

***Assaults Against an
Emergency Worker: The
Disproportionate Impact
on Women***



**Women
in Prison**



Thank you

With grateful thanks to Nelson Trust and Muslim Women in Prison who supported women to tell their stories for this briefing.

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Women in Prison Report

Assaults Against an Emergency Worker: The Disproportionate Impact on Women

Content warning: This report contains discussion of domestic abuse, sexual violence, trauma, mental health crisis and experiences of violence and criminalisation. It also includes personal accounts that some readers may find distressing.

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Executive Summary

Assaults Against an Emergency Worker: The Disproportionate Impact on Women

Women are being criminalised when they need help

The offence of Assault on an Emergency Worker (AAEW) is sweeping women into the criminal justice system who should not be there: women in mental health crisis, women experiencing domestic abuse and women whose responses to fear, trauma and restraint are being treated as criminal acts. Most concerning of all is that women calling for help from the emergency services, or in need of protection because they are victim-survivors of domestic abuse, can instead find themselves criminalised. At the point where they are most vulnerable and in need of support, women are being failed by a system that is not working.

Women in Prison research

- A Women in Prison survey of women held in prison asked about their experiences of domestic abuse. **29 per cent of respondents said that when police or emergency services were called to a domestic abuse incident, they were arrested.**
- Women can find themselves **criminalised for acts of self-defence, trauma responses or behaviour arising from their distress**, including where perpetrators of domestic abuse make counter-allegations against them.
- Of the women who had been arrested and were now in prison, **15 per cent described their behaviour as responses to trauma and 10 per cent described their actions as self-defence.**
- **13 per cent described a situation where counter claims were put against them** by the perpetrator of abuse.
- In the research, women also described manipulation of the system by abusers, coercive control, and victim-blaming. Many women felt police lacked understanding of domestic abuse and misidentified victims as perpetrators.

In addition, women in **mental health crisis, and neurodiverse women** experiencing difficulties, are also being disproportionately drawn into the criminal justice system by this offence.

Assault Against an Emergency Worker is driving the criminalisation of vulnerable women

Prosecutions under the AAEW offence have grown sharply since 2018, from 348 convictions that year to more than 14,000 adult offenders sentenced in 2024. The offence now accounts for 52% of all female prosecutions for violence against the person and is the second most common indictable offence for women after shoplifting. Women accounted for 29.7% of adult offenders sentenced for AAEW in 2024, despite making up around 15% of those accused of common assault. In 2022, 3,578 women were convicted of AAEW, with 43% receiving a community sentence and 12% receiving a suspended sentence.

Since the offence was introduced, almost 130,000 assaults on emergency workers have been recorded. In 2025/26, the vast majority of recorded AAEW offences involved constables: 48,284 assaults were recorded against constables, compared with 4,373 against other emergency workers. Approximately 75,000 were brought to court.

It is estimated that between two thirds and three quarters of people accused of AAEW offences have mental health conditions, cognitive impairment or are neurodivergent. The briefing's case studies and frontline evidence describe women being criminalised during mental health crises, acute distress, trauma responses, neurodivergent distress, medical crises and interactions involving physical restraint.

Women in Prison recognises the vital role emergency workers play in society and the importance of keeping professionals safe while carrying out their duties. While no-one disputes that emergency workers deserve protection, AAEW is an offence of common assault or battery against an emergency worker and does not require serious injury. Where an assault causes more serious harm, offences such as ABH or GBH may be more appropriate. More than 14,000 annual AAEW convictions do not represent more than 14,000 serious attacks on emergency workers. The offence covers a wide range of conduct, including relatively low-level incidents such as spitting, pushing and minor physical contact.

A punitive system that fails women

The government's own analysis acknowledges that the punitive legislation has had no deterrent effect: assaults on emergency workers have risen as sentences have increased. Deterrence operates on the assumption of rational, premeditated decision-making. The vast majority of AAEW offences are not premeditated and occur at a time of crisis, confusion or extreme distress – precisely the conditions in which criminal sanction has the least power to influence behaviour.

We recognise that this is a difficult conversation to have. The protection of emergency workers from violence and abuse is an important and legitimate public concern, and there must be an appropriate response when emergency workers are assaulted. But this should not prevent us from asking difficult questions about the use and consequences of the AAEW offence, particularly when the person being prosecuted is herself vulnerable, has experienced domestic abuse, is experiencing a mental health crisis or trauma, or where the emergency response itself may have escalated the situation.

The consequences of criminalization

A conviction for AAEW can have consequences that extend far beyond the sentence imposed. It can affect a woman's employment and livelihood, housing, child custody and immigration status. These consequences can be greater than, and more lasting than, the conduct that triggered prosecution.

Further research highlights the particular barriers faced by Black, Asian, minoritised and migrant women in their interactions with the criminal justice system, including barriers to disclosing abuse, poor interpreting and translation, and a lack of cultural competency among criminal justice agencies.

Our recommendations

- Mandatory trauma-informed, de-escalation, neurodivergence, domestic abuse and mental health crisis training for all frontline police officers. This should include a focus on how trauma responses in women with experience of abuse may manifest in interactions with police and how ethnicity, culture and religion may also have an impact. The Police Reform Bill announced in the King's Speech 2026 provides a legislative opportunity to embed this requirement.
- A consistent vulnerability screening process should be introduced across all police forces, ensuring that any woman arrested for this offence is assessed by a liaison and diversion professional, mental health professional or domestic abuse specialist before a charging decision is made.
- The Government must act without delay on Recommendation 6.5 of the Independent Sentencing Review and commission a study of the impact and consequences of the AAEW legislation, with particular attention to its effect on vulnerable individuals, the impact on black, racially minoritised and migrant women, the impact on deterrence and crime reduction.
- Revised CPS guidance requiring thorough and evidenced consideration of the public interest test for AAEW cases, including explicit criteria for declining to prosecute where the defendant was experiencing a domestic abuse incident, mental health crisis, was neurodivergent or was themselves a victim at the time of the incident.
- Significant expansion of diversion, out-of-court disposal and restorative justice options for AAEW cases involving people with mental health conditions, cognitive impairments, or neurodivergence, with specific pathways designed for women.
- The Sentencing Council should amend the sentencing guidelines for the AAEW offence and the revised assault on a police constable offence to require explicit consideration of the defendant's vulnerability and mental health, and whether they were a victim at the time of the incident.
- The MoJ and CPS to collect and publish data on the type and seriousness of the conduct underlying the AAEW charges, distinguishing between incidents involving spitting, physical injury, pushing or restraint-related contact, verbal threats and conduct causing fear of harm without physical contact, disaggregated by sex and ethnicity.

- Building on the March 2026 recommendations of the Women's Justice Board, on reducing women's imprisonment, the government should monitor AAEW prosecution data by gender, ethnicity and migration status, as well as mental health status and domestic abuse history, ensuring that racial disproportionality and intersectional inequalities are identified and addressed. It should report publicly on trends and challenge services to make necessary changes to reduce the unnecessary criminalisation of survivors of domestic abuse, neurodiverse women and mentally unwell women.
- AAEW conviction and sentencing data should be published with a full intersectional breakdown by both sex and ethnicity.
- Remand data should be published with a breakdown by offence, including AAEW, sex and ethnicity.
- Women in Prison urges the government to ensure that any Blitz court process for AAEW cases includes mandatory pre-sentence reports for all women defendants, screening for mental health and domestic abuse vulnerability before cases are listed and access to legal representation as a precondition of any expedited hearing.

Protecting emergency workers and protecting vulnerable women are not competing aims. The system should be capable of doing both.

Nina's Story "I was terrified"

"I didn't wake up one morning and decide to assault a police officer.

By the time they came to my house that night, I'd spent nearly fifteen years learning how to survive. Learning how to read the look on his face before he spoke. Learning which version of dinner wouldn't get thrown across the room. Learning how to hide bruises with makeup. Learning to tell the children, "Dad's just tired."

When you've lived like that long enough, fear becomes normal.

People always ask why women don't leave.

I tried.

I rang a helpline once from the phone at work. I was told I'd need to leave before anyone could really help me.

Leave and go where?

The tenancy was in his name. The bank account was in his name. The money was his. I started hiding little bits of cash instead. Two pounds here. Five pounds there. I gave it to my friend to keep because if he'd found it, he'd have wanted to know who I was planning on leaving him for.

I called the police more than once.

Sometimes I called. Sometimes the neighbours did.

Every time I hoped this would be the time somebody would see what was really happening.

Every time they left.

And I stayed.

That night was different.

He'd strangled me. Not for the first time. I remember thinking, "He's actually going to kill me." When the police arrived, he was calm. He always was. He told them I'd been drinking. That I was hysterical. That I made things up.

I was crying. Shaking. I couldn't get my words out. I just needed someone to understand that I was frightened.

Instead, people were talking over me.

An ambulance crew arrived. Someone told me to calm down. Another reached out to move me away while they continued talking to him.

Something in me snapped. Years of fear. Years of surviving. Years of believing that even when I asked for help, nobody would really protect me.

I lashed out.

Not because I wanted to hurt anyone. Because I was terrified.

That was the moment that changed everything.

When I got to prison, I thought I'd be the only one.

Then, one evening, another woman asked me what I was in for.

I told her.

She looked at me and quietly said, "Mine started with him too."

Then another woman joined in.

Her story started with an abusive partner.

Then another. And another.

That's when I realised prison wasn't full of bad women.

It was full of women whose stories had started long before the offence on the charge sheet.

Assaults Against an Emergency Worker: The Disproportionate Impact on Women

Background: The Assault Against an Emergency Worker Offence

The Assaults on Emergency Workers (Offences) Act 2018 created a specific offence of common assault or battery committed against an emergency worker acting in the exercise of their functions.¹ This covers police, NHS workers and paramedics, firefighters and prison officers.

Since its introduction, the maximum sentence has been increased twice: first from six months to twelve months in 2018, and then two years' imprisonment under the Police Crime, Sentencing and Courts Act 2022.² The legislation therefore provides a higher maximum penalty where the victim is an emergency worker.

The legislation was introduced in response to campaigning by police and NHS unions and was explicitly intended to deter assaults through harsher penalties. However, the government's own impact assessment acknowledged at the time that the evidence for a deterrent effect was 'weak and mixed'.³ Crucially, the number of recorded assaults on emergency workers has continued to rise even as sentences have become harsher, suggesting that the punitive approach is not working.

In May 2025, the Crown Prosecution Service (CPS) revised its charging guidance, making clear that lower-level assaults on police officers may be charged under the older summary offence of assault on a police constable rather than Assault Against an Emergency Worker (AAEW). This enables appropriate cases to be dealt with in the magistrates' court, with a lower maximum sentence of six months. While welcome, this change does not address the underlying pattern of disproportionate criminalisation of women.⁴

Scale and growth of prosecutions

Prosecutions under the Assaults Against an Emergency Worker (AAEW) offence have grown sharply since 2018. There were 348 convictions in 2018, rising to more than 14,000 adult offenders sentenced in 2024.⁵ Women accounted for 29.7% of adult offenders sentenced for AAEW in 2024.⁶ In 2022, 3,578 women were convicted of AAEW, with 43% receiving a community sentence and 12% a suspended sentence. Since the offence was introduced, almost 130,000 assaults on emergency workers have been recorded. In 2025/26, the vast majority of recorded AAEW offences involved constables: 48,284 assaults were recorded against constables, compared with 4,373 against other emergency workers.⁷ Approximately 75,000 were brought to court.⁸

By contrast, prosecutions for common assault against members of the public decreased by almost 40% between 2018 and 2021.⁹ Assaults on constables were also substantially more likely to result in a charge than common assaults: in the year ending March 2021, around 66% of assaults on a constable resulted in charge, compared to only 7% of common assaults.¹⁰ In other words, an assault against a constable was far more likely to result in a criminal charge than a common assault against a member of the public. Transform Justice suggests that this difference is partly explained by the greater availability of evidence in cases involving a police officer, including body-worn camera footage and professional witness statements from colleagues. By contrast, lower-level common assaults may not result in a charge where there is insufficient corroborating evidence to meet the evidential threshold.

Disproportionate impact on women

Women are significantly overrepresented among those prosecuted for AAEW offences relative to other assault offences. While women make up around 15% of those accused of common assault, they account for approximately 29% of those convicted for AAEW.¹¹

In 2022, 3,578 women were sentenced for AAEW.¹² The most common outcome was a community sentence (43%), followed by a suspended sentence (12%). Although women sentenced for AAEW were less likely than men to receive an immediate custodial sentence, AAEW resulted in immediate custody more often than common assault and battery for both women and men. Looking across the period 2020–2024, the custody rate for AAEW was 27% for men and 11% for women, compared with 18% and 8% respectively for common assault and battery.¹³ This means that, while most women sentenced for AAEW do not receive an immediate custodial sentence, thousands of women are nevertheless drawn into the criminal justice system and receive a conviction with potential lasting consequences for housing, employment, child custody and immigration status. Between 2020 and 2024, women accounted for 19,032 convictions for AAEW, compared with 45,379 for men.¹⁴

The scale of this problem is striking. The Independent Sentencing Review (2025) found that violence against the person saw the highest increase in prosecutions of women since 2019 (28%, from 7,100 to 9,000), driven mainly by the AAEW offence.¹⁵ AAEW now accounts for 52% of female prosecutions for violence against the person, compared to just 22% of male prosecutions. AAEW was the second most common indictable offence for female defendants after theft from shops. Indictable offences are offences that can be dealt with in the Crown Court, although some can also be dealt with in the magistrates' courts. Earlier data showed a 91% increase in women's violence against the person prosecutions since 2017, again driven primarily by AAEW.¹⁶

There is also evidence of racial disproportionality in the use of the AAEW offence. The Government's Equalities Impact Assessment found that Black people accounted for 8.8% of those proceeded against for AAEW, compared with 3.3% of the general population. It also found that average custodial sentences were longer for Black and Asian defendants than for White defendants.¹⁷ The Ministry of Justice now routinely publishes AAEW conviction data by ethnicity, but published data does not provide the intersectional breakdown needed to establish how outcomes differ for women from different ethnic groups.¹⁸ In particular, we do not currently know what is happening to Black and minoritised women within this offence, including those with insecure immigration status.

The consequences of criminalisation can be particularly serious for Black and minoritised women who are migrants or have insecure immigration status. Hibiscus has highlighted how the intersection of the criminal justice and immigration systems can compound the vulnerability of migrant women, with immigration restrictions contributing to homelessness, destitution and barriers to accessing support. Hibiscus has also documented how perpetrators can use a woman's insecure immigration status as a means of coercive control, including threats to report her to the authorities. Criminalisation can therefore have consequences that extend beyond the sentence itself, particularly for women already experiencing domestic abuse or other forms of exploitation.¹⁹

The Government holds no data on disability in relation to AAEW.²⁰ Given the high proportion of those who assault emergency workers who are likely to have mental health conditions, or be neurodivergent (see later section), this is an important gap in understanding the impact of the offence on disabled women. We explore the gaps in the available data further in the section on data gaps around race and gender.

Farah's Story "I woke up in a police cell."

Farah is a woman with a long professional career that spans housing, youth justice and retail. She describes herself as a warm and loving person, who paused her own career to care for an elderly parent when they became ill. The caring role created additional pressures on her, to the point she decided to seek support for mental health, which resulted in a psychiatrist prescribing her a medication to help. On the second day of the medication, Farah visited a local restaurant where she had food and wine. Farah describes being able to remember leaving the restaurant, but has no other memories other than waking up in a police cell, confused and with bruising on her wrists.

Farah came to understand that she had been arrested for Assault Against a Police Officer. She was told that a police officer had removed her from a pub, during which Farah had spat at the officer, resulting in the charge.

Farah was shocked and scared because she had never previously been in contact with the criminal justice system and the behaviour described was completely out of character.

Farah was supported first by the duty solicitor, then by a legal aid solicitor. During the plea hearing, she was advised to plead guilty, having been told by her solicitor that "you won't win against the police." Unsure of the implications, she followed the advice and pleaded guilty. During the sentencing, Farah was supported by a different legal aid solicitor, who she describes as "terrifying". This solicitor further confused her by stating that a plea of guilty was a mistake.

The period between arrest and sentencing was a total of three months. Throughout the quick criminal proceedings, Farah felt that she "didn't have a voice" and that "when you're in court, it's a snippet of your life".

Farah was given an Alcohol Abstinence Monitoring Requirement (AAMR) and alcohol tag for 120 days, alongside 60 hours of unpaid work and 25 hours of Rehabilitation Activity Requirement (RAR).

A Women in Prison Advocate was assigned to work with Farah as part of her RAR. A risk and needs assessment was completed, showing no needs or risks. Farah did not have a substance use problem, housing or financial insecurity. Farah had an established career

and had always taken care of her mental health through active engagement with services and wellbeing activities. She has loving and supportive friends and family.

Farah strongly believes that the incident which led to her arrest was influenced by her new medication - Quetiapine - mixed with alcohol, something she had not been warned about.

Farah remains unsure of how this will impact the rest of her life and is fearful that she will never be able to return to her work supporting vulnerable people, and that her caring responsibilities will be disrupted.

The Impact on women: The lasting consequences of a criminal record

A conviction for AAEW is not simply a legal event: for women who are already in precarious circumstances, such as domestic abuse, housing insecurity or experiencing mental health conditions, a criminal record for violence against the person can be life-altering in ways that far extend beyond any sentence the court imposes. The harms that follow convictions are often greater and more enduring than the harm the prosecution was supposed to address.

Where a custodial sentence is imposed, the harm to women is acute. The Ministry of Justice's own data shows that in the year ending March 2024, the rate of self-harm among female prisoners was more than twice that of males (341 incidents per 1,000 female prisoners compared to 146 per 1,000 males) and the number of self-harm instances per self-harming individual was over three times higher for women, at 16.4 compared to 4.5 for men.²¹ Female prisoners also report significantly higher rates of mental health problems, drug and alcohol dependency, housing worries, and financial insecurity on arrival than their male counterparts. For women already in crisis when charged with AAEW, a custodial sentence does not resolve the underlying circumstances — it compounds them.

Housing is one of the most immediate consequences. Many women lose their tenancies as a result of a conviction or period of custody, including social housing tenancies where a violence-related conviction can be used as grounds for eviction or eligibility refusal.²² The Independent Sentencing Review heard directly from staff at Approved Premises that a conviction for AAEW causes particular problems on release, because many housing services will not support female offenders who are seen as a risk to staff.²³ For women who are survivors of domestic abuse, this creates an acute and potentially dangerous situation: a criminal conviction acquired in the context of their own victimisation can close off the very services designed to help them escape it.

Employment is a second major consequence. A conviction for violence against the person may appear on a standard or enhanced DBS check and can affect eligibility for a wide range of roles. For an adult conviction resulting in a non-custodial sentence, an offence may be filtered from a DBS certificate after 11 years from the date of conviction, provided it is not a specified offence and the other conditions for filtering are met.²⁴ For many women, an AAEW conviction can therefore continue to affect employment long after the sentence itself has ended. Given that many women charged with AAEW are healthcare workers or support workers themselves, the irony is acute: a conviction arising from a mental health crisis or a trauma response can permanently end a caring career.

Child custody proceedings represent a third area of serious harm. A criminal conviction for a violent offence is directly relevant in family court proceedings and can be used to challenge a woman's fitness as a parent.²⁵ For women who are themselves victims of domestic abuse, this creates a deeply unjust dynamic: the perpetrator of the abuse faces no criminal sanction, while the woman, criminalised in the aftermath of an incident she did not initiate, carries a record that her abuser or the family courts can use against her.

Immigration status is a fourth consequence, particularly relevant for migrant women. Any criminal conviction, including non-custodial sentences and fines, must be declared on immigration applications and can result in refusal, cancellation of existing leave, or deportation proceedings. The Home Office immigration rules provide that entry clearance or existing leave may be cancelled where a person has received a custodial or suspended sentence, or a non-custodial sentence.²⁶ For women with insecure immigration status who are victims of domestic abuse, this is an especially dangerous consequence: the threat of criminal proceedings can be used by perpetrators as a tool of coercion, and an actual conviction can undermine a woman's ability to remain in the country, access support, or regularise her status.

The case studies within this briefing illustrate one further consequence that is rarely discussed: the discouragement of women seeking help. When women may fear that calling the police or an ambulance may result in an AAEW charge, they may not call at all. A criminal justice process designed to protect emergency workers is instead deterring women from accessing emergency care at times of distress. This is a harm to public health as well as to the individual concerned.

Nicole's Story "I tried to escape the pain"

Nicole is a woman in employment who describes herself as living with mental health difficulties, including Complex PTSD (C-PTSD). She was out enjoying herself at a nightclub when she was pushed and assaulted by another person, leading to an argument as she became upset. Security staff intervened and, although Nicole tried to explain what had happened, they pulled her outside the nightclub. Nicole did not want to leave because she felt the assault was not her fault and became increasingly distressed that she was not being listened to.

Outside the club, Nicole continued trying to explain what had happened to the security staff. Rather than attempting to de-escalate the situation or listen to her account, they called the police, stating that she was refusing to leave. Two or three police officers initially attended, and Nicole again tried to explain what had happened. By this stage, she reports feeling frustrated and emotional that she was being removed from the venue while no action appeared to be taken against the person who had assaulted her.

Nicole reports that no attempts were made to calm the situation and that officers instead called for back-up. She describes five or six officers approaching her, pushing her to the ground and applying handcuffs.

Nicole recounts how she was in pain while restrained, with officers' knees "digging into" her, and that the handcuffs were applied so tightly they left significant marks and bruising. During the struggle, Nicole describes feeling "hurt" and "scared" and says that, while attempting to move from beneath the officers because of the pain, her leg accidentally grazed one of them. She was then told she was being arrested for assaulting a police officer and was taken away in a police van.

Nicole was told in court that she could receive a sixteen-week prison sentence for the offence. The prospect of imprisonment, combined with the traumatic nature of the arrest, caused her significant anxiety and depression. She was employed at the time and feared losing her job, but the stress of the incident meant she needed to take time off work.

Nicole did not receive a custodial sentence but was given an 18-month community order, including a significant fine and more than 30 Rehabilitation Activity Requirement days. She describes her anxiety and mental health deteriorating further, particularly because she was worried about a potential prison sentence and people in her neighbourhood seeing her attend probation appointments. Nicole continues to view the outcome as unjust, as she says there was no intention to assault or purposeful violence used - the only physical contact with a police officer occurred accidentally while she was trying to move away from the pain of being restrained.

Links to Domestic Abuse

Mia's Story: "You're not a victim, Mia."

Mia is a young mother who had been living with domestic abuse. At the time of her arrest, she was living with her partner and children in her family home. On the day of her arrest, her children were not present. Her partner, with his friends in the house, was drunk and had been abusive. Following an altercation during which she tried to leave, Mia's partner took her hostage in her own home, locking her in a bedroom and preventing her from leaving. She eventually managed to call the police for help. When the police arrived, Mia was distressed and trying to explain what had happened, however her partner told the police that she was the one threatening violence. Despite having been under the protection of MARAC previously, Mia was arrested under suspicion. As she knew she hadn't done anything wrong, she allowed the police to place her in handcuffs and was led from her house. Her partner was clearly drunk yet was told he could 'go on his way' with no caution or arrest. Other people in the street who tried to intervene for Mia were also arrested.

During her arrest, the male police officer pushed her head down to get into the car and struck it on the door frame. She angrily told him that it had hurt. His response was "You're not a victim, Mia".

*"I just lost [it] by then to be honest. At this point, I mean, they'd held me hostage and I was like, are you f***ing serious? And then the police officer chucked me to the floor, and it all kicked off."*

Handcuffed, frustrated and frightened, Mia spat at the officer. She was thrown to the ground, her face dragged across the floor, leaving her with bruises and grazes. She is asthmatic and began to panic and struggled to breathe. She asked for her inhaler which was inside the house. Officers refused to retrieve it and instead she was forced against her will to use a bystander's medication, which was forced into her mouth.

"I was trying to explain and they weren't listening. I couldn't breathe. I told the officers where my pump was. They just refused. They don't care about your medical conditions."

Her solicitor requested that photos of her injuries were taken in the cells, but this didn't happen. However, she managed to get photos that she still has today.

Mia pleaded guilty to the charge of assaulting an emergency worker, taking responsibility for spitting. The police officer took no accountability for what he said, or arresting a victim of ongoing domestic abuse. Her abusive partner was not arrested. In the months that followed, Social Services initiated care proceedings, citing the arrest as evidence that Mia was violent, her children were vulnerable, and that she had not been open about the recent domestic abuse, despite having an agreed safety plan that she was working to in order to leave her abusive partner. Her children were subsequently removed and placed for adoption.

"I lost my children. I literally lost my whole life because of this. All because I got arrested for spitting on someone. I would never call the police again for help – I've lost everything because of them."

Mia reflects on the disparity she sees between how men and women are treated:

"When men get arrested they get taken away, but when women get arrested they take

the children away.”

Reflecting on the charge itself, Mia said:

“It says ‘assault by beating’ on that piece of paper. It looks horrific. But I didn’t even touch him. All because I spat on him because of how he spoke to me.”

Understanding how intersecting identities impact women’s experiences

Later in the report we explore the challenges arising from a lack of data on women’s ethnicity and the offence. Significantly more research is needed on this matter. Working with Muslim Women in Prison we have been exploring how other forms of violence against women and girls and the trauma they carry from those experiences can impact their reactions to contact with Emergency Services, as the case study below illustrates.

Staff Case Study: Sana’s Story – When Vulnerability Becomes Criminalised

Sana’s conviction was for assaulting an emergency worker, but the circumstances surrounding her offence reveal a far more complex story of vulnerability, trauma and repeated missed opportunities for intervention.

Sana came from a highly challenging family environment. During her teenage years, her father was imprisoned and, against a background of significant violence within the household, Sana was removed from the family home and placed into care.

Entering care was a profound shock. She initially believed she would only be there temporarily and struggled to accept being separated from her family. As the only person of colour in the care home, Sana also found herself culturally and socially isolated. She felt that her needs as a Muslim Pakistani girl were poorly understood and experienced persistent bullying and discrimination by other care home residents.

Wanting desperately to belong, Sana began spending time with other girls in the home. Through these friendships she was introduced to a group of young men, groomed and was subsequently raped by a white male. This was her first sexual experience. Sana describes experiencing overwhelming shame and did not disclose the assault, illustrating how trauma, cultural expectations and fear of judgement can combine to silence women.

Throughout her time in care, Sana continued to long for her family. On reaching adulthood, she returned home hoping to regain the stability and belonging she had lost. Instead, she was taken to Pakistan and forced into a marriage against her wishes, following sustained emotional pressure and coercion from family members. Within the marriage she also experienced sexual violence, including marital rape.

After pleading to return to the UK, Sana eventually came home and told her family she would not remain in the marriage. This led to further conflict and violence within the household. Her emotional wellbeing deteriorated considerably and she began experiencing depression and suicidal thoughts.

The incident that ultimately brought Sana into the criminal justice system occurred during a serious confrontation concerning the continuing pressure to remain married.

Feeling overwhelmed and desperate, Sana jumped from a house window.

When police attended, Sana says she attempted to explain the circumstances and the pressure she had been experiencing. However, her mother described her as aggressive and maintained that she felt threatened by her daughter, something Sana strongly disputes. In Sana's experience, the focus quickly shifted away from her vulnerability and towards her behaviour.

During the arrest Sana resisted the officers, resulting in a charge of 'Assaulting an emergency worker' and ultimately a one-month custodial sentence.

The assault should not be minimised, emergency workers have the right to carry out their duties safely. However, neither should the offence be viewed in isolation. At the point of arrest, Sana was a young woman in acute emotional crisis who had just jumped from a window, following years of childhood violence, care experience, racism, sexual assault, forced marriage, familial coercion and further sexual violence.

Her case demonstrates the importance of looking beyond "What did she do?" and asking "What happened to her, and what brought her to this point?"

Sana's experiences also demonstrate double and multiple disadvantage. As a young Pakistani Muslim woman within the criminal justice system, gender and racial inequality intersected with faith, care experience, violence against women and girls, coercive control and poor mental health. These factors did not exist separately, each compounded the other.

Most significantly, Sana felt that she had repeatedly tried to be heard: as a young woman experiencing discrimination in care, as a survivor of sexual violence, as a victim of forced marriage and, finally, as someone in extreme emotional distress. Yet when that distress manifested itself in behaviour that brought her into contact with the law, she felt that the behaviour was seen more clearly than the trauma behind it. Significantly, to this day, Sana has not made a formal criminal complaint against family members or the perpetrators of the abuse and sexual violence she experienced. This continued reluctance to seek criminal justice may reflect the depth of her fear, the complexity of familial and cultural pressures, and a profound lack of trust that the Criminal Justice System will hear, understand or protect her.

Told to Women in Prison by Sofia, Muslim Women in Prison

Women in Prison's research

A particularly troubling pattern is the number of women accused of AAEW offences who were currently victims of domestic abuse at the time of the incident or in the period surrounding it.

"I called the police on my partner but I was the one that got locked up."

Women in Prison conducted a survey with 540 women in prison, asking them about their experiences of domestic abuse, including calling the police for help. One of the questions we asked was "If Police / Emergency Services were called out to a domestic abuse incident, did this end up in you being arrested?" **29 per cent of survey respondents said they were arrested when police or the emergency services responded to a domestic abuse incident.**

"I was in an abusive relationship, was getting beat up neighbours called the police. When they came I was screaming at him they then arrested me"

A Women in Prison survey of women held in prison found that **29% of respondents who had called the police for help with a domestic abuse incident ended up being arrested.**

Trauma and Survival responses

Importantly, several women also describe situations where the attacker was arrested and they did receive appropriate support from emergency services. 15 per cent described their responses as responses to trauma and 10 per cent described their actions as self-defence.²⁷ One woman describing how she was 'covered in blood' so the police were able to identify the perpetrator. Women reported widespread misunderstanding, disbelief, and trauma-uninformed responses from police, court staff, and other justice professionals. These issues sometimes had serious consequences, including wrongful arrests and misidentification. For some women, however, intervention from authorities was the only factor that enabled them to leave abusive relationships.

"Me + my partner were fighting, I was trying to get him off me + accidentally cut his eyebrow police got called + I got arrested"

"One of the many times the police came due to me being the loudest they took me away instead of him even if they saw how beaten I was."

"Because he assaulted me I hit him back i was so upset and angry that i was seen as the perpetrator when on that occasion I defended myself."

"I told the police it wasn't him it was me to protect him from being arrested"

Women described manipulation of the system by abusers, coercive control, and victim-blaming. Many women felt police lacked understanding of domestic abuse and misidentified victims as perpetrators. Gender stereotypes, language barriers, past records, and failure to recognise non-physical abuse often contributed to disbelief or wrongful arrests.

"Alcohol was a big issue and drugs to hide or mask what I was going through I'd phone police every weekend as me and my partner would argue then he'd physically assault me and sexually. I was always controlled but the police would always arrest me and not him."

"I got arrested and charged with wounding with intent because I called ambulance for me as he attacked me with a knife I hit him back and came to jail."

"[I got arrested] On many occasions because of his lies I always got released on no further action"

An investigation by openDemocracy, published in May 2025, revealed that at least 1,486 women who were accused of AAEW between January 2020 and November 2024 had at some point been recorded as victims of domestic abuse (based on FOI responses from seven of England and Wales' 43 police forces).²⁸ The true figure is almost certainly far higher, as the majority of forces said they do not record whether people arrested for AAEW are known to have been domestically abused.

In sixty-two of the cases identified by openDemocracy, a woman was recorded as assaulting an emergency worker during a domestic incident in which she was the victim. Dorset Police confirmed that all of the women it had recorded for suspects of AAEW during a domestic abuse incident had previously been victims of domestic assault-related crimes and were flagged as being at risk. Essex Police, which arrested over 1,500 women for AAEW in the same period, found that almost two thirds - 907 women – were known to have been victims of domestic violence within that same timeframe.²⁹ Like many of our own case studies, these women called for help, or were in situations where help was called, and ended up criminalised.

Earlier analysis by the Howard League for Penal Reform found that alleged assaults on emergency workers were often related to incidents involving domestic abuse.³⁰ Women in Prison's own services have seen on average eight women per quarter who were arrested when seeking police help and subsequently charged with AAEW.

Counter Claims

Additionally, it is well documented that perpetrators of domestic abuse use counterclaims against women, including using the police as a tool of control.

In the survey Women in Prison found that 13 per cent of respondents who had been arrested after the police were called for a domestic abuse incident described a situation where counter claims were put against them by the perpetrator of abuse.

Women in Prison's frontline experience confirms that this happens. For women without secure immigration status, calling the police adds another layer of risk – the threat of immigration consequences, which perpetrators exploit deliberately. The offence of AAEW now appears to be used by perpetrators of abuse to further extend their power over the victim/survivor. Any sentencing framework and sentencers must be alert to these dynamics when assessing a defendant's culpability and personal mitigation.

"Yes [I had called the emergency services for help and ended up getting arrested] and my partner lied and said it was me that hit him, I was scared to say it was him."

"My partner made out it was me it was horrible"

"My husband framed me, they believed him because English is not my language"

"He lied and said I was the instigator because I was the one with criminal history"

"I had so many bills my ex husband had all the money. if i was to call him he would get me arrested for harassment he had me arrested 10x"

A significant number of women told us in the survey that they did not call for help as they felt they would not be believed, or had not been believed in the past. Some were fearful of their children being taken away if they reported. This is consistent with wider sector evidence. Research by the Centre for Women's Justice involving 18 specialist women's services found that the Maggie Oliver Foundation estimated that 30–40% of the 1,500 victims it had supported over the previous three years had been threatened with arrest or criminalised.³¹ All participants in the research, including both survivors and service providers, disagreed or strongly disagreed that women's experiences of domestic abuse are properly taken into account when police decide whether to arrest or prosecute them for offences connected to their abuse. This finding is striking in its unanimity and directly supports the case for the systemic changes Women in Prison is calling for.

This pattern represents a profound failure of the criminal justice system's duty to victims of domestic abuse. A woman in a state of fear, anger and psychological distress during or after a domestic abuse incident is not a criminal making a rational choice. Charging her with AAEW adds a criminal record to the harm she has already suffered, with lasting consequences for housing, employment, migration status and child custody. It also actively deters women from calling emergency services when they need help, as many of our case studies illustrate.

Staff Case Study: Criminalised while seeking help

"One of the women we work with was arrested whilst calling for help from the police. One evening she was having an argument with her partner and she called for the police as her partner was being abusive. She was angry, frightened and full of adrenaline and therefore was the loudest voice in the situation. The police decided to arrest her which she couldn't believe. She was arrested for assaulting an emergency worker and later charged with resisting arrest. Now she is on probation."

This case study isn't unusual. We are seeing on average eight women each quarter arrested when they needed help and charged with assaulting an emergency worker. They are traumatised and panicked and yet – again and again – the incident ends up leading to a woman being criminalised rather than receiving the quality support she needs."

Lily, Service Manager, Women in Prison

It is worth noting in the Women in Prison survey that some of the women were also quite clear that they had offended and that they should have been arrested, 22 per cent said they had done something, but their responses ranged from very minor pushes and slaps to very serious offences.

There are further unintended consequences to this offence. The Sentencing Council's guideline for common assault and assault on an emergency worker³² lists the presence of children as an aggravating factor: "The presence of one or more children may in some situations make the primary victim more vulnerable – for example an adult may be less able to resist the offender if concerned about the safety or welfare of children present".³³ The guideline is written with the emergency worker as the primary victim in mind. But in the domestic abuse scenarios this briefing describes, the child present is almost certainly the defendant's own child, and in the cases we see, the woman is precisely less able to regulate her response if she is terrified for her child's safety. The aggravating factor, as drafted, can be applied to increase the sentence of a mother who was herself the victim of the incident that triggered the police call.

A sentencing framework that treats a woman's fear for her child as evidence of greater culpability, rather than as context for her distress, is one that has not been designed with women in these circumstances in mind. It is a framework that is criminalising victim-survivors.

Mental Health, Neurodivergence and the AAEW Offence

Staff Case Study: Criminalised in crisis

"I have so many cases of women convicted of assault on an emergency worker. The problem underneath it all is that women are still being criminalised in a crisis. The conviction continues to cause crisis in their lives and it means all the issues are still there. I've worked with several women who have been arrested during severe mental health episodes and been charged with assault against an emergency worker. Had the right support been around at the time of their arrest, they may very likely not have deemed to have capacity. But they weren't, and so they were charged with an offence."

Advocacy Worker, Women in Prison

Available research suggests that a substantial majority of people prosecuted for AAEW offences have mental health conditions, cognitive impairments or are neurodivergent.³⁴ Transform Justice's research found that lawyers estimated as many as 80-90% of their AAEW clients had some form of mental ill health or neurodivergence.³⁵ Their overall estimate was that between two thirds and three quarters of those accused of AAEW offences have mental health problems – far above the general population rate and above the already elevated rate among those in police custody generally (estimated at 22-40% by NICE).³⁶

Many assaults on emergency workers occur in the context of a mental health crisis. Research has shown that police officers are more likely to be assaulted when they use force themselves, and that use of force is more likely when a person is perceived to have a mental health condition.³⁷ Inappropriate police responses can escalate rather than de-escalate situations: the College of Policing's own guidelines acknowledge that officers may inadvertently increase conflict when interacting with people who find it difficult to communicate, including those with autism, learning disabilities or mental illness.

Despite this, the Crown Prosecution Service has been found to take an unusually hard line on AAEW cases. Lawyers surveyed by Transform Justice described a de facto blanket policy of prosecution, regardless of the defendant's mental health circumstances.³⁸ People with mental health issues are disproportionately likely to be charged rather than diverted to an alternative to custody, and to receive longer sentences; a profound injustice given that the AAEW context makes it far more likely that the person was in crisis at the time.

De-escalation techniques

We understand that policing mentally unwell people involves challenges and can involve risk to officers. Effective de-escalation should therefore be understood as a form of prevention, not simply as good practice after a situation has already become difficult. Police officers responding to women experiencing acute distress need to be able to recognise when behaviour is driven by fear, trauma, mental ill-health or neurodivergence and adapt their approach accordingly. This includes giving women time to communicate, avoiding unnecessary physical intervention where possible, explaining what is happening, and recognising when restraint or other coercive interventions may escalate rather than resolve the situation. Where an interaction escalates because a woman's distress has not been recognised or appropriately

managed, the subsequent AAEW charge can obscure the circumstances that preceded the alleged offence. A genuinely preventative approach would seek to reduce the likelihood of escalation in the first place, rather than relying on criminal prosecution after the crisis has reached that point.

Staff Case Study: Criminalising Vulnerable Women

"I support many women who are criminalised under the offence of 'assaulting an emergency worker,' and in a significant number of cases this appears disproportionate to the context in which the behaviour occurs. These women are often in acute crisis, heightened, sometimes intoxicated, and frequently having just experienced violence or abuse themselves.

In many cases, that trauma has been perpetrated by men. When police arrive, this can at times feel overwhelming, particularly for women already in a state of fear or distress. It is therefore understandable that some may react instinctively, for example, by pushing someone away. Viewed in context, this can reflect a trauma response rather than a deliberate intent to cause harm.

However, such responses can result in criminal charges that do not always take into account the wider circumstances or the woman's lived experience. This risks further criminalising women who are already vulnerable.

A more trauma-informed approach, one that recognises the impact of abuse, fear, and survival responses, may lead to more proportionate and effective outcomes, as well as better use of public resources."

Zoe, Service Lead, The Nelson Trust

For women, who are more likely than men to have experienced trauma, mental ill-health and domestic abuse, this dynamic is particularly concerning. Coercive police interventions - restraint, arrest and physical contact – can trigger trauma responses in women who have experienced abuse or sexual violence. A trauma response is not necessarily a rational, premeditated decision to assault a worker; it can be a physiological reaction to perceived threat. Charging and prosecuting women in these circumstances fails them and serves no meaningful public interest.

The Centre for Women's Justice research (2026) reinforces this directly. The Maggie Oliver Foundation told researchers: "We see a pattern whereby victims with greater vulnerabilities are more likely to be threatened with arrest or arrested. Many of the women we support have been subjected to repeated violence and sexual abuse. Often as a result of this they have mental health needs and we see that police look to criminalise behaviours resulting from their trauma or mental health needs." Women with lived experience who participated in the research also described how neurodiversity and disability made survivors less likely to be heard or supported appropriately by criminal justice practitioners. Those who had been arrested and detained described being re-traumatised and re-victimised, resulting in intense distress at what they perceived as a very public act of humiliation.³⁹

Maliyah's Story "I went to the hospital to get help and got a criminal record."

Maliyah describes herself as a young Black woman who experiences physical ill-health and mental health challenges such as anxiety, PTSD, depression and anger management. On the day of the event, she had significant health challenges and was in a local hospital that she had previously visited many times. She was experiencing extreme pain and malnourishment. She was already bedbound, had been given morphine and was asking for an x-ray as part of her diagnosis. The medical staff were refusing and not listening to her concerns. They said that they would discharge her and refer her to a physiotherapist. Maliyah did not want to go home without an x-ray as she knew that with the amount of pain, there was something seriously wrong.

Her father, who was on the phone, tried to act as an advocate for her, but the doctor hung up the phone and wouldn't listen to him. Maliyah, by this time, was distressed, which she described being made worse by the number of staff standing around the bed, making her feel intimidated. Security guards were also called. One of the doctors put their face to her face and Maliyah asked the doctor to move away. The doctor then said that Maliyah had "hit her" and the police were called. However, Maliyah was clearly so ill that they couldn't take her to the police station, so did not attend the interview for a couple of months.

In this time, she attended another hospital where she received an x-ray that did reveal a significant issue needing attention and was kept in hospital for over two months. This hospital gave her the correct treatment and a recovery plan. Maliyah believes that if she did not get this help from the second hospital and had gone home as advised by the first hospital, she would have died.

In court for the alleged assault against the doctor, she tried to explain her side of the story, but the judge asked her "why would a doctor lie about you hitting them?" and despite the CCTV not showing any assault taking place, and no witnesses to corroborate the alleged assault, they concluded that an assault must have taken place, based on the word of the doctor. Maliyah admitted that she may have been verbally abusive due to the pain and did throw items in frustration at one point, but strenuously denied hitting anyone – particularly based on how weak she was at the time.

As a result of the charge, Maliyah now has a criminal record, was placed on probation for one year and banned from the local hospital. She was not well enough to complete community service. Maliyah described how not having been listened to, despite clearly being ill, created significant distress and caused her to question if it was her age or her race that meant she wasn't taken seriously. She also felt they did not take her own history with the hospital into account, having been a longstanding patient and having had family members treated there.

"When you're in a bad way and you've got lots of people around you, you're scared, you know, not just because of the situation, but because we get scared when we're in pain, don't we? We kind of react to things and they should have de-escalated it. All they had to do was listen."

Maliyah reports that she has anxiety and PTSD after this event and now doesn't like to go into medical care appointments, as she can have a trauma-response and will leave if she feels she is not being heard. She has also missed medical appointments because of this event.

Sophia's Story – Loss of Health and Career

Sophia is an autistic woman with sensory processing disorder, dyspraxia and dyscalculia, who previously worked as an educator supporting children with visual impairments. While waiting for a bus and already overwhelmed by sensory challenges on the journey, she began experiencing severe abdominal pain and unexplained fluid loss. She called an ambulance and was advised to lie down and wait. The ambulance never arrived.

In extreme pain and distress, she was involved in an altercation with an unhelpful man, and swung a light sports bag at his car. He took her bag, tipped out the contents and blocked her way to the service station where she was going for help. She spat at him to get past. The police were called instead of an ambulance.

The police arrived and one officer spoke with the man to establish what was happening. Another police officer arrived who was known to Sophia, which frightened her:

"I thought he was going to try and abduct me. So I was telling him, "Get off me. I haven't done anything. Get off me. I haven't done anything." And I wouldn't let him get me in the car."

Sophia describes how the police officer pushed her to the ground, putting his full weight on her and his knee in her ribcage. She asked him to get off her and said she was in pain:

"And he wouldn't....he was laughing. He was laughing in my face. So I spat at him. I spat in his face....so he put a net over my head... and they sprayed my eyes with pepper spray.... I was so frightened and in so much pain, and he wouldn't get his knee off me...I was handcuffed."

"And with that, he punched me—about five times—in the head, in the face. And each time he punched me, my head hit the concrete and he smashed my face....he just kept hitting me. And then I heard, who I think must have been the guy who took my bag, I heard him say, "Stop, you're going too far." And that's when he stopped."

Sophia was taken to hospital, where her medical problems became worse and she was found to have concussion. She was charged with assaulting an emergency worker, common assault and criminal damage. Legal proceedings lasted approximately 18 months, during which she attended around six court hearings. Her solicitor advised her to plead guilty, warning that as a police officer with witnesses, the arresting officer was more likely to be believed.

Sophia received a sentence of 60 hours of community service, the minimum available. The conviction will remain on her record for 10 years, preventing her from obtaining an enhanced DBS clearance. This has ended her career working with children and vulnerable adults. The following year, she was hospitalised for nearly three months with severe pancreatitis and a septic gallbladder, conditions she and her doctors link to the physical injuries sustained during the arrest.

Her autistic symptoms, sensory overload, dissociation and dyspraxia have significantly worsened since the incident. Reflecting on the incident, Sophia states:

"I just can't function anymore. So I can't work...I don't want closure...I have that. But transparency – I want to be vindicated."

The Failure of the Punitive Approach

The core justification for creating the AAEW offence and subsequently increasing its maximum sentence was deterrence, the idea that more serious criminal consequences would dissuade people from assaulting emergency workers. This assumption has not been borne out. The government's own impact assessment, produced before the second sentence increase, cited US research concluding that *'the evidence of the existence and scale of any deterrent effects or incarceration effects is weak and mixed'*.⁴⁰

Assaults on emergency workers have continued to increase even as sentences have become harsher. Deterrence operates on the assumption of rational, premeditated decision-making. The vast majority of AAEW offences are not premeditated and occur at a time of crisis, confusion or extreme distress – precisely the conditions in which criminal sanction has the least power to influence behaviour.

For women in the circumstances described in this briefing, responding to domestic abuse, experiencing mental health crisis or reacting to restraint, the prospect of a longer sentence is irrelevant in the moment. What is relevant is whether appropriate trauma-informed support is available at the point of crisis.

Independent Sentencing Review 2025

The Independent Sentencing Review, published in 2025, explicitly addressed the AAEW offence and its disproportionate impact on women. This is a significant development: a government-commissioned review has formally recognised the same concerns raised by Women in Prison and recommended action. Recommendation 6.5 of the Review calls on the Government to commission a study of the impact and consequences of the AAEW legislation, with particular attention to its effect on vulnerable individuals, deterrence, and crime reduction.⁴¹

The review heard directly from Women's Centres and Approved Premises whose evidence closely mirrors Women in Prison's own. Key findings from the Review include:

- AAEW incidents often involve women who are neurodivergent, victims of domestic violence, or have mental health conditions.
- Women are often charged with AAEW after police are called to perform a welfare check, as charges can be brought for shouting threateningly if the officer believes they are going to be harmed.
- Women who are survivors of domestic abuse are often captured by this offence when police are called during incidents. Women are frequently physically restrained by male officers, which triggers a trauma response and further escalates the situation. Histories of ongoing domestic abuse are not recognised as context but treated as individual incidents.
- A conviction for AAEW causes serious problems upon release, as many housing services will not support female offenders who are seen as a risk to staff – leaving domestic abuse survivors without safe accommodation.
- There is no evidence that AAEW legislation has had a deterrent effect.

The Review also noted that its proposals to reduce the use of short custodial sentences should mean that a large proportion of women convicted of AAEW will have those sentences suspended and served in the community. Women in Prison welcomes this, but notes that community sentences and suspended sentences still constitute a criminal conviction with all the associated consequences and that the underlying problem of inappropriate criminalisation is not resolved by the nature of the sentence alone.

The Review also called for improved judicial training on domestic abuse and coercion, better pre-sentence reports that account for women's vulnerabilities and further consideration of statutory defences for victims of domestic abuse who are coerced into offending. The Government should now move swiftly to implement Recommendation 6.5 and the associated follow-on actions on training and service provision.

A Critical Data Gap: Seriousness of Offences

There is no published breakdown of AAEW convictions by type or seriousness of incident. Official statistics record prosecutions, convictions and sentences, but not whether the underlying conduct involved spitting, pushing, shouting, physical contact during restraint, or causing fear of harm without any physical act. All of these are captured within a single aggregate figure.

However, the charging framework itself provides important context: AAEW is generally intended to cover lower-level assaults where the conduct does not amount to ABH or GBH. Where an assault causes more than minor harm, such as significant bruising, cuts requiring stitches, broken bones or worse, the CPS charging framework directs prosecutors to consider whether Actual Bodily Harm (ABH), Grievous Bodily Harm (GBH) or GBH with intent is the appropriate charge – all of which carry higher maximum sentences. The CPS Memorandum of Understanding on offences against emergency workers makes this explicit: the AAEW charge applies where there is a "low level of injury, or no injury is suffered".⁴² Examples can include spitting, pushing or minor physical contact during restraint.

This means that when we see over 14,000 people convicted of AAEW in a single year, the figure does not tell us how serious the underlying conduct was or how women are distributed across the range of conduct covered by the offence. It represents prosecutions for conduct ranging from spitting or shouting to a minor push, all captured within the same aggregate figure.

The ISR heard evidence that AAEW charges can be brought for shouting threateningly "*if the emergency worker believes they are going to be harmed*", conduct that would be unlikely to result in any charge against a member of the public. Transform Justice's research found that criminal barristers described AAEW as the most overcharged offence they encountered, citing examples of minor jostles on arrest, a head movement characterised as an attempted headbutt and a push during restraint being prosecuted as AAEW.⁴³

The CPS updated its prosecution guidance in May 2025, explicitly acknowledging that prosecutors had been defaulting to the AAEW charge even where lesser summary offences would have been more appropriate, and that this was contributing to Crown

Court backlogs.⁴⁴ The updated guidance encourages prosecutors to consider the full range of offences available, including summary-only charges for lower-level incidents. While welcome, this change does not address the *underlying absence of data on what kinds of conduct are actually being charged*. The Independent Sentencing Review's (ISR) Recommendation 6.5 calls for a study of the AAEW legislation's impact; that study must include a proper breakdown of offences by type of conduct and seriousness, disaggregated by gender.

Data gaps on ethnicity and gender

A further related gap concerns the intersection of ethnicity and sex. The government's Equalities Impact Assessment acknowledges that Black people are significantly over-represented among those proceeded against⁴⁵. However, no published data breaks down AAEW convictions by both ethnicity and sex simultaneously. We therefore do not know what is happening specifically to Black women, or to women from other minority ethnic groups, within this offence.

The limited data that does exist on race and gender separately points to deeply concerning disparities. In 2022–2023, Black women were 1.4 times more likely to be arrested than White women; in 2021, 30% of female Black defendants at the Crown Court were remanded in custody, compared to 28% of female Asian defendants and 26% of female White defendants.⁴⁶ These figures almost certainly understate the true picture, reflecting what can be measured with data currently available and not the full reality of racial disproportionality in the system.⁴⁷

Further research highlights the particular barriers faced by Black, Asian, minoritised and migrant women in their interactions with the criminal justice system, including barriers to disclosing abuse, poor interpreting and translation, and a lack of cultural competency among criminal justice agencies.⁴⁸

Data gaps for remand

A third significant data gap concerns remand. The most recent Offender Management Statistics Quarterly records a total remand population of 16,025 as of 31 March 2026, remaining historically despite a 9% fall from March 2025, and having risen sharply since 2020.⁴⁹ The charge of 'violence against the person' is by far the largest group for those held on pre-conviction remand, accounting for 44% of the untried population.⁵⁰ AAEW falls within this category. The same publication confirms that all non-white ethnic groups are over-represented in the remand population relative to their share of the sentenced population, which is further context for the intersectional concern raised previously. However, no published data breaks down remand by both AAEW and sex. We do not know how many women are being held on remand awaiting trial or sentencing for AAEW offences, for how long, or what proportion go on not to receive a custodial sentence.

The Remand Collective's 2025 review on women reported that, in 2019, 65% of women remanded into prison and subsequently dealt with by magistrates' courts did not receive an immediate prison sentence.⁵¹ The Ministry of Justice has also reported that 605 women remanded in custody in the year ending June 2025 were not subsequently sentenced.⁵² These figures underline the potential impact of remand on women, while

the absence of data broken down by both AAEW and sex means we cannot establish how many women charged with AAEW are affected. Given the high charge rate for AAEW and the vulnerability of many women charged with it, it is a serious concern that the current data does not allow us to quantify how many women are being impacted.

Systemic Failures

Staff Case Study: Deterred from calling for help

"I've worked with several women who have been severely ill and under the influence of substances and in a moment of crisis have needed an ambulance and urgent medical attention. But because of having previous convictions – and the risk of being charged with assaulting an emergency worker – family and friends have been scared to call an ambulance in case the person ended up in prison. This aggravated offence has a knock-on effect on people's safety."

Advocacy Worker, Women in Prison

The escalation of AAEW cases into prosecution reflects not just legislative choices but systemic failures at multiple points.

- Police forces still lack adequate training in recognising and responding to mental health crises, trauma responses and neurodivergent behaviour. Poor de-escalation can itself cause or worsen incidents that are then prosecuted as AAEW offences
- Liaison and diversion services, though present in all police forces, are not used consistently. Research suggests police rarely seek their input when making charging decisions.⁵³
- The CPS has shown limited willingness to apply the public interest test flexibly for AAEW cases, even where the defendant's mental health was clearly a relevant factor. Lawyers consistently report that this offence is charged and pursued more rigidly than comparable offences.⁵⁴
- The higher maximum sentence for AAEW makes it a 'triable either way' offence, meaning that cases can be heard either in the magistrates' court or Crown Court.⁵⁵ This results in people with mental health issues, often unrepresented, appearing before Crown Court for incidents such as spitting at a police officer, clogging court capacity and producing disproportionate outcomes.⁵⁶
- Legal aid rates for AAEW cases are inadequate. The fee for Crown Court cases does not cover the work involved and solicitors in several areas have refused to take these cases, leaving vulnerable defendants underrepresented.⁵⁷

Blitz Courts: Volume of Evidence as Overuse

In February 2026, the Deputy Prime Minister announced the expansion of "Blitz courts": intensive court sittings where similar cases are bundled and listed rapidly together to address the Crown Court backlog. The scheme was already operating at Nottingham Crown Court; from April 2026 it was rolled out to London, with the Central Criminal Court, the Old Bailey, dedicating two courts to Blitz hearings. The London Blitz courts focus specifically on assault on an emergency worker as the first offence category, with more than 600 AAEW cases waiting to be heard at the Old Bailey alone at the time of the announcement.⁵⁸ The government has indicated the scheme will expand further across courts in England and Wales.

The CPS's May 2025 revision of its charging guidance placed greater emphasis on selecting charges that could be dealt with more swiftly, including lower-level offences that could be heard in the magistrates' courts. Whilst we fully understand the need for all involved to go through a timely justice process, we would also emphasise that, in our experience, the women being charged with this offence almost always have complex backgrounds of violence, trauma or mental ill-health, and so need good quality support throughout the process and quality pre-sentence reports to be compiled carefully to allow the sentencer to issue the most appropriate sentence given the complexity of the situation. Such a task takes time, and we are keen to see a balance between the need for a swift justice process and the need for quality information and support for the defendant.

The government has framed blitz courts as a backlog reduction measure. But the fact that AAEW cases have accumulated in such volume that they require a dedicated court 'surge' is itself telling. As Revolving Doors observed in its response to the announcement: *"The fact that courts now require a 'blitz' to process the volume of these cases only compounds our concern that the offence may be being overused"*.⁵⁹

Women in Prison shares this concern. Blitz courts raise particular issues for the women who appear before them. The rapid bundling and listing of cases is designed for efficiency, not for the careful, individualised consideration of vulnerability, mental health and circumstance that AAEW cases involving women so frequently require. A woman arrested during a domestic abuse incident, during a mental health crisis or in response to being physically restrained is not interchangeable with the next case on the list. Speed of processing is not the same as justice.

There is also a risk that Blitz court processes will replicate and entrench existing inequities. Defendants who are unrepresented or unable to secure appropriate legal representation may be particularly disadvantaged by the speed and intensity of Blitz court proceedings. Transform Justice has found that inadequate legal aid rates for AAEW cases have already led solicitors to turn away clients.⁶⁰ Those with mental health conditions, learning disabilities, or neurodivergence, who already struggle to navigate the court process, will be further disadvantaged. Pre-sentence reports, which the ISR highlighted as often inadequate in accounting for women's vulnerabilities, are even less likely to be complete or properly considered under Blitz court conditions.

The correct response to a backlog of AAEW cases is not to process them faster, it is to ask *why* so many cases are being charged in the first place, and to divert those that should never have reached court.

Using alternatives to custody for the offence

Transform Justice found that only 5% of AAEW cases were resolved via diversion or out-of-court disposals, compared to 56% that went to court.⁶¹ There are well-evidenced alternatives, including liaison and diversion services, restorative justice and conditional cautions with appropriate conditions, but these options are drastically underused.⁶² De-escalation should also be treated as an important preventative alternative to criminalisation. Police forces need effective training in recognising and responding to mental health crises, trauma responses and neurodivergent behaviour, including the use of trauma-informed de-escalation techniques. Poor de-escalation can itself cause or worsen incidents that are subsequently prosecuted as AAEW offences.⁶³ For women whose behaviour arises in the context of mental health crisis, trauma, neurodivergence or domestic abuse, diversion should be considered before a prosecution is pursued.

Liaison and diversion services can identify vulnerabilities and connect women to appropriate health or social care and other support, while restorative justice can be used as part of an out-of-court resolution, including as a condition of a conditional caution where appropriate.⁶⁴ Conditions attached to cautions could be tailored to the circumstances of the individual, including engagement with mental health, domestic abuse or other specialist services where appropriate.

These alternatives should not be understood as avoiding accountability. Rather, they provide an opportunity to address the circumstances underlying an incident and reduce the likelihood of further contact with the criminal justice system. For women who are themselves victims or survivors of domestic abuse, or whose behaviour occurs during a mental health crisis, this is particularly important: prosecution may punish the behaviour without addressing the circumstances that contributed to it.

Where cases do proceed to court, the response should still seek to address underlying needs rather than relying primarily on punishment. This means ensuring that women's vulnerabilities, domestic abuse and mental health are properly identified and reflected in pre-sentence reports, that sentencers have access to appropriate information and support, and that community-based interventions are available where custody is not necessary. Specialist women's services and problem-solving approaches can provide a more individualised response, particularly where offending is linked to trauma, abuse or crisis.

The aim should therefore be to ensure that AAEW is used proportionately: serious assaults should be dealt with appropriately, but women whose behaviour is rooted in vulnerability, crisis or victimisation should not be unnecessarily drawn deeper into the criminal justice system when effective alternatives are available.

Recommendations

The offence of AAEW is disproportionately and unjustly impacting women, particularly those experiencing domestic abuse, mental health crises and trauma. Women in Prison recommends:

- Mandatory trauma-informed, de-escalation, neurodivergence, domestic abuse and mental health crisis training for all frontline police officers. This should include a focus on how trauma responses in women with experience of abuse may manifest in interactions with police and how ethnicity, culture and religion may also have an impact. The Police Reform Bill announced in the King's Speech 2026 provides a legislative opportunity to embed this requirement.
- A consistent vulnerability screening process should be introduced across all police forces, ensuring that any woman arrested for this offence is assessed by a liaison and diversion professional, mental health professional or domestic abuse specialist before a charging decision is made.
- The Government must act without delay on Recommendation 6.5 of the Independent Sentencing Review and commission a study of the impact and consequences of the AAEW legislation, with particular attention to its effect on vulnerable individuals, the impact on black, racially minoritised and migrant women, the impact on deterrence and crime reduction.
- Revised CPS guidance requiring thorough and evidenced consideration of the public interest test for AAEW cases, including explicit criteria for declining to prosecute where the defendant was experiencing a domestic abuse incident, mental health crisis, was neurodivergent or was themselves a victim at the time of the incident.
- Significant expansion of diversion, out-of-court disposal and restorative justice options for AAEW cases involving people with mental health conditions, cognitive impairments, or neurodivergence, with specific pathways designed for women.
- The Sentencing Council should amend the sentencing guidelines for the AAEW offence and the revised assault on a police constable offence to require explicit consideration of the defendant's vulnerability and mental health, and whether they were a victim at the time of the incident.
- The MoJ and CPS to collect and publish data on the type and seriousness of the conduct underlying the AAEW charges, distinguishing between incidents involving spitting, physical injury, pushing or restraint-related contact, verbal threats and conduct causing fear of harm without physical contact, disaggregated by sex and ethnicity.
- Building on the March 2026 recommendations of the The Women's Justice Board, on reducing women's imprisonment, the government should monitor AAEW prosecution data by gender, ethnicity and migration status, as well as mental health status and domestic abuse history, ensuring that racial disproportionality and intersectional inequalities are identified and addressed. It should report publicly on trends and challenge services to make necessary changes to reduce the unnecessary criminalisation of survivors of domestic abuse, neurodiverse women and mentally unwell women.

- Mandatory trauma-informed, de-escalation, neurodivergence, domestic abuse and mental health crisis training for all frontline police officers. This should include a focus on how trauma responses in women with experience of abuse may manifest in interactions with police and how ethnicity, culture and religion may also have an impact. The Police Reform Bill announced in the King's Speech 2026 provides a legislative opportunity to embed this requirement.
- AAEW conviction and sentencing data should be published with a full intersectional breakdown by both sex and ethnicity.
- Remand data should be published with a breakdown by offence, including AAEW, sex and ethnicity.
- Women in Prison urges the government to ensure that any Blitz court process for AAEW cases includes mandatory pre-sentence reports for all women defendants, screening for mental health and domestic abuse vulnerability before cases are listed and access to legal representation as a precondition of any expedited hearing.
- The Government should provide a significant amount of ring-fenced core funding, with matched funding granted from a local consortium of commissioners to ensure the long-term sustainability of such vital services.
- The Government should provide mandatory commissioning guidance to local commissioners (police and crime commissioners, local health commissioners and local authorities) to ensure that a network of appropriate services is available nationwide.

Conclusion

The offence of AAEW was created with a legitimate aim: to signal that violence against those who protect and care for the public is unacceptable. Women in Prison does not dispute that aim. What this briefing has demonstrated is that the way the offence has been designed, charged and prosecuted has produced consequences that are unjust, disproportionate and counterproductive, with women bearing a disproportionate share of those life-altering consequences.

The evidence in this briefing points in a consistent direction: the AAEW offence covers, by legal design, conduct that causes no serious injury. It is charged at exceptional rates, with far less discretion applied than for comparable offences. The majority of those prosecuted have mental health conditions or are neurodivergent. Many women caught by this offence were themselves victims at the time, during incidents of domestic abuse, mental health crisis and poorly handled police contact. The government's own analysis has acknowledged the absence of deterrent effect and assaults on emergency workers have risen rather than fallen as sentences have increased. Dedicated court sittings are now required simply to process the backlog of cases.

For women, the consequences extend far beyond the courtroom: housing is lost, careers ended, children at risk of being removed, immigration status threatened, emergency services avoided during times of need for fear of prosecution. These are not peripheral concerns, they are the lived reality of women swept into a criminal justice process that was not designed with them in mind and which does not serve or support them during times of vulnerability. Furthermore, domestic abuse is a common occurrence, disproportionately impacting women and placing them in greater need of protection from emergency services. A justice system that works for women must respond to that fact and ensure trauma informed practice is at the core of its work.

The Independent Sentencing Review has opened a door. Its Recommendation 6.5, calling for a study of the AAEW legislation's impact, is a formal, government-commissioned acknowledgement that this offence warrants scrutiny. Women in Prison urges the Government to act on that recommendation without delay, to implement the broader recommendations in this briefing and to approach the evidence base for AAEW reform with the same urgency it has applied to processing the backlog of cases the offence has generated.

Protecting emergency workers and protecting vulnerable women are not competing or conflicting aims. Diversion, trauma-informed policing and robust mental health support at the point of crisis serve both. Criminalising women who need help serves neither.

About Women in Prison

Women in Prison (WIP) is a national charity which provides independent, holistic, gender-specialist support to women facing multiple disadvantage, including women involved in (or at risk of being involved in) the criminal justice system.

We work in prisons, the community and 'through-the-gate', supporting women leaving prison. We run women's centres in Manchester and London and work in partnership with a women's centre in Surrey. Our combined services provide women with support and advocacy, relating to domestic and sexual abuse, mental health, harmful substance use, debt, education, training and employment.

Our campaigning is informed by our frontline support services for women, delivered at every stage of a woman's journey through the criminal justice system. The experience and knowledge of staff and women directly affected by the criminal justice system enable us to see first-hand the effects of policy in practice and strengthen our recommendations for change.

The Stop Criminalising Survivors Campaign

Women in Prison are members of this campaign to stop the inappropriate criminalisation of survivors of domestic abuse and other forms of violence against women and girls - including Black, minoritised and migrant survivors. We work to identify and challenge the way survivors are treated, from police first response to charging and sentencing, and into prison support. We campaign to stem the flow of survivors of abuse into the criminal justice system and improve their treatment and access to rights when in the system. Members are Advance, Agenda Alliance, Centre for Women's Justice, Hibiscus, Northumbria University, Southall Black Sisters, Standing Together Against Domestic Abuse, Working Chance and Women's Aid.

All names in stories have been changed to protect anonymity.

Women In Prison Registered charity number: 1118727, Company number: 5581944

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- ² [Police, Crime, Sentencing and Courts Act 2022](#)
- ³ Home Office (2023), [Assault on emergency workers in the Police, Crime, Sentencing and Courts Bill](#): Equalities Impact Assessment, updated 2 August 2023.
- ⁴ Crown Prosecution Service (1 May 2025) [Assaults against emergency workers: Update to CPS prosecution guidance](#)
- ⁵ [Sentencing Council, Assault on a police constable and assault on an emergency worker: Statistical summary \(6 March 2026\).](#)
- ⁶ Sentencing Council (2026), *Assault on a police constable and assault on an emergency worker: Statistical summary*, 6 March 2026, and [accompanying data tables](#)
- ⁷ Home Office, [Police recorded crime and outcomes open data tables: Outcomes open data, year ending March 2026](#) (23 July 2026)
- ⁸ [Transform Justice, Protecting the Protectors? Do criminal sanctions reduce violence against police and NHS staff? \(June 2022\).](#)
- ⁹ Ibid.
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- ¹² Sentencing Academy (2025). [Assault of an Emergency Worker: Snapshot. Based on Criminal Justice Statistics Quarterly December 2024 \(published 15 May 2025\).](#)
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- ¹⁴ Sentencing Academy (2025), op.cit.
- ¹⁵ The Independent Sentencing Review (2025), op.cit.
- ¹⁶ Ministry of Justice (2022). [Statistics on Women and the Criminal Justice System 2021](#)
- ¹⁷ Ministry of Justice, Assault on emergency workers in the Police, Crime, Sentencing and Courts Bill: Equalities Impact Assessment, updated 2 August 2023. [Government Equalities Impact Assessment](#)
- ¹⁸ [Ministry of Justice \(2025\), Written Question 93902: Assaults on Emergency Workers: Ethnic Groups, answered 2 December 2025.](#)
- ¹⁹ Hibiscus Initiatives (2025), [Submission to the Independent Sentencing Review](#) 2024–2025, January 2025.
- ²⁰ Home Office (2023), op. cit.
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- ²³ Independent Sentencing Review (2025), op.cit.
- ²⁴ Disclosure and Barring Service, [New filtering rules for DBS certificates \(from 28 October 2023 onwards\)](#), GOV.UK, updated 28 October 2023.
- ²⁵ Ministry of Justice, *Practice Direction 12J – Child Arrangements and Contact Orders: Domestic Abuse and Harm*, updated 28 April 2024.
- ²⁶ Home Office (updated 2026). [Immigration Rules: Suitability, Grounds for Refusal/Cancellation, Criminality.](#)
- ²⁷ Please note that many of the text boxes were left blank in the survey and so we expect the true numbers to be higher
- ²⁸ openDemocracy (May 2025). [Hundreds of domestic abuse victims face jail under new law.](#)
- ²⁹ Ibid.
- ³⁰ Howard League for Penal Reform (2020). [Briefing 2: Arresting the entry of women into the criminal justice system. Paper for the APPG on Penal Reform.](#)
- ³¹ [Centre for Women’s Justice \(2026\), They Don’t Understand Abuse: The criminalisation of victim-survivors of domestic abuse, research by Pragna Patel.](#)
- ³² Sentencing Council. [Common assault / Racially or religiously aggravated common assault / Battery / Common assault on emergency worker](#)
- ³³ An aggravating factor is a circumstance relating to an offence that can increase its seriousness for sentencing purposes and may result in a more severe sentence.
- ³⁴ Transform Justice (2022), [op.cit.](#)
- ³⁵ Ibid.
- ³⁶ Ibid.
- ³⁷ College of Policing / University of Exeter research, cited in Transform Justice (2022). Protecting the Protectors? [Do criminal sanctions reduce violence against police and NHS staff?](#)
- ³⁸ Transform Justice (2022), op. cit.
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- ⁵¹ [The Remand Collective's 2025 scoping review](#) on women reported that, in 2019, 65% of women remanded into prison and subsequently dealt with by magistrates' courts did not receive an immediate prison sentence
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- ⁵⁴ Ibid.
- ⁵⁵ [Assaults on Emergency Workers \(Offences\) Act 2018](#)
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- ⁵⁷ Ibid.
- ⁵⁸ Deputy Prime Minister (24 February 2026). Written Ministerial Statement: [Independent Review of Criminal Courts – Government Response](#). ; BBC News (April 2026). [Ten cases a day – how 'blitz courts' could tackle the Crown Court backlog](#).
- ⁵⁹ Revolving Doors (25 February 2026). [Revolving Doors responds to Government 'blitz courts' plans for assault on emergency worker offences](#).
- ⁶⁰ Transform Justice (2022), op.cit.; Independent Sentencing Review (2025), op. cit.
- ⁶¹ Transform Justice (2024), [Assaults on Emergency Workers: The case for reform](#).
- ⁶² Crown Prosecution Service, [Out of Court Resolutions, updated 22 July 2025](#); Crown Prosecution Service, [Mental Health: Suspects and Defendants, 14 October 2019](#), updated 25 April 2023. The CPS confirms that out-of-court resolutions include conditional cautions and that Liaison and Diversion can provide information about mental health and other vulnerabilities.
- ⁶³ Department of Health and Social Care, [Mental Health Units \(Use of Force\) Act 2018: statutory guidance for NHS organisations in England, and police forces in England and Wales, 2019](#), updated 21 December 2021.
- ⁶⁴ [Crown Prosecution Service, Mental Health: Suspects and Defendants, 14 October 2019, updated 15 October 2024](#); [Crown Prosecution Service, Out of Court Resolutions, 22 July 2025](#).



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