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Black Women's Experiences of the Criminal Justice System



About Hibiscus Initiatives

Hibiscus Initiatives (Hibiscus) is a specialist charity with 35 years' experience working with Black, minoritised and migrant women at the intersection of the immigration and criminal justice systems. We deliver high-impact support and advocacy services in prisons, in the community and international resettlement.

Background

In February 2021, Hibiscus organised a roundtable discussion with Black women about their lived experiences of the criminal justice and immigration systems in the UK. Six of the women attending are Hibiscus clients, and the other was introduced to us by the Criminal Justice Alliance.

The main themes for the discussion were chosen by the women themselves, based on the stories and issues they most wanted to share.

1. Contact with the police

A lot of the women Hibiscus work with describe feeling threatened and intimidated by the police. Women also tell us police officers have used racist remarks towards them when being arrested.

“My house was surrounded by 20 policemen, my children were going to school, they were asking me ‘Why are there all these police here?’

[The police] came in, I said ‘What is the problem?’. They were all over the house, searching for something, in my children’s bedroom. One policeman said ‘I think we are in the wrong place’ – I was living in a council house, simple life, I had no money.

It’s so intimidating.”

“I was arrested for a murder, convicted of joint enterprise. For me, I didn’t understand why I was being arrested, I didn’t stab anyone so why am I being arrested? No-one explained it, that you’re being arrested for GBH, anti-social disorder. If I had understood [it might have been different].

What authority don’t take into account are the ground rules: When you are involved in crime, the biggest thing is not snitching – so if you arrest someone [for joint enterprise] with their peers no-one will speak out. Guys say ‘They would rather be in jail than be dead’”

“It’s like a nightmare happening. It’s just intimidation”

“The way they treated us was not very nice.”

The women also described not being listened to by the police and feeling under pressure to admit to things when interviewed. For women who don’t speak English as first language this is especially problematic, as they may feel they have to say ‘yes’ without understanding what they are agreeing to.

“When I was arrested I was 18 years old, just 12 days after my 18th birthday... Police can use their authority, that’s what they did to me, I was very young.

They had me saying and doing things, but then they did change what I said, they did manipulate it. I had to fight it at my trial.

Who was there to have my back? No-one.”

“They changed the statements later on, what I had stated they manipulated, they kept on pushing me, ‘You have to say this...’. I said I can’t admit to something I haven’t done; you didn’t find any drugs.”

“When I was arrested... I have health conditions, I told the police about my experiences, the abuse my estranged husband had inflicted on us, I have a child in a wheelchair, I had been in a refuge before... When you are telling them these things, you are being open and honest, but they look at you as if you are saying all these things for sympathy.”

These experiences are not unique or unusual:

“When you’re in prison you meet so many people, everyone has a story. I’m not saying [it’s everyone], there are people doing these things, but you hear so many bad stories.”

2. Courts and sentencing

Women talked about many issues they had experienced in going through the Courts process, including lack of representation, solicitors not looking through their papers properly, and feeling their sentence had been decided before they reached the court:

“The lawyer who was representing me, they sent 10 different barristers, one asked me ‘What’s my case?’ – One said ‘they only pay me £50 because I’m just out of law school!’”

“By the time you are in the dock the judge has already judged you. The prosecutors, police – they all work in conjunction, this person must be put down. The person on the other side was digging in to me, digging in to me... The judge said to me ‘You are not showing remorse’ – I don’t know what remorse there is to show? I am crying within myself.”

“The judge was so harsh to me. When I was in the dock, I just thought I’m going home, I didn’t do anything... I said, ‘How can I plead guilty to something I haven’t done?’ It made the judge angry, he give me a very big sentence. I was given 16 years, 16 years! For nothing!”

Women also described the discrimination they faced as marginalised women:

“When a minority woman gets sent into prison, they look at you – someone else gets 3 months, but for you they give you 3 years, just to justify it. People are coming and going, you are [still] there. They just want you to go through the end of the system, so they can push you to one side.”

“[They just think] ‘I’ll throw her in prison, she’s a brown girl’

Like in my case – they couldn’t charge me for conspiracy, they didn’t have no proof, I wasn’t found with nothing. So they created something, charged me with being ‘Knowingly concerned’.

You could see people who were arrested with 5kg, they were given 3 years. Me who had nothing, I ended up with 16 years.

The law in this land, I don’t know how it works. These are things you think would happen in third world countries.”

3. Impact on Black mothers

Most of the women Hibiscus work with are mothers, many are single mothers and the main carer for their children. Imprisonment has a huge impact on these Black mothers and on their children. Migrant women often don't have anyone they can call or wider family networks to rely on, so it comes down to older siblings to care for younger children, meaning they may have to drop out of school.

"I had my daughter with me at the Court, but the judge said I should not have any break, they had to keep me locked up.

My daughter was left outside with a stranger, she was 18 months old. [The solicitor] asked for me to have a break, to go and see her, but the judge said no.

I was in prison for 9 months, that was how they took my child from me."

"While I was in prison my children weren't looked after by anyone. How do I cope while I know my children are suffering?

The prison doesn't acknowledge what's going on. When my children were in hospital, the officers just tell you 'don't worry'... God bless Hibiscus. Hibiscus bring things that can help you forget, those are the people you can really be yourself with. They are the ones who will phone your children."

"The law says one is not guilty until it is proven guilty. But I have noticed in England, they put you in the media, who is going to correct that? Your children see this, they don't see what those children go through."

Two women described the lasting impact their imprisonment has had on their children:

"I have 5 children, all born in the United Kingdom.

My children have experienced a lot of trauma. My daughter has anxiety disorder, my second daughter tried to commit suicide [while I was in prison].

My third and fourth children, they have ADHD, I am the one who takes care of the children, makes sure they have their medication. When I was in prison their medication stopped.

My eldest daughter is 33, she had to leave her Masters, leave her flat, [to look after the others]

When I came back they were crying, they kept coming into my room to look at me as if 'Are you going to disappear again?' They are having panic attacks, they don't want to go outside."

"We went through that phase of being in prison, our children were like prisoners themselves. Now we are out, they are living in fear..."

Women also described how being a mother gave them strength:

"You have to be strong for your children, you put on your powder, you pretend everything is ok"

"If I didn't have my children, I would just have thought 'what's the point?'"

"Being parents, we were like mothers, to other women, other children who are struggling [in the prison]"

4. Lack of healthcare in prison

Healthcare in prison is a significant issue, lots of women tell us they don't feel they are getting the right treatment. Healthcare have to complete medical checks before prescribing anything, meaning women might have to go without medication for a long time, or be given a different medication to the one they have been taking previously.

One woman described how this had affected her:

"The healthcare in prison, it's another ball-game..."

They request your medical reports from the GP on the outside, [but] give you the generic medication. I can only have painkillers in soluble form, but they said it's just too expensive, so gave me the normal ones – it had an effect on my blood.

Then you move [to another prison], they say 'Oh you've been on X medication, we don't have it for you here.' On the outside they would do a blood test before they change your medication, in prison there is a doctor who will just change it randomly.

I was put on Tramadol when I took it I could not move my leg. Sometimes an officer would have to lift me because I was stuck. I told the doctor something was wrong, they just increased the amount. In the end the nurse gave me the leaflet [about the medication], there were 10 different side effects operating in my body.

When I got to Yarlswood, my legs ballooned, I was coughing for a very long time. I asked the doctor 'What is going on with me?' – he said you have a suspected DVT. They rushed me to hospital, I nearly died.

Because of that it has made my condition worse, it has affected many parts of my body. It makes you feel like you are trash and they just drop you in the bin."

5. Life after release

Women described the ongoing barriers they are still facing after release from prison:

"You don't sleep at night when you come out, you just worry, is this how it's going to be? Now I have flashbacks, I have nightmares."

"Even now that I've served my sentence, now I'm out they are still trying to change things, after all these years I'm still being intimidated."

When I came out I lost everything. They don't allow you to work, study, they don't allow you to do anything. Our children are struggling... We are still going through the same trauma."

Emotionally they just want to destroy you. You just have to be a strong person."

"I got out in 2016, but now have deportation order. I am a single Mum, their Dad died... I came here in 1996, I don't know no-one back home. When I think of taking them back to where I came from... They don't know any other life."

"I will spend the time, I will spend the time, but afterwards there should be mercy."

Even if you apply for a job, you have to disclose yourself, there is an attachment to your name. I have skills, I have worked with Connexions, [...] But now I am by myself, no-one is supporting me. I have fallen down on the other side."

The justice system just sees you as you are nailed to the cross, and you will forever be on that cross."



6. Experiences leading to involvement in the CJS

Women arrive in the justice system for a wide range of reasons. One of the women shared her story and the passion she has for changing the situations which can lead up to someone becoming involved in crime:

“Not everyone wakes up and just becomes a criminal. For me it was in prison that I realised certain things..

I grew up in an abusive household, my mother was addicted to substances, the woman my father married was very abusive to me and my sister.

It started when I was about 8, I had 3-4 very hard years. My primary school was aware of what was going on, they contacted social services... We pleaded with them, I told them ‘I’m the walking Cinderella’ – but they told my stepmother everything I said. That was when my trust was just gone, would I tell anyone about it? because the abuse was just getting worse.

It became more emotional abuse; bread and ketchup for meals, waking us up in the middle of the night to make us stand in a corner until it was time to go to school.

[Later] I became a loner at school. Expressed my anger in fighting, that led me to get involved in gangs. I found belonging in gangs, they were the only people that I

thought understood me, listened to me. I saw their negative and my negative and thought that was a positive.

I was in household of Jamaican heritage, although I’m Nigerian heritage. I had a middle-class White woman [social worker] who was telling me she understands me – I’m sorry, but you don’t. What I need is to tackle my trauma, I’m a teenager and I don’t understand why I’m angry all the time, my friends are seeing boys but all I feel is anger.

[In the criminal justice system] We’re lacking counsellors, we’re lacking people who will help you deal with trauma.”

The lived experience model is vital – I get through to the young people [at St Giles Trust] because I relate to them.

What more effect would it have for [these women] to tell their stories in Parliament themselves?

Are these not the best people to go into prison, to work with other women going through what they’ve been through?”

Notes

