

Evidence briefing:

Improving the criminal court experience for women

Introduction

Effective participation in the justice system is a core determinant of public trust.¹ But women in contact with the system often face multiple factors which can serve as barriers to participation, including housing issues, mental ill-health, experience of trauma and abuse, and a disproportionate burden of caring responsibilities. When courts fail to consider and address these needs, women can be denied meaningful access to justice, undermining trust and placing them at risk of worse outcomes, greater contact with the justice system and ultimately at higher risk of reoffending.

While existing evidence focuses on the needs of women serving sentences in custody or the community, less is known about the distinct experiences and needs of women who are coming to court.²

This briefing aims to:

- gather evidence on the diverse needs of women attending criminal courts, whether as defendants, victims or witnesses;
- highlight opportunities to improve experiences and better meet the needs of women by:
 - removing barriers to effective participation;
 - improving access to advice and support at court;
 - implementing strategies to avoid re-traumatising women.

Methodology

Literature review

A literature review was conducted to synthesise evidence around the experiences and barriers faced by court users, as well as existing research on women's needs and experiences in the wider criminal justice system.

Interviews and court observations

Semi-structured interviews were conducted with six practitioners who support women in court, including two practitioners in a court-based advice team, a defence solicitor, a senior mental health clinician and a witness service volunteer. Court observations were conducted in an inner-London magistrates' court using the courtroom observation procedural fairness assessment framework developed by the Centre for Justice Innovation.³

Review of CASS+ and Highbury Community Advice data

CASS+ and Highbury Community Advice are advice and support services based in magistrates' courts in the South West of England and London, respectively. They provide information, signposting and emotional support to all court users. Anonymised data on the demographics and support needs of women accessing these services from 2020 to 2024 was analysed by the Centre. While this data is limited in that it only captures women who are aware of, willing and able to access these services, given the lack of systematic data collection around court users, it represents a useful source of insights.

The needs of women coming to court

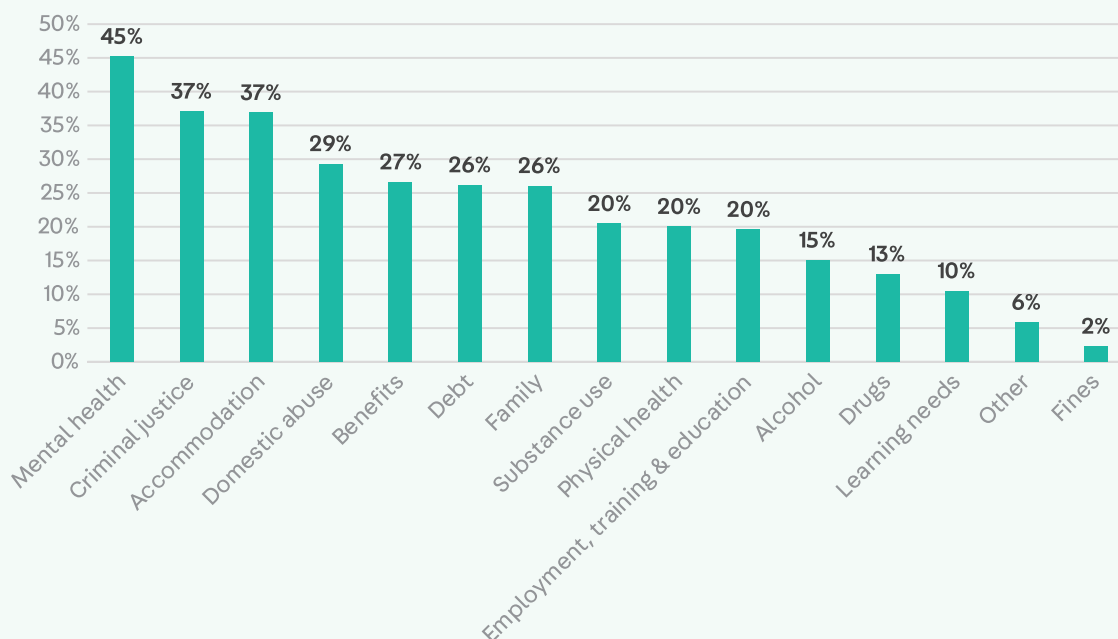
Women are underrepresented within the criminal justice system in England and Wales, particularly in relation to arrests and convictions for serious and high-risk offences.⁴ In 2023, women accounted for 16% of arrests and just 4% of the adult prison population.⁵ Women are also significantly more likely to be the victim of "personal" crime, such as violence, robbery, theft from the person or fraud.⁶

Unaddressed social needs, such as mental ill-health, poverty and unemployment, can trap women in a cycle of offending.⁷ For victims, multiple disadvantages such as domestic abuse and insecure housing can present barriers to fair justice and, ultimately, safety.⁸ The range of needs was reflected in our interviews with practitioners working within the courts.

"If it's the witnesses and victims, I would say majority would be housing, moving due to domestic abuse, neighbour disputes [...]. The defendants, they have lots of multiple disadvantage, so it can be drug and alcohol needs, it can be homelessness, it can be... and then knock-on effect from that, you know, they have income concerns, debt, benefit issues, lack of benefits." [Practitioner]

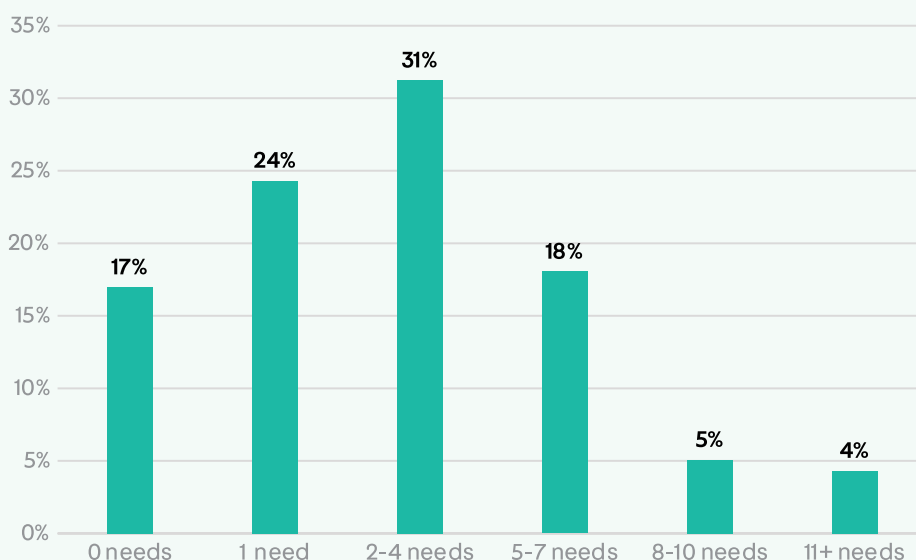
The range of needs experienced by women accessing court was demonstrated by data collected by CASS+. As set out in Figure 1, the service identified needs across 14 distinct areas, with the most common being mental health (45% of women), criminal justice issues (37%), accommodation (37%) and domestic abuse (29%).

Figure 1: Frequency of needs among women accessing CASS+ support



The needs and experiences of women in contact with the criminal justice system tend to be multifaceted, compounding and distinct from the needs of men.⁹ Our research suggests that this is likely also the case for women coming into court. As set out in Figure 2, over 80% of women supported by CASS+ indicated they had support needs, with 59% reporting multiple needs and 27% reporting five or more needs.

Figure 2: Number of needs reported by CASS+ clients



The following summaries provide an overview of some of the most common support needs experienced by women coming into court, as identified by practitioners and community advice service data.

Housing needs

Housing issues are a common challenge for women who attend court. Highbury Community Advice practitioners reported that housing support was the most common request they received. In this regard, 37% of women supported by CASS+ and over 30% of those supported by Highbury Community Advice indicated a need related to housing.

Practitioners highlighted that housing issues not only impact the women attending court as defendants, but also victims, witnesses and supporting family members. When housing issues were directly related to the case women were involved in, such as neighbour disputes, the outcome of the case could directly impact their eligibility for subsequent support. Often, practitioners had little scope to support women in resolving these issues, resulting in women having to remain in accommodation they felt to be unsuitable or even unsafe.

“...a lot of the time many of them are looking for a move because of risk of harm. Fear of reprisals. Fear [...] that the defendant [...] or friends of defendants or known associates of the defendants will come back, and harm them in some way.” [Practitioner]

“...if that defendant is found not guilty, well then there’s nothing we can do to get [the victim] moved because there’s no proof that this actually happened. Because if [...] they’ve been proven not guilty, [the victim is] not going to get any extra points from the council to move, so it basically never happens.” [Practitioner]

Caring responsibilities

Caring responsibilities disproportionately impact women in the UK.¹⁰ This trend can be seen in the women who access community advice services, with 48% of women supported by Highbury Community Advice since 2020 indicating they have caring responsibilities.

Practitioners reflected that caring responsibilities are likely underreported by women due to fear of social service involvement, sometimes driven by previous traumatic experiences of children being removed from their care. These fears and the impact they have on women seeking support or disclosing experiences of domestic abuse, mental health or substance use are well documented, both in the context of the criminal justice system and more broadly.¹¹

"I would say, generally, when there's children involved, it's the female that's the primary carer [...]. Often, social services are already involved, so a lot of them are coming through where children have already been removed from their care, where they have no contact and that's a big trauma for them and/or they're having supervised contacts with that looming over them, I guess hanging over them, in regards to future court cases for custody of the children." [Practitioner]

Practitioners highlighted that ambiguity around court times and childcare facilities has a disproportionate impact on women with caring responsibilities. Uncertainty can create additional stress for women who need to arrange care or collect children from school. These issues can impede court participation if it means court users are unable to concentrate and digest proceedings or are ultimately unable to attend.¹² These challenges have been reflected in courts across England,¹³ and can also impact pregnant women when court times clash with health appointments and due dates.¹⁴

"...in terms of somebody comes in for a 9.00 court hearing, your child's gone to school, but then you're still being listed in the afternoon, but you've got to go and pick up your kids. What you do? Like if you leave... If you leave the court, it's, you know, warrant." [Practitioner]

Practitioners note that women will often prioritise more immediate needs, such as childcare, over participating in the court process – even if this results in a worse outcome. For example, a defendant might plead guilty or a witness refuse to testify if it means spending less time away from her children, needing to bring them into the court environment or triggering social care involvement.

"...many women [...] just [...] say, 'you know what, we'll take the quickest way. I just want whatever is best for my kids', and at times it might not be the best result for them and it's a little bit hard to advise them, but obviously in their mind, their priority might be, I don't want my kids to be involved with social services." [Practitioner]

Practitioners raised that courts do generally try to accommodate women's childcare responsibilities (e.g. seeing them first where possible) and this was also witnessed in court observations. However, there are no facilities to accommodate children when their mothers do bring them to court. While not part of their role, practitioners supporting mothers in these situations tended to do what they could to support children but stressed the impact that these ad hoc arrangements had on the mother.

"...that is difficult for [women] because we can't look after the babies and nobody else can. The babies [...] or the children can't go into court and we do have instances where they turn up with one or two or more young children and we can't help them at all [...]. We try to find a police officer who can sit with the children... But it's stressful because it's stressful coming to court anyway." [Practitioner]

Trauma and abuse

Women are disproportionately affected by domestic abuse and sexual violence,¹⁵ and experiences of trauma and abuse are highly prevalent among women in contact with the criminal justice system.¹⁶ Of the women supported by CASS+, 29% (64% of victims, 34% of witnesses and 25% of defendants) indicated a support need around domestic abuse. Practitioners echoed this, highlighting that many women in court, including defendants, have experienced trauma or have been a victim of abuse.

“...we do predominantly have more vulnerabilities for the women in regards to sexual vulnerability, domestic violence vulnerabilities [...], so often there’s a lot more, maybe liaison work with women, then there is for some of the men because they are known to services or they disclose something that then requires further liaison and referrals to different agencies.” [Practitioner]

Trauma can impact an individual’s ability to engage with court procedures, for instance impacting memory, concentration and ability to communicate.¹⁷ Previous negative experiences of services can also impact how women engage with support that aims to address their needs.¹⁸

Mental health and neurodiversity

Consistent with evidence in the wider criminal justice system,¹⁹ practitioners highlighted the high prevalence of mental health needs and neurodiversity among women they support in court. Of the women who received support from CASS+, 45% indicated a mental health need, and 10% of women indicated a learning need – a high incidence reflective of the wider criminal justice population.²⁰

Practitioners highlighted how failure by the court to take women’s mental health needs into consideration can impede understanding and subsequent engagement with the court process, as this can result in memory issues, over compliance, shortened attention span, anxiety and inability to control impulses.²¹

“There [needs to be] an understanding around what that individual’s experiences have been, how that might come out in their presentation. Therefore, [...] challenges [in] presentation, things where people might be saying, ‘oh, they’re just disengaged’ – you’re understanding it in the context of their experiences.” [Practitioner]

Despite being a common need among women in court, there is limited support available for court users who have mental health needs. Practitioners highlighted the important role of Liaison and Diversion teams based in the court,²² who can provide crisis intervention for individuals who have been identified and referred. However, for the majority of women in court experiencing mental health difficulties, Liaison and Diversion services have limited relevance.

“...although we’ve got a mental health team in the court, they’re not accessible to someone turning up in distress or anything like that [...]; [they] are there to assess those that have been [...] identified through the Liaison and Diversion team at the police station or through [...] discussion with defence solicitors [...] but they can’t just see anyone that comes in because they’re presenting with psychological stress.” [Practitioner]

Practitioners also raised the challenges faced by women in court who are neurodiverse. There is likely an underreporting of neurodiversity among women in the criminal justice system, which may be due to differences in presentation, and a lack of research and screening tools that have been validated for women.²³

“They’re sitting in that dock with no one having explained to them, ‘Well hang on, we’re just talking about another case’, or even if it’s their case, there’s often a lot of legal jargon going back and forth, and I struggle to keep on top of that. But for somebody with ADHD who is struggling to sit still and struggling to keep their concentration and their focus, you know, and they’re sat there, waiting until the judge or the bench are ready.” [Practitioner]

Substance use

Practitioners highlighted the challenges posed by substance use and dependency for the women they come into contact with in court. Of the women who received support from CASS+, one in five indicated a substance use (drug and/or alcohol) need. Women's substance use is often a way of managing mental health issues and coping with past and ongoing experiences of trauma, and is compounded by additional unmet needs.²⁴

"Mainly I would say there's quite a lot of mental health [...] but loads of the times what we find is, they say, 'Oh, this person got drug issues', but they're not looking into, OK, why do they have these drug issues? And even though they offer them help for drugs, if you don't address the mental health behind [...] nothing [will] happen." [Practitioner]

Research has demonstrated how substance dependency can impact participation in criminal justice processes, including reducing the ability to accurately recall events and increasing suggestibility and compliance.²⁵ Practitioners raised concerns around how substance use can impact women's engagement with court proceedings, offering the example whereby a woman in withdrawal agrees with everything her solicitor says so that she can leave court as soon as possible.

"There was a lady, I think in court yesterday and ... I noticed she was in withdrawal. She was really unwell and it's all her trust in the solicitor, isn't it? [...] She wasn't engaged in what the judge was saying... It had to be repeated clearly to her over and over. And that's what concerns me. Sometimes I think, how much is fully understood [...] and it is fast paced, isn't it, at magistrates' court? So, there is no time to really look at if they need an intermediary, if they need an appropriate adult, if they need whatever." [Practitioner]

Poverty and financial hardship

Poverty and financial hardship are established criminogenic factors experienced by a high proportion of women in the criminal justice system.²⁶ In all, 27% of women supported by CASS+ indicated a support need relating to benefits and 26% indicated a need relating to debt. Practitioners raised how financial hardship when compounded by other unmet needs can trap women in a cycle of offending.

"...it could be that's more around acquisitive crime because of substance misuse, domestic abuse, poor mental health, all of that kind of stuff, shoplifting for food, shoplifting for drugs." [Practitioner]

Strategies for improving the criminal court experience for women

Our research identified three key strategies for improving the experience of women in court and better meeting their needs:

- Removing barriers to effective participation.
- Implementing new ways of working to avoid re-traumatising women.
- Improving access to advice and support at court.

Removing barriers to effective participation

A fundamental principle of common law – and one enshrined in Article 6 of the Human Rights Act (1999) – is that individuals should be able to understand and effectively participate in their own justice proceedings.²⁷ Dealing with cases fairly and justly is fundamental to the UK courts and tribunal system, and reasonable action should be taken by courts to support inclusive participation of defendants, victims and witnesses.²⁸

Evidence shows that when court users feel they have been treated fairly, they are more likely to interpret proceedings as legitimate, less likely to contest decisions and more likely to comply with orders.²⁹ Although what constitutes “effective participation” is not clearly defined, there is a range of factors that can impact an individual’s ability to effectively participate in proceedings.³⁰

“How do you support people to actually be engaged with the court processes? [...] there’s a real lack of awareness [...]. I think everybody working in courts gets really hardened and desensitised to actually the lives that people are trying to work through. And if you have committed a crime, ‘Well, you’re not the victim. You are the one being punished.’ So, there’s an element of ‘tough luck’, but it’s like, actually, if you want justice to be done fairly, you need to make sure that person can be actually put through the justice system rather than set up to fail.” [Practitioner]

For women experiencing multiple disadvantage who may find it particularly difficult to access effective support services to meet their needs, the barriers to an equitable justice process may be particularly profound.³¹ In this section we will explore practical options for addressing these barriers.

Practical information and support

Coming to court can be a daunting and stressful experience³² that is then often exacerbated by the lack of accessible practical information around court processes.³³ Practitioners highlighted how this has worsened in recent years through service cuts such as reduced query desk opening hours and restrictions on pre-court phone support from the witness service.

“They’re not given the right information. That’s the main barrier – information.... [It’s] always key. It helps them feel less anxious [...]. All that information telling them, you know, exactly where to go and, you know, come to this side of the building.” [Practitioner]

Practitioners emphasised that providing comprehensive practical information in preparation for proceedings not only reduces stress but also aids participation. A lack of information means that people are spending time on the day trying to resolve practical issues such as time away from work or childcare, rather than engaging and focusing on the case. Improving participation can be as simple as providing information such as what to expect at court or advice on how to get there, or support in organising time away from work or to arrange childcare.³⁴

“...the practical things around how are you going to get there? Again, is that realistic? Is that available for you? How does that work around your family set-up? So, there’s quite a lot of those, like, wider factors that I think get in the way for people being engaged with, like, the criminal process.” [Practitioner]

A range of options are available to improve the provision of information. As noted, the reduction in scope and support offered by HMCTS helpdesks has contributed to the lack of information, and reversing this would have an impact. However, the work of services like Highbury Community Advice and CASS+ also highlights the value of embedding information provision within a more holistic advice and support offer. More information on these services can be found below.

Improving understanding and engagement

Practitioners highlighted the challenges created by the complexity of court proceedings and the use of legal jargon and formalities, which research has demonstrated have a “silencing” impact on court users.³⁵ It was noted that women in particular may feel unable to ask for clarification when they haven’t understood.

“...a lot of them come out and they have 101 questions that they haven’t felt they could ask; [...] they don’t feel that solicitors maybe have listened or want to answer, and a lot of them are, ‘I’ve been given this fine now, but I don’t know what to do. I don’t know.’ [...] No one’s assessing what they’re processing.” [Practitioner]

Members of the judiciary can play a key role in court users’ ability to understand proceedings. We saw examples of this in our courtroom observations, such as those magistrates who took the time to introduce each person’s role, explain complex processes and address court users directly, and clarifying when the court user has not understood.

Community advice models can provide another resource for improving engagement with court processes, for instance, supporting court users to gather and provide documents, or liaising with the court to vary conditions or get fines relisted for means testing.

Improving access to language support

Language barriers can impede individuals’ ability to effectively participate in court proceedings.³⁶ One practitioner suggested that language barriers may disproportionately impact women from migrant communities who are less likely to speak English than their male family members.

If a court user requires an interpreter, then facilities are available.³⁷ However, evidence indicates women may experience particular difficulties in accessing effective translator services throughout the criminal justice system.³⁸ Practitioners reported challenges to the language support services in court, including the limited availability of interpreters speaking the correct language or dialect – an issue also noted in court observations. Practitioners highlighted the significant consequences that can arise as a result.

“...there has been times that we have had to do what’s called ‘Paragraph 5’, [...] there’s mental health needs [...] but we haven’t been able to carry out a comprehensive assessment because there’s been no interpreter. They’re remanded overnight to then come back to court the following day for an interpreter, which, you know, doesn’t really sit well and doesn’t really seem fair that somebody spends a night in prison simply because there wasn’t the resources there.” [Practitioner]

Investment and improvement should be made to language support in courts to avoid unnecessary delays, ensure processes and decisions are understood, and improve access to the support that is needed.

Adopt trauma-responsive approaches to avoid re-traumatising women

There is recognition that contact with the criminal justice system is traumatic in itself, and going to court can re-traumatise women.³⁹ Research demonstrates the particular impact on Black and racially minoritised women.⁴⁰

Trauma-responsive approaches recognise the high levels of trauma experienced by women in contact with the criminal justice system and seek to minimise further harm.⁴¹ Practitioners valued the emerging practice around trauma-responsive approaches in court, such as those seen in intensive supervision courts for women.

“It is getting a bit better. I mean, how many years ago [...] they wouldn’t have thought about any of the stuff we’ve talked about as being seen as multiple disadvantage. They would just see it as people that made the wrong choices in life.” [Practitioner]

However, practitioners emphasised that in most courts there is little awareness of trauma and identified a number of common practices that they recommended be reformed, in order to mitigate their potential traumatising impact. These identified reforms are set out below.

Addressing safety risks in the court environment

Improvements to the physical environment of courts can play an important role in addressing the risk of re-traumatisation.⁴² Practitioners raised that court buildings can be daunting and stressful, especially for women less experienced with the criminal justice system.

Practitioners highlighted instances where procedures that should keep witnesses safe and separate from defendants were not happening as they should. Such barriers could be as simple as security staff on entrances designated for witnesses not having the correct witness name recorded and sending them to the main communal entrance, where they ran the risk of encountering defendants or their supporters.

The open nature of the justice system was also raised as presenting particular issues for women who risk having information they would not wish to share being disclosed in open court. Examples given included the new address of a domestic abuse survivor being disclosed to her abuser, or histories of trauma and abuse being disclosed as part of pre-sentence reports (PSRs), read out when there are lots of people in the courtroom.

“I think at times, particularly when they’re not too experienced with the criminal justice system, [...] the main shocks – one, the open court system, the fact that everyone is going to be listening and at times they get a little bit, ‘Oh, why are all these people sat in court?’ [...] they’re going to be perhaps opening up, or the solicitor opening up, about some really personal things, and there’s all these people sitting court listening to it.” [Practitioner]

In theory, these disclosures should be avoidable, as Crown Prosecution Service (CPS) guidance notes that witness addresses should not be disclosed and probation officers are able to use discretion around the information that is included in orally delivered PSRs. But ensuring that harmful disclosures do not occur in practice requires efforts to ensure that all relevant parties are aware of the guidance and of the potential impacts of these disclosures.

Consider context and individual circumstances during sentencing

Advocates for trauma-responsive approaches also highlight the need to consider an individual’s circumstances during sentencing.⁴³ There is recognition that women are more likely to have complex histories of trauma⁴⁴ and primary caring responsibilities, and therefore may experience a range of additional harms from particular sentences.⁴⁵ Practitioners emphasised the importance of considering personal circumstances to ensure women are not set up to fail, thereby further entrenching women in the system.

PSRs can be an example of trauma-informed practice, providing an opportunity for the court to consider comprehensive information about a defendant's circumstances and needs to ensure these are considered during sentencing.⁴⁶ The value of PSRs was raised by practitioners.

"If we don't get that much time for a one-to-one chat for mitigation on that, then at least if probation sees them, they've got a detailed pre-sentence report and that gives us a really good insight into what has been happening." [Practitioner]

Improving the quality of PSRs for women was a key objective in the previous government's 2018 Female Offender Strategy.⁴⁷ However, concerns around the quality and impact of PSRs remain,⁴⁸ including delays in the time taken for them to be completed.⁴⁹ These issues were also identified in our court observations. There is a welcome focus on the need for comprehensive and considerate PSRs, and further attention should be paid to ensuring that the necessary resources are available to enable PSRs to be completed robustly and to an appropriate timescale.

Improve accessibility of special measures

Under the Victims' Code, witnesses and victims who are particularly "vulnerable" or likely to experience distress while giving evidence have the right to be assessed for special measures.⁵⁰ If eligible, witnesses and victims can have a variety of measures put in place, such as giving evidence via a video link or having screens to conceal them from the defendant in the courtroom. Measures need to be applied for in advance, which relies on individuals' awareness that such facilities are available, and this may add a further barrier for victims and witnesses already facing multiple barriers to reporting and engaging with the system.⁵¹

While practitioners reflected on the importance of special measures in supporting women, they highlighted several challenges that limited their impact. This included unclear eligibility criteria and application processes, denying those who should be eligible, and issues with effective implementation.

"I think people are doing a lot better in terms of understanding special measures, but I don't think a lot of victims understand what their special measures are or what support can be put in place. Many court buildings aren't actually designed to actually keep individuals safe and separate [...]. It's just thinking about the details [...]. I think there is a real issue in terms of just system capacity, meaning people don't actually have the time to sit there, think about it, break it down, work out exactly what's needed and how it's going to cover and the logistics of it." [Practitioner]

Special measures may be particularly impactful for women who have experienced domestic abuse.⁵² Although there is evidence that a high number of women who commit crime will have been a victim of abuse or crime themselves,⁵³ defendants are not generally entitled to special measures even if they are considered "vulnerable" and might benefit from them.⁵⁴

Offer access to advice and support services to address unmet needs

The compulsory nature of court attendance means that it has the potential to act as an intervention opportunity for individuals who are experiencing unaddressed social needs that are contributing to their offending but who have not sought support. In-court services can offer assessment, support and referrals to support services where appropriate.⁵⁵ Practitioners highlighted that, without addressing needs, there is a revolving door of women returning to court.

"They kind of think, 'OK, I come to court, I'm going to get some assistance for everything that's going on,' but it seems to be more of a burden at the end and then we usually find them back again because of breaches or things like that, because the support doesn't seem to be catered [...] they struggle engaging and we kind of find them back here." [Practitioner]

The potential of court-based advice services

Practitioners from statutory services highlighted the limited opportunities they have to assess and address women's needs at court. This is especially the case for women who do not present at immediate risk or have "hidden disabilities", as there is no routine mechanism by which to screen, identify and divert women to more appropriate support.⁵⁶

"...they look at the outward presumption of needs. So, OK, it's fine, she's obviously got needs, she's got drug and alcohol use [...] but presents as seemingly OK. [...] They'll see it as your choice, it's choice. You [...] don't know anything about their background, you don't know what trauma... you don't know anything. You haven't even asked if they're a care leaver [...] basic questions aren't even asked." [Practitioner]

Court-based advice and support teams, such as the community advice services that operate in Highbury Corner Magistrates' Court and across Devon and Cornwall, represent an important opportunity to offer additional support to women at court. Provided by the voluntary sector, these services assess clients, provide immediate practical support and signpost them to community-based services that can address chronic needs.⁵⁷ Their independence from the justice systems builds trust and addresses some barriers to engagement.⁵⁸

All the practitioners we spoke to emphasised the value of these services, particularly in providing non-specialised support to bridge the gaps between services. However, at present their reach is limited as only two community advice services exist for adults in the UK.

"If there was a community advice in every court, then any defendant would have a second chance at life. Without having a community advice service in court, where are they getting this information? They're not getting it from [specialised statutory services] [...], they're not trained in housing benefits, debts. They're not trained in any of that. So everyone's taking a stab in the dark of trying to help their clients." [Practitioner]

The power of the court

Practitioners emphasised the capacity of the court to facilitate access to services. This could be through voluntary mechanisms such as informing court users about the services on offer or mandating service engagement through sentencing.⁵⁹ Community order requirements such as mental health treatment requirements or drug rehabilitation requirements can facilitate access to services which would otherwise involve long waiting lists or other barriers.

"I've had plenty of people that turn up at our office and say the magistrate has asked me to come speak to you about alcohol and drug advice services, like, 'I need [...] help with my drug use.' And there you go, they'll come because they feel they've been told, 'You should go.'" [Practitioner]

"...if they do try to go voluntarily [to statutory services], they say either the wait list or the engagement that they get, it's not as easy to access as if they have been referred by the court." [Practitioner]

How can advice and support at court impact women? Case studies from highbury community advice

The Centre for Justice Innovation's Highbury Community Advice service provides free advice and support services to anybody attending Highbury Corner Magistrates' Court, including victims of crime, defendants and their family members. Support is delivered by a team of volunteers, managed by paid co-ordinators, and includes immediate practical and emotional support, referrals into services for chronic conditions and casework to support clients with complex or ongoing issues. While the service is not gender specific, it has a particular relevance to women with multiple unmet needs who can often struggle to access other community-based services with more restrictive opening times, referral processes or eligibility criteria. While Highbury Community Advice is only one model of in-court advice and support, we believe that these three case studies highlight the potential impact of a service that is situated at court and combines a broad service offer with specific understanding of the complex administrative systems around court processes.

Case study 1: victim of crime

B was referred to Highbury Community Advice from the Witness Service. She was the victim in a trial following an incident where her neighbour, the defendant, had threatened her with a knife. This incident was witnessed by B's young child. Both B and her child experienced significant distress following this incident.

B shared with Highbury Community Advice that prior to this incident, she had been experiencing ongoing intimidation, racial abuse and harassment from this neighbour. B's life has been significantly impacted, including causing her to take emergency leave, and changing her working pattern and her route home from work.

Highbury Community Advice made contact with the council's housing options teams, advocating on B's behalf. B had previously been unsuccessful in negotiating a move through the council, but with Highbury Community Advice support, B and her child were offered alternative accommodation.

Highbury Community Advice also referred B to specialist mental health support services for her child, as well as identifying a specialist children's victim support service, who worked with them while they were on the mental health waiting list.

Case study 2: defendant

C was referred to Highbury Community Advice after receiving a 24-month suspended sentence order, which required her to wear an electronic monitoring device and set an exclusion requirement. C suffers from chronic pain and neuralgia, which was aggravated by the restrictive tag that she had to wear. Further, the exclusion area prevented her from attending osteopath treatments. C had attempted to get support through the court enquiries desk but had received conflicting information each time she approached them and felt they were resistant to providing her information on her options.

Highbury Community Advice helped C to gather evidence to confirm the pain was being worsened by the tag, and that the exclusion was preventing her from attending her osteopath treatment. As C is digitally excluded, Highbury Community Advice provided this information to the courts, advocating on her behalf that her case be relisted.

Once her case was relisted, Highbury Community Advice supported her to request her case notes as well as providing her with details of solicitors who would be able to represent her. On the day of the new case hearing, Highbury Community Advice sat with C in the dock and provided her with emotional support as she was very anxious and distressed.

The magistrates were sympathetic to C's health conditions and agreed to vary the conditions of the order, including removing the EMS tag.

Case study 3: family member of a defendant

D has been known to Highbury Community Advice for several years. Her children have been involved in the criminal justice system, and she first approached the service for advice around one of their cases.

At the point where she made contact, D had many unmet needs. She had experienced many mental health challenges driven by childhood trauma as well as the stress of her children's criminal justice involvement. She is neurodiverse and has learning difficulties, including dyslexia, as well as a range of physical health conditions, including arthritis and challenges around alcohol use. D also had a considerable amount of debt and found it difficult to manage her finances, including her benefits and understanding her entitlements.

Highbury Community Advice has provided ongoing emotional support to D throughout the years and has facilitated referrals and signposting to counselling and specialist drug and alcohol services for both D and her children.

To address her financial issues, Highbury Community Advice put D in touch with a specialist debt advisory service and supported her to fill out forms and to engage with these phone-based services, which she finds challenging. Highbury Community Advice also advocated on D's behalf with creditors and supported her to put in place realistic repayment plans to avoid enforcement action. Highbury Community Advice also helped her maximise her benefits payments, ensuring she receives her full entitlement, including supporting her to apply for PIP and accompanying her during her telephone assessment for her Universal Credit. She now receives the disability element of PIP.

D remains in contact with Highbury Community Advice for any further support she requires; however, over time, D has reduced her contact with the service as she feels more independent and confident in her ability to manage.

Conclusion

Women who come to court can often face a range of unmet needs, from histories of trauma and abuse to poverty and debt, or chronic health issues such as mental health or substance use. These unmet needs can make it more difficult for the women to effectively participate in court proceedings, placing them at risk of worse outcomes.

However, improving the way that courts function can make a significant difference to women's experiences. By improving the availability of practical information about court logistics and procedures, we can ensure that women struggling with caring commitments and unmet needs have the best opportunity to understand and engage with court processes. And by embedding trauma-informed practices, we can reduce the risk that women will experience further harm at court.

As well as providing a better experience, new approaches can also help to transform courts into an opportunity to address the unmet needs of women coming to court. The example of services such as CASS+ and Highbury Community Advice demonstrates how a compulsory court appointment can be a gateway into support for women who have been unaware of services or unable to access them. Such services have the potential to unlock real and lasting changes in women's lives, addressing the factors that might lead them into contact with the criminal justice system.

This vision of a fairer, safer and, ultimately, more supportive court system is one which will require imaginative thinking and a willingness to change long-established ways of working, but the benefits would, surely, be worth it.

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