

AYJ submission: Commission on Young Lives - Call for Evidence - November 2021

The [Alliance for Youth Justice \(AYJ\)](#) brings together over 70 non-profit organisations, advocating for and with children to drive positive change in youth justice in England and Wales. Our [members](#) range from large national charities and advocacy organisations, to smaller grassroots and community organisations. We bring together our members' expertise and provide ways for them to shape decision-making. We work to influence policy, legislation and practice to address issues affecting children caught up in crime. Six principles for youth justice policy underpin the AYJ's ways of working. We have used these as a framework for our response to the Commission's call for evidence. Our submission focuses on children in, or at risk of involvement in, the justice system.

Understanding and seeking to address the underlying causes of children coming to the attention of the criminal justice system

While extraordinary efforts across the sector have resulted in a remarkable decrease in the number of children in the youth justice system over the last decade, thousands of children are still criminalised and impacted by criminal justice involvement each year, and this trend has not impacted children equally.¹

Research shows the prevalence of poverty, abuse, trauma, victimisation and exclusion among children affected by violence and those in the youth justice system.² Racially minoritised children experience additional inequality and discrimination and are more likely to face adverse experiences.³ Evidence around the impacts of inequality, early years experiences, housing and homelessness, youth services, and opportunities, education, and employment on children's involvement in violence has been well documented recently by the Youth Violence Commission.⁴ Mental health needs, Special Educational needs, and Speech, Language and Communication needs are prevalent among children affected by the criminal justice system, as are issues with engagement and attainment in education and employment.⁵ Youth Offending Team (YOT) assessments on the needs of sentenced children show the large proportions of children with a range of assessed concerns, including: safety and wellbeing 90%; substance misuse 76%; mental health 72%; speech, language and communication 71%; learning and education, training and employment 68%; accommodation 50%; and care history 46%.⁶ The prevalence of the vast majority of YOT assessed concerns increased between the year ending March 2019 and March 2020,⁷ all of which will most likely have been exacerbated by the impacts of COVID-19.⁸

Child criminal exploitation

Child criminal exploitation (CCE) is a significant and growing concern⁹ impacting children across the country, and particularly impacting children with care experience, including those who are placed in unregulated or out-of-area placements,¹⁰ as well as those excluded from school.¹¹ Despite their victimisation, children who come to the attention of statutory agencies as a result of CCE are often treated as criminals.¹² Although the National Referral Mechanism (NRM) and Section 45 of the Modern Slavery Act 2015 should protect children from criminalisation in these circumstances, we know this is often not the case, and delays,¹³ a recent court judgment,¹⁴ and reforms¹⁵ to the NRM process risk further impeding its ability to protect and support children. A current Home Office pilot exploring devolving decision making on modern slavery to local safeguarding structures could improve recognition of CCE victimisation, and we await more information on this.¹⁶ A statutory definition of CCE would improve shared understanding among agencies and help improve the response to children involved.¹⁷

The response to serious violence

While most people involved in serious violence and offences involving weapons are over 18, the number of children carrying knives has appeared to grow in recent years,¹⁸ as has the number of child victims of serious violence.¹⁹ Violence affecting children is the product of multiple, complex and deep-rooted issues within society, but it is not inevitable. The government has recognised the need to take a public health approach to address violence, but its response does not amount to one. A public health approach should direct resources towards 'primary' or 'universal' prevention programmes designed to prevent violence at

a population-level,²⁰ while at the same time recognising that certain environments and experiences create a greater risk of involvement in violence, and providing targeted prevention and early-intervention support in these areas.²¹ Welcome steps have been taken towards bolstering early intervention and preventative support, for example through the Youth Endowment Fund, and Family Hubs.²²

Developments such as Violence Reduction Units are positive, and the government has funded a number of welcome initiatives including ones carried out by our members, such as The Children's Society's Prevention Programme.²³ However, developments are in large part small scale programmes in targeted areas, falling far short of the universal preventative approach supported by longer-term investment that is necessary, in particular when set against a backdrop of huge cuts to youth services and public services over the last decade.²⁴ There are gaps in provision, and children may need to meet certain thresholds for support. One example of provision that could be rolled-out to address this is open access drop-in emotional health and well-being services.²⁵

Enforcement is one element of a public health approach,²⁶ but the government response to serious violence has been imbalanced towards it, and has included a number of net-widening, surveillance and enforcement focussed, punitive policy developments, which risk increasing the number of children in the criminal justice system. These include an increased focus on mandatory minimum sentencing, stop and search, Knife Crime Prevention Orders,²⁷ and a number of proposals in the Police, Crime, Sentencing and Courts (PCSC) Bill including the Serious Violence Duty, Serious Violence Reduction Orders,²⁸ and provisions that would see children more likely to be deprived of their liberty, for longer.²⁹ We are particularly concerned that the Serious Violence Duty will undermine the ability of those best placed to support children at risk of involvement in violence and exploitation, such as schools, health and social care providers, and youth services, to do so. By creating a statutory duty that overrides existing data protections to force agencies to share information with police, while the law makes no mention of safeguarding children and their best interests, the duty risks breaking the trust between children and services that is fundamental to engagement.³⁰ For more detail see our 2019 position paper on serious violence³¹ and our PCSC Bill briefing.³² See also Medact's Public Health Case Against the Policing Bill.³³

Recognising and challenging all forms of discrimination and disadvantage affecting children

Disparities and inconsistencies in the way children come to the attention of the youth justice system, in dealings with police, in access to diversion and support, are key concerns particularly for racially minoritised children, children with care experience,³⁴ and children with neurodevelopmental disorders or mental health and physical health needs or disabilities.

Girls in contact with the law tend to have a greater number of support needs than boys, with clear connections between their vulnerabilities and offending.³⁵ But as a minority girls have become increasingly overlooked at both a policy and a practice level, and their diminishing minority in custody in particular has exacerbated the marginalisation of their needs.³⁶

Children from ethnic minorities are overpoliced, more likely to be stopped and searched,³⁷ arrested,³⁸ less likely to be diverted,³⁹ and are therefore disproportionately likely to end up in the criminal justice system. Racial discrimination and bias are also evident in sentencing decisions⁴⁰ - Youth Justice Board research published this year found that for the same offences racially minoritised children are more likely to receive community and custodial sentences rather than out of court disposals and are more likely to be remanded to custody. Black children specifically face harsher court sentences controlling for all variables.⁴¹ When in the youth justice system, there are 'significant deficits' in the ways YOTs and partner agencies work with Black and mixed heritage boys.⁴² Racially minoritised children now make up more than half of children in custody, including nearly 10% identified as Gypsy, Roma, and Traveller (GRT),⁴³ despite GRT people constituting around 0.1% of the population.⁴⁴ During their time in custody, these children consistently report relatively worse experiences and treatment.⁴⁵ GRT children in custody are significantly more likely to report a health problem.⁴⁶ Cumulative discrimination before, during and after involvement in the youth justice system, impacting access to education, employment, housing and healthcare, all of which impact resettlement and reoffending, must be addressed. The Commission should consider recommendations made by the JUSTICE working party tackling racial injustice report.⁴⁷

Creating a distinct system for children that upholds children's rights

The UN Committee on the Rights of the Child emphasises the clear need to treat children differently to adults in contact with the law, and minimise contact with the criminal justice system.⁴⁸ The UN Convention on the Rights of the Child sets out the paramountcy of the best interests of the child, the need to take into account a child's age, and promote reintegration in society.⁴⁹ Yet the starting point for sentencing legislation and the policy response to children in or at risk of involvement in the youth justice system is too often the adult justice framework, leaving children as a footnote or afterthought. Children as young as 10-years-old continue to be subjected to a criminal justice response, and we continue to see a disjointed approach to policy impacting children that too often results in a lack of support, or criminalisation where a welfare-based response is needed. Several measures would help to address this issue, ensuring responses to children in, or at risk of involvement in, the justice system upholds and promotes children's rights:

- All new policies impacting children to be subject to a Child Rights Impact Assessment.⁵⁰
- Increase the Minimum Age of Criminal Responsibility (MACR) from 10 to at least 14. The MACR in England and Wales is the lowest in Europe. The current law breaches international children's rights and is inconsistent with evidence on child development.⁵¹
- Create a Ministerial role at Cabinet level with responsibility for children, to oversee and drive cross-governmental work to support all children, including those in conflict with the law, and hold departments accountable
- Incorporate the UN Convention on the Rights of the Child into domestic legislation.

Promoting maximum and continuous diversion from the formal criminal justice system

A significant amount of work has been undertaken in recent years to reduce 'unnecessary' child arrests,⁵² and to prioritise diversion of children from the youth justice system towards positive pathways.⁵³ Promoting diversion and minimal intervention is a key tenet of the Child First approach to youth justice, adopted by the YJB.⁵⁴ Many children naturally mature out of crime, going through a 'phase' of offending and then desisting entirely.⁵⁵ Similarly, weapon-carrying tends to peak around the age of 15.⁵⁶ Evidence shows that contact with the criminal justice system is criminogenic, and avoiding formal justice system involvement is more effective at reducing offending than punitive responses.⁵⁷ Criminal justice system contact can act as a key moment when behaviour begins to negatively spiral. It creates and reinforces criminal identities in children,⁵⁸ and when the justice system intervenes, it is often in place of other non-criminalising support, resulting in a response focusing on the 'offender' rather than the child.

There is promising practice emerging around point-of-arrest diversion and out of court disposals, but provision and access is inconsistent and inequitable.⁵⁹ Research by AYJ member the Centre for Justice Innovation has shone a light on current issues in point-of-arrest diversion, including setting out how racially minoritised children's access may be impacted by mistrust, formal eligibility criteria, lack of knowledge, and practitioner perceptions, and highlighted a number of options for improving practice.⁶⁰ Opportunities for diversion should be continuously explored each time the child comes into contact with the criminal justice system, not just at the first instance, and the need for diversion should be assessed at each stage a case progresses through the criminal justice system.

Policing

Police act as a gateway to the youth justice system, responding to children's behaviour in the community and making decisions around whether to arrest, divert, or charge a child.⁶¹ Improved policing practices have a critical role to play in minimising the criminalisation of children and addressing racial inequalities at the gateway to the criminal justice system. We fully support the vision outlined in the National Police Chiefs' Council's National Strategy for the Policing of Children & Young People,⁶² setting out principles of child-centred policing including taking the full circumstances of the child into account, protection from harm, and keeping children out of the criminal justice system unless necessary. However, plans for 20,000 more police officers are projected to see more children criminalised and in custody.

The increased focus on stop and search in recent years risks eroding trust and confidence in police and other authorities among children, particularly in racialised communities where relationships are already strained,⁶³ increasing tensions, affecting policing and community safety,⁶⁴ and preventing long-term meaningful work to tackle crime.⁶⁵ Stops can result in charges for assaults, criminal damage and resistance despite a lack of evidence or valid reason for the stop and nothing illegal being found, and the labelling and stigmatising effect of searches undermines efforts of those working to support children's positive potential.⁶⁶ Children in contact with the police should have access to an appropriate adult, an intermediary, and high quality legal support and advice, all of whom should be appropriately trained in youth criminal justice and children's vulnerabilities. Children under police care should never be subject to full searches, excessive use of force such as the use of spit-hoods and Taser, pain-inducing restraint, or overnight stays in police cells.⁶⁷

Ensuring custody is a last resort

While depriving a child of their liberty must be a last resort and for the shortest time possible, it remains the case that custodial sentencing and remand of children is often not used as such.⁶⁸ We recommend a new legislative threshold for custodial sentencing, and while we welcome reforms in the Police, Crime, Sentencing and Courts Bill to the threshold for custodial remand, we have identified a number of ways to further strengthen it, and are concerned that the Bill increases custody terms for children.⁶⁹ The AYJ is a member of the End Child Imprisonment campaign⁷⁰ which has set out the case for closing penal establishments,⁷¹ and established principles and minimum expectations for placements for children deprived of their liberty, which both new and current custodial establishments should be assessed against.⁷² We recommend the Commission consider these as well as AYJ members Transform Justice and the Howard League for Penal Reform's work to improve practice around custodial remand.⁷³ The government must publish a national strategy and improvement plan for the children's secure estate, setting out its plan for fulfilling its commitment to close Young Offender Institutions and Secure Training Centres, and how it is ensuring children held in these establishments in the meantime have their needs met and rights upheld. For more information see our Justice Committee child custody inquiry response.⁷⁴

Creating child-centred systems and services that promote positive long-term outcomes

To ensure young lives are not blighted forever by their past, it is crucial that we get things right for children involved with, and moving on from, the criminal justice system. Interventions should be strengths-based, capacity-building, participatory, culturally competent, and include a trusting, meaningful relationship. The measure of success of interventions should be based around positive outcomes including education, development, and wellbeing, rather than narrowly measured using reoffending rates. To this end, the Child First movement that focusses on seeing children as children, looking forward and building on strengths to develop pro-social identities has been a positive shift in youth justice, and should underpin policy and practice. There are some key issues for children impacted by the justice system that we would like to bring to the Commission's attention:

- Increasingly lengthy delays in police processing of cases, such as children who are Released Under Investigation, means they can wait months or even years for a charging decision.⁷⁵ These delays can leave children in limbo, causing anxiety about a possible criminal charge, that may go on to be dropped months later by police.⁷⁶ Children may also cross significant age thresholds while awaiting their case to be heard, particularly turning 18, with life-changing impacts on their treatment, sentencing, and criminal records.⁷⁷
- There are ongoing concerns about children's ability to understand and effectively participate in their court proceedings, procedural fairness, quality of advocacy, delays, and the fundamental inappropriateness of the adversarial court approach in place of a welfare-based, problem-solving approach, more closely aligned to family court systems.⁷⁸
- The childhood criminal records system in England and Wales allows for widespread, lengthy disclosure. Although recent and upcoming reforms make some improvements, the regime continues to undermine efforts to encourage desistance, address racial inequalities and tackle exploitation. A wide-ranging review is needed, with a view to creating a truly separate regime for all offences committed when under 18, including provision for wiping childhood offences.⁷⁹

- Transitions of children from custody into the community, and from the youth to adult justice system including in custody, are often experienced as ‘cliff-edges’ for children and young people, leaving them exposed to instability and greater risks of exploitation and reoffending, with many protections stripped away upon turning 18.⁸⁰ Attention is needed around how we best support these transitions.

Amplifying the voices of children, young people and the organisations supporting them to shape decision-making

In line with ‘Child First’ principles⁸¹ and Article 12 of the UNCRC, children should be meaningfully consulted on changes that will impact their lives, and a strategic view must be taken to engage with them. Consideration should be made to the need for statutory bodies to engage with children using their service regarding policy and service development, as well as the role of the voluntary sector.

The Young Advocates⁸² are a group of young people with experience of the justice system, supported by the AYJ and Leaders Unlocked to advocate on issues that are important to them. This year, they identified three priority issues in children and young people’s lives: stereotyping, education and early warning signs, and custody. They conducted peer research with over 120 children and young people examining these topics.⁸³ Direct quotes from their research are below, with a full report following soon:

Experiences of school and exclusions:

“In mainstream education the worst thing was they didn’t listen. They isolate you and they only give you a few chances. They would punish me but that would make things worse...”

“Getting kicked out of school is like being pasted onto the roads - it made me hate authority”

“If I didn’t go to PRU I would put money on it, I would not be in here in prison...I stopped playing football when I went to PRU and I lost my old friends from mainstream and made new ones that were negative influences. You have to fit in with them and put on a front.”

Experiences of stereotyping in policing and courts:

“[Police] say you match a description when the description matches the whole of South London so you’re gonna stop everyone in the South London area? That’s stereotyping cos there could be a white boy with a knife bussing shots on a scooter but you’re not gonna think about him.”

“Made me stop trusting the police why can’t I walk from my house to the park without being stopped I have no faith in the law.”

“I think [police] need a lot more training on, they need to remember they are working for the people not against the people, with the system people are being punished and not reformed.”

“Everyone does not get the same sentence. Certain races get it worse cause of your colour they say you’re innocent until proven guilty but they treat me like I’m guilty from the start.”

Experiences of custody:

“The thing that needs to change is their environment you’re not gonna fix problems by sending people to jail there’s no options you’re setting them up to fail.”

“They have the funding but they don’t do anything with it it’s like they refuse to do anything good for the young people, they even undersell training that is available.”

“Training is needed for prison officers, need to understand you’re working with kids.”

We are currently working on a project examining the impact of COVID-19,⁸⁴ and will be publishing a series of policy briefings across the first few months of 2022 making wide-ranging recommendations to policymakers. We look forward to sharing these with the Commission.

We would like to refer the Commission to, and endorse, evidence submissions from a number of our members who’s work supports children in or at risk of involvement in the youth justice system: Just for Kids Law; Khulisa; National Youth Advocacy Service; New Horizon Youth Centre; Prison Reform Trust; SHiFT; The Children’s Society; and The Traveller Movement. We look forward to further engagement between the Commission, the AYJ and our members to discuss solutions and inform recommendations.

The contents of this briefing do not necessarily reflect the views of all AYJ member organisations

- ¹ <https://www.gov.uk/government/statistics/youth-justice-statistics-2019-to-2020>
- ² See for example: <https://www.westmidlands-pcc.gov.uk/wp-content/uploads/2021/03/Punishing-Abuse.pdf?x49252>;
Public Health Wales NHS Trust (2015) Welsh Adverse Childhood experiences (ACE) study <http://www.wales.nhs.uk/sitesplus/888/news/40000/>;
<http://croydonlcsb.org.uk/wp-content/uploads/2019/03/CSCB-VA-Thematic-Review-Executive-Summary-PUBLISHED.pdf>;
Youth Violence Commission (2018) Interim Report – July 2018 The Youth Violence Commission
<http://yvcommission.com/wp-content/uploads/2018/07/Interim-Report-FINAL-version-2.pdf>
- ³ <https://www.equalityhumanrights.com/en/race-report-statistics>; <https://www.eif.org.uk/report/adverse-childhood-experiences-what-we-know-what-we-dont-know-and-what-should-happen-next>; <https://irr.org.uk/research/statistics/poverty/>
- ⁴ https://ebc743b2-5619-4230-8e01-421540c665fc.filesusr.com/ugd/ad2256_a0f38547a4134e0cb923905486bcc186.pdf
- ⁵ Ministry of Justice, Department for Education (2019) [Understanding the educational background of young offenders: Amended summary report](#); The Royal College of Speech and Language Therapists (2017) [Justice Evidence Base](#); House of Commons Library (2018) [NEET: Young People Not in Education, Employment or Training](#); Youth Justice Board, Ministry of Justice (May 2020) [Assessing the needs of sentenced children in the Youth Justice System 2018/19](#); Youth Justice Board, Ministry of Justice (January 2021) [Experimental Statistics: Assessing the needs of sentenced children in the Youth Justice System 2019 to 2020](#)
- ⁶ [Experimental Statistics: Assessing the needs of sentenced children in the Youth Justice System 2019 to 2020](#)
- ⁷ [Experimental Statistics: Assessing the needs of sentenced children in the Youth Justice System 2019 to 2020](#)
- ⁸ <https://www.avj.org.uk/news-content/covid-project-literature-review>
- ⁹ <https://www.childrenssociety.org.uk/sites/default/files/2021-03/Disrupting-Child-Exploitation-Proposal.pdf>
- ¹⁰ <https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2020/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2020> <https://explore-education-statistics.service.gov.uk/data-tables/permalink/4c063ec1-ea1c-42e5-8849-89cb59ee93de>
- ¹¹ <https://www.childrenssociety.org.uk/sites/default/files/2020-10/no-place-at-home.pdf>; <https://www.nyas.net/record-numbers-of-children-going-missing-from-care-because-councils-are-not-listening/>
- ¹² https://justforkidslaw.org/sites/default/files/fields/download/JfKL%20school%20exclusion%20and%20CCE_2.pdf;
<https://www.childrenssociety.org.uk/sites/default/files/2021-04/youth-voice-exclusions.pdf>
- ¹³ <https://www.childrenssociety.org.uk/sites/default/files/2020-10/counting-lives-report.pdf>;
<https://www.childrenssociety.org.uk/information/professionals/resources/defining-child-criminal-exploitation>
- ¹⁴ <https://www.antislaverycommissioner.co.uk/media/1642/independent-anti-slavery-commissioner-annual-report-2020-2021.pdf>
- ¹⁵ <https://yjlc.uk/resources/legal-updates/r-v-breani-major-setback-victims-child-criminal-exploitation>
- ¹⁶ The Nationality and Borders Bill as currently drafted will disqualify children from modern slavery support and allow authorities not to make a conclusive grounds decision despite a positive reasonable grounds decision and evidence of victimisation, if the child is perceived to be a threat to public order, or to have claimed to be a victim in 'bad faith'. <https://bills.parliament.uk/bills/3023>
- ¹⁷ <https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery/devolving-child-decision-making-pilot-programme-general-guidance-accessible-version>
- ¹⁸ <https://www.childrenssociety.org.uk/sites/default/files/2021-04/child-criminal-exploitation-definition-briefing.pdf>
- ¹⁹ Looking at data up to March 2020, excluding 2020/2021 due to COVID-19 <https://www.gov.uk/government/statistics/knife-and-offensive-weapon-sentencing-statistics-year-ending-march-2021>
- ²⁰ <https://digital.nhs.uk/data-and-information/publications/statistical/hospital-admitted-patient-care-activity/2019-20>
- ²¹ WHO (2018) *Violence Protection Alliance - The Public Health Approach* http://www.who.int/violenceprevention/approach/public_health/en/
- ²² https://www.researchinpractice.org.uk/media/5499/a-public-health-approach-to-violence-reduction_tce_sb_web.pdf; <https://www.avj.org.uk/news-content/avj-position-on-the-response-to-serious-violence>
- ²³ <https://www.gov.uk/government/news/20m-to-provide-more-early-help-for-vulnerable-families>
- ²⁴ <https://www.childrenssociety.org.uk/sites/default/files/2020-12/Prevention-evaluation-report.pdf>
- ²⁵ For more information on the AYJ position on serious violence, see our 2019 response: <https://www.avj.org.uk/news-content/avj-position-on-the-response-to-serious-violence>
- ²⁶ <https://www.childrenssociety.org.uk/sites/default/files/2021-01/The-Case-for-Open-Access-Hubs.pdf>
- ²⁷ https://www.local.gov.uk/sites/default/files/documents/10.46%20Taking%20a%20public%20health%20approach%20-%20Violent%20crime_03_0.pdf
- ²⁸ <https://www.avj.org.uk/s/Submission-to-Consultation-on-Knife-Crime-Prevention-Orders-Guidance.pdf>
- ²⁹ While Serious Violence Reduction Orders don't currently apply to children, this will be kept under review by the government, and we are concerned the application of SVROs to adults will displace knife carrying and exploitation onto children <https://www.avj.org.uk/news-content/avj-response-consultation-on-serious-violence-reduction-orders-svros>
- ³⁰ <https://www.avj.org.uk/s/AYJ-PCSC-Bill-House-of-Lords-Second-Reading-Briefing.pdf>; <https://www.libertyhumanrights.org.uk/wp-content/uploads/2020/04/Joint-Briefing-on-Part-2-and-10-PCSC-Bill-for-2R-HoL-Liberty-StopWatch-Amnesty-Fair-Trials-Big-Brother-Watch-Defend-Digit.pdf>; <https://stat.medact.org/uploads/2021/11/The-public-health-case-against-the-policing-bill-web.pdf>;
https://www.researchgate.net/publication/265858236_The_position_of_relationship_based_practice_in_youth_justice
- ³¹ <https://www.avj.org.uk/news-content/avj-position-on-the-response-to-serious-violence>
- ³² <https://www.avj.org.uk/s/AYJ-PCSC-Bill-House-of-Lords-Second-Reading-Briefing.pdf>;
- ³³ <https://stat.medact.org/uploads/2021/11/The-public-health-case-against-the-policing-bill-web.pdf>
- ³⁴ For more information on children in care please see the NYAS Trouble with the Law campaign <https://www.nyas.net/campaigns/trouble-with-the-law/>.
<https://www.nuffieldjfo.org.uk/resource/older-children-young-people-care-proceedings>; <https://explore-education-statistics.service.gov.uk/find-statistics/children-looked-after-in-england-including-adoptions/2020#releaseHeadlines-tables>;
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/543582/YJB_response_Laming_Review_keeping_child_in_care_out_of_custody.pdf; <https://howardleague.org/wp-content/uploads/2017/07/Ending-the-criminalisation-of-children-in-residential-care-Briefing-one.pdf>
- ³⁵ <https://www.avj.org.uk/news-content/young-womens-justice-project-literature-review>
- ³⁶ Goodfellow, P. (2019) *Outnumbered, locked up and over-looked? The use of penal custody for girls in England and Wales*
- ³⁷ <https://www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2020>
- ³⁸ <https://www.ethnicity-facts-figures.service.gov.uk/crime-justice-and-the-law/policing/number-of-arrests/latest>
- ³⁹ https://justiceinnovation.org/sites/default/files/media/document/2021/disproportionality_diversion_lit_review.pdf
- ⁴⁰ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/952483/Ethnic_disproportionality_in_remand_and_sending_in_the_youth_justice_system.pdf;
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<https://www.sentencingcouncil.org.uk/wp-content/uploads/Sex-and-ethnicity-analysis-final-1.pdf>
- ⁴¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/952483/Ethnic_disproportionality_in_remand_and_sending_in_the_youth_justice_system.pdf
- ⁴² https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2021/10/UV_Experiences_of_Black_Boys_v3.pdf
- ⁴³ <https://www.justiceinspectorates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2021/02/CYP-report-2019-20-web.pdf>
- ⁴⁴ <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/articles/whatdoesthe2011censustellusaboutthecharacteristicsofgyvsyoriisrhtavellersinenglandandwales/2014-01-21>

- 45 <https://www.justiceinspectors.gov.uk/hmiprison/inspections/children-in-custody-2019-20/>
- 46 <https://www.justiceinspectors.gov.uk/hmiprison/inspections/children-in-custody-2019-20/>
- 47 <https://justice.org.uk/wp-content/uploads/flipbook/46/book.html>
- 48 CRC/C/GC/24 – UN Committee on the Rights of the Child General comment No. 24 (2019) on children’s rights in the child justice system https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f24&Lang=en
- 49 <https://downloads.unicef.org.uk/wp-content/uploads/2016/08/unicef-convention-rights-child-uncrc.pdf>
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