

Stigma around drug and alcohol use in the criminal justice system

A policy briefing from the Anti-Stigma Network

People who use drugs and alcohol are often harmed by stigma, meaning negative and unfair beliefs which contribute to the discrimination they face and limit their opportunities. This briefing draws on a wide range of evidence – including personal testimony shared through the Anti-Stigma Network – to describe how stigma interacts with people's experiences of the criminal justice system, and explain how policy makers can respond.

Experiences of stigma in the criminal justice system

There is a recognition of the impact stigma has on experiences of the criminal justice system across the world. One recent commentary notes that “stigma at the intersection of substance use and criminal justice [...] is reinforced by harmful police practices, painful imprisonment experiences, and insufficient support offered to formerly incarcerated people living in the community”.¹

In the UK context, experiences of the criminal justice system are closely related to use of alcohol and other drugs. The 2019 review of drugs estimates that over a third of the people in prison are there due to crimes relating to drug use, and that while 40% have been convicted of a drugs offence, 60% are sentenced for related crimes such as theft.² A range of evidence also shows that a high proportion of people in contact with the criminal justice system have a problem with alcohol.³

Stigma related to substance use shapes every stage of the justice system from arrest through custody, court, and sentencing. This stigma is also gendered and intersectional, with certain groups of people facing compounded stigma due to their race, gender or socio-economic status.

At arrest, stigma can lead to people being stereotyped as unpredictable, irresponsible or higher-risk due to their use of alcohol or other drugs. This can combine with the consequences of being known to the police or having an existing criminal record. Research with people in frequent contact with the criminal justice system by Revolving Doors Agency highlighted “shared experiences of police contact that felt disproportionate and rooted in assumptions about their identity rather than their actions”.⁴

In police custody, stigma can lead to harsher treatment, limited access to procedural protections, and increased psychological stress, particularly for vulnerable or marginalised people. While practitioners we spoke to for this briefing were quick to highlight improvements in police practice in recent years, there remain concerns over access to mental health support and support for neurodivergent people.

During the court process, stigma can influence the decisions of magistrates and judges, who may lack understanding of a person's circumstances and the barriers they face. Practitioners we spoke to highlighted the lack of experience and knowledge around substance use and addiction among judges in particular.

It might be that me and you are in court in the same week for very similar things, but I might be really lucky and get a really good judge who understands what I'm going through and I might get a community order, while you might go up against another judge or magistrate who'll go 'we'll make an example of this one'. (Drug and alcohol worker)

Within the prison system, stigma can create barriers to engaging with support and treatment. Experiences of trauma, substance use and neurodivergence may mean people find it challenging to comply with regime.

On release, stigma can have long-term consequences as people experience 'double punishment', with fear of judgment from professionals and the public deterring people from accessing treatment or complying with non-custodial sentences.

The cycle of stigma, relapse, and recall ultimately undermines rehabilitation, entrenches instability, and increases the long-term risk of further contact with the justice system.

The policy response to date

In the UK, there is growing recognition of the need to reduce prison use, reoffending rates and expand access to community-based alternatives, including drug and alcohol treatment. The 2021 drug strategy committed to increase access to treatment both in prison and community settings, as well as greater use of community drug rehabilitation requirements, and support for move-on accommodation.⁵

The sentencing system is now undergoing long-awaited reform, with the recent Sentencing Act bringing in a number of changes recommended by the Independent Sentencing Review. These include moves to reduce short sentences and increase use of community supervision. This could provide an opportunity to increase the uptake of diversion schemes, health interventions and community-based support.

However, the success of this agenda depends on sufficient funding for probation and support in the community. The Independent Sentencing Review recommended that government improve provision of Community Substance Treatment Requirements by expanding funding of both treatment and the probation service.⁶ In the last spending review Government committed £700m in funding for probation services to support implementation of the Sentencing Review but Collective Voice has emphasised that additional funding must be allocated to specialist substance treatment to support this ambition.⁷

What policy makers can do

Without addressing the deep-rooted stigma attached to substance use, reforms will only replicate old harms and barriers in new forms.

The lack of knowledge around alcohol and other drugs has an impact at all stages of the criminal justice system. People with lived experience we spoke to felt strongly that mandatory training on drug and alcohol issues should be completed by judges and all involved in the sentencing process.

Policymakers should also continue to expand alternatives to the standard court process. For example, 'problem-solving' Intensive Supervision Courts are being piloted across the UK to meet the needs of specific groups, including women and those whose offending is driven by drug or alcohol dependency.⁸ The more informal environment and consistent relationships created in these settings have the potential both to address the impact of stigma on the court process and reduce stigma that results from it.

Challenging stigma within the prison estate can help to support rehabilitation. For instance, at HMP Wayland in Norfolk, a Stigma Committee drawn from people across the prison community has developed campaigns around the use of non-stigmatising language, seeking help and reducing barriers to treatment. Members are given identifiable t-shirts, making them easily recognisable and approachable for fellow prisoners who want to discuss concerns or experiences related to stigma.⁹

I want to change the way people in prison talk to each other. If we educate people, staff and prisoners then we can change the culture of the prison. (Volunteer, HMP Wayland)

Finally, funding needs to support not just the provision of effective support for people on release and under community supervision, but ensuring it is offered to all those who need it. For instance, people with lived experience of the prison system we spoke to for this briefing highlighted how stigma about 'who will benefit' creates inconsistency in what information is provided about options for treatment.

There's many prisoners that I've talked to in the prison system that have gone, 'what, you can go to rehab straight from prison?' I'm the one who's having to explain it to them. [...] They've sat in addiction for years and years not knowing they could access that through the prison system. (Person with lived experience)

As well as reforming sentencing and addressing funding gaps, addressing stigma within both decision-making and service delivery is essential to ensuring sentencing reforms work as intended and support evidence-based, person-centred sentencing.

About the Anti-Stigma Network

The Anti-Stigma Network works to improve understanding of the stigma and discrimination experienced by all people affected by drug and alcohol use. The network is coordinated by a steering committee and its organisational members include many of the leading charities working to support people facing drug and alcohol issues in the UK.

Work with us

If you are seeking to address stigma in a criminal justice setting, the Anti-Stigma Network offers a range of free guidance and can seek to connect people with a common interest across our network.

www.antistigmanetwork.org.uk

References

- 1 Livingston et. al. 'Experiences of Stigma and Criminal In/Justice among People Who Use Substances' in Schomerus et. al. (2022). *In The Stigma of Substance Use Disorders*. p. 62
- 2 DHSC (2020). *Review of drugs: phase one report*. p. 6
- 3 Institute of Alcohol Studies (2020). *Alcohol, The Emergency Service and the Criminal Justice System*.
- 4 Revolving Doors Agency (2025). *Preventing the revolving door*. p. 32
- 5 Home Office (2021). *From harm to hope: A 10-year drugs plan to cut crime and save lives*. p. 40-42
- 6 Ministry of Justice (2025). *Independent Sentencing Review*. p. 32
- 7 Collective Voice (2025). *Collective Voice submission to HM Treasury on the Autumn 2025 Budget*. p. 9
- 8 Centre for Justice Innovation (2025). *Problem-solving courts: A guide to practice in the United Kingdom*.
- 9 'Culture Shock'. *Drink and Drug News*. September 15, 2025.