

BOOK REVIEWS

Black Women in Prison: Exploring the Intersection of Race and Gender Experiences in Prison,

Angela Charles (Palgrave Macmillan) 2025

The Lammy Report into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System (CJS) was published in 2017. The report stated:

‘Despite making up just 14 per cent of the population, BAME men and women make up 25 per cent of prisoners, while over 40 per cent of young people in custody are from BAME backgrounds. If our prison population reflected the make-up of England and Wales, we would have over 9,000 fewer people in prison – the equivalent of 12 average-sized prisons.’

Against this background of disproportionality in the CJS, Angela Charles, lecturer in criminology at the University of Northampton, asks: what is the reality of imprisonment for Black women in our prisons in England?

Charles writes:

‘Despite being written in 1989, Crenshaw’s¹ statement remains true of society today. ‘Black women are caught between ideological and political currents that combine first to create and then to bury Black women’s experiences’

The currents are the structural inequalities that have been created to oppress, marginalise and subjugate Black women. This can be seen in all aspects of society: education, employment, housing, mothering, healthcare and the CJS. This book addresses the systemic racism and disadvantage that Black women encounter in their everyday experiences within the prison system. Both ideology and politics damage the lives of Black women in society and continue to do so within the CJS.

Previous studies

Charles’ research follows the work of earlier researchers.

In 2013 Laura Foley and Irena Papadopoulos found that the needs of ethnic minority groups were not adequately met in prison. This was due to language barriers, stigma, cultural variations in perception of mental illness and poor comprehension of cultural differences.² In 2017 J. Cox and Katharine Sacks-Jones outlined how Black, Asian, and Minority Ethnic (BAME) women face a “double disadvantage” in the UK criminal justice system due to overlapping discrimination based on both their gender and their race.³

Laura Kelly-Corless and Helen McCarthy published *Moving Beyond the Impasse: Importation, Deprivation, and Difference in Prisons*. They use an intersectionality lens to show that, together, the importation and deprivation models can act as an important theoretical tool for understanding the lives of incarcerated people who deviate from the expected population of young, white, able-bodied, hearing males.

¹ Kimberlé Crenshaw, “Demarginalizing the Intersection of Race and Sex: A Black Feminist Kimberlé Crenshaw in her seminal 1989 paper, “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics.”

² L. Foley and I. Papadopoulos (2013). Perinatal mental health services for black and ethnic minority women in prison. *British Journal of Midwifery* 21 (8), 553-562.

³ *The Prison Journal* (<https://doi.org/10.1177/00328855241292791>).

Research by Angela Charles

Charles' recently published book covers an important and challenging topic: what are the experiences of Black women in the criminal justice system in England and Wales?

It is based on qualitative research conducted by Dr Charles in 2018-2019 in two English women's prisons, one open and one closed. The themes explored include – staff interactions, access to cultural goods and services, prison processes, racism and disadvantage, the ways in which Black women cope with being imprisoned, and their ability to remain resilient. The book highlights the multiple ways Black women face racism and disadvantage within the prison system.

Systemic racism and disadvantage

The participants' comments 'echo other Black women who described negative experiences of the CJS, particularly judges' harshness, sentence disparities, and the court system overall.' A participant points out that Black individuals start their prison sentences already carrying the lived experiences of discrimination and perceptions of injustice from prior CJS processes. This impacts how an individual interacts with staff, responds to disappointment and frustration, and feels able to trust. 'The experiences of Black women,' Charles writes 'whether in the form of problematic relations with staff or drawn-out prison processes, added to their beliefs about the unfairness of the CJS. Consequently, this led to pains of imprisonment that were experienced as particularly acute.'

The interviews reveal that these women in prison are well aware of institutional racism but have to dismiss their concerns and focus on getting through their sentence. One interviewee told Dr Charles: '[If] you start complaining, then you start getting [labelled as] a nuisance, then it's straight you're on that bus [shipped back to a closed prison].'

Many Black women reported holding back on challenging staff displaying prejudicial and discriminatory behaviour in order to secure a more manageable prison experience, and to ensure access to important facilities like ROTL (Release on Temporary Licence), training and access to rehabilitative activities. Charles reports: 'Black women were acutely aware of processes taking longer compared to others as well as reduced access to rehabilitative processes.'

'Ruth', in a closed prison, explained that her transfer to open prison took longer compared to a white counterpart.

'I think there's discrimination because ... my neighbour that moved in next door to me, she is in for exactly the same crime as me, no different. She got exactly the same time, and she's done six months in closed conditions and then just been transferred to open, where I had to wait 20 months before I could come here. And I couldn't understand why. She hasn't done none of the courses, nothing, and her crime is identical to mine, so why her and her mother got transferred to open and I had to wait. I think to me, sometimes it's if your face fits. I was seeing that a lot. Yeah, and I see a lot of the Black girls, not a lot of them get the opportunity to go to open, that's what I see'.

The interviewees reported that ROTLs took longer to be authorised compared to their white counterparts. Many of the Black women stressed the importance of having a point of contact with whom they could liaise about processes, get progress updates and raise concerns about any issues they had. Such dialogue would create open communication about delays and setbacks.

An earlier study by R. Chigwada-Bailey reported that Black women were often left with no understanding of why their applications for work or education opportunities, for ROTL, for a

move to open conditions, were delayed.⁴ In many cases officers had negative stereotypes of Black women as mad, criminal, arrogant, anti-authority, hostile and aggressive. Charles writes: 'Consequently, these stereotypes impacted access to education, employment and other rehabilitative activities.' Charles' interviewees recount being turned down for courses and work opportunities, stating that such events demonstrate 'the discrepancies and differential treatment Black imprisoned women face'. Black women regularly question why other women's progression is put before their own; ultimately it leads to distrust of prison officials.

Microaggressions

Microaggressions have been noted and analysed by earlier researchers. In their study (2012) in Education, Sociology and Critical Race Theory, Rita Kohli and Daniel Solorzano described microaggressions as 'preconscious or unconscious, subtle verbal and non-verbal insults, layered and accumulative with profound effects'. Charles gives many examples of microaggressions as experienced by Black women in prison. For example, two women in the open prison claimed that staff regularly misconstrued Black women's behaviour and speech as aggressive:

'They wanna act like you're arguing with them. No, I'm not arguing with you, I'm just having a conversation with you, there's a difference. But then, this is what annoys me, because they characterise a lot of Black women as antisocial or that we're aggressive. But it's just the way we talk!' 'A slight raise of the voice or voicing of my opinion in a way that isn't completely docile and placid is seen as being aggressive and I need to calm down. Even more so in prison.'

An interviewee reported:

'Our voice and tone are very different, so when we speak, they have already subconsciously in their mind said that we're aggressive. So, anything you do, you're aggressive.'

Encountering microaggressions had material and detrimental impacts on the women when it came to accessing vital services and resettlement opportunities. The way Black women interacted with staff inhibited their ability to benefit from employment opportunities, training, medical provision and applications for ROTL which allows contact with the prisoner's family.

The study revealed the extra burden Black people carry, not knowing how their race and ethnicity is being perceived by those in positions of authority and power. Some prison staff do not appear to know how to interact or deal with Black women, or that some alternative form of supervision was needed to 'manage Black women'.

Recommendations

Dr Charles makes a number of important recommendations.

Prisons have numerous policies and frameworks on equality and strengthening family ties. Whilst these frameworks are useful, this book is evidence that these policies are not always implemented or adopted by staff, to the detriment of Black women.

The Women's Estate Case Advice Framework (Ministry of Justice) describes five guiding principles of trauma-informed care: safety; trustworthiness; choice; collaboration; and empowerment.

Moreover, it specifies the importance of 'Recognition of culture and recognition of practices that are re-traumatising' (Ministry of Justice, 2021). Similar statements are made in the Women's

⁴ (Black women's experiences of criminal justice: race, gender and class: a discourse on disadvantage R. Chigwada-Bailey 2003 Waterside Press

Policy Document (Ministry of Justice, 2021), where point 3.15 states that women should be supervised/held in trauma-informed conditions and provided with a rehabilitative culture where they feel safe and that meets their specific needs, and which facilitates their successful resettlement.

It appears that women's prisons are not achieving these aims as well as they could be, if the two prisons visited during Angela Charles' fieldwork are indicative of the wider estate. Black women are distrustful of staff because of their experiences prior to imprisonment and, once incarcerated, because of the microaggressions they face, the lack of explanations about delays to their access to training, rehabilitative activities and ROTL, and a failure to understand and accept cultural differences.

Prison policies should aim to acknowledge this and attempt to break down barriers to achieve meaningful connections and to provide an atmosphere conducive to rehabilitation. Prisons should work with and consult Black women to ensure access to cultural goods to meet their needs. By involving Black women in this way, barriers can start to be broken, and trust and respect built. When prisons fail to include racialised groups in matters concerning them, they are re-traumatising those prisoners who have experienced or watched incidents of disregard for their heritage in society prior to imprisonment.

The Equality Analysis Policy Framework (Ministry of Justice, 2023) refers to the

Public Sector Equality Duty (PSED) as set out in Section 149 of the Equality Act 2010, which requires the prison service to: eliminate unlawful discrimination and victimisation; advance equality of opportunity; and foster good relations. The prison institution should embed these requirements into everyday practices rather than mainly through new starter or refresher training provided to officers. There should be a detailed enquiry on how processes currently in place lead to indirect discrimination for Black women. This enquiry should cover access to rehabilitative activities and to work opportunities within prison, the deprivation of cultural goods, haircare products, clothes, body care products, and music, as well as discrepancies between transfers to open prisons and ROTL procedures.

In terms of procedural recommendations, the complaints system based on discriminatory grounds must also be improved. Whilst prison management may look at the number of Discrimination Incident Reporting Forms (DIFS) submitted and perceive the low numbers as a positive sign of reduced levels of discrimination, it could be argued that it reflects rather a lack of confidence in the process and the system. The prison needs to improve Black women's confidence in the complaint systems (Ministry of Justice, 2023). The women represented in this book had low trust in the system; instead, they had to opt for alternative methods to resolve their grievances, or they had a fatalistic acceptance that their issues would not get resolved.

Lastly, as a practical recommendation, the prison could do more to support Black women to achieve strong family ties. This book has shown that for most of the women, phone calls and visits with family were integral to staying resilient and coping with the pains of imprisonment. Given the socio-economic position of many of these women, support should be provided to allow regular communication with family that is financially appropriate and does not leave them at a disadvantage.

ROTL offers the best opportunity for family contact to be maintained. Mothers with younger children will benefit from ROTL as it allows them to be more present in their lives, which will reduce emotional turmoil for both child and mother. ROTL processes must be timely and fair, and any discrepancies between process times for women with protected characteristics and those without must be investigated and rectified.

To the recommendations made by Dr Charles I would add these observations, concerning women of all backgrounds and ethnicities.

There are far too many women in prison who should not be there. We need radical reform to limit imprisonment for women to those few who have committed serious offences. The majority of women in prison have committed non-violent offences, often shop theft and other minor crimes. They should be dealt with in the community. The excellent liaison and diversion services offered by many police forces with the support of women's centres should be the default approach to women's offending. There should be greater investment in these services and far fewer women entering prison.

The Intensive Supervision Courts are a powerful and hopeful initiative, with the judge working with probation staff to keep convicted women out of prison, supported in the community, using the expertise of Women's Centres, following the imposition of an Intensive Supervision Order.⁵

Too many women are in prison on remand. Approximately one in four women in prison in England are held on remand, representing roughly 26 per cent of the female custody population. Out of an overall total of around 3,461 to 3,500 female prisoners, this accounts for approximately 900 women in prison without a full sentence. (See <https://www.thejusticegap.com/women-in-prison-remand-in-custody/>).

There are far too many women in prison on recall. Over 2,600 total recalls of women to custody were recorded over a recent 12-month tracking window, with only 17% of those instances involving women facing brand new charges (meaning the vast majority stem from license condition breaches like failing to keep in touch). The disastrous Offender Rehabilitation Act 2014, an initiative of Mr Chris Grayling, required every person leaving prison, however short the sentence, to be subject to one year's probation supervision: failure to keep to stringent conditions, missing appointments (all too easy in chaotic and disturbed lives, with too little support) led to return to prison. This law should be repealed immediately. It has resulted in very serious injustice as short sentences have become long ones, with repeated returns to prison; it has imposed much additional strain and difficulty for an already struggling criminal justice system.

The Women's Justice Board has as its aim to radically reduce the numbers of women in prison. Their work is both important and hopeful. I would recommend to them a careful reading of Angela Charles' book on Black women in prison so that the improvements to the system which she recommends could become reality.

To conclude

This is an important book: Charles' research highlights Black women's experiences, using them to advocate for change within the prison system, presenting evidence through the narratives of Black women as they navigate the criminal justice system.

The book is a call to arms, to care about Black women, their bodies, their plight, their lives and their future. Angela Charles writes: 'Black women deserve a platform, they deserve a platform to tell their stories, to be heard for who they are, and to be heard as a standalone group. For too long Black women's experiences have been relegated and were forgotten— in many ways they have been ignored.'

*Rona Epstein**

⁵ Early pilots like the one at Birmingham Magistrates' Court successfully diverted dozens of women from custody while reducing substance misuse. They are now being extended to other cities including Leeds, Liverpool, London, Newcastle and Swansea. See The Jabbs Foundation <https://jabbswomenandgirls.org.uk/what-we-do/>

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