



SCOTTISH COMMUNITY JUSTICE AND WOMEN: PROGRESS OR PERIPHERAL CONCERN?

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Abstract

This paper critically examines the development of community justice for women in Scotland, questioning whether gender-responsive principles have been meaningfully embedded in policy and practice. While successive reviews and policy commitments have emphasised the need to divert women from custody through community-based alternatives, the reality has been a sustained prioritisation of punitive responses, with investment disproportionately directed toward reforming the female prison estate rather than enhancing community justice provision. Despite well-regarded programmes such as problem-solving courts, mentoring schemes, and women’s community justice centres, the landscape remains inconsistent and underdeveloped due to fragmented service provision, short-term funding models, and a lack of strategic leadership. The paper argues that without sustained investment and structural reform, Scotland’s justice system will continue to rely on imprisonment as the default response to women’s offending. In conclusion, it invites reflection on how Scotland can move beyond rhetorical commitments to embed a truly transformative, gender-responsive community justice approach.

Keywords: Community Justice; Women; Scotland; Community Sentences; Gender-Responsive Justice; Scottish Justice Policy.

Introduction

There is an expanding body of work documenting the evolution of community justice in Scotland. With divergent policies and a complex history of local and national governance, this criminal justice field is recognised as distinctive from approaches taken elsewhere (McAra, 2019). Historically, Scotland’s approach to community justice was shaped by two key official publications — the Kilbrandon Report¹ (1964) and Social Work and the

¹ The Kilbrandon Report published in 1964 advocated for youth justice practices to holistically address the underlying needs of offending young people rather than punitively responding to the deed itself.

Community (1966) white paper² — which influenced the pivotal Social Work (Scotland) Act 1968. This legislation dismantled the Scottish Probation Service and reassigned statutory community-based justice responsibilities to social work teams across the country's 32 local authorities. Brodie and colleagues (2008) describe this shift as underpinned by a welfarist vision that treated offending as part of a broader set of social problems rooted in unmet needs and structural inequalities. Within this model, those in conflict with the law were seen as entitled to the same care and support as other vulnerable groups. However, as McNeill and Whyte (2007) note, practical and ideological factors also influenced this transition, including doubts over probation's effectiveness and broader ambitions to integrate justice within welfare provision. As a result, Scotland's community justice practices came to reflect a communitarian ethos grounded in social work values and collective responsibility, particularly when contrasted with the more punitive, risk-driven probation models dominant in other jurisdictions.

Yet, despite this distinctiveness, community justice in Scotland has faced persistent challenges, including shifting political priorities, blurred role definitions, and the evolving function of Justice social work (McNeill and Whyte, 2007). To address these challenges, the field has undergone several substantial reforms since the 1960s. Most notably, in 2005, eight regional Community Justice Authorities were established to allocate resources and support collaboration between local government, third sector, and health and social care services, to foster more person-centred penal sanctions. However, following sustained criticism, the framework was restructured again through the Community Justice (Scotland) Act 2016, which introduced a two-tier governance structure comprising local Community Justice Planning Partnerships and a national oversight body, Community Justice Scotland (Buchan, 2017). At the local level, this restructuring aimed to enable statutory and third-sector partners to collaboratively reflect local needs and provisions, creating a more responsive model of community justice.

Despite this growing body of literature on Scotland's distinct approach to community justice, the intersection with gender-responsive principles for women has received comparatively less attention. While contributions, such as McIvor (2022) and Burman et al. (2015), have explored gendered issues within broader criminal justice contexts in Scotland, there remains a gap in the literature specifically examining whether gender-responsive provision exists for women subject to community disposals. This paper addresses that gap by providing an up-to-date overview of developments in Scotland's community responses for women. Ultimately, questioning whether Scotland has meaningfully embedded a gender-responsive framework within its community justice policies and practices — or whether, more than a decade after the Commission on Women Offenders (2012), such commitments remain largely rhetorical.

Gender-Responsive Justice: An International Priority

Over the past three decades, the need for gender-responsive justice has gained increasing international recognition, most notably through the United Nations' Bangkok Rules (2010)

² The Social Work and the Community (1966: 1) white paper advocated for an expansion of the Kilbrandon recommendation to cater for families as well as children through the establishment of a cradle-to-grave statutory social work service.

and the Corston Report (2007) in England and Wales. These developments emerged from growing recognition that traditional, supposedly ‘gender-neutral’ justice systems fail to address the structural inequalities shaping women’s pathways into, and out of, justice involvement. Consequently, gender-responsive frameworks have called for trauma-informed, relational, and welfare-oriented approaches that prioritise safety, empowerment, and community (re)integration (Covington and Bloom, 2014). Marking a departure from individualised, risk-based justice models, these principles instead position offending as a consequence of social and structural marginalisation rather than individual pathology. Although developed in response to the specific harms experienced by women, gender-responsive frameworks also draw attention to the broader limitations of criminal justice systems in responding to those whose lives are shaped by poverty, systemic racism and/or social instability — patterns that are not exclusive to women but have often been overlooked with men too.

While these frameworks have gained considerable discursive traction across many Western jurisdictions, their practical implementation has been far more limited. A growing body of international scholarship points to a persistent disjuncture between the rhetoric of reform and the reality of penal policy. Gender-responsive principles are often subsumed into risk-oriented, managerialist agendas that reinforce, rather than challenge, dominant punitive logics (Hannah-Moffat, 2005; Gelsthorpe, 2017). The result has not been the transformation of justice systems but their re-legitimation through gendered vocabulary. Structural inequalities are rarely meaningfully addressed; instead, women’s experiences of trauma, poverty, and mental ill-health are increasingly framed as criminogenic risk factors. Under conditions of austerity, this framing has facilitated a punitive turn, with imprisonment and surveillance deployed in contexts where community-based or social welfare responses would be more appropriate (Hannah-Moffat, 2005). These dynamics are particularly acute for marginalised women, whose specific needs are routinely obscured or pathologised within traditional penal processes (McIvor, 2010). Attention now turns to whether Scotland — often regarded as a jurisdiction with a more progressive, welfare-oriented penal philosophy — meaningfully departs from these global patterns or merely replicated their rhetorical commitments and structural shortcomings.

Women-Specific Policy Developments in Scotland

Scottish community justice has received less attention than the prison estate – both in terms of political priorities and criminological scholarship. This imbalance has resulted in a complex relationship between official reviews of women’s imprisonment and the parallel development of community-based justice initiatives. While detailed accounts of women’s prison policy developments in Scotland already exist (see Burman, 1999; Malloch, 2015), the following section focuses specifically on key developments in community justice for women.

Before the late 1990s, women in conflict with the law in Scotland were largely overlooked in terms of specific policy attention, both in custodial and community settings. However, following a tragic series of seven suicides in Cornton Vale prison between 1995 and 1997, efforts to better understand the unique needs of imprisoned women in Scotland gained

traction. A joint review by Social Work Services and the Prison Inspectorate "*Women Offenders: A Safer Way*" (1998) highlighted the prevalence of complex needs in the women imprisoned in Cornton Vale including addiction, histories of victimisation and acute mental health issues. It also critiqued Scotland's overreliance on imprisonment for women, despite their offending typically being less violent than that of men and often linked to structural social disadvantage, as well as drug and alcohol dependency. The majority of the review's recommendations focused on greater use of community sentences as alternatives to custody for women with complex histories and needs. Central to these community-based recommendations was the recognition that Scotland lacked sufficient women-specific services to support this shift. In response to these recommendations, the Scottish Government established an interagency forum of community justice organisations tasked with developing a women-specific, holistic, multi-agency service in the community.

Then, in 2002, following a further four suicides in Cornton Vale and a continued rise in the use of imprisonment for women, the Scottish Government established a Ministerial Group on Women's Offending. The group was tasked with developing a plan to implement the community-based recommendations set out in the earlier *A Safer Way* report (1998). These efforts culminated in the publication of *A Better Way* (Scottish Executive, 2002), reaffirming the need to reduce women's imprisonment through expanded use of community sentences—particularly for those with intersecting experiences of poverty, trauma, and addiction. The review also emphasised the importance of gender-specific early intervention programmes, improved throughcare, and a preventative focus on addressing unmet social needs. Central to these proposals was a call for a cultural shift in Scotland's response to women in conflict with the law: from one that prioritises punishment to one rooted in rehabilitative, multi-agency support within the community.

Bolstered by the recommendations in *A Safer Way*, the interagency forum established in the late 1990s identified Glasgow as the ideal location for Scotland's first women's community justice centre (WCJC), given that most women in Cornton Vale at the time were from Glasgow or the west of Scotland (McIvor, 2022). The 218 Centre opened in 2003, delivered by Turning Point Scotland, a third-sector community justice organisation. It provided support for women aged 18 and over with current or recent involvement in the criminal justice system, particularly those with complex needs including substance use, mental health issues, housing instability, histories of victimisation, and/or patterns of repeat offending (Malloch et al., 2008). The WCJC also operated in connection with Turning Point's Turnaround initiative, which offered arrest referral and diversion from prosecution, embedding prevention and early intervention into its broader service model. The 218 Centre delivered a range of gender-responsive residential and non-residential services through multi-agency teams, addressing housing, health, substance use, and engagement with court or community-based justice processes. It also linked women with local services to support their integration into the community post-engagement with the WCJC. Initially envisioned as a preventative measure, the Centre increasingly functioned as an alternative to custodial remand or as part of a community disposal (Loucks et al., 2006).

The Scottish Government commissioned evaluations of the 218 Centre in 2006 and 2010, both of which reported significant positive outcomes, including reductions in drug use and police-recorded offending, alongside improved health (Loucks et al., 2006; Easton and

Matthews, 2010a). The 2010 evaluation also noted a decline in women's imprisonment in Glasgow — distinct from the rising national female prison population during that period. In their cost-benefit analysis, Easton and Matthews (2010a) found that for every £1 invested in the WCJC, at least £2.50 was saved annually within the justice budget due to reduced reoffending.

Following the success of the 218 Centre in Glasgow, a second WCJC, the Willow Service, was opened in Edinburgh in 2009. Established as a joint health and social care partnership between Edinburgh Council and NHS Lothian, the service adopted the same multi-agency, gender-responsive model, delivering trauma-informed support to women currently or recently involved in the criminal justice system. The service primarily offered in-house assessments followed by person-centred support to address the health and social care needs identified. To date, the service has not been subject to an independent evaluation; however, it has received recognition for its gender-responsive approach and the positive impact it has on the women it supports (Burman et al., 2015; Commission on Women Offenders, 2012).

Despite the availability of the 218 Centre and Willow Project in Glasgow and Edinburgh, and ongoing policy advocacy for greater use of community disposals, the female prison population in Scotland continued to rise. By 2009, it had more than doubled compared to 1999–2000 — an increase twice that of the male prison population during the same period. McIvor and Burman (2011) found that this trend was not driven by an increase in serious or violent offending by women, but by shifts in sentencing practices, compounded by cuts to preventative welfare services. Crucially, these punitive shifts were closely linked to the continued absence of adequately resourced, gender-responsive community alternatives. As early as 2006, Tombs and Jagger (2006) observed that although many Scottish sheriffs recognised the limitations of imprisonment, some viewed it as the only available setting where women's complex needs might be addressed, particularly in the context of diminishing investment in social care and community services. This framing effectively redefined prison as a default response to structural disadvantage, not because of its appropriateness, but because adequately funded community-based alternatives to address women's persistent and unmet social needs were lacking. However, this logic has been problematised as central to the enduring misinterpretation of the prison as a space of care. Carlen (1983; 2006) conceptualises such thinking as *therapeutic*: a penal logic in which the language of support and rehabilitation is used to justify custody, masking its coercive and controlling function. From this perspective, the judiciary's reliance on prison in the absence of welfare provision reflects not only systemic failure, but a deeper ideological conflation of punishment with help and support.

The increasing punitive response to women's offending, coupled with longstanding concerns that Cornton Vale was unfit for purpose (HMIPS, 2009), brought the issue of women's imprisonment into focus during the 2011 Scottish parliamentary election. In its manifesto, the Scottish National Party pledged to address the "explosion" in the female prison population, which had doubled over the past decade despite a steady rate of female offending. Following their majority win, the newly appointed Justice Secretary launched an independent review of Scotland's approach to justice-involved women in June 2011. The review, chaired by former Lord Advocate Elish Angiolini, focused on reducing the female

prison population and culminated in the publication of the *Commission on Women Offenders* (2012). The Commission made 37 recommendations, largely echoing the findings of the 2007 Corston Report on women offenders in England and Wales.

Alongside recommendations for the Scottish Prison Service, most of the Commission's recommendations focused on reducing reliance on imprisonment by developing gender-responsive community justice approaches. Echoing *A Better Way*, the Commission stressed that women in custody in Scotland had not been adequately supported through early intervention or holistic prevention strategies, largely due to the absence of nationally available community-based services. It described the Scottish community justice landscape for women as a "cluttered" and fragmented system, characterised by inconsistent provision, a lack of strategic leadership, short-term funding cycles, and limited tools for measuring impact (Commission on Women Offenders, 2012: 5). A central recommendation was the reform of Scotland's governance model for community justice from the then CJAs,³ alongside investment in localised practices underpinned by gender-responsive principles. At the practice level, the Commission called for the expansion of services like the 218 Centre and the Willow Project; the establishment of a national women's mentoring service; the use of problem-solving sentencing approaches; and new powers for police and prosecutors to divert women into WCJC as alternatives to prosecution and remand.

Following the Commission's publication, the Scottish Government accepted most of its recommendations — an endorsement that had the potential to transform Scotland's justice response to women by shifting focus away from imprisonment. However, many recommendations were not implemented as the Commission intended — a trend echoed in international reform efforts. The most significant departure was the Scottish Government's proposal to replace Cornton Vale with a new £60 million women's prison in the west of Scotland, with a bigger capacity of 350. This proposal faced considerable criticism from academics and advocacy groups, including Engender, Women for Independence, the Scottish Consortium on Crime and Justice, and the Scottish Working Group on Women's Offending, as it would have expanded the overall capacity of the female prison estate. In response, the Scottish Government scrapped the proposal in January 2015, with the then-Justice Secretary pledging a "more radical and ambitious" approach to women's offending.

However, the funding originally allocated for the proposed larger women's prison was not redirected toward gender-specific community justice provision, as envisioned in the Commission's recommendations. Instead, a short-term working group was established to explore custodial alternatives, and the Scottish Prison Service (SPS) hosted an international symposium on best practices. In June 2015, SPS published *From Vision to Reality: Transforming Scotland's Care of Women in Custody*, proposing a smaller national facility for up to 80 women, alongside five new "Community Custody Units" (CCUs) (SPS, 2015).

³ A recommendation which influenced the shift in 2016 to the current two-tier system of the national Community Justice Scotland oversight body and the local Community Justice Planning Partnerships detailed in the introduction.

Despite the discursive oxymoron of their name, the CCUs were to remain secure prisons, accommodating 16 and 24 women respectively. While framed as gender-informed and community-facing, the eligibility criteria for CCU placement was opaque. No formal framework has been published, though independent reports suggest access is restricted to women nearing the end of longer sentences who are assessed as ‘low risk’ (Mental Welfare Commission, 2024) – and thus not facilities which women can be sentenced to directly.

Since their proposal, only two CCUs have been built at an estimated cost of £8 million: the Bella Centre in Dundee and the Lilies Centre in Glasgow, both opened in 2022 with a combined capacity of 40 placements. While described by Scottish Community Safety Minister Ash Regan as “the first facility of its type in the UK [...] taking a gender-specific and trauma-informed approach to better prepare women for reintegration back into their communities” (The Herald, 2022), these centres remain part of the prison system. Their domestic architecture and emphasis on independent living aim to differentiate them from traditional prisons, supported by increased community in-reach services. However, by mid-2023, both units were operating notably below capacity, with occupancy rates ranging from 33-54% at any one time (Brooks, 2023). More recently, the independent Scottish Prisons Assessment and Reviews of Outcomes for Women evaluation (Burman et al., 2025) found that while women reported more positive experiences in CCUs related to relationships, physical environment and day-to-day autonomy, the promised expansion in community access and reintegration support were not consistently realised. The ambiguity around eligibility criteria alongside their limited use, raises important questions about who these “gender-responsive” prisons are truly intended to serve, and who remains excluded. Moreover, as Armstrong and Malloch (2024) argue, the development of the CCUs exemplify Scotland’s *therapeutic* penal logic, in which therapeutic reforms to the prison estate legitimises the continued use of custody for women, rather than challenging its necessity.

While framed as progressive, these developments must be understood within the broader policy context that has consistently prioritised penal reform over sustained investment in non-custodial, community-based alternatives—a field that supports far more women than the SPS does. This prioritisation is evident in spending decisions. Despite repeated recommendations since the 1990s to invest in gender-appropriate community alternatives, funding has continued to favour the prison estate (McIvor, 2022; Malloch, 2015). Nevertheless, the Scottish Government did implement some of the Commission’s community-based recommendations in response to the Commission on Women Offenders (2012); most notably the development of problem-solving courts, mentoring programmes, and additional WCJCs.

Problem Solving Courts

Problem-solving courts (PSCs) adopt a person-centred, therapeutic approach to sentencing, aiming to reduce reoffending by addressing the underlying causes of criminalised behaviour. In Scotland, eligible individuals are identified by Justice Social Work and referred to the Crown Office and Procurator Fiscal Service. If accepted, participants receive a non-statutory structured deferred sentence, are assigned a justice social worker and support worker, and are required to attend regular progress reviews, typically monthly, for the

duration of their sentence. These hearings involve input from social workers, the participant, and their defence agent, and include direct feedback from the presiding sheriff. This multi-agency phased approach renders sentencing a dynamic element of justice delivery, which upholds gender-responsive principles —particularly by supporting women to address complex needs without resorting to imprisonment — more than traditional sentencing methods.

Calls to expand problem-solving justice for women in Scotland date back to McIvor and colleagues' (2006) review of Glasgow's Drug Court and Scottish Prisons Commission's (2008) recommendations. Both highlighted the need for sentencing practices that more effectively address repeat low-level offending and complex needs among women. The Commission on Women Offenders (2012) subsequently advocated the piloting of a PSC specifically for women, with the possibility of wider implementation if successful. In response, the Scottish Government funded a pilot at Aberdeen Sheriff Court in 2015 for women aged 16 and over, later extended in 2016 to young men aged 16–25. Unlike many international PSCs focused on a specific offence (e.g., drug use or domestic abuse), the Aberdeen model targeted individuals with a pattern of frequent low-level offending linked to multiple, overlapping disadvantages (Eunson et al., 2018). The initiative offered a six-month deferred sentence, during which participants received tailored support from their justice social worker and other relevant support workers.

The Scottish Government commissioned an independent evaluation of the Aberdeen pilot in 2017. While the number of participants was small, the model was reported to be positively received by both participants and professionals. Reported outcomes included improved housing, mental health, and reduced substance use and reoffending (Eunson et al., 2018). The evaluation highlighted several implementation considerations, including the importance of early multi-agency collaboration, judicial preparation and training, and tailoring models to local contexts. Notably, the availability of an established WCJC in Aberdeen was identified as essential for delivering the gender-responsive support included in the structured deferred sentence. The evaluation concluded that PSCs held promise as a more holistic and personalised sentencing approach, recommending further roll-out.

Since the Aberdeen pilot, three further PSCs were introduced in Glasgow, Edinburgh and Forfar between 2017 and 2018. The Edinburgh and Glasgow courts adopted an Alcohol Problem-Solving model targeting individuals whose repeated offending was linked to alcohol dependency. The Glasgow Alcohol PSC remains operational and runs weekly as part of the sheriff court services, though there is limited publicly available information about the current status of the Forfar and Edinburgh courts. Unlike the Aberdeen court, the Alcohol PSCs were not gender-specific in design. However, Glasgow Sheriff Court operates a separate women's PSC, though this has received little public or academic attention. The variability in gender responsiveness across these PSC models reflects a wider trend in Scottish community justice: while some jurisdictions have invested in gender-specific infrastructure, others continue to adopt seemingly gender-neutral approaches that may overlook women's distinct needs.

Despite expansion, published research on the longer-term outcomes of PSCs in Scotland remains limited. Questions remain about their impact on reoffending, their accessibility to

women, and their effectiveness as an alternative to custody. Moreover, the wider logics underpinning problem-solving approaches warrant closer scrutiny. While framed as supportive, such models may deepen the net of penal control by recasting structural and relational harms as personal problems requiring behavioural change. The blurred boundaries between care and punishment within PSCs mirror similar concerns raised by Carlen's (2006) critique of therapunitive penal regimes. Tiger's (2011) study of drug courts in the United States highlights the expansion of correctional control through therapeutic language, where participants are compelled into treatment with the threat of imprisonment without addressing the root causes of harm. This, she argues, can foster a "performance of compliance" over substantive transformation, especially when individuals face structural constraints such as unstable housing or lack of access to services. While Scotland's PSCs may be less overtly coercive, the risks of obscuring power dynamics and institutional control behind the rhetoric of rehabilitation remain. As such, there is a need to critically assess the extent to which problem-solving approaches meaningfully empower women or merely repackage justice through a more palatable lens.

This concern is echoed in Armstrong and Minson's (2025) review of women's PSCs in the UK, including Scotland. They argue that although PSCs often adopt a relational and restorative ethos, their potential to transform justice outcomes depends on consistent structural support and sustained community investment. Without this, PSCs may serve as islands of innovation in a sea of conventional practice, constrained by fragmented services and a lack of systemic reform. Their analysis stresses that to avoid replicating the punitive failures of traditional courts, PSCs must not only support individual women but challenge the systemic disconnection between justice, welfare, and community services. In other words, without embedded structural change, these courts risk appearing progressive while operating within fundamentally unchanged landscapes of control. This critique is particularly salient in the Scottish context, where the infrastructure of community-based provision remains patchy and under-resourced, raising questions about the sustainability and equity of PSC-led reform.

Taken together, these issues raise broader concerns about the capacity of PSCs to realise the Commission on Women Offenders' vision of community-based justice for women. Without adequate scrutiny, there is a risk that problem-solving courts will come to symbolise reform without enacting it, providing a more palatable, professionalised interface for managing criminalised women, while leaving the broader structures of penal control and social deprivation intact. Future research must evaluate not only outcomes such as reoffending or compliance, but also the extent to which PSCs meaningfully challenge the punitive and gender-blind assumptions that have long characterised criminal justice processes in Scotland.

Mentoring Support for Women

Mentoring has been recognised as particularly important for women's throughcare support, as most served prison sentences of 12 months or less and were not subject to statutory social work supervision upon release. As a result, many women receive little support during the critical initial weeks post-release, despite evidence highlighting the significant

challenges they face in securing housing, financial stability, and access to local services (MacRae et al., 2006). Recognising mentoring's potential to address this gap, particularly for women with complex needs, the Commission on Women Offenders (2012: 26) recommended its expansion. Crucially, it viewed mentoring not only as post-custody support, but also as an early intervention for women at risk of imprisonment.

In response, the Scottish Government funded six Public Social Partnership (PSP) mentoring initiatives through the Reducing Reoffending Change Fund, promoting collaboration between third-sector organisations and statutory justice services. While some schemes supported all individuals serving short sentences, others provided distinct gender-responsive services for women. Mentoring structures varied but all centred around trust-based, one-to-one support addressing complex needs and promoting desistance (McIvor, 2022). Evaluations identified regular contact, non-judgemental engagement, and emotional and practical support as key success factors, with mentors crucial in linking women to wider services (Mulholland et al., 2016). Among these initiatives, Shine - delivered by the third sector organisation Sacro - was the sole women-only PSP, providing pre- and post-release mentoring support. An independent evaluation of Shine (Ipsos MORI, 2015) found significant attrition yet reported that women who remained engaged with the service experienced improvements in housing, relationships, substance use, and problem-solving skills — factors associated with longer-term desistance. Despite just under half staying through to the service endpoint, women consistently described mentoring as a valued source of support for community (re)integration.

Given the success of the PSPs, in April 2025 the Scottish Government committed £5.3million annually to fund a new National Voluntary Throughcare Service (now operating as Upside) which aims to enhance post-custody reintegration support across Scotland. In January 2025, Sacro was announced as the lead provider for this new service, in partnership with other third-sector justice organisations (Community Justice Scotland, 2024). While Upside aims to expand housing support, service coordination, and mentoring to individuals of all genders leaving custody, it also marked the closure of Shine in March 2025. Although elements of Shine's model are expected to continue, it remains unclear whether gender-responsive approaches will be retained within Upside's broader, non-specific framework.

While the expansion of nationally available throughcare is welcome, this shift raises important questions about the dilution of gender-specific practices. Replacing a women-only service with a broader, gender-neutral model reflects a familiar pattern in Scottish justice reform of community provision for women not expanding but rather reconfigured into gender-neutral provision. The NVTs also signals a retreat from the Commission on Women Offenders' vision, which valued mentoring not only as a post-custody service but as an early intervention tool to divert women from remand and prevent them being sentenced to short-term custodial sentences. With no clear evidence that women serving community sentences or facing remand have access to equivalent mentoring support, gender-responsive provision appears to have been absorbed into a universal framework — one which again prioritises reforms to the prison estate over wider community justice. This raises critical questions about whether the distinct needs of criminalised women remain visible in Scotland's evolving justice landscape.

Women's Community Justice Centres

Informed by the success of the 218 Centre and the Willow Project, the Scottish Government allocated just over £3 million in short-term funding between 2013-15 to support the development of 16 women's community justice projects across Scotland. The aim was to help local partners establish or enhance holistic, multi-agency services grounded in gender-responsive principles. While the WCJC model was successful in the central belt of Scotland, it was recognised that in less connected areas with small female justice-involved populations, a dedicated facility often wasn't the best option (Pinkman, 2017). As a result, the funded projects adopted various models of support, tailored to local needs. Three urban areas replicated the WCJC model, while six projects embedded women's teams (or a single worker in two areas) within Justice Social Work services. In three rural areas, gender-responsive 'hub' was established. The remaining four initiatives used the funding for standalone projects, including an early intervention diversion pilot and the integration of a mental health nurse into existing services (Dryden and Souness, 2015). Most women supported were serving community sentences, with smaller numbers seeking support voluntarily or accessing services as part of post-custody throughcare.

In 2014, the Scottish Government commissioned an independent evaluation of these projects. Dryden and Souness (2015) found that implementation of these projects were often delayed by staffing and logistical challenges, limiting short-term impact. Drawing on desistance literature (including McIvor et al., 2009 and McNeill et al., 2012), the evaluation examined whether the projects helped women achieve stability by addressing immediate needs — a key factor in supporting women's pathways out of crime. Findings showed positive short-term outcomes, including improvements in mental health (54%), housing (56%), and substance use (52%). Key success factors included effective multi-agency partnerships, hiring appropriately skilled staff from various disciplines, and maintaining flexible, welcoming environments. Outreach work was particularly important for engaging women early on or for re-engaging those struggling to maintain involvement. The use of a strengths-based, person-centred ethos which treated women as individuals rather than "offenders" was also vital.

While the projects effectively provided practical and emotional support by addressing women's immediate needs, the evaluation also identified areas for development. Longer-term outcomes, particularly around engaging women in purposeful activities, were less evident. Given the short duration of the projects, this was perhaps unsurprising. However, the evaluation recommended that future initiatives could benefit from a greater emphasis on facilitating rewarding activities that foster community integration and social capital, alongside support to regaining or maintaining custody of their children. It also highlighted the need for more targeted throughcare for women leaving custody (Dryden and Souness, 2015). Overall, the evaluation supported the value of locally defined, gender-responsive services underpinned by holistic, flexible approaches to support women's desistance.

However, beyond the two-year funding period, the projects were expected to sustain themselves financially – an expectation arguably at odds with evidence on the fragility of third-sector provision without stable investment (Easton and Matthews, 2010b). A growing body of literature highlights how fragmented and inconsistent funding models hinder the sustainability of women's justice services and limit their integration into local justice

infrastructures (Burman et al., 2015; Malloch, 2015; Armstrong and Minson, 2025). As a result, Scotland's community justice landscape for women remains fragmented – much as the Commission (2012) described it over a decade ago. This fragmentation has been shown to undermine confidence in community-based options for women at the threshold of a custodial sentence. The Scottish Sentencing Council's (2021) issue paper on *Judicial Perspectives of Community-Based Disposals* identified the need for more gender-appropriate unpaid work opportunities to increase sentencer confidence in non-custodial options for women with complex needs. These findings echo those of Tombs and Jagger (2006), raising the question of whether Scotland's community justice response for women has meaningfully progressed despite over a decade of repeated reviews and waves of policy attention.

This persistent underfunding of women-specific community justice services in Scotland is perhaps most starkly illustrated by the closure of the 218 Centre in February 2024. Following a 2023 review, Glasgow's Health and Social Care Partnership (GCHSCP) released a 2024 budget at half the agreed amount required to sustain the Centre's holistic, gender-responsive residential service. In response, Turning Point Scotland declined to tender for the restructured model, citing the impossibility of maintaining the necessary standard of clinical care and support. This closure exemplifies a recurring issue in Scotland's justice landscape, where budget cuts and short-term funding undermine the viability of services critical to some of country's most vulnerable women. While GCHSCP has pointed to other gender-specific initiatives, such as Tomorrow's Women Glasgow, continue to support women in the community (MacWhirter, 2024), no other service offers equivalent residential support in the West of Scotland. As Nellis (2023) observed, Glasgow needs more services like the 218 Centre, not fewer. Yet, in a city now hosting one of the newly opened CCUs, with annual running costs exceeding £500,000, local community justice provision appears to bear the brunt of austerity measures. This highlights a deeper Scottish penal logic in which institutionally controlled forms of 'gender-responsive' provision, such as the CCUs, are safeguarded, while long-standing, community-based services grounded in feminist and welfarist traditions remain vulnerable to funding withdrawal. Such decisions raise serious question about whether gender-responsive rhetoric is being meaningfully translated into sustainable community investment.

Discussion

While policy commitments have consistently emphasised the importance of diverting women from custody through greater development and use of community-based sentences, the reality remains that attention and resources have continued to favour reform of the female prison estate over investment in community justice provision. Despite nearly two decades of independent reviews and repeated policy recommendations advocating for investment in gender-responsive community-based justice, imprisonment remains the dominant response to women's offending in Scotland. Historically, the gender-specific needs of women in conflict with the law have been acknowledged, giving rise to several well-regarded initiatives aligned with gender-responsive justice principles. Problem-solving courts, mentoring schemes, and women's community justice centres reflect an awareness of the value of holistic, multi-agency interventions. Yet, more than a decade since the Commission on Women Offenders published its 2012 recommendations,

community justice provision for women continues to lack the structural policy development and sustained investment afforded to the prison estate.

Progressive recommendations have too often resulted in further review and debate, rather than long-term, structural transformation. This ongoing cycle of assessment without implementation calls into question Scotland's genuine commitment to embedding gender-responsive community justice. Despite rhetorical support advocating for gender-specific approaches, delivery remains inconsistent and underdeveloped. The persistence of short-term funding, fragmented service provision, and limited national policy focus suggests that gender-responsive justice is more a policy aspiration than a practical reality in Scotland. The underinvestment in gender-appropriate community provision reinforces the criminal justice metaphor of a revolving door — not only for women's criminalisation but for the repeated identification of the same issues without sustained progress. The continued prioritisation of prison reform, even in the new and welcomed 'gender-responsive' conceptualisation, reflects a reluctance to centre community justice as the default response for women in conflict with the law. The recent closure of the 218 Centre and the Shine mentoring service further illustrates the precarity of gender-responsive initiatives when they are embedded in not prioritised in sustainable funding structures. These patterns raise deeper questions about the structural barriers impeding meaningful reform, whether rooted in political inertia, institutional risk aversion, or enduring ideological commitments to punitiveness, despite policy rhetoric embracing a more welfare-oriented approach to justice. Crucially, these barriers cannot be understood in isolation from broader patterns of gendered poverty, victimisation, and discrimination. Future work must consider how social and economic inequalities shape women's pathways through the justice system and constrain the effectiveness of community responses, regardless of how well-intentioned their design.

Without meaningful investment and political prioritisation, the transformative potential of past recommendations for community justice remains unrealised. To move beyond critique toward action, this paper poses a series of reflexive questions to consider how Scotland might develop a justice response that truly prioritises prevention, direct community alternatives to imprisonment, and centres of gender-responsive support:

- What structural and policy changes are needed to move beyond short-term initiatives and toward a sustainable, transformative model of gender-responsive community justice? How might such models address gender-specific needs across the spectrum, including those of men?
- Is there a need for a national women-specific policy to complement Scotland's localised approach to community justice?
- What accountability mechanisms could ensure that all Community Justice Partnerships across Scotland deliver a comprehensive and consistent suite of gender-responsive services?

- Is there a clear research agenda for gender-responsive community justice in Scotland? What gaps remain, and how might addressing them help build a system rooted in care, equity, and transformation?
- What role should lived experience and narrative-based knowledge play in shaping a more grounded, accountable, and transformative model of community justice?

Engaging with these questions is essential to ending the cycle of review, recommendation, and inaction that has long characterised Scotland's community justice field. Doing so demands more than reforming existing systems, it requires reimagining how best to respond to harm itself. Feminist and abolitionist perspectives offer vital tools for this work, challenging the assumption that justice must be delivered through custody, coercion, or surveillance. Instead, they open up possibilities for a system rooted in care, community, and shared collective accountability – one that takes gender-specific needs seriously, not just as an add-on but as a foundation for meaningful transformation.

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