

“WE’VE NOT GIVEN UP”

Young women surviving the criminal justice system

YOUNG WOMEN’S JUSTICE PROJECT **FINAL REPORT**

MARCH 2022



With thanks to



“You put me in this system... I’ve gone through it... Now I’ve come out and I’m a survivor because I’ve gone through all that trauma... And there’s no-one that can tell me otherwise... I’ve come out and I’ve proven everybody wrong.”

Saba, 28

FOREWORD

We know that women who find themselves caught up in the criminal justice system are often very vulnerable. This is especially true of young women.

We also know that many of those in our prisons are those who have been failed by the State as evidenced by the large numbers of care leavers.

The first brush with criminal activity provides an opportunity for intervention. It is an opportunity that should be taken. It should be taken because it is morally the right thing to do, for the State to support those in need to get their lives in order. Without a positive intervention, first time offenders are very likely to embark on a pathway of further offending,

Instead, our criminal justice system deals with the offence. In so doing, it can behave in a way which is dehumanising to the offender. Indeed where someone is vulnerable, it can cause harm. The offence can be an expression of underlying trauma which needs to be treated appropriately or else it will be compounded.

There can also be prejudice and unconscious bias at play where offenders are care leavers or minorities.

This isn't just bad for the individual. It is bad for society. It leads to more crime and antisocial behaviour. And it costs the taxpayer. Leaving people in a cycle of reoffending is poor value for money and leads to worse outcomes for all of us.

I welcome the insight this report gives into young women offenders and I sincerely hope that more effort will be made to develop interventions which will support them. We are talking about less than a thousand individuals every year. But if successful it could prevent many thousands of offences.

Jackie Doyle-Price MP, Chair of the All Party Parliamentary Group on Women in the Penal System



About the Young Women's Justice Project

Funded by Lloyds Bank Foundation for England & Wales and run in partnership by Agenda and the Alliance for Youth Justice (AYJ), the Young Women's Justice Project is the first of its kind, providing a national platform to make the case for the needs of girls and young women aged 17 to 25 in contact with the criminal justice system.

Consistently overlooked in policy, young women are a minority in the criminal justice system on account of both their age and gender. Despite pockets of excellent practice, there is little specialist provision designed to meet their needs. Engaging with young women, frontline practitioners and other experts in the field, the Young Women's Justice Project has built a strong evidence base on key themes in young women's lives. Empowering young women as advocates to safely share their experiences and use their voices to make change, we campaign alongside young women to prevent them falling through the gaps and enable the development of more effective practice through gender- and age-informed policy.



About Agenda

Agenda, the alliance for women and girls at risk, is working to build a society where women and girls are able to live their lives free from inequality, poverty and violence. Agenda campaigns for women and girls experiencing violence and abuse, poverty, poor mental health, addiction, criminalisation and homelessness to get the support and protection they need.



About the Alliance for Youth Justice

The Alliance for Youth Justice (AYJ) works to drive positive change in youth justice in England and Wales, for the benefit of children, young people, and society. The AYJ brings together a diverse network of organisations, working alongside children and young people to advocate for systems, services and support that are underpinned by children's rights and social justice.

ABOUT THIS REPORT

This report is about girls and young women aged 17 to 25 years old in contact with the criminal justice system. In particular, it highlights the experiences of Black, Asian and minoritised young women, and young women with experience of the care system as both groups are overrepresented in the criminal justice system.

This is the final report of the Young Women's Justice Project, run by Agenda and the Alliance for Youth Justice since January 2020. Based on new research, it builds on the work of the Young Women's Justice Project [literature review](#) and two briefing papers produced during the project, with a focus on young women's experiences of the [transition from the youth to adult justice system](#), and young women in the criminal justice system's experiences of [violence, abuse and exploitation](#).

This research has been informed by qualitative analysis of 18 interviews conducted by Agenda with 16 different girls and young women (aged 17 to 28) with lived experience, as well as one focus group involving a further six young women. Of the 16 girls and young women interviewed, 11 were from Black, Asian and minoritised groups and 10 had experience of the care system. In some cases, pseudonyms have been used to protect the identity of the young women whose insight and expertise we have drawn

on. Four of those who participated in interviews and one additional young woman also took part in a co-production workshop held in December 2021 focusing on the development of our final recommendations.

We have worked closely with nine community-based organisations to reach and engage with young women who chose to participate in the Young Women's Justice Project, and to ensure that they have been appropriately supported through this process. Conversations with expert practitioners working in these organisations also shaped the development of this report. In addition, we brought together 80 professionals across the youth, women and girls' and criminal justice sectors through two expert seminars. We also consulted with a range of other stakeholders, including members of our expert advisory group, and developed relationships with decision-makers in the youth and adult justice systems to identify opportunities to positively impact the lives of young women at the sharpest end of inequality.¹

¹ For a list of organisations and individuals Agenda and the Alliance for Youth Justice have engaged with over the course of the Young Women's Justice Project, see Appendix 1.

Methodology



Interviews with young women and the services supporting them

- Interviews were held with 16 young women who are experts by experience and four organisations, conducted over the phone or using digital video-calling platforms.
- A further six young women participated in a focus group and five young women attended a co-production workshop to share their feedback on the key themes emerging from research and to help shape the final recommendations.



Expert seminars

Two expert seminars were held with professionals from the youth, women and girls' and criminal justice sectors, creating spaces to share expertise and examples of good practice.

- July 2020: 40 professionals came together to explore the challenges facing girls transitioning from the youth to adult justice system. The event was chaired by the Alliance for Youth Justice and four guest speakers provided expert reflections to shape discussion.
- January 2021: 51 professionals came together to share insights about young women in contact with the criminal justice system's experiences of violence, abuse and exploitation. The event was chaired by Agenda, with four guest speakers again providing expert reflections.



Expert advisory group

An expert advisory group was established to guide the project and generate cross-sector buy-in. This group met three times throughout the project and currently has 18 members working at a senior level across a range of fields, including the youth and adult justice system, policing, racial justice, children's social care, safeguarding, violence against women and girls, criminal and sexual exploitation and serious youth violence.

INTRODUCTION

Young women are in a unique position in the criminal justice system as a minority on account of both their age and their gender. Systematically overlooked in policy and practice, they have limited access to specialist support. This failure to recognise and respond to their distinct needs and experiences increases the levels of risk, vulnerability and inequality young women in contact with the criminal justice system already face.

Left to navigate systems and services designed, by default, around the needs of young men or older, adult women, the challenges young women face in their lives often go ignored. As a result, the risks they face escalate and the impacts of trauma and harm they have experienced become more entrenched. Marginalised, ignored and misunderstood, young women entering adulthood whilst in contact with the criminal justice system face a spiral of disadvantage – driven further into a system where, instead of being met with care and support, they are punished and blamed.

Some groups of young women are further excluded from accessing

support and are at greater risk of being criminalised for their vulnerabilities. Whilst the majority of young women in contact with the criminal justice system face disadvantage, the experiences of Black, Asian and minoritised young women² are compounded by inequalities they face not only due to their age and gender but also on account of their race and ethnicity. For young women who have also experienced the care system, deeply embedded prejudice, stigma and stereotypes mean that they come to be seen, first and foremost, as individuals posing a risk to others, rather than as vulnerable young women who are themselves in need of support. The compounded marginalisation of these

Young women in contact with the criminal justice system face **multiple disadvantage**. They are likely to have complex, overlapping needs, with their experience of coming into contact with the criminal justice system frequently underpinned by experiences of violence, abuse and exploitation, poor mental health, addiction, exclusion from education, poverty and having no safe place to call home. The challenges they face are mutually reinforcing and take place in a wider context of social and structural inequalities which shape their lives, including gender-inequality and racism.

² The term 'Black, Asian and Minority Ethnic' is commonly used in policy and commissioning contexts but can collapse together a broad range of differences between individuals, as well as reinforcing the idea that certain groups automatically occupy a minority position. Drawing on critical analysis of this term by services led by and for marginalised groups (see Thiara and Roy (2020), [Reclaiming Voice: Minoritised Women and Sexual Violence](#), Imkaan), this literature review refers to 'Black, Asian and minoritised' girls and young women. Whilst groups can be 'minoritised' in a number of ways, we specifically use this term to highlight the way in which certain racialised or ethnic groups are constructed as 'minorities' through processes of marginalisation and exclusion. We include Gypsy, Roma and Traveller people within this definition.

young women is driven by a failure in policy-making to recognise and contextualise the multiple, overlapping forms of disadvantage and inequality.

The fact that young women in contact with the criminal justice system are a minority should not make them less of a priority. Instead, policy-makers should carefully consider what this means for their experiences of the system, and how to intervene to disrupt this spiral of disadvantage at a critical time in their lives. With the planned expansion of the women's prison estate and introduction of punitive legislation³ which will exacerbate existing racial inequalities, it is crucial – now, more than ever – that young women's experiences of disadvantage and criminalisation are accounted for in criminal justice policy, embedding age-specific, gender-sensitive and trauma-informed approaches to working with young women across all stages of the system.

Building on the work of the Young Women's Justice Project to date, this report outlines a vision for change developed alongside young women with lived experience of the criminal

justice system and the services supporting them. The report sets out the following:

- **Chapter 1:** young women's pathways into the criminal justice system.
- **Chapter 2:** how young women experience the criminal justice system, and the role it plays in driving a further cycle of abuse, inequality and offending.
- **Spotlights** on care-experienced young women, and Black, Asian and minoritised young women, and the specific challenges they face.
- **Chapter 3:** the consequences of a failure to prioritise young women in policy.
- **Chapter 4:** young women's hopes for the future, and what they want from the system and services supporting them.
- **Conclusions and recommendations** for change in policy and practice at all levels and across the criminal justice system.

3 At the time of writing, the Police, Crime, Sentencing and Courts Bill was progressing through Parliament and expected to become law in spring 2022. Since its introduction to the House of Commons on 9th March 2021, concerns have been raised by social justice and civil liberties groups that proposed measures in the Bill will fundamentally undermine the Government's ambition of reducing the number of women and girls in prison, reducing re-offending, and supporting those who are victims of domestic abuse. Key clauses in the proposed legislation risk sweeping greater numbers of young women who have experienced significant trauma and disadvantage into the criminal justice system, with Black and minoritised young women disproportionately, negatively impacted. See the Young Women's Justice Project briefing paper, ["I wanted to be heard"](#), for further discussion.



“I think my behaviour was a reaction and reflection of how I was treated.”

Princess, 19

CHAPTER 1: YOUNG WOMEN'S PATHWAYS INTO THE CRIMINAL JUSTICE SYSTEM

Young women at risk of entering the criminal justice system face shocking rates of violence and abuse, poor mental health, exclusion from education, economic inequality and racial injustice. Despite facing risks and vulnerabilities that are distinct from those of their male counterparts and from older, adult women, they have limited access to specialist support. The ways in which girls and young women experience disadvantage – and the ways in which this drives their contact with the criminal justice system – is too often overlooked.

This failure to recognise and respond to young women's needs means that problems escalate and become more entrenched. Facing a spiral of disadvantage, young women's coping mechanisms and survival strategies can put them at increased risk of offending as they transition into adulthood. Already heavily stigmatised, Black, Asian and minoritised young women at risk, and young women with experience of the care system, are particularly likely to be criminalised rather than offered care and support.

Young women in contact with the criminal justice system: the numbers

Although small in number, young women are nevertheless present at all stages of the criminal justice system and in all criminal justice settings – from the point of arrest to attending court, supervision by probation services and being sentenced to prison.

- In 2019, 2,709 young women aged 18–24 were supervised by probation services under either a community order or a suspended sentence, compared to 21,004 young men of the same age.ⁱ
- Girls' (under 18) visibility is particularly low in custody, with an average per month of only 28 girls, compared to 753 boys, held in the youth secure estate in the year ending in March 2020.ⁱⁱ
- In 2018, approximately 12.7% of all young women (aged 18 to 24) sentenced in the criminal justice system were convicted of 'revolving door' offences – repeated, non-violent offences driven by a combination of needs, often stemming from complex trauma and economic disadvantage.ⁱⁱⁱ

There is clear evidence of racial disparity amongst this group and young women with experience of care are also significantly overrepresented.



Black women and mixed-race women are **more than twice as likely** to be arrested than white women.^{iv}

22%

of 18 to 24 year old women in prison are from a Black, Asian and minoritised group, despite only 13% of the general population identifying themselves this way.^v Gypsy, Roma and Traveller young women are also overrepresented in custody.^{vi}



Children aged 16 to 17 living in children's homes are **15 times more likely to be criminalised** than other children of the same age,^{vii} and **nearly two thirds** of girls and young women (16–21) in custody are estimated to have recently been in statutory care (compared to just under half of boys).^{viii}

There is a **concerning gap in the evidence-base** around the relationship between ethnicity, experience of care and contact with the criminal justice system, despite Black and minoritised girls and young women being overrepresented in both systems.^{ix}

Vulnerabilities and drivers of offending

Identifying the routes through which young women enter the criminal justice system can help inform the development of policy and practice to disrupt this. Young women in the criminal justice system tend to have a greater number of support needs than young men, suggesting they face additional vulnerabilities which can lead to them getting caught up in the system.^x The support needs of young women are also distinct from those of older adult women.^{xi}

Facing issues such as violence and abuse, mental ill-health, addiction, homelessness and poverty, young women continue to enter the criminal justice system for offences which are driven by a complicated combination of needs, often stemming from complex trauma and disadvantage. In combination with gender inequality, other forms of oppression including racism both drive and magnify this, with Black, Asian and minoritised young women facing harsher treatment across a number of systems, from education to healthcare to criminal justice.^{xii}



Young women in contact with the criminal justice system are likely to have experienced extensive **violence and abuse**. Between three quarters and 90% of girls in contact with the youth justice system may have experienced abuse from a family member or someone they trusted,^{xiii} and 63% (aged 16–24) serving sentences in the community have experienced rape or domestic abuse in an intimate partner relationship.^{xiv}



There is greater prevalence of poor **mental health** amongst young women in the criminal justice system compared to young men and older adult women. Girls in custody self-harm at much higher rates than boys and, in the year ending March 2021, self-harm rates were at a 10-year high in women's prisons, and considerably higher than in men's prisons.^{xv}



Young women (18–21) are more likely than older women to report an **alcohol problem** on arrival at prison and to feel that they might have an alcohol problem on release. They were also more likely to report developing a **drug problem** in prison, although less likely to arrive with one.^{xvi}



74% of girls in youth custody have previously been permanently **excluded from school** compared to 63% of boys.^{xvii}



With rising rates of child poverty^{xviii} and young women under 25 one of the groups at highest risk of unemployment during the coronavirus crisis (with Black and minoritised young women and young mothers particularly vulnerable),^{xix} evidence suggests that the likelihood of offending as a result of **poverty** and economic need is set to continue for young women, perhaps at greater rates than for young men.



A spiral of disadvantage

Young women facing these challenges describe feeling “*at the bottom of the barrel*”. They report feeling that no cares about them, that systems and services are not designed with them in mind, and that professionals rarely understand the extent and complexity of the problems in their lives. With youth provision regularly built around young men’s lives, agencies are limited in their ability to deliver gender-responsive support and professionals can lack the knowledge and expertise to identify and respond to their vulnerabilities. As a result, opportunities to intervene are missed, young women’s needs go unmet and the long-term impacts of disadvantage become more entrenched.

“As a young girl... You can get a raped, you can get kidnapped, there’s a lot of things that you can happen to you... You shouldn’t have to worry about these type of things but you do, because the council don’t want to help you... Nobody wants to help you out.”

Sarah, 22

“It easily could have been avoided. Like... Even doing this sentence, or going through these whole years of domestic violence... That could have been avoided if the police had heard us the first time.”

Saba, 28

“I asked for help and I was just put at the back of the queue...”

Saba, 28

Caught up in this preventable spiral of disadvantage, girls and young women find themselves increasingly marginalised and at greater risk of entering the criminal justice system as they approach and enter adulthood. Black, Asian and minoritised young women face simultaneous and overlapping forms of discrimination, greater barriers in accessing support, reduced access to specialist services, and a lack of professional knowledge about the cultural context of the risks and vulnerabilities they face. As Camila explains, agencies’ ability to recognise the different forms of disadvantage Black, Asian and minoritised young women face is limited. This means that the problems which drive young women’s offending either go entirely unaddressed or inappropriate solutions are offered, allowing them to be drawn further into the system.

“It’s a bit mad how Black people get looked at... Obviously [professionals] don’t really know our past, how we grew up... We all get put in the same category without no-one really looking at the ins and outs of why I am who I am today, or why things have turned out that way.”

Camila, 23

For care-experienced young women, a lack of practitioner awareness or confidence in identifying those who have been in care and the support they are entitled to sees them frequently let down, as they slip through the gaps and miss out on support that agencies have a statutory responsibility to provide.^{xx}

Where risks and needs are identified, a lack of age-sensitive, gender-specific provision for girls facing multiple disadvantage can prevent timely interventions. Young women often describe only being able to access effective support from specialist services once problems have escalated.



Spotlight on girls at risk of exclusion

Exclusion from education plays a significant role in driving the spiral of disadvantage which can lead to contact with the criminal justice system. Once excluded, girls can face a series of escalating risks and negative outcomes, including experience of **sexual harassment and abuse** in male-dominated Pupil Referral Units. Girls' experience of exclusion has been linked to long-term psychological distress, with the **mental health** of girls excluded after the age of 16 described as being on a 'deteriorating trajectory' compared to that of boys. Exclusion is also associated with heightened risk of **criminal and sexual exploitation**, with girls who feel out of step with the social mainstream more likely to be targeted by exploitative adults and peers.

For more on girls' experiences of exclusion, see: Agenda (2020) [Girls at risk of exclusion](#) briefing paper.

“I feel like they don't take you seriously, especially as a woman or young girl... And they never take you seriously until something actually happens to you or you get involved into something that leads you to getting arrested... I never knew about [support for women and young people] until I actually went to prison and met with [support worker] from [young women's organisation]... It seems like you basically have to go through it to actually get support.”

Sarah, 22

Where services lack expertise in working with young women facing multiple disadvantage, interventions intended to keep young women safe and manage risk can be experienced as unhelpful and unnecessarily punitive. Speaking with Agenda, young women were quick to identify connections between negative experiences earlier in their lives with other systems and services, and a series of events and a process of 'othering' which ultimately resulted in their criminalisation. Several young women drew striking parallels between alternative education provision, care and prison, and reported that contact with these environments felt like part of an inevitable journey into the criminal justice system.

“Once you get kicked out of school... They don't care about you after that.... I went to a PRU [Pupil Referral Unit] since I was in Year 9... When you go in [to a PRU] you get searched before coming in by a police officer... You're getting searched coming out... In my head, it was just preparing me for prison.”

Sarah, 22

“They're the same thing. You can look at [a] youth offender's prison, and you compare it to the care system... My doors were locked... My windows were bolted... We weren't allowed to go outside by ourselves... I was 15 in a secure unit... I shouldn't be treated like I'm in adult prison.”

Princess, 19

Speaking with Agenda, practitioners emphasise the need for a holistic and supportive approach to prevent the spiral of disadvantage – before young women are criminalised. As one practitioner working with young women in prison explains –

“I think they need safety... Less exclusionary responses... Less zero tolerance approaches [in education]... Less situations where they're being traumatised and treated so badly.”

Young women's service practitioner

In addition to enhanced availability of specialist provision for young women at risk of criminalisation, an effective response must begin with an understanding of and willingness to engage with the systemic issues that the most disadvantaged young women face. To truly prevent young women's offending, the troubling, wider context in which young women exist – the trauma, inequality and disadvantage they experience across systems and services – must be addressed.



“Only bad experience comes from [contact with the criminal justice system]... I don't think I will ever be able to move forward... I always have the thought of what I've been through.”

Sarah, 22

CHAPTER 2: YOUNG WOMEN'S EXPERIENCES WITHIN THE CRIMINAL JUSTICE SYSTEM

Once driven into the criminal justice system as a result of the disadvantages and discrimination they face, young women find themselves facing punishment, rather than care and support. Criminalised for their vulnerabilities, young women are approached first and foremost as 'perpetrators' of crime, rather than as young women in need of support. Struggling with the impacts of abuse, inequality and disadvantage, young women in the criminal justice system report feeling alienated, unsafe and disempowered in a system not designed with them in mind.

Disbelieved, re-traumatised and struggling to make their voices heard, young women's interactions with the police, courts, prison and probation services confirm their distrust of systems and services, making it harder to positively engage with support in the future. In combination with the ripple effects of criminal justice involvement – including worsening mental health, poverty, stigma and isolation – contact with the criminal justice system too often increases young women's vulnerability, driving further experiences of disadvantage, increasing the risk of future offending and worsening their life outcomes. The following chapter sets out how young women experience this.

Re-traumatisation and further harm

Likely to have already experienced extensive violence and abuse, young women in the criminal justice system describe feeling abandoned to a frightening, violent system where they are regularly made to feel unsafe and can experience further harm, as well as witnessing the extreme distress of others. Trauma can be life-altering, changing the way that young women view the world and their place within it. For some young women, it can be difficult to reflect on this time in their lives.

“Personally, when I hear about, like, past things, it’s painful... It’s nothing that I want to revisit or even just think about.”

Camila, 23

Young women identify both the point of arrest and time spent in prison as points during their journey through the criminal justice system where they are most likely to have interactions with professionals which trigger painful memories or exacerbate the impacts of past trauma. Here, Sarah describes the impact of police officers using force and physical restraint to arrest her – a practice which can be particularly distressing for young women who have experienced violence and abuse and which they may feel powerless or too fearful to challenge.

“I’ve seen the worst in prison. I get flashbacks all the time. I see people trying to kill themselves, I see babies that have died in prison, pregnant women and stuff. And they don’t care, the system do not care.”

Sarah, 22

“They were so not nice to me with the way they arrested me... I had bruises everywhere... I was in the police station for like four days... I was thinking... ‘Just take me to prison, this is hell...’ [Nowadays], when I see the police I just turn my face around. I don’t want to see them. I think they’re just scary.”

Sarah, 22

In contexts where young women are deprived of their liberty, such as police custody and prison, use of force, physical restraint and isolation can also be used against young women presenting with symptoms of trauma, including young women who express their sadness and anger overtly through disruptive behaviour or self-harm.

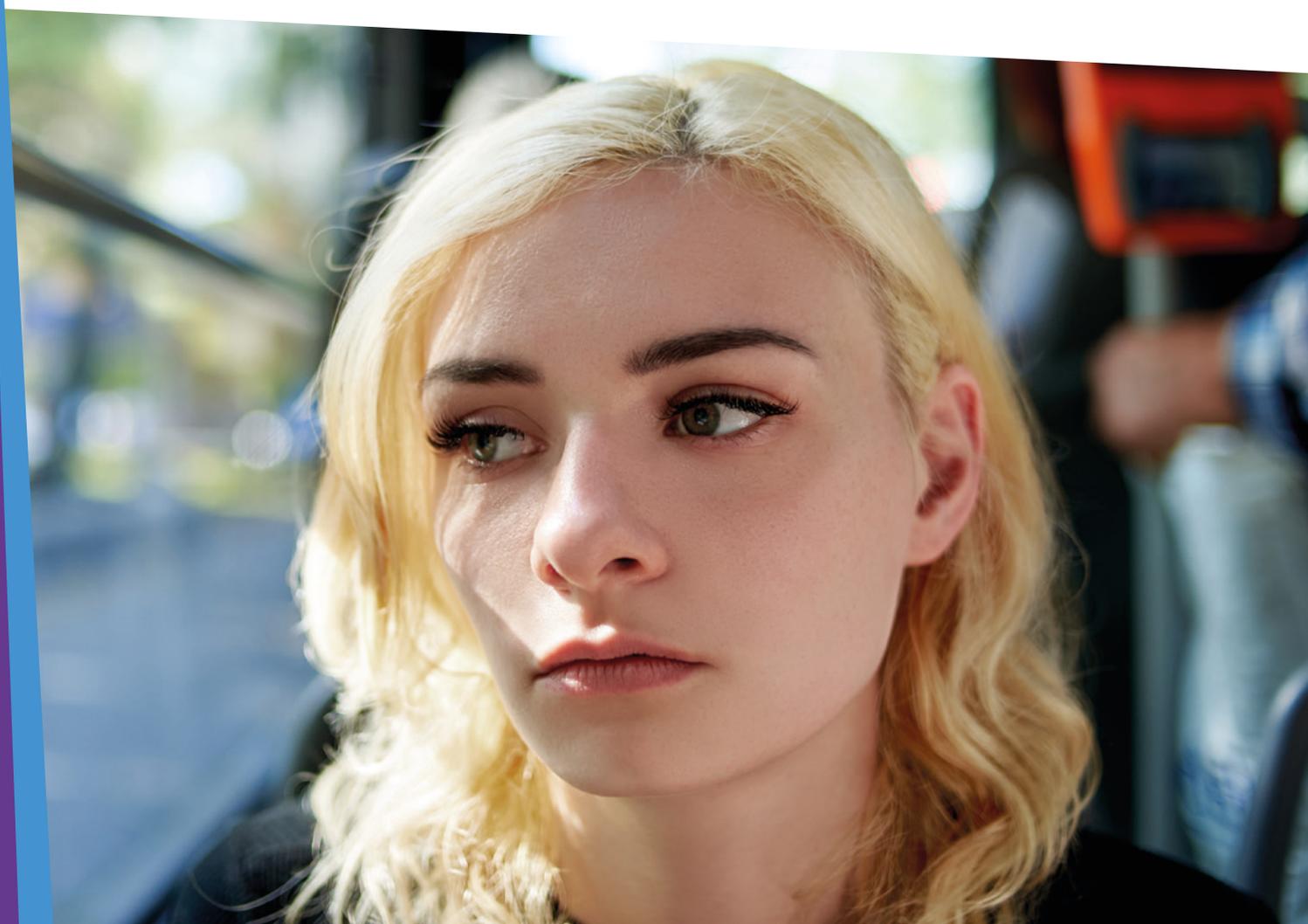
“I often went in there crying in hysterics... All the times I’d get arrested. They’d just basically tell me to shut up and grow up, and shut me in a cell... It was the worst feeling in the world.”^{xxi}

Rachel, 21

“I got restrained a few times [whilst in a Secure Training Centre]... I wasn’t in the right mindset after everything I’d been through... It was just for petty things... Mostly just refusing to comply... They [custodial officers] wouldn’t take the time out to actually sit down and find out what the problem was... It was, ‘Well, if you’re not going to comply then we’ll restrain you.’”^{xxii}

Amber, 20

Young women feel that police and custody officers do not always try to de-escalate a situation prior to using restraint, and research suggests that Black young women may be more likely to experience these kinds of responses in custody.^{xxiii} This suggests that the way in which young women’s experiences of abuse, inequality and offending are interlinked is not well understood amongst criminal justice professionals. Critical reflection on the way in which day-to-day practice and procedures might re-traumatise young women is also limited, as part of both individual case management and longer-term planning around service design and development.



Distrust and disappointment

Due to the complexity of their lives from a young age, young women in contact with the criminal justice have frequently experienced their confidentiality being breached through extensive information-sharing about very personal aspects of their lives. Whilst sometimes necessary to safeguard their wellbeing, young women often report that this is done in such a way that they are left feeling exposed and scrutinised, but poorly understood and unsupported. As a result, young women have often had their trust broken in the systems and services intended to help and support them. As one young woman explains, this can be exacerbated by the impact of trauma.

“When you've been subject to abuse and trauma... It just makes you paranoid. I didn't know who had my best interests at heart... I didn't know who I could speak to... My trust had just been shattered... I was constantly thinking, 'Is it going to be used against me if I do open up...? Are they going to sit and talk about me,”

Razia, 23

“You should trust them... But then again, when you've been let down so many times... How can you trust someone if you know they're just going to let you down?”

Sarah, 22

Speaking with Agenda, young women in contact with the criminal justice system describe feeling caught up in a chaotic, illogical system where it can be hard to know who they are able to trust. Where young women are treated unfairly or experience interactions with criminal justice agencies as re-traumatising, they become increasingly unlikely to disclose important information about their needs and experiences as they worry that this may get them *“in trouble”* and cause them further problems. One young woman attributed her reluctance to seek support around her mental health whilst in prison to concerns about professionals' *“hidden agendas”* and *“ulterior motives”*. Another young woman explained she doesn't like people *“knowing everything about me, because it makes me feel unsafe”*.

Even where young women's interactions with professionals are less overtly damaging, they can report feeling frustrated and let down by the services they are required to interact with whilst in contact with the criminal justice system. Highlighting discrepancies between the kind of support offered "on paper" and the reality of trying to access this, young women can experience professionals as disingenuous when they are unable to follow through on actions agreed as part of their support plan. One young woman described feeling disappointed and disillusioned when it became apparent that, due to a lack of tailored provision for young women, her offender manager was unable to support her to access appropriate housing or employment options, increasing her risk of re-offending.

"If a woman's going through some of the things that I've gone through... I would want them [probation services] to actually genuinely help, and not have everything on paper that's good – you know, not just saying 'We do this for women, we do that for women...'; but offering housing, domestic violence services..."

"I would explain to probation about the issue I had with housing... They didn't really do anything to help me, and they didn't help me with my rehabilitation... My probation worker... She basically told me that probation don't really cater to women and most of the jobs they have are for men... Even though there's a higher percentage of men in probation, that little tiny percentage of women should kind of hold priority as well."

Safia

As these experiences of being overlooked or excluded accumulate, young women find it increasingly challenging to engage with professionals and can struggle to imagine how any service may be able to support them. As one young woman acknowledged –

"It might be someone that is actually trying to help me and I'm not going to give them the chance to because I'm just going to think they're like everyone else."

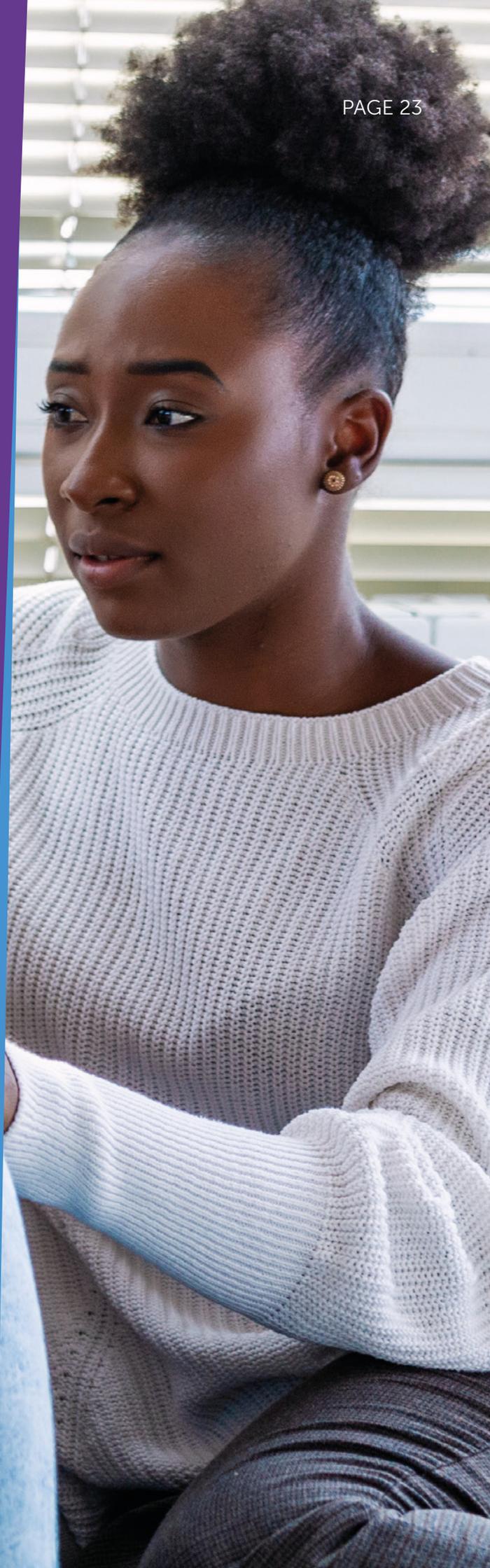
Sarah, 22

This creates a harmful narrative whereby young women themselves come to be seen as the problem – blamed for their lack of engagement and labelled as 'hard to reach' – rather than the problem being identified as a lack of professional expertise or appropriately tailored provision for young women, in a system which perpetuates the experiences of disadvantage which brought them into contact with it in the first place.

Spotlight on the Serious Violence Duty

Plans to introduce the Serious Violence Duty – a new legal duty on public services to work together to prevent and reduce serious violence – as part of the Police, Crime, Sentencing and Courts Bill will give the police decision-making powers about funding of interventions to address serious violence. This may require schools, colleges, healthcare services, youth offending teams and probation services to facilitate access to information that girls and young women at risk have shared with trusted professionals. Whether relating to potentially criminal activities carried out by somebody known to them, or that they themselves have been asked to participate in, information shared by young women may inadvertently expose themselves to increased surveillance and punitive measures on the basis of uncorroborated evidence.

Whilst the adoption of a multi-agency strategy is welcome, expanding surveillance of girls and young women in this way, including through agencies and professionals that they may not associate with the criminal justice system (such as teachers, nurses and youth workers) may further erode vulnerable young women's trust in services and pose further barriers to support-seeking.



Young mothers in prison: The case of Ms A

In September 2021, the Prisons and Probation Ombudsman (PPO) published their report into the tragic death of 'Baby A' at HMP Bronzefield. A damning indictment of the lack of appropriate support available for the most vulnerable young women, the findings show how the proliferation of and failure to challenge the narrative that young women in contact with the criminal justice system are 'hard to reach' can ultimately be deadly.^{xxiv}

Having recently entered the adult women's estate, Baby A's mother gave birth alone in her cell overnight, without medical assistance, despite multiple requests for help. She was 18 at the time and has experience of the care system. She is described in the report as **"a vulnerable young woman with a complex history who found it difficult to trust people in authority"**. Whilst the report acknowledges that professionals may have found it **"challenging"** to support Ms A, responses to her were **"inflexible, unimaginative and insufficiently trauma-informed"**.^{xxv}

Ms A's experience is an acute example of a theme young women speak to more broadly when they identify contact with the criminal justice system as a catalyst for further trauma and disadvantage, and a time when challenges they have dealt with previously in their lives re-emerge and intensify.



Denied a voice or access to decision-making

From a young age, young women facing multiple disadvantage are often made to feel that it is *"their word against mine"* – the word of adults or professionals against their own. This pattern continues as they come into contact with the criminal justice system. Professionals may be perceived as an authority on young women's needs and experiences, despite having a limited understanding of the reality of their day-to-day lives. Describing her interactions with police and court officials, Sonia explains how, for her, this resulted in the context in which her offence took place being overlooked, as the difficult choices she made in a very constrained set of circumstances were not recognised or taken into account.

“It was like basically one word against the others... Their word against my word, and mine was treated differently. They didn't care what I said... When I was trying to explain the situation – what I went through, what I did – I felt like they didn't understand it... I wasn't given any other chance to speak.”

Sonia, 26

During interviews, both young women and practitioners shared a number of examples of the ways in which young women's voices and perspectives are ignored or deliberately excluded from decision-making processes in the criminal justice system. Playing out on an individual, case-management level, young women describe how this can result in a professional reliance on assumptions and stereotypes rather than genuine exploration of their needs, and young women describe feeling out

of control of their own lives. Absent from important, decision-making forums, young women may have little control over how they are perceived as their experiences become narrated by professionals.

“Certain meetings are closed-door professionals[-only]... It's quite factual and we lose the voice of the young person many of those times.”

Girls' and young women's service practitioner

“In a way they've got your freedom in their hands. They can write whatever they want on the system, and then that will go back to your probation officer and that's you... There's nothing you can do to change the system.”

Sarah, 22

Young women themselves note that they have little power to challenge inaccuracies or assumptions made about them, with this feeling of hopelessness and lack of voice reflected in observations about their ability to challenge or address more systemic issues too. Reflecting on her own experience of police violence, as well as high-profile cases of violence against women and girls perpetrated by police officers recently in the news, one young woman stated simply that she felt officers *“will get away with it because they work for the police, they work for the system.”*

This leads to poorer outcomes in terms of young women’s faith in the system, and their ability to access support. This failure to ensure that young women’s voices are heard is reflected in public discourse and policy and service design, delivery and decision-making too. Whilst the Young Women’s Justice Project has made clear the value and quality of the insights young women are able to share, young women feel that the stigma and shame attached to their offending means that this potential contribution goes largely unrecognised. As one young woman notes –

“At the end of the day, we’re the ones that have got the title ex-offender over our head... That’s the only way we’re ever going to be seen... I try to block that out and not think like that but if you’re looking at the reality, that’s what everyone is going to see you are.”

Saba, 28

Young women also express concern that this disregard and contempt for them as ‘offenders’ may inform high-level decision-making processes in which they are repeatedly overlooked, or in which they are nominally included, but ultimately ignored.

“If there’s someone that’s wearing a GPS tag, they [government officials and politicians] will hang onto their bag, hang onto their phone and stuff like that... They want to [say] how they’re trying to help people like me but it doesn’t really matter because they still think we’re all monsters.”

Sarah, 22

“They’re doing consultations with people that have lived experience but they’re doing it to check a box and not to actually make changes.”

Casey, 22

Young women are keen for opportunities to be included in the conversation and for their expertise to be recognised, with one young woman telling Agenda it was *“refreshing that people actually want to know about what we go through because, for a very long time, no-one’s asked us.”* Whilst some share concerns that consultation with young women can feel like a tick-box exercise, with a fundamental misunderstanding of young women’s lives persisting in services despite their contributions, others feel motivated to share their experiences and play a role in increasing practitioners’, policy-makers’ and public understanding.

Spotlight on young women with experience of care

Research highlights an ‘*overlap in the biographies*’ of young women with experience of care and those with experience of the criminal justice system.^{xxvi} For young women with experience of care, the creation of additional vulnerabilities by systems meant to protect and support them emerged as a common theme in our interviews. Young women spoke frequently about the way in which the environments they were placed in when taken into care exposed them to new risks and other forms of disadvantage which ultimately increased their likelihood of getting into trouble with the law.

Rather than considering the care system to be a safe place that protected them from risks they faced at home, young women felt they had been failed by professionals who should have protected them from further abuse. For Niya, a lack of a supportive environment in which she felt cared for and listened to – in combination with the short- and longer-term impacts of the sexual abuse she experienced whilst in care – acted as a catalyst for ‘behavioural issues’ for which she was ultimately criminalised.⁴

“Living in the care home, I’ve been exposed to things... I was hanging around with these girls who were being groomed... It ended up happening to me too... They [children’s home staff] shouldn’t have put me in that situation.”

After that, I started rebelling a bit... I was 15 and I was using drugs... I started barricading my door, saying I’m not going to school... Cutting my arms, having mental health problems... I wanted to be heard. If you’re not going to listen to me, I’m going to break the rules.”

Niya, 22

Young women with experience of care may also have experienced being placed in mixed-gender, unregulated accommodation.⁵ Widely recognised as an inappropriate environment for vulnerable children, research shows that girls in these settings – as well as girls in other, out-of-home placements who experience instability in or frequently go missing from these environments – are at increased risk of both criminal and sexual exploitation.^{xxvii} This is also recognised as a risk factor for criminalisation.^{xxviii}

4 Niya is now 22. She has experienced extensive abuse and trauma as she grew up with domestic abuse taking place in the family home. As a young teenager, she was taken into care where she was groomed and experienced sexual abuse. As an older teenager, she was returned to her family home and was forced to enter into a marriage with someone much older than her. When she told members of her family that she wanted to leave her marriage, she was attacked and tried to end her life. This incident resulted in a police call-out, during which she became overwhelmed and kicked a police officer. She was arrested, charged with assaulting a police officer and ultimately convicted and sentenced to prison.

5 ‘Unregulated accommodation’ refers to the accommodation children in care are supported to live in more ‘independently’, typically when they are over the age of 16. Unlike children’s homes, which are registered with Ofsted and regularly inspected, there is no legal minimum standard for unregulated accommodation. This means there can be large variation in the quality of these homes and many do not meet young people’s needs. In February 2021, the Government announced its intention to ban the placement of children under the age of 16 in these settings. For more information, see: Become (2020) [Unregulated accommodation](#).



*Speaking with Agenda, one local organisation working with care-experienced young people reported that they were currently working with 17 young women. Of these young women, 15 faced **challenges paying bills and buying basic necessities** and 17 reported feeling **isolated or socially excluded**.*

Young women also highlighted ways in which the expectations placed on girls in care to be independent from a young age without provision of appropriate tools and resources can drive a cycle of offending. Young women describe the expectations placed on them to manage their own finances as “*setting them up to fail*”, as difficulties managing a weekly budget can push them into criminal activity in the short-term. This can have negative, long-term impacts too, with young women struggling to extricate themselves from exploitative situations which keeps them at risk of committing offences as they enter adulthood, as illustrated in Princess’ story below.

“I was given £36 [a week]... They just said, ‘This has got to last you ‘til next week when we pay you again.’ I think that I just mishandled it a lot... I don’t think a 13-year-old should be left to fend for themselves...”

“I think it does push us to taking on anything that offers money... I would hold weapons and drugs for people in my care home... Even to this day... There are some things that you just can’t wash your hands with unfortunately... It’s something that can kind of stay with you even after your situation has changed.”

Princess, 19

As well as putting young women in situations in which they are increasingly likely to come into contact with criminal justice agencies, or offend out of necessity, stigma around care experience can create biases within the system. Negative stereotyping on the basis of their care status is compounded by gender stereotypes which shape perceptions of young women who offend as particularly transgressive or ‘deviant’. This informs professional responses which categorise them as individuals who pose a risk to others, rather than as in need of support themselves. Young women shared examples of this, including the police being called out by care home staff for issues such as refusing to go to bed or not returning home on time – issues that, in a family setting, would ordinarily be dealt with outside of the criminal justice system.^{xxix} As one practitioner from a specialist organisation with young people with experience of care explains :

“The young women we work with haven’t done any high-level crime – it’s misdemeanours... They got a bit angry, punched a hole in the wall... They end up having contact with the police because of the rules of the children’s home... If you’ve had terrible experiences in life, you probably are a bit angry... Everybody does things that are a bit stupid from time to time but if you haven’t got a parent who can explain that it’s very out of character... They haven’t really got anybody to vouch for them... So these situations escalate very quickly...”

Youth practitioner

These inappropriate professional responses have particularly dangerous consequences for care-experienced young women who come into contact with criminal justice agencies as they can impact how these interactions are handled and whether access to support is secured or even offered – including when young women are victims of crime. For Casey, assumptions about young women in care resulted in a traumatic arrest after an abusive ex-partner called the police when she was drunk. As she explains:

“There just seems to be a stigma that care-experienced people will more inclined to lie or exaggerate or say something has happened for attention... He’d just been absolutely awful that day so I just kind of snapped and had a bit of a breakdown... All of a sudden the police are storming in and they’re restraining me... when I was in a situation that I was so obviously the victim... I don’t want to go through that ever again.”

Casey, 22

For Casey, this experience eroded her trust in the police – she now says she would be “too scared” to call them if she needed assistance in the future. The stigma of care must be addressed to ensure that where care-experienced young women come into contact with the system, prejudice and assumptions do not impact the support they receive.

Spotlight on Black, Asian and minoritised young women

The challenges young women in contact with the criminal justice system face take place in a wider context of social and structural inequalities which shape their lives, including gender-inequality and racism. Discriminated against on account of their gender, ethnicity and faith,^{xxx} Black, Asian and minoritised young women experience a double standard whereby criminal justice agencies are quick to respond when they are in trouble for offending behaviour, but offer limited support or respond inappropriately when young women are themselves victims of crime.^{xxxii}

Speaking with Agenda, some young women describe the racism they experience whilst in contact with the criminal justice system as something that is immediately apparent, readily identifying situations where they have been treated differently to their white peers. Reflecting on previous interactions with the police and her time in prison, Safia, a young Sikh, Asian woman, observed that –

“You could just see the racism, and you could see how you’d be treated differently compared to somebody else....”

Safia

These experiences are not new, often preceded by discrimination in a number of other aspects of their lives, including education, healthcare, housing and social care. The cumulative and significant impact of these experiences on Black, Asian and minoritised young women’s lives, however, can be hard to evidence or explain to professionals. As Safia goes on to add –

“It doesn’t feel good... I don’t really know how to explain it – like, the system’s built to suppress certain people... When you try and explain it to [professionals], they just can’t really fathom it, because they’ve never really been through it themselves.”

Safia

This leaves young women feeling alienated and alone with the challenges they are facing and is exacerbated by a worrying lack of professional curiosity about Black, Asian and minoritised young women’s specific needs and experiences. Here, one young woman describes the way in which professionals’ reliance on racist stereotypes resulted in her experiences of abuse and exploitation being overlooked as a child.

“They’d [social workers] seen me with bruises, black eyes, that kind of thing... I was using drugs – a lot of drugs and smoking this much a day and whatever... But I feel like because I was Black and because of my [sibling’s] convictions and that type of stuff... When certain things were being flagged up, it was just seen as “Oh well, that’s just what they [Black people] do.”

Laila, 19

Speaking with Agenda, Black, Asian and minoritised young women describe how a lack of knowledge about their specific needs and experiences has rendered the disadvantage they face invisible to criminal justice agencies, increasing their likelihood of being drawn further into the system as these challenges go unrecognised and unaddressed. As Amelia describes –

“When I got arrested, it was because of fights at home with my dad. As I got older, I started to think, ‘I’m not taking this anymore, I’m not going to keep getting hurt by you.’ I’d lash out... They wanted me to do family counselling... They didn’t really understand that my culture is different... In [my family’s culture] they don’t care about counselling... They should have listened when I said it wouldn’t work.”

Amelia, 18

Safia faced a similar lack of understanding across multiple systems and services. Forced to leave her family home in her early twenties after entering into a relationship her family did not approve of, she went on to experience physical, sexual and economic abuse from her partner. Despite approaching numerous agencies for support, her inability to return home was not understood. She was left isolated and alone, with limited options to support herself financially as the factors driving her homelessness and other forms of disadvantage she had begun to experience were overlooked. This ultimately resulted in her criminalisation. As she describes:

“Within my community, there was certain things that a girl shouldn’t do... I had my first boyfriend... It was a huge shame for my family... That’s when I became homeless and then got in touch with people who said to me that you can make money selling drugs.

“I would reach out to talking therapies but it never really helped me... I did mention [the abuse] and I did tell them that I find it hard to open up but I feel like they didn’t really do enough digging... And when I tried to get housing, the council never helped me... From their point of view, I wasn’t a high-risk or high-priority person... But I was a young female on the street...”

“From that point, things started to go downhill... I started to get arrested... Even though I turned to the right people [for support], I was kind of just left in the dark... I’d try and explain to [the police] about some things that had happened to me and they were like, ‘Yeah, I understand – it’s hard with family...’ They didn’t really understand the severity of my situation.”

Safia

At later stages of the criminal justice system too, young women reflect on the way in which professionals fail to understand how their ethnicity or faith background may inform their ability to access support around their experiences of disadvantage. Saba, a young, Muslim woman, felt that the professionals young women interact with in prison can tend to “*think everyone’s needs are the same.*”

“They need to not judge someone straight away and jump to the assumption that everyone’s alright... They need to stop brushing everyone with the same comb... They need to understand culture... Just because we don’t speak about it doesn’t mean we’re not going through it... You have to understand that we can’t speak about it, because of the shame, the stigma...”

Saba, 28

Where young women are subjected to racism and treated unfairly on the basis of their ethnicity – which can be further compounded by faith-based discrimination – they describe having a limited ability to challenge this. Young women describe the accountability mechanisms available to them whilst in contact with the criminal justice system as largely bureaucratic – faceless and ineffective – with complaints of racism being ignored or not taken seriously.^{xxxii} This further reduces their ability to place trust in the system.

“I know that in custody, there’s the discrimination form... They say, “Look, if anyone’s been disrespected or racially abused or you’ve felt like you’ve been subject to that, then fill out a form.”

Razia, 23

Speaking with Agenda, Black, Asian and minoritised young women describe the process of marginalisation and ‘othering’ they are subject to from a young age as an inevitability, with

criminalisation accelerating this. If young women do choose to challenge the racism they experience from criminal justice agencies, they do not expect to see a positive outcome and believe that this may make things worse. As Sarah describes –

“It just depends what kind of person you are as well, they look at you differently... Especially when [you’re arrested] and they’re [police] asking nationality... They’re kind of like, ‘Letting them live in our country and they commit crimes...”

“If one of the police officers sees you on a street [again] he will stop and search you for no reason... And then what? You’re just going to get angry, and you’re probably going to swear at him or do something stupid. And then it’s going to be back to the police station. It’s just a waste of time. They’re wasting their time and you’re wasting your time... Another charge on your criminal record for no reason.”

Sarah, 22

Where Black, Asian and minoritised young women share more positive reflections on their interactions with criminal justice professionals, they caveat this with observations that this is rarely enough to address the issues of entrenched, systemic racism that they face. As Safia explains –

“I’ve seen girls who are of, for example, white ethnicity who have done worse than me but just get away with things... But I feel like the police really didn’t like me a lot... I think some police officers have sympathy and try to make a change. But that’s probably like one percent out of all of them... I had one or two police officers my whole life that have been there for me and actually tried to help. But there’s only so much they can do. If it’s one police officer out of 50 in the station, what is this person going to do?”

Safia

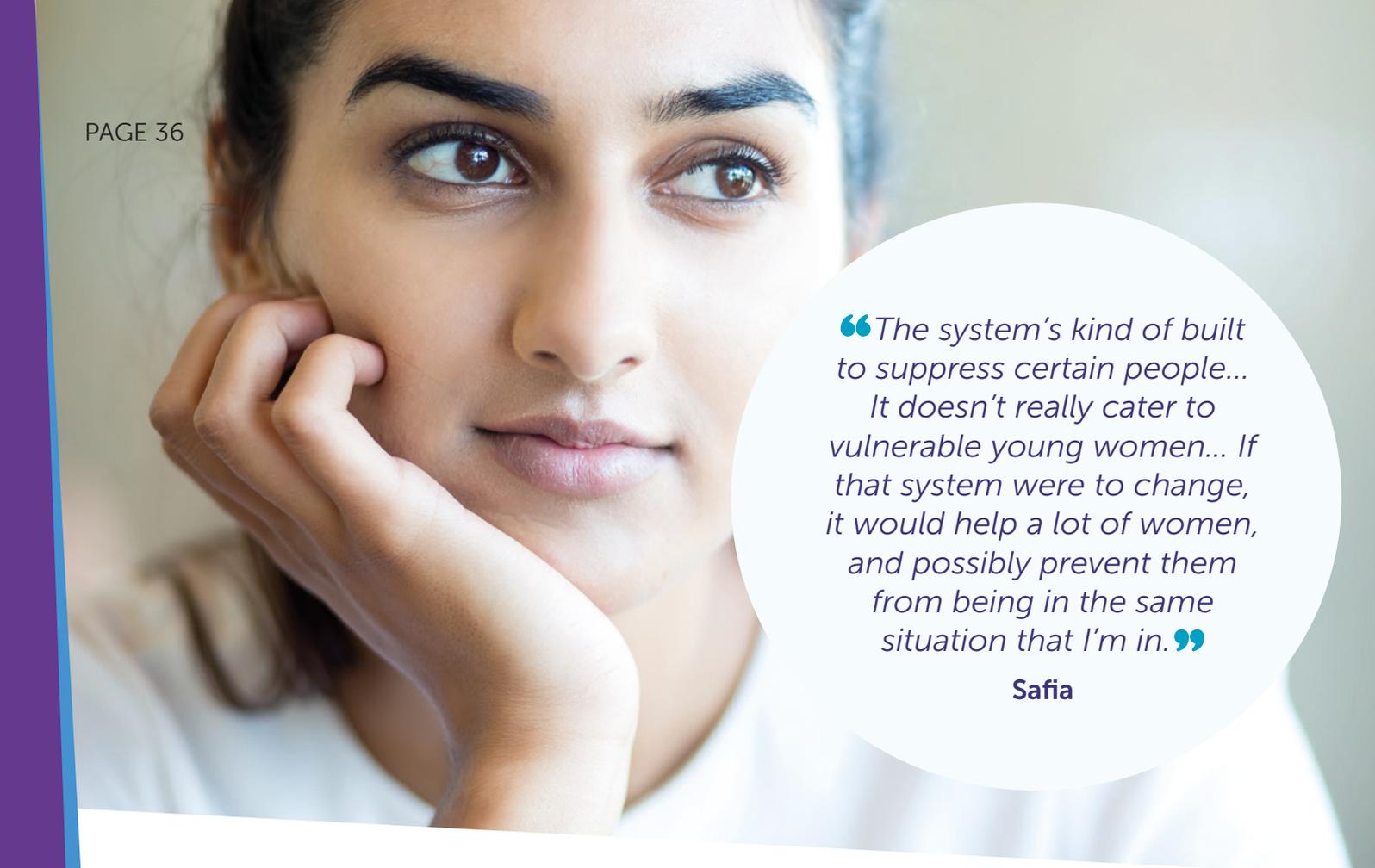
Despite the commitment made in the *Female Offender Strategy (2018)* that the Ministry of Justice would be **‘looking closely at what further action can be taken’**,^{xxxiii} research focusing on the challenges facing Black, Asian and minoritised women in the criminal justice system echoes Safia’s observation, noting that policies to date have offered only **‘vague statements of inclusion’** which are not enough to drive forward meaningful change and hold agencies perpetuating the inequalities described by young women accountable.^{xxxiv}

To facilitate the cultural shift required to ensure that the disadvantage faced by Black, Asian and minoritised young women in contact with the criminal justice system is recognised at every level and to address the inequalities they face as a result, it is clear that a more ambitious, whole-system approach in policy is needed.



Tackling Double Disadvantage

Agenda, together with Hibiscus Initiatives, Muslim Women In Prison, Zahid Mubarek Trust, Criminal Justice Alliance and Women In Prison, has developed a [10-point action plan](#) for change to improve outcomes and reduce inequalities and discrimination against Black, Asian, minoritised and migrant women in contact with the criminal justice system. Developed through consultation with women with lived experience as well as government officials and specialist organisations, it provides clear steps that are needed to make a real difference in the lives of the most marginalised women in our community.



“The system’s kind of built to suppress certain people... It doesn’t really cater to vulnerable young women... If that system were to change, it would help a lot of women, and possibly prevent them from being in the same situation that I’m in.”

Safia

CHAPTER 3: A FAILURE TO PRIORITISE YOUNG WOMEN IN POLICY

Systematically overlooked in policy and practice, young women in contact with the criminal justice system are left to navigate systems and services that are rarely designed with them in mind. This disregard for the needs of young women at risk is visible in other key policy areas too – from responses to girls struggling with poor mental health and facing exclusion from education, to young women experiencing violence and abuse, poverty and racial injustice.

This limits the development of effective, early intervention to prevent the most disadvantaged young women being driven into a criminal justice system which is ill-equipped to help them.

Largely shut out of decision-making processes, current policy, practice and legislation continues to drive this cycle of harm for young women most in need of support.

Ignored across the system

In recent years, there has been little strategic focus on young women in contact with the criminal justice system, with no action plan in place to address the underlying causes of their criminalisation. The Female Offender Strategy (2018) – until now, the flagship approach to working with women in the justice system – contains no reference to young women and the distinct challenges they face. The *Concordat on women in or at risk of contact with the Criminal Justice System*, published in 2021, contained welcome recognition of the need for gender- and trauma-informed responses to women, but lacks direction on how this kind of provision might be tailored to young women’s age-specific needs. Agenda and the AYJ welcome the commitment to develop a Young Women’s Strategy in the Ministry of Justice’s recent Prisons Strategy White Paper (2021), which is discussed later in this report.

Seminal reports drawing attention to the experiences of Black, Asian and minoritised individuals in the criminal justice system and young people with experience of care – including the Lammy Review (2017) and Lord Lord Laming’s Review (2015), respectively – largely overlooked the needs and experiences of young women with these intersecting, marginalised identities.^{xxxv} Similarly, the *National protocol on reducing unnecessary criminalisation of looked-after children and care leavers (2018)* overlooked the gender-specific risks for care-experienced girls and young women. The Farmer Review (2019), focusing on strengthening women’s relationships with family and communities to prevent re-offending, also overlooked the specific experiences of young women, including those who have experienced early parenthood.^{xxxvi}

It is not only in the criminal justice system, however, that young women are routinely ignored.

Time and again, policies, reviews, strategies and funding streams largely fail to recognise the needs and

experiences of girls and young women as distinct from those of boys and young men. Key areas of youth policy, such as school exclusions and youth unemployment, are often presented with a gender-neutral lens, with girls getting lost both in public debate and in policy and commissioning decisions relating to these issues.^{xxxvii} Even where it is recognised that girls and young women face poorer outcomes than their male counterparts – when struggling with mental ill-health, for example – there is little specific provision for young women in policy.^{xxxviii}

Gender-blind responses of this kind not only overlook gender-specific needs but can further increase levels of inequality women and girls face, driving their criminalisation. For Black, Asian and minoritised young women, policy-making which fails to engage with the impact of structural racism and ignores racialised experiences of disadvantage, compounds this. They are further disproportionately impacted by punitive turns in legislation, policy and practice, which particularly affect over-policed

communities and exacerbate existing inequalities throughout the criminal justice system.⁶

This lack of recognition of young women in policy translates directly into what gets measured, who gets heard and what gets funded. On the ground, this has limited the development of gender-sensitive, trauma-informed approaches to working with young women at risk of contact with the criminal justice system. Whilst criminal justice agencies do not have the expertise to develop a tailored response to young women without the support from those in the specialist sector, women and girls' services⁷ – including services led 'by and for' Black, Asian and minoritised women⁸ – are not commonly part of commissioning pathways and remain largely reliant on grants from trusts and foundations, struggling to secure statutory funding. Specialist services with knowledge and experience to share can also struggle to influence decision-making processes about service-provision for young women in their local areas. As one practitioner describes –

“It isn't always clear to us what opportunities there are to feed into local decision-making processes... Our project is quite small, so we are not that well known to other services and have only recently started being approached by other agencies working with young women in the criminal justice system for input in areas such as research or joint working. I wouldn't feel we are on the radar of statutory bodies to be asked for our input relating to service provision.”

Young women's service practitioner

For young women themselves, this lack of attention is indicative of a lack of knowledge or concern about their needs at decision-making levels.

“It's a lack of understanding from, like, the Ministry of Justice... They don't really understand what led up to [young women] going in the [criminal justice] system in the first place... Some [young women] don't even deserve to be in there.”

Saba, 28

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- 6 Key clauses in legislation proposed as part of the Police, Crime, Sentencing and Courts Bill risk sweeping greater numbers of young women who have experienced significant trauma and disadvantage into the criminal justice system, with Black and minoritised young women disproportionately, negatively impacted. The proposed increase in sentence length for Assaults on Emergency Workers from 12 months to 2 years, for example, is likely to drive more Black young women into the criminal justice system, for longer. Offences of this kind account for a significant proportion of young women's offending, with assault on an emergency worker making up 6% of all offences young women (18–24) were immediately sentenced to prison for in 2019, compared to 2% for young men. Black young women are particularly likely to be drawn into the criminal justice system this way – it is the most common offence that Black young women are sentenced to prison for, making up a staggering 17% of total offences leading to a custodial sentence for Black young women aged 18–24 (Ministry of Justice, [Women in the CJS: Local Data Tool 2019](#)). For more on the experiences of young women convicted of 'Assault on an Emergency Worker' see the Young Women's Justice Project briefing paper, "[I wanted to be heard](#)".
- 7 Specialist services delivered by the women and girls' voluntary sector provide gender-sensitive and trauma-informed support to young women around the range of challenges they face moving into adulthood. Where dedicated girls and young women's services are not routinely commissioned, young women can report feeling alienated from youth provision which does not offer gender-specific support, noting that these spaces can feel as if they are "not for them". Where they do exist, young women report that they would like to see this kind of provision developed and maximised.
- 8 Established in response to the exclusion and lack of understanding of Black and minoritised women's experiences in generic services, specialist services for Black and minoritised women and girls are those led 'by and for' Black and minoritised women and girls through leadership structures, recruitment and service delivery. National service standards developed by Imkaan – the umbrella women's organisation dedicated to addressing violence against Black and minoritised women and girls – emphasise that these organisations work with an 'understanding of the impact of racism and discrimination in the lives of women and girls within the context of violence'. For more information, see: [Imkaan \(2015\) Imkaan accredited quality standards: addressing violence against Black and minority ethnic women and girls](#).

Without recognition of young women as a distinct group in policy – and few initiatives across government departments to connect policy responses to young women’s vulnerabilities with their offending – there has been little work done to tackle the underlying causes of their conflict with the law. Experts consulted through the Young Women’s Justice Project emphasised the far-reaching consequences of this for individuals and communities.

“The majority of the young women we work with have had engagement with YOT [Youth Offending Teams], or had cautions, and it’s escalated into what they’ve gone to prison for... So they’ve come to the attention of services before 18... Through YOTs, school expulsion... There’s a pipeline.”

Young women’s service practitioner

“Bringing that trauma into adulthood has huge ramifications not only for [young women’s] lives and the lives of their families and children, but obviously also on the public purse.”

Women and girls’ service practitioner

With young women’s vulnerabilities spanning a range of key policy areas, expert practitioners highlight the need for policy-makers to take a ‘bird’s-eye’ view of the multiple systems and services they are enmeshed in. This broader perspective should enable approaches that are tailored to not

Police and Crime Plans are blueprints for the policing of a locality. Created and published by elected Police and Crime Commissioners, they outline strategic priorities for local police forces and state how each force should work with local partners to meet the needs of those living in the area. **Of the 43 Police and Crime Plans published across England and Wales at the time of writing, only six make reference to girls and young women** and only two commit to specific actions to address the needs of this group.

only recognise and respond to young women’s individual needs, but ensure that these needs remain centred when coordinating across multiple systems and services.

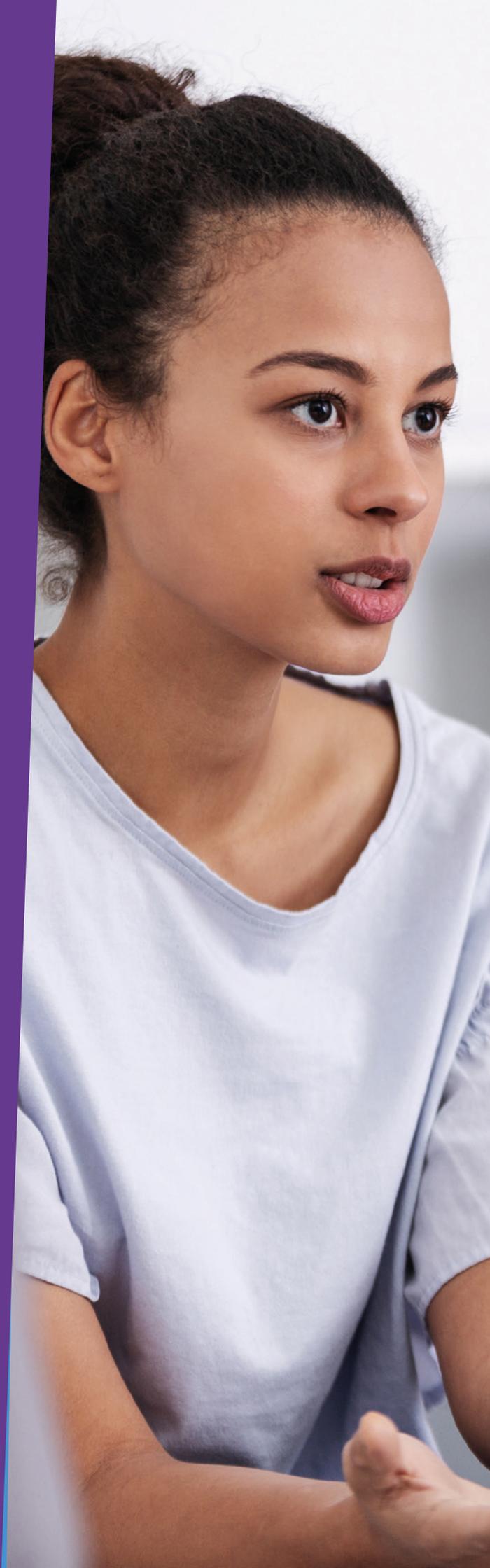
“We often look at people through the lens of a system, rather than looking at them as an individual... For young women [facing multiple disadvantage], I’m not sure the primary focus of criminal justice is the right lens to look at them through. Understanding that they are going to have support from – and different expectations on them across – a whole range of different areas is an important starting point.”

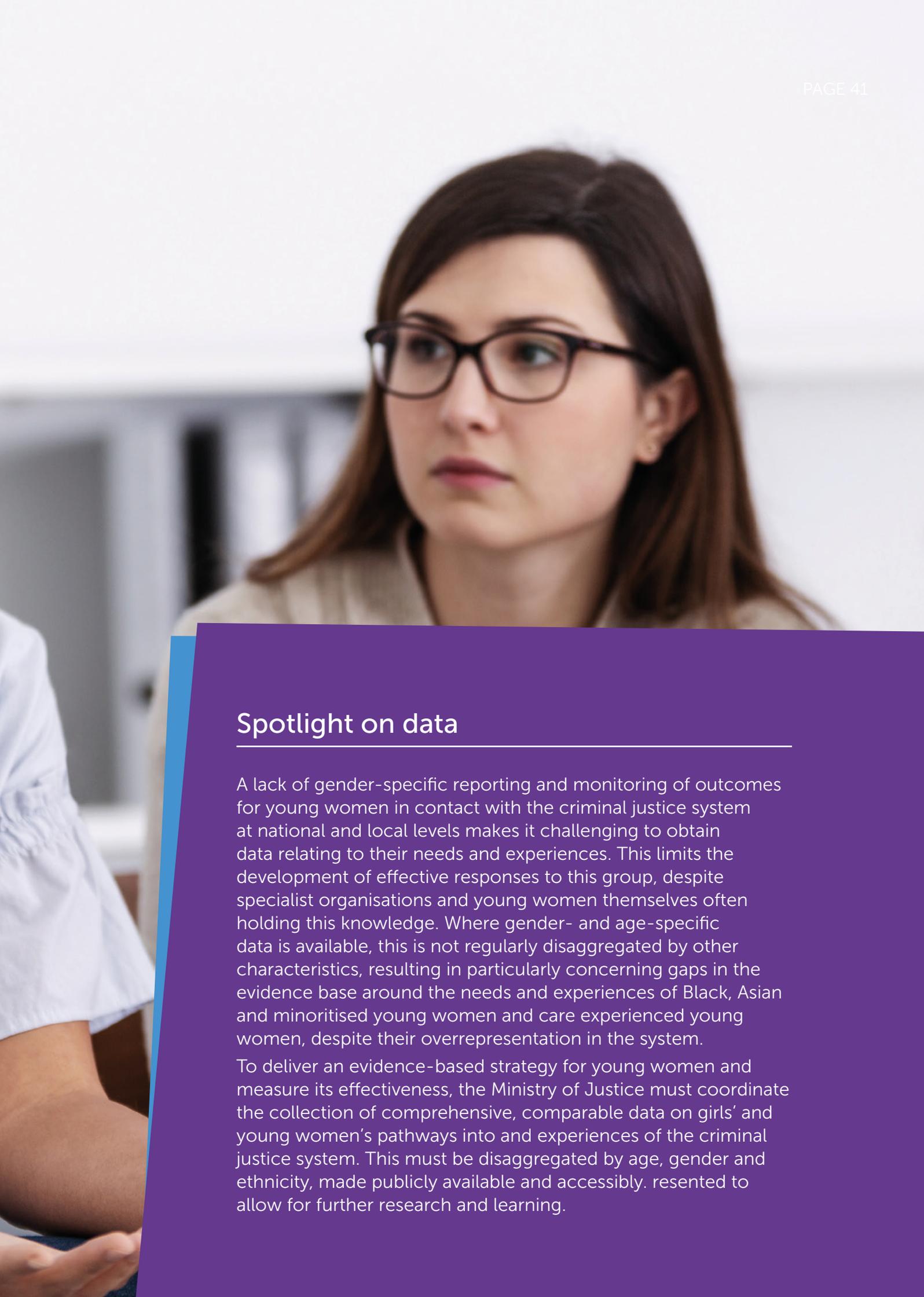
Service manager

Spotlight on violence, abuse and exploitation

Published in September 2021, the Young Women's Justice Project's second briefing paper, "I wanted to be heard", explored young women in contact with the criminal justice system's experiences of violence, abuse and exploitation, including the ways in which interactions with the criminal justice system can trigger past trauma, fail to protect young women from experiencing further abuse whilst in contact with it, and heighten the risk of young women going on to face abuse in the future.

Whilst there is much evidence pointing to how experiences of violence and abuse drive some young women into contact with the criminal justice system, this critical issue has been left largely unaddressed in policy and practice, and the Ministry of Justice's *Female Offender Strategy* and the Home Office's *Violence Against Women and Girls (VAWG) Strategy* do not currently connect closely enough. The new *VAWG Strategy (2021–2024)* makes limited reference to girls and young women and the strategy fails to address the role of violence and abuse in women and girls' pathways into the criminal justice system. This lack of attention is alarming considering the risks they face. Whilst it has been more positive to see the needs of young women in the criminal justice system explicitly addressed in the most recent draft of the *Domestic Abuse Act statutory guidance*, critical questions remain about how this will impact practice on the ground.



A woman with long brown hair and black-rimmed glasses is looking off to the side with a thoughtful expression. She is wearing a light-colored top. The background is a blurred office or meeting room.

Spotlight on data

A lack of gender-specific reporting and monitoring of outcomes for young women in contact with the criminal justice system at national and local levels makes it challenging to obtain data relating to their needs and experiences. This limits the development of effective responses to this group, despite specialist organisations and young women themselves often holding this knowledge. Where gender- and age-specific data is available, this is not regularly disaggregated by other characteristics, resulting in particularly concerning gaps in the evidence base around the needs and experiences of Black, Asian and minoritised young women and care experienced young women, despite their overrepresentation in the system.

To deliver an evidence-based strategy for young women and measure its effectiveness, the Ministry of Justice must coordinate the collection of comprehensive, comparable data on girls' and young women's pathways into and experiences of the criminal justice system. This must be disaggregated by age, gender and ethnicity, made publicly available and accessibly. resented to allow for further research and learning.



“We still have that title ex-offender over our heads... We just want to be seen as a person, be seen that we matter.”

Saba, 28

CHAPTER 4: YOUNG WOMEN'S VISION FOR CHANGE

The challenges which young women in contact with the criminal justice system face reflect a system-wide failure to pay attention to the girls and young women most at risk. Despite the immense value and proven cost-effectiveness of women and girls' services,^{xxxix} these organisations face a precarious future in a challenging funding environment.^{xl} Without access to this kind of specialist support, young women at all stages of the criminal justice system will continue to pay the price for gender- and age-blind policy and practice oversights.

Throughout the Young Women's Justice Project, Agenda and the Alliance for Youth Justice have put forward recommendations for whole-system change which this report builds on.⁹ With the extent and complexity of the challenges facing young women now evident, we must be bold in how we imagine a better future.

To end the cycle of harm, inequality and offending, and ensure young women are able to thrive and reach their full potential, young women and the services supporting them tell us that decision-makers must prioritise approaches which recognise the extent and complexity of the challenges they face, work to re-build young women's trust in systems and services, and listen to and value young women's input.

9 For the recommendations made by the Young Women's Justice Project to date, see previous publications listed in Appendix 2.

HOW DO YOUNG WOMEN WANT TO BE PERCEIVED?

In December 2021, Agenda hosted a workshop with young women with lived experience of the criminal justice system to share feedback on key themes emerging from research conducted as part of the development of this report, and to help shape the Young Women's Justice Project's final recommendations. During the discussion, the young women were asked to share how they would like professionals, policy-makers and the public to perceive them. This is what they shared.

EMOTIONALLY STRONG

BRAVE INDEPENDENT
 A SURVIVOR A BRAVE
 FACE
 CARRYING ON
 SELF-SUFFICIENT **STRONG**
 STRONG-
 MINDED SELF-RELIANT

Recognising the realities of young women's lives

It is crucial that both policy and practical guidance supports professionals to recognise and respond to the extent and complexity of the challenges young women driven into the criminal justice system face, including the ways in which social and structural inequalities shape their lives.

Speaking with Agenda, young women make clear that solutions must include recognition of the profound and lasting impact of violence, abuse and trauma on their lives.

“I think they need to take into consideration that there's always... someone behind them [young women] going into the system... They just need to take into consideration that people do go through traumatic experiences [and] it could have been that that's led them to go to prison.”

Saba, 28

Where young women come into contact with criminal justice agencies, they want their experiences of abuse and other forms of disadvantage recognised and validated. One young woman noted that whilst she ordinarily *“doesn't have a lot of trust”* in the police having been arrested whilst fleeing an abusive foster placement, interactions where individual officers acknowledged the problems in her life and the driving factors behind a subsequent arrest increased her faith in the system.

“I was arrested so calmly... They didn't put handcuffs on me or anything... They really listened to me, and actually heard me out... Not necessarily because they took my side, but because they went about it in such a logical way... I really respected that... They've handled me fairly.”

Princess, 19

Interactions with professionals which model an understanding of and responsiveness to the impacts of trauma and avoid replicating abusive or coercive power dynamics, can be instrumental in allowing young women to express and understand their own needs and experiences – particularly where engagement with these professionals is voluntary rather than mandated by sentencing requirements. As Razia, a young Muslim woman, describes –

“Some of the staff in [prison]... They were very approachable and made it really easy to talk to them... the [Muslim Women in Prison project worker] could relate to me... And I think because I did some courses [on healthy relationships and mental health] as well... I felt like I could speak openly about it [abuse in a relationship] whereas, prior to custody, I couldn't... I think a change needs to happen so all the women out there that are experiencing it feel like they can voice it.”

Razia, 23

Razia's experience is a troubling reflection of a system where intervention often comes too late, and young women may only be able to access support once they are in prison, where re-traumatising responses are also all too common. It also demonstrates the value of support provided by professionals able to meaningfully engage with young women's ethnicity, faith and experiences of entrenched, systemic racism, whilst raising awareness and helping young women make sense of the trauma and disadvantage they have experienced, including where these experiences have not previously been recognised or identified in this way. Where young women have access to specialist services – including those led by and for communities they identify with – these organisations play a critical role in disrupting the spiral of disadvantage and reducing re-offending. As Niya describes –

“Only [Muslim Women in Prison project] was able to understand my situation and help me. If they weren't there to support me when I came out of prison, I probably would have ended up in prison again.”

Niya, 22

For care-experienced young women too, access to services that centre their needs and experiences as care leavers, is crucial. Young women describe these organisations giving them the tools and resources they need to navigate the challenges they face, as well as working with young women to share understanding of care leaver's perspectives and experiences with criminal justice agencies, and consequently improving their responses. As one practitioner working with care-experienced young people explains –

“It's about an understanding on both sides... It's a little bit about schooling the young people in the way the world works at the moment, and how sometimes we have to try and fit into that... But at the same time, things need to be understood from the young person's point of view, and a lot of the work that we do is around working with our young people to find out what those gaps are... Where the understanding is lacking, then we try and work with our young people to create knowledge and training resources [for professionals].”

Youth practitioner

Rebuilding trust in systems and services

Young women's experience of harmful, punitive responses to their vulnerabilities and the well-founded concerns about their ability to trust and rely on services must not be used as a reason or excuse for failing to adequately engage with young women. Young women labelled as 'hard to reach' are clear that they do not rule out the possibility of this trust being rebuilt. They emphasise the importance of professionals engaging in active listening, following through on agreed actions and being able to provide support flexibly over time as crucial components of any approach which hopes to achieve this.

“Action speaks louder than words... So they can tell you, “Yeah, I’m going to sort it out” but if nothing gets done then that is just going to show you that they don’t care... Answering phone calls, letters... It counts... It shows a lot.”

Sarah, 22

“Obviously you can’t really trust every organisation that’s out there, but if you know there’s that one specific person that you can trust and you know will definitely be there for you when you need it... Whatever time of day it is... They’ll still go out of their way... That’s genuine... An actual person who you can trust.”

Saba, 28

Support provided by voluntary and community sector organisations in particular was credited by young women as allowing them to re-build trust in systems and professionals. Young women describe how, through their engagement with these services, they have experienced a renewed sense of hope and a restored belief in the value of seeking support.

“[Young women’s worker] just really helped me think about the future and that there is hope after prison, and it’s not all doom and gloom. And she was just really supportive for my mental health and just advised me on things that I should do... We spoke about my past a lot. So she really was just there to be supportive.”

Safia

Young women also emphasise the value of access to support – including peer support – provided by those with similar lived experiences. As Laila describes –

“I think they just need to hire more authentic people and people with actual lived life experience... I know that I could do a better job than any of the social workers I’ve ever had in my life, because... I’ve been through a lot of things, and I know what a young person wants and needs.”

Laila, 19

Based on mutual understanding and a lack of judgement, this slowly allows young women to develop trusting relationships, breaking the cycle of distrust and disengagement. Young women interviewed by Agenda suggest that this can be particularly important for those with experience of care who are less likely to have family or community support to fall

back on during the most difficult times in their lives.

“After my break-up and arrest, [organisation supporting young people with experience of care] became a huge support for me... I’d become homeless and I’d lost everything... What I did have was the people that were there... Even if it was just to go along to one of their chill-and-chat sessions on a Wednesday, where I could just sit in and they’d order pizza or something like that...”

Casey, 22

“Going to [specialist organisation for young women with experience of care]... I like speaking to my mentor... You talk about your actual life... You don’t have to lie... Proper conversations... And they can give me their honest opinion even though they’re a professional.”

Rain, 20





Spotlight on transitions

Published in April 2021, the Young Women's Justice Project's briefing paper, [Falling through the gaps](#), highlighted the destabilising lack of continuity and arbitrary cliff-edges in support facing young women transitioning from the youth to adult justice system, alongside other support services, as they turn 18. Since its publication, Young Justice Advisors supported by [Leaders Unlocked](#) have produced a youth-led transitions guide for girls in custody moving from the youth to adult estate.

Developed by young women with lived experience of the criminal justice system in consultation with their peers, the publication of this guide provides an excellent example of one of the ways in which young women can be involved in the design and management of the services they access. Research shows that this can support young women to feel that they have ownership over the support that they receive, and creates a sense of equality and mutuality in the relationships they have with professionals. This, in turn, can facilitate higher levels of engagement amongst young women who recognise the space they are in as better designed around their needs and experiences.

To learn more about the transitions guide for girls, see: [Leaders Unlocked \(2022\) Your guide to the female estate](#).

Prioritising an intersectional approach

“Everyone’s different and everyone’s had a different story... You can’t treat everyone the same... I know, like, as society, we really push the idea everyone’s equal, everyone’s the same, but when it comes to the facts, we’re not all the same, we don’t all have the same traumas... There needs to be more of looking at the full picture, including about people’s cultures, people’s backgrounds...”

Laila, 19

Young women in contact with the criminal justice system face multiple, different forms of disempowerment, and the design and delivery of effective services for them must start from an understanding of this. Young women describe feeling as if they “*share common ground*” with professionals when they access dedicated, advocacy support delivered by services which place their experiences in the context of gendered and racialised inequalities. Young women are clear on the value of this approach and the need for this kind of support to be made more readily available so they can safely navigate the systems and services they are required to engage with whilst facing racial injustice. Young women and the practitioners supporting them observe that specialist services led by and for Black, Asian and minoritised women and girls are often best-placed to provide this kind of support.

“There needs to be more community-based support, because they [community-based support service] understand us. They understand our needs, and they understand faith, and they understand culture, and what it’s all about and where it all fits in... And they understand how family dynamics work.”

Saba, 28

“We need to be empowered enough – whether that’s with knowledge, whether that’s with resources... – to be able and enable us to help ourselves... We are best at identifying our own needs, [and] we are also best at identifying our own solutions.”

Muslim women in Prison project

These organisations are also well-placed to upskill other agencies working with Black, Asian and minoritised young women in contact with the criminal justice system. Young women suggest that training on culture, ethnicity, race, faith, gender, and anti-racism delivered by organisations who are already experts in the field is important in ensuring other, non-specialist professionals they interact with day-to-day are able to meet their needs.

“Funding could go towards extra training... Potentially from women of colour... If it was common knowledge and there was people educating people about the barriers [to support] and the struggles that women of colour face... I feel like that could be helpful.”

Razia, 23

To ensure that policy reflects reality and benefits from the expertise of those with lived experience, practitioners emphasise that Black, Asian and minoritised young women’s voices must also be heard and prioritised in political and strategic spheres of influence. They describe the ways in which they already stretch the advocacy work they do beyond the individual to effect systemic change, and emphasise the mutual benefits of this way of working for policy-makers and the young women they support.

“We’ve built a community based assistance model which welcomes Muslim women back to the community [after prison]... We also try and use some of our findings from research but also from the lived experience of the women [we work with] to do with policy impact... So we elevate the voices and experiences of Muslim women coming through the criminal justice system, at the same time as building their confidence to be able to input themselves which has been really important on their journey.”

Muslim Women in Prison project

Practitioners underline, however, that undertaking this dual advocacy role often stretches their funding and resources to the limit. This is not sustainable in the long-term without capacity-building and funding of smaller, specialist services to play the role of critical friend to policy-makers, with a particular focus on the creation of opportunities to meet with and hold decision-makers to account.



Celebrating strengths and amplifying young women's voices

In addition to practical and advocacy support, young women report wanting access to safe spaces for activities that recognise their skills, strengths and capacity for joy, despite the hardships they may have faced. As one young woman explains, service provision of this kind can also play a role in de-stigmatising and thus increasing the accessibility of services for all young women.

“Some people might think, “Oh, these kind of places are just for people that have been in trouble... [It’s important to] just let them know that anyone’s welcome. Because they might not necessarily disclose any sort of trauma or anything that’s going on in their mind, but at least it’s giving them that escapism... And then maybe, just maybe, they feel like they can disclose it to professionals or even people around them.”

Razia, 23

Young women who have accessed support of this kind often have a clear and aspirational vision for their futures. Reflecting on her experience of accessing support from a specialist service for girls and young women with experience of the care system, one young woman Princess described it as *“a home away from home”*, outlining the positive impact that working with the organisation and becoming a peer mentor has had on her own life –

“[Before working with young women’s organisation], I didn’t want to be a mentor. I didn’t want anything. I didn’t want to help people because no-one wanted to help me... After I had that help, that’s when I started realising actually I can start helping people too... My future is bright... Blinding... I see a lot of success for the future.”

Princess, 19

By embedding opportunities for education, training and professional development, organisations can empower young women to recognise their own expertise and motivate them to support other young women going through similar situations. This can create additional, supportive relationships, tackling isolation and strengthening community ties that young women can rely on.

“We want to be part of this... I would love to be part community-based projects where we get the message out and just let them [women and young people] know that there are organisations and support available.”

Razia, 23

Young women also value projects which prioritise listening to and amplifying their voices. For young women whose perspectives and opinions have often been overlooked and disregarded, access to support should also mean access to decision-making processes – both in relation to the management of their own cases at service level and in relation to decisions which affect wider groups of young women. As these young women describe –

“Having that support is really important... To know that your voice and opinion does matter and [is] not being pushed to the back burner.”

Razia, 23

“There needs to be more education coming from the people with lived experience and the organisations and the decision-makers and whatnot actually sitting down and listening and then taking action.”

Casey, 22

It is clear that a cultural shift and whole-system approach in policy is needed, to ensure that the disadvantage and inequalities facing young women in contact with the criminal justice system is recognised at every level.



WHAT WORKS FOR YOUNG WOMEN?

'Gender-sensitive' responses to women experiencing multiple disadvantage are underpinned by values and approaches shaped by the reality of women's lives and experiences, delivered in women-only settings. Our review of existing literature suggests that gender-sensitive support for young women in contact with the criminal justice system is characterised by an approach which:

- centres young women's lived experience and perspectives in the design and development of services intended to support them;
- provides safe, young women-only environments managed by gender-specialist services, including those with expertise relating to the challenges faced by young women with intersecting, marginalised identities such as Black, Asian and minoritised young women and young women with experience of the care system;
- prioritises non-punitive, trauma-informed and strengths-based approaches to address risks and vulnerabilities, including those which can drive young women's criminalised behaviour;
- offers therapeutic, practical and advocacy support which is available flexibly and over time, including into early adulthood;
- offers space to learn about and discuss sex and relationships and the experience and social causes of disadvantage with trusted professionals and peers with lived experience of the issues;
- focuses on developing and sustaining positive and mutually-respectful relationships with professionals and peers, including a trusted professional point of contact during the transition into adulthood;
- is delivered by agencies which young women see as independent whilst working collaboratively with multi-agency partners and seeking young women's informed consent before sharing information;
- creates opportunities to share knowledge and best practice across the youth, women and girls' and criminal justice sectors.

For further discussion, see Section 5 of the Young Women's Justice Project [Literature Review](#).

CONCLUSION: ANOTHER WAY IS POSSIBLE

At the end of 2021, the newly-published *Prisons Strategy White Paper* outlined the Ministry of Justice's intention to develop a dedicated Young Women's Strategy as part of a commitment to 'support[ing] young women and providing the right services at every stage of their journey through the criminal justice system'.^{xli} This marks a significant change in approach to young women in contact with the criminal justice system, and presents a real opportunity to get things right for a long-overlooked and particularly vulnerable group. The Youth Custody Service's forthcoming strategy for girls in the children's secure estate is also welcome and should enable a coordinated approach to transitions in custody, although a comprehensive strategy addressing the needs of girls at all stages of the youth justice system remains a concerning gap.

To fully harness this opportunity for change and end the cycle of abuse, inequality and offending for young women, an ambitious, whole-system approach is needed and must not focus solely on those in prison. Embedding meaningful consultation and coproduction work with young women at every level – including in policy-making and commissioning processes – will be a vital component of driving forward this vision for change. A commitment to addressing the lack of expertise and specialist provision available to young women, and the broader context of the multiple and interconnected forms of disadvantage and inequality they face will also be critical. Effectively and preventatively responding to these challenges will help the Ministry of Justice address key strategic priorities, including diverting women away from the criminal justice system and reducing reoffending.

A cross-departmental approach is imperative and a strategy for young

women in the criminal justice system must outline steps to address the vulnerabilities which drive their earliest experiences of criminalisation. This should include a central focus on the impacts of structural inequalities such as gender-inequality, poverty and racism and must acknowledge the ways in which girls turning 18 – particularly those who are care leavers – are allowed to fall through the gaps in systems and services at a critical time in their lives. The mutually important and connected areas of young women's offending, experiences of violence, abuse and exploitation should also be a strategic priority.

To have a significant impact on practice on the ground, this strategy must be supported by clear, practical guidance and robust monitoring and evaluation. It must connect to the Youth Custody Service's strategy for girls in the children's secure estate to ensure consistency in approach and to prevent young women from continuing to

experience distressing and destabilising transitions from the youth to adult justice system. The strategy must also be sufficiently resourced to ensure that access to specialist support no longer comes too late and that Black, Asian and minoritised young women and young women with experience of the care system, are able to access tailored support centring their needs and experiences.

Whilst young women have valuable insights and expertise to share, they are excluded from decision-making at every level – from decisions made about their individual care and support, to those which impact young women across all stages of the criminal justice system. To ensure meaningful outcomes for young women themselves, those with both lived and learned expertise must play a central role in shaping the strategy – from the earliest stages of its development, through to evaluation.

Supporting young women to engage with and contribute to this work transforming the criminal justice response to themselves and their peers, however, is resource-intensive. Women and girls' services, including specialist services led 'by and for' Black, Asian and minoritised women, play a critical role in supporting young women facing multiple disadvantage to engage with high-level decision-making processes and provide a natural place from which a dedicated response to young women in contact with the criminal justice system can grow. To support the development of this work at-scale,

however, the patchy provision of girls and young women's services must be improved, with distinct funding streams made available in recognition of the complexity and extent of need amongst young women.

Building on a literature review and two briefing papers published by Agenda and the Alliance for Youth Justice during the course of the Young Women's Justice Project, this report outlines a vision for what is needed to ensure girls and young women in contact with the criminal justice system have access to the care and support they need and deserve. By amplifying the voices of some of the most marginalised young women in our society and sharing their hopes for the future, it also sets out solutions for change. The challenges which young women in contact with the criminal justice system face reflect a system-wide failure to pay attention to the needs of girls and young women at risk, and the disadvantage they experience at this point can play out over a lifetime. Without better investment in age- and gender-sensitive support, future generations of girls and young women will continue to pay the price, facing a punitive response to their vulnerabilities, rather than being supported to address the trauma they have experienced and achieve their potential. Young women who have survived the criminal justice system emphasise that they have "*not given up*". Now is the time to listen to, learn from and campaign alongside these young women to drive improved future policy and practice.

RECOMMENDATIONS

This report presents rich evidence about young women's pathways to offending, the ways in which the criminal justice system drives disadvantage for young women, and the results of a failure to prioritise young women in policy. To end the cycle of harm, inequality and offending, and ensure young women are able to reach their full potential, decision-makers must commit to the following.

POLICY

Girls and young women in contact – or at risk of coming into contact – with the criminal justice system must be recognised as a distinct group in policy at all stages of the criminal justice system, with a long-term view to addressing issues preventatively and ending the spiral of disadvantage, criminalisation and imprisonment. Young women should be involved in all levels of decision-making, prioritising the voices of young women from groups who are over-represented in the system.

PRACTICE

Practitioners must be supported to recognise and respond to the needs of girls and young women at all stages of the criminal justice system, including the distinct needs of Black, Asian and minoritised young women, and care-experienced young women. To prevent re-traumatisation and further harm, a gender-sensitive, trauma-informed approach to working with young women must be developed in partnership with the women and girls' voluntary sector and embedded in frontline practice.

FUNDING AND COMMISSIONING

Funders and commissioners must ensure that support is designed and commissioned around outcomes that make a difference to young women's lives, with clear targets, performance measures and robust accountability mechanisms. Distinct funding streams must be made available for community-based women and girls' services, including ring-fenced funding for services led by and for Black, Asian and minoritised women and girls, and other specialist services led by and for the communities they serve.

Responding in policy

1) Her Majesty's Prison and Probation Service's new Young Women's Strategy must provide a comprehensive policy framework to respond to and prioritise investment in young women at all stages of the criminal justice system. This must:

- prioritise early intervention and wraparound support for girls and young women at risk;
- address inequalities which drive the persistent overrepresentation of Black, Asian and minoritised young women, and young women with experience of the care system, in the criminal justice system;
- be developed through meaningful consultation with girls and young women and the women and girls' voluntary sector;
- be overseen in its development by an advisory board bringing together the women and girls' voluntary sector, Police and Crime Commissioners, Her Majesty's Prison and Probation Service services, Ministry of Justice, Home Office, Department for Education and Department of Health and Social Care officials, and young women in paid roles who are experts by experience; and
- be evaluated against clear performance measures with progress reports made to the Ministry of Justice Women in the Criminal Justice System Ministerial Board and wider expert group, with updates published annually and robust accountability structures.

2) The Minister with responsibility for female offenders must have implementation of the Young Women's Strategy in their brief to drive forward change and ensure that young women are able to access tailored, age-appropriate care and services at all stages of the criminal justice system. This must include:

- coordinating a cross-departmental approach and supporting the development of the strategy in partnership with the Home Office, the Department for Education and the Department of Health and Social Care;
- overseeing the integration of an age-informed response to young women within the *Female Offender Strategy (2018)* and an update to the *National concordat (2020)*, both with measurable outcomes; and
- outlining a communications plan with clear timelines for working with other government departments and encouraging relevant bodies to reflect young women's needs in regional and local strategies, including Police and Crime Plans.

3) The Youth Justice Board must develop a comprehensive strategy for girls at all stages of the youth justice system. This must:

- build on the Youth Custody Service's forthcoming strategy for girls in the children's secure estate;
- complement and correspond with Her Majesty's Prison and Probation Service's forthcoming Young Women's Strategy;
- enable a coordinated, gender-specific approach to the transitions of girls turning 18 in the community and in custody, including a focus on those with experience of care; and
- recognise and respond to the impact of racialised inequalities facing Black, Asian and minoritised girls at all stages of the youth justice system.

4) The Ministry of Justice must improve responses to women and girls' facing violence, abuse and other forms of disadvantage who are swept into the criminal justice system and invest in alternatives to young women's criminalisation and imprisonment. This must include:

- halting the planned expansion of the women's prison estate and committing to the re-direction of resources into specialist, community-based women and girls' services, including services led by and for Black, Asian and minoritised women, and the development of age-specific responses as part of existing, gender-specific, female pathways in liaison and diversion services;
- fully supporting new provisions in the Police, Crime, Sentencing and Courts Bill which enable a robust pilot and parliamentary oversight of Serious Violence Reduction Orders, and take account of the evidence that emerges from the independent evaluation of this pilot, including analysis of its impact on young women with protected characteristics and those who have experienced criminal exploitation, coercive control or other forms of abuse;
- addressing the disproportionate use of restraint against girls and young women in custodial settings, setting targets for change with regular monitoring and reporting on this by relevant criminal justice inspectorates; and
- working closely with the Home Office to ensure the collection and publication of comprehensive, comparable data, disaggregated by age and ethnicity, on gender-based violence, abuse and exploitation and its links with young women's pathways into the criminal justice system.

5) The Justice Committee and Women and Equalities Committee should hold a joint inquiry into young women in contact with the criminal justice system, seeking to understand how girls and young women facing multiple disadvantage can be prevented from entering custodial settings and how well young women's needs are met across the whole-system.

- 6) **The Domestic Abuse Commissioner and the Welsh National Advisers for Women, Gender-based Violence, Domestic Abuse and Sexual Violence should ensure that appropriate evidence is gathered about the needs and experiences of girls and young women facing multiple disadvantage, and that services girls and young women engage with are held accountable for meeting their needs.** This should be done in partnership with the Children's Commissioner and Victims' Commissioner.

Responding in practice

- 7) **The Home Office must ensure that allocation of the Safer Streets Fund for Police and Crime Commissioners and local authorities includes investment in training for police officers addressing how young women's offending, experiences of trauma and inequality are interlinked.** This should include support for officers to tailor their responses and approaches accordingly, including de-escalation of situations involving girls and young women in an age-appropriate, trauma-informed, and gender-sensitive way.
- 8) **The National Policing Lead for Violence Against Women and Girls, the National Police Chief's Council and College of Policing should update the *Policing violence against women and girls national framework for delivery (2021)* and *Violence against women and girls toolkit (2021)* to include a specific focus on girls and young women at risk.** This must acknowledge the role played by violence and abuse in driving girls' and young women's offending and outline a clear timeline for embedding a trauma-informed, gender-sensitive approach to policing girls and young women across all police forces.
- 9) **The Ministry of Justice must build on commitments in the Government's Female Offender Strategy (2018) to understand and meet the needs of Black, Asian and minoritised young women in the criminal justice system.** This must include:
- recruiting and providing development opportunities for Black, Asian and minoritised young women with lived experience to become peer mentors and cultural mediators in community and custodial settings, including involvement of young women in interview panels and co-production work; and
 - improving the effectiveness and accessibility of external scrutiny bodies to identify and challenge discrimination faced by young women in contact with the criminal justice system on the basis of gender, race, ethnicity and faith, with specialist advocacy made available to support young women to make complaints.

10) Police and Crime Commissioners and Her Majesty's Prison and Probation Service must ensure all frontline staff are able to recognise and respond to the needs of Black, Asian and minoritised young women. This must include:

- resourcing specialist services led by and for Black, Asian and minoritised groups and young women with lived experience to develop and deliver training and guidance for professionals which addresses the ways in which young women's age, gender, ethnicity, race, faith and community and cultural backgrounds intersect to inform their experiences of disadvantage and contact with the criminal justice system; and
- support professionals to develop reflective approaches embedded in daily practice, with a focus on anti-oppressive ways of working with marginalised groups.

11) The Youth Justice Board and Her Majesty's Prison and Probation Service must ensure appropriate, gender-specific support is in place for young women transitioning from the youth to adult criminal justice system and becoming care leavers as they turn 18. This must include:

- developing internal mechanisms to support leaving care services and criminal justice services to work in partnership, to ensure support is in place for young women as they enter the adult estate and on release and;
- developing good practice guidance for practitioners supporting girls through this transition in partnership with voluntary and community sector organisations and young women with lived experience, addressing young women's health and wellbeing, accommodation, safety and economic needs, as well as providing comprehensive information, signposting and referrals about national and local organisations able to support young women to access peer support and tackle isolation.

12) Local Authorities must lead on developing local partnerships with a focus on girls and young women (up to the age of 25) between Local Safeguarding Children Partnership members, as well as youth offending teams, probation services, Leaving care teams, youth services and women and girls' services.

This should:

- support the development of a whole-system response to girls and young women facing multiple disadvantage, where all services they are in contact with work collaboratively and share knowledge and skills to provide age-, gender- and trauma-informed support; and
- ensure that initial priority areas for development of effective local practice include: recognising and responding to girls' and young women's experiences of violence, abuse and exploitation; tackling racial injustice; the needs of girls and young women with experience of care; and co-production of systems and services with young women.

Funding and commissioning

- 13) The Ministry of Justice must lay out plans within the forthcoming Victims' Bill to place a statutory duty on commissioners to deliver community-based services for women and girls.** This should include distinct funding streams for age- and gender-sensitive services for girls and young women facing multiple disadvantage, and ring-fenced funding for services led by and for Black, Asian and minoritised women and girls.
- 14) Funders and commissioners must ensure that support is designed and commissioned around outcomes that make a difference to young women's lives, with a long-term view to addressing issues preventatively and ending the spiral of disadvantage.** They must ensure:
- funding attached to future criminal justice, violence against women and girls, youth, education, mental health, racial justice and anti-poverty policy announcements includes specific provision for girls and young women as part of a comprehensive approach to addressing young women's experience of multiple disadvantage;
 - criminal justice agencies are incentivised to adopt a trauma-informed, strengths-based approach to working with young women with clear targets, performance measures, and accountability mechanisms, including the involvement of young women with lived experience in monitoring and evaluation processes; and
 - the accessibility of funding and commissioning processes throughout the criminal justice system to ensure the wide participation of small, highly-specialised voluntary sector organisations with expertise in supporting the most disadvantaged young women.

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APPENDIX 1 – GROWING THE EVIDENCE BASE

Over the course of the Young Women’s Justice Project, Agenda conducted 18 interviews with 16 different girls and young women with lived experience of the criminal justice system, and one focus group with a further six young women. To engage with these young women and ensure that they were appropriately supported throughout the process, we worked closely with nine specialist organisations, listed below.

C2C Social Action
 Getaway Girls
 ID Essence
 Kids of Colour

Leaders Unlocked
 Leicestershire Cares
 Muslim Women in Prison,
 Khidmat Centres

Redthread
 Sister System



We have also benefited from the expertise of a number of individuals and organisations, listed below.

Young Women's Justice Project advisory group members

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Chris Leeson	Chief Inspector John	Mahala McGuffie
Caroline Howe	Evans	Sally DeHaan
Ebinehita Iyere	Judith Denton	Sofia Buncy MBE, DL
Frances Crook OBE	Dr Kate Paradine	Sonali Naik QC
Florence Eshalomi MP	Keith Fraser	Niki Scordi
Jane Trigg	Laurie Hunte	Dr Zubaida Haque

Expert seminar attendees

Abianda	East Riding Children's Services	NHS England & NHS Improvement
Advance	EQUAL	P3 Charity
Al-Hasaniya Moroccan Women's Centre	Getaway Girls	Portsmouth Abuse and Rape Counselling Service (PARCS)
Angelou Centre	Government Equalities Office	Prisoners' Education Trust
Ashiana Network	Her Majesty's Prison and Probation Service, Women's Estate	Redthread
Aspire Mental Healthcare	The Hideaway	Revolving Doors Agency
Association of YOT Managers	Hodge Jones & Allen	Safer London
Become	Home Office	Sistah Space
Birth Companions	The Howard League for Penal Reform	Solace Women's Aid
BLAM Charity	Jahnine Davis, Listen Up Research	Standing Together Against Domestic Abuse
Brighter Futures for Children	Just For Kids Law	St Giles Trust
Brighton Women's Centre	Katy Swaine Williams, Independent consultant	Dr Tim Bateman, University of Bedfordshire
The Care Leavers Association	Kids of Colour	Dr Tirion Havard, London South Bank University
Centre for Mental Health	Lancashire and South Cumbria NHS Trust	Together Women
The Children's Society	Leaders Unlocked	The Traveller Movement
Dr Claire Fitzpatrick, University of Lancaster	Leap Confronting Conflict	Women in Prison
Professor Claudia Bernard, Goldsmiths, University of London	The Magdalene Group	Youth Custody Service
Criminal Justice Alliance	Milk Honey Bees	
Changing Lives	Muslim Women in Prison, Khidmat Centres	
Dez Holmes, Research In Practice		

APPENDIX 2 – YOUNG WOMEN'S JUSTICE PROJECT PUBLICATIONS

Bring together existing literature and data and new research conducted with girls, young women and the services supporting them, the Young Women's Justice Project has grown the evidence base around young women's experience of the criminal justice system. In addition to this final report, the Young Women's Justice Project has also produced one literature review and two briefing papers which offer an insight into the breadth of challenges facing young women, the policy context and opportunities for change across the youth and adult justice system.

Previous publications include:

Young Women's Justice Project Literature Review

Published in January 2021, this literature review was produced to: map the existing evidence base around young women in contact with the criminal justice system; provide a foundation for more effective policy and practice by identifying the core components of an age-, gender-sensitive and trauma-informed response; and identify gaps in knowledge to inform the direction of future work.

Falling through the gaps: Young women transitioning to the adult justice system

Published in April 2021, this briefing paper set out key findings about young women in contact with the criminal justice system as they turn 18 and move from the youth to adult justice system, as well as experiencing changes in other kinds of service provision, including changes in mental health support, accommodation options, reduced safeguarding responses and leaving care.

"I wanted to be heard": Young women in the criminal justice system at risk of violence, abuse and exploitation

Published in September 2021, this briefing paper focused on young women contact with the criminal justice system's experiences of violence, abuse and exploitation, which are often overlooked.

ENDNOTES

- i Ministry of Justice (2021) Women in the CJS: Local Data Tool 2019.
- ii UK Government (2020) [Prison population figures: 2020 – Population bulletin: weekly 27 March 2020](#).
- iii Revolving Doors Agency (2020) [New Generation: Preventing young adults being caught in the revolving door](#).
- iv All Party Parliamentary Group on Women in the Penal System (2019) [Arresting the entry of women into the criminal justice system](#), The Howard League
- v UK Government (2021) [Ethnicity facts and figures](#).
- vi Recent literature has specifically highlighted the overrepresentation of Gypsy, Roma and Traveller women and young people in the justice system. A report from Her Majesty’s Inspectorate of Prisons in 2014 noted that the proportion of prisoners self-identifying as Gypsy in women’s prisons and amongst 12 to 18 year olds (girls and boys) in secure training centres was ‘strikingly high’ at 7% and 12% respectively ([HM Inspectorate of Prison, 2014](#)) despite only 0.1% of the general population identifying themselves as Gypsy or Traveller in the most recent Census for England and Wales ([ONS, 2014](#)).
- vii Howard League (2017) [Ending the criminalisation of children in residential care: Briefing one](#).
- viii House of Commons Justice Committee (2016) [Young adults in the criminal justice system. Eighth Report of Session 2017–19](#).
- ix Fitzpatrick, C. et al (2019) [Exploring the Pathways between Care and Custody for Girls and Women: Literature Review](#).
- x Agenda and Alliance for Youth Justice (2021) [Young Women’s Justice Project Literature Review](#).
- xi Ibid.
- xii Ibid.
- xiii Bateman, T. and Hazel, N. (2014) Resettlement of girls and young women: research report, Beyond Youth Custody.
- xiv Wong, K. et al. (2017) [T2A Final Process Evaluation Report](#), Policy Evaluation Research Unit.
- xv Ministry of Justice (2021) [Safety in Custody quarterly: update to March 2021](#).
- xvi Her Majesty’s Inspectorate of Prisons (2010) Women in prison: A short thematic review.
- xvii Parliamentary Office of Science and Technology (2016), [Education in Youth Custody](#).
- xviii Child Poverty Action Group (2021) [‘200,000 more children pushed into poverty the year before the pandemic – “dismal data” warning’](#). Accessed online.
- xix Young Women’s Trust (2020) [Ignored, Undervalued and Underpaid: The impact of Coronavirus on young women’s work, finances and wellbeing](#).
- xx HM Prison and Probation Service (2019) [Guidance: Care leavers in prison and probation](#); Fitzpatrick, C. et al. (2016) [Supporting looked after children and care leavers in the Criminal Justice System: Emergent themes and strategies for change Prison Service Journal](#), 226: 8-14
- xxi Agenda research commissioned by [Plan International UK for The State of Girls’ Rights in the UK 2019-2020](#).
- xxii Ibid.
- xxiii In 2020, a report by Her Majesty’s Inspectorate of Prisons found that 49% of Black and minoritised women in custody reporting that they had experienced victimisation by staff, compared to 34% of white women. Highlighting the way in which Black and minoritised women and girls are stereotyped by their ethnicity, research also suggests that this can result in their needs being overlooked or mis-identified by largely white members of staff, with Black women’s presentation when experiencing mental ill-health being classed as an ‘anger management’ issue. A similar stereotyping of Black girls also occurs, with Black girls in custody seen as especially angry and aggressive. In addition to being re-traumatising for those who have faced discrimination and the negative consequences of this kind of racist stereotyping prior to custody, this may also result in Black girls receiving less support in relation to their emotional wellbeing as they are treated as posing a risk to others rather than as vulnerable children in their own right. Her Majesty’s Inspectorate of Prisons (2020) [Minority ethnic prisoners’ experiences of rehabilitation and release planning – A thematic review](#). Agenda and Women in Prison (2017) [“Double disadvantage”: The experiences of Black, Asian and Minority Ethnic women in the criminal justice system](#). Clinks (2019) [Clinks Response: The Justice Committee’s inquiry into children and young people in custody](#).
- xxiv Prisons and Probation Ombudsman (2021) [Independent investigation into the death of Baby A at HMP Bronzefield on 27 September 2019 – A report by the Prisons and Probation Ombudsman](#).
- xxv Ibid.
- xxvi Fitzpatrick, C. et al (2019) [Exploring the Pathways between Care and Custody for Girls and Women: Literature Review](#).

- xxvii Ibid.
- xxviii The Children's Society (2015) [On your own now: the risks of unsuitable accommodation for older teenagers](#). The Children's Society (2019) [Briefing for debate on 16&17 year olds in unregulated accommodation](#). Coy, M. (2009) ["Moved around like bags of rubbish nobody wants": How multiple placement moves can make young women vulnerable to sexual exploitation](#). Child Abuse Review, 18 (4): 254-266. Centrepoint (2019) [Escaping the Trap: Supporting homeless young people affected by youth violence and criminal exploitation](#).
- xxix Plan International UK (2020) [The State of Girls' Rights in the UK 2019-2020](#).
- xxx Agenda and Women in Prison (2017) ["Double disadvantage": The experiences of Black, Asian and Minority Ethnic women in the criminal justice system](#).
- xxxi Prison Reform Trust (2017) [Counted Out: Black, Asian and minority ethnic women in the criminal justice system](#).
- xxxii Black and minoritised women participating in focus groups conducted as part of research by Agenda and Women in Prison in 2017 raised concerns about the lack of ethnic diversity amongst prison staff which they felt led to a lack of cultural understanding and complaints of racism being ignored or not taken seriously. Agenda and Women in Prison (2017) ["Double disadvantage": The experiences of Black, Asian and Minority Ethnic women in the criminal justice system](#).
- xxxiii Ministry of Justice (2018) [Female Offender Strategy](#).
- xxxiv Lamont, A. et al (2021) Black, Asian, Minority Ethnic and Minoritised Women in the Criminal Justice System: A Literature Review (2017-2020). Unpublished.
- xxxv [The Lammy Review](#) (2017) of the treatment of and outcomes for Black, Asian and Minority Ethnic individuals in the criminal justice system makes only brief reference to Black and minoritised young women, although they were identified as a specific, vulnerable cohort in David Lammy's [evidence](#) given to the Justice Select Committee in 2019. Similarly, the [Laming Review](#) (2016) of looked after children in the criminal justice system makes reference to girls as a minority group whose needs are overlooked but does not explore this further, with only one of the report's recommendations addressing the need for a gender-sensitive response to children in care.
- xxxvi Lord Farmer (2019) [The Importance of Strengthening Female Offenders' Family and other Relationships to Prevent Reoffending and Reduce Intergenerational Crime](#).
- xxxvii With all key youth funding announcements since 2018 and flagship funding for vulnerable children during the pandemic 'gender-neutral', services for vulnerable children and young people in education and other settings remain limited in their direction and ability to deliver gender-responsive support. In Pupil Referral Units, where girls who go on to have contact with the criminal justice system are overrepresented, there is no national framework for gender-specific responses to their experiences of disadvantage, including no standardised method of recording incidents of sexual violence which take place in school, despite recognition in policy that sexual violence and harassment is a serious issue in education settings. Already more likely than their peers to leave school without qualifications and be out of education, employment or training, girls at the sharpest end of inequality have been the most negatively impacted by the pandemic. Despite this, no steps have been taken by Government to support young women facing disadvantages into employment –for example, embedding flexible working, provision for childcare or working with specialist services to support those with additional needs into the Kickstart Scheme. For more on responses to girls in education policy, see: Agenda (2021) [Girls at risk of exclusion](#). For more on gendered approaches to youth unemployment, see: Agenda (2021) [Voices From Lockdown – One Year On: A way forward for women and girls](#).
- xxxviii The government's *Transforming Children and Young People's Mental Health Provision Green Paper (2017)* set out measures to improve mental health support for children and young people, with a focus on early intervention and prevention but makes no mention of girls or young women, despite research showing that young women are a high-risk group for mental health problems. Likewise, the *NHS Long Term Plan (2019)* has no specific provision for girls and young women, despite it noting the distinct mental health needs of older teenage girls. For more on responses to girls and young women struggling with mental ill-health in policy, see: Agenda (2020) [Struggling Alone: Girls' and young women's mental health](#).
- xxxix Women's Budget Group (2020) [The Case for Sustainable Funding for Women's Centres](#).
- xl Agenda (2021) [Voices From Lockdown – One Year On: A way forward for women and girls](#).
- xli Ministry of Justice (2021) [Prisons Strategy White Paper](#).

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