

### **'Man-made' justice fails women**

Women are failed by a criminal justice system that has been designed principally by men, and remains principally for men, according to a report published today.

The Fawcett Society's Commission on Women and the Criminal Justice System launches its final report today, which finds women victims, offenders and workers receive rough justice from a 'man-made' system.

Cherie Booth QC welcomes today's conference. Writing in last Sunday's Observer about women prisoners, she calls "for us all to stop and consider how we treat the most damaged women...in our society".

The report is the result of a year long Commission into women's experience of the criminal justice system which is the first of its kind internationally to look at women's experience right across the criminal justice system.

Vera Baird QC MP, and Chair of the Commission, said:

"When we look across the criminal justice system, the figures really begin to stack up. As the Commission's report today shows only 6% of reported rapes end in conviction, there has been a 194% increase in the female prison population over the past 10 years and there are just 11 women among 156 of the most senior judges. This suggests that women experience systematic disadvantage right across the criminal justice system."

The importance of the report was underlined by Solicitor General Harriet Harman QC MP who commented that:

"The Commission's work has made an invaluable contribution to the question of women's involvement in the criminal justice system. It reminds us of longstanding concerns, makes new arguments and makes proposals which are worthy of serious consideration."

The launch of the final report, addressed by Lady Scotland, Home Office Minister, will outline Commissioners' findings and recommendations based on 400 submissions. The report, available from Fawcett, highlights that:

#### **Women victims face a postcode lottery**

There is much evidence to show conviction rates of rape and domestic violence – crimes experienced in the vast majority by women – are extremely low. The Commission heard:

- One woman in four experiences domestic violence at some point in her life, and 30% of domestic violence cases start or escalate during pregnancy;
- Domestic violence accounts for a quarter of all crime, and yet only 5% of recorded cases of domestic violence end in conviction;
- Less than 20% of rapes and sexual assaults are reported to the police, and less than 6% of rapes result in conviction

The Commission highlighted the continuing lottery of services facing rape victims. It is now calling for a Sexual Assault Referral Centre to be established in every police area and for specialist police officers to be made available to all victims of rape.

## **Women offenders shoe-horned into a man-made system**

Sentences are getting harsher and the number of women in prison has risen dramatically – at a much faster rate than imprisonment of men – even though there has been no equivalent rise in female offending.

Overwhelming evidence presented to the Commission highlighted prison is rarely the solution for the complex issues faced by women offenders. As a minority population, women are being shoe-horned into a system that is not designed for their needs. Recent government figures show:

- There are now over 4,500 women in prison, up by 194% in the last ten years
- Suicides in women's prisons have increased from 1 in 1993 to 14 in 2003
- Most women are convicted of non-violent offences, such as shoplifting; and 70% of women in prison are on sentences of less than 12 months.

Many commissioners questioned whether women posing no serious threat to others should be imprisoned at all – a view supported by Cherie Booth QC who wrote in last Sunday's Observer: "Prisons are – or at least should be – places of absolute last resort for women whose offending is so serious that there can be no alternative to custody."

Alternatives to prison are also supported by the public. MORI polling for Fawcett found that just one per cent of the population suggest tougher penalties; 82% favour treatment centres for offenders with mental health problems; 74% support more residential treatment of drug problems; and 68% want greater use of community services.

The Commission calls for an urgent review of the alternatives to prison that could be used for women offenders.

## **Women workers face a glass ceiling in the criminal justice system**

Women are poorly represented in top jobs across the system. This means decisions and policies are 'man-made'. Exclusion of women from the most powerful positions undermines the credibility of the system. Statistics show:

- One woman out of 12 judges in the House of Lords
- Five women out of 43 police Chief Constables
- 18 women out of 42 Chief Officers of Probation
- Seven women out of 42 Chief Crown Prosecutors
- 31 women out of 138 Prison Governors

Commissioners also heard evidence of sexual harassment and discrimination experienced by women working in the system.

Commissioners find that the single most effective way of redressing the poor experiences of women in the system would be to introduce a law which obliges public bodies to promote sex equality.

Vera Baird QC MP says:

"The Commissioners were unanimous in recommending that the government changes its approach to sex discrimination legislation and adopt a positive approach, similar to that already in place for race. If all public bodies were obliged to promote sex equality, services would have to take into account the different needs of women and men. This would be the single most effective measure in transforming the experiences of women in the criminal justice system."

Sukhvinder Stubbs, Director of the Barrow Cadbury Trust, who supported the Commission's work added: "The Commission has broken new ground in its work, drawing heavily on the extensive

expertise of its Commissioners. Policy makers should take serious note of the evidence and recommendations placed in front of them today.”

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**Notes:**

1. A copy of the report is available from [www.fawcettsociety.org.uk](http://www.fawcettsociety.org.uk) or by contacting the Fawcett Society on 020 7253 2598.

2. The Fawcett Society’s Commission on Women and the Criminal Justice System is an independent inquiry into women’s experience of the criminal justice system, chaired by Vera Baird QC MP. The Commission has been funded by The Barrow Cadbury Trust, the Esmée Fairbairn Foundation’s Rethinking Crime and Punishment initiative and The Lankelly Foundation. The Commissioners, senior experts from across the criminal justice system and other areas of public life, are:

Vera Baird QC MP – Chair of Commission  
Liz Bavidge - Magistrate  
Ruth Bunday – Solicitor, Harrison Bunday & Co.  
Angela Deal – Crown Prosecution Service (from June 2003)  
Lord Navnit Dholakia – House of Lords, Liberal Democrat  
Commander Cressida Dick – Metropolitan Police  
Cheryl Gillan MP  
Ms Justice Heather Hallett – High Court  
Dr Kate Malleson – London School of Economics  
Karon Monaghan – Barrister, Matrix Chambers  
Fiona Morton – Former Senior Probation Officer  
Baroness Usha Prashar – House of Lords, Crossbencher  
Hannana Siddiqui – Southall Black Sisters  
Anna Southall – Barrow Cadbury Trust  
Baroness Vivien Stern – House of Lords, Crossbencher  
Professor Robert Stevens – Covington & Burling Solicitors  
Monica Townsend – Crown Prosecution Service (until June 2003)  
Jenny Watson – Equal Opportunities Commission, Women’s National Commission

3. MORI conducted 1,006 interviews by telephone among a representative quota sample of British adults aged 16+ between 6-8 March 2004. Data were weighted to match the known demographic profile of adults in Great Britain.

4. The report will be launched at a conference and reception, addressed by a senior lawyer from Matrix Chambers and Lady Scotland, Home Office Minister, at 1pm on 31st March 2004, at Covington and Burling, 265 Strand, London, WC2R 1BH.