

"Angels or Witches": The impact of criminal records on women

Executive summary

This report considers the post-conviction problems faced by women with criminal records. Based on survey responses from 511 women, alongside data on employment and criminal record checks that has a breakdown based on gender, this report looks at the specific issues that women face, including the stories and experiences shared with us, and how these issues are different to those faced by men.

In the full report, these findings are discussed in the context of other research on the impact of a criminal record on women, and the report concludes with recommendations that could help dismantle some of the barriers that women face, contributing to a fairer and safer society.

Key findings and recommendations

Women with criminal records face significant barriers to employment

"I feel in a competitive application process for university or employment I will always be at a disadvantage due to my record."

The vast majority of women surveyed (86%) cited employment as one of the problems they faced. Employment was cited more than twice as often as any other problem area. These problems were not exclusive to women who had received prison sentences, nor to particular offences types or entirely down to those with recent criminal records.

While women are overall less likely to have a criminal record, they are significantly more likely to face barriers when accessing employment roles that require enhanced DBS checks.

Recommendations:

- **The Ministry of Justice** should swiftly implement reforms to the Rehabilitation of Offenders Act 1974, including abolishing lifelong disclosure of criminal records
- **The government** should legislate to enable legal action against employers who take spent convictions into account
- **The government** should require employers to give meaningful reasons, in writing, in cases where they decide a criminal record makes someone unsuitable for a role
- **The Ministry of Justice and HM Prison and Probation Service** should create a strategy and work stream for employment that recognises the particular challenges for women leaving prison and on probation.

Women face stigma because of their criminal record, often exacerbated by their gender

"Women are still treated as either angels or witches, there is no in between. Women with convictions are demonised in ways that men never have been."

Stigma was the second biggest problem, with 12% citing it as their biggest problem. The existence of stigma helps to explain the difficulties with employment.

51% of women surveyed thought that the problems they faced as a result of their criminal record were exacerbated by being a woman.

Recommendations:

- **The Home Office and Ministry of Justice** should jointly conduct a root and branch review of the criminal record disclosure system, specifically including the proportionality and impact on women and people with other protected characteristics
- **The Home Office and the Disclosure and Barring Service** should implement Unlock's 2020 recommendations on ineligible checks
- **Deeper research into the gendered aspects of post-conviction problems is needed**, and an analysis of whether and how the problems vary over time

Women's criminal records often exist alongside trauma, without specialist support

"When I fled domestic violence in 2017, I found one safe-house that would accommodate me with a criminal record. This safe-house then closed down. I had to look for another safe-house and my criminal record was a significant barrier."

Nearly two thirds (59%) of women reported having experienced domestic abuse at some point in their lives. A tenth said they had been a sex worker at some point in their lives, and 31% had experienced addiction or substance misuse.

Recommendations:

- **Organisations in the women's sector and criminal justice sector** should explore ways of working together to improve understanding and support for women with criminal records, taking into account multiple, overlapping needs and experiences of trauma
- **Government and other funders** should seek to fund specialist women's sector organisations to support women experiencing post-conviction problems alongside other trauma