

Crime and Policing Bill

Parliamentary briefing, Autumn 2025

Summary

The proposals within the Policing and Crime Bill to repeal Section 22A of the Magistrates' Court Act 1980, and Section 176 of Anti-social Behaviour, Crime and Policing Act 2014 could **significantly counter the Government's goals to reduce the number of women in prison**. We are concerned that this Bill is aiming to confront a perceived notion that theft under £200 is decriminalised, when this in fact untrue.

Shoplifting makes up a significant proportion of women's offending, and the root causes are often tied to their experiences of trauma, abuse and deprivation. In 2023, more women were sent to prison to serve a sentence for theft than for criminal damage and arson, drug offences, possession of weapons, robbery, and sexual offences combined.¹

While we understand that retail businesses are affected by shoplifting and need a robust response from government, we are concerned that the Bill has the potential to subject women to harsher, and potentially disproportionate, punishment, resulting in more harm than good. We are concerned that the Bill will trap women further in a cycle of poverty and criminalisation, in direct contradiction to the Government's stated aims on women's justice, including diverting women away from prison.

Context

- Theft accounted for 5% of all female prosecutions in 2023, of which 80% were theft from shop offences. 20% of women convicted of theft received immediate custodial sentences and 29% received community sentences. The average custodial sentence for this offence is 4.4 months.²
- Theft or shoplifting under the value of £200 is currently assessed as "low-value shoplifting" and is a Summary Only offence. In such cases, unless a defendant elects for a Crown Court trial, it cannot be sent to the Crown Court for trial or committed there for sentence. Police currently investigate, charge and offer out-of-court disposals for Summary Only offences.
- The proposed change could drive the well-documented court delay crisis. The Government's own Impact Assessment states that removing the £200 low-value threshold could lead to more cases and justice system costs, as well as a strain on police resources. Becoming an either-way offence may also lead to private prosecutions and subsequent costs on the Criminal Justice System.

¹ 3 Ministry of Justice (2024). Table 2.A.12, Receptions 2023. Offender management statistics quarterly: October to December 2023 as referenced in Prison Reform Trust (2025) Bromley Briefings: Prison Factfile February 2025.

² <https://www.gov.uk/government/statistics/women-and-the-criminal-justice-system-2023/statistics-on-women-and-the-criminal-justice-system-2023-html>

Root Causes

- Women in contact with the criminal justice system are much more likely than men to report needs relating to mental health, substance and alcohol use, as well as childhood trauma. They will often experience complex, unmet needs which are rooted in deprivation and inequality including a lack of sufficient and safe housing, employment and education.
- At least **one-third** of women on probation for theft offences referred to Advance and our partners needed support with their emotional wellbeing and mental health, as well as accommodation. At least **7 in 10** women supported by Advance have experienced abuse, which can include coercive and economic control.
- Women in contact with the criminal justice system often experience hardship, poverty and/or financial exclusion. A report sampling 506 women found that 59.7% were living on less than £203.90 per week (excluding rent and Council Tax), with 29.6% relying on foodbanks or food vouchers. Imprisonment compounds the housing issues faced by women, with 51.6% of women in the study having experienced homelessness or lived in a shelter/hostel.³
- Women who are pregnant or who are mothers to young infants are particularly vulnerable. Advance and our partners have supported several women charged with theft offences who have struggled to pay for essential items such as baby formula, nappies, food and medication.
- The impact of women's imprisonment disproportionately affects families and children, as they are more likely to be the prime caregiver. 95% of children whose mothers are sent to prison have to leave the family home.

Case Studies

Bronte's* Story, supported by Advance

Bronte lived with her husband and two young children. Due to her immigration status Bronte was unable to work so they were relying on her husband's zero-hour contract job to survive. However, Bronte's husband was let go from his employment. Bronte's bills started going unpaid, resulting in the gas and electric being cut off and her experience of domestic abuse perpetrated by her husband was exacerbated. Bronte was at a loss, and she was unable to gain employment in the UK. Bronte had become very concerned with how she was going to provide shelter, food and warmth for her family causing her anxiety. She went to a local shop to purchase a blanket for her baby however when she tried to pay her card was declined due to insufficient funds. Panicking about keeping her baby warm, Bronte left the shop without paying; this resulted in her arrest and was given a conditional caution for 'theft from shop'.

Sadie's Story, supported by Phoenix Futures

³ The research referenced is based on a sample of 506 women who have accessed services at either Anawim, Together Women or Nelson Trust. The data was gathered as part of the Women's Risk Needs Assessment (WRNA) validation study, in which 530 women completed a WRNA as their initial assessment in one of the three participating women's centres.

Summers, R., Pemberton, S., Ruprai, D., Mackenzie, K., Holdsworth., & Long J. (2024) Examining the Relationship Between Severity & Complexity of Needs Among Women Involved in the Criminal Justice System

***all names used in case studies are pseudonyms**

Sadie is a mum of a daughter. She had been using heroin and crack for many years and had 27 convictions for shoplifting with multiple short-term sentences. Appearing in court for a theft of a £10 bottle of vodka a judge gave her a chance of attending a residential treatment. Sadie has since completed a 6-month residential placement at Phoenix Futures National Specialist Family Service in Sheffield. She continues to be abstinent, has full custody of her daughter, lives independently and has not had any further convictions.

Annabel's Story, supported by Anawim

Annabel has a significant history of substance misuse. Her pattern of offending appears closely tied to her addiction, with criminal activity serving to sustain her drug use. She had multiple convictions for theft offences, including shoplifting. Once Annabel received support from a specialist women's service, she disclosed a complex history of domestic abuse. She reported being in a 12-year relationship with an ex-partner who became increasingly violent. The relationship reportedly involved coercion and pressure to participate in criminal activity, as her ex-partner and his family were involved in organised crime, including gang-related activity and the use of firearms. Annabel also identifies drug dependency as the primary driver of her offending and that many of her decisions have been made while she was in a state of significant psychological and physical instability. Annabel's case presents a complex intersection of addiction, trauma, and coercive control. Previous disengagement from support services highlighted the need for a trauma-informed, multi-agency approach that addresses both her substance misuse and her experience of domestic abuse. Annabel is now receiving intensive support and supervision through the women's Intensive Supervision Court in Birmingham.

Lilly Lewis, Women's Involvement Advisor, One Small Thing

As someone who works closely with women facing multiple unmet needs poverty, trauma, addiction, mental ill-health a current rise in shoplifting is evident but not surprising. Women are often juggling housing issues, children, abusive relationships, or the choice between whether to buy electricity or food. The cost-of-living crisis has increased desperation and all women that I work with are struggling. I often spend time giving food donations or emergency food vouchers.

One woman I support, she'd been sanctioned on Universal Credit and had nothing left. She spoke about having to shop lift washing pods as this product was just out of what she could afford after food and heating.

If the government changes the law to make it easier to prosecute thefts under £200, it will criminalise poverty further. It won't stop shoplifting it'll just push vulnerable women into the justice system, increasing trauma, instability, and stigma. What we need is not harsher punishment, but investment in support: Women's Centres, mental health services, safe housing, and a benefit system that supports.

Recommendations

- We call on the Government to reconsider repealing these measures within the Crime and Policing Bill.
- We believe this will have unforeseen repercussions on women, and we would urge the Government to guide police forces to work alongside women's criminal justice charities through preventative and early intervention alternatives delivered through community-

based specialist support within Women’s Centres, including specialist women’s Diversion services.

- These services are best placed to intervene at the earliest point when a woman has been arrested. [A report by Advance](#) in 2019 found that only **7%** of women who engaged with our London Diversion service for two or more appointments were re-arrested. The national reoffending rate for women at that time was **23.4%**. Additionally, 99% of women supported between 2019 and 2023 felt more confident to make alternative choices and engage with their community and 97% felt that the support received had helped reduce their offending.

About Advance

- Advance supports women in contact with the Criminal Justice Service (CJS). As the largest specialist provider of commissioned rehabilitative services (CRS) for women, we support those on probation, whether that is following a custodial sentence or whilst on a community order.
- We also support women who are on remand or unsentenced within prisons, and those leaving custody through our “through the gate” service. We work with women preparing for release, across all their needs, including accommodation, finance, benefit and debt, building, maintaining or developing positive coping strategies, relationships with family and significant others, and building techniques to cope with challenges on their return to the community.
- As part of our wider early intervention and prevention work, we also support women through the Female Diversion Scheme or otherwise known as Operation Elpis. This service works with police to divert women away from the criminal justice system at the point of arrest and into dedicated support.
- For women in contact with the criminal justice system, Women’s Centres can be a lifeline and are an invaluable alternative to imprisonment. Our Women’s Centre are safe spaces where women can meet with professionals such as Probation Officers and Keyworkers, participate in wellbeing activities, including awareness raising and self-confidence building, to take part in training and education, and to meet with other women.

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