

How are domestically abused women from different social groups treated differently by the criminal justice system?

Considering: **BAME**, **LGBTQ+**, **Disabled** women

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Methodology:
 Literature Based Project

Introduction:

My research project assesses how the criminal justice system interacts with domestically abused women from different social groups – specifically BAME, LGBTQ+ and the disabled communities. It considered how these groups' experiences differed through breaking up the criminal justice system into the police, courts, and other services (such as shelters and refuges), alongside the differential nature of domestic abuse for that social group.

My findings:

Should be maintained that none of the groups have a singular homogenous experience

Differential Nature of abuse:

- **BAME:** Impacted by of institutional racism and hostile immigration
- **LGBTQ+:** Goes against basic model of heterosexual relationships → abuse linked to gender identity and sexual orientation
- **Disabled:** receive abuse from caregiver (not included in legal def)

Wider Societal Issues:

Structural Discrimination

- **BAME:** Institutional racism
- **LGBTQ+:** Homophobia
- **Disabled:** Ablism

Common Barriers (to reporting abuse and accessing support):

- Intersectional discrimination
- Lack of understanding on legislation/ services available
- Not recognising experience as abuse
- Likely marginalised from society prior
- Lack of funds (as being financially controlled)
- Isolation by abuser

Differential Barriers (to reporting abuse and accessing support):

BAME	LGBTQ+	Disabled
Language barriers	Minimisation of experience of abuse	More likely living w/ perpetrator
Shame and honor (Izzat and Sharam in Urdu)	Feeling insecure or shame about sexuality	Disablist social attitudes (e.g asexuality)
Patriarchal nature of communities	Negative stereotypes on sexual relations	Lack of suitable services
Religious fundamentalism	Lack of trust in public/social facilities	Dependance on abuser
Immigration (Non-Recourse to Public Funds)	Fear of discrimination when accessing services	Power exerted relational to disability
Social Stratification in communities	Assumed heteronormativity of services	Reluctance to leave home

Courts: Worst experience for disabled

Overall contributor: lack of time on each case – makes personalised experience difficult

Identifying disabilities

- Inefficient risk assessments
- Lack of use of 'special measures' by police in MG2 form (results in disabilities not being uncovered)
- Lack of understanding of benefits of self-identification

Supporting disabilities:

- Fixed legal aid fees: issue of not wanting to represent as required more resources
- Lack of knowledge and understanding of provisions in place: Mental Capacity act 2005, Mental Health Act 2007, Disability Discrimination Act 2005

Services:

Lack of specialist services across all social groups – worsened by funding cuts and lack of training (**BAME: 55%**), (**LB: 28.9%**), (**T: 23.7%**), (**Disabled: 34.2%**) – stats need to be considered in light of group size and potential access
 Large discrepancies nationally

BAME:

- Worsened experience for women with NRPF
- Womens' aid (body that state funds) doesn't consider race or immigration – reduces support available

LGBTQ+: Issue is more prominent for trans (since lots of services are Womens' only)

Disabled: Lack of specialized services nationally – those that are available are primarily 'structural' compared to 'attitudinal'

Police: Worst experience for BAME

General: lack of training to specialist needs of minority groups

Whist issues with all minority groups, **structural racism is most prominent.**

BAME: 3 types of issues

- 1) the women's reluctance to ask for help
- 2) abusive attitudes displayed by police
- 3) the reluctance of the police to fully enforce the law

LGBTQ+: (especially trans) – homophobic treatment structurally → Lack of trust and recognition → low detection rate

Disabled: Underestimated severity, lack of knowledge on how to deal

Impact of lack of funds: Structural problem

- Without increase in funds, increase in reporting will have little impact on number of convictions (if police cannot deal with the 26% abuse being reported, they cannot support more women) → bad response showcased by 'chronic abusers'
- Provision in place: DVPNs and DVPOs but found police only issued in 4% cases party due to lack of time/ overstretched

Areas for improvement:

(for more information see QR code)

General: increase funding for minority groups

BAME:

- Combat institutional racism
- Make changes to how women with NRPF are treated
- Increase in specialist services

LGBTQ+: Increase specialist services and outreach

Disabled:

- Improve experiences of courts
- Increase specialist services

Recommendations

References

