

# Understanding the disadvantage and inequality experienced by women in contact with the criminal justice system

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## What do we mean by disadvantage?

Women in contact with the criminal justice system often experience many different **challenges rooted in structural and systemic inequalities** at the same time. The criminalisation of women is often underpinned by disadvantage and inequality. This means that women can be drawn into contact with the criminal justice system because of their experiences of poverty and debt, violence and abuse, insecure or inadequate housing, mental ill health, disability, discrimination or substance use.

## Prisons are not safe or effective places to support women's rehabilitation

As an alternative to prison, women's centres and community-based specialist services provide women with tailored support to address the disadvantages and structural inequalities they experience and help them to thrive in a community setting.

Evidence clearly demonstrates that prisons are not safe or effective places to support women's rehabilitation and address their multiple unmet needs. Even short sentences have a devastating, long-lasting impact on women, their children and families and can often push women into long term debt or homelessness.

Almost two thirds of women in prison report experiencing domestic abuse although the true figure is likely to be much higher. And over half (53%) have suffered emotional, physical or sexual abuse during childhood.

These experiences of trauma, combined with an increased likelihood of women being primary carers for dependent children, can result in **imprisonment being particularly challenging and damaging to women**. As many as seven in 10 women in prison report experiencing mental ill health, and rates of self-harm for women in prison are seven times higher than for men.

Black, Asian, minoritised and migrant women can experience a **'double disadvantage' because of the combined impact of sexism and the other structural inequalities** they face in relation to racism. For example, Black women are more than two times more likely to be arrested than white women and are significantly more likely to receive a custodial sentence.



Women in contact with the criminal justice system also have an **increased risk of coming into dual contact with other systems** including the children's social care and immigration systems.

Understanding their specific needs and the challenges they face navigating this dual contact is crucial to providing the support they need. Over half (56%) of women entering prison each year are **on remand**. This means they are awaiting trial and have not yet been found guilty of a crime

or been sentenced. Two thirds of women who are given custodial sentences are in prison for 12 months or less.

The **consequences for women** who spend any time in prison can be significant and long-lasting, and can negatively impact their children, dependents and family relationships, their physical and mental wellbeing and their employment and housing prospects. Even a short period in prison can result in a woman losing her children, home and job. Women leaving prison are more likely to be locked into cycles of poverty, debt and homelessness on release than those serving community sentences, and risk being swept back into the criminal justice system. Almost six in 10 (58%) women go on to reoffend in their first year after leaving prison. This increases to over seven in 10 (73%) for women who have served sentences of less than a year.

### Alternatives to prison

**Women's centres and community-based specialist services** offer alternatives to prison and provide tailored support that encompasses all aspects of women's lives and address their unmet needs. Women's centres are based in local communities, enabling women to maintain relationships with their families and social networks and build wider support systems. They can help to equip women with the resources and tools they need to both overcome the disadvantage and inequality they experience and to thrive and prosper.

### What women tell us

***“The criminal justice system judges women more harshly than men and makes women feel ashamed, isolated, judged and humiliated. Women can't get away from these judgements and never get a fair chance.”***

***“I am a human being, but I've experienced racism from a panel of judges. The criminal justice system is unfair from the top down, so how can women ever expect to be treated fairly?”***

### Links to further reading

[Black Women's Experiences of the Criminal Justice System](#) - Hibiscus (2021)

[Women; Addictions; Mental Health; Dishonesty; and Crime Stigma: Solutions to Reduce the Social Harms of Stigma](#) - Page, S. Fedorowicz et al (2024)

[Spotlight: Dual contact](#) - Birth Companions (2023)

[Double Disadvantage Action-Plan](#) - Tackling Double Disadvantage Partnership (2022)

[The Value of Women's Centres](#) - Women in Prison (2022)