS<sup>8</sup>, Prison Fellowship or the Salvation Army. Many of the women described only knowing about such contacts due to other prisoners and said the prison staff tended to work on a 'if you don't know and you don't ask, then you don't get' basis.

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<sup>8</sup> The local PARS organisation was disbanded during the time interviews were being conducted. Several different branches still exist and have been newly named PART.

They just ask you if you need a bus ticket. They don't help you at all. You help yourself, like through PARS. They can help you find a property and stuff (Marie).

You are on the phone a lot to lawyers, the Sallys, your family. You have to try sort it out yourself or you just leave with nothing to go to. It's hard though coz you need money to make calls and if they say that's enough time on the phone, then times up (Rochelle).

Na you don't get help. Prison don't help you. They just kick you out. All they do is wake you up at 6 o'clock in the morning when you're getting out, go and get your trolley and send you to the gate (Christina).

A number of women also talked about the spontaneity of being released. Instead of being provided with adequate time to prepare for release, women found that they were set up to fail because even though they were not prepared to leave prison, they could not say no to the opportunity to leave:

They do slimy shit like say if you were doing three years or two years or something like that, they'll wait until you've got like two months left of your whole lag, and then they'll go, "Oh, we'll let you out today. You've completed all of this stuff", knowing you've only got two months to finish your whole lag, so they set you up to fail. You're set up to say, "Yeah, I'll take it", when knowing that you'll get out and you have to do six months' reporting. They set you up like that to fail, I reckon (Monique).

Instead of getting out with no conditions when your lags done they go, "We'll let you out today, but the thing is you have to do six months' reporting and three courses, and drug and alcohol, and this and that and that", and of course, you're going to go, "Yep, I'll take it" to get out. Just to get out (Stacey).

Extended sentences prior to release were also highlighted as an issue. Both women and those who had worked with women who were about to be released mentioned the injustice that can occur when release is not allowed even though a sentence has been complete:

Extending supervision orders, 107s extending supervision orders are the really best example. You can get to the end of your sentence and then Corrections can come along and say, "Look, we are not done", and apply for a 107, which means then they keep you in jail past the end of your sentence (Jack).



What a Judge sentences you in New Zealand is not fact because Corrections can change that at any time they like. They can extend your sentence. Based on whatever they pluck from the sky (Rochelle).

You go listen to what three judges have to say, like you can have completed everything on your sentence plan and they could still just stand you down for three months and just add onto it, as they go (Louise).

Aside from not receiving adequate support or preparation for their support, women also talked about a number of concerns they had about returning to society. As found in the works of Carlton and Segrave (2009) and Opie (2010) the women interviewed were concerned about reconnecting with their children, finding suitable housing, finding employment and the pressures of completing release conditions while also trying to maintain financial stability to support themselves and their families:

It's that empty basket of hope. It's like 'who cares' kind of thing, "I won't be able to get anywhere, and I won't be able to get a job", and I don't know you have all these thoughts going through your head. It's because you don't trust society, you know, and they judge you ... I don't know, it's just you're afraid (Marie).

You're afraid that they [society] might say something to you that will hurt your feelings, so you try but it's hard ... I think that's why everybody reoffends because they don't know how to cope (Rochelle).

I went to my parole hearing and said to them, "Well, what's the point of me getting out when I can't be around the people who are going to support me the most, you know?" and I said, "I'd rather stay here", and they go, "No...you need to get back out there and reintegrate". They just pretty much threw me out there, and me you know I was crying out for help (Stacey).

You know you're gonna have to lie a lot. You can't say to people, "well, I've been doing nothing because I've been to prison and I work from home; I'm an escort". If I told people that then ...I am scared that if they know all this, then I won't have anybody. No support (Sharne).

As can be seen from the transcribed interviews and theoretical literature attention to (re)habilitation, (re)integration, (re)integrative needs and pre-release support is lacking. The

prison environment was seen to be ineffective in its reform, (re)habilitation and (re)integration attempts due to issues of eligibility, accessibility, availability and design. As such, women already have concerns of (re)integrative failure before release has even occurred.

## **Conclusion**

When leaving prison, prisoners - both female and male - are faced with the challenges of (re)integration; such as fitting back into society, reunification with friends and family, finding legitimate employment, finding stable accommodation and staying healthy, as well as not breaching parole orders, maintaining support contacts, and more generally feeling successful in life after release. From the current chapter it can be seen that women have been provided with little support, treatment or help while in prison that has addressed the issues linked to their pathways to crime. They have been sent to prison, defined as risky, been punished and are now to be released with the expectation that they will successfully conform to and (re)integrate with society. The re-designation of needs as risks has further seen women viewed as doubly deviant and dangerous and therefore in need of punishment rather than help and support to address their social disadvantage and marginalisation. Interviews, along with the literature on women's imprisonment, describe how many women receive short sentences of imprisonment for minor crimes. As such women are not eligible for or provided with the opportunity to engage in the services, programmes and work industries available to those receiving sentences of over a year. Further to this point, even if sentences are over one year women must meet specific risk criteria to participate, often meaning opportunities do not present themselves to women until a significant portion of their sentence is already served. Unfortunately compounding the lack of services women receive is a lack of external support. Due to the geographical isolation of many female prisons, family, friends and community workers are unable to maintain regular contact with women in prison. Women are therefore isolated and encounter the added hardship of relationship deterioration. Eaton (1993: 56) eloquently summaries the next phase in the perpetuating cycle of a female prisoner when she leaves the prison walls:

Whatever disadvantages the woman suffered from before prison she now faces the world with the added disadvantage of a prison experience and a prison record. She is a prisoner and she brings this knowledge, this identity out into the world. The prison experience will affect her response to the outside world, the prison record will affect the

response of others to her. When she comes out, she brings something of the prison with her.

To address women's needs from before imprisonment, those developed while in prison and those associated with (re)integration, it is necessary to find out who the population is and what they want before the design and implementation of services and provisions can be successful.

## Chapter Six: Coming Home

In 2012, 731 women received sentences of imprisonment in NZ (Statistics New Zealand, 2013c). This number has significantly dropped from its highest point of 1038 in 2007, and reflects a recent decrease in numbers of both women and men currently being processed within the CJS (Statistics New Zealand, 2013c). Although such decreases have occurred, rates still remain significantly high compared to those of the 1980s, 1990s and until 2008 (see Appendix Four and Statistics New Zealand, 2013a, 2013b, 2013c for comparative analysis of apprehensions, prosecutions, convictions and sentences. Also see Appendix 4) Increased imprisonment rates at the beginning of the 2000 decade were seen to be a reflection of the 2002 Sentencing Act and although the implications of this seem to have stabilised, rates of women's imprisonment as a result of breaches continue to rise reflecting sentiments regarding risk described in Chapter Four. There are currently 513 women in prison, 415 of whom are serving a sentence of imprisonment (Department of Corrections, 2013a); when compared with statistics for sentences received within the year (as shown at the start of this chapter; Statistics New Zealand, 2013c), such numbers reflect the high use of short-term sentences for women. Of these women, the recidivist reconvicted rate is 79% and recidivist re-imprisoned is 48% within four years (Department of Corrections, 2008). It can therefore be seen that a large portion of women in prison are embarking on the process of (re)integration each year.

With 21% of women receiving sentences of imprisonment for breaches to community orders (Statistics New Zealand, 2013c), it is apparent that the probation service and release conditions after imprisonment play a significant role in the imprisonment and re-imprisonment of women in New Zealand, an issue that reflects international trends (Carlen and Tombs, 2006; Carlen, 2008; Pollack, 2010). Such findings suggest that current (re)integrative policies, strategies, services and provisions do not adequately address the needs of female ex-prisoners. Female pathways to crime are significantly linked to their experiences of abuse, addiction, discrimination, poverty, poor education and family instability. Women then tend to return to the same dysfunctional, deprived and marginalised circumstances after prison, with added (re)integrative needs and the stigma of a criminal record and ex-prisoner status (Carlen, 2008).

This chapter will begin by providing discussion on the term (re)integration; how it is defined, its use and appropriateness and what it means to those interviewed in the current study. Following this will be discussion relating to the policy changes in the area of (re)integration and the significant role 'risk' has played within (re)integration industries and the probation service. This section will then be followed by a brief overview of the academic literature and findings relating to women's experiences of (re)integration. Lastly, the findings from the current study will be discussed, highlighting the role that support networks, release conditions, employment, accommodation, and services and provision play in women's successful or unsuccessful (re)integration in New Zealand.

### **What is (Re)integration?**

(Re)integration remains a commonly used narrative in New Zealand. Yet, the New Zealand Department of Corrections does not specifically detail what is meant by offender reintegration. In the 2005/2006 Annual report, the Department highlights the reintegrative needs of offenders as being of significant importance to their role however no further significant results can be found when researching (re)integration on the Department of Corrections website<sup>9</sup>. In an October 2<sup>nd</sup> 2013 Government release, Corrections Minister Anne Tolley (2013) did however describe re-integrative services as those that will support prisoners both prior to release and upon release and that will guide them towards a crime free life, during a period of readjustment and high risk of re-offending. Such descriptions, alongside the Department of Corrections reintegration team goals of reducing reoffending, lead to the assumption that successful (re)integration means desistance from criminal activity and active participation in a crime free life.

The above however differs significantly to the definitions of (re)integration provided by those interviewed in the current study. When (re)integration was discussed it was seen as the period of time where a person transitions from prison to community and fits back into everyday life. As described in the following interview quotes, for (re)integration to occur, and for ex-prisoners to achieve success in this process, a number of needs must be met that range from immediate (re)integrative needs to long term (re)integrative needs:

Accommodation, employment, whānau kind of relationships, fitting in. Basically it's actually really old-fashioned generic social work, it's about a roof over your head, it's

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<sup>9</sup> At <http://www.corrections.govt.nz/>

about some kind of support, it's about food in your cupboards, and feeling like you belong (Louise).

A roof over their head, transport, decent food, decent clothing, access to children, visits with their children, money-- Reconnecting to family. Without those you aren't integrated at all (Susan).

Aside from basic human needs, help and support in the form of addressing trauma, abuse and addiction issues were seen as a defining part of (re)integration. Those who worked with women prior to, during and after prison described women as excluded from society prior to engaging in criminal behaviour and therefore women were not integrated. It was thought that women's life experiences were depictions of social and economic deprivation and victimisation which saw them isolated and often omitted from mainstream society. These findings are supported within academic research that suggests the term (re)integration is not appropriate when used to explain ex-prisoners release from prison and transition back into the community (Carlen and Tombs, 2006). Maidment (2006), Carlen and Tombs (2006), McNeill and Whyte (2007) and Carlen (2008) all argue that incarcerated women tend to be socially, economically and politically excluded or marginalised within society and are therefore not integrated prior to imprisonment. From this viewpoint, female ex-prisoners have high integrative needs that must be addressed upon release, rather than addressing (re)integrative needs which assume it is positive for them to return to the unintegrated state in society they held prior to imprisonment.

Due to such debate, there has been an international shift away from the terminology of (re)integration towards that of 're-entry' and 're-settlement' alongside 'through-care' and 'aftercare' (Covington, 2002; Carlton and Segrave, 2009; Baldry, 2010; Gideon and Sung, 2011). Although New Zealand has not shifted towards this trend as yet, (re)integration policy changes have recently been made. Kim Workman's (2012) article 'How Should We Reintegrate Prisoner' identifies and discusses the (re)integration policy changes and provides in-depth discussion on the implications and practicalities of such changes. As seen internationally, and detailed by Carlen and Tombs (2006) both prison and reintegration industries have been reconfigured through the use of risk-based, actuarial management practices which has significant implications for prisoner (re)integration experiences.

## **Changes to (Re)integration Policy and the Role of Risk**

In a previous chapter, it was outlined how the dominance of risk has led to women being subject to increased imprisonment as both remand and sentenced prisoners. Risk processes have also meant that not only have prison regimes become increasingly desensitised to individual needs and dominated by managerialist perspectives, so too have post-release community corrections regimes. The 'risk' ethos has seen a significant change in the way offenders are managed within the community, with the probation service being greatly influenced by this change.

Although criminologists and practitioners have long cautioned against the use of risk based models both in prison and for prisoner (re)integration, government policy has continued to be entrenched with discourse surrounding risk. Fox (2012) argues that the use of risk-based language is contributing to the fear of offenders and a general intolerance and non-acceptance of offenders returning to communities. Sheehan (2013) also argues that a risk orientation promotes increased calls for punitive, 'get tough' strategies within the community. In response to such public and political rhetoric, the proliferation of surveillance technologies can be seen through the use of electronic monitoring, drug testing and special conditions applied to parolees (Carlen and Tombs, 2006; Workman, 2013). This can be seen as a far shift from the treatment, needs-based, social work models that once influenced the role of community corrections. Workman (2013), in line with Carlen and Tombs (2006) and Pollack (2010), argues that offender needs have been redefined as risks to the public and, as such, offender management has become a provision dominated by managerial checks and social control strategies.

Within the New Zealand context, the use of the 'risk, needs and responsibility model' is falling into the same trap described above. Simon (2007) highlights the detrimental effects that prioritising risk has on prisoner (re)integration. Firstly, risk language assumes that all released offenders are still a potential risk to society and they are therefore labelled and stigmatised. As will be seen later in the chapter, stigma attached to women by employers, landlords, programme facilitators and the general public can significantly hinder successful (re)integration processes. Secondly, risk rhetoric implies difference which sees the population then constructed as either an offender or a victim. This produces a divide within communities and wider society that greatly impacts on responses to and support of those released from prison.

## **Female Prisoner (Re)integration: An Overview**

Over the past fifteen years, there has been a rise in the literature dedicated to women in prison and their subsequent (re)integration. Prior to this, (re)integration literature was dominated by male accounts that were either used to produce policy for men or generalised as ‘gender-neutral’ with no evidence of benefit for women (Baldry, 2010). Feminist scholars (Carlen, 1983, 2008; Chesney-Lind, 1991; Easteal, 2001; Hannah Moffat, 2004, 2010; Baldry, 2010) have raised questions about the legitimacy, validity and reliability of criminogenic, risk-based paradigms that assess and inform policy and initiatives to help in the rehabilitation and (re)integration of female offenders. Carlen and Tombs (2006) and Carlen (2008) also argue that risk management approaches are facilitating an increase in the punitive and intrusive responses to women once they are released from prison. As a result there has been an increase in the use of surveillance and control strategies, seen by release conditions and legislative changes to breached community orders that are in part responsible for more women going back to prison after their initial release. Seven of the eight women interviewed had experienced re-imprisonment for not committing a crime but due to their inability to complete or comply with the release conditions placed on them. Punitive approaches to release on parole and probation are arguably not addressing the (re)integrative needs of women and are not effectively producing positive change. The following discussion provides an overview of research findings in relation to women’s experiences of what helps or hinders the process of successful (re)integration.

A study conducted in the United States by Beth Richie (2001) uncovered a number of issues that women faced when re-entering the ‘community’ after incarceration. These included problems accessing “treatment for substance abuse problems”, “health care”, “mental health issues”, “violence prevention”, “educational and employment services”, “safe, secure and affordable housing” and “child advocacy and family reunification” (Richie, 2001:233-238). Richie (2001) also details how these issues may have a greater impact on African American women, and therefore argues that cultural factors can further problematise ‘successful’ reintegration. Women’s criminality is multi-layered with many linking issues that need to be addressed if women are to experience ‘successful’ release from prison (Richie et al, 2001). ‘Successful’ release would then be defined as: receiving treatment for substance abuse and not returning to drug use patterns; maintaining and receiving adequate health and mental health services; the discontinuation of violent or abusive relationships; obtaining education



and employment; finding and securing accommodation; and, reuniting with children and family (Richie, 2001).

Maidment's (2006) book 'Doing time on the outside: the benevolent community' highlighted a number of key experiences relating to women's (re)integration in the Canadian context. She describes women's immediate (re)integrative needs as securing safe and affordable housing and reuniting with family, as well as illustrating how everyday jobs such as banking, groceries and finding transportation become issues upon immediate release (also see Evans, 2006 and Gobeil, 2008). Other issues for the success of female (re)integration included the difficulties of declaring past criminal history, finding employment, renegotiating familial, intimate and professional relationships, the lack of female-specific programming and local support, and police and criminal justice surveillance (Maidment, 2006).

Frazier (2011) found that ex-prisoners struggle to develop and maintain social, economic and spiritual capital while preparing to be released and upon released into the community. The key challenges ex-prisoners faced were seen to be the procurement of food, clothing, accommodation and medical care. Frazier (2011) argues that the key component to (re)integration is re-joining and participating in society and as such further activities, programmes and services need to be developed and used effectively that begin in prison and are linked to the community.

The works of O'Keeffe, Senior and Monti-Holland (2011), McPherson (2011) and Tarlow (2011) focus on the issue of employment as a (re)integrative barrier for female offenders. Disclosure of criminal history is considered to be a stressful situation that women face due to the perception that potential employers will negatively react (O'Keeffe et al, 2011) and therefore women will not obtain work which helps them to become financially independent, find suitable accommodation, reconnect with children and wider family and obtain medical care (McPherson, 2011). Due to feelings of trepidation, women then battle with whether to disclose information about their criminal history which if not disclosed can backfire if police checks are obtained. Tarlow (2011) found women's scepticism to be justified as employers tend to view those with criminal convictions as less trustworthy, less productive, unskilled, unmotivated and more likely to cause trouble. Women in such studies have also found that the skills gained in prison are often not tailored for the job market and that their achievements are not recognised in the same way as general community qualifications (O'Keeffe et al, 2011; Sheehan et al, 2011). Linkages to support networks in the community were also linked

to whether women found employment hard to achieve. McNeill and Whyte (2007) describe a lack in the continuation of services and support that develops in prisons and follows women upon release. Knowing who to contact and having the resources to make and maintain contact was an issue for many women (McPherson, 2011; Tarlow, 2011). McPherson (2011) suggests that women need access to resources such as phone cards, interview clothing and funding for transport and courses that will help women transition into the job market.

Malin (2007) highlights housing as one of nine key (re)integrative issues ex-prisoners face. Due to women often not having a significant other while in prison, they often have to rebuild a home once they are released. Finding accommodation can be the key to them also re-establishing relationships with their children (Malin, 2007). As with employment, disclosure of criminal history makes procuring a house difficult and, along with their financial stability, women tend to have to live in areas linked to their marginalisation, deprivation and victimisation. Malin (2007) also found that there is a lack of supported accommodation suitable for women and many support agencies provide accommodation to men instead.

Further to the above discussions, protective factors that women suggest can help or hinder them to renegotiate life after release have been researched (Galbraith, 1998; Katz, 2000; O'Brien, 2001; Rumgay, 2004; Leverentz, 2006; Gobeil, 2008). A conscious decision and motivation to lead a crime free life is seen to be a foundation for successful (re)integration (Rumhay, 2004; Gobeil, 2008). Fulfilling conditions of parole is also seen to be a factor that can protect or hinder women during (re)integration (Carlen and Tombs, 2006; O'Brien, 2006). Participating in activities set out in release conditions can fill a void and keep women busy, or it can interfere with their day to day roles by not allowing them to provide for children or to find a job. A lack of support or the negotiation of too many agencies also makes it hard for women to maintain a commitment to programmes as they find it difficult to get to places or struggle with having to retell their stories to numerous people. Furthermore, women find it hard to complete programmes that are not designed for ex-inmates and describe the stigmatisation, self-doubt and lack of motivation to engage in programmes that the wider public attend and that are led by staff who are not trained on issues related to female offenders (Galbraith, 1998; O'Brien, 2001).

Finally, here, Sheehan, McIvor and Trotter (2011) identify the need for a holistic based approach that begins in prison to help breach the barriers posed to women upon release. Further to issues of employment, accommodation, family reunification, addiction,

victimisation and stigma it was found that distance, transport, prices and the lack of child orientated facilities each posed a barrier to achieving the issues discussed. Gobeil (2008) also recommends a holistic approach to providing services that are flexible and make use of role models, mentors and volunteers who can relate to women. A 'one size fits all' approach is not effective and the individual circumstance of women's lives and release must be understood and responded to (Gobeil, 2008).

### **Women's Experiences of (Re)integration: Reflections from the Current Study**

In line with much of the above research, a number of key themes developed from interviews with both the women and those who worked with women about the gendered experience of (re)integration. Of significant importance to all women and workers interviewed were the themes of 'support networks', 'release conditions', 'employment', 'accommodation' and 'treatment services and provisions'. These five areas were deemed to be intertwined and crucial to their success or failure throughout the (re)integration process. This section will illustrate women's experiences of (re)integration from the perspectives of both women and workers. The following chapter will then provide further discussion on how these areas could be positively addressed, by providing recommendations for useful services and provisions that could be developed in both prisons and the community.

#### ***Support Networks:***

As discussed by Galbraith (1998), Richie (2001), McNeill and Whyte (2007), Gobeil (2008), Baldry (2010) and Malin (2007), systems of collaborated support are especially needed for women prior to and upon their release from prison. The women and workers interviewed described support as the number one influence that could help a women (re)integrate and successfully stay out of prison. The following quotes from women detail how support impacts upon their lives after imprisonment:

You got to have support; you've got to have family support especially, and if their partner's on the outer, their partner's got change too, you know, yeah, they can't be coming back out to the same pattern (Rochelle).

If I didn't have the special significant relationship with my mother and I had an anchor to come home to, I don't think I could have made the changes. If I wasn't supported and nurtured and loved through all of that, it would never have happened for me (Louise).

We just need community support. Someone to come and make sure that, you know, that we've got the basics and somewhere to live and somewhere safe to go. Someone that comes round all the time, someone to ring when you feel like crap or need help ... and everything's turned to shit because you've got no support (Marie).

I really had no support. There was a lady, her name was X, she was my next door neighbour. She knew that it was Salvation supported accommodation, and she actually said to me, "Oh you know, you're alright. You need to get to know your way around". And I'm not one to ask for help. And I was like, "No, no, I'm fine, you know, I can do it, I can do it", and I don't know, she just kept bugging me and bugging me about things. And I'm like, "Ah man, no, actually I do need help", and she was going, "Yeah, well, I thought so, you know, get in the car", and she was the one that actually took me around and sorted me out on the benefit. This is what you do and -- Because I've never really applied for a benefit. Because I pretty much sold drugs all my life but, yeah, it was none of the support systems out here or in there that had helped me; it was the lady next door (Stacey).

Further to this, Sharne described the impact of disclosing a criminal history to potential support people:

I've had to lie a lot. I can't say to people, "well, nothing because I've been to prison and I work from home; I'm an escort". If I told people that then ... I am scared that if they knew all this, then I wouldn't have anybody. No support (Sharne).

Those who work with women discussed support networks as the 'ambulance at the bottom of the cliff'. They commented on the lack of communication or collaboration with community agencies while a woman is in prison and noted that such partnerships could help to ensure a smooth and more supported transition back into the community:

It's about a significant relationship. It doesn't matter who it is. If we spent all the money that we spend on trying to find out why people offend on the people who don't offend, we would find out that the people who don't offend have a significant relationship with somebody that they don't want to let down (Jack).

It's about a support network and knowledge of the resources in the community. They go hand in hand. When someone's been in prison they won't know what's out there,

and they might never have been aware of it because of the family they were born into. They need positive mentors (John).

The geographical barrier presented by female prison locations was also discussed and it was noted that community workers were only able to provide significant levels of support and assistance to men as prison locations were much easier to access.

***Release Conditions:***

As discussed by Carlen and Tombs (2006), the extra surveillance and intrusion on women's lives after imprisonment due to community release orders can prove to be detrimental to successful (re)integration. Of the women interviewed, seven had been re-imprisoned due to breaches of their release conditions and they described such conditions as being a set up to fail. They also highlighted certain conditions as being unrealistic without the right support, and they saw some conditions as another form of imprisonment due to the impact they had on their ability to live their day to day lives:

Reporting, drug and alcohol, anger management, home D, fuck there's heaps and you can only come out with no conditions if you do your whole lag (Monique).

They release you before your end date with conditions, which is a fucking set-up to fail. They're like "We'll let you out but you have to do six months reporting, and three courses and drug and alcohol, and this and that. Fuck there's just heaps (Danielle).

Such quotes illustrate the intrusion and added security and surveillance placed on released women due to their perceived risk to society (Carlen and Tombs, 2006; Pollack, 2010). It was however noted that if sentences were complete and no release conditions were applied, women would have even less access to support agencies.

Due to release conditions, women have continued contact with the Corrections Department in the form of Probation. Women felt that many of the staff they dealt with were not adequately supporting them, and that their experiences with probation staff were that of short ten minute reporting sessions where their probation officer would ask generic questions and tick boxes. They also felt that the conditions set were unfair and unrealistic given that no other support was provided to them:

They sit here and ask me every week if I've had a drink. Well I'd never tell them if I had coz they threw me inside. I even had them saying "you can tell us, you can tell us" and when I did they fucking sent me back to jail (Marie).

Where I was living, I was like on the other side of town, and there was really no support for me when I got out. I wasn't allowed to like communicate with my family, associate with them, so I really had no support. I was thinking, "Well, why are you letting me out if I can't go back to the people who will help me?" (Sharne).

When I went to my parole hearing, I did say to them, "Well, what's the point of me getting out when I can't be around the people who are going to support me the most, you know?" and I said, "I'd rather stay here", and they go, "No, X, you need to get back out there and reintegrate". They just pretty much threw me out there, and me you know I was crying out for help. They go, "Oh, we've got support systems out there. Salvation Army". And I went, "Oh right, okay, then". Well, they were no good to me, you know, they were -- they never really helped me with what I needed to set myself up for, not the ones over in Hastings anyway. They were shocking (Stacey).

All they ask me is "Have you been drinking?" "Have you been smoking dope?" "Have you been associating with your co-offender?" And you know I say, "No, no, no". And they go, "Okay then, see ya". There's no support there (Monique).

Probation don't do anything anyway. They just ask you a few questions and that's it. All they're concerned about is did you have a drink last night? You know, they don't really ask how you've been or, you know, anything like that, or do you need help with anything (Danielle).

Lastly, release conditions were seen to be a barrier to gaining meaningful employment. As such, this meant that women had to be reliant on others for accommodation and other basic needs such as food, clothing and transport as the benefit provided them with insufficient financial stability.

The first things that had to come first were my conditions, so work was cut out for me...I couldn't work coz I had so much to do; counselling, reporting, a Kowhiritanga programme for 16 weeks, so I really didn't have time (Marie).

The implementation of release conditions was then seen to be a significant barrier in the (re)integration process. Being released with a number of conditions meant women were unable to regain a normal, non-stigmatised place in society, and felt that they were just being set up to fail.

**Employment:**

As seen within the works of O’Keeffe, Senior and Monti-Holland (2011), McPherson (2011) and Tarlow (2011), employment is a significant barrier to successful (re)integration that is affected by release conditions, as discussed above, but the struggles for employment also relate to issues of stigmatisation, disclosure, skills gained in prison, financial stability and the procurement of stable accommodation.

Interviewees highlighted that stigmatisation occurs if employers find out that you have a prison record. Not only does this hinder a woman’s opportunities to find stable employment but it also proves to be stressful as women battle with whether to disclose information regarding their criminal history:

Society says, “You do the crime, you do the time”. But it don’t work like that, because when you get back out into the community, you are isolated, you are ostracised, and you’re certainly not a part of it (Louise).

I find it really hard, and I’m doing what I’m doing [Escorting] because, even though I got qualifications I can’t get a normal job because people just see PRISON and don’t want you (Sharne).

When I first got out I felt like I had to be honest to all the people I was looking at for work but then it got to me and I thought “why am I doing this?” coz they turned me away flat for being open. I’ve had about four or five jobs turned down just for my imprisonment (Marie).

Although women had felt a sense of accomplishment during their imprisonment sentences after achieving educational or work related qualifications, they quickly became frustrated upon release due to the vilification of achievements branded with prison names. The following quotes highlight a significant barrier to employment also identified by O’Keeffe et al (2011) and Sheehan et al (2011):

It's the opportunities and what the opportunities are when you come out. You know, you might have all those whatever certificates, but you're still not getting anywhere. They have this like Arohata Prison and stuff on them and it's like, "Oh God, can't you just sign and stamp it? You have to print it like that?" Then it's like, "Well, do you really have to put that [Prison Name]?", because when we come out here, it's just the thought of people judging you (Stacey).

Yeah, so you did all of that -- you spent all those years working, thinking, "Yeah, 'I'm going to get my certificate, yeah'", and then when you get your certificate, it's got a big, fat "Arohata Women's" on it and you can't go up to an employer showing them that (Christina).

The courses don't help out here, they don't -- you know why, because you get out of jail and get certificates that says "Arohata Women's Prison" or "Auckland Regional Women's Prison", so that don't give you shit. And straightaway if an employer sees it they say, "Ah, you've been to prison?" As soon as they see that, Arohata, it's over (Monique).

Those who work with women talked of women being 'work ready'. They argued that although society expect those who have been in prison to contribute to society positively by finding a job many women who have been in prison have not had a job, do not have the skills needed to be in the job market, and are emotionally and psychologically not fit to maintain employment. Here, Susan provided an example of a woman she had worked with that had subsequently returned to prison in excess of ten times until her health and mental health issues were finally addressed years later:

I just think she didn't have the skills or the self-esteem to even know what to do with work. She'd never worked in her life, and suddenly out of prison and plonk ... I just thought that was terrible... It's the work-ready thing that worries me because emotionally they're not ready to work.

As Stacey illustrated, women found that the type of employment obtained also made a difference to whether they reverted back to offending behaviour. For example, drug dealing and sex work /escorting were seen to provide more stable and sufficient money flow than being on a benefit or working a menial minimum wage job. Often due to the stigma attached



to them and their lack of employment and educational achievements prior to and after imprisonment, this was all women could find:

I did have a job that I ended up leaving because the pay wasn't even worth it. Like you slave your arse doing the job and you still can't survive. It's no better than the benefit (Stacey).

A final employment issue related to women's ability to find accommodation. Of the eight ex-prisoners interviewed, five were currently living with a family member and illustrated their financial situation to be a partial cause for such reliance on their relative. Employment can then be viewed as an overwhelming significant barrier during the (re)integration process that effects a number of other key (re)integrative needs that women have.

### ***Accommodation:***

As found by Malin (2007), women described their inability to maintain housing while they were in prison. As such, finding accommodation upon release is seen by women to be a significant (re)integrative need that, if achieved, can help in their successful (re)integration. Interviewees identified four ways of obtaining housing: family and friends, supported accommodation through the Salvation Army, Housing New Zealand or private rentals. As found in other research (Richie, 2001; Maidment, 2006; Malin, 2007; Leverentz, 2013), finding accommodation became an issue due to criminal history disclosure, availability and suitability of accommodation and financial deprivation.

Marie and Nikki talked of having to return to family for help. These quotes show that having to return can be seen as either a help or hindrance depending on family and friend links to a women's criminality:

My family are really helpful, I know I'm gonna benefit from staying with them... but I'm not good at receiving stuff... and I always have to ask for help and it's hard for me to ask for help (Marie).

I had to go back to the same area, same people, same dealers. It makes it hard to stay out coz of my conditions too but that's all I can do with no money and coz I've got convictions (Nikki).

Having to rely on family and friends for accommodation was also necessary because it was a quick solution after release. As noted in the previous chapter, many women had little time or

no support available to them while in prison to obtain accommodation prior to release. Once released, women then experienced difficulties in finding their own accommodation.

The Salvation Army accommodation initiative was seen to be extremely helpful by both workers and women, however both highlighted a number of issues surrounding eligibility, availability and its longevity:

I found it helpful but I couldn't have my son there and coz of all my courses I wasn't financially ready to find a place after 12 weeks. I had to go back to family which was hard (Christina).

Even supported accommodation's got its problems, and it's only for 12 weeks. They aren't suitable for women with children, there isn't enough houses and well 12 weeks, that's not long enough (John).

Susan, who works with women, and Sharne illustrated the issues with availability and disclosure when trying to gain accommodation:

Because accommodation, if they are on their own, can be very difficult to get because of the high number of people lining up for rental accommodation. You might have 20 to 30 people going for one rental ... and there's a lot of discrimination ... a lot of the private landlords ask people if they've had a criminal history and Housing NZ you can be on a waiting list for months (Susan).

I try not to tell people if they don't ask. My thing is just getting that tenancy agreement signed... if they want to use anything against me later, then at least I've got that signed (Sharne).

Lastly, issues surrounding affordability were discussed. Women found that without jobs, benefits provided them with only enough money to live in certain areas linked to their offending. Such findings are consistent with that found by Leverentz (2013) who describes women's struggles to separate themselves from previous neighbourhoods due to stigma, housing restrictions and familial relationships. Although women went back to the same communities they identified this as a potential step back towards imprisonment. They identified that family relationships could be lost if they did not return, release conditions could easily be breached if they did return, their safety could be threatened either way and in general their lives would return to that experienced prior to imprisonment.

### ***Treatment, Services and Provisions:***

As is highlighted by the work of Galbraith (1998), O'Brien (2001) and Carlen and Tombs (2006), female specific services and provisions are lacking within the community setting. Women are often ordered to complete a number of courses that are not designed to address their specific needs. Women also discovered that, once released, they found it extremely difficult to attend courses due to eligibility and availability, as well as finding it hard to develop and maintain relationships and access to numerous agencies that are not collaborative.

Interviews with those who worked with women raised concerns surrounding drug and alcohol programmes in the community:

Often the addiction thing is a bit frustrating... they've got to be off the drugs, the drink and off smoking as well. The criteria is so tough, they say "well if they're motivated enough they'll do it". Well they're asking for rehab and trying to get off something and they haven't been given the skills ... so how do they get on the programmes? (Susan).

None of these people delivering programmes have ever had a drug problem. I don't think you will find a successful drug and alcohol programme in the world that isn't run by ex-addicts (Louise).

Furthermore, women identified such drug and alcohol programmes along with parenting classes and victim support groups as available to the general public and therefore not ex-prisoner specific. Many women discussed feeling embarrassed and judged when attending such courses and they often felt staff were not trained to deal with prisoner experiences or could not relate to them.

Sharne described her attempts at gaining access to programmes in the community. She felt very unsupported by her probation officer and did not understand how she was supposed to get help when it was not easily available:

It's been hard because I come out and I've tried to get on to all these programmes and I've been told "But you've got to be referred through your probation officer". You shouldn't have to be referred; you should be able to self-refer because you want to change things for yourself (Sharne).

Stacey highlights a point that many women described. She talked about probation not helping to connect ex-prisoners to useful support agencies and also the struggle of having to meet and retell her life story and criminal history to every agency due to a lack of centralised collaboration:

I've moved, I asked the lady if it's alright if I get counselling -- my probation officer, and she's like, "Yep, that's cool" but they don't set it up. No, she's like, "Ah, this is where you go". And I'm like, "Oh, okay then, well -- can you give a map because, you know, I don't know where to go?" "Who do I meet?" and she's like "Oh Rose won't be there, but Donna is." And I'm like, "Oh God". And then I got to that point where, I'm not even going to bother about their counselling (Stacey).

Jack who previously worked for a community support agency described why the type of service they provided ex-prisoners was successful:

The thing that made ours successful is that we've got a 24 hour service, so we would go out in the middle of the night; we would go out and pick up people who had made a mistake and needed to get home on time for their curfew, all those little things. We helped them comply with the rules, but what makes successful reintegration is a level of basic support, a 24 hour level of basic support (Jack).

The last issue relating to service and provisions in the community was that women did not know about what was available to them. Both women and workers discussed the need for a support person who was knowledgeable about community organisations that were tailored to women's needs. Having not been provided with adequate knowledge during prison sentences, women did not know how to find or access community services.

#### ***Further Issues Identified:***

Family and friend reunification was another issue identified by women and workers, albeit to a lesser extent than other issues. Women found this a complex battle to deal with due to family and friends involvement in criminal or dysfunctional lifestyles. On the one hand women said that such people were the only support systems they had and therefore they needed such relationships and, on the other hand, women knew that such relationships could lead them back to prison. Some women had special conditions applied to their release that saw them unable to have contact with family and friend networks. The following provide insight into women's experiences with family and friend reunification:

I wasn't allowed to see them for, I think it was three months -- I was Skyping them but you know that was -- it just felt like I was still in jail. Even though I was out, you know, it still felt like I was in jail. That was the only way I was communicating was Skyping and by telephone. They're like, "Mum, how come you're out and you're not allowed to come over?" And that's when I was like, oh, you know, that started to get hard for them (Stacey).

I went in for supply I had to be very careful who I associate with when I got out. If the friends that I associate with, they are targeted [by police], so then they will target me. Even though they are good people, they were my friends [the people I associate with], but I didn't want to end up back in prison (Rochelle).

I think it's about getting new mates when you come out of jail. Otherwise, don't associate with the old ones, mates and the scene. And that's pretty hard to do (Marie).

Another issue described within interviews was the need for more financial support given that employment was often not an option. Women discussed the difficulties in obtaining financial support and not having sufficient money, issues that affected their ability to receive health care, provide for families, cover transport costs and buy phone cards that would help them maintain contact with service providers:

Even like, you know, setting up on a benefit, man, that took me like two months to get on a benefit, because -- it was just so different when I come out with WINZ and that, and all these stand-downs things and where have I been, and I was like, "Man, I've been in jail". Then I had to get a printout from the jail, which you get anyway, so I gave that to them, and then like, "Oh, we need the date when you went in, and blah blah blah", and it's like, "Man, youse already have all those records, you know, and you can see that I haven't been on a benefit anyway (Monique).

Because I wasn't allowed back in Napier for a few months, I had to live over in Hastings, which was all good, but I had no vehicle, and where I was living, I was like way on the other side from town, and there was really no support for me when I got out. I wasn't allowed to communicate with my family for the first months when I got out so I couldn't afford to get places (Stacey).

As can be seen within this section there are a number of factors that influence the way women negotiate (re)integration. Five key issues were highlighted by all women and workers

interviewed with a number of extra issues being identified to a lesser extent. Support systems are seen to be crucial to whether women can successfully (re)integrate back into their community but were also a cause of distress due to received support often coming from people linked to offending behaviour. Issues with release conditions dominated much discussion as these had implications on other factors linked to stigmatisation, employment, accommodation, support networks and services and provisions. As such a number of areas were highlighted as in need to change if women are to successfully (re)integrate.

## **Conclusion**

From the academic literature on female ex-prisoner (re)integration and the current research findings, it can be seen that women experience the same marginalisation and deprivation they did prior to imprisonment; however, on release, they have the added stigma of being a female offender and prisoner. A number of key issues such as the need for support networks, employment, accommodation, release conditions and treatment services and provisions have been identified that contribute to the success or failure of female (re)integration and it can be assumed that change needs to occur both within the prison and community for successful (re)integration to occur and re-imprisonment rates to decrease. Women have been released from prison with the same issues they entered with and now face further stigmatisation when trying to find a job and access accommodation. The lack of support received by women in prison is even more apparent upon release as women are left to cope with the struggles of (re)integration. The following chapter will more specifically look at what those interviewed recommend to help rectify the current situation, and will reflect on these suggestions in relation to the established literature on successful (re)integration. Key to the development and implementation of effective services and provisions is knowing and understanding who the population is, what they need and providing opportunity for flexibility, individuality and uniqueness:

For an opportunity for desistance to be seized, it must not only present itself to the offender but also be both recognised and valued as such (Rumgay, 2004:405).

As a result, the allocation of funding and the design and implementation of female (re)integrative services need to both include and acknowledge the needs, wants and experiences of the group they are targeting.

## **Chapter Seven: It is a Cycle: Conclusions and Recommendations**

When analysing female ex-prisoner experiences, this research has found that their pathways to crime, their treatment within the CJS and their experiences of imprisonment all affect how a woman negotiates (re)integration (Richie, 2002). It has also found compelling similarities in women's experiences prior to imprisonment and during the (re)integration process (Covington, 2002; Richie, 2002; Carlen and Worrall, 2004; Maidment, 2006 McNeill and Whyte, 2007; Carlen, 2008, Baldry, 2010; Gideon, 2011). In particular, this thesis provides further evidence of five key arguments: first, that women are imprisoned at a higher rate than men for 'Government breach' offences, suggesting a gendered inconsistency and bias in the CJ treatment of 'risk'; second, that women enter and leave prison with the same needs; third, that most women in prison are not participating in activities or programmes that are designed to address their pathways to crime; fourth, that women leave prison with the added burden of stigmatisation; and, fifth, that released women do not have access to services that address their (re)integrative needs or pathways to offending.

With evidence supporting the above, it can be seen that female offending, women's treatment in the CJS, their imprisonment and subsequent (re)integration processes form a cycle that is currently not effectively being broken. Sentencing women to imprisonment for minor crimes and first time offences when they pose little threat has resulted in women receiving short-sentences that could arguably be better catered for in the community (Carlen and Tombs, 2006; Carlen, 2008). Carlen (2013: 32) argues that legislative changes, similar to those seen in NZ by the 2002 Sentencing Act, have meant "the revolving door was not just re-opened, it was given a shove to make it revolve more rigorously"; this accounts for the rapid increase in the use of imprisonment of females over the last fifteen years although there has been a more recent drop in such rates.

In 1999, Hannah-Moffat provided an initial warning against the use of risk-based assessments within the CJS when dealing with female offenders. She identified issues with 'equal treatment', access to services in prison, the over-classification of female offenders and the injustice of sentencing based on issues unrelated to the criminal act itself. Since then, Carlen and Tombs (2006), Carlen (2008) Hannah-Moffat (2010), Pollack (2010), Leverentz (2013) and Sheehan (2013) have continued to provide evidence that the welfare needs of women,

such as those related to abuse, addiction, victimisation or poverty, have been redefined as risks, such that female offenders should be managed rather than supported, controlled rather than treated, and imprisoned rather than helped. As such, prisons that are argued to be designed for the reform, rehabilitation and (re)integration of female offenders are deemed to be imaginary (Carlen, 2008), ineffective and unnecessary. If women are leaving prison with the same issues they went in with, and with the added stigmatisation of an ex-prisoner label, it is no wonder that reconviction and re-imprisonment rates continue to be high.

Such findings have promoted a final reflection on this current research. It is now apparent that addressing (re)integrative needs only remains the key issue within a climate of punitive penal punishment. However, to produce long lasting positive change in the area of women's criminality, women's needs and vulnerabilities need to be addressed at a welfare level, in the community before involvement in the CJS becomes necessary. Social, economic and political marginalisation characterised women's lives prior to criminality and are therefore the issues that need to be tackled if female offending is to be prevented. Such sentiments were echoed within interviews:

If we did it in the beginning, we wouldn't inherit the problems that we've inherited, so if we can get back to this early education now and putting it into our schools about violence, about drugs, about all of that, that's how we could make a real difference. But it's got to be truthful and real. If it's not and we find out they're lying then nothing works (Louise).

There should be something else before we get to prison -- you know, before being sent to be incarcerated. Not just "well you're here now we'll see what we can fit you into". It's too late then and most of the time there is nothing to do anyway or you have to wait a year. What's the point in that? (Nikki).

Within the current climate, there are a number of recommendations that could help to curb the recidivism and re-imprisonment rates of female offenders. These would be important steps, not just for the women who have been, are or will be incarcerated, but also for their children and whānau. After all, breaking the cycle of imprisonment and re-imprisonment is necessary at individual and generational levels (Lashlie, 2010). The following section provides an analysis of what interviewed women felt they need, together with recommendations for change, and an indication of how improved services might positively impact on female offenders' lives.



## **What Women Need and Recommendations for Change**

In producing this piece of work, high importance was placed on providing women and all participants with a voice. Finding out what women and workers identified as the key (re)integrative issues, how they had experienced (re)integration processes and practices, and how they thought positive change could be achieved, were central aspects of the interview process. When developing initiatives targeted at a specific group, knowing who the population is, the commonalities and differences in the population and what they need is key to designing and implementing successful and effective services. Current policy and practices towards female offenders in New Zealand is not developed in such a way, a point evident in the lack of local female offender research and the limits of gender awareness and responsiveness in women's prisons and (re)integrative services. Those interviewed identified a number of issues that they faced upon release from prison and provided discussion on the types of services and provisions that could be developed to help rectify unsuccessful (re)integration, re-offending and re-imprisonment.

As seen in Chapters Five and Six, women felt unsupported both during and after their prison sentences. Similar to McNeill and Whyte's (2007) findings, women discussed the lack of opportunities and through-care systems that can support them within prison and when they return back to the community on release. Such findings reflect the short sentences that women often receive, the geographical isolation of women's prisons and the limits of collaboration, resourcing and funding between the prison and community agencies (Maidment, 2006; Carlen, 2008; Baldry, 2010). Criminological research (McNeill and Whyte, 2007) continues to show that for successful (re)integration to occur significant funding must be provided for 'through-care' that delivers a continuation of services from prison into the community. Baldry (2010) further argues that there is a need for inter-agency collaboration and co-operation. In this research, both women and workers found that the disconnection between services and programmes was problematic, as it often resulted in non-compliance, problems with access and eligibility, ineffective implementation practices and unreliable 'client' data information transfers.

Within interviews, ideas of through-care support and services were seen to be necessary for two key reasons. Firstly, women felt that even if programmes were completed in prison, the lack of continued support and links to community services rendered what they had done in prison insignificant.

Even though you learn stuff, it would be good coming back out into a similar programme. Like reintegrating you back into society, not just throw you back out there and, “Hey, good luck, use all your strategies, your coping strategies that you learnt”. You know, it’d just be good to come back out into a programme that’s set up for you for when you get out so you aren’t just thrown out and set up to fail (Marie).

Such programmes should be voluntary, rather than being tied to release conditions, and if implemented there would be great need for women to be supported. For example, women will need support on an advocacy level but also in relation to transport and communication costs and childcare. This will help women with access to programmes and help them to juggle other daily tasks at the same time as participating in programme activities.

Secondly, women felt that they were a pawn being shipped around numerous agencies. Among other things, this meant that they had to continually relive and retell their experiences because of the lack of collaboration and information sharing between prison staff and community agencies:

It’s all, go to that place, and then on the other side, on the west side, you’ve got to go there, and it’s like, why don’t you just have like a department, you know, just one department and just combine it all together. Rather than have it all scattered all over the place, and then go see Arthur, Martha and Jerry. It’s like fucking hell and it doesn’t help (Stacey).

Women thought that having mentors, sponsors or support agency volunteers coming into prisons, and being able to develop long-term relationships that would continue into the community, would be beneficial to them personally and to their (re)integrative needs that are greatly affected by support networks in the community (see Brown and Ross (2010) for further reading on successful mentoring services). Women often felt ignored and isolated while in prison yet they were expected to meet with new people, communicate, find support and negotiate a ‘free’ life after being under Correctional control, surveillance and security throughout their sentence. Once released from prison, women had little knowledge of what services were available to them and found that having to meet numerous people (often associated with release conditions) a cause of anxiety and stress (O’Brien, 2001; Covington, 2003; Rumgay, 2004). Interviews highlighted how having a support person, or advocate that they had built a relationship with during their prison sentence would help them to cope with the overwhelming task of (re)integration:

Being allocated automatically to someone, be it someone from WINZ or housing NZ or a counsellor, just having all those things there for you when you get out, instead of having to find them yourself after. Coz I mean some women can't even do it. I've got a mate and she was due out this year and she doesn't wanna get out, she's too scared (Marie).

Interviews also revealed a need for there to be more accessibility to, and prolonged involvement in, counselling services both in prison and once released into the community:

Especially the women's prison needs more counsellors and programmes, because I've noticed with a lot of women that have come out of Arohata that comes from round here, they haven't changed, and they haven't learnt anything. And I can see that they're going to end up back in prison. Because they're just carrying on doing the same patterns you know, stuck in the same circle. And you hear about their circle, that circle's not good, you know, you hear about all the not so good things that happen but without support it doesn't change (Rochelle).

I think that's why everybody re-offends because they don't know how to cope. Women don't know that they need counselling or how to get it. I think lots more women, all women who go to prison, need counselling and I think that there should be lots of contact with the counsellor, and there should be more counsellors in prisons because that just doesn't happen (Nikki).

Such services are significant as they help women to address issues relating to abuse, addiction, victimisation and trauma – the issues linked to their pathways into criminal activity (Richie, Freudenberg and Page, 2001; Richie, 2001; Radosh, 2002; Carlen and Worrall, 2004; Goldingay, 2008; McIntosh, 2011).

Further to receiving help on the issues described above, women felt that the skills and qualifications gained while in prison were insignificant once released. Such findings are supported by O'Keeffe et al (2007) who found that achievements gained in prison were either not recognised by potential employers in the community or not tailored to the current employment market (McPherson, 2007; Sheehan et al, 2007). These sentiments are reflected in the quotes provided in Chapter Six, where women detailed the problems in the use of the prison name on certificates.

Lastly, the research found a need for services and provisions to be provided outside normal working hours and to be delivered to just ex-prisoners by people who could relate to, or shared similar experiences to, the women. One dominant idea seen to have potential benefit was an 0800 telephone line dedicated to people who has been released from prison. It was identified that the time when support was most needed was outside 'nine to five' work hours and, often, available services are not ex-prisoner specific, meaning that staff have little knowledge about their specific needs:

It'd actually be a good idea to have a crisis line for women that have been incarcerated and are trying to reintegrate into society. And, just having the positive voice on the other side that has walked the walk and has that understanding and say, "Well, look, you know" and give the advice to the woman that is feeling that low (Rochelle).

They can wake up in the middle of the night, and think, "I'm feeling really angry inside over this" or some mate comes around and was trying to push drugs onto them or whatever, and if they could just talk it over with someone, that scenario, whatever that scenario might be; it could be sheer loneliness from being in a sort of an institutional environment where they've got companionship and a nice meal each day, and then suddenly plonk they're out into this lonely world where they haven't got a feed and nowhere to live, and if they could just ring 0800 and talk to someone, it could just make the difference, couldn't it, between somebody reoffending again, or just being able to know what to do the next day, where to go and get some help (Susan).

Like a rehab line, 0800 ex-prisoner. Give us a ring to talk something over, and that person -- any time of the day or night, a bit like a life line, but especially specific for people who are trying to rehabilitate back in the community... but they could talk them through whatever the issue is and refer them back to somewhere in their region to go. Hooking them up with resources and support (Sharne).

Another idea was to provide a prisoner specific support group service, similar to that of Alcoholics Anonymous. A common problem found with community services was that ex-prisoners were often ineligible to attend due to their convictions and, when eligible, women felt stigmatised and judged by involved community members who had not been to prison:

Even having like support groups... we could have, you know like AA, they have over-eaters anonymous, alcoholics anonymous, something to do with prison anonymous,

something where you can talk about your experiences and how your life's going, just on that subject (Stacey).

Somewhere you can feel comfortable. You know, I've seen people put their heads down talking to the floor, instead of talking to the group and I can see it's their shame, discussing what they've done but they're talking to the floor. Whereas, they could be in a group with other inmates and feel comfortable, it's like an alcoholics group except they're all inmates that have done something wrong (Marie).

Like in mental health where I've had a lot of experience it's got to be consumer-driven. Set up some kuia, some old women who have been there, done that, and you feel that their main issues have been addressed in their life. I think that would be absolutely marvellous, because it's worked in other areas, hasn't it, like the AA, like the gambling service often employs ex-gamblers, and like the mental health provider. I think it would be great to have something similar for 'ex-inmates' (Susan).

A final service that was recommended was that of drop-in-centres. Women often felt that they needed to get away from the dysfunction of their environments and needed outside support networks:

Even if you had like a place where they could go, like a room, like a drop-in centre where they can just go and sit in there and then you have all the stories of other women that have been in prison -- but it's got to be people that have actually walked the walk, that are in that drop-in centre as well (Louise).

We need somewhere to take the kids, get a cuppa, have a ciggy and chill. There is nowhere to go and nothing to do, so something like that would help... Just having a place like that to get away to, forget about the shit (Monique).

Overall, women and workers identified the need for the development of joined-up services – relating to counselling, health, education, work and welfare – that would help them build more positive lives on release. In addition, they identified that women need assistance to ease the problems of isolation on release from prison, and to help them during difficult periods. Long-term 'pro-social' mentors were suggested, alongside non-stigmatising help-lines, support groups, and drop-in centres. The development of such services would provide women with support, knowledge and help in addressing their (re)integrative needs that are deeply connected to their original pathways to crime. Providing women with effective support

networks and giving them access to appropriate services has to begin while women are in prison and then has to continue on release. The services run in prisons need to be linked to services available in the community.

### **Final Reflections**

This research supports many findings about female offender pathways to crime, female experiences of the CJS, imprisonment and (re)integration. That being said it must be acknowledged that due to the constraints of Masters study, a small sample size of twelve participants does not provide findings that can be generalised to the whole female prisoner population in New Zealand. The same can be said with regards to the geographical region that interview participants were recruited from, as the Napier/Hastings district is not representative of all New Zealand regions. As such, it is suggested that further research using a larger sample size that includes participants from all regions is needed. Notwithstanding this point, the findings from this research can be seen as significant to New Zealand's body of academic research in this area. Research and analysis on female offenders, prisoners and ex-prisoners is limited in this country and has largely been ignored; if positive change is to occur, more research needs to be completed and acted upon. Such future research should also seek to track women as they progress from the prison into the community, such that their experiences can be noted at different points in the (re)integration process – during the prison sentence, and after initial release, short-term release and long-term release time periods.

Of importance to the (re)integration experience of woman is also structural factors such as age, ethnicity and class. Unfortunately these factors were not able to be investigated and analysed within the current thesis, however it is important to identify Māori women's further disadvantaged place in society (McIntosh, 2011). As such, the impact of (re)integrative needs can be seen to be further problematised due to their structural relationship with society. Future research should seek to identify how ethnicity, more specifically, impacts upon the (re)integration process.

A further reflection from the current study relates to the lack of data that is readily available relating to female offenders. Throughout this research, statistical information provided by Statistics New Zealand, the Ministry of Justice and the Department of Corrections had to be further examined, analysed and sometimes reconfigured before conclusions could be derived regarding the gendered nature of apprehensions, prosecutions, convictions and sentences. Despite the Department of Corrections (2003: Introduction ) citing the purpose of conducting

a prison census as a way of providing “updated information concerning key characteristics of the New Zealand inmate population”, the incorporation of such gendered and contextual information is no longer available. As such, and due to a lack of other female offender research, international literature was drawn upon to provide evidence and support of research findings. This lack of data regarding female offenders will continue to negatively affect the way in which Correctional policies and initiatives are designed and implemented and, therefore, there is a need for change in the gathering and reporting of statistical information.

Over the past fifteen years, New Zealand, along with many other Western countries, has sent increasing numbers of women to prison. This has occurred despite the fact that women’s offending rates have been stable and, at times, have been in decline. More women than ever are going to prison for minor crimes, first time offences and breaches to community based orders that are unattainable, unrealistic and are not tailored to the gendered needs of women. This thesis has shown that increased rates of incarceration have been linked to the rise of ‘risk management’ within the criminal justice sector, in that women are often imprisoned for their gendered ‘risk profile’ rather than their offending behaviour per se. Women’s needs have become redefined as risks to society and, in turn, women are viewed as in need of punishment and enhanced security, rather than in need of support and welfare service provision. From this perspective, as shown in Chapter Four, contemporary imprisonment is used as a response to the unmet socio-economic needs of female offenders. Imprisonment as a response to marginalisation has been linked by Carlen and Tombs (2006), Sheehan (2007), Pollack (2010) and Malloch and McIvor (2013) to a rejuvenation in the chivalrous treatment of women within the CJS. Now, women are seen to be punished more severely as they tend to receive sentences of imprisonment for less serious, minor crimes. This response is however justified as a way to provide women with respite, access to treatment services and providing them with an opportunity to succeed instead of failing to complete or comply with ‘tough’ community sentences.

There seems to be a common perception that prison can address women’s issues of social, political and economic deprivation, marginalisation and stigmatisation. This thesis has shown that these expectations are unmet by the current system, and that women emerge from their imprisonment with their problems unaddressed. In addition, released women feel increased stigmatisation and isolation as a result of their prison record and community absence. These factors, combined with the difficulties of re-establishing ‘good lives’, make (re)integration a very difficult process. This thesis argues that for positive change to occur and for female

offending, re-offending and re-imprisonment rates to decline, there is a need to respond to the needs of female offenders before they reach prison, while in prison, and on release. Understanding gendered pathways to crime, women's treatment within the CJS, their imprisonment experiences, and how they negotiate (re)integration is vital to breaking the cycle of offending and recidivism. The respondents to this research have highlighted many of the issues at stake, and they have outlined recommendations for action. Overall, they make it clear that New Zealand needs to produce well-funded, collaborative and gender-specific services that can assist women before prison, while in prison and on their release into the wider community.



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# APPENDICES

Appendix One: Research Information Sheet

Appendix Two: Participant Consent Form

Appendix Three: Semi-Structured Interview Questions

Appendix Four: Statistical Analysis

4.1 2012/13 Gender analysis of NZ sentences and offences

4.2 33 year Gender analysis of NZ sentence trends (highlighting breach offences)

4.3 33 year Gender analysis of NZ imprisonment sentences (including life imprisonment) by offence type

Appendix Five: Transcribers Confidentiality Agreement



## **Appendix 1: Participant Information Sheets A (Women) and B (Worker)**



### **Participant Information sheet (Women)**

#### **How women experience release from prison.**

Researcher: Hannah Bentley, School of Social and Cultural Studies, Victoria University of Wellington.

My name is Hannah Bentley. I am a Masters student in Criminology at Victoria University of Wellington. To complete this degree I am doing research that focuses on how female ex-prisoners experience their release back into the 'community'. Ethical approval for this research has been granted by the Human Ethics Committee at Victoria University of Wellington.

The aim of this research is to discover how women experience release from prison. This project hopes to uncover what contributes to women's 'successful' or 'unsuccessful' release from prison. This is an under researched topic, and I hope that research findings might help to improve current practices towards released women.

I will conduct one-on-one interviews with female ex-prisoners as well as with workers involved in release processes. Interviews will last between one and two hours in total and will take place in a location that is convenient to you. Participation in this study is completely voluntary and you will be able to withdraw from the study at any time. A support person may also be brought to the interview if you wish to do so.

If you do consent to participate, we will talk about your experiences of imprisonment, and how you think they have shaped your release from prison. We will also discuss the issues (positive and negative) that you have experienced since being released. Specifically, I would like to know your thoughts on how ‘successful’ reintegration is made possible. For example; Were you involved in any programmes while in prison? Have you entered into any programmes since being back in the community? Did you maintain contact with family and friends while in prison or have you built relationships with anyone who has helped make reintegration possible?

If you agree to participate in this study, I would prefer to record the interview with your approval. The interview will be transcribed (written up), and all details that could identify you will be removed. All data collected from interviews (e.g., audio tapes, transcripts, electronic copies) will be destroyed three years after the completion of this study. During the course of the study, if you like, you will be provided with a copy of your transcribed interview and, upon completion, a summary of the thesis. The final thesis will be available in the Victoria University library and will be sent to organisations such as PARS and the Department of Corrections. While this research will lead to an MA thesis, the findings may also be used for future academic writing and conference papers.

Your name will not be used in any writing or presentation on this topic. What you say will remain completely confidential and you will not be identified. The only people who may see your name is myself, my supervisor and the transcriber. All of us will stick to this confidentiality agreement.

If you would like to be involved in this study or have any further questions, could you please contact me or my academic supervisor. Our full details are below. We can then choose a time and place to meet and talk. Thank you for your interest in this study and I look forward to hearing from you.

Yours Sincerely,

Hannah Bentley

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## **Participant Information sheet (Workers)**

### **How women experience release from prison.**

Researcher: Hannah Bentley, School of Social and Cultural Studies, Victoria University of Wellington.

My name is Hannah Bentley. I am a Masters student in Criminology at Victoria University of Wellington. To complete this degree I am doing research that focuses on how female ex-prisoners experience their release back into the 'community'. Ethical approval for this research has been granted by the Human Ethics Committee at Victoria University of Wellington.

The aim of this research is to discover how women experience release from prison. This project hopes to uncover what contributes to women's 'successful' or 'unsuccessful' release from prison. This is an under researched topic, and I hope that research findings might help to improve current practices towards released women.

As well as interviewing female ex-prisoners about their experiences, I would like to interview those who work with these women in the community setting. These interviews will be on a one-on-one basis, will take one to two hours in total and will take place in a location convenient to you. Participation in this study is completely voluntary and you will be able to withdraw at any time.

If you do consent to participate, we will talk about your experiences of working with female ex-prisoners and the issues you feel are important in assisting their 'successful' release. More specifically, I would like to hear your thoughts on current provisions and practices in place for female ex-prisoners.

If you agree to participate in this study, I would prefer to record the interview with your approval. The interview will be transcribed (written up), and all details that could identify you will be removed (unless you are happy to be identified). All data collected from interviews (e.g., audio tapes, transcripts, electronic copies) will be destroyed three years after the completion of this study. During the course of the study, if you like, you will be provided with a copy of your transcribed interview and, upon completion, a summary of the thesis. The final thesis will be available in the Victoria University library and will be sent to organisations such as PARS and the Department of Corrections. While this research will lead to an MA thesis, the findings may also be used for future academic writing and conference papers.

Your name will not be used in any writing or presentation on this topic, unless your approval has been given. If you prefer not to be named, what you say will remain completely confidential and you will not be identified. The only people who may see your name is myself, my supervisor and the transcriber. All of us will stick to this confidentiality agreement.

If you would like to be involved in this study or have any further questions, could you please contact me or my academic supervisor at the address, email or telephone details below, so we can choose a time and place to meet and talk. Thank you for your interest in this study and I look forward to hearing from you.

Yours Sincerely,

Hannah Bentley

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## **Appendix 2: Participant Consent Forms A (Women) and B (Worker)**



### **Interview Consent form (Women)**

#### **How women experience release from prison**

I have been given and understand the information sheet explaining this research project. I have had an opportunity to ask questions and have them answered.

I understand that I can withdraw myself, and/or information I have given, from this research without giving reasons. I can do this before May 2012.

I understand that the interview will be audio taped and that the tapes and transcripts will be kept secure and confidential. I understand that all data will be wiped within three years.

I understand that any information I do provide will be kept confidential to the researcher, the supervisor and the transcriber. It is understood that any published or presented results will not be reported in a way that names me or in any way identifies me.

I also know I will have the opportunity to check my transcript before any final publication is made and can receive a summary of the results of this project on completion.

If I have any concerns about my participation in this research, I have the researcher.s contact details.

I, ....., consent to participate in the ‘How women experience release from prison’ research.

I agree/ do not agree to my interview being audio taped.

☐ I would like to receive a copy of my interview.

☐ I would like to receive a summary of the findings.

Signature ..... Date .....

Contact/Address details: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## **Interview Consent form (Workers)**

### **How women experience release from prison**

I have been given and understand the information sheet explaining this research project. I have had an opportunity to ask questions and have them answered.

I understand that I can withdraw myself, and/or information I have given, from this research without giving reasons. I can do this before May 2012.

I understand that the interview will be audio taped and that the tapes and transcripts will be kept secure and confidential. I understand that all data will be wiped within three years.

I understand that any information I do provide will be kept confidential to the researcher, the supervisor and the transcriber. It is understood that the published results will not be reported in a way that names me or in any way identifies me, unless I agree to this with the researcher.

I also know I will have the opportunity to check my transcript before any final publication is made and can receive a summary of the results of this project on completion.

If I have any concerns about my participation in this research, I have the researcher's contact details.



I, ....., consent to participate in the ‘How women experience release from prison’ research.

I agree/ do not agree to my interview being audio taped.

☐ I would like to receive a copy of my interview.

☐ I would like to receive a summary of the findings

☐ I would like to be identified as a respondent in the research.

Signature ..... Date .....

Contact/Address details: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## **Appendix 3: Semi Structured Interview Questions A (Women) and B (Workers)**

### **Questions for Women**

#### **Background**

- Demographics (age, ethnicity). Location of imprisonment/s
- Where did you grow up?
- How would you describe your childhood?
- What schools did you go to? What did you like about school? What didn't you like?  
How long did you stay at school?
- What were your dreams/goals?
- What did you do after you finished school?
- Where did you live? Who did you live with?
- What is your relationship status? Do you have any children?

#### **Criminal History**

- When did you start getting in trouble? Why do you think you got into trouble? Did you continue to get in trouble from then on?
- When did you first have contact with the Police?
- Before going to prison did you receive any other convictions and sentences?
- How many times have you been sent to prison? How long were you sentenced for?
- How long did you spend in prison?
- Why do you think you went to prison? Can you think of any factors that may have led to you commit these crimes?
- Did you think you needed to be imprisoned? Why/why not?

## Time in prison

- How did you feel when you first went to prison?
- What were you worried about? Was there anything good about going to prison?
- What is prison like? What happens in prison?
- Can you explain why some women who have been in prison, see this environment as better than being in the community?
- What things were hard about being in prison at first? Does this change over time? Do you think being in prison changed you? (emotionally, psychologically, physically)
- How did you keep in contact with friends and family? How did you being in prison change, if at all, your relationships?
- Did you get visitors?
- What are the prison staff like? Did you get on with them?
- Was there anyone that helped you during your prison sentence?
- How would you describe the other women? Did you make any friends? Did they help you?
- Was there anyone else who supported you or helped you while you were in prison?
- Were you involved in any activities, programmes or work while in prison? Why or why not? How did this impact on your time?
- How did being involved in activities help or not help your time in prison?
- How was your health? What are the health care facilities like?
- If more than one sentence were there any differences at each stay in prison?
- What advice would you give to other women who may be entering prison?
- Do you think prison can help women?
- Are there things in prison that need to change?

## Preparing for Release

- What happened to help you prepare for your release? Did you have anything you had to do/organise before you were released?
- Were you released on parole, into probations care?
- Did you feel prepared to be released? How did you feel about being released (excited, nervous etc)?
- What were you looking forward to? Were you worried about anything?

- What were your hopes for the future? What did you want to happen? Was there anything you wanted to do?
- What did being released mean to you before you left prison? Has this changed? Is there a difference between initial, short term and long term success? What does reintegration mean to you?
- If more than one release how did these things change?

#### Release

- What did you do when you first left? What things did you do for yourself? What did you have to do?
- Where did you go? What made you go there? Has being there helped you or not helped you? Why?
- Was there anything that you found hard about being back in the community? Had anything changed? What?
- Did you have support from anyone (family, friends, workers)? How were your relationships with people (family, friends)?
- Have you been involved in any community programmes? How did you find out about these? Did you want to do them or was it part of your parole?
- How has your life changed since being in prison?
- Health, housing, employment, childcare, welfare, violence prevention, abuse help?
- What things are hard to do because you have been in prison?
- What challenges do you continue to face?
- Are there things that make it easier or harder to stay out of prison? What are the differences between successfully staying out of prison and going back to prison?
- Are there things that you feel impact how women face release?
- How do you think release could be made easier for women?
- If there was unlimited funds for services/provisions for women before, during and after prison what would these look like to you?
- Is there any advice you would give to women who will go through this? What services do they need to be?
- Is there any other experiences or information that you think is important?
- How do you think we can promote change and help for women?
- Other than this article, do you think we could present the findings another way?

## Questions for Workers

### Background

- Demographics (gender, age, ethnicity)?
- What is your job title?
- How long have you been in your current job?
- How did you come to be in working in this role?
- Did you always want to be working with female offenders? Why or why not?
- Have you been in any other roles that link you to prisoners/released prisoners? What was your position? What did you learn in those roles?
- Do you work with men and women?

### Working with women

- At what stage do you usually come into contact with female offenders? What is this contact like (one off, short term, long term)?
- What are the specifics of your role while working with women?
- How many women do you usually work with?
- What do you hope to achieve in your role? Are there any issues that make these goals unobtainable or hard to achieve?
- How would you describe the women you work with? Are there any commonalities amongst the women you work with? How, if at all, are these different from men?

### Working with women in prison

- What are women like to work with in prison? How is this different to working with men? How is it similar?
- What needs do you think women have (entering prison, while in prison)? Are these needs different from men? Do you think these needs are being sufficiently met? How or why not?
- What impact does being in prison have on women (and family, friends etc)?
- Is prison a suitable place for women to be? In what cases?

- Do you have a working relationship with the prison staff? How does this help or hinder your work with women?
- Do you have a working relationship with other external workers? How does this help or hinder your work with women?
- Are there any facilities, programmes services that women would benefit from in prison?
- How do you or your organisation begin the process of providing help or support for women being released from prison?

#### Working with women once released

- What does successful (re)integration mean to you? What does it mean to the women? Is this different to men?
- What does rehabilitation mean to you? Regarding the women you work with?
- How would you describe the concepts of (re)integration and (re)habilitation as linking? Are they appropriate terms to use when dealing with female offenders?
- What agencies do you know about that offer support to women being released from prison? Do you work together with any of these?
- What services and provisions are there to help women upon release? What isn't there?
- What are women like to work with, in the community? How is this different to working with men? How is it similar?
- What issues do women face when transitioning back into the community? Do these change over time?
- What role does issues of housing, employment, health, mental health, childcare, violence prevention, victimisation and drug and alcohol abuse play in a women's (re)integration process? How, if at all, are these different to the role they play for men?
- How do release conditions impact the way women negotiate release from prison? Is this different to men?
- What initial steps do women being released need to take? What are the barriers to these being successfully negotiated?
- What are the short term steps women need to take? What are the barriers to these being successfully negotiated?

- What are the long term steps women need to take? What are the barriers to these being successfully negotiated?
- Are there some women who do not fit the 'mould' in terms of being (re)integrated or rehabilitated? Compared with men?
- What are the differences between women who successfully stay out of prison and those who go back?
- Are there any facilities, programmes services that women would benefit from in the community?
- What alternatives to imprisonment do you think would be beneficial to women?
- If you could have unlimited funds for any services/provisions for women before, during and after prison, what would these look like?
- Do you have any other experiences or information that you think is important to this research?
- Other than writing a report for the Napier Pilot City Trust and a Master's Thesis, how do you think these findings could be presented to promote and encourage any change needed?

## **Appendix 4.1: 2012/13 Gender Analysis of NZ Criminal Justice Sentences and Offences**



Total Sentences by Offence (financial year 2012/13)	Sentences by Gender			% of all female sentences	% of all male sentences	Female % of all sentences	Male % of all sentences
	Female	Male	Total				
Traffic And Vehicle Regulatory Offences	7,699	23,086	30,785	45%	38%	25%	75%
Acts Intended To Cause Injury	1,381	7,442	8,823	8%	12%	16%	84%
Offences Against Justice Procedures, Government Security And Government Operations	1,165	4,606	5,771	7%	8%	20%	80%
Dangerous Or Negligent Acts Endangering Persons	984	4,043	5,027	6%	7%	20%	80%
Theft And Related Offences	1,769	3,649	5,418	10%	6%	33%	67%
Illicit Drug Offences	763	2,913	3,676	4%	5%	21%	79%
Offences Against Justice Procedures, Government Security And Government Operations	842	2,557	3,399	5%	4%	25%	75%
Unlawful Entry With Intent/Burglary, Break And Enter	225	2,363	2,588	1%	4%	9%	91%
Public Order Offences	386	2,300	2,686	2%	4%	14%	86%
Property Damage And Environmental Pollution	381	2,244	2,625	2%	4%	15%	85%
Fraud, Deception And Related Offences	1,208	1,087	2,295	7%	2%	53%	47%
Prohibited And Regulated Weapons And Explosives Offences	99	961	1,060	1%	2%	9%	91%
Abduction, Harassment And Other Offences Against The Person	104	944	1,048	1%	2%	10%	90%
Sexual Assault And Related Offences	10	746	756	0%	1%	1%	99%
Miscellaneous Offences	159	682	841	1%	1%	19%	81%
Robbery, Extortion And Related Offences	66	464	530	0%	1%	12%	88%
Homicide And Related Offences	12	56	68	0%	0%	18%	82%
	<b>17,253</b>	<b>60,143</b>	<b>77,396</b>	<b>100%</b>	<b>100%</b>	<b>22%</b>	<b>78%</b>

  

Sentences by Type (financial year 2012/13)	Sentences by Gender			% of all female sentences	% of all male sentences	Female % of sentence type	Male % of sentence type
	Female	Male	Total				
Fine	5,871	18,603	24,474	34%	7%	24%	76%
Community Work, corrections	4,213	15,637	19,850	24%	26%	21%	79%
Community Detention	1,255	4,142	5,397	7%	3%	23%	77%
Reparation/Restitution	907	2,767	3,674	5%	1%	25%	75%
Supervision by Community Corrections	867	2,232	3,099	5%	31%	28%	72%
Conviction and Discharge	770	1,911	2,681	4%	4%	29%	71%
Imprisonment	702	6,829	7,531	4%	11%	9%	91%
Home Detention (SA2007)	701	2,324	3,025	4%	2%	23%	77%
Conviction and Discharge	636	1,802	2,438	4%	0%	26%	74%
Other	547	1,485	2,032	3%	2%	27%	73%
Intensive Supervision	298	1,048	1,346	2%	0%	22%	78%
Disqualification From Driving	278	575	853	2%	5%	33%	67%
Other	196	731	927	1%	4%	21%	79%
Reparation/Restitution	8	19	27	0%	3%	30%	70%
Disqualification From Driving	2	5	7	0%	0%	29%	71%
Life Imprisonment	2	21	23	0%	1%	9%	91%
Preventive Detention	-	12	12	0%	0%	0%	100%
	<b>17253</b>	<b>60143</b>	<b>77396</b>	<b>100%</b>	<b>100%</b>	<b>22%</b>	<b>78%</b>

Source : Statistic NZ

<http://nzdotstat.stats.govt.nz/wbos/Index.aspx?DataSetCode=TABLECODE7373#>

## **Appendix 4.2: 33 Year Gender Analysis of NZ Criminal Justice Sentence Trends (highlighting breach offences)**

Statistics	Gender	1980/81	1981/82	1982/83	1983/84	1984/85	1985/86	1986/87	1987/88	1988/89	1989/90	1990/91	1991/92
Sentences	Male	114,484	81,610	65,529	62,904	64,334	62,681	69,397	67,657	82,737	74,670	64,843	65,096
	Female	21,027	16,801	13,138	12,284	13,593	13,639	15,438	14,697	18,712	16,677	13,959	14,152
Breaches*	Male	5,209	6,087	5,961	5,727	6,439	6,392	5,956	5,763	6,273	5,808	5,730	5,508
	Female	1,201	1,480	1,476	1,351	1,642	1,735	1,802	1,702	1,826	1,843	2,110	2,019
Imprisonment	Male	3,009	3,217	3,711	3,985	4,304	3,693	4,217	4,419	4,632	4,940	5,289	5,576
	Female	199	180	255	252	253	196	251	256	312	356	359	324
Imprisonment for breaches	Male	341	349	477	473	478	413	459	438	473	548	486	536
	Female	32	19	34	26	40	23	33	35	60	60	49	41
Intensive Supervision	Male	-	-	-	-	-	-	-	-	-	-	-	-
	Female	-	-	-	-	-	-	-	-	-	-	-	-
Home Detention (SA2007)	Male	-	-	-	-	-	-	-	-	-	-	-	-
	Female	-	-	-	-	-	-	-	-	-	-	-	-
Community Detention	Male	-	-	-	-	-	-	-	-	-	-	-	-
	Female	-	-	-	-	-	-	-	-	-	-	-	-

Ratios	Gender	1980/81	1981/82	1982/83	1983/84	1984/85	1985/86	1986/87	1987/88	1988/89	1989/90	1990/91	1991/92
% Breaches* to Total Sentences	Male	3.8%	6.2%	7.6%	7.6%	8.3%	8.4%	7.0%	7.0%	6.2%	6.4%	7.3%	7.0%
	Female	0.9%	1.5%	1.9%	1.8%	2.1%	2.3%	2.1%	2.1%	1.8%	2.0%	2.7%	2.5%
% Imprisonment for Breaches*	Male	11.3%	10.8%	12.9%	11.9%	11.1%	11.2%	10.9%	9.9%	10.2%	11.1%	9.2%	9.6%
	Female	16.1%	10.6%	13.3%	10.3%	15.8%	11.7%	13.1%	13.7%	19.2%	16.9%	13.6%	12.7%
% Intensive Supervision to Total Sentences	Male	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	Female	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
% Home Detention to Total Sentences	Male	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	Female	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
% Community Detention to Total Sentences	Male	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	Female	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

\* Offences Against Justice Procedures, Government Security And Government Operations

Source : Statistics NZ

<http://nzdotstat.stats.govt.nz/wbos/Index.aspx?DataSetCode=TABLECODE7373#>

## **Appendix 4.2: 33 Year Gender Analysis of NZ Criminal Justice Sentence Trends (highlighting breach offences)**

Statistics	Gender	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04
Sentences	Male	63,466	65,059	64,336	65,326	61,939	60,639	63,035	59,666	60,083	58,709	59,861	62,963
	Female	14,397	14,977	14,505	14,937	13,798	13,242	13,871	13,448	13,762	13,734	14,203	15,075
Breaches*	Male	6,694	7,087	7,117	6,986	5,130	4,296	4,310	5,883	6,325	5,179	4,156	4,690
	Female	2,651	2,926	2,941	3,091	1,797	1,013	962	1,392	1,645	1,276	983	1,156
Imprisonment	Male	6,002	5,575	5,423	5,579	6,012	6,368	6,406	6,349	6,404	6,328	6,572	7,448
	Female	382	333	328	356	404	503	523	543	618	554	731	929
Imprisonment for breaches	Male	576	489	522	424	467	527	524	529	521	481	442	629
	Female	50	34	45	28	38	59	47	45	58	49	49	99
Intensive Supervision	Male	-	-	-	-	-	-	-	-	-	-	-	1
	Female	-	-	-	-	-	1	-	-	-	-	-	1
Home Detention (SA2007)	Male	-	-	-	-	-	-	-	-	1	-	-	3
	Female	-	-	-	-	-	-	-	-	-	-	-	-
Community Detention	Male	-	-	-	-	-	-	-	-	-	-	3	6
	Female	-	-	-	-	-	-	-	-	-	-	1	-

Ratios	Gender	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04
% Breaches* to Total Sentences	Male	8.6%	8.9%	9.0%	8.7%	6.8%	5.8%	5.6%	8.0%	8.6%	7.1%	5.6%	6.0%
	Female	3.4%	3.7%	3.7%	3.9%	2.4%	1.4%	1.3%	1.9%	2.2%	1.8%	1.3%	1.5%
% Imprisonment for Breaches*	Male	9.6%	8.8%	9.6%	7.6%	7.8%	8.3%	8.2%	8.3%	8.1%	7.6%	6.7%	8.4%
	Female	13.1%	10.2%	13.7%	7.9%	9.4%	11.7%	9.0%	8.3%	9.4%	8.8%	6.7%	10.7%
% Intensive Supervision to Total Sentences	Male	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	Female	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
% Home Detention to Total Sentences	Male	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	Female	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
% Community Detention to Total Sentences	Male	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	Female	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

\* Offences Against Justice Procedures, Government Security And Government Operations

Source : Statistics NZ

<http://nzdotstat.stats.govt.nz/wbos/Index.aspx?DataSetCode=TABLECODE7373#>



## **Appendix 4.2: 33 Year Gender Analysis of NZ Criminal Justice Sentence Trends (highlighting breach offences)**

Statistics	Gender	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Sentences	Male	63,153	63,393	66,531	72,488	76,129	76,660	70,208	64,509	60,143
	Female	15,127	15,585	16,708	18,786	20,477	21,067	19,883	18,819	17,253
Breaches*	Male	5,519	5,858	6,051	6,882	7,818	8,988	9,344	8,421	7,163
	Female	1,403	1,441	1,530	1,736	2,169	2,361	2,516	2,400	2,007
Imprisonment	Male	7,948	8,163	8,212	7,400	7,796	8,116	7,772	7,094	6,829
	Female	944	909	1,038	727	801	917	894	778	702
Imprisonment for breaches	Male	841	958	982	978	1,138	1,298	1,360	1,202	1,010
	Female	102	121	136	102	142	184	195	169	147
Intensive Supervision	Male	2	3	14	712	1,217	1,325	1,230	1,051	1,048
	Female	1	2	12	165	342	287	327	334	298
Home Detention (SA2007)	Male	8	16	48	1,299	2,101	2,361	2,384	2,262	2,324
	Female	-	2	13	353	544	650	680	628	701
Community Detention	Male	8	24	111	1,217	2,493	3,444	3,778	4,063	4,142
	Female	3	9	34	267	567	899	1,115	1,195	1,255

Ratios	Gender	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
% Breaches* to Total Sentences	Male	7.1%	7.4%	7.3%	7.5%	8.1%	9.2%	10.4%	10.1%	9.3%
	Female	1.8%	1.8%	1.8%	1.9%	2.2%	2.4%	2.8%	2.9%	2.6%
% Imprisonment for Breaches*	Male	10.6%	11.7%	12.0%	13.2%	14.6%	16.0%	17.5%	16.9%	14.8%
	Female	10.8%	13.3%	13.1%	14.0%	17.7%	20.1%	21.8%	21.7%	20.9%
% Intensive Supervision to Total Sentences	Male	0%	0%	0%	0.8%	1.3%	1.4%	1.4%	1.3%	1.4%
	Female	0%	0%	0%	0.2%	0.4%	0.4%	0.5%	0.5%	0.5%
% Home Detention to Total Sentences	Male	0%	0%	0.1%	1.4%	2.2%	2.4%	2.6%	2.7%	3.0%
	Female	0%	0%	0%	0.4%	0.6%	0.7%	0.8%	0.8%	0.9%
% Community Detention to Total Sentences	Male	0%	0%	0.1%	1.3%	2.6%	3.5%	4.2%	4.9%	5.4%
	Female	0%	0%	0%	0.3%	0.6%	0.9%	1.2%	1.4%	1.6%

\* Offences Against Justice Procedures, Government Security And Government Operations

Source : Statistics NZ

<http://nzdotstat.stats.govt.nz/wbos/Index.aspx?DataSetCode=TABLECODE7373#>



**Appendix 4.3: 33 Year Gender Analysis of NZ Criminal Justice Imprisonment Sentences (including life imprisonment) by  
Offence Type (Count and Percentage)**

Offence	Gender	1980/81	1981/82	1982/83	1983/84	1984/85	1985/86	1986/87	1987/88	1988/89	1989/90	1990/91	1991/92
Abduction, Harassment And Other Offences Against The Person	Female	1	1	0	2	2	1	2	2	1	4	2	0
	Male	42	33	31	59	32	42	53	66	45	43	64	55
Acts Intended To Cause Injury	Female	14	7	20	21	15	15	12	14	31	19	28	26
	Male	334	321	349	435	451	443	451	527	642	623	689	702
Dangerous Or Negligent Acts Endangering Persons	Female	3	1	1	5	2	2	3	0	3	4	6	9
	Male	30	48	54	63	67	43	58	63	70	74	67	89
Fraud, Deception And Related Offences	Female	55	53	63	67	55	34	41	55	56	79	93	99
	Male	248	216	254	239	248	158	197	203	210	199	247	253
Homicide And Related Offences	Female	2	0	3	4	7	6	4	9	6	5	9	5
	Male	45	60	49	66	63	66	88	94	84	108	91	87
Illicit Drug Offences	Female	15	23	16	18	26	25	35	27	34	31	48	26
	Male	187	237	189	230	287	224	295	381	422	387	419	428
Miscellaneous Offences	Female	0	0	0	0	0	0	0	0	1	1	1	0
	Male	0	1	1	5	3	1	5	1	4	2	0	2
Offences Against Justice Procedures, Government Security And Government Operations	Female	32	19	34	26	40	23	33	35	60	60	49	41
	Male	341	349	477	473	478	413	459	438	473	548	486	536
Prohibited And Regulated Weapons And Explosives Offences	Female	1	0	1	3	1	4	4	4	6	6	2	1
	Male	42	30	44	53	72	100	79	92	86	108	87	100
Property Damage and environmental Pollution	Female	46	71	73	59	84	73	62	80	89	77	70	80
	Female	3	2	5	6	3	3	3	8	1	7	6	4
Public Order Offences	Female	3	1	3	3	3	2	2	1	6	3	2	3
	Male	115	52	86	70	64	70	67	34	54	42	33	50
Robbery, Extortion And Related Offences	Female	5	6	13	5	4	12	12	10	15	13	8	8
	Male	110	138	126	135	151	195	212	205	214	213	209	238
Sexual Assault And Related Offences	Female	4	1	0	1	1	2	0	0	1	2	0	2
	Male	131	122	151	170	217	229	277	312	345	341	409	424
Theft And Related Offences	Female	40	38	55	65	59	42	47	43	43	48	36	35
	Male	427	532	525	569	653	457	464	419	357	386	391	388
Traffic And Vehicle Regulatory Offences	Female	3	4	9	7	11	7	12	20	18	35	40	42
	Male	349	426	616	672	761	596	760	850	881	1095	1245	1343
Unlawful Entry With Intent/Burglary, Break And Enter	Female	18	24	33	21	25	20	41	32	31	40	29	24
	Male	570	593	691	698	679	607	718	682	675	721	806	827
Total Offences	<b>Female</b>	<b>199</b>	<b>180</b>	<b>256</b>	<b>254</b>	<b>254</b>	<b>198</b>	<b>251</b>	<b>260</b>	<b>313</b>	<b>357</b>	<b>359</b>	<b>325</b>
	<b>Male</b>	<b>3017</b>	<b>3229</b>	<b>3716</b>	<b>3996</b>	<b>4310</b>	<b>3717</b>	<b>4245</b>	<b>4447</b>	<b>4651</b>	<b>4967</b>	<b>5313</b>	<b>5602</b>

**Appendix 4.3: 33 Year Gender Analysis of NZ Criminal Justice Imprisonment Sentences (including life imprisonment) by  
Offence Type (Count and Percentage)**

Offence	Gender	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04
Abduction, Harassment And Other Offences Against The Person	Female	4	5	6	5	3	7	4	6	3	4	4	9
	Male	96	82	66	103	111	100	130	109	111	132	131	160
Acts Intended To Cause Injury	Female	15	35	31	38	34	34	47	45	76	52	64	76
	Male	822	890	947	959	950	977	953	933	994	995	964	1073
Dangerous Or Negligent Acts Endangering Persons	Female	6	5	4	3	4	8	6	7	12	16	12	11
	Male	105	74	72	86	78	82	97	86	79	99	119	123
Fraud, Deception And Related Offences	Female	117	65	59	77	99	86	99	97	128	137	179	211
	Male	257	214	217	241	255	203	219	244	272	262	310	318
Homicide And Related Offences	Female	8	6	6	4	3	9	8	10	8	10	3	7
	Male	88	74	57	83	71	87	63	55	44	63	69	61
Illicit Drug Offences	Female	35	43	37	36	44	51	50	64	80	67	125	145
	Male	443	388	401	392	459	547	522	611	602	624	703	725
Miscellaneous Offences	Female	1	0	0	1	0	1	1	0	0	0	4	2
	Male	2	15	2	4	2	9	6	8	3	7	16	23
Offences Against Justice Procedures, Government Security And Government Operations	Female	50	34	45	28	38	59	47	45	58	49	49	99
	Male	576	489	522	424	467	527	524	529	521	481	442	629
Prohibited And Regulated Weapons And Explosives Offences	Female	5	4	2	1	3	2	3	4	1	4	6	5
	Male	75	119	76	84	104	81	98	87	97	98	98	103
Property Damage and environmental Pollution	Female	79	88	97	94	86	109	114	93	105	129	122	135
	Female	4	7	8	6	5	12	5	7	12	12	9	11
Public Order Offences	Female	3	4	6	3	5	1	1	1	2	3	7	5
	Male	56	45	55	69	58	65	60	65	48	46	57	76
Robbery, Extortion And Related Offences	Female	16	13	18	13	22	29	20	32	18	9	23	31
	Male	326	285	284	273	317	343	372	337	329	235	316	313
Sexual Assault And Related Offences	Female	5	6	0	6	1	1	3	1	5	0	4	4
	Male	540	541	474	489	433	399	364	383	378	365	406	417
Theft And Related Offences	Female	43	46	39	48	44	76	74	74	70	52	70	86
	Male	457	373	413	375	438	482	526	553	537	574	623	621
Traffic And Vehicle Regulatory Offences	Female	40	44	49	61	72	93	109	115	94	102	119	157
	Male	1284	1136	1041	1209	1385	1447	1483	1319	1250	1273	1203	1520
Unlawful Entry With Intent/Burglary, Break And Enter	Female	32	19	21	26	28	37	47	39	51	40	55	71
	Male	824	777	720	720	826	944	896	957	1055	967	1014	1170
Total Offences	<b>Female</b>	<b>384</b>	<b>336</b>	<b>331</b>	<b>356</b>	<b>405</b>	<b>506</b>	<b>524</b>	<b>547</b>	<b>618</b>	<b>557</b>	<b>733</b>	<b>930</b>
	<b>Male</b>	<b>6030</b>	<b>5590</b>	<b>5444</b>	<b>5605</b>	<b>6040</b>	<b>6402</b>	<b>6427</b>	<b>6369</b>	<b>6425</b>	<b>6350</b>	<b>6593</b>	<b>7467</b>

**Appendix 4.3: 33 Year Gender Analysis of NZ Criminal Justice Imprisonment Sentences (including life imprisonment) by  
Offence Type (Count and Percentage by Gender)**

Offence	Gender	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	
Abduction, Harassment And Other Offences Against The Person	Female	7	4	7	7	12	13	11	6	9	
	Male	147	141	165	158	178	174	172	179	190	
Acts Intended To Cause Injury	Female	76	84	89	72	79	95	110	104	80	
	Male	1197	1263	1296	1403	1449	1541	1434	1433	1466	
Dangerous Or Negligent Acts Endangering Persons	Female	16	19	22	13	13	16	15	8	13	
	Male	133	144	149	108	116	129	96	78	55	
Fraud, Deception And Related Offences	Female	204	187	230	102	99	115	95	81	75	
	Male	317	267	253	237	230	218	191	164	170	
Homicide And Related Offences	Female	8	7	11	6	12	18	6	9	9	
	Male	62	40	63	59	57	80	88	52	44	
Illicit Drug Offences	Female	134	110	105	80	73	86	88	79	81	
	Male	728	644	643	502	489	582	579	482	488	
Miscellaneous Offences	Female	3	5	6	1	3	1	0	1	3	
	Male	22	21	27	16	24	21	25	15	18	
Offences Against Justice Procedures, Government Security And Government Operations	Female	102	121	136	102	142	184	195	169	147	
	Male	841	958	982	978	1138	1298	1360	1202	1010	
Prohibited And Regulated Weapons And Explosives Offences	Female	1	7	7	8	0	6	6	3	5	
	Male	109	106	133	128	132	123	141	116	118	
Property Damage and environmental Pollution	Female	142	169	138	146	147	156	150	127	127	
	Female	16	10	11	12	24	18	14	15	12	
Public Order Offences	Female	1	6	5	4	4	0	5	5	4	
	Male	64	88	102	79	105	98	94	103	96	
Robbery, Extortion And Related Offences	Female	30	38	44	27	31	36	27	21	24	
	Male	337	354	373	341	352	416	325	295	308	
Sexual Assault And Related Offences	Female	2	3	4	6	2	1	3	5	4	
	Male	401	402	415	360	395	375	385	365	463	
Theft And Related Offences	Female	106	82	111	115	104	115	113	115	107	
	Male	631	743	700	613	624	553	579	584	526	
Traffic And Vehicle Regulatory Offences	Female	164	148	182	120	137	142	153	105	73	
	Male	1591	1631	1585	1234	1283	1223	1085	887	802	
Unlawful Entry With Intent/Burglary, Break And Enter	Female	74	80	69	53	69	75	54	54	58	
	Male	1243	1209	1212	1066	1105	1162	1099	1035	969	
Total Offences	<b>Female</b>	<b>944</b>	<b>911</b>	<b>1039</b>	<b>728</b>	<b>804</b>	<b>921</b>	<b>895</b>	<b>780</b>	<b>704</b>	
	<b>Male</b>	<b>7965</b>	<b>8180</b>	<b>8236</b>	<b>7428</b>	<b>7824</b>	<b>8149</b>	<b>7803</b>	<b>7117</b>	<b>6850</b>	

**Appendix 4.3: 33 Year Gender Analysis of NZ Criminal Justice Imprisonment Sentences (including life imprisonment) by  
Offence Type (Count and Percentage by Gender)**

Offence	Gender	1980/81	1981/82	1982/83	1983/84	1984/85	1985/86	1986/87	1987/88	1988/89	1989/90	1990/91	1991/92
Abduction, Harassment And Other Offences Against The Person	Female	1%	1%	0%	1%	1%	1%	1%	1%	0%	1%	1%	0%
	Male	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Acts Intended To Cause Injury	Female	7%	4%	8%	8%	6%	8%	5%	5%	10%	5%	8%	8%
	Male	11%	10%	9%	11%	10%	12%	11%	12%	14%	13%	13%	13%
Dangerous Or Negligent Acts Endangering Persons	Female	2%	1%	0%	2%	1%	1%	1%	0%	1%	1%	2%	3%
	Male	1%	1%	1%	2%	2%	1%	1%	1%	2%	1%	1%	2%
Fraud, Deception And Related Offences	Female	28%	29%	25%	26%	22%	17%	16%	21%	18%	22%	26%	30%
	Male	8%	7%	7%	6%	6%	4%	5%	5%	5%	4%	5%	5%
Homicide And Related Offences	Female	1%	0%	1%	2%	3%	3%	2%	3%	2%	1%	3%	2%
	Male	1%	2%	1%	2%	1%	2%	2%	2%	2%	2%	2%	2%
Illicit Drug Offences	Female	8%	13%	6%	7%	10%	13%	14%	10%	11%	9%	13%	8%
	Male	6%	7%	5%	6%	7%	6%	7%	9%	9%	8%	8%	8%
Miscellaneous Offences	Female	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	Male	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Offences Against Justice Procedures, Government Security And Government	Female	16%	11%	13%	10%	16%	12%	13%	13%	19%	17%	14%	13%
	Male	11%	11%	13%	12%	11%	11%	11%	10%	10%	11%	9%	10%
Prohibited And Regulated Weapons And Explosives Offences	Female	1%	0%	0%	1%	0%	2%	2%	2%	2%	2%	1%	0%
	Male	1%	1%	1%	1%	2%	3%	2%	2%	2%	2%	2%	2%
Property Damage and environmental Pollution	Female	23%	39%	29%	23%	33%	37%	25%	31%	28%	22%	19%	25%
	Male	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Public Order Offences	Female	2%	1%	1%	1%	1%	1%	1%	0%	2%	1%	1%	1%
	Male	4%	2%	2%	2%	1%	2%	2%	1%	1%	1%	1%	1%
Robbery, Extortion And Related Offences	Female	3%	3%	5%	2%	2%	6%	5%	4%	5%	4%	2%	2%
	Male	4%	4%	3%	3%	4%	5%	5%	5%	5%	4%	4%	4%
Sexual Assault And Related Offences	Female	2%	1%	0%	0%	0%	1%	0%	0%	0%	1%	0%	1%
	Male	4%	4%	4%	4%	5%	6%	7%	7%	7%	7%	8%	8%
Theft And Related Offences	Female	20%	21%	21%	26%	23%	21%	19%	17%	14%	13%	10%	11%
	Male	14%	16%	14%	14%	15%	12%	11%	9%	8%	8%	7%	7%
Traffic And Vehicle Regulatory Offences	Female	2%	2%	4%	3%	4%	4%	5%	8%	6%	10%	11%	13%
	Male	12%	13%	17%	17%	18%	16%	18%	19%	19%	22%	23%	24%
Unlawful Entry With Intent/Burglary, Break And Enter	Female	9%	13%	13%	8%	10%	10%	16%	12%	10%	11%	8%	7%
	Male	19%	18%	19%	17%	16%	16%	17%	15%	15%	15%	15%	15%
Total Offences	Female	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Male	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Source : Statistics NZ

<http://nzdotstat.stats.govt.nz/wbos/Index.aspx?DataSetCode=TABLECODE7373>



**Appendix 4.3: 33 Year Gender Analysis of NZ Criminal Justice Imprisonment Sentences (including life imprisonment) by  
Offence Type (Count and Percentage by Gender)**

Offence	Gender	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04
Abduction, Harassment And Other Offences Against The Person	Female	1%	1%	2%	1%	1%	1%	1%	1%	0%	1%	1%	1%
	Male	2%	1%	1%	2%	2%	2%	2%	2%	2%	2%	2%	2%
Acts Intended To Cause Injury	Female	4%	10%	9%	11%	8%	7%	9%	8%	12%	9%	9%	8%
	Male	14%	16%	17%	17%	16%	15%	15%	15%	15%	16%	15%	14%
Dangerous Or Negligent Acts Endangering Persons	Female	2%	1%	1%	1%	1%	2%	1%	1%	2%	3%	2%	1%
	Male	2%	1%	1%	2%	1%	1%	2%	1%	1%	2%	2%	2%
Fraud, Deception And Related Offences	Female	30%	19%	18%	22%	24%	17%	19%	18%	21%	25%	24%	23%
	Male	4%	4%	4%	4%	4%	3%	3%	4%	4%	4%	5%	4%
Homicide And Related Offences	Female	2%	2%	2%	1%	1%	2%	2%	2%	1%	2%	0%	1%
	Male	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Illicit Drug Offences	Female	9%	13%	11%	10%	11%	10%	10%	12%	13%	12%	17%	16%
	Male	7%	7%	7%	7%	8%	9%	8%	10%	9%	10%	11%	10%
Miscellaneous Offences	Female	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%	0%
	Male	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Offences Against Justice Procedures, Government Security And Government	Female	13%	10%	14%	8%	9%	12%	9%	8%	9%	9%	7%	11%
	Male	10%	9%	10%	8%	8%	8%	8%	8%	8%	8%	7%	8%
Prohibited And Regulated Weapons And Explosives Offences	Female	1%	1%	1%	0%	1%	0%	1%	1%	0%	1%	1%	1%
	Male	1%	2%	1%	1%	2%	1%	2%	1%	2%	2%	1%	1%
Property Damage and environmental Pollution	Female	21%	26%	29%	26%	21%	22%	22%	17%	17%	23%	17%	15%
	Female	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Public Order Offences	Female	1%	1%	2%	1%	1%	0%	0%	0%	0%	1%	1%	1%
	Male	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Robbery, Extortion And Related Offences	Female	4%	4%	5%	4%	5%	6%	4%	6%	3%	2%	3%	3%
	Male	5%	5%	5%	5%	5%	5%	6%	5%	5%	4%	5%	4%
Sexual Assault And Related Offences	Female	1%	2%	0%	2%	0%	0%	1%	0%	1%	0%	1%	0%
	Male	9%	10%	9%	9%	7%	6%	6%	6%	6%	6%	6%	6%
Theft And Related Offences	Female	11%	14%	12%	13%	11%	15%	14%	14%	11%	9%	10%	9%
	Male	8%	7%	8%	7%	7%	8%	8%	9%	8%	9%	9%	8%
Traffic And Vehicle Regulatory Offences	Female	10%	13%	15%	17%	18%	18%	21%	21%	15%	18%	16%	17%
	Male	21%	20%	19%	22%	23%	23%	23%	21%	19%	20%	18%	20%
Unlawful Entry With Intent/Burglary, Break And Enter	Female	8%	6%	6%	7%	7%	7%	9%	7%	8%	7%	8%	8%
	Male	14%	14%	13%	13%	14%	15%	14%	15%	16%	15%	15%	16%
Total Offences	Female	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Male	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Source : Statistics NZ

**Appendix 4.3: 33 Year Gender Analysis of NZ Criminal Justice Imprisonment Sentences (including life imprisonment) by  
Offence Type (Count and Percentage by Gender)**

Offence	Gender	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	
Abduction, Harassment And Other Offences Against The Person	Female	1%	0%	1%	1%	1%	1%	1%	1%	1%	
	Male	2%	2%	2%	2%	2%	2%	2%	3%	3%	
Acts Intended To Cause Injury	Female	8%	9%	9%	10%	10%	10%	12%	13%	11%	
	Male	15%	15%	16%	19%	19%	19%	18%	20%	21%	
Dangerous Or Negligent Acts Endangering Persons	Female	2%	2%	2%	2%	2%	2%	2%	1%	2%	
	Male	2%	2%	2%	1%	1%	2%	1%	1%	1%	
Fraud, Deception And Related Offences	Female	22%	21%	22%	14%	12%	12%	11%	10%	11%	
	Male	4%	3%	3%	3%	3%	3%	2%	2%	2%	
Homicide And Related Offences	Female	1%	1%	1%	1%	1%	2%	1%	1%	1%	
	Male	1%	0%	1%	1%	1%	1%	1%	1%	1%	
Illicit Drug Offences	Female	14%	12%	10%	11%	9%	9%	10%	10%	12%	
	Male	9%	8%	8%	7%	6%	7%	7%	7%	7%	
Miscellaneous Offences	Female	0%	1%	1%	0%	0%	0%	0%	0%	0%	
	Male	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Offences Against Justice Procedures, Government Security And Government	Female	11%	13%	13%	14%	18%	20%	22%	22%	21%	
	Male	11%	12%	12%	13%	15%	16%	17%	17%	15%	
Prohibited And Regulated Weapons And Explosives Offences	Female	0%	1%	1%	1%	0%	1%	1%	0%	1%	
	Male	1%	1%	2%	2%	2%	2%	2%	2%	2%	
Property Damage and environmental Pollution	Female	15%	19%	13%	20%	18%	17%	17%	16%	18%	
	Female	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Public Order Offences	Female	0%	1%	0%	1%	0%	0%	1%	1%	1%	
	Male	1%	1%	1%	1%	1%	1%	1%	1%	1%	
Robbery, Extortion And Related Offences	Female	3%	4%	4%	4%	4%	4%	3%	3%	3%	
	Male	4%	4%	5%	5%	4%	5%	4%	4%	4%	
Sexual Assault And Related Offences	Female	0%	0%	0%	1%	0%	0%	0%	1%	1%	
	Male	5%	5%	5%	5%	5%	5%	5%	5%	7%	
Theft And Related Offences	Female	11%	9%	11%	16%	13%	12%	13%	15%	15%	
	Male	8%	9%	8%	8%	8%	7%	7%	8%	8%	
Traffic And Vehicle Regulatory Offences	Female	17%	16%	18%	16%	17%	15%	17%	13%	10%	
	Male	20%	20%	19%	17%	16%	15%	14%	12%	12%	
Unlawful Entry With Intent/Burglary, Break And Enter	Female	8%	9%	7%	7%	9%	8%	6%	7%	8%	
	Male	16%	15%	15%	14%	14%	14%	14%	15%	14%	
Total Offences	Female	100%	100%	100%	100%	100%	100%	100%	100%	100%	
	Male	100%	100%	100%	100%	100%	100%	100%	100%	100%	
Source : Statistics NZ											

## Appendix 5: Transcribers Confidentiality Agreement



### Transcriber Confidentiality Agreement

#### How women experience release from prison:

I, \_\_\_\_\_, the transcriber, agree to maintain full confidentiality in regards to any research information (e.g., disks, tapes, transcripts) I receive from Hannah Bentley related to her study on 'how women experience release from prison'. Furthermore, I agree:

1. To not discuss or share any research information with anyone other than the researcher.
2. To hold in strictest confidence the identification of any person who may be revealed within the research information.
3. To not make any copies of recordings or transcripts, unless specifically requested to by the researcher.
4. To keep all research-related materials (e.g., disks, tapes, transcripts) in a safe, secure location as long as they are in my possession.
5. To return all research-related materials (e.g., disks, tapes, transcripts) to the researcher when I have completed the research tasks.
6. To delete or destroy all research-related material that the researcher does not wish to be returned to them.

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(signature)

If you have any questions or concerns about this study please contact:

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