

Young Women's Justice Project Literature Review

January 2021



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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 Standing Committee for Youth Justice (SCYJ)

The Standing Committee for Youth Justice (SCYJ) is an alliance of over 70 non-profit organisations working together to improve the youth justice system in England and Wales. SCYJ advocates for a distinct and child-focused system that tackles the underlying causes of offending, respects rights and promotes positive long-term outcomes.

About the Young Women's Justice Project

Funded by Lloyds Bank Foundation for England and Wales, the Young Women's Justice Project is run in partnership by Agenda and the SCYJ, shining a light on the experiences of young adult women aged 17–25 years old in contact with the criminal justice system, including the experiences of girls transitioning into adult services as they turn 18.

Engaging with young women, frontline practitioners and other experts, the Young Women's Justice Project is working to make a positive impact for young women in contact with the criminal justice system through: building a strong and credible evidence-base about young women's needs; influencing government policy and strategies to take account of younger women, with a focus on Black and minoritised, and care-experienced young women; enabling the development of effective practice through more gender- and age-informed policy; and empowering young women as advocates to safely share their experiences and use their voices to make change.

As the Young Women's Justice Project progresses, it will continue to engage with young adult women and the services that support them to identify the most pressing challenges facing young adult women, as well as what works, and what needs to change. The Young Women's Justice Project will provide a national platform to amplify young adult women's voices and make the case for their age- and gender-specific needs, locally and nationally.

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To view the Executive Summary for this literature review, please visit:
weareagenda.org/ywjp-literature-review.

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Introduction

Young adult women are in a unique position in the criminal justice system as a minority on account of both their age and their gender. Consistently overlooked in policy, there is a limited evidence-base around their experiences and, despite pockets of good practice, limited provision designed to meet their needs.

Young adult women in the criminal justice system face multiple forms of disadvantage. Frequently marginalised, ignored and misunderstood, they are likely to have complex, overlapping needs, with their experience of contact with the justice system underpinned by experiences of violence, abuse trauma and exploitation, the care system, poor mental health, substance use, exclusion from education, homelessness and poverty. The challenges they face are mutually reinforcing and create a complicated combination of factors which can drive their offending.

Whilst the majority of those in contact with the criminal justice system face considerable disadvantage, young adult women's experiences are compounded by the wider context of inequalities relating to their age and gender. These combine with other forms of social exclusion and structural inequality, faced on the basis of socio-economic status, race, ethnicity, faith, migration status, sexual orientation, gender identity and dis/ability. Rarely designed with young women in mind, services and systems can also limit their opportunities, failing to offer effective support, and at worse overlooking and blaming young adult women for the challenges they face.

Despite recognition that young women have different needs and face different risks to their male counterparts, criminal justice policy responses have been designed around young men by default and gender-specific consideration has been limited. Although identified as a vulnerable group in some key policy documents over the last decade, young adult women remain consistently overlooked in criminal justice policy and practice, with no strategic focus and no action plan in place to respond to them. Gender-blind responses of this kind not only overlooks gender-specific needs but can further increase levels of inequality women and girls face.¹

A lack of gender-specific data, reporting and monitoring of outcomes for young adult women who face both multiple disadvantage, or contact with the criminal justice system, means the needs of young adult women in custody and the community have not been mapped or understood. Where gender- and age-specific data is available, it is not regularly disaggregated by other characteristics such as race, ethnicity, socio-economic status, dis/ability and sexual orientation. Despite pockets of good practice, evaluation of work to develop improved responses to young adult women is limited. This leads to an overall lack of evidence of what works to meet young women's needs, in their diversity.

This literature review has been produced to: map and grow the evidence-base around young adult 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-appropriate, gender-sensitive and trauma-informed response; and identify gaps in knowledge to inform the direction of future work. The Young Women's Justice Project will continue to address these questions during the next stages of the project through engaging with young women, frontline practitioners, other experts, and decision makers.

¹ Agenda and AVA (2019) [Breaking Down the Barriers: Findings of the National Commission on Domestic and Sexual Violence and Multiple Disadvantage](#).

Section 1: Numbers of young adult women in the criminal justice system

Young adult women, including girls transitioning to adulthood as they turn 18, are in a unique position in the criminal justice system – a minority on account of both gender and age in a system designed for men which both compounds and generates experiences of disadvantage, discrimination and inequality.

Small in numbers, and rarely prioritised in decision-making processes relating to policy, resourcing and practice development, young adult women are nevertheless present at all stages of the criminal justice system and in all criminal justice settings – from the point of arrest to prison.

Numbers of girls and young adult women in the criminal justice system

Over the last five years, the total number of women prosecuted decreased by 12%² and, since 2012, the number of women in custody has declined by just over 14%.³ Whilst these figures indicate a reduction in total numbers of women entering both the criminal justice system and, more specifically, custody, significant numbers of young adult women continue to enter custody on short sentences. From July to September 2019, 42% of 18–20 year old young adult women were received into prison under sentences of six months.⁴ Despite a reduction in total numbers of women in the criminal justice system, it is unclear if the numbers of young adult women specifically have decreased.

Black and minoritised⁵ women and girls also continue to be overrepresented. In the youth justice system, for example, reductions in the number of girls (under 18) receiving convictions have been less significant for Black and Asian girls⁶ and the proportion of Black children as first-time entrants has doubled over the last ten years.⁷

Girls in the youth justice system

In 2018/19 girls made up 15% of all children receiving a caution or sentence, but only 3% of those in custody.⁸ Whilst 17 year olds made up the largest proportion (33%) of all children receiving a caution or sentence in the youth justice system in 2018/19, girls made up only a small proportion (12%) of this group. In 2018/19, there were 882 17 year

² Ministry of Justice (2020) [Statistics on Women and the Criminal Justice System 2019](#).

³ Prison Reform Trust (2017) [Why focus on reducing women's imprisonment – Prison Reform Trust briefing](#).

⁴ Ministry of Justice (2020) [Offender management statistics quarterly: July to September 2019](#).

⁵ 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 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.

⁶ From 2006 to 2016, there was a 73.5% reduction in Black girls receiving convictions whilst an 84.9% reduction was seen for white girls. Asian girls experienced a 52.1% reduction in convictions over this time period as a whole but this masks a significant rise from 2015 to 2016 where convictions rose by 50% in a year (38 girls in 2015 to 57 in 2016). Comparable statistics for girls in other minoritised ethnic groups, including Gypsy, Roma and Traveller girls are not available. Prison Reform Trust (2017). [Counted Out: Black, Asian and minority ethnic women in the criminal justice system](#).

⁷ Ministry of Justice and Youth Justice Board (2020). [Youth Justice Statistics 2018/19 – England and Wales](#).

⁸ Ibid.

old girls in the youth justice system, compared to 6,279 17 year old boys.⁹ In March 2020, there were 25 10–18 year old girls in the youth custodial estate, of which twelve were 17 year olds and one was 18 years old. The coronavirus crisis has seen record lows of girls in custody, with just sixteen girls in the youth secure estate in October.¹⁰

Girls under the age of 18 remanded or sentenced to custody are held either in Secure Children’s Homes (SCHs) or Secure Training Centres (STCs). Whilst the majority of young adult women (18-25) are held in the adult prison system, a small number of 18 year olds will remain in the youth secure estate if they have only a short period of a sentence left to serve.¹¹ Between the ages of 18 and 20, boys may be held in a Young Offender Institution (YOI) prior to being moved to an adult prison at 21. There is no similar equivalent available for 18–20 year old young adult women.

Young women in the adult criminal justice system

Making up less than 5% of the prison population, adult women in the criminal justice system have been described as a ‘correctional afterthought’.¹² This is perhaps even more the case for young adult women.

In 2018, 3683 cautions were issued to 18-24 year old young adult women and 36,235 were convicted.¹³ The vast majority of those convicted received a fine. Approximately 6% received a community sentence, 2.4% received a suspended sentence and 2% were immediately sentenced to custody.¹⁴

In the year ending December 2015, a total of 3446 young adult women between the ages of 18 and 24 were supervised by probation services under either a community order or a suspended sentence. In custody, there were 3,641 adult women (18+) in prison in England and Wales at the end of March 2020, of which 91 (2.5%) were young adult women aged 18–20.¹⁵ Total figures for those aged 21–25 in custody are not routinely provided in the government’s prison population figures, but a recent survey of people in prison showed that 13% of women who responded were aged 25 years or under (compared to 21% of respondents in male prisons).¹⁶

Young adult women’s offending

Evidence suggests that girls (under 18) are more likely to come to the attention of the criminal justice system because of their vulnerability and the risks they face, rather than the severity of their offending.¹⁷ These include experiences of violence, abuse and exploitation, experience of the care system as children, poor mental health and substance use, exclusion from education and poverty – experiences which can be mutually reinforcing and create a complicated combination of factors which can drive offending.

⁹ Ibid.

¹⁰ Youth Justice Board (2020) [Monthly Youth Custody Report](#).

¹¹ Her Majesty’s Prison and Probation Service, [Youth custody data](#).

¹² Prison Reform Trust (2017) [Why focus on reducing women’s imprisonment – Prison Reform Trust briefing](#).

¹³ Ministry of Justice (2019) [Criminal Justice System Statistics quarterly: December 2018](#), Outcomes by Offences 2008 to 2018.

¹⁴ Ibid.

¹⁵ UK Government (2020) [Prison population figures: 2020 – Population bulletin: weekly 27 March 2020](#).

¹⁶ Ministry of Justice (2020) [Women and the Criminal Justice System 2019](#), Chapter 6: Offenders in supervision or in custody tables.

¹⁷ Goodfellow, P. (2019) [Outnumbered, locked up and over-looked? The use of penal custody for girls in England & Wales](#), The Griffins Society.

Whilst over a quarter of the girls in the youth justice system are 17 years old,¹⁸ data relating to the number of girls who transition into the adult justice system is not available. This means it is not possible to determine what proportion of young adult women have also been in contact with the justice system as children. One small-scale study of young adult women (18–30) in the community engaging with a women’s centre found that 61% of the cohort had entered the criminal justice system between the ages of 10 and 20, with 26% first becoming involved between 10 and 14, and 35% between 15 and 20.¹⁹

Offence types

Young adult women’s offending differs from that of both young adult men and older adult women.

In the financial year ending March 2018, 38% of girls aged 13–18 in the youth justice system were being dealt with for violence against the person offences, compared to 22% of their male counterparts (38% compared to 22%).²⁰ In the adult justice system, the Ministry of Justice’s 2018 report on women and the criminal justice system found that the most common offence group for indictable offences amongst 18–20 year old young adult women was theft (44%), followed by violence against the person (21%), drug offences (15%) and crimes against society (15%).^{21 22} Amongst 21–24 year old young adult women, the patterns are similar, with theft offences making up approximately 48% of remaining offences and offences of violence against the person making up 19%.²³

Offences of violence against the person make up a smaller proportion of the offences that young adult men are prosecuted for (13% and 16% for 18–20 year olds and 21–24 year olds respectively), with theft and drug offences making up a larger proportion of the offending for which young men are prosecuted. Theft offences make up a significantly higher proportion (61%) of older adult women’s offences from the ages of 30–39, with offences of violence against the person accounting for only 9% of offences for which they are prosecuted.²⁴

These statistics should be seen in the context of two important points. Firstly, the proportion of young adult women’s violent offending (when compared to both their male counterparts and older adult women), should be understood in the context of their non-

¹⁸ Ministry of Justice and Youth Justice Board (2020). [Youth Justice Statistics 2018/19 – England and Wales](#). Note the statistic may include 18 year olds as age is calculated at the time of the first hearing, as these young people will still be supported through the trial process by the YOT, even if they turn 18 before the sentence is passed.

¹⁹ Advance (2020) ‘[A space to learn about relationships’ – The social factors influencing early sexual relationships among young women who have been involved in the criminal justice system](#)’.

²⁰ Ministry of Justice (2018) [Women and the criminal justice system 2017](#).

²¹ ‘Crimes against society’ refers to crimes which do not normally have a direct victim – for example, drug offences or possession of weapons offences.

²² The most common offence group for young men (18–20) were drug offences (27%), followed by theft offences (21%), violence against the person (13%), crimes against society (12%), possession of weapons (10%), public order offences (5%), robbery (4%) and sexual offences (4%). Ministry of Justice (2018) [Women and the criminal justice system 2017](#), Chapter 7: Offender characteristic tables.

²³ The most common offences for young men (21–24) were drug offences (27%), followed by theft offences (21%), violence against the person (16%), crimes against society (13%), possession of weapons (7%), public order offences (6%) and sexual offences (4%). *Ibid.*

²⁴ *Ibid.*

prosecution of, and non-participation in, other crimes.²⁵ Secondly, the term 'violence against the person' encompasses a wide range of offences, ranging in seriousness from murder to less serious offences such as harassment, common assaults and assault of a constable, with the context of these offences not indicated. This allows for only limited analysis of the nature or severity of young adult women's violence.

In comparison to young adult men, young adult women's involvement in, and vulnerability to, so-called 'gang' involvement²⁶ is also overlooked in data and research. There has been some, albeit limited, work which makes reference to the ways in which young women between the ages of 13 and 28 can be both be victimised (particularly through sexual violence) and victimise others in this context.²⁷

Re-offending

Generally, adult women have lower re-offending rates than men (approximately 23% compared to 31%) but, where women do re-offend, they re-offend at a higher rate.²⁸ Similarly, young adult women reoffend at lower rates than young adult men. Amongst 18–24 year olds, 18.1% of 18–20 year old women re-offend (with an average of 3.71 re-offences), increasing slightly to 18.8% (4.2 re-offences) amongst 21–24 year old females. Young adult men in the same two age groups re-offend at higher levels – 31.7% amongst 18–20 year olds (3.41 re-offences), and 29.4% (3.48 re-offences) amongst 21–24 year olds.²⁹

Young adult women's re-offending is also lower than that of older women. Approximately 18% of 18–20 year old young women and 19% of 21–24 year old young women re-offend, with rates of re-offending rising steadily amongst women between the ages of 25 and 39. This peaks at 31% amongst 35–39 year old women, then reducing to rates ultimately below those of young adult women.³⁰ Whilst rates of re-offending amongst men are also highest between the ages of 35 and 39 (with 34.1% re-offending in this age group), we do not see the same extent of rise and fall in rates of re-offending amongst men across the life course.³¹

In 2018, approximately 12.7% of all young adult women (18–24) sentenced in the criminal justice system were convicted of 'revolving door' offences³² – repeated, non-violent offences driven by a combination of needs, often stemming from complex trauma and economic disadvantage.³³ The average custodial sentence length for those convicted of

²⁵ Sharpe, G., and Gelsthorpe, L. (2009) 'Engendering the Agenda: Girls, Young Women and Youth Justice', *Youth Justice*, 9 (3), 195–208.

²⁶ For further discussion of the 'gang' as a contested concept, see page 36 of this literature review. For a fuller summary of these debates, see: Factor, F. et al. (2015) Gang-involved young people: custody and beyond. Beyond Youth Custody.

²⁷ Beckett, H. et al. (2013) 'It's wrong... but you get used to it": A qualitative study of gang-associated sexual violence towards, and exploitation of, young people in England', Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation in Gangs and Groups.

²⁸ Ministry of Justice (2018) Women and the Criminal Justice System 2017.

²⁹ Ibid.

³⁰ Of 40–44 year old women, 25.3% re-offend, with 20% of 45–49 year old women and 12.4% of 50+ year old women re-offending. Ministry of Justice (2018) Women and the criminal justice system 2017, Chapter 7: Offender characteristic tables.

³¹ Ibid.

³² Ministry of Justice (2019) Criminal Justice System Statistics quarterly: December 2018, Outcomes by Offences 2008 to 2018.

³³ Borysik, B. (2020) New Generation: Preventing young adults being caught in the revolving door, Revolving Doors Agency.

these offences was three months, rising to an average of just over seven months for Black and minoritised young adult women, suggesting a stark disparity in sentencing outcomes.³⁴

Disproportionality in the criminal justice system

Young adult women in minoritised ethnic groups

Whilst ethnic disproportionality in the criminal justice system is widely discussed, there is little information published about the ethnicity of girls and women in the criminal justice system. Where this is available, an age breakdown is often lacking, making it difficult to construct a clear picture of how young adult women's experiences of the criminal justice system differ according to ethnicity. Whilst it is challenging to construct an accurate picture of ethnic disproportionality across both age and gender, evidence shows that there is greatest overrepresentation of Black and minoritised groups amongst 18–24 year old young olds (both women and men).³⁵

Black girls are significantly more likely to be arrested than white girls.³⁶ Ministry of Justice data from 2016 shows that Black adult women and women of mixed ethnicity were also more than twice as likely to be arrested than white women.³⁷ Asian women are less likely to be arrested than white women, with the exception of arrests for fraud offences, where they are 26% more likely to be arrested.³⁸

Amongst adult women (18+), data published by the Ministry of Justice (2018) shows that prosecution rates for Black female defendants are double those of white female defendants.³⁹ Evidence shows that Black adults (women and men) are less likely to receive Out of Court disposals – a range of options available to the police as an alternative to a prosecution when dealing with low-level offending – pushing them further into the criminal justice system.⁴⁰ The Lammy Review found that, at the point of prosecution, Black women are more likely to be tried at Crown court than white women once charged with an offence and that Black and minoritised women are more likely to be convicted in Magistrates' court than white women.⁴¹

³⁴ Ministry of Justice (2019) [Criminal Justice System Statistics quarterly: December 2018](#), Outcomes by Offences 2008 to 2018.

³⁵ House of Commons Justice Committee (2018) [Young adults in the criminal justice system: Eighth Report of Session 2017-19](#).

³⁶ Ministry of Justice (2017) [Women and the Criminal Justice System 2017](#).

³⁷ All Party Parliamentary Group on Women in the Penal System (2019) [Arresting the entry of women into the criminal justice system](#), The Howard League.

³⁸ Prison Reform Trust (2017) [Counted Out: Black, Asian and minority ethnic women in the criminal justice system](#).

³⁹ In 2017, the rate of prosecution per 1000 population was 2 per 1000 for Black women compared to 1 per 1000 for white women. For men in contact with the criminal justice system, the rate of prosecution for Black men is 29 per 1000, compared to 7 per 1000 for white men. Ministry of Justice (2018) [Women and the Criminal Justice System 2017](#).

⁴⁰ Data available does not indicate how frequently out-of-court disposals are made use of for Black adult women specifically. Shiner, M. et al. (2019) [The Colour of Injustice: 'Race', drugs and law enforcement in England and Wales](#), StopWatch, LSE and Release.

⁴¹ Amongst those tried at Magistrates' Court, 100 white women are found guilty compared to 122 Black women, 142 Asian women, 111 'Mixed ethnic' women and 143 'Chinese/Other' women. Lammy, D. (2017) [The Lammy Review: An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System](#).

Apparently harsher treatment of Black and minoritised girls is also evident in important decision-making points regarding their pathways into the youth secure estate. A recent analysis found that ethnic disproportionality of girls on remand is significantly higher (36%) than in the sentenced population (28%). Compared to white girls, a higher proportion of Black and minoritised girls are placed into custody in secure training centres – purpose-built children’s prisons which tend to be less well-staffed and have a more punitive ethos than secure children’s homes (the custodial alternative for girls).⁴² No detailed breakdown of data by gender and ethnicity is available in regularly published youth custody data, including in relation to numbers of Gypsy, Roma and Traveller children.

Figures for children supervised in the community are lacking. One study of the changing make-up of first-time entrants (FTEs) between 2003 and 2013 found that, from 2009, FTEs were more likely to be ‘older, “black”, violent, female offenders and receive court outcomes’ as the proportion of those convicted of ‘less serious offences’ fell away.⁴³ Whilst a more detailed age breakdown is not available, it is notable that these are ‘older’ girls in the justice system. No up-to-date, comparable analysis has yet been published so it is not possible to identify how this trend may have continued to develop and change over the last decade.⁴⁴

There are greater levels of Black and minoritised ethnic disproportionality amongst young women (18–24) in custody than amongst the adult women’s prison population as a whole. Eighty-three per cent of all women adult prisoners (18+) were white, and approximately 17% were from a Black and minoritised group in June 2018.⁴⁵ This rose to 22% amongst young adult women (18–24), with 10% identified as Black, 7% as Mixed, 4% as Asian and 1% as Other.⁴⁶

A similar breakdown for young adult women supervised by probation services in the community is not available. This represents a significant gap in knowledge of the demographics and experiences of young adult women in contact with the criminal justice system.

Whilst there is no further data breakdown relating to age, gender and ethnicity of women sentenced to custody, recent literature has specifically highlighted the overrepresentation of Gypsy, Roma or 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 12–18 year olds (girls and boys) in secure training centres was ‘strikingly high’ at 7% and 12% respectively⁴⁷ despite only 0.1% of the general population identifying themselves as Gypsy or Traveller in the most recent Census for England and Wales.⁴⁸ An age breakdown of the 12% of adult women

⁴² Goodfellow, P. (2019) ‘[Outnumbered, locked up and over-looked? The use of penal custody for girls in England & Wales](#)’, The Griffins Society. Clinks (2020) [Clinks response: The Justice Committee’s inquiry into children and young people in custody](#).

⁴³ Ministry of Justice (2017) [An analysis of trends in first time entrants to the youth justice system](#).

⁴⁴ Youth Justice Board (2020). [Youth Justice Statistics 2018/19 – England and Wales](#).

⁴⁵ Ministry of Justice (2019) [Race and the criminal justice system statistics 2018](#), Chapter 6: Offender Management tables.

⁴⁶ Ibid.

⁴⁷ Her Majesty’s Inspectorate of Prisons (2014) [People in prison: Gypsies, Romany and Travellers: A findings paper by HM Inspectorate of Prisons](#).

⁴⁸ Office for National Statistics (2014) ‘[2011 Census analysis: What does the 2011 Census tell us about the characteristics of Gypsy or Irish travellers in England and Wales?](#)’

(18+) self-identifying as Gypsy in Her Majesty's Inspectorate of Prisons report is not available and it is unknown how many of these women are young adults (18–25).

When girls and women come to the attention of the criminal justice system, they can be treated more harshly than boys and men as they are perceived to have not only broken the law, but to have transgressed gender norms.⁴⁹ Young women's race, ethnicity, faith, migration status, socio-economic status, dis/ability, sexuality and other factors further shape their experience of disadvantage and discrimination. Black and minoritised girls and women face a 'double disadvantage' as gender intersects with race,⁵⁰ which can be further compounded by faith.⁵¹

Research by Muslim Women in Prison found that adult Muslim women (18+), including young adult women, were 'acutely aware' of being a minority group, with the fear of being marginalised as a result of gendered Islamophobia within the criminal justice system and in wider society having an acute impact on their wellbeing.⁵² Gendered Islamophobia gives rise to stereotypes of Muslim women as passive and oppressed,⁵³ meaning that their offending may be seen as particularly transgressive and be particularly stigmatised as a result.

This underlines the importance of taking an intersectional approach to policy and practice – one which recognises and contextualises Black and minoritised young adult women's experiences of inequality, of racism and sexism as experiences which overlap and can reinforce each other.

Young adult women with experience of the care system

There has been a substantial increase in the proportion of teenagers who are looked after since 2013, with nearly a quarter of children in care in March 2018 aged 16 or over.⁵⁴ Some groups of Black and minoritised children are over-represented in care, with some suggestion that Black African children are particularly likely to enter care as teenagers.⁵⁵ Up-to-date research on this topic is limited, however, and little information appears to be available about how figures vary as age and gender are taken into account.

⁴⁹ Bateman, T. and Hazel, N. (2014) Resettlement of girls and young women: research report. Beyond Youth Custody.

⁵⁰ Cox, J. and Sacks-Jones, K. (2017) "Double disadvantage": The experiences of Black, Asian and Minority Ethnic women in the criminal justice system. Agenda and Women in Prison.

⁵¹ Buncy, S. and Ahemd, I. (2014) Muslim Women in Prison – A study into the needs and experiences of Muslim women at HMP & YOI New Hall & Askham Grange Prisons During Custody & Post Release, Muslim Hands and Huddersfield Pakistani Community Alliance.

⁵² Ibid.

⁵³ Ahmad, S. (2019) 'Islamophobic violence as a form of gender-based violence: a qualitative study with Muslim women in Canada', Journal of Gender-Based Violence, 3 (1), 45-66. Zine, J. (2006) 'Unveiled sentiments: Gendered Islamophobia and experiences of veiling among Muslim girls in a Canadian Islamic school', Equity & Excellence in Education, 39 (3), 239-252.

⁵⁴ Fitzpatrick, C. et al. (2019) Exploring the Pathways between Care and Custody for Girls and Women: A Literature Review.

⁵⁵ Owen, C. and Statham, J. (2009) Disproportionality in Child Welfare: The Prevalence of Black and Minority Ethnic Children within the 'Looked After' and 'Children in Need' Populations and on Child Protection Registers in England. Department for Children, Schools and Families.

Despite less than 1% of under 18s entering local authority care each year, care leavers are estimated to represent between 24% and 27% of the adult prison population.⁵⁶ Youth justice involvement is more likely for older teenagers, with 4% of looked after girls and 10% of looked after boys between the ages of 16-17 receiving a caution or a conviction.⁵⁷ Looked after boys are significantly more likely to be convicted than looked after girls.⁵⁸

Amongst young people in the justice system, however, older female teenagers and young adult women are more likely than their male counterparts to have spent time in local authority care. Nearly two thirds of young adult women (compared to just under half of young men) in custody aged between 16 and 21 have recently been in statutory care.⁵⁹

The overrepresentation of care-experienced girls and young women in custody is widely discussed in existing literature, particularly in the youth justice system.⁶⁰ It is unclear if young adult women with experience of care are also over-represented at other points in the criminal justice system – for example, at the point of arrest, or in court.

⁵⁶ Her Majesty's Prison and Probation Service (2019) Care leavers in prison and probation. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners. Harker, R. and Heath, S. (2014) Children in Care in England: Statistics, SN/SG/4470, House of Commons Library.

⁵⁷ Fitzpatrick, C. et al. (2019) Exploring the Pathways between Care and Custody for Girls and Women: A Literature Review.

⁵⁸ Dixon, J. et al. (2006) Young People Leaving Care: An evaluation of costs and outcomes, University of York Social Work Research and Development Unit. Bullock, R. and Gaehl, E. (2012) 'Children in care: A long-term follow up of criminality and mortality', *Children and Youth Services Review*, 34 (9), 1947-1955.

⁵⁹ House of Commons Justice Committee (2016) Young adults in the criminal justice system. Eighth Report of Session 2017-19.

⁶⁰ Prison Reform Trust (2016) In Care, Out of Trouble: How the life chances of children in care can be transformed by protecting them from unnecessary involvement in the criminal justice system. 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.

Summary – Numbers of young adult women in the criminal justice system

Young adult women (17–25), including girls approaching adulthood and transitioning into adult services, are a minority in the criminal justice system on account of both their age and gender. They make up a small proportion of youth offending team and probation services caseloads and there are particularly low numbers of young adult women in custody. Currently, it is unclear what proportion of young adult women in contact with the criminal justice system as adults have previously had contact with the youth justice system, but the limited evidence-base available suggests that there could be a significant number of young adult women who are criminalised as both children and as young adults.

Black and minoritised young adult women are overrepresented in the criminal justice system, with greater levels of disproportionality amongst young adult women (18–24) in custody than amongst the adult women's prison population as a whole. Young adult women with experience of care are also overrepresented, with young adult women in the criminal justice system more likely to have been in statutory care than their male counterparts. The data currently available does not allow us to make the same comparisons for young adult women supervised by probation services.

Section 2: Vulnerabilities in the lives of young adult women

There are a number of key themes common to the lives of young adult women in contact with the criminal justice system. Across these, connections between young adult women's vulnerabilities and their offending can be established, with young adult women's criminalised behaviours often a result of a complicated combination of factors where the impact of one form of vulnerability compounds or exacerbates another.

Whilst the majority of people in contact with the criminal justice system face disadvantage and vulnerabilities, young adult women have distinct needs and, in some cases, face more pronounced problems. Despite some overlap in factors predicting offending amongst young adult women and men, one study of projects working with children and young adults (16–24) in the criminal justice system found that female service-users had a higher number of support needs likely to cause or lead to offending than their male counterparts.⁶¹

Failing to take account of the difference in why young adults become drawn into the criminal justice system, or the different risks they face, means that young adult women's gender-specific vulnerabilities can be missed. A reliance on gender-neutral explanations for offending, on account of young women's minority status, significantly limits understanding of the drivers of young adult women's criminalised behaviours.

A gendered approach, on the other hand, identifies the vulnerabilities or risk factors which play a more significant role in young adult women's offending. These include: experiences of abuse and coercion in familial, intimate and peer relationships; early parenthood; poverty; and problems associated with health, particularly mental health and associated coping mechanisms such as alcohol use. Understanding the routes through which young adult women enter the criminal justice system, and how they may remain within it, is crucial if this process is to be disrupted and opportunities for diversion are to be identified.

Violence, abuse and exploitation

In the family home and its wider social network, in intimate partner relationships and in peer groups, relationships play a significant role in young adult women's offending. They are both potential drivers of offending (particularly where there are coercive relationship dynamics), and a means of supporting desistance.⁶²

Agenda's own research found that 1 in 20 women have a history of extensive physical and sexual violence starting from childhood.⁶³ Experience of violence and abuse at an early age is also linked with other forms of disadvantage, which are themselves associated with being at risk of coming into contact with the criminal justice system. For example, a third of women with experience of extensive violence have a common mental health condition and a third have an alcohol problem – both indicators of potential contact with the criminal justice system.⁶⁴ It is perhaps unsurprising then that relationships – particularly

⁶¹ Wong, K. et al. (2017) [T2A Final Process Evaluation Report](#), Policy Evaluation Research Unit.

⁶² Bateman, T. and Hazel, N. (2014) [Resettlement of girls and young women: research report](#), Beyond Youth Custody. Allen, R. (2016) [Meeting the needs of young adult women in custody](#), T2A Alliance.

⁶³ Scott, S. and McManus, S. (2016) [Hidden Hurt – Violence, abuse and disadvantage in the lives of women](#). Agenda.

⁶⁴ Ibid.

intimate partner relationships – are more often pathways to offending for young adult women than positive pathways to desistance (as is more commonly the case for young men).⁶⁵

Although data on experiences of abuse amongst young women in the criminal justice system is scarce, studies have shown that:

- Between three-quarters and 90% of girls (under 18) may have experienced abuse from a family member or someone they trusted.⁶⁶
- Approximately 63% of girls and young women (16–24) in contact with the criminal justice system have experienced rape and/or domestic abuse in their own relationships.⁶⁷
- In the general population, girls and young women (16–24) report the highest rates of domestic abuse experienced in the past year.⁶⁸
- Child sexual exploitation has been identified as a risk to girls in all YOT areas, often related to involvement with older men or 'gangs'.⁶⁹
- Fifteen per cent of girls and young women (16–24) in contact with the criminal justice system have been involved in sex work or prostitution.⁷⁰

There is evidence that both coercion⁷¹ and women's violent responses to their own abuse in relationships can result in them being criminalised for these actions. Similarly, women in custody are much more likely to report offending to support another person's drug habit than men (48% compared to 22%).⁷² Young adult women in particular report being pressured by male partners (or those associated with them) involved in criminalised activities to carry or store contraband including weapons and drugs, fearful of the consequences of saying no.⁷³

Young adult women in contact with the criminal justice system may also have experience of peer-on-peer abuse, defined as abuse which 'features physical, sexual and emotional abuse between young people, and may occur within their friendship groups or intimate relationships'.⁷⁴ Girls and young women are more frequently identified as being abused by

⁶⁵ Bateman, T. and Hazel, N. (2014) Resettlement of girls and young women: research report, Beyond Youth Custody. Barry, M. (2006) *Youth offending in transition: the search for social recognition*. London: Routledge. Cobbina, J. et al. (2012) 'Men, women and post release offending: an examination of the nature of the link between relational ties and recidivism', *Crime and Delinquency*, 58 (3), 331-361.

⁶⁶ Bateman, T. and Hazel, N. (2014) Resettlement of girls and young women: research report. Beyond Youth Custody.

⁶⁷ Wong, K. et al. (2017) T2A Final Process Evaluation Report. Policy Evaluation Research Unit.

⁶⁸ SafeLives (2017) Safe Young Lives: Young People and domestic abuse.

⁶⁹ Her Majesty's Inspectorate of Probation (2014) Girls in the Criminal Justice System.

⁷⁰ Wong, K. et al. (2017) T2A Final Process Evaluation Report, Policy Evaluation Research Unit.

⁷¹ Bateman, T. and Hazel, N. (2014) Resettlement of girls and young women: research report, Beyond Youth Custody. Corston, J. (2007) The Corston report: A report by Baroness Jean Corston of a review of women with particular vulnerabilities in the criminal justice system, Home Office. Walitzer, K. and Dearing, R. (2006) 'Gender differences in alcohol and substance misuse relapse', *Clinical Psychology Review*, 26 (2): 128-148.

⁷² Bateman, T. and Hazel, N. (2014) Resettlement of girls and young women: research report. Beyond Youth Custody.

⁷³ Centre for Social Justice (2016) Girls and Gangs. Jury-Dada, S. (2019) Girls, gangs and their abusive relationships.

⁷⁴ Firmin, C. et al. (2016) Towards a contextual response to peer-on-peer abuse: Research and resources from MsUNDERstood local site work – 2013-2016.

their peers, with young people who have previously experienced abuse in a familial context also identified as more vulnerable.⁷⁵

The majority of victims of young adult women's crimes of violence are people they know. In one study, almost half of young adult women (18–25) involved in violence against the person offences reported that the victim was their partner, just over a quarter identified the victim as siblings, and just under a quarter as a friend.⁷⁶ The relational context of young adult women's violence suggests that, where they offend in this way, it may be in response to their own victimisation – an attempt to re-assert control and identity in their immediate social context.⁷⁷

There is also growing concern around the prevalence of criminal exploitation of girls and young adult women, including in connection with 'county lines'⁷⁸ activity.⁷⁹ Services report this has been heightened during the coronavirus crisis.⁸⁰ This may be only a partial picture, however, as girls and young adult women's involvement in 'county lines' may be generally underreported or misrecognised, as it is more commonly associated with boys.⁸¹ This means that girls often become 'lost' in narratives around child criminal exploitation. Identified as victims of criminal exploitation in only a minority of cases, there is little research examining girls' offending in relation to organised crime. Existing literature has also drawn attention to the way in which their experiences of criminal exploitation can be conflated with, or seen as secondary to, experiences of sexual exploitation.⁸² As a result, services can prioritise responding to sexual exploitation where this may not be the primary, or only, form of exploitation girls are subject to.

Whilst it is clear that young adult women in contact with the criminal justice system are at risk of multiple forms of violence, abuse and exploitation, there is not a clear understanding of the prevalence or dynamics of all forms amongst this group. The ability to quantify and understand girls' and young adult women's gendered experiences of criminal exploitation is limited as a result of gender stereotypes. Similarly, research on child sexual abuse and sexual exploitation notes the ways in which racist stereotyping limits agencies' understanding, and thus accurate identification, of these forms of gender-based violence. The under-identification of Black girls and young adult's experiences of child sexual abuse is observed in literature, as is their over-identification as victims of child sexual exploitation.⁸³ The under-identification of Asian girls and young women

⁷⁵ Firmin, C. and Curtis, G. (2015) 'Practitioner Briefing #1: What is peer-on-peer abuse?'. MsUnderstood Partnership.

⁷⁶ Bateman, T. and Hazel, N. (2014) Resettlement of girls and young women: research report. Beyond Youth Custody.

⁷⁷ Ibid.

⁷⁸ 'County lines' is term used by police and other criminal justice agencies to describe the approach taken by criminal networks to transport and sell illegal drugs from one area of the UK to another using dedicated mobile phone lines. Children, young people and vulnerable adults are likely to be exploited to move and store both drugs and money through intimidation, violence and coercion. Home Office (2020) Criminal exploitation of children and vulnerable adults: county lines. NWG Exploitation Response Unit, A (unofficial definition of county lines).

⁷⁹ Clarke, T. (2019) The characteristics of gang-associated children and young people – Technical report. Office of the Children's Commissioner. The Children's Society (2019) Counting lives – Responding to children who are criminally exploited.

⁸⁰ National Youth Agency (2020) Hidden in Plain Sight: Gangs and Exploitation – A youth work response to COVID-19.

⁸¹ The Children's Society (2019) Counting lives – Responding to children who are criminally exploited.

⁸² Ibid.

⁸³ Davis, J. (2019) 'Where are the Black girls in our CSA services, studies and statistics?', Community Care.

experiencing child sexual exploitation has also been observed⁸⁴ and there is very little data relating to the prevalence of all forms of violence against women and girls for Gypsy, Roma and Traveller women and girls.⁸⁵

Finally, as will be discussed in Section 3 of this literature review, there is evidence that both girls and young adult women are at risk of or experience further violence and abuse, including sexual violence, within the criminal justice system itself, particularly in custodial settings. Little is known or published about this and existing methods of data collation relating to this have been criticised as unlikely to accurately reflect the numbers of individuals affected.

Mental ill-health and problematic substance use

With physical and sexual violence perhaps the single most significant risk factor for poor mental health amongst girls and young women,⁸⁶ mental health is a serious and growing problem for young adult women. In the general population, a significant shift can be observed in poor mental health between girls and boys as they get older, with 17–19 year old girls more than twice as likely as boys to be experiencing mental ill-health and emotional disorders, with figures increasing much more sharply with age amongst young adult women than men.⁸⁷

- Thirteen per cent of girls and young adult women (13–18) engaging with liaison and diversion services in the year ending March 2018 were identified as at risk of suicide or self-harm, compared to 5% of boys and young men.⁸⁸ The gender differences between adult women (15%) and men (14%) in liaison and diversion is less stark.
- Girls in custody self-harm at a much higher rate than boys.⁸⁹
- Whilst white children in the youth justice system have consistently self-harm at higher rates than Black and minoritised children, rates of self-harm for Black and minoritised children more than doubled in the year ending March 2019. A breakdown of self-harm rates by both gender and ethnicity is not available.⁹⁰
- Over a fifth of women's self-inflicted deaths in custody between 1990 and 2007 were of those aged 18–21.⁹¹
- The Harris Review into self-inflicted deaths of 18–24 year olds in custody noted that young adult women can be particularly vulnerable and a higher proportion of young adult women (18–24) took their own lives than older women from 2002 to 2013.⁹²

⁸⁴ Gohir, S. (2019) Muslim Women's Experiences of the Criminal Justice System.

⁸⁵ Women and Equalities Committee (2019) Tackling inequalities faced by Gypsy, Roma and Traveller communities, Chapter 9.

⁸⁶ Ford, J. and Delker, B. (2018) 'Polyvictimization in childhood and its adverse impacts across the life-span', *Journal of Trauma & Disassociation*, 19 (3), 275-288.

⁸⁷ NHS (2017) Mental Health of Children and Young People in England, 2017.

⁸⁸ A gender gap also exists between adult women (15%) and men (14%) in the same study but there is a more noticeable difference between genders amongst young people. Ministry of Justice (2017) Women and the Criminal Justice System 2017.

⁸⁹ Youth Justice Board and Ministry of Justice (2019). Youth Justice Statistics 2017/18.

⁹⁰ Youth Justice Board (2020). Youth Justice Statistics 2018/19 – England and Wales.

⁹¹ INQUEST (2014) Submission to Lord Harris Review: self-inflicted deaths of 18-24 years olds in prison 2007 – 2014.

⁹² Harris Review (2015) The Harris Review – Changing Prisons, Saving Lives: Report of the Independent Review into Self-inflicted Deaths in Custody of 18-24 year olds.

Use of substances can exacerbate experiences of mental ill-health or be used as a coping mechanism. Studies show that women and girls are more likely to report using drugs to alleviate emotional pain, whereas boys and men are more likely to cite hedonistic reasons⁹³ and, whilst men are more likely to experience a combination of poor mental health and problematic substance use, women are disproportionately criminalised for their experience of both.⁹⁴ A thematic review conducted by Her Majesty's Inspectorate of Prisons in 2010 found that young adult women (18–21) were 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.⁹⁵

Early parenthood

In contrast to young adult men, young adult women in the criminal justice system are more likely to be the sole carer for a child.⁹⁶ Compared to older adult women, young adult women are less likely to have dependent children.⁹⁷

- Between 3–4% of 18–20 year old young adult women and 16–21% of 21–24 year olds were estimated to be mothers in 2012, compared to 34–46% of 25–44 year olds.⁹⁸
- Fifteen per cent of girls (15–18) in YOIs reported having children in the year ending March 2013.⁹⁹
- Just over half of all applications received for admission to a Mother and Baby Unit were from women under the age of 30 in the year ending March 2019.¹⁰⁰

Where parenthood for young men can, like intimate partner relationships, trigger an end to offending behaviour, parenthood for young adult women can have the opposite effect. A third of all adult women in the criminal justice system are mothers to children under the age of 18, highlighting the way in which their offending is linked to attempts to support and meet the needs of their children – for example, through poverty-related theft offences.¹⁰¹

In many of the cases where a young mother is sentenced to prison, her child enters care.¹⁰² Where children are removed from young adult women, this can cause significant

⁹³ Hollin, C. and Palmer, E. (2006) 'Criminogenic need and women offenders: a critique of the literature', *Legal and Criminological Psychology*, 11(2): 179-195.

⁹⁴ Sosenko, F. et al. (2020) Gender Matters: Gendered patterns of severe and multiple disadvantage in England. I-SPHERE and Heriot-Watt University.

⁹⁵ Her Majesty's Inspectorate of Prisons (2010) Women in prison: A short thematic review.

⁹⁶ Justice Select Committee (2016) Oral evidence: The treatment of young adults in the criminal justice system.

⁹⁷ Ministry of Justice (2015) Female offenders and child dependents.

⁹⁸ More recent data is not currently available for young adult women aged 17–25. Ministry of Justice (2015) Female offenders and child dependents.

⁹⁹ Her Majesty's Inspectorate of Prisons and Youth Justice Board (2014) Children and Young People in Custody 2012–13: An analysis of 15–18-year-olds' perceptions of their experiences in young offender institutions.

¹⁰⁰ Ministry of Justice and HMPPS (2019) HM Prison and Probation Service offender equalities annual report 2018 to 2019.

¹⁰¹ Bateman, T. and Hazel, N. (2014) Resettlement of girls and young women: research report. Beyond Youth Custody.

¹⁰² Justice Select Committee, The treatment of young adults in the criminal justice system, 26 April 2016, HC 397.

trauma and loss which is rarely met with appropriate support.¹⁰³ Following this, young adult women may experience an escalation in problems, including criminal behaviour, as 'collateral consequences'.¹⁰⁴ There is a lack of data available on the number of women entering the criminal justice system with experience of care themselves and who have also lost a child to the same system. This precludes better understandings of intergenerational pathways into both systems.¹⁰⁵

Economic disadvantage

Since 2010, women have borne the brunt of austerity and the consequent reduction in public services, as well as benefits and tax credits cuts – all of which women are more likely to rely on.¹⁰⁶

- In the UK, women of all ages are slightly more likely to live in poverty than men (20.4% compared to 19.1%) and are more likely to experience severe material deprivation.¹⁰⁷
- 40% of young women report that they struggle to make their cash last until the end of the month compared to 29% of young men.¹⁰⁸
- Struggling with debt and long-term poverty is a factor associated with women's offending – one study found that 28% of women's crimes were financially motivated compared to 20% of men's.¹⁰⁹

With rising rates of child poverty¹¹⁰ 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),¹¹¹ evidence suggests that the likelihood of 'offending' as a result of economic need is set to continue for young adult women, perhaps at greater rates than for young adult men. Economic inequalities in the lives of young adult women are linked to further forms of disadvantage such as poor mental health, which is also associated with risk of coming into contact with the criminal justice system. Agenda's own work has highlighted the relationship between poverty and mental wellbeing, with young adult women (16–34) who self-harm more likely to be from

¹⁰³ Broadhurst, K. et al. (2017) [Vulnerable Birth Mothers and Recurrent Care Proceedings](#).

¹⁰⁴ Broadhurst, K. and Mason, C. (2017) 'Birth Parents and the Collateral Consequences of Court-ordered Child Removal: Towards a Comprehensive Framework', *International Journal of Law, Policy and the Family*, 31 (1): 41-59.

¹⁰⁵ Fitzpatrick, C. et al. (2019) [Exploring the Pathways between Care and Custody for Girls and Women: A Literature Review](#).

¹⁰⁶ Equality and Human Rights Commission (2017) [Distributional results for the impact of Welfare and Tax Reforms between 2010 and 2017, modelled in the tax year 2021/22](#). Women's Budget Group (2018) [The Female Face of Poverty: Examining the Causes and Consequences of Economic Deprivation for Women](#).

¹⁰⁷ Severe material deprivation refers to the inability to cover the cost of four out of nine criteria: rent, mortgage, or utility bills; adequately heating a home; unexpected expenses; regularly eating meals which contain protein; going on holiday; access to a television; a washing machine; a car; and a telephone. (EuroStat, 2020).

¹⁰⁸ Young Women's Trust (2018) [It's \(Still\) A Rich Man's World: Inequality 100 Years After Votes for Women – Young Women's Trust Annual Survey 2018](#).

¹⁰⁹ Ministry of Justice (2009) [Short Study on Women Offenders](#).

¹¹⁰ Office of the Children's Commissioner (2020) [Fact checking claims about child poverty](#).

¹¹¹ Young Women's Trust (2020) [Ignored, Undervalued and Underpaid: The impact of Coronavirus on young women's work, finances and wellbeing](#). Trades Union Congress (2020) [Young workers are most at risk from job losses due to the coronavirus crisis](#). McKinsey & Company (2020) ['COVID-19 in the United Kingdom: Assessing risk and the impact on people and places'](#) (11 May 2020).

low-income homes, struggling with money and in contact with debt collection services.¹¹²

Research also suggests that contemporary consumer culture has a gendered impact, placing increasing pressure on young women to access items seen as central to cultivating an appropriate and desirable femininity (e.g. fashion and beauty items), regardless of their financial circumstances. It has been suggested that this plays a role in young adult women's offending (e.g. shoplifting) in a way that is not observed amongst young men.¹¹³ There is a risk, however, that focusing on the individual drivers of young women's offending masks the impact of structural factors which can impact on the criminalisation of women living in poverty. These include the over-policing of more socio-economically disadvantaged communities, women's greater vulnerability to poverty as a result of unequal access to well-paid, secure employment, unequal division of family and caring responsibilities, and the gendered impact of fiscal and welfare policy choices over the last decade.¹¹⁴

Cognitive development

Discussions relating to the cognitive development of young adult women must also be placed in a wider social context. Much of the existing literature relating to this topic notes that young adulthood (18–25) is recognised as a distinctive period of brain development¹¹⁵ and that young people who offend into adulthood are more likely to have cognitive difficulties with thinking, acting, and solving problems, as well as emotional literacy and regulation, learning difficulties associated with conduct disorders and a history of head injuries.¹¹⁶ Some researchers have expressed concern that too much of a focus on links between offending and individualised cognitive issues may downplay gendered, structural factors playing a role in women's offending.

- Traumatic Brain Injury – most frequently reported to be a result of experiencing violence, including domestic abuse¹¹⁷ – has been shown to play a significant role in increasing the risk of offending in women,¹¹⁸ although the average age of first brain injury appears to be 25 for women compared to 18 for men.¹¹⁹
- The routine under-identification of conduct disorders in girls has been linked with poor performance in school and, in adolescence, criminalised behaviour.¹²⁰
- Around 2% of the general population has a learning disability, compared to about 7% of all people in contact with the criminal justice system.¹²¹
- Women in custody are slightly more likely to have a learning disability than men.¹²²

¹¹² Agenda and NatCen (2020) Often Overlooked: Young women, poverty and self-harm.

¹¹³ Sharpe, G. (2012) Offending Girls: Young adult women and Youth Justice. Abingdon: Routledge.

¹¹⁴ Women's Budget Group (2018) The Female Face of Poverty: Examining the cause and consequences of economic deprivation for women.

¹¹⁵ Justice Select Committee (2016) The treatment of young adults in the criminal justice system, Chapter 1.

¹¹⁶ Ibid.

¹¹⁷ The Disabilities Trust (2019) Making The Link: Female Offending and Brain Injury.

¹¹⁸ United Kingdom Acquired Brain Injury Forum (2015) The treatment of young adults in the criminal justice system – Written evidence.

¹¹⁹ The Disabilities Trust (2019) Making The Link: Female Offending and Brain Injury.

¹²⁰ McNeish, D. and Scott, S. (2014) Women and girls at risk: Evidence across the life course.

¹²¹ NHS England (2016) Strategic direction for health services in the justice system: 2016-2020.

¹²² Around 2% of the general population has a learning disability, compared to about 7% of all people in contact with the criminal justice system. Mottram, P. G. (2007) HMP Liverpool, Styal and Hindley Study Report, University of Liverpool.

Whilst limited information is available about the prevalence of learning disabilities amongst young adult women specifically, research shows that those with learning disabilities are more likely to find the experience of coming into contact with the criminal justice system distressing and confusing.¹²³ Having a learning disability is likely to negatively impact on young adult women's ability to meaningfully participate in a range of criminal justice processes as a suspect or defendant, thereby reducing their access to 'justice'.¹²⁴

Education

Educational underachievement is itself associated with offending. Where this results in a custodial sentence, accessing further education, training or employment upon release becomes more challenging. Particularly high levels of unmet need in this area have been identified amongst young adult women.¹²⁵

- Seventy-four per cent of girls (under 18) in youth custody have previously been permanently excluded versus 63% of boys.¹²⁶
- An increasing number of young adult prisoners are entering custody with skills in literacy, numeracy and IT below grades D–G at GCSE level.¹²⁷

The increasing presence of police in schools in areas with a high proportion of working class and Black and minoritised pupils has also been identified as a means by which young adult women become criminalised. A growing body of literature makes reference to a 'school-to-prison pipeline' as the presence of police increases the likelihood of minor behavioural issues being tackled through punitive interventions which criminalise young people, rather than offering support.¹²⁸

For girls in particular, the presence of police in schools can bring with it experiences of sexualisation. A recent research report by Kids of Colour has highlighted the use of victim-blaming language by school-based police officers, as well as the use of derogatory language, including calling students 'sluts' and 'slags'.¹²⁹ The impact of this on Black girls is particularly amplified, with racialised language used by police officers.¹³⁰ Beyond this report, which draws attention to 'growing concerns' about the development of education as a key site of over-policing for girls,¹³¹ little has been written in a UK context about the gendered aspects of the school-to-prison pipeline.

¹²³ Marshall-Tate, K. et al. (2019) 'Learning disabilities: supporting people in the criminal justice system', Nursing Times.

¹²⁴ Hammond, T. et al. (2019) Out of the Shadows: Women with learning disabilities in contact with the criminal justice system, Prison Reform Trust.

¹²⁵ Bateman, T. and Hazel, N. (2014) Resettlement of girls and young women: research report, Beyond Youth Custody. National Offender Management Service Women and Equalities Group (2012) A Distinct Approach: A guide to working with women offenders.

¹²⁶ Parliamentary Office of Science and Technology (2016), Education in Youth Custody.

¹²⁷ Independent Monitoring Board. Report by Independent Monitoring Board of Her Majesty's Prison and Young Offender Institution Foston Hall 1st December 2013 to 30th November 2014.

¹²⁸ Kids of Colour (2020) Decriminalise the Classroom: A Community Response to Police in Greater Manchester's Schools. Joseph-Salisbury, R. (2020) Race and Racism in English Secondary Schools, Runnymede Trust.

¹²⁹ Kids of Colour (2020) Decriminalise the Classroom: A Community Response to Police in Greater Manchester's Schools.

¹³⁰ Kids of Colour (2020) 'The Extreme Policing and Hyper-Sexualisation of School Girls'.

¹³¹ Kids of Colour (2020) Decriminalise the Classroom: A Community Response to Police in Greater Manchester's Schools.

Experience of the care system

Research highlights what has been described as an ‘overlap in the biographies’ of young adult women with experience of care and those with experience of the justice system.¹³² It has been suggested that experience of an out-of-home placement,¹³³ as well as instability within placements,¹³⁴ plays a role in girls’ (under 18) offending as the environments girls in care are placed in exposes them to risks and forms of disadvantage which increase the likelihood of them coming into contact with the criminal justice system.¹³⁵

- Statutory guidance on care leavers in prison and probation services states that care leavers are more likely to have a criminal conviction than those who do not have experience of the care system.¹³⁶
- Children in care experience ‘unnecessary criminalisation’ during their time in care, particularly in children’s care homes¹³⁷ where the police are more likely to be called following incidents which, in a family home, would not ordinarily be dealt with through the justice system.¹³⁸
- Being in care places young adult women at greater risk of a range of other forms of disadvantage, including sexual exploitation,¹³⁹ substance use,¹⁴⁰ early pregnancy¹⁴¹ and removal of children.¹⁴²

Disabled girls may be particularly at risk, with evidence showing that disabled children are more likely to be looked after, remain in care for longer, have a higher risk of being placed inappropriately in comparison to non-disabled children and are also more likely to be placed in residential care¹⁴³ where they are particularly vulnerable to a range of abuse.¹⁴⁴ Despite the over-representation of children with disabilities in care, there are worrying gaps in the evidence-base around disabled children’s experiences of both the child protection and criminal justice system,¹⁴⁵ particularly where gender is also taken into account.

There is a concerning gap in the evidence-base around the relationship between ethnicity, experience of care and contact with the justice system,¹⁴⁶ despite Black and minoritised children being overrepresented in both systems.¹⁴⁷ Research does suggest, however, that

¹³² Fitzpatrick, C. et al. (2019) Exploring the Pathways between Care and Custody for Girls and Women: A Literature Review.

¹³³ Ryan, J. P. and Testa, M. F. (2005) ‘Child maltreatment and juvenile delinquency: Investigating the role of placement and placement instability’, *Children and Youth Services Review*, 27 (3): 227–249.

¹³⁴ Youth Justice Board (2015) Keeping children in care out of trouble: an independent review chaired by Lord Laming.

¹³⁵ Staines, J. (2016) Risk, Adverse Influence and Criminalisation Understanding the over-representation of looked after children in the youth justice system, Prison Reform Trust.

¹³⁶ Plan International UK (2020). The State of Girls’ Rights in the UK 2019-2020

¹³⁷ HM Prison and Probation Service (2019) Care leavers in prison and probation.

¹³⁸ Plan International UK (2020) The State of Girls’ Rights in the UK 2019-2020

¹³⁹ 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.

¹⁴⁰ UK Government (2016) Keep on Caring: Supporting Young People from Care to Independence.

¹⁴¹ Ibid.

¹⁴² McNeish, D. and Scott, S. (2014) Women and girls at risk: Evidence across the life course.

¹⁴³ Baker, C. (2011) Permanence and stability for disabled looked after children, Iriss.

¹⁴⁴ NSPCC (2014) ‘We have the right to be safe’: Protecting disabled children from abuse – Main report.

¹⁴⁵ Ibid.

¹⁴⁶ Fitzpatrick, C. et al. (2019) Exploring the Pathways between Care and Custody for Girls and Women: A Literature Review.

¹⁴⁷ Bateman, T. et al. (2018) Looked after children and custody: a brief review of the relationship between care status and child incarceration and the implications for service provision.

the accumulation of adversities that tend to be experienced by children in care are more heavily associated with youth justice placements and tendency to re-offend for Black girls compared to girls of other ethnicities.¹⁴⁸ As highlighted in other reviews, despite the over-representation of children with disabilities in care, there are also worrying gaps in the evidence-base around disabled children's experiences of both the child protection and criminal justice system,¹⁴⁹ particularly where gender is also taken into account.

¹⁴⁸ Zettler, H.R. et al. (2018) 'The Racial and Gender Differences in the Impact of Adverse Childhood Experiences on Juvenile Residential Placement', *Youth Violence and Juvenile Justice*, 16 (3): 319–337. Wolff, K.T. et al. (2017) 'The Relationship Between Adverse Childhood Experiences and Recidivism in a Sample of Juvenile Offenders in Community-Based Treatment', *International Journal of Offender Therapy and Comparative Criminology*, 61 (11): 1210-1242.

¹⁴⁹ NSPCC (2014) ['We have the right to be safe': Protecting disabled children from abuse – Main report.](#)

Summary – Vulnerabilities in the lives of young adult women

Young adult women in contact with the criminal justice system face multiple forms of disadvantage. They have complex, overlapping needs and are likely to have histories of or be 'at risk' of: violence, abuse and exploitation; experience of the care system as children themselves and as young parents of children; poor mental health; problematic substance use; exclusion from education; and poverty. The challenges they face are shaped by a wider context of gender inequality, as well other forms of social and structural inequalities.

In each case, connections between the vulnerabilities in young adult women's lives and their offending can be established, with certain risk factors playing a more significant role in young adult women's offending than in young men's and older adult women's. Young adult women tend to have a greater number of support needs which can cause or lead to offending than young men. These include:

- experiences of violence, abuse and exploitation in familial, intimate and peer relationships;
- early parenthood;
- poverty;
- and problems associated with health, particularly mental health and associated coping mechanisms such as alcohol use.

Crucially, these forms of disadvantage experienced by young adult women frequently co-occur, overlapping and reinforcing each other.

Whilst there is overlap in the range of vulnerabilities linked with offending experienced by young adult women and older adult women, young adult women have distinct support needs relating to:

- criminal and sexual exploitation including in peer relationships;
- particularly high levels of poor mental health, including high rates of self-harm and suicide;
- low levels of educational attainment and recent experience of exclusion from mainstream educational settings;
- and the impact of recent experiences of statutory care.

Whilst older adult women in contact with the criminal justice system may have also faced these challenges, the impact of these experiences as they play out in young adulthood means that young women are more likely to present with more immediate needs or 'in crisis' as a result of them.

Section 3: How do young adult women experience the criminal justice system?

Experience of male-dominated spaces

In the youth justice system, girls are a minority in both community and custody settings. Youth Offending Teams (YOTs) have statutory duties to assess young people and provide a programme of rehabilitation. In 2014, however, a Joint Inspection of youth offending services found that, despite pockets of good practice, the quality of support available for girls varied significantly between YOTs and the ability of YOTs to work with girls with a gender-informed lens was called into question. Not all YOTs were able to offer a female case manager and whilst some were able to offer gender-specific programmes, many more were reliant on staff adapting existing interventions which had been developed with boys in mind and were not relatable for girls.¹⁵⁰

In addition to less effective interventions, girls can experience male-dominated systems and spaces as unsafe and sites of further marginalisation. Girls under the age of 18 held in custody, including those due to transition to the adult secure estate, are placed in mixed settings in either Secure Children's Homes (SCHs) or Secure Training Centres (STCs). Girls in STCs can report experiences of sexist treatment from staff, as well as sexually inappropriate behaviour from boys.¹⁵¹ They are also significantly more likely to report feeling unsafe than boys (80% compared with 29% of boys).¹⁵² Whilst there is very limited data available about rates of sexual abuse in the youth secure estate, Her Majesty's Inspectorate of Prisons survey data indicates that 8% of girls in STCs (compared to 2% of boys) report experiencing sexual abuse from other children whilst in custody and 8% of girls report experiencing this from staff (also compared to 2% of boys).¹⁵³ The age of respondents and the gender of perpetrators is not specified. The Independent Inquiry into Child Sexual Abuse has suggested that real rates of abuse may be much higher and also notes that a male-dominated culture has been identified as a common factor in a range of inquiries into child abuse in residential settings, with implications for the ability of sexual abuse to be identified or disclosed.¹⁵⁴

Girls (16–17) in the youth justice system with experience of care may also have experienced being placed in mixed-gender, unregulated accommodation. Widely recognised as an inappropriate environment for vulnerable children in particular, qualitative data indicates that girls in these settings – as well as girls subjected to frequently moving accommodation and homelessness – are at increased risk of criminal and sexual exploitation.¹⁵⁵

¹⁵⁰ Her Majesty's Inspectorate of Probation (2014) [Girls in the Criminal Justice System](#).

¹⁵¹ Plan International UK (2020) [The State of Girls' Rights in the UK 2019-2020](#). Independent Inquiry into Child Sexual Abuse (2019) [Safe inside? Child sexual abuse in the youth secure estate](#).

¹⁵² Her Majesty's Inspectorate of Prisons (2019) [Children in Custody 2017–18: An analysis of 12–18-year-olds' perceptions of their experiences in secure training centres and young offender institutions](#).

¹⁵³ Independent Inquiry into Child Sexual Abuse (2018) [Child sexual abuse in custodial institutions: A rapid evidence assessment](#).

¹⁵⁴ Ibid.

¹⁵⁵ 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. Centrepont (2019) [Escaping the Trap: Supporting homeless young people affected by youth violence and criminal exploitation](#).

Outside of the criminal justice system, but enmeshed in associated systems, young adult women in contact with or at risk of contact with the criminal justice system may also find themselves in other male-dominated spaces. For girls out of mainstream education, alternative provision such as Pupil Referral Units also tend to be male-dominated (10% of boys compared to 4% of girls experience being temporarily excluded from school)¹⁵⁶ and less able to meet the needs of female pupils.¹⁵⁷ In mainstream schools and colleges, girls consistently report high levels of sexual harassment and sexual violence.¹⁵⁸ Whilst less is known about the extent of this problem for girls outside of mainstream education due to significant variations in recording across geographical areas, girls speaking with Agenda report feeling unsafe and uncomfortable in these settings.¹⁵⁹

Adult women also report feelings of discomfort in male-dominated settings. A review of several evaluations of women's community services found that adult women reported a preference for attending a dedicated women's centre rather than a mixed-gender probation service due to feelings of safety.¹⁶⁰ Research has also found that some women accessing probation services are 'resigned' to experiences of harassment from men, viewing this as 'part and parcel of their punishment'.¹⁶¹ Drug and alcohol services too are often heavily male-dominated¹⁶² and identified as particularly inaccessible to Black and minoritised women.¹⁶³

Experience of spaces for adult women

Young adult women in custody

In an annual report from 2012, Her Majesty's Inspectorate of Prisons noted that a failure to identify and address the needs of young adult women had become 'a consistent feature' of inspections of women's prisons.¹⁶⁴ Young adult women make up a small proportion of the overall custodial population of women and, unlike for young adult men, there is no specific legislation or specific establishments for young adult women in custody. The Transition to Adulthood (T2A) Alliance has highlighted the need for particular attention to be paid to the needs of young adult women who move into

¹⁵⁶ Department for Education (2014) [Longitudinal study of young people in England: cohort 2, wave 1 – Research report](#).

¹⁵⁷ Osler, A. et al. (2002) [Not a problem? Girls and exclusion from school](#).

¹⁵⁸ Department for Education (2018) [Sexual violence and sexual harassment between children in schools and colleges: Advice for governing bodies, proprietors, headteachers, principals, senior leadership teams and designated safeguarding leads](#).

¹⁵⁹ Research conducted by Agenda through Freedom of Information requests sent to local authorities found significant geographical variation in what data was collected on violent and sexual incidents in Pupil Referral Units. Some local authorities only recorded incidents worthy of expulsion, whilst many incidents were grouped under 'sexual misconduct' with no further detail provided beyond this. There was one recorded incident of alleged rape. Southgate, J. (2020) ['Have we forgotten about girls in PRUs?'](#) Times Educational Supplement, 4 October 2020.

¹⁶⁰ Radcliffe, P. et al (2013) [The development and impact of community services for women offenders: an evaluation](#), The Institute for Criminal Policy Research, School of Law, Birkbeck College.

¹⁶¹ Goldhill, R. (2018) [Probation policy and practice with vulnerable women: a focus on the challenges of organisational and personal change for women workers and service users](#).

¹⁶² Holly, J. (2017) [Mapping the Maze: Services for women experiencing multiple disadvantage in England and Wales](#), Agenda and AVA.

¹⁶³ Fountain, J. et al. (2003) [Black and ethnic minority communities in England: a review of the literature on drug use and related service provision](#).

¹⁶⁴ Allen, R. (2016) [Meeting the needs of young adult women in custody](#). T2A Alliance.

women's prisons from SCHs or STCs as they turn 18 – a transition which is particularly abrupt and risky.¹⁶⁵

In 2016, the T2A Alliance found that young adult women report poorer experiences of custody than older women in some areas particularly in relation to their first few days in the adult women's estate, their feelings of safety during their first night, greater levels of feeling insulted, intimidated or threatened by members of staff and lower levels of feeling respected by staff.¹⁶⁶ They are more likely to suffer from a 'toxic mix' of fear and boredom than older women¹⁶⁷ and, despite some efforts made in individual institutions to meet the needs of this age group, prison regimes were not found to provide young adult women with more supervision and activities as directed by the Prison Service Order relating to Women Prisoners (PSO 4800).¹⁶⁸ This was an order which provided some guidance around how prisons should meet the gender-specific needs of young adult women but, since T2A's time of writing, it has been rendered obsolete, ostensibly replaced by the Women's Policy Framework which makes no reference to the specific needs of young adult women.¹⁶⁹

Other literature has highlighted further lack of provision for young adult women's specific needs in adult women's prisons. A thematic review of women in prison conducted by Her Majesty's Inspectorate of Prisons in 2010 highlighted differences between young adult women's (18–21) experiences of substance misuse and those of their older female counterparts. This identified that young adult women are more likely than older women to report concerns about alcohol use on release and are more likely to develop a drug problem in prison, despite being less likely to arrive with one. Alongside these observations of need, the review highlighted a lack of appropriate provision to respond to this, noting that prisons 'rarely' had an alcohol policy in place despite this being a specific vulnerability of young adult women and that there was a lack of gender-sensitive substance misuse treatment programmes available to prisoners.¹⁷⁰

Interviews conducted as part of a study of projects working with young adults (16–24) in the criminal justice system indicated that, for female service-users, their role as mothers whilst in custody was a significant issue for them.¹⁷¹ In the year ending March 2019, there were 97 applications received for admission to a Mother and Baby Unit (MBU). Of these, 53 were made by women under the age of 30 (54.6%) – no further breakdown of age appears to be available in existing data.¹⁷² Applications made by women under the age of 30 had a lower success rate (43.4% of applications were successful) than those made for women over the age of 30 where 52% of applications were successful.¹⁷³ In published data it appears that white women and Black and minoritised women are equally likely to

¹⁶⁵ Epstein, R. (2019) 'Policy and Practice for Young Adult Women in the Criminal Justice System', British Journal of Community Justice, 15 (1): 53-66.

¹⁶⁶ Allen, R. (2016) Meeting the needs of young adult women in custody, T2A Alliance.

¹⁶⁷ Epstein, R. (2019) 'Policy and Practice for Young Adult Women in the Criminal Justice System', British Journal of Community Justice, 15 (1): 53-66.

¹⁶⁸ Epstein, R. (2019) 'Policy and Practice for Young Adult Women in the Criminal Justice System', British Journal of Community Justice, 15 (1): 53-66. Allen, R. (2016) Meeting the needs of young adult women in custody, T2A Alliance.

¹⁶⁹ Ministry of Justice (2018) Women's Policy Framework.

¹⁷⁰ Allen, R. (2016) Meeting the needs of young adult women in custody, T2A Alliance.

¹⁷¹ Wong, K. et al. (2017) T2A Final Process Evaluation Report, Policy Evaluation Research Unit.

¹⁷² Ministry of Justice and HMPPS (2019) HM Prison and Probation Service offender equalities annual report 2018 to 2019.

¹⁷³ Ibid.

successfully apply to be accommodated in an MBU, however there is no further breakdown of ethnicity or age available so it is unclear if this is also the case amongst young adult women specifically.¹⁷⁴

In its evidence to the Harris Review, Women in Prison also noted a lack of appropriate interventions accessible to young adult women, with only one gender-specific and accredited offending behaviour programme available in prisons – the CARE programme, which is not specifically designed with young adult women in mind.¹⁷⁵ Rather than a site in which offending behaviour can be addressed, the adult secure estate appears to be a site of re-offending for some young adult women, with 18–20 year olds overrepresented in assaults and antisocial behaviour in custody settings, albeit at much lower rates than their male counterparts.¹⁷⁶ Assaults by young women are more commonly on other prisoners than staff, with young adult women assaulting prison staff at a much lower rate than young men.¹⁷⁷

Given that young adult women’s violent offending occurs in largely relational contexts in which they are attempting to re-assert power and control, it is perhaps unsurprising that they are overrepresented as perpetrators of further violent offences in a site in which they are both uncomfortable, underserved and disempowered. It has been documented, for example, that both women and young people in custody make fewer complaints than might be expected given the proportion of the prison population they constitute. When exploring the reasons for this, the Prisons and Probation Ombudsman found that there was a lack of trust in the complaints system, particularly amongst women, although both women and young people also reported that they were more likely to approach prison officers or keyworkers in the first instance if there was an issue, highlighting the importance of good relationships with professionals for these groups.¹⁷⁸

This may be of particular importance for Black and minoritised women who, in focus groups conducted as part of research undertaken by Agenda and Women in Prison, 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.¹⁷⁹ More recently, a study of women’s experience of appeals (another means of women advocating for themselves within the criminal justice system and challenging its responses to them) found that whilst there are significant barriers to appealing convictions and sentences for both men and women, the high levels of trauma experienced by many women in prison is an additional barrier as the 28 day time-limit on applications is not long enough for many survivors to disclose abuse – the experience of which may form part of the basis of their appeal.¹⁸⁰

¹⁷⁴ Ibid.

¹⁷⁵ Allen, R. (2016) Meeting the needs of young adult women in custody. T2A Alliance. Epstein, R. (2019) ‘Policy and Practice for Young Adult Women in the Criminal Justice System’, British Journal of Community Justice.

¹⁷⁶ Allen, R. (2016) Meeting the needs of young adult women in custody. T2A Alliance.

¹⁷⁷ Allen, R. (2016) Meeting the needs of young adult women in custody. T2A Alliance.

¹⁷⁸ Prisons and Probation Ombudsman for England and Wales (2015) Learning from PPO Investigations: Why do women and young people in custody not make formal complaints?. Sakande, N. (2020) Righting Wrongs: What are the barriers faced by women seeking to overturn unsafe convictions or unfair sentences in the Court of Appeal (Criminal Division)?, The Griffins Society.

¹⁷⁹ Cox, J. and Sacks-Jones, K. (2017) “Double disadvantage”: The experiences of Black, Asian and Minority Ethnic women in the criminal justice system, Agenda and Women in Prison.

¹⁸⁰ Sakande, N. (2020) Righting Wrongs: What are the barriers faced by women seeking to overturn unsafe convictions or unfair sentences in the Court of Appeal (Criminal Division)?, The Griffins Society.

Young adult women in the community

In 2016, a thematic inspection of the provision and quality of services for women in the community found 'a lack of focus on outcomes for women, both strategically and operationally' - only three community rehabilitation companies (CRCs) had gender-specific contractual requirements. Less than one in four probation officers had received training and guidance in relation to working with women. In one in three cases, sufficient work to manage and minimise women's vulnerability was not undertaken, with responses to domestic abuse and sexual exploitation – forms of violence, abuse and exploitation which young adult women experience at particularly high rates – identified as particularly weak.¹⁸¹ There were no specific findings relating to young adult women. This is representative of much of the literature relating to women's experiences of probation services, with little known about young adult women's age-specific experiences of this important aspect of the criminal justice system.

Similarly, whilst existing literature makes a strong case for women's centres as a crucial constituent of gender-sensitive responses to adult women in contact with the criminal justice system,¹⁸² less is known about young adult women's experiences of these spaces and, despite pockets of good practice, women's services report facing challenges reaching and engaging with younger women. They also report difficulties developing the partnerships needed to grow this area of work, including those with statutory agencies – such as education, social care partners and voluntary sector youth services.

With models of youth provision regularly built around young men's lives and all key youth funding announcements since 2018 'gender-neutral',¹⁸³ youth services are limited in their ability to deliver gender-responsive support. Whilst the literature reflects very little of young adult women's experiences of accessing support in the community, young adult women in conversation with Agenda have reported experiencing both male-dominated youth spaces and women's centres primarily designed around the needs of adult women as 'not for them'.¹⁸⁴ In contrast, where there is gender- and age-specific local practice, young adult women describe this as having a significant, positive impact on their lives and would like to see this developed and maximised.¹⁸⁵

¹⁸¹ Her Majesty's Inspectorate of Probation (2016) [A thematic inspection of the provision and quality of services in the community for women who offend](#).

¹⁸² A comprehensive list of reports, studies and evaluations which outline the benefits and positive outcomes for women accessing women-only support services is available in: Tavistock Institute (2019) [Why Women's Centres Work: An Evidence Briefing](#). This evidence-base is also usefully discussed in: AVA and Agenda (2017) [The core components of a gender sensitive service for women experiencing multiple disadvantage: A review of the literature](#).

¹⁸³ Department for Digital, Culture, Media & Sport (2019) [New Youth Charter to support young people across the country](#). Home Office (2019) [Charity chosen to deliver £200m Youth Endowment Fund to tackle violence](#). Department for Education (2019) [New programme to protect children at risk of exploitation](#). Mayor of London (2019). [Mayor to invest £15 million in activities for young Londoners](#); Ministry of Housing, Communities & Local Government (2018) [Troubled Families Programme: Supporting Families Against Youth Crime – Fund Prospectus](#). Department for Education (2019) [Vital new support for young people leaving care](#). Department for Digital, Culture, Media & Sport (2019) [£12 million boost for youth projects](#).

¹⁸⁴ Agenda (2020) [Struggling Alone: Girls' and young women's mental health](#).

¹⁸⁵ Ibid.

Responses to risk and vulnerability

Unrecognised risks

Criminal justice agencies' responses to the risks facing young adult women are characterised by minimisation and misrecognition. That is, when working with young adult women, agencies often fail to establish a clear picture of the extent of risk and need experienced by young adult women and underplay the severity of risk when it is identified.

In the youth justice system, the ability of YOTs to assess the risks and needs of girls was called into question by the 2014 joint inspection of youth offending services with a focus on girls in the criminal justice system.¹⁸⁶ Lack of assessment around the impact of physical and mental health, the intersection of mental health issues with substance use and re-offending for young adult women and girls was also identified, and there is little provision for identification of and support around the specific needs of young adult women and girls with intersecting marginalised identities including Black and minoritised, LBT, care-experienced and/or disabled girls.¹⁸⁷

The youth justice risk assessment tool, AssetPlus, does not contain a mandatory field relating to experiences of trauma and victimization.¹⁸⁸ Whilst the complex interplay between girls' offending and sexual exploitation has been highlighted as a vulnerability for all girls in contact with the youth justice system, child sexual exploitation is also not automatically considered as a vulnerability of girls referred to YOTs in all areas of the country.¹⁸⁹ This is of particular concern for older teenagers, including 16–17 year olds experiencing multiple disadvantage, who can be specifically targeted by adults seeking to sexually exploit them with the knowledge that safeguarding responses from services may be less robust for this age group on the cusp of adulthood, and due to the fact that they are less easily protected by the law due to the age of consent.¹⁹⁰

Further to this, case management guidance issued to professionals working with children in the youth justice system discusses the means by which appropriate interventions should be identified as primarily based on the support required to facilitate the child's desistance from offending, and the risk of serious harm that the child or young person poses to others. It does not focus on identification of risks children may pose to themselves, or the risks posed to them by others. Likewise, guidance around assessing the need for transition to the adult system is largely based around the risk young people pose to others.¹⁹¹

¹⁸⁶ Her Majesty's Inspectorate of Probation (2014) [Girls in the Criminal Justice System](#).

¹⁸⁷ Ibid.

¹⁸⁸ Fitzpatrick, C. (2017) 'What do we know about girls in the care and criminal justice systems?', *Safer Communities*, 16 (3): 134-143.

¹⁸⁹ Her Majesty's Inspectorate of Probation (2014) [Girls in the Criminal Justice System](#).

¹⁹⁰ Local authorities must look to safeguard any child where there is reasonable cause to suspect they are suffering, or are likely to suffer, significant harm. Adult safeguarding sits under a different statutory framework, with different priorities and thresholds for support. The different criteria can mean, for example, that an 18-year old girl who is being criminally exploited is only considered as a perpetrator, not a victim, or that an 18-year old girl being sexually exploited no longer qualifies for a safeguarding response because they don't have recognised mental health needs. The Children's Society (2015). [Old enough to know better? Why sexually exploited older teenagers are being overlooked](#).

¹⁹¹ Youth Justice Board (2019). [How to assess children in the youth justice system: section 4 case management guidance](#).

The continuing development of an evidence-base around 'gang'-affected young adult women perhaps provides an effective example of the misrecognition of risks facing young adult women by professionals. It is striking that in one study on 'gangs', survey questions for professionals relating to women and girls 'received relatively low numbers of responses' but, where practitioners did respond, extensive involvement of women and girls in criminal activities was reported. Ninety-seven per cent of these respondents reported that women and girls carried or stored drugs and 76% to 79% reported that this was also the case for committing violence, carrying or storing firearms and committing other crimes. These respondents also identified girls and young adult women in a 'victim' role, with sexual or physical violence and sexual exploitation reported to happen 'sometimes' or 'often' by 97% and 96% of respondents.¹⁹² A different study of 150 young people (aged 13–28, male and female) all shared examples of sexual violence or sexual exploitation of women,¹⁹³ despite the relatively low numbers of professionals able to identify this in the study involving survey of professionals.

Beyond the criminal justice system, both practitioners and young women facing multiple disadvantage describe multiple experiences of being overlooked or excluded by services. This in turn creates a harmful narrative whereby girls are blamed for lack of engagement, or labelled as 'risky' or 'hard to reach'.¹⁹⁴ Similarly, the social normalisation of young women's mental distress was highlighted in a recent inquiry into the support available for young people who self-harm, noting that this can lead to 'a danger of apathy among professionals'.¹⁹⁵

Punishment and re-traumatisation

Where risks to young adult women are identified, interventions intended to protect or manage this can be experienced as unhelpful, punitive and re-traumatising. Young adult women expressing their sadness and anger overtly and exhibiting disruptive behaviours may experience inappropriate responses by professionals who misinterpret them as manipulative or delinquent. The majority of children placed in secure accommodation on welfare grounds are girls. Those who have repeatedly run away from home or institutional care may be placed in restrictive settings, which may be re-traumatising for previously abused girls.¹⁹⁶

The use of force, physical restraint and isolation is increasingly and disproportionately used against girls in custody settings to manage behaviour and even self-harm.¹⁹⁷ This trend is also seen in other secure settings, including mental health settings. In the

¹⁹² Home Office (2016) Local perspectives in Ending Gang and Youth Violence Areas: Perceptions of the nature of urban street gangs. Research Report 88.

¹⁹³ Beckett, H. et al. (2013) "It's wrong... but you get used to it": A qualitative study of gang-associated sexual violence towards, and exploitation of, young people in England. Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation in Gangs and Groups.

¹⁹⁴ Agenda (2020) Struggling Alone: Girls' and young women's mental health.

¹⁹⁵ All-Party Parliamentary Group on Suicide and Self-Harm Prevention (2020) Inquiry into the support available for young people who self-harm: A report by the All-Party Parliamentary Group on Suicide and Self-Harm Prevention.

¹⁹⁶ McNeish, D. and Scott, S. (2014) Women and girls at risk: Evidence across the life course.

¹⁹⁷ In the year ending March 2019, restrictive physical interventions were used against white children and young people in youth justice settings at a slightly higher rate than against Black, Asian and Minority Ethnic children and young people. It should be noted, however, that this is the first time this has been the case since the year ending March 2014. Youth Justice Board and Ministry of Justice (2020) Youth Justice Statistics 2018/19 – England and Wales.

financial year ending 2015, nearly 1 in 5 girls admitted to CAMHS facilities were physically restrained and were more likely to be restrained face down than boys. For adult women too, face-down restraint was more commonly used on women admitted to mental health facilities than on men, with women also more likely to experience repeat incidents of restraint.¹⁹⁸

Research suggests that Black young adult women are more likely to experience these kind of punitive and re-traumatising responses. A recent inspection report highlighted higher rates of victimisation by staff, with 49% of Black and minoritised women in custody reporting that they had experienced this, compared to 34% of white women.¹⁹⁹ 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. Issues overlooked included Black women's presentation when experiencing poor mental health being classed as an 'anger management' issue.²⁰⁰ Clinks have highlighted how similar stereotyping of Black girls plays out, with Black girls are 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.²⁰¹

Looking beyond criminal justice professionals' responses, it is apparent that Black and minoritised women and girls face broader inequalities in access to care, with research highlighting the under-resourcing of services in economically-deprived areas where they are more likely to live.²⁰² When Black and minoritised young adult women do enter mental health services, this is more often through coercion than is the case for their white counterparts.²⁰³ In March 2019, for example, Black people were 4 times for likely to be detained under the Mental Health Act than white people²⁰⁴ and Black and minoritised young people were twice as likely to enter youth mental health services via a court order than white young people.²⁰⁵

Furthermore, within mental health services, models of 'recovery' can overlook the impact of forms of discrimination such as racism, thereby failing to connect young adult women's mental ill-health with the oppression they face.²⁰⁶ Services can characterise reactions to racism as signs or symptoms of illness, meaning that this, rather than the ongoing discrimination girls and young women face, is addressed.

¹⁹⁸ Agenda (2017) [Agenda briefing on the use of restraint against women and girls.](#)

¹⁹⁹ Her Majesty's Inspectorate of Prisons (2020) [Minority ethnic prisoners' experiences of rehabilitation and release planning – A thematic review.](#)

²⁰⁰ Cox, J. and Sacks-Jones, K. (2017) ["Double disadvantage": The experiences of Black, Asian and Minority Ethnic women in the criminal justice system](#), Agenda and Women in Prison.

²⁰¹ Clinks (2019) [Clinks Response: The Justice Committee's inquiry into children and young people in custody.](#)

²⁰² Edge, D. (2010) [National Perinatal Mental Health Project Report – Perinatal Mental Health of Black and Minority Ethnic Women: A Review of Current Provision in England, Scotland and Wales.](#)

²⁰³ Edbrooke-Childs, J. and Patalay, P. (2019) ['Ethnic Differences in Referral Routes to Youth Mental Health Services'](#), Journal of the American Academy of Child & Adolescent Psychiatry, 58 (3): 368-375.

²⁰⁴ Ibid.

²⁰⁵ Ibid.

²⁰⁶ Women's Health & Equality Consortium (2017) [Taking a forward view on women and mental health: key messages for government.](#) Fitzpatrick, R. et al. (2014) [Ethnic Inequalities in Mental Health: Promoting Lasting Positive Change](#), Lankelly Chase Foundation, Mind, The Afiya Trust and Centre for Mental Health. Kalathil, J. (2011) [Recovery and Resilience: African, African-Caribbean and South Asian Women's experience of recovering from mental illness](#), Mental Health Foundation and SurvivorResearch.

Stigma

Research has also highlighted that professionals in both the criminal justice system and the care system are more reluctant to work with girls and young adult women. In care settings, it is suggested that this may be related to the fact young adult women are more likely to have experienced more difficulties in their lives than boys (including physical and emotional abuse, self-harm and attempted suicide, as well as other additional background adversities) prior to placement in care.²⁰⁷

The Laming Review highlighted the stigmatising nature of the criminal justice system's response to girls' experiences of trauma, identifying the way in which negative stereotyping on the basis of young people's offending and care status is compounded for young adult women through negative stereotyping on the basis of gender for girls. It also highlights the particularly negative stereotypes about girls subjected to child sexual exploitation.²⁰⁸ Research conducted by the Independent Inquiry into Child Sexual Abuse found that staff in the youth secure estate enacted unintentional but implicit bias using derogatory or stigmatising language when speaking about children who had experienced child sexual exploitation, using terms such as 'attention seeking', 'risky behaviours' and 'promiscuous' when speaking about girls specifically.²⁰⁹

Racism

Black and minoritised young adult women face particular disadvantages in the criminal justice system, including discrimination, stigma, and a lack of specialist support, yet their particular needs are invisible in most research and data²¹⁰ as it is often the case that available data about experiences of the criminal justice system is disaggregated by gender or by ethnicity, but rarely both.

In research conducted by the Prison Reform Trust, young Black women (ages unspecified) in particular have reported feeling the effects of a 'double standard' within the justice system. They noted that criminal justice agencies were quick to respond when they are 'in trouble' for offending behaviour, but offered limited support or responding inappropriately when they are victims of crime.²¹¹ From their first point of contact with the criminal justice system through the police (both in school²¹² and through over-policing of communities²¹³), Black and minoritised girls can experience more punitive justice responses than their white counterparts. Whilst the impact of policing on Black and minoritised young adult women, particularly Black young adult women, including through early criminalisation in schools has been more explored in a US context, new research from the Runnymede Trust has highlighted the way in which the presence of

²⁰⁷ Prison Reform Trust (2016) [Risk, Adverse Influence and Criminalisation: Understanding the over representation of looked after children in the youth justice system.](#)

²⁰⁸ Prison Reform Trust (2016) [In Care, Out of Trouble: How the life chances of children in care can be transformed by protecting them from unnecessary involvement in the criminal justice system.](#)

²⁰⁹ Independent Inquiry into Child Sexual Abuse (2019) [Safe inside? Child sexual abuse in the youth secure estate.](#)

²¹⁰ Plan International UK (2020) [The State of Girls' Rights in the UK 2019-2020.](#)

²¹¹ Prison Reform Trust (2017) [Counted Out: Black, Asian and minority ethnic women in the criminal justice system.](#)

²¹² Kids of Colour (2020) [Decriminalise the Classroom: A Community Response to Police in Greater Manchester's Schools.](#)

²¹³ Shiner, M. et al. (2018) [The Colour of Injustice: 'Race', drugs and law enforcement in England and Wales.](#)

police in schools in more economically-deprived areas 'produce[s] [the] delinquency' of Black and minoritised children from a range of ethnic backgrounds.²¹⁴

Whilst well-documented examples of institutionalised racism in policing such as stop and search impact young Black men at higher rates,²¹⁵ research has shown that Black women (91%) are more likely than Black men (77%) to feel that they would not be treated the same as a white person by the police.²¹⁶ There is also some, limited coverage of the impact of this on young Black women in the media, such as in the case of an 18 year old Black LBT+ woman (name unknown) who was injured and experienced being mis-gendered by onlookers whilst being stopped and searched by British Transport Police in London in November 2019.²¹⁷ Kids of Colour has also recently reported on the case of a young Black disabled woman (name unknown) in Middlesbrough in July 2020 who was arrested following a mental health crisis. Following her arrest, she tried to take her own life whilst in custody and was strip-searched and detained without clothes overnight – an extremely distressing experience which triggered memories of previous sexual trauma.²¹⁸

In the youth justice system, there is limited statutory guidance around assessment of appropriate interventions with Black and minoritised children. Whilst case management guidance notes that YOTs should always give consideration to diversity, including ethnicity and other protected characteristics, it makes specific reference only to consideration of the potential risk of harm, the need to consider risk as a result of 'gang'-involvement and the importance of passing information about how this risk has been managed to date onto the relevant probation trust.²¹⁹ Reference to 'gang' involvement here is significant, with literature that explores the specific experiences of Black and minoritised 10-17 year olds in the youth secure estate noting that young Black people are more likely to be identified with 'gang concerns' and considered a 'risk to others' on entry to custody than other ethnic groups.²²⁰

'[S]aturated with racial connotations',²²¹ the use of the term 'gang' in policy contexts and its deployment in criminal justice practice from policing to prosecution elevates the level of risk young Black and minoritised people are perceived to pose to others.²²² Media representations of 'girl gangs' have given rise to a narrative which depicts a significant growth in numbers of hyper-violent young adult women offending in a group context.

²¹⁴ Joseph-Salisbury, R. (2020) Race and Racism in English Secondary Schools, Runnymede Trust.

²¹⁵ In the year ending March 2019, there were 4 stop and searches for every 1,000 white people, compared with 38 for every 1,000 Black people (UK Government (2020) Stop and search). Whilst publically available data about stop and search does not tend to disaggregate by both gender and ethnicity, Freedom of Information requests completed by the Centre for Social Justice found that between 3% and 9% of all those subject to stop and search across a variety of policing areas in 2011/12 were female (Centre for Social Justice (2014) Girls and Gangs).

²¹⁶ Henry, C. et al. (2020) The Black Community and Human Rights.

²¹⁷ Taylor, N. 'This week a London police break a black girl's tooth and the UK sees its first black woman history professor', Gal-Dem, 4 November 2019.

²¹⁸ Kids of Colour and Northern Police Monitoring Project (2020) '31st July 2020: Incident of Violent Policing, Middlesbrough'.

²¹⁹ Youth Justice Board (2019). How to assess children in the youth justice system: section 4 case management guidance.

²²⁰ Ministry of Justice (2017) Exploratory analysis of 10-17 year olds in the youth secure estate by black and other minority ethnic group.

²²¹ Hallsworth, S. and Young, T. (2011) 'On Gangs and Race', Gangs Revisited: What's a Gang and What's Race Got to Do with It?, Runnymede Trust.

²²² Smithson, H. et al. (2013), 'Used and abused: the problematic usage of gang terminology in the United Kingdom and its implications for ethnic minority youth', British Journal of Criminology, 53 (1): 113–28.

Whilst research has called this depiction of young adult women's experience of 'gangs' into question,²²³ this has not prevented young women perceived as 'gang-associated' having the vulnerabilities in their lives overlooked by professionals,²²⁴ with a recent report on the relationships between 'gangs' and young women's experiences of domestic abuse as 'the victim [...] that nobody cares about'.²²⁵

Just as Black and minoritised children are less likely to report being treated fairly by the rewards and sanctions scheme in youth custody institutions than their white peers,²²⁶ some adult Black and minoritised women interviewed by Women in Prison and Agenda indicated that racial bias informed how 'enhancements' were awarded to prisoners by staff.²²⁷ Black and minoritised women also reported experiencing racism from other prisoners, noting that the use of racial slurs by white prisoners was not addressed appropriately by staff and, in one case, an Asian woman's attempts to highlight her experiences of racism in custody being ignored as she was stereotyped as 'a quiet Asian girl'.²²⁸

Experiences of resettlement

Recent thematic reviews of resettlement of young people (18–21) and adults conducted by Her Majesty's Inspectorate of Prisons and Her Majesty's Inspectorate of Probation place greater emphasis on the ability of young people to 'settle back into their lives', whilst focusing more on the reduction of re-offending amongst adults.²²⁹ Whilst the length of time resettlement entails may, to some extent, be defined on an individual basis by those leaving custody depending what reintegration into a community means to them,²³⁰ the Offenders Rehabilitation Act 2014 arguably attaches a statutory timescale, determining that anyone receiving a custodial sentence of over the length of 1 day and over the age of 18 on release now receives statutory supervision in the community as mandatory for up to 12 months. Sanctions are imposed if they breach conditions attached to their supervision, including re-appearance before a court.²³¹ This means that children on the cusp of adulthood, including girls transitioning to young womanhood, may have drastically varying experiences of their sentence and resettlement depending on when they reach their 18th birthday. A young woman turning 18 the day after her custodial sentence ends will receive a year of supervision within the community, and a young woman turning 18 the day before her custodial sentence will be released having served her sentence entirely.²³²

²²³ Young, T. (2010) 'Girls and Gangs: 'Shemale' Gangsters in the UK?', *Youth Studies*, 9(3): 224-238.

²²⁴ Southgate, J. (2012) Seeing differently: Working with girls affected by gangs, The Griffins Society.

²²⁵ Jury-Dada, S. (2019) Girls, gangs and their abusive relationships, Winston Churchill Memorial Trust.

²²⁶ Her Majesty's Inspectorate of Prisons (2018). Incentivising and promoting good behaviour – A thematic review.

²²⁷ Cox, J. and Sacks-Jones, K. (2017) "Double disadvantage": The experiences of Black, Asian and Minority Ethnic women in the criminal justice system, Agenda and Women in Prison.

²²⁸ Ibid.

²²⁹ Her Majesty's Inspectorate of Probation and Her Majesty's Inspectorate of Prisons (2019) Youth Resettlement – final report into work in the community. Her Majesty's Inspectorate of Prisons, Her Majesty's Inspectorate of Probation and Ofsted (2014) Resettlement provision for adult offenders: Accommodation and education, training and employment.

²³⁰ Owens, E. (2010) Exploring the experiences of Minority Ethnic Women in Resettlement: What role, if any, does ethnic culture play in the resettlement of Black (African-Caribbean) women offenders in the UK?, The Griffins Society.

²³¹ Offenders Rehabilitation Act 2014.

²³² Clinks (2015) The Offender Rehabilitation Act – Clinks Briefing.

Running from 2013 to 2018, Beyond Youth Custody (BYC) was a national programme which examined and promoted best practice in the effective resettlement of young adults. As part of their programme of work, an extensive literature review to examine the resettlement needs of girls and young adult women was completed. This aimed to address ‘a worrying gap in [...] knowledge’ about this aspect of girls and young adult women’s experience of the criminal justice system. With the notable exception of this report, however, little work has been done around this issue and the most recent inspection of resettlement provision for young adults in the criminal justice system completed in 2019 reviewed only the cases of young men held in YOIs.²³³

A further gap in the evidence-base is of research on Black and minoritised young adult women’s experiences of re-settlement. A recent inspection report focusing on Black and minoritised prisoner’s experiences of resettlement and release-planning had no specific findings relating to younger women.²³⁴ Despite the gaps in knowledge that exist, however, it is clear that young adult women have distinct and gendered experiences of the resettlement process, with young adult women facing particular challenges in a number of different areas.

Housing

In recent years, the challenges facing adult women in contact with the criminal justice system in accessing safe, secure housing and the impact of this on women’s re-offending has been widely discussed, with figures in 2018 showing that 60% of adult women (18+) do not have homes to go to on release.²³⁵

Whilst there is very little national data available on the number of young adults (18-25) leaving custody without accommodation, figures recently released by the Ministry of Justice show that during the first month of lockdown as part of the UK’s coronavirus crisis response, young adults were less likely to have left prison without accommodation than their older adult counterparts – 15% of adult women left prison homeless compared to 6% of all young adults (no gender breakdown available).²³⁶ Whilst there may be some additional housing pathways available to young adult women who are care leavers or who themselves have children, however, support may be required to identify these²³⁷ and it is clear that many young adult women come up against significant obstacles attempting to access accommodation able to meet their needs during their resettlement periods.

With all those under 25 entitled to lower rates of benefits for housing support, many young adults leaving prison are only able to access shared accommodation which can pose issues due to the lack of space and privacy, particularly for young adult women with histories of trauma and poor mental health, as well as introducing new risks associated with living with others.²³⁸ Whilst returning to a family home may be thought of as the first and best accommodation option for young adults, research highlights that this is not the

²³³ Her Majesty’s Inspectorate of Probation and Her Majesty’s Inspectorate of Prisons (2019) [Youth Resettlement – final report into work in the community.](#)

²³⁴ Her Majesty’s Inspectorate of Prisons (2020) [Minority ethnic prisoners’ experiences of rehabilitation and resettlement – A thematic review.](#)

²³⁵ Prison Reform Trust (2018) [Home truths: housing for women in the criminal justice system.](#)

²³⁶ [HC Deb 19 June 2020 61689W.](#)

²³⁷ Her Majesty’s Inspectorate of Prisons, Her Majesty’s Inspectorate of Probation and Ofsted (2014) [Resettlement provision for adult offenders: Accommodation and education, training and employment.](#)

²³⁸ Crisis. [‘Prison leavers’.](#)

case for all young people due to negative or unsafe family relationships.²³⁹ Women in general are less likely to live with family on release²⁴⁰ and there are likely to be heightened risks for young adult women leaving prison and returning to family homes where relationship difficulties or experiences of abuse may have been precursors to their offending.²⁴¹

Education, training and employment

Employment outcomes for women following short prison sentences are worse than those for men, with less than one in ten women going on to finding employment following release.²⁴² This has been attributed to a number of barriers to employment women are more likely to encounter than their male counterparts, including exclusion from vocational rehabilitation opportunities on the grounds of poor mental health, lack of women-only unpaid work placements, childcare responsibilities and low pay.²⁴³ Whilst there is limited research with a specific focus on young adult women's prospects of accessing training opportunities or employment during resettlement, young adult women are likely to face many of the same barriers to their older adult counterparts, whilst also experiencing particularly high levels of unmet need in relation to education and preparation for work opportunities whilst still in custody.²⁴⁴ Literature suggests that they may struggle to participate in learning or preparation for work activities due to more recent negative experiences of education.²⁴⁵

Re-building relationships

Reduced accommodation options for girls and young adult women in the secure estate mean that they are frequently incarcerated a significant distance from home. This can make it difficult to maintain relationships with supportive family and friends and may face particular challenges re-connecting with support networks on release.²⁴⁶ This may further exacerbate previous experience of relationships with family members, partners and peers as sites of conflict or abuse. With much of the literature around adult women's resettlement emphasising the role that supportive relationships play in preventing re-offending, this is concerning, highlighting a barrier to desistance.²⁴⁷

Responses to re-offending

Whilst boys who give up offending tend to describe the negative effects of the criminal justice system on their lives as a key motivating factor in their desistance, girls and young adult women are more likely to offer moral or emotional arguments, and to highlight their responsibilities to family and friends.²⁴⁸ Where young adult women are identified as

²³⁹ Centrepont (2018) 'Have you anybody you can stay with?' Housing options for young adults leaving custody.

²⁴⁰ Opsal, T. and Foley, A. (2013) 'Making it on the Outside: Understanding Barriers to Women's Post-Incarceration Reintegration', *Sociology Compass*, 7 (4), 265-277.

²⁴¹ Ibid.

²⁴² Prison Reform Trust (2015) Working it out: Employment for women offenders.

²⁴³ Ibid.

²⁴⁴ Hamlyn, B. and Lewis, D. (2000) Women Prisoners: A Survey of Their Work and Training Experiences in Custody and On Release. Home Office Research Study.

²⁴⁵ UK Government (2005) Reducing Re-Offending Through Skills and Employment.

²⁴⁶ Bateman, T. and Hazel, N. (2014) Resettlement of girls and young women: research report. Beyond Youth Custody.

²⁴⁷ Ibid.

²⁴⁸ Ibid.

having re-offended, evidence suggests that a punitive rather than welfare-based response can have a significantly detrimental impact on young adult women and be particularly ineffective, undermining the development of their agency and reducing engagement with workers.²⁴⁹

For many young adult women, rather than a time of new opportunities and a 'fresh start', resettlement has the potential to be traumatic with enhanced risk of re-offending. In addition to grappling with the new stigma of having a criminal record – something which research has highlighted as felt particularly acutely by Black women²⁵⁰ and Muslim women²⁵¹ – young adult women experience a move from a highly structured, custodial environment to relative 'freedom'. Here, they must renegotiate relationships and their sense of identity post-release, whilst rapidly coming up against multiple forms of disadvantage which may have previously driven their offending whilst grappling with the disappointment that what they hoped would be different may not be realised. Research conducted with young adult women whilst in custody found that, whilst some are optimistic about release with a strong sense of their ability to exercise agency, others felt overwhelmed by the prospect.²⁵²

Young adult women experiencing the transition from children's to adult services during their resettlement are likely to face additional difficulties, with existing literature suggesting that young people in transition experience disjointed support during this time, particularly as relates to health needs (physical and mental), substance use and education, training and employment.

²⁴⁹ Ibid.

²⁵⁰ Chigwada-Bailey, R. (2003) *Black Women's Experiences of Criminal Justice: Race, Gender and Crime – a Discourse on Disadvantage*, Waterside Press.

²⁵¹ Buncy, S. and Ahmed, I. (2014) Muslim Women in Prison: Second Chance, Fresh Horizons – A study into the needs and experiences of Muslim women at HMP & YOI New Hall & Askham Grange prisons during custody & post release.

²⁵² Bateman, T. and Hazel, N. (2014) Resettlement of girls and young women: research report, Beyond Youth Custody.

Summary – How do young adult women experience the criminal justice system?

With little gender- and age-informed practice in either community or custody settings, young adult women can feel unsafe and disempowered in a number of the services and spaces they access whilst in contact with the criminal justice system.

In the community, young adult women can feel intimidated by and face exposure to sexual harassment and violence and sexual and criminal exploitation in male-dominated spaces such as youth offending teams, pupil referral units and unregulated, mixed-gender accommodation. Young adult women also report poor experiences of custody settings which are orientated around the needs of older adult women, with particular gaps in provision for young adult women who are 'settling in' to the secure adult estate, as well as in relation to behaviour change programmes, substance use interventions, and education and preparation for work opportunities.

A lack of expertise relating to young adult women's gendered experiences of multiple disadvantage can mean professionals fail to see the full extent of risk and need facing young adult women or underplay the severity of this when it is identified. Where vulnerabilities are recognised, concerns have been raised about the use of punitive and re-traumatising methods of risk-management. The disproportionate use of restraint against young adult women experiencing mental health crises or emotional distress, as well as stigmatising responses from professionals working with criminalised girls and young adult women with histories of trauma (particularly experiences of child sexual exploitation), are a particular concern.

Despite relatively limited documentation of young adult women's age- and gender-specific experiences of racism in the criminal justice system and a paucity of data disaggregated by age, gender and ethnicity, available evidence makes clear Black and minoritised young adult women experience discrimination and heightened levels of stigma, as gender intersects with race. Racist stereotyping has been seen to inform criminal justice agencies responses to Black and minoritised young adult women, resulting in a reduced focus on the provision of care and support, and a greater focus on risk or behaviour management, leaving the multiple vulnerabilities in the lives of Black and minoritised young adult women largely unaddressed.

In addition to poor responses from individual practitioners, concerns have been raised about the growing reach of the criminal justice system in the lives of Black and minoritised girls and young adult women, as well as girls and young adult women from more socio-economically disadvantaged backgrounds. As policing expands into a range of spaces accessed by young adult women facing multiple disadvantage, including education and care settings, criminal justice responses to relatively minor behavioural issues or displays of emotional distress increasingly result in the criminalisation of already marginalised young adult women.

Likewise, punitive rather than welfare-based responses to young adult women's re-offending can push young women further into the criminal justice system. Despite significant gaps in knowledge relating to the particular challenges young adult women face during resettlement (including access to safe accommodation and opportunities to pursue education and training and re-build supportive relationships with family and friends), it is clear that there are a number of missed opportunities to intervene for young adult women in this late stage of the criminal justice system.

Section 4: Moving into adulthood whilst in contact with the criminal justice system

As they turn 18, young people in the community and in custody transition from the youth to the adult justice system. With no publicly available data showing the number of girls, or children overall, who transition from the youth to adult criminal justice system, the exact number of young women making this transition is unknown.²⁵³ It is clear, however, that they make up only a small proportion of this group and face different, gender-specific risks and vulnerabilities to their male counterparts whilst navigating a destabilising lack of continuity in services inside and outside the justice system. This may include moving from being supported by YOTs to adult probation services and the move from youth custody to adult prisons, as well as changes to mental health provision, housing options, experiences of leaving care and reduced safeguarding obligations.

Currently, there is no known literature that documents this experience for girls and young adult women specifically, so this literature review has drawn on relevant literature for young people in general, alongside what is known for girls specifically. This analysis begins to shed light on what happens for girls as they turn 18 whilst in contact with the criminal justice system – these issues will be explored further by the Young Women’s Justice Project in a forthcoming briefing paper.

Experiences of girls ‘in transition’

As acknowledged by Her Majesty’s Inspectorate of Probation, ‘the transition from the youth to the adult system is a cliff edge’ that is ‘not always managed well’ at an especially difficult time for young people.²⁵⁴ Experiencing this change in systems can be challenging for girls as there are differing levels of support available in youth and adult criminal justice services. As summarised by Her Majesty’s Inspectorate of Probation, ‘[t]he adult system offers less frequent contact and support, provides fewer targeted interventions, such as speech and language or [mental health support], and is built on a more punitive model.’²⁵⁵ Any in-house services being provided by YOTs must be transferred to external services when a young person transitions to adult probation and, whilst YOTs aim to address children’s risks and needs, probation focuses on criminal justice, punishment, and public protection.²⁵⁶ YOTs also tend to take a more flexible approach to dealing with young people that fail to comply with their sentence conditions.²⁵⁷ Overall there is a shift in responsibility and expectations on the young person when they enter adult services.²⁵⁸

²⁵³ In a response to a Freedom of Information request, the Ministry of Justice advised that, since January 2017, the number of girls transitioning from the youth secure estate to adult prisons on a monthly basis was too small to release, lest this result in inadvertent identification of individuals. It has been indicated that the number is ‘five or fewer’ monthly and that, in some cases, the number is zero.

²⁵⁴ Her Majesty’s Inspectorate of Probation (2019) [Annual report: inspection of youth offending services \(2018-2019\)](#).

²⁵⁵ Ibid.

²⁵⁶ Price, J. (2020) ‘The experience of young people transitioning between youth offending services to probation services, Probation Journal, 67 (3): 246–263.

²⁵⁷ For example, YOTs supporting children on community-based orders will give two warnings before breaching the child for noncompliance, whereas probation will usually initiate breach proceedings immediately following noncompliance. Just For Kids Law (2020) [Timely Justice: Turning 18 - A briefing on the impact of turning 18 in the criminal justice system](#).

²⁵⁸ Her Majesty’s Inspectorate of Probation and Her Majesty’s Inspectorate of Prisons (2019) [Youth resettlement work: Interim report into work in custody](#).

With scarce research on transitions from YOTs to probation, and most evidence gathered from inspection reports, the existing literature makes almost no mention of the specific experiences for girls and young adult women. A 2012 thematic report on transitions makes just one mention of girls and young adult women, stating that work to promote effective transition was 'generally of a slightly higher quality' than the general sample, although fewer case transfer meetings took place compared to young men.²⁵⁹ The follow-up to this report in 2016 makes no mention of girls.²⁶⁰

In general, however, the drop off in support between YOTs and probation, including loss of regular practitioner contact, loss of important relationships, and reduced access to support services, as well as a lack of specific support following transition, is highlighted as detrimental to young people in general, increasing vulnerability and likelihood of reoffending.²⁶¹ The narrow view taken regarding transitions, which focuses on direct transfer of responsibility and 'overlooks broader issues', is also identified as exacerbating vulnerabilities.²⁶² With many services changing or dropping off all at once, young adult women facing this arbitrary cliff-edge in support may be at greater risk of continued criminal justice system involvement as a result.

Responses to girls in transition

A common theme in the literature on young adults in the criminal justice system is the stark change in support available to young people turning 18, with the transition and removal of individually focussed support²⁶³ determined by age ('adult' vs 'child' status), rather than need.²⁶⁴ Yet widely accepted evidence on cognitive development demonstrates that young people's brains continue to mature well past their 18th birthday and into their mid-twenties.²⁶⁵ Evidence also shows that the presence of adverse childhood experiences, common in girls in conflict with the law, can adversely impact cognitive development and delay the process of maturation.²⁶⁶

²⁵⁹ Criminal Justice Joint Inspection (2012) Transitions: An inspection of the transitions arrangements from youth to adult services in the criminal justice system

²⁶⁰ Her Majesty's Inspectorate of Probation (2016) Transitions Arrangements: A follow-up inspection.

²⁶¹ Price, J. (2020) 'The experience of young people transitioning between youth offending services to probation services', *Probation Journal*, 67 (3): 246–263. Brewster, D. (2019) 'Not wired up? The neuroscientific turn in youth to adult (Y2A) transitions policy', *Youth Justice*, 0 (0): 1-20. Hughes, N. and Strong, G. (2016) 'Implementing the evidence on young adult neuromaturation: the development of a specialist approach in probation services', *Probation Journal*, 63 (4): 452–459.

²⁶² Price, J. (2020) 'The experience of young people transitioning between youth offending services to probation services', *Probation Journal*, 67 (3): 246–263.

²⁶³ House of Commons Justice Committee (2016) Young adults in the criminal justice system: Seventh Report of Session 2016-17

²⁶⁴ Price, J. (2020) 'The experience of young people transitioning between youth offending services to probation services', *Probation Journal*, 67 (3): 246–263. Goldson, B. (2019) Reading the present and mapping the future(s) of juvenile justice in Europe: complexities and challenges, in Goldson, B. (ed.). *Juvenile Justice in Europe: Past, Present and Future*, pp. 209-253. Dünkel, F. (2015) *Juvenile justice and crime policy in Europe*. in: Zimring F. et al. (eds) *Juvenile Justice in Global perspective*, pp. 9–62. Saunders, A. (2014) Young adults (18-24) in transition, mental health and criminal justice, Centre for Mental Health.

²⁶⁵ Edwards, T. (2009) 'Capacity and the adolescent brain', *Psychiatry, Psychology and Law* 16 (3): 427–434. Johnson, S. et al. (2009) 'Adolescent maturity and the brain: the promise and pitfalls of neuroscience research in adolescent health policy', *Journal of Adolescent Health*, 45 (3): 216–221. Prior, D. et al. (2011) Maturity, Young Adults and the Criminal Justice System: A Literature Review, University of Birmingham and Barrow Cadbury Trust for the Transition to Adulthood Alliance. Sawyer, S. et al. (2018) 'The age of adolescence', *The Lancet: Child and Adolescent Health*, 2 (3): 223–228. Transition to Adulthood Alliance, Barrow Cadbury Trust, and University of Birmingham (2013) Taking account of maturity: A guide for probation practitioners.

²⁶⁶ De Bellis, M. D. and Zisk, A. (2014) 'The biological effects of childhood trauma', *Child and adolescent psychiatric clinics of North America*, 23 (2): 185–222.

The courts have recognised this arbitrary age barrier with regards to sentencing, highlighting how 18 year olds are not ‘invested overnight with all the understanding and self-control of a fully mature adult’,²⁶⁷ and how 18th birthdays, although significant moments for a young person, are not indicative of, nor do they suddenly accelerate, a young person’s level of maturity, insight and understanding.²⁶⁸ As noted by Her Majesty’s Inspectorate of Probation, the adult criminal justice system ‘assumes a level of self-efficacy that the research suggests is not commonly present among those in or exiting the youth justice system at the age of 18’.²⁶⁹

Young adults are increasingly recognised in literature as a distinctly vulnerable group, especially during transitions,²⁷⁰ and there is growing support both for taking a distinct approach to 18–25 year olds in the criminal justice system,²⁷¹ including taking a more flexible approach to transitions and service provision²⁷², and for extending provisions for children – particularly the YOT model – beyond 18.²⁷³

Responses to Black and minoritised girls in transition

Despite a lack of research regarding the experiences of Black and minoritised girls as they transition from youth to adult justice systems, this literature review identifies the way in which other forms of oppression magnify existing disadvantage and highlights the likelihood of Black and minoritised girls and young women facing harsher treatment across a number of systems, from schools to criminal justice to healthcare.²⁷⁴ This disadvantage and discrimination is compounded by age, with worrying consequences for girls in contact with the criminal justice system as they transition into adulthood.

In justice responses to Black girls, for example, research identifies a process of ‘adulthoodification’ whereby they are viewed as older than their age and more ‘adult-like’, with professionals assuming that they have greater levels of maturity and less ‘innocence’ than their white peers.²⁷⁵ As well as informing more punitive responses, this may reduce professionals’ sense of their safeguarding responsibilities to Black girls.²⁷⁶ This may be particularly dangerous as girls transition and services fall away, resulting in greater levels of unmet need and increased vulnerability to a range of harms.

²⁶⁷ R v Balogun [2018] EWCA Crim 2933.

²⁶⁸ R v Peters; Palmer; Campbell [2005] EWCA Crim 605; [2005] 2 Cr. App. R.(S.) 101.

²⁶⁹ Her Majesty’s Inspectorate of Probation (2019) Annual report: inspection of youth offending services (2018-2019). Harris Review (2015) The Harris Review – Changing Prisons, Saving Lives: Report of the Independent Review into Self-inflicted Deaths in Custody of 18-24 year olds.

Livingstone, I. et al. (2015) Effective approaches with young adults: A guide for probation services. Transition to Adulthood Alliance and Clinks.

²⁷¹ Howard League for Penal Reform and Transition to Adulthood Alliance (2018) Sentencing Young Adults: Making the case for sentencing principles for young adults.

²⁷² Bateman T (2015) Resettlement of young people leaving custody: Lessons from the literature: Update March 2015, Beyond Youth Custody. House of Commons Justice Committee (2018) Young adults in the criminal justice system: Eighth Report of Session 2017-19. Her Majesty’s Inspectorate of Probation and Her Majesty’s Inspectorate of Prisons (2019) Youth resettlement work: Interim report into work in custody.

²⁷³ Roberts, M. et al. (2019) Examining the youth justice system: What drove the falls in first time entrants and custody, and what should we do as a result?, Crest.

²⁷⁴ Leary, K. (2019) Mental Health and Girls of Color. Georgetown Law Center on Poverty and Inequality. Lammy, D. (2017) The Lammy Review: An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System.

²⁷⁵ Epstein, R. et al. (2017) Girlhood Interrupted: The Erasure of Black Girls’ Childhoods, Georgetown Law Center on Poverty and Inequality

²⁷⁶ Davis, J. (2019) Where are the Black girls in our services, studies and statistics?, Community Care.

Responses to care-experienced girls in transition

As girls in care turn 18, they are no longer legally 'looked after' by Local Authority Children's Services. Some support will continue to be available to care leavers but a range of legal duties for protection no longer apply, the level of accommodation and financial support available falls significantly (from a duty to provide or cover, to only assist or contribute) and many care leavers struggle to access the support they are entitled to.

There is a higher level of need identified amongst girls with care experience compared to the general population²⁷⁷ and the process of leaving care itself may increase the need for support, for example by exacerbating physical and mental health needs.²⁷⁸ Care experienced girls transitioning from youth to adult criminal justice systems therefore generally face a greater degree of destabilisation. Many experience a 'premature and abrupt' transition to independence, a time which literature notes can be a critical point in influencing involvement in criminal behaviour.²⁷⁹ Care leavers report feeling automatically 'cut off' when leaving care with no continuity of support,²⁸⁰ and feeling insufficiently prepared for independence, with 'no space to get it wrong'.²⁸¹ For care leavers in contact with the criminal justice system, this feeling is likely to be compounded by the harsher approach to sentence management taken by adult probation services.

Government guidance for care leavers in prison and probation highlights that young adults with care experience may need more support during their transition to adulthood, and states the importance of identifying care leavers to offer support.²⁸² However, the guidance itself highlights issues in identifying those with care experience due to 'complex legislation' and lack of practitioner awareness or confidence.²⁸³ A lack of knowledge and understanding of care leavers amongst justice professionals means they are less able to address their needs.²⁸⁴ This may particularly be the case for young women who are care leavers as their specific needs in the justice system already receive little attention.

Other key transitions

Girls' experiences of the care system, of violence, abuse, exploitation, mental ill-health and substance misuse, early parenthood, economic and educational disadvantage, and discrimination all impact how girls experience the transition from children's to adult justice services. When girls turn 18 it is not just criminal justice services that may change.

²⁷⁷ Fitzpatrick, C. & Williams, P (2014) Examining 'Clear Approach': An intervention for care leavers on an intensive alternative to custody order, Lancaster University and Manchester Metropolitan University for the Care Leavers' Association.

²⁷⁸ Staines, J. (2016) Risk, Adverse Influence and Criminalisation Understanding the over-representation of looked after children in the youth justice system Prison Reform Trust

²⁷⁹ Ibid.

²⁸⁰ Leaders Unlocked (2020) Young Adult Advisors on Criminal Justice: Hearing from young adults in the criminal justice system.

²⁸¹ Baker, C. (2017) Care Leavers' Views on their Transition to Adulthood: A Rapid Review of the Evidence. Coram Voice.

²⁸² HM Prison and Probation Service (2019) Guidance: Care leavers in prison and probation

²⁸³ 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.

²⁸⁴ Fitzpatrick, C. & Williams, P. (2017) 'The Neglected Needs of Care Leavers in the Criminal Justice System: Practitioners' Perspectives and the Persistence of Problem (Corporate) Parenting'. *Criminology & Criminal Justice*, 17 (2): 175-191.

As noted above, many girls will become care leavers, and many will be accessing support services that are designed only for children.

A thematic report on transitions found that youth and adult services including health, mental health and education, training and employment services did not always liaise with each other as young people being supervised by YOTs approached 18. The report raised concerns that services did not necessarily understand their role in transitions or the different thresholds for support provision.²⁸⁵

Safeguarding girls in transition

As this literature review has set out, girls in contact with the law commonly have safeguarding concerns around both abuse and maltreatment within their home, and extra-familial harm. Many of the adverse experiences common for girls in the criminal justice system make them more vulnerable to abuse as teenagers,²⁸⁶ which in turn can drive reoffending. As under-18's, girls may be subject to child protection plans, and agencies have various safeguarding duties to assess need and provide support.²⁸⁷ Government safeguarding guidance states that transitions on approaching 18 years old should be planned for in advance,²⁸⁸ but in practice the child and adult systems operate 'broadly separately' and poor planning around transitions can lead to young adults falling through gaps, with severe consequences for their welfare.²⁸⁹

Neither children's nor adult safeguarding services are designed with the distinct needs of older teenagers in mind²⁹⁰ and young people tend to experience a drop off in support that is not in keeping with the evidence on harm and its continuing effects into adulthood.²⁹¹ In cases involving sexual exploitation reviewed by The Children's Society in 2015, for example, cases of children approaching 18 were simply closed to children's services following a referral to a voluntary sector organisation.²⁹² Another Children's Society study looking at 16-17 year olds designated as 'children in need' found that less than three per cent of cases were transferred to adult services, concluding that 'support often disappears completely when they turn 18 because in most cases there is no statutory requirement for councils to offer young adults support'.²⁹³ Whilst support often ends, risks to young women from abuse and maltreatment do not. Indeed, as previously stated, risk can escalate as perpetrators recognise the falling away of statutory services as an additional vulnerability.

²⁸⁵ Criminal Justice Joint Inspection (2012) Transitions: An inspection of the transitions arrangements from youth to adult services in the criminal justice system.

²⁸⁶ NSPCC (2014) Teenagers: learning from case reviews.

²⁸⁷ UK Government (2018) Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children.

²⁸⁸ Ibid.

²⁸⁹ Holmes D. and Smale, E. (2018) Transitional safeguarding - adolescence to adulthood: Strategic Briefing, Research in Practice.

²⁹⁰ Holmes D. and Smale, E. (2018) Transitional safeguarding - adolescence to adulthood: Strategic Briefing, Research in Practice. Firmin, C. and Lloyd, J. (2020) Contextual Safeguarding: A 2020 update on the operational, strategic and conceptual framework.

²⁹¹ Holmes D. and Smale, E. (2018) Transitional safeguarding - adolescence to adulthood: Strategic Briefing, Research in Practice.

²⁹² The Children's Society (2015) Old enough to know better? Why sexually exploited older teenagers are being overlooked.

²⁹³ The Children's Society (2018) Support falls short for vulnerable older teenagers.

Mental health and transitions

The vast majority of girls in the criminal justice system are assessed as having mental health concerns.²⁹⁴ Girls turning 18 accessing mental health services are discharged from specialist Children and Young People's Mental Health Services (CAMHS) and may access Adult Mental Health Services (AMHS), or access support through their GP. But statutory adult mental health support services have higher thresholds, resulting in disruptive transitions, reductions in levels of support, or, support being unavailable altogether.²⁹⁵ One study found that during the transition up to a third of teenagers drop off the care list, and a further third have their care interrupted.²⁹⁶

Mental health services are not always appropriately equipped to support young people through transitions. For example, as of 2015, only 11% of mental health trusts had those with experience of CSE specifically identified in their policies on transitioning between children's and adult's services, and only 17% specifically identified children in trouble with the law as a vulnerable group.²⁹⁷ However, good practice has been identified where young people's health services 'went out of their way' to continue to support young people when adult health services were unavailable or inappropriate.²⁹⁸

Accommodation and transitions

Homelessness or a lack of suitable accommodation is identified by criminal justice inspectorates as a major barrier to young people making a smooth transition to adult services.²⁹⁹ Frequently moving accommodation,³⁰⁰ living in unsuitable accommodation,³⁰¹ or experiences of homelessness leaves girls at increased risk of exploitation or becoming involved in criminal activity.³⁰²

Children's services and the housing department have a duty to help under-18s find secure accommodation, including providing emergency housing, and helping with living costs and rent - often meaning the young person becomes 'looked after'. Unless a young person is a care leaver, housing provision for those homeless or at risk of homelessness is only available for over-18s if eligibility criteria are met - including needing to be designated as a 'priority need' group by being classed as vulnerable, or pregnant.³⁰³

²⁹⁴ Ministry of Justice (2020) Assessing the needs of sentenced children in the Youth Justice System.

²⁹⁵ Saunders, A. (2014) Young adults (18-24) in transition, mental health and criminal justice, Centre for Mental Health.

²⁹⁶ Singh, S. et al. (2010) 'Process, outcome and experience of transition from child to adult mental healthcare: multiperspective study', *British Journal of Psychiatry*, 197 (4): 305-312.

²⁹⁷ Abdinasir, K. and Pona, I. (2015) Access Denied: A teenager's pathway through the mental health system, The Children's Society.

²⁹⁸ Criminal Justice Joint Inspection (2012) Transitions: An inspection of the transitions arrangements from youth to adult services in the criminal justice system.

²⁹⁹ Ibid.

³⁰⁰ 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.

³⁰¹ The Children's Society (2015) On your own now: the risks of unsuitable accommodation for older teenagers.

³⁰² Centrepoint (2019) Escaping the Trap: Supporting homeless young people affected by youth violence and criminal exploitation.

³⁰³ Shelter (2020) Homeless: get help from the council.

Summary – Moving into adulthood whilst in contact with the criminal justice system

As they turn 18, young people in the community and in custody transition from the youth to the adult justice system. Whilst the exact number of young women making this transition is unknown, it is clear that they make up only a small proportion of this group. They face different, gender-specific risks and vulnerabilities to their male counterpart whilst navigating a destabilising lack of continuity in services inside and outside the justice system, including moving from being supported by YOTs to adult probation services, the move from youth custody to adult prisons, and changes to mental health provision, housing options, experiences of leaving care and reduced safeguarding obligations. Currently, there is no known literature that documents this experience as a whole for girls and young adult women.

The arbitrary nature of the stark change in support available to young people turning 18 is a common theme in the literature – identified in both inspection reports and in academic research. Young adults are increasingly recognised in literature as a distinctly vulnerable group, and there is growing support both for taking a distinct approach to 18-25 year olds in the criminal justice system. However, there is little recognition of the need for this approach to be gendered and able to address the distinct and, in some cases, escalating risks facing young adult women at this time. These include increased vulnerability to criminal and sexual exploitation as support from statutory services falls away and additional barriers to accessing effective mental health support and suitable accommodation.

For young adult women facing additional forms of disadvantage and discrimination, this increased vulnerability to harm and likelihood of being overlooked is exacerbated. For Black girls moving into adulthood, this not only informs more punitive responses from professionals, but may also reduce professionals' sense of their safeguarding responsibilities. This is particularly dangerous as girls transition to adult services and statutory safeguarding duties are reduced. Young adult women who are care leavers are also particularly likely to have their needs go unrecognised or unmet, with a lack of knowledge and understanding of their needs and entitlements identified amongst criminal justice professionals.

For young adult women in contact with the criminal justice system, the transition from girlhood to adulthood could be an opportunity to get things right, preventing the needs of young women becoming more complex and entrenched. With many services changing or dropping off all at once, however, they face an arbitrary cliff-edge in support and may be at greater risk of continued criminal justice system involvement as a result. The range of age- and gender-specific risks and harms girls face as they move into adulthood makes clear that more must be done to address their specific needs at this critical point.

Section 5: What does a gender-sensitive response to young adult women in the criminal justice system look like?

Responses to young adult women in the criminal justice system

Current responses in policy

Despite recognition that young women have distinct needs and face different risks to their male counterparts, criminal justice policy responses have been designed around young men by default and gender-specific consideration has been limited. Although identified as a vulnerable group in some key policy documents over the last decade, young adult women have been consistently overlooked in criminal justice policy and practice, with no strategic focus and no action plan in place to respond to their needs.

The Ministry of Justice's Female Offender Strategy (2018), for example, makes no reference to younger women³⁰⁴ and there is limited guidance on how to meet the specific needs of younger women in Achieving Better Outcomes for Women Offenders (2015) despite this highlighting distinct differences in their needs compared to those of older women in the justice system. Whilst policy responses to all young adults in contact with the criminal justice system are limited, young adult women are particularly neglected, with no equivalent to the Achieving Better Outcomes for Young Adult Men (2015) guidance for young adult women.³⁰⁵

The literature yields few examples of efforts made by institutions to meet the needs of young adult women – prisons, for example, have been found to rarely have specific policy responses in place to meet the needs of this group, including in areas of increased need, such as alcohol.³⁰⁶ As discussed in Section 3, former mandatory instructions such as Prison Service Order 4800 have now been rendered obsolete, ostensibly replaced by the Women's Policy Framework which makes no reference to the specific needs of young adult women.³⁰⁷ It is also currently unclear what provision will be made for young adult women as part of the design and development of residential women's centres for 'vulnerable women with complex needs'.³⁰⁸

In the community, the design and implementation of the Transforming Rehabilitation (2013) reforms gave limited attention to young adults throughout³⁰⁹ and, whilst the revised probation arrangements have some provisions in place for interventions for women and young adults, young adult women are not specified as a distinct cohort.³¹⁰

In the youth justice system, the Youth Justice Board's Standards for children in the youth justice system (2019) has no gender focus.³¹¹ Whilst girls transitioning between the youth

³⁰⁴ Ministry of Justice (2018) [Female Offender Strategy](#).

³⁰⁵ National Offender Management Service (2015) [Better Outcomes for Young Adult Men: Evidence Based Commissioning Principles](#).

³⁰⁶ Allen, R. (2016) [Meeting the needs of young adult women in custody](#). T2A Alliance.

³⁰⁷ Ministry of Justice (2018) [Women's Policy Framework](#).

³⁰⁸ Ministry of Justice (2020) [Female offenders to get residential centre in Wales](#).

³⁰⁹ Ministry of Justice (2013) [Transforming Rehabilitation: A Strategy for Reform](#).

³¹⁰ The target operating model for probation has a specific contract lot for interventions for women. In Wales, young adults will also be a specified contract lot, however in England young adults will be a specified cohort that bidders for all services will have to show they are able to meet the needs of. Clinks (2020) [The target operating model for probation](#).

³¹¹ Ministry of Justice (2019) [Standards for children in the youth justice system 2019](#).

and adult criminal justice system have been identified as having 'different and distinct' needs in the Joint National Protocol for Transitions (2018), a full account of what this entails with detailed accompanying guidance is not provided.³¹²

Whilst seminal reports have drawn much-needed attention to the experiences of other marginalised groups within the criminal justice system, including Black and minoritised groups and care leavers, they have not afforded sustained attention to the specific, gendered needs of young adult in these groups. The Lammy Review (2017) makes only brief reference to Black and minoritised young adult women,³¹³ although they were identified as a specific, vulnerable cohort in David Lammy's evidence given to the Justice Select Committee in 2019.³¹⁴ Similarly, Lord Laming's Review of looked after children in the criminal justice system (2016), makes reference to girls as a minority group whose needs are overlooked but goes no further, with only one of the report's recommendations addressing the need for a gender-sensitive response to children in care.³¹⁵

This lack of attention to young adult women in policy translates directly into what gets measured, who gets heard and what gets funded. Despite pockets of good practice, this means there is little specialist provision for young adult women on the ground and limited scope to develop improved responses to this vulnerable group.

Current responses in practice

Along with older adult women, evidence suggests that young adult women can be more effectively rehabilitated outside the criminal justice system.³¹⁶ It is also recognised that more needs to be done to 'divert young adult women away from criminal activity before they start offending'³¹⁷ and there is growing recognition of the benefits of a presumption against short custodial sentences. Whilst it is a strategic priority to increase the proportion of all women managed in community settings, however, the 'patchy provision' of women's voluntary sector community services recognised to reduce risk means there is often a gap in gender-sensitive support available for women contact with the criminal justice.³¹⁸

The erosion of the relationship between probation services and voluntary sector services following the introduction of Transforming Rehabilitation in 2014,³¹⁹ in combination with widespread concerns about the commissioning context and precarious funding of specialist women's organisations,³²⁰ means that those experiencing multiple disadvantage and less able to access generic, statutory provision and are particularly likely to be left

³¹² Her Majesty's Prison and Probation Service, National Probation Service and Youth Justice Board (2018) Joint National Protocol for Transitions in England.

³¹³ Lammy, D. (2017) The Lammy Review: An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System.

³¹⁴ Justice Committee, Progress in the implementation of the Lammy Review's recommendations, 26 March 2019, HC 2068.

³¹⁵ Prison Reform Trust (2016) In Care, Out of Trouble: How the life chances of children in care can be transformed by protecting them from unnecessary involvement in the criminal justice system.

³¹⁶ Agenda (2017) Agenda's response to Ministry of Justice's Transforming Rehabilitation Inquiry.

³¹⁷ Corston, J. (2007) The Corston report: A report by Baroness Jean Corston of a review of women with particular vulnerabilities in the criminal justice system, Home Office.

³¹⁸ Ministry of Justice (2018) Female Offender Strategy.

³¹⁹ TrackTR (2018) Under represented, under pressure, under resourced – The voluntary sector in Transforming Rehabilitation. Women's Budget Group (2020) The Case for Sustainable Funding for Women's Centres.

³²⁰ Barter, C. et al. (2018) Scoping Study: Violence Against Women and Girls Services. Project Report.

without appropriate, effective support. The impact of this on young adult women specifically is rarely acknowledged or discussed.

As outlined by this review, criminal justice policies, reviews, strategies and funding streams largely fail to recognise the needs and experiences of young adult women in the criminal justice system as distinct from those of young men – even where it is recognised that they face poorer outcomes or have additional vulnerabilities that may put them at greater risk. This lack of attention to girls and young adult women limits the development of gender-specialist provision. In the youth justice system, for example, a review of YOTs in 2014 highlighted that whilst gender-specific work is being carried out in some areas, there is no effective system of monitoring and evaluation in place.³²¹ This means that the effectiveness of this work cannot be demonstrated, limiting its development or expansion.

In other spaces young adult women in contact with the criminal justice system may seek support, there is a similar lack of age-appropriate, gender-sensitive responses. Youth services, already limited in their ability to deliver gender-responsive support, experienced average cuts in local authority spending of 40% over the three years between 2015 and 2018³²² and young adult women have not been mentioned in any key youth funding announcements since 2018.³²³ Models of youth provision, support and sanctions are regularly built around either young men's lives, or around the needs and experiences of children younger than those who are starting to transition from children's to adult services. This is particularly true in spaces where girls and young adult women are in the minority or may already be at heightened risk of coming into contact with the criminal justice system. This includes alternative education provision which tends to be male-dominated and social care and mental health settings where neither children's nor adult services are designed with the distinct needs of older teenagers and young adults in mind.

In the adult women's sector, gaps exist in provision for women experiencing multiple disadvantage³²⁴ and, whilst there is a growing understanding of the value of trauma-informed services for adult women, this evidence-base includes much less on specific responses to young adult women. Despite pockets of good practice, women's services say they face challenges reaching and engaging with younger women, as well as difficulties developing the partnerships with youth services needed to grow this area of work.

The development of this kind of specialist service should be encouraged and evidence suggests that women's community services can yield a significant social return on investment.³²⁵ Unfortunately, there are concerns about the long-term sustainability of the positive outcomes these services produce. This is a result of short-term funding cycles

³²¹ Her Majesty's Inspectorate of Probation (2014) [Girls in the Criminal Justice System](#).

³²² All-Party Parliamentary Group on Knife Crime (2019) [Prime Minister needs to listen to young people in knife crime debate](#).

³²³ Department for Digital, Culture, Media & Sport (2019) [New Youth Charter to support young people across the country](#). Home Office (2019) [Charity chosen to deliver £200m Youth Endowment Fund to tackle violence](#). Department for Education (2019) [New programme to protect children at risk of exploitation](#). Mayor of London (2019) [Mayor to invest £15 million in activities for young Londoners](#). Ministry of Housing, Communities & Local Government (2018) [Troubled Families Programme: Supporting Families Against Youth Crime – Fund Prospectus](#). Department for Education (2019) [Vital new support for young people leaving care](#). Department for Digital, Culture, Media & Sport (2019) [£12 million boost for youth projects](#).

³²⁴ Holly, J. (2017) [Mapping the Maze: Services for women experiencing multiple disadvantage in England and Wales](#). Agenda and AVA.

³²⁵ Women's Resource Centre (2009) [Not just bread, but roses, too: Funding to the women's voluntary and community sector in England 2004-2007](#), Women's Resource Centre. Nicholles, N. and Whitehead, S. (2012) [Women's Community Services: A Wise Commission](#), NEF.

and a tendency for these services to 'hold' young adult women's cases for longer than anticipated – working with young women beyond the timeframe or criteria set by commissioners due to a lack of alternative support available from statutory services for those deemed to have less urgent support needs. Evaluations of other specialist services for girls and young adult women at risk of offending have raised questions about 'where young adult women will go'³²⁶ if services of this kind cease to exist. This underscores the need for specialist, independent provision of this kind to become a core component of criminal justice responses to young adult women, as well as for gender- and age-informed practice to become embedded in statutory provision.

A gender-sensitive response to adult women

There is a wide and well-established evidence-base relating to both the need for, and appropriate delivery of, gender-specific and trauma-informed responses to adult women in contact with the criminal justice system.³²⁷ For older adult women facing multiple forms of disadvantage, including extensive histories of violence and abuse, accessing male-dominated spaces such as probation services can be frightening and may open women up to new risks and vulnerabilities. As noted in Section 2, a review of several evaluations of women's community services found that adult women reported a preference for attending a dedicated women's centre rather than a mixed-gender probation service due to feelings of safety.³²⁸ This is just one example from a comparative wealth of literature which makes a strong case for women's centres as a crucial constituent of gender-sensitive responses to adult women in contact with the criminal justice system.³²⁹

The provision of women-only space alone does not, however, entail a gender-sensitive response. As defined in service standards for women's community services developed by Women's Breakout in 2017, this form of provision must also 'take into account the reality of experiences for women and how these experiences can lead to inequitable outcomes for women compared to men; and design services accordingly. [Women's community services] are not organisations that offer the same approach for men and women in gender specific groups.'³³⁰

Whilst ensuring women's physical and emotional safety through access to women-only environments is critical, the values and approaches underpinning the work that takes place in these environments are of equal importance.³³¹ In partnership with Against

³²⁶ Warwick-Booth, L. et al. (2015) The Way Forward Evaluation – Final Report, Leeds-Beckett University.

³²⁷ For further discussion, see: Agenda and AVA (2017) Mapping the Maze: Services for women experiencing multiple disadvantage in England and Wales; and Bear, L. et al. (2019) A sense of safety: Trauma-informed approaches for women, Agenda and Centre for Mental Health.

³²⁸ Radcliffe, P. et al. (2013) The development and impact of community Services for women offenders: an evaluation, The Institute for Criminal Policy Research, School of Law, Birkbeck College.

³²⁹ A comprehensive list of reports, studies and evaluations which outline the benefits and positive outcomes for women accessing women-only support services is available in: Tavistock Institute (2019) Why Women's Centres Work: An Evidence Briefing. This evidence-base is also usefully discussed in: AVA and Agenda (2017) The core components of a gender sensitive service for women experiencing multiple disadvantage: A review of the literature.

³³⁰ Women's Breakout (2017) Women's Breakout: Service Standards and Quality Assurance – Assessing the quality of services provided in the voluntary and community sector for vulnerable women with complex needs. Women's Breakout was the national infrastructure body for women's organisations in criminal justice, merging with Clinks in 2017.

³³¹ AVA and Agenda (2017) The core components of a gender sensitive service for women experiencing multiple disadvantage: A review of the literature.

Violence and Abuse (AVA), Agenda has already expanded the understanding of what 'gender-sensitive' provision for adult women experiencing co-occurring forms of disadvantage looks like, identifying the following core components of this kind of response through a literature review completed in 2017. This also highlighted the importance of:

- opportunities to develop high-quality, trusting relationships with non-judgemental professionals;
- holistic or 'wraparound' support which practically addresses women's multiple, interlinked needs through collaborative working and advocacy in multi-agency settings, rather than requiring women to seek support for a number of different issues in isolation;
- an approach grounded in an 'understanding of and responsiveness to the impact of trauma'³³² ('trauma-informed') and which makes use of a strengths-based framework to empower and restore a sense of control to women in a safe environment, avoiding replicating abusive power dynamics;
- a commitment to placing women's experiences of disadvantage in its wider socio-political context, looking beyond the individual to address structural inequalities;
- and specialist support for women experiencing multiple, intersecting oppressions, including Black and minoritised women.

As noted by AVA and Agenda, provision aiming to address gendered, structural inequalities must also operate with an understanding of and ability to address barriers facing women experiencing additional inequalities, including those related to age, race, sexual orientation and ability.³³³ Established in response to the exclusion and lack of understanding of Black and minoritised women's experiences in generic services,³³⁴ Imkaan distinguishes specialist Black and minoritised Violence Against Women and Girls services as those led 'by and for' Black and minoritised women and girls through leadership structures, recruitment and service delivery. Imkaan's national service standards for these organisations emphasise the importance of working with an 'understanding of the impact of racism and discrimination in the lives of women and girls within the context of violence.'³³⁵ Locating women's experiences of brutality whilst incarcerated within a continuum of violence against women and girls, Imkaan makes clear that a 'Black, Asian and Minority Ethnic worker' role based within a generic organisation is not able to replicate a Black and minoritised organisation's approach.³³⁶ The ethos and approach they outline, however, remains relevant to other services intending to meaningfully engage a diverse range of women.³³⁷

³³² Hopper, E. et al. (2010) 'Shelter from the storm: Trauma-informed care in homelessness services settings', *The Open Health Services and Policy Journal*, 3: 80-100.

³³³ AVA and Agenda (2017) [The core components of a gender sensitive service for women experiencing multiple disadvantage: A review of the literature](#).

³³⁴ Imkaan (2015) [State of the Sector: Contextualising the current experiences of BME ending violence against women and girls organisations](#).

³³⁵ Imkaan (2015) [Imkaan accredited quality standards: addressing violence against Black and minority ethnic women and girls](#).

³³⁶ Larasi, M. and Jones, D. (2017) [Tallawah: A briefing paper on black and 'minority ethnic' women and girls organising to end violence against us](#), Imkaan.

³³⁷ AVA and Agenda (2017) [The core components of a gender sensitive service for women experiencing multiple disadvantage: A review of the literature](#).

Towards a gender-sensitive response to young adult women

Responding to young adult women in practice

As the literature reviewed in this document makes clear, young adult women in the criminal justice system also experience combinations of overlapping and mutually reinforcing forms of disadvantage – the consequences of which can make generic services inappropriate and unable to meet their needs.

There is a less substantial evidence-base relating to young adult women's experiences of gender-sensitive services which have been developed with the needs of older adult women in the justice system in mind. However, a smaller pool of evaluations, case studies and research reports on interventions designed with the specific needs of girls and young adult women facing a number of challenges in their lives has highlighted a range of positive outcomes. Some of the literature considered here includes:

- Evaluation of The Stella Project Young Women's Initiative (2013) which supported two London boroughs to develop their responses to girls and young adult women (14–25) affected by domestic and sexual violence and problematic substance use.³³⁸
- Evaluation of the 'The Way Forward' project (2015) run by the Women Centre Calderdale and Kirklees, supporting 15–24 year old girls and young adult women identified as falling through gaps in existing service provision and at risk of 'enter[ing] adulthood with severe and escalating levels of disadvantage'.³³⁹
- Evaluation of the 'Safe Choices (Reaching Communities)' (2016) project run by Nia in partnership with The Children's Society, with a focus on girls and young adult women (13–25) who were identified as linked with violent offending, as 'gang'-affected, or were at risk of exclusion or being out of training/employment in the London Boroughs of Hackney and Islington.³⁴⁰
- Seeing The Inner Me (2018), a research report capturing the ethos and approach of Women and Girls Network's service provision for girls aged 11–17 (up to 21 for care leavers) experiencing child sexual abuse and exploitation.³⁴¹
- Case study from the 'Moving On' programme (2018) run by Pecan, offering one-to-one mentoring for 18–25 year old young adult women in South East London as they transition from custody to the community.³⁴²

These evaluations and case studies make reference to projects working with girls and young adult women across a variety of age ranges, including those that worked with girls younger than the 17–25 year old group in focus in the Young Women's Justice Project. All projects referred to: provided dedicated support to girls and young adult women; addressed a number of challenges in the lives of young adult women associated with or

³³⁸ Horvath, M. et al. (2013) Still not receiving the support they deserve... Final evaluation report for The Stella Project Young adult women's Initiative, Forensic Psychological Services and AVA.

³³⁹ Warwick-Booth, L. et al. (2015) The Way Forward Evaluation – Final Report, Leeds-Beckett University.

³⁴⁰ Coy, M. (2016) 'We Don't Get This At School': The Safe Choices Reaching Communities Project – Final Evaluation Report, Nia.

³⁴¹ Women and Girls Network (2018) Seeing The Inner Me: What Young Women Want From Child Sexual Abuse and Exploitation Services.

³⁴² Clinks and Women's Health & Equality Consortium (2018) Pecan: Moving On – Through the gate mentoring for young adult women in South East London.

identified as drivers of young adult women 's offending; and produced gender-specific findings or recommendations for future work.

Below, findings emerging from these examples of specialist girls and young adult women's provision are brought together with AVA and Agenda's 'core components' of gender-sensitive provision for adult women facing multiple disadvantage to outline what can begin to be considered as key components of a gender-sensitive response to young adult women in contact with the criminal justice system as one of several forms of disadvantage.

Effective support for this group of young adult women appears to be characterised by work which:

- centres young adult women's lived experience and perspective in the design and development of services intended to support them;
- provides safe, young adult women -only environments run by gender-specialist services with expertise relating to the challenges faced by girls and young adult women with intersecting, marginalised identities, including Black and minoritised and/or LGBTQ+ young adult women;
- prioritises a non-punitive, trauma-informed, strengths-based approach to empower young adult women and address risks and vulnerabilities including identifying and responding to drivers of young adult women's criminalised behaviour, including experience of violence and abuse, mental ill-health and substance use, poverty, discrimination and social exclusion;
- offers support which is available flexibly, accessible over time including into early adulthood, and offers therapeutic, practical and advocacy support;
- offers space to learn about and discuss sex and relationships, and the experience and social causes of disadvantage with trusted adults 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 as girls and young adult women transition into adulthood;
- is delivered by agencies which young women see as independent from institutions which take a more punitive approach to young adult women's offending, whilst working collaboratively with multi-agency partners and seeking young women's informed consent ahead of information-sharing;
- creates spaces and systems to share knowledge across children's and adult services, including between the youth sector and women and girls sector.

For a full comparison of AVA and Agenda's core components of a gender-sensitive response to adult women and the findings emerging from the examples of good practice from specialist girls and young women's services referenced above, see Annex 4.

Whilst not specifically discussed in the evaluations and research reports considered here, the age ranges covered by these services (often extending beyond 18, up to young adults aged 24 or 25) reflects an intention to respond to young adult women who have recently undergone the transition to adulthood, in addition to those who are still considered to be 'girls'. Within the criminal justice system too, there is growing support for treating 18-25

year olds as a distinct group,³⁴³ with a recommendation by the Justice Select Committee for the creation of a cross-departmental programme of work examining the impact of extending statutory support currently available to children to young people up to 25.³⁴⁴ This recommendation is echoed by Her Majesty's Inspectorate of Probation whose recent annual report suggests urgently reviewing whether YOTs should have their duties expanded to support 18-25 year olds, particularly given YOT's falling caseloads.³⁴⁵

'Transitional safeguarding' considers how services can work to ensure young people continue to be safeguarded as they transition into adulthood, aiming to address the arbitrary cliff-edge in access to support at a time when a young person is experiencing a lot of change, development, and facing risk of exploitation or harm.³⁴⁶ Learnings from transitional safeguarding research also identify services specifically designed for young people aged 16–25, which bridge the gap between childhood and adulthood, as well as services that focus on targeting a safeguarding issue regardless of age limit as examples of good practice. Sharing learning and development across children's and adult services has also been identified as crucial, including examining adult systems and considering which principles could be 'drawn down' into work with adolescents to smooth transitions and better prepare 17 year olds for adult systems, and vice versa in 'drawing up' elements of children's systems into work with young adults.³⁴⁷

Expert seminars exploring key themes in the lives of young women in contact with the criminal justice system held as part of the Young Women's Justice Project are providing a valuable form for practice-sharing between youth services and women and girls' services, and suggest the value of ongoing spaces of this kind.

Responding to young adult women in policy

Young adult women are a neglected group in criminal justice policy. This reflects wider approaches to young adult women experiencing multiple disadvantage in government policy, both locally and nationally. An evaluation of specialist young adult women's provision in 2013 drew attention to the 'virtually nonexistent' examples of policy and procedure addressing young adult women with complex, overlapping needs at either agency or borough level.³⁴⁸ This literature review, along with research undertaken by Agenda as part of its Girls Speak programme of work has found that this observation is also borne out nationally.³⁴⁹

³⁴³ Howard League for Penal Reform and Transition to Adulthood Alliance (2018) Sentencing Young Adults: Making the case for sentencing principles for young adults. House of Commons Justice Committee (2018) Young adults in the criminal justice system: Eighth Report of Session 2017-19.

³⁴⁴ House of Commons Justice Committee (2018) Young adults in the criminal justice system: Eighth Report of Session 2017-19.

³⁴⁵ Her Majesty's Inspectorate of Probation (2019) Annual report: inspection of youth offending services (2018-2019)

³⁴⁶ Firmin, C. et al. (2019) Safeguarding during adolescence– the relationship between Contextual Safeguarding, Complex Safeguarding and Transitional Safeguarding, Research In Practice, University of Bedfordshire, Rochdale Borough Council, Contextual Safeguarding Network

³⁴⁷ Holmes D. and Smale, E. (2018) Transitional safeguarding - adolescence to adulthood: Strategic Briefing, Research in Practice.

³⁴⁸ Horvath, M. et al. (2013) Still not receiving the support they deserve... Final evaluation report for The Stella Project Young adult women's Initiative, Forensic Psychological Services and AVA.

³⁴⁹ Girls Speak is Agenda's campaign to ensure girls and young women facing inequality, poverty and violence get the support and protection they need. Funded by the Paul Hamlyn Foundation, Girls Speak shines a light on the experiences of some of the most marginalised girls and young women aged 14–24 in England and Wales. Agenda is working with girls and young women facing multiple disadvantage to ensure their needs and experiences are taken into account in policy and practice.

Young adult women are rarely recognised as a distinct group in key policy areas affecting the lives of those in contact with the criminal justice system. This includes issues which disproportionately impact girls and young women (such as mental health and domestic abuse) and issues where policy responses appear to be gender neutral but are designed around the needs of boys and young men (such as exclusions and ‘serious youth violence’), leaving young women behind. This means that systems, services and procedures for the transitions between them overlook young adult women, with no strategic response to their distinct needs and experiences.

Current political debate around young people at risk tends to focus on the risk they pose to others, with a strong focus on discipline and behaviour management rather than the vulnerabilities they face. Where vulnerabilities are considered, risks tend to be looked at in isolation – for example, young women’s experiences of abuse and poverty may not always be identified as linked with poor mental health or, as demonstrated by this literature review, contact with the criminal justice system.³⁵⁰ This presents a challenge to developing further gender- and trauma-informed approaches in both policy and practice.

A lack of central government ‘ownership’ of issues facing both girls and young adult women also contributes to current political debate sidelining their multiple and mutually reinforcing vulnerabilities.³⁵¹ Whilst a dedicated policy ‘home’ within the Ministry of Justice for young adult women would be beneficial in terms of raising the profile of young adult women within the criminal justice system, the range of challenges facing this group – including experiences of violence, abuse and exploitation, mental ill-health and substance use, experiences of the care system as children and as parents, risk of exclusion from education, poverty and experiences of gendered and racialised inequalities – span a broad range of key policy areas. With this in mind, a gender-sensitive response to young adult women in the criminal justice system is necessarily a joined-up one, involving collaborative working between a number of governmental departments beyond the Ministry of Justice to include the Home Office, the Department for Education, Department of Health and Social Care and the Ministry of Housing, Communities and Local Government, as well as others where appropriate.

Work relating to the advancement of gender-sensitive policy responses to adult women has also drawn attention to the importance of ‘women-centred representatives’ to bring a gendered analysis of women’s needs and experiences to strategic decision-making, planning and commissioning processes.³⁵² Making this gendered analysis explicitly intersectional, by developing a more nuanced understanding of the impact of age and other equalities characteristics, would be of particular benefit to young adult women in contact with the criminal justice system, as one of several forms of disadvantage.

³⁵⁰ Agenda (2020) [Struggling Alone: Girls’ and young women’s mental health](#).

³⁵¹ *Ibid.*

³⁵² AVA and Agenda (2017) [The core components of a gender sensitive service for women experiencing multiple disadvantage: A review of the literature](#).

Summary – What does a gender-sensitive response to young adult women in the criminal justice system look like?

In recent years, a small but growing body of work has developed understandings of the core values and approaches which must underpin 'gender-sensitive' work. Whilst this has largely focused on the needs of adult women, findings emerging from a small pool of evaluations, case studies and research reports suggest that gender-sensitive support for young adult women in contact with the criminal justice system as one of several forms of disadvantage appears to be characterised by work which:

- centres young adult women's lived experience and perspective in the design and development of services intended to support them;
- provides safe, young adult women -only environments run by gender-specialist services with expertise relating to the challenges faced by girls and young adult women with intersecting, marginalised identities, including Black and minoritised and/or LGBTQ+ young adult women;
- prioritises a non-punitive, trauma-informed, strengths-based approach to empower young adult women and address risks and vulnerabilities including identifying and responding to drivers of young adult women's criminalised behaviour, including experience of violence and abuse, mental ill-health and substance use, poverty, discrimination and social exclusion;
- offers support which is available flexibly, accessible over time including into early adulthood, and offers therapeutic, practical and advocacy support;
- offers space to learn about and discuss sex and relationships, and the experience and social causes of disadvantage with trusted adults 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 as girls and young adult women transition into adulthood;
- is delivered by agencies which young women see as independent from institutions which take a more punitive approach to young adult women's offending, whilst working collaboratively with multi-agency partners and seeking young women's informed consent ahead of information-sharing;
- and creates spaces and systems to share knowledge across children's and adult services, including between the youth sector and women and girls sector.

In policy, young adult women are a neglected group. Despite some recognition that young adult women in contact with the criminal justice system have different needs and face different risks to their male counterparts and older women, there is no strategic focus and no action plan in place to respond to this. As a result, they 'fall through the gaps', overlooked in policy with a focus on women and young adults in the criminal justice system alike. Seminal reports which have drawn much-needed attention to the experiences of other marginalised groups within the criminal justice system – including Black and minoritised groups and care leavers – have not afforded sustained attention to the specific, gendered needs of young adult women who also fall into these groups.

A gender-sensitive policy response to young adult women in contact with the criminal justice system must reflect the wide range of challenges faced by this group, spanning a broad range of key policy areas and necessitating a collaborative, cross-governmental approach to issues including: violence against women and girls; mental health; exclusions; children's safeguarding (including transitional safeguarding); responses to economic inequality; and racial injustice. In addition, it must embed a gendered analysis – sensitive to the impact of age and other equalities characteristics – into decision making, planning and commissioning processes to underpin a wholesale shift in approach to young adult women in the criminal justice system as a currently overlooked and under-served group at the very sharpest end of inequalities.

Gaps in the evidence-base

Young adult women in contact with the criminal justice system and facing multiple forms of disadvantage are neglected in policy, research and practical interventions. This is particularly the case where young adult women face multiple, intersecting social and structural inequalities which their experiences of disadvantage both emerge from and are compounded by. Mapping the evidence-base relating to young adult women's vulnerabilities and experiences whilst in contact with the criminal justice system, as well as effective responses to this, this literature review identifies where significant gaps in knowledge remain.

Young adult women in the community

Whilst there is some understanding of young adult women's experiences of the secure adult estate, the existing literature offers little insight into the experience of young adult women in community, including demographics and characteristics of young adult women supervised by probation services. With ongoing probation reforms and increasing the proportion of all women managed in community settings as a strategic priority for the Ministry of Justice, this gap is particularly concerning. It is clear that custody is an unsafe and unsuitable environment for young adult women and these changes in approach are welcome. Without an understanding of how young adult women experience contact with probation services, however, it is unlikely that services will be designed and developed to meet their needs. If probation services are inaccessible to young adult women, they may be at greater risk of facing further sanctions with their experiences of the criminal justice system and associated disadvantages becoming more entrenched. Literature relating to young adult women's experience of the women's centre model of provision and 'gender-neutral' youth services is also extremely limited.

Vulnerabilities in the lives of young adult women

Understanding the routes through which young adult women enter the criminal justice system is crucial as this allows us to consider how this process might be disrupted, including opportunities for diversion. As perhaps one of the most significant drivers of young adult women's offending, it is concerning that gaps in the evidence-base relating to their experiences of violence, abuse and exploitation remain. Whilst it is apparent that young adult women in contact with the criminal justice system are at risk of, or have experienced, multiple forms of abuse and exploitation, current literature and data is unable to offer a clear picture of the prevalence and dynamics of certain forms of gender-based violence experienced by young adult women. In particular, this review identifies: the way in which young adult women's experiences of domestic abuse may differ from those of older adult women; the relationship between young adult women's experiences of child sexual abuse and sexual exploitation and 'offending' behaviour, including how this differs according to ethnicity; young adult women's gendered experiences of criminal exploitation; and young adult women's experience of sexual violence within the criminal justice system and other secure settings.

Drawing on the research of others, this literature review also highlights a gap in knowledge relating to intergenerational pathways into both the care and criminal justice system for young adult women, care-experienced young adult women in contact with the criminal justice system but not held in custody, and the relationship between ethnicity, experience of care, and contact with the criminal justice system.

Transitions

For young adult women in contact with the criminal justice system, the transition from girlhood to adulthood could be an opportunity to get things right, preventing the needs of young women becoming more complex and entrenched. However, with no documentation of this experience as a whole for young adult women, the development of gender-sensitive responses at this crucial juncture is limited and, for young adult women, the period of transition is all too often characterised by missed opportunities and feelings of struggling alone. Further research in this area must encompass young adult women's experiences of transitions between: youth offending teams and adult probation services; youth custody and adult prisons; and children's to adult's services in the range of settings and systems in which young adult women in contact with the criminal justice are likely to be enmeshed, including the care system, mental health provision and safeguarding agencies (with a particular focus on the shift in focus from statutory to voluntary interventions).

Intersectional analysis of young adult women's experiences of the criminal justice system

Data and research relating to young adult women with intersecting, marginalised identities is limited at all stages of the criminal justice system. In particular, this literature review has focused on highlighting gaps in knowledge relating to the experiences of Black and minoritised young adult women in recognition of their continued overrepresentation in an institutionally racist system. Three years on from the publication of the Lammy Review, there remains little understanding of or data collection relating to the gender-specific needs of Black and minoritised young adult women. Where research findings exist, these are all too often characterised by a lack of attention to the diversity of experiences and ethnic identities the homogenising term 'Black, Asian and Minority Ethnic' and, indeed, 'Black and minoritised' ostensibly encompasses. Future research must prioritise consideration of how young adult women's experiences differ according to self-defined ethnicity, including consideration of the experiences of Gypsy, Roma, Traveller young adult women. Areas highlighted by this literature review as particularly in need of further inquiry include: the relationship between ethnicity, experience of care and contact with the criminal justice system; the impact of policing; the gendered experience and impacts of the school-to-prison pipeline; gender- and ethnicity-specific outcomes of current risk and needs assessment frameworks; and experiences of resettlement.

What works for young adult women

Whilst young adult women would like to see gender-sensitive provision developed and maximised, this literature review was only able to identify a small pool of evaluative approaches to provision for girls and young adult women facing multiple disadvantage. Evaluations of gender-sensitive services delivered by organisations led by and for Black and minoritised women and girls were notably absent. Whilst a synthesis of the evidence that exists has allowed us identify some key values and approaches, this gap in the evidence-base limits the emergence of and dissemination of learnings from successful initiatives, preventing the development of gender-sensitive interventions at scale.

Conclusion

Despite worrying gaps in data and knowledge, the literature considered as part of this review makes clear that there are a number of key vulnerabilities in the lives of young adult women in contact with the criminal justice system. They have complex, overlapping needs with their experience of contact with the criminal justice system underpinned by experiences of violence, abuse and exploitation, high rates of mental ill-health, substance use and economic disadvantage – experiences which too often go unrecognised or ignored but which are mutually reinforcing and compounded by gender inequality and other forms of inequality, including racism.

It is also evident that there are a number of concerning and recurring themes in young adult women's experiences of criminal justice responses to the challenges and inequalities they face. In custody and in the community, young adult women feel alienated, unsafe and disempowered in a number of the spaces or services in which they might seek support but which are not designed with them in mind. At present, a lack of age-appropriate, gender-sensitive and trauma-informed policy and practice prevents the criminal justice system from delivering an effective response to the needs of this significant minority within it – particularly young adult women undergoing the transition from youth to adult services, and those with intersecting, additionally stigmatised identities including Black and minoritised young adult women and care leavers. Without a policy framework which affords sustained attention to the needs of young adult women in contact with the criminal justice system and without a central government commitment to tackle issues facing girls and young women in a joined-up way across departments, young adult women will continue to be neglected and overlooked in both youth policy and adult-focused, key policy areas for women.

A lack of central government 'ownership' of issues facing both girls and young adult women also contributes to current political debate sidelining their multiple and mutually reinforcing vulnerabilities.³⁵³ Whilst a dedicated policy 'home' within the Ministry of Justice for young adult women would be beneficial in terms of raising the profile of young adult women within the criminal justice system, the range of challenges facing this group – including experiences of violence, abuse and exploitation, mental ill-health and substance use, experiences of the care system as children and as parents, risk of exclusion from education, poverty and experiences of gendered and racialised inequalities – span a broad range of key policy areas. With this in mind, a gender-sensitive response to young adult women in the criminal justice system is necessarily a joined-up one, involving collaborative working between a number of governmental departments beyond the Ministry of Justice to include the Home Office, the Department for Education, Department of Health and Social Care and the Ministry of Housing, Communities and Local Government, as well as others where appropriate.

The gaps in the evidence-base outlined in this literature review represent an opportunity to address key questions which, if answered, will play a significant role in ensuring that the extent of challenges facing young adult women are no longer overlooked. This, in conjunction with access to a spectrum of age-appropriate, gender-sensitive support able to address the 'root causes' of young adult women's criminalised behaviour, and a clearer central policy direction for this overlooked group, would have a significant positive impact on young women's lives and must be considered a crucial constituent of a wholesale shift in approach to an overlooked and under-served group at the very sharpest end of inequalities.

³⁵³ Agenda (2020) [Struggling Alone: Girls' and young women's mental health](#).

Next steps for the Young Women's Justice Project

Gender-sensitive responses to young adult women are underpinned by values and approaches shaped by the realities of their lives and experiences. In addition to conducting further research, the Young Women's Justice Project will continue to work directly with young adult women and the services supporting them – using lived experience and frontline expertise to identify the most pressing challenges young adult women face, what works, and what needs to change.

In 2021, the Young Women's Justice Project will focus on two key themes in the lives of young adult women – the transition from the youth to adult criminal justice system, and the relationship between their experiences of violence, abuse and exploitation and contact with the criminal justice system. Particular attention will be paid to the experiences of Black and minoritised young women and those with experience of the care system, given these groups' over-representation in the criminal justice system.

Using its growing evidence-base, the Young Women's Justice Project will continue to raise the profile and amplify the voices of young adult women in contact with the criminal justice system, making the case for their needs at a local and national level and advocating for clear 'ownership' of these issues in the Ministry of Justice, as well as a gender-sensitive policy response across government departments which reflects the wide range of challenges faced by this group.

Recommendations

On the basis of key policy areas and priorities for change, as identified through this literature review and conversations with young adult women and the services supporting them, the Young Women's Justice Project currently recommends:

Responding in policy

1. Ministry of Justice to integrate an age-informed response to young adult women within the Female Offender Strategy, with dedicated funding and provision to address the underlying causes of young adult women's criminalised behaviour in key areas including:
 - violence against women and girls;
 - mental health;
 - exclusion from education;
 - poverty;
 - and racialised inequalities.

This should recognise the critical role that gender-sensitive provision delivered by specialist women and girls' services play in providing wraparound support.

2. Her Majesty's Inspectorate of Probation to ensure that the thematic inspection of the transitions arrangements from youth offending teams to probation planned for 2021 includes a focus on girls transitioning to adulthood and provision of gender-specific support during this time.
3. Youth Custody Service and Her Majesty's Prison Service to develop and publish best practice guidance for practitioners supporting girls transitioning from the youth to adult secure estate, developed through consultation with young adult women with experience of transitioning to adulthood whilst in contact with the criminal justice system and the statutory and voluntary sector services supporting them.
4. Her Majesty's Prison and Probation Service to develop culturally-sensitive approaches to rehabilitation and release planning which are responsive to the distinct experiences of young adult women, including those within Black and minoritised ethnic groups, building on findings from Her Majesty's Inspectorate of Prisons thematic review of 'minority ethnic' prisoners' experiences of rehabilitation and release planning.
5. Ministry of Justice and regional Directors of Probation to allocate long-term, sustainable funding to the development of age-specific, gender-sensitive services for young adult women as a priority in the revised probation arrangements. This should include funding for monitoring and evaluation to enable the development of an evidence-base around effective practice with young adult women to inform practice nationally.

Responding in practice

6. The development of knowledge- and practice-sharing across youth and adult services, including the youth justice and women and girls' sectors, in relation to age-responsive, gender-sensitive and trauma-informed support for young adult women in contact with the criminal justice system.
7. The Youth Justice Board and Her Majesty's Prison and Probation Service to ensure that criminal justice professionals are trained to understand that young adult women's offending, experiences of trauma, discrimination and inequality are interlinked, as part of an age-, gender- and trauma-informed approach to working with young adult women. This training should be developed in partnership with trauma-informed, gender-sensitive services with expertise in supporting young adult women facing multiple disadvantage.

Data and research

8. All official data from the Ministry of Justice, Her Majesty's Prison and Probation Service and the Youth Justice Board about women in the criminal justice system, and young adults transitioning from the youth to adult justice system, to be disaggregated across all protected characteristics, in particular age, gender and ethnicity. This must be made publicly available and accessibly presented, to allow for further analysis.
9. Research into the experiences and needs of young adult women in contact with the criminal justice to address significant gaps in the evidence-base, with a particular focus on:
 - young adult women's age-specific experience of violence against women and girls and service responses to this, including the way in which these experiences may differ according to ethnicity;
 - the experiences of Black and minoritised young adult women, including Gypsy, Roma, Traveller young adult women, at all stages of the criminal justice system with the distinct experiences of different, self-defined ethnic groups recognised and drawn out;
 - the experience of young adult women with experience of care at all stages of the criminal justice system;
 - young women's gender-specific experience of the transition to adulthood whilst in contact with the criminal justice system;
 - and evaluation of gender-specific programmes for young adult women, delivered through statutory services and specialist women and girls' organisations.

Annex 1 – Terminology and presentation of data

Girls and young adult women

Where this literature review refers to 'girls', this means those under the age of 18 (children). 'Young adult women' refers to those between the ages of 18–25 (adults).

Where both gender- and age-specific information or findings have been unavailable, it considers a broader body of literature relating to the experiences of children and young adults in the criminal justice system, as well as those of adult women, to begin to construct a clearer image of the challenges faced by young adult women. Where the experiences of those aged other than 18–25 years old are discussed, relevant age ranges are provided.

Multiple disadvantage

The term 'multiple disadvantage' reflects the series of systemic inequalities women and girls face within our society. This inequality is mapped out in a set of common experiences faced by some women including: gender-based violence, abuse and exploitation, mental health problems, drug and/or alcohol problems, homelessness; poverty and socio-economic inequality, and contact with the criminal justice system. For girls and young women, we consider exclusion from education and experience of the care system as other forms of disadvantage that they are likely to have more recent experience of than older adult women.

These experiences are mutually reinforcing and create a complicated combination of factors which drive women's criminalised behaviours.

Offending

Widely used, the term offending refers to a form of behaviour which is detected and criminalised by the state. Heavily stigmatised, young adult women who offend are often driven to this behaviour as a result of vulnerability and unmet need.

Black, Asian and Minority Ethnic or Black and minoritised

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, we refer to 'Black and minoritised' girls and young women throughout this review. 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.³⁵⁴ We include Gypsy, Roma and Traveller people within this definition.

We have made efforts to identify datasets and research findings which allow us to reflect diverse identities and experiences within Black and minoritised groups. Where possible, we name the experiences of specific groups according to self-defined ethnicity. Where this is not possible due to gaps in publicly available data and evidence, we discuss the

³⁵⁴ See, for example: Thiara, R. and Roy, S. (2020) Reclaiming Voice: Minoritised Women and Sexual Violence: Key Findings, Imkaan.

experiences of Black and minoritised young adult women to draw attention to a range of experiences we wish to highlight but cannot, at this stage, more fully articulate.

Intersectionality

Coined by Professor Kimberlé Crenshaw, the term intersectionality was originally used to describe a kind of analysis recognising and contextualising African American women's experiences of inequality as experiences of racism and sexism, overlapping and reinforcing each other.³⁵⁵ While young adult women in contact with the criminal justice system have many common experiences these are mediated by each individual's social context. The intersections of race, ethnicity, faith, migration status, sexuality, gender identity, dis/ability and socio-economic status are all factors that inform young adult women's experiences and further marginalise those facing multiple disadvantage.

Using a model put forward by Imkaan – a Black feminist organisation dedicated to addressing violence against Black and minoritised women and girls – we use intersectionality to provide a 'framework for conceptualising, articulating and responding to the ways that differently positioned women and girls are subjected to oppression'.³⁵⁶ The young adult women discussed in this report will face multiple and different forms of disempowerment and analysis of evidence and recommendations must start from this point.

Care-experienced

The term 'care-experienced' is used to refer to anyone with experience of being a child 'looked after' by a local authority, as a result of their parent(s) being deemed unable to provide ongoing care in either a temporary or permanent capacity.

Conviction

A conviction occurs after a guilty verdict in court (magistrates' or Crown) – this can be reached through a trial or through the defendant pleading guilty.³⁵⁷

First Time Entrants (FTEs)

People recorded as having received their first reprimand, warning, caution or conviction, as identified through police recording.³⁵⁸

'Gangs'

Frequently used in popular discourse as shorthand for groups of young people behaving anti-socially, the term 'gang' is also commonly associated with involvement in criminal

³⁵⁵ Crenshaw, K. (1989) 'Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics', University of Chicago Legal Forum, 140 (1), 139-167. Crenshaw, K. (1991) 'Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color', Stanford Law Review, 43 (6), 1241-1299.

³⁵⁶ Imkaan (2018) From the Margin to the Centre: Addressing Violence Against Women and Girls – Alternative Bill October 2018.

³⁵⁷ Ministry of Justice (2020) A Technical Guide to Statistics on Women and the Criminal Justice System, 2019.

³⁵⁸ Ministry of Justice and Youth Justice Board for England and Wales (2020) A Guide to Youth Justice Statistics.

activity.³⁵⁹ Often used in reference to groups of young Black and minoritised men specifically, existing literature notes that it is stigmatising and both produces and reinforces racist stereotypes,³⁶⁰ advocating for caution around its over-use, whilst noting the need for a term to describe relatively durable groups of young people who participate in violence and other forms of crime, lay claim over a particular territory and are in conflict with other similar groupings.³⁶¹

Liaison and diversion services

Liaison and diversion services identify people of all ages who are struggling with their mental health, have a learning disability, are using drugs and alcohol or who have other vulnerabilities when they come into contact with the police or the courts. These services can then support people through the early stages of the criminal justice system, referring them for health or social care support or enabling them to be diverted from the criminal justice system into a more appropriate setting if needed.³⁶²

Out of Court Disposal

Those who have committed less serious offences – often first-time offenders – may be offered alternatives to being charged with a criminal offence. These are administered by the police and are referred to as ‘Out of Court Disposals’. For adults, Out of Court Disposals can include: cautions, cannabis warnings, penalty notices for disorder and community resolutions.³⁶³

Prosecution

The initiation and conduct of criminal proceedings against someone, beginning with charging them with a crime.

Secure children’s home (SCH)

A type of secure accommodation for children to live if they are in custody. Usually, 10 and 11 year olds and older children who are considered to be vulnerable (12 to 15 year olds) are placed in secure children’s homes.³⁶⁴ Secure children’s homes are run by local authorities and house between 8 to 40 children.³⁶⁵

Secure training centre (STC)

A type of secure accommodation for children (usually aged 12 or over) to live if they are in custody.³⁶⁶ Secure training centres are run by private companies and house between 50 to 80 children.³⁶⁷ There are two STCs in England and Wales.

³⁵⁹ Youth Justice Legal Centre (2015), ‘Gangs’.

³⁶⁰ Alexander, C. (2008) *(Re)thinking ‘Gangs’*, Runnymede Trust.

³⁶¹ Pitts, J. (2008) *Reluctant Gangsters: The Changing Face of Youth Crime*. Devon: Willen.

³⁶² NHS England, ‘[About liaison and diversion](#)’. Centre for Mental Health (2020) ‘[Liaison and diversion](#)’.

³⁶³ Youth Justice Legal Centre (2016), ‘[Out of Court Disposal](#)’. Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (2019) ‘Out-of-court disposals’.

³⁶⁴ Youth Justice Legal Centre (2018), ‘[Secure Children’s Home](#)’.

³⁶⁵ UK Government, ‘[Young people in custody](#)’.

³⁶⁶ Youth Justice Legal Centre (2018), ‘[Secure Training Centre](#)’.

³⁶⁷ UK Government, ‘[Young people in custody](#)’.

Youth Offending Team (YOT) or Youth Offending Service (YOS)

Each local authority in England and Wales has a youth offending team (YOT) or youth offending service (YOS) – a team of professionals who work with children who are in trouble with the police, have been arrested, charged with a crime, have to go to court, or who are convicted of a crime and given a sentence. YOTs/YOS work with children to prevent them from offending or-re-offending.³⁶⁸

³⁶⁸ For further information about the kind of support available to children within a YOT/YOS, see: Youth Justice Legal Centre, [‘Youth Offending Team \(YOT\)’](#); UK Government, [‘Youth offending teams’](#).

Annex 2 – Research questions

- **Research question 1:** What are the characteristics of young adult women 'at risk' in the criminal justice system?
- **Research question 2:** What is the relationship between the risks in young adult women 's lives and their offending, and how are their experiences and needs distinct from those of young men and adult women?
- **Research question 3:** How are young adult women's experiences and needs reflected in and responded to in the current policy context?
- **Research question 4:** How do young adult women experience 'the system', and how well are their needs responded to?
- **Research question 5:** How does institutional and structural racism play out in young adult women's experiences of the criminal justice system?
- **Research question 6:** What is known about girls who experience the transition from the youth to adult criminal justice system and how does the system respond to them?
- **Research question 7:** What would a gender-sensitive response to young adult women in contact with the criminal justice system look like?
- **Research question 8:** How could young adult women's experiences and needs be better reflected in and responded to through policy?

Annex 3 – Methodology

The search strategy employed for this literature review was designed to capture the broad nature of challenges facing young adult women in contact with the criminal justice system, as well as the current nature of service delivery and terminology used across the range of sectors which might play a role in supporting young adult women. Due to the limited evidence-base relating specifically to young adult women (as opposed to young adults or adult women), it was necessary to expand search terms to include 'young adults' and 'women' in addition to searching for materials relating solely to 'young adult women' or 'girls'.

Search terms included: 'girls' OR 'young adult women' OR 'young adults' OR 'women' AND 'criminal justice' in addition to other areas including: 'violence against women and girls', 'vawg', 'abuse', 'exploitation', 'mental health', 'substance misuse', 'problematic substance use', 'exclusions', 'serious youth violence', 'looked after', 'leaving care', 'complex needs', 'vulnerable' and 'multiple disadvantage'.

Searches were undertaken using academic open access repositories, Google and Google Scholar, gov.uk and a range of websites belonging to organisations or projects working across the relevant issues (including: AVA, T2A Alliance, Beyond Youth Custody, Women in Prison, Clinks, Prison Reform Trust, The Howard League, The Griffins Society, Imkaan and Contextual Safeguarding Network). Agenda and the Standing Committee for Youth Justice have both published widely on issues facing women and children in contact with the criminal justice system respectively and we have also drawn on this existing evidence-base and expertise. In addition, we have relied on the knowledge of a number of practitioners and experts in the field, including our expert advisory group members, to suggest resources which they felt would enhance understanding of the issues or illuminate new aspects of the work being done on the ground with young adult women in contact with the criminal justice system today. Finally, reference lists and bibliographies from selected texts were also traced where relevant.

Whilst some documents referenced in this review have been published in peer-reviewed journals, the majority of texts considered constitute 'grey literature'. Most of the texts under review have been produced with a UK context but the review has also drawn on smaller amount of Anglophone literature produced in other contexts, notably the USA. A range of publicly available data tables have also been made use of. Using this array of sources has allowed us to capture findings from neglected or emerging research areas, as well as ensure that, where possible, our attempts to quantify or capture young adult women's experiences reflect experiences which are current.

Whilst a systematic search strategy was employed to review the current evidence-base, the literature review itself cannot be considered a systematic one as an assessment of the quality and academic rigour of all texts considered was not undertaken, due to both project timescale and capacity. Further, the intention of this literature review is not primarily to assess the validity of the findings or the effectiveness of the interventions texts detail. Rather, it aims to map the current evidence-base to identify which issues and themes in the lives of young adult women in the criminal justice system have been afforded some attention, and which remain largely or entirely overlooked. Consideration has then been given to how this impacts on current policy and practice, allowing us to answer the research questions set out and draw initial conclusions about the way in which work in this area would need to progress if we are to see the development of a gender-sensitive response to young adult women in the criminal justice system.

Annex 4 – Core components of a gender-sensitive response to young adult women facing multiple disadvantage

In the table below, findings emerging from good practice examples of specialist girls and young adult women’s provision are brought together with AVA and Agenda’s ‘core components’ of gender-sensitive provision for adult women facing multiple disadvantage, as outlined in their 2017 literature review, ‘The core components of a gender sensitive service for women experiencing multiple disadvantage’. The table overleaf outlines, in full, what can begin to be considered as key components of a gender-sensitive response to young adult women in contact with the criminal justice system.

Evaluations and case studies considered include:

- Evaluation of The Stella Project Young Women’s Initiative (2013) which supported two London boroughs to develop their responses to girls and young adult women (14–25) affected by domestic and sexual violence and problematic substance use.³⁶⁹
- Evaluation of the ‘The Way Forward’ project (2015) run by the Women Centre Calderdale and Kirklees, supporting 15–24 year old girls and young adult women identified as falling through gaps in existing service provision and at risk of ‘enter[ing] adulthood with severe and escalating levels of disadvantage’.³⁷⁰
- Evaluation of the ‘Safe Choices (Reaching Communities)’ (2016) project run by Nia in partnership with The Children’s Society, with a focus on girls and young adult women (13–25) who were identified as linked with violent offending, as ‘gang’-affected, or were at risk of exclusion or being out of training/employment in the London Boroughs of Hackney and Islington.³⁷¹
- Seeing The Inner Me (2018), a research report capturing the ethos and approach of Women and Girls Network’s service provision for girls aged 11–17 (up to 21 for care leavers) experiencing child sexual abuse and exploitation.³⁷²
- Case study from the ‘Moving On’ programme (2018) run by Pecan, offering one-to-one mentoring for 18–25 year old young adult women in South East London as they transition from custody to the community.³⁷³

³⁶⁹ Horvath, M. et al. (2013) Still not receiving the support they deserve... Final evaluation report for The Stella Project Young adult women’s Initiative. Forensic Psychological Services and AVA.

³⁷⁰ Warwick-Booth, L. et al. (2015) The Way Forward Evaluation – Final Report, Leeds-Beckett University.

³⁷¹ Coy, M. (2016) ‘We Don’t Get This At School’: The Safe Choices Reaching Communities Project – Final Evaluation Report, Nia.

³⁷² Women and Girls Network (2018) Seeing The Inner Me: What Young Women Want From Child Sexual Abuse and Exploitation Services.

³⁷³ Clinks and Women’s Health & Equality Consortium (2018) Pecan: Moving On – Through the gate mentoring for young adult women in South East London.

Component of gender-sensitive services for adult women	What does the evidence-base suggest about how this translates to provision for young adult women?
<p>Opportunities to develop high-quality, trusting relationships with non-judgemental professionals.</p>	<p>With young adult women noting that they would be unlikely to approach an organisation for support without an introduction from someone they trusted,³⁷⁴ it is clear that the opportunity to interact with professionals with whom they have or could develop a trusting relationship is crucial for young adult women from the outset of their engagement with services. Research also highlights the confidentiality of services as a critical factor, with some girls engaging with Women and Girls Network expressing feelings of greater confidence in anonymous services³⁷⁵ and the evaluation of The Stella Project emphasising the importance of practitioners addressing young adult women’s concerns about the limits of confidentiality, including explaining how information will be shared in their earliest interactions.³⁷⁶ This is of particular importance for young adult women viewed either as ‘offenders’ or potential ‘offenders’, with the evaluation of the Reaching Communities project noting alarming breaches of young adult women’s right to privacy as a result of a local focus on non-consensual sharing of information or ‘mapping’ of young people deemed to be ‘at risk’ or ‘of concern’. The evaluation of this project urges caution about approaches which view information-sharing by professionals as an intervention in its own right and suggests that, where this approach is identified, part of the role of specialist girls and young adult women’s projects necessarily becomes about challenging this.³⁷⁷</p> <p>A non-judgemental approach to working with young adult women is also vital, with existing literature identifying a tendency amongst young adult women to self-blame and/or minimise experiences of abuse. Practitioners’ lack of knowledge about ‘asking the question’, particularly in relation to experiences of violence and abuse and problematic use of substances, may compound difficulties young adult women face in this regard as existing literature identifies a troubling narrative relating to young adult women’s ‘reluctance to disclose’³⁷⁸ which may locate the problem as a barrier to accessing support internal to young adult women, rather than identifying it as the result of a lack of expertise in services.</p> <p>The impact of this could be felt particularly by young adult women with experience of the criminal justice system who may have been repeatedly labelled as ‘hard to reach’ and who must also navigate</p>

³⁷⁴ Women and Girls Network (2018) Seeing The Inner Me: What Young Women Want From Child Sexual Abuse and Exploitation Services.

³⁷⁵ Ibid.

³⁷⁶ Horvath, M. et al. (2013) Still not receiving the support they deserve... Final evaluation report for The Stella Project Young adult women’s Initiative. Forensic Psychological Services and AVA.

³⁷⁷ Coy, M. (2016) ‘We Don’t Get This At School’: The Safe Choices Reaching Communities Project – Final Evaluation Report, Nia.

³⁷⁸ Horvath, M. et al. (2013) Still not receiving the support they deserve... Final evaluation report for The Stella Project Young adult women’s Initiative. Forensic Psychological Services and AVA.

	<p>the stigma associated with criminalisation. Whilst girls accessing support from Women and Girls Network as a result of experiences of childhood sexual exploitation and abuse reported being concerns about being perceived by professionals as ‘victims’,³⁷⁹ findings from this literature review about negative perceptions of young adult women in contact with the criminal justice system raise concerns about young adult women approaching services with experience of the criminal justice system in addition to experience of violence and abuse being seem as ‘perpetrators’ of crime, rather than as young adult women in need of support.</p> <p>Beyond relationships with professionals, it is important for young adult women to have opportunities to develop and sustain positive relationships with their peers, tackling isolation,³⁸⁰ allowing young adult women to gain experience of both being able to trust others and be trusted by, and enhance their understanding of what is important to them in the relationships they have with those around them.³⁸¹ Whilst studies of young people’s experiences of mentoring and its effectiveness in preventing re-offending have been inconclusive when conducted without a gender lens, some positive outcomes have been identified for girls and young adult women in particular, with mentoring as another means by which positive relationships and a non-offending identity can be developed.³⁸²</p> <p>Young adult women also value being supported by professionals they can relate to on the basis of sharing similar experiences. Girls accessing support from Women and Girls Network wanted workers to be ‘slightly older and more experienced than them, but still close enough in age to have been through similar pressures’.³⁸³ In conversations with Agenda, young adult women have highlighted the importance of having a worker who has ‘gone through stuff’, although they highlight that this alone will not always ensure that they understand their experiences from both an age- and gender-specific perspective.³⁸⁴</p>
<p>Holistic or ‘wraparound’ support which practically addresses women’s multiple, interlinked needs through collaborative working and advocacy in multi-agency settings, rather than requiring</p>	<p>The importance of a service’s ability to address multiple vulnerabilities also comes through clearly in literature relating to girls and young adult women, with research conducted with girls accessing support from Women and Girls Network highlighting that the inclusion of support relating to sexual health and support to</p>

³⁷⁹ Women and Girls Network (2018) [Seeing The Inner Me: What Young Women Want From Child Sexual Abuse and Exploitation Services](#).

³⁸⁰ Clinks and Women’s Health & Equality Consortium (2018) [Pecan: Moving On – Through the gate mentoring for young adult women in South East London](#).

³⁸¹ Women and Girls Network (2018) [Seeing The Inner Me: What Young Women Want From Child Sexual Abuse and Exploitation Services](#).

³⁸² Bateman, T. and Hazel, N. (2014) [Resettlement of girls and young women: research report](#). Beyond Youth Custody.

³⁸³ Women and Girls Network (2018) Women and Girls Network (2018) [Seeing The Inner Me: What Young Women Want From Child Sexual Abuse and Exploitation Services](#).

³⁸⁴ Agenda. Conversation with young adult woman, 3 November 2020.

<p>women to seek support for a number of different issues in isolation.</p>	<p>continue accessing education as part of this is particularly relevant for girls, including as they transition to adulthood.³⁸⁵</p> <p>Likewise, the value of assertive advocacy as part of collaborative working relationships with a number of different agencies emerges as significant. The evaluation of The Stella Project highlights a lack of joint working between specialist services and generic institutions (particularly highlighting the gap between education settings and voluntary services) as problematic for girls and young adult women.³⁸⁶ Findings from the evaluation of the Reaching Communities project suggest that an effective response to this could involve co-location of specialist girls and young adult women 's workers within generic organisations (including mainstream youth services), allowing for knowledge-sharing between professionals about effective approaches to working with young adult women , as well as enabling young adult women to access support in a familiar environment without fear of being identified as seeking support around issues which may be heavily stigmatised.³⁸⁷</p> <p>In addition to joint-working between professionals, the involvement of other safe adults in young adult women 's lives in the support they receive may be of importance, with the role of non-abusive parents or carers as 'safeguarding partners' emphasised for girls and young adult women where this is possible and appropriate.³⁸⁸</p>
<p>A trauma-informed approach which makes use of a strengths-based framework to empower and restore a sense of control to women in a safe environment, avoiding replicating abusive power dynamics.</p>	<p>Balanced alongside the importance of multi-agency working is the importance of the independence of services, with young adult women valuing voluntary services for this, despite having recently been more closely connected to statutory services where they may have had less control over their level of engagement with professionals, or over the extent to which services are able to intervene in their lives. Young women also articulate the importance of meeting spaces which are perceived to be neutral, such as cafes, so as not to feel 'outnumbered' by professionals, as well as somewhere which is convenient for them to travel to.³⁸⁹</p> <p>Services which offer flexibility and the ability to engage over time as part of a non-linear path to 'recovery' also appear to be an essential aspect of restoring a sense of control to young adult women who have experienced trauma as one of several forms of</p>

³⁸⁵ Women and Girls Network (2018) Seeing The Inner Me: What Young Women Want From Child Sexual Abuse and Exploitation Services.

³⁸⁶ Horvath, M. et al. (2013) Still not receiving the support they deserve... Final evaluation report for The Stella Project Young adult women 's Initiative. Forensic Psychological Services and AVA.

³⁸⁷ Coy, M. (2016) 'We Don't Get This At School': The Safe Choices Reaching Communities Project – Final Evaluation Report. Nia.

³⁸⁸ Women and Girls Network (2018) Seeing The Inner Me: What Young Women Want From Child Sexual Abuse and Exploitation Services.

³⁸⁹ Ibid.

	<p>disadvantage.³⁹⁰ Similarly, Women and Girls Network suggest that the development of a comfortable, welcoming environment sensitive to trauma responses and characterised by a sense of safety and comfort is important, despite the space in which interventions take place rarely being discussed in evaluations of services.³⁹¹ As this literature review has highlighted, young adult women in the criminal justice system report feeling unsafe and uncomfortable in male-dominated spaces for young people, and can also report this experience in services designed for adult women. With this in mind, a 'safe space' for young adult women does appear to involve a gender-specific or women-only space, but the literature makes clear that the involvement of young adult women in the design and management of such spaces is paramount as 'girls groups' have the potential to 'sound cringey' and off-putting³⁹², and young adult women in the criminal justice system's relationships with their peers may be fraught with difficulty.</p> <p>Indeed, co-production of services as a means of ensuring young adult women feel a sense of ownership over the support they receive is a striking feature of the literature. The evaluation of The Way Forward project highlights the way in which this can be beneficial in not only creating a sense of equality and mutuality in relationships between professionals and young adult women already in touch with services, but can also be beneficial in facilitating the engagement of other young adult women. It explains: '[the] central position of young adult women themselves [in the service] has produced publicity and language for project publicity that speaks to other young adult women. It also kept the whole project committed to the reality of the lives of each individual young woman, resisting the management temptation to oversimplify or constrain for ease or control of service delivery.'³⁹³</p>
<p>A commitment to placing women's experiences of disadvantage in their socio-political context and to address structural inequalities.</p>	<p>Young adult women with experience of gender-based violence report having higher levels of confidence in organisations seen as experts on this subject.³⁹⁴ Evaluations of both The Stella Project and the Reaching Communities project found that access to education around the issues they are experiencing (including recognition and discussion of the ways in which these may intersect) was beneficial for young adult women, as well as for the professionals who support them, increasing the likelihood of the full extent of challenges facing young adult women being identified and</p>

³⁹⁰ Warwick-Booth, L. et al. (2015) The Way Forward Evaluation – Final Report, Leeds-Beckett University. Women and Girls Network (2018) Seeing The Inner Me: What Young Women Want From Child Sexual Abuse and Exploitation Services.

³⁹¹ Ibid.

³⁹² Ibid.

³⁹³ Warwick-Booth, L. et al. (2015) The Way Forward Evaluation – Final Report, Leeds-Beckett University.

³⁹⁴ Women and Girls Network (2018) Seeing The Inner Me: What Young Women Want From Child Sexual Abuse and Exploitation Services.

	<p>understood.³⁹⁵ In particular, young adult women engaging with the Reaching Communities project reported that they ‘enjoyed and specifically remembered’ group work sessions relating to social and sexualised sexism, with staff members within the project and other stakeholders reporting that the feminist perspective of the programme was crucial.³⁹⁶ Research undertaken by Advance – a service providing advocacy support to women in contact with the criminal justice system, including 1-2-1 support for girls and young women (15–24) – has found that young adult women (18–30) also place importance on the ability to access spaces in which they can learn about, discuss and explore their ideas about sex and healthy relationships.³⁹⁷</p>
<p>Specialist support for women experiencing multiple, intersecting oppressions, including Black and minoritised women.</p>	<p>There are significant gaps in the evidence base relating to the impact that accessing specialist support has on Black and minoritised young adult women and young adult women from other marginalised groups. However, research conducted with girls and young adult women accessing support from Women and Girls Network makes clear that Black and minoritised young adult women place value on having access to support from Black and minoritised members of staff operating within a framework which places experience of multiple disadvantage in the context of both gendered and racialised inequalities³⁹⁸ – something that specialist ‘by and for’ Black and minoritised services are best-placed to provide.</p>

³⁹⁵ Horvath, M. et al. (2013) Still not receiving the support they deserve... Final evaluation report for The Stella Project Young adult women 's Initiative. Forensic Psychological Services and AVA.

³⁹⁶ Coy, M. (2016) 'We Don't Get This At School': The Safe Choices Reaching Communities Project – Final Evaluation Report, Nia.

³⁹⁷ Advance (2020) 'A space to learn about relationships' – The social factors influencing early sexual relationships among young women who have been involved in the criminal justice system.

³⁹⁸ Women and Girls Network (2018) Seeing The Inner Me: What Young Women Want From Child Sexual Abuse and Exploitation Services.