

# “WE’VE NOT GIVEN UP”


## Young women surviving the criminal justice system

YOUNG WOMEN’S JUSTICE PROJECT **EXECUTIVE SUMMARY**

MARCH 2022



With thanks to



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

**Saba, 28**

## INTRODUCTION

Young women are in a unique position in the criminal justice system. As a minority on account of both their age and their gender, they are systematically overlooked in policy and practice and have limited access to specialist support.

Run in partnership by [Agenda](#) and the [Alliance for Youth Justice](#) (AYJ) between 2020 and 2022, the Young Women’s Justice Project has provided a national platform to make the case for the needs of girls and young women aged 17 to 25 in contact with the criminal justice system. Empowering young women as advocates to safely share their experiences and use their voices to make change, we campaign alongside young women and the services supporting them to enable the development of more effective practice through gender- and age-informed policy.

This executive summary sets out key findings from the Young Women’s Justice Project’s final report. Based on new research, it builds on findings from the Young Women’s Justice Project [literature review](#), and two briefing papers produced during the project, with a focus on young women’s experiences of the [transition from the youth to adult justice system](#), and young women in the criminal justice system’s experiences of [violence, abuse and exploitation](#).

It describes young women’s pathways into the criminal justice system, the role played by the criminal justice system in driving a cycle of abuse, inequality and offending, and the consequences of a failure to prioritise young women in policy. It highlights the experiences of Black, Asian and minoritised young women and young women with experience of the care system as groups that are overrepresented in the criminal justice system.<sup>i</sup>

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

**Young women's service practitioner**

## KEY FINDINGS

# YOUNG WOMEN'S PATHWAYS INTO THE CRIMINAL JUSTICE SYSTEM

Young women in contact with the criminal justice system face **multiple disadvantage**. They are likely to have complex, overlapping needs, with their experience of coming into contact with the criminal justice system frequently underpinned by experiences of violence, abuse and exploitation, poor mental health, addiction, exclusion from education, poverty and having no safe place to call home.

The disadvantages Black, Asian and minoritised young women face are compounded by inequalities they face not only due to their age and gender but also on account of their race and ethnicity. They experience a double standard whereby criminal justice agencies are quick to respond when they are in trouble for offending behaviour, but offer limited support or respond inappropriately when young women are themselves victims of crime.<sup>ii</sup>

Care-experienced young women also face deeply embedded prejudice, stigma and stereotypes which mean they can be seen, first and foremost, as individuals posing a risk to others, rather than as vulnerable young women who are themselves in need of support.

Young women facing these challenges describe feeling *“at the bottom of the barrel”* – that no one cares about them, that systems and services are not



designed with them in mind, and that professionals rarely understand the extent and complexity of the problems in their lives. With youth provision regularly built around young men's needs and experiences, agencies are limited in their ability to deliver age-sensitive, gender-responsive support and professionals can lack the knowledge and expertise to identify and respond to young women's vulnerabilities. Interventions intended to keep young women safe and manage risk can be experienced as unhelpful and unnecessarily punitive.

A failure to provide the right support at an early stage means opportunities to intervene are missed, young women's needs go unmet and the long-term impacts of disadvantage become more entrenched. Many young women describe only being able to access effective support once problems have escalated and they are at an advanced stage of their journey through the criminal justice system.

To prevent the spiral of disadvantage and to prevent young women being criminalised, practitioners emphasise the need for a holistic approach which begins with an understanding of and willingness to engage with trauma, inequality and disadvantage they face across systems and services.



## KEY FINDINGS

# YOUNG WOMEN'S EXPERIENCES WITHIN THE CRIMINAL JUSTICE SYSTEM

**Criminalised for their vulnerabilities, young women are driven into a system where they are approached first and foremost as 'perpetrators' of crime, rather than as young women in need of support. Struggling with the impacts of abuse, inequality and disadvantage, young women report feeling alienated, unsafe, disempowered and re-traumatised by services not designed with them in mind.**

Punished rather than supported, young women's interactions with the police, courts, prison and probation services confirm their distrust of systems and services, making it harder to positively engage with support in the future.

In combination with the ripple effects of criminal justice involvement – including worsening mental health, poverty, stigma and isolation – contact with the criminal justice system too often increases young women's vulnerability, driving their experiences of further disadvantage, increasing the risk of future offending and worsening their life outcomes.

## Re-traumatisation and further harm

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

**Sarah, 22**

- Likely to have already experienced extensive violence and abuse, young women convey a sense of being abandoned to a frightening, violent criminal justice system where they are regularly made to feel unsafe and can experience further harm, as well as witnessing the extreme distress of others.
- In police custody and in prison, use of force, physical restraint and isolation can be used against young women who express their sadness and anger overtly through disruptive behaviour or self-harm. This can be particularly distressing for young women who have experienced violence and abuse. Young women feel that staff do not always try to de-escalate a situation prior to using restraint.
- The ways in which young women’s experiences of abuse, inequality and offending are interlinked is not well understood by criminal justice professionals, and critical reflection on the ways in which practice and procedures may re-traumatise young women is limited.

## Denied a voice or access to decision-making

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“They didn’t care what I said... When I was trying to explain the situation – what I went through, what I did – I felt like they didn’t understand it... I wasn’t given any other chance to speak...”

**Sonia, 26**

- The context in which young women’s offending has taken place is often overlooked, with the difficult choices they make in challenging circumstances not recognised or taken into account.
- Young women’s voices and perspectives are often ignored or excluded from decision-making processes, with young women feeling that they have little control over how they are perceived and little power to challenge inaccuracies or assumptions made about them – both in their own cases and at a wider system level.
- Young women feel that the stigma and shame attached to their offending means that their insights and potential contribution goes largely unrecognised. They describe opportunities where they have played a role in increasing practitioners’, policy-makers’ and public understanding as *“refreshing... because for a very long time, no-one’s asked us.”*

## Distrust and disappointment

- Having experienced professionals sharing extensive information about very personal aspects of their lives from a young age, young women report feeling exposed and scrutinised, but poorly understood and unsupported. Worrying about getting 'in trouble' and expressing concerns about professionals' *"hidden agendas"* and *"ulterior motives"*, they are less likely to disclose important information about their needs and experiences.
- Young women feel frustrated and let down by services they are required to interact with whilst in contact with the criminal justice system, noting discrepancies between the kind of support offered *"on paper"* and what they receive. They highlight how a lack of tailored provision for young women can increase their risk of re-offending.
- As experiences of being overlooked or excluded accumulate, young women find it increasingly challenging to engage with professionals and struggle to imagine how any service may be able to support them. This creates a harmful narrative whereby young women themselves come to be seen as the problem – blamed for their lack of engagement and labelled as 'hard to reach' – rather than the problem being identified as a lack of professional expertise or specialist support.



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

**Razia, 23**



## KEY FINDINGS

# A FAILURE TO PRIORITISE YOUNG WOMEN IN POLICY

### Ignored across the system

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**With no action plan currently in place to respond to young women's needs, there has been little strategic focus on young women in contact with the criminal justice system. A raft of critical policy documents and reports have failed to take account of the particular experiences of young women.<sup>iii</sup>**

Wider areas of related youth policy, such as school exclusions and youth unemployment, are often presented with a gender-neutral lens, with girls overlooked in both public debate and in policy and commissioning decisions. Even areas of policy designed with women and girls in mind frequently overlook this group.<sup>iv</sup>

This lack of recognition of young women in policy translates directly into what gets measured, who gets heard

and what gets funded. On the ground, this has limited the development of effective, early-intervention to prevent the most disadvantaged young women being criminalised. Whilst pockets of good practice exist, there remains limited provision of gender-sensitive, trauma-informed approaches to working with young women already in contact with the criminal justice system – including those delivered 'by and for'<sup>v</sup> the communities they serve.



## A strategy for young women

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At the end of 2021, the newly-published *Prisons Strategy White Paper* outlined the Ministry of Justice's intention to develop a dedicated Young Women's Strategy as part of a commitment to *'support[ing] young women and providing the right services at every stage of their journey through the criminal justice system'*.<sup>vi</sup>

This, in combination with the development of the Youth Custody Service's forthcoming strategy for girls in the children's secure estate, marks a significant change in approach and presents a real opportunity to get things right for a long-overlooked and particularly vulnerable group.





## KEY FINDINGS

# YOUNG WOMEN'S VISION FOR CHANGE

Developed through consultation with young women, the services supporting them and other expert practitioners, these findings set out what is needed to fully harness this opportunity for change and end the cycle of abuse, inequality and offending for young women at a critical time in their lives.

## Recognising the realities of young women's lives

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“They [professionals and decision makers] just need to take into consideration that people do go through traumatic experiences [and] it could have been that that's led them to go to prison...”

**Saba, 28**

- Where young women come into contact with criminal justice agencies, they want the profound and lasting impact of violence, abuse and other forms of disadvantage recognised and validated.
- Young women value support provided by professionals able to meaningfully engage with their ethnic and faith backgrounds and issues of entrenched, systemic racism. Specialist services – including those led 'by and for' Black, Asian and minoritised women and girls – play a critical role in disrupting the spiral of disadvantage and reducing re-offending.
- Organisations centring the most marginalised young women's particular needs and experiences can provide them with the tools and resources they need to not only navigate the challenges they face but improve the response of criminal justice agencies they come into contact with.

## Rebuilding trust in systems and services

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“Action speaks louder than words... So they can tell you, “Yeah, I'm going to sort it out” but if nothing gets done then that is just going to show you that they don't care...”

**Sarah, 22**

- Young women's experience of harmful, punitive responses to their vulnerabilities and their well-founded concerns about their ability to trust and rely on services must not be used as a reason or excuse for failing to adequately engage with them.
- Young women emphasise the importance of professionals engaging in active listening, following through on agreed actions and being able to provide support flexibly over time as crucial components of approaches which help re-build their trust.
- Support provided by voluntary and community sector organisations is particularly credited by young women as allowing them to re-build trust in systems and professionals – giving them a renewed sense of hope and a restored belief in the value of seeking support.
- Young women value access to support – including peer support – provided by those with similar lived experiences. Based on mutual understanding and a lack of judgement, this slowly allows young women to develop trusting relationships, breaking the cycle of distrust and disengagement.

## Prioritising an intersectional approach

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*“We are best at identifying our own needs, [and] we are also best at identifying our own solutions...”*

### **Muslim Women in Prison project**

- Dedicated, advocacy support delivered by services which place young women’s experiences in the context of gendered and racialised inequalities allows Black, Asian and minoritised young women to feel they share *“common ground”* with professionals – enabling them to navigate the systems and services they are required to engage with whilst facing racial injustice. This is something that specialist services led ‘by and for’ Black, Asian and minoritised women and girls are often best-placed to provide.
- Training on culture, ethnicity, race, faith, gender, and anti-racism delivered by organisations who are already experts in the field is important in ensuring other, non-specialist professionals young women interact with day-to-day are able to meet their needs.
- Black, Asian and minoritised young women’s voices must be heard, valued and prioritised in political and strategic spheres of influence, with smaller, specialist services playing the role of critical friend to policy-makers to benefit from both lived and learned experience.

## Celebrating strengths and amplifying young women’s voices

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

### **Razia, 23**

- Young women want access to safe spaces for activities that recognises their skills, strengths and capacity for joy, despite the hardships they may have faced – helping play a role in de-stigmatising and thus increasing the accessibility of services for all young women.
- By embedding opportunities for education, training and professional development, organisations can empower young women to recognise their own expertise and motivate them to support other young women going through similar situations. This can create additional, supportive relationships, tackling isolation and strengthening community ties that young women can rely on.
- Young women want to play a role in ensuring that the public and decision-makers pay more attention to the issues that they face. For young women whose voices and opinions have been disregarded, access to support should also mean access to decision-making – in both the management of their own cases and in decisions affecting wider groups of young women.



## CONCLUSION

# ANOTHER WAY IS POSSIBLE

**The fact that young women in contact with the criminal justice system are a minority should not make them less of a priority. Instead, policy makers should carefully consider what this means for their experiences of the system, and how to intervene to disrupt this spiral of disadvantage at a critical time in their lives.**

With the planned expansion of the women's prison estate and introduction of the legislation which will exacerbate racial inequalities and risks sweeping greater numbers of young women into the system, it is crucial – now, more than ever – that young women's experiences of disadvantage and criminalisation are accounted for in policy, with gender-sensitive, trauma-informed approaches to working with young women embedded across all stages of the system.

To fully harness the opportunity for change presented by the Young Women's Strategy and end the cycle of abuse, inequality and offending for young women, an ambitious, whole-system approach is needed. This must address the vulnerabilities which drive young women's earliest experiences of criminalisation, include a central focus on the impacts of structural inequalities such as gender-inequality, poverty and racism, and embed meaningful consultation and coproduction work with young women and the services supporting them at every level. Young women who have survived the criminal justice system have *"not given up"*. Now is the time to listen to, learn from and campaign alongside them to drive improved future policy and practice.

# RECOMMENDATIONS

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

## POLICY

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

## PRACTICE

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

## FUNDING AND COMMISSIONING

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

For a full list of the Young Women's Justice Project's final recommendations, see our full report. This is available at: [weareagenda.org/young-women-surviving-the-cjs/](https://weareagenda.org/young-women-surviving-the-cjs/)



### About Agenda

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



### About the Alliance for Youth Justice

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

### Acknowledgements

With thanks to all those who contributed to this report: to the girls and young women and the services supporting them, with special thanks to ID Essence, Leicestershire Cares, Muslim Women in Prison and Sister System for their generosity with their time and expertise; to all those who attended and spoke at our expert seminars; and to the members of our expert advisory group for their invaluable input and support.

Thank you also to Lloyds Bank Foundation for England and Wales, who generously funded this project.

### Endnotes

- i The experiences of Black, Asian and minoritised young women and care-experienced young women whilst in contact with the criminal justice system are referenced throughout this executive summary. For more on the distinct experiences of these groups of young women, please see the 'Spotlight' sections of the full report.
- ii Prison Reform Trust (2017) [Counted Out: Black, Asian and minority ethnic women in the criminal justice system.](#)
- iii From the lack of reference to young women in the [Female Offender Strategy](#) (Ministry of Justice, 2018) and the [Concordat on women in or at risk of contact with the Criminal Justice System](#) (Ministry of Justice, 2021), to reviews on improving family ties in prison (The Farmer Review, 2019), reducing racial disparities in the justice system (The Lammy Review, 2017), and the children's care system (Lord Laming's Review, 2015), young women are repeatedly overlooked in criminal justice policy.
- iv The Home Office's new [Violence Against Women and Girls Strategy](#) (2021–2024), for example, makes limited reference to girls and young women and fails to address the well-evidenced role of violence and abuse in women and girls' pathways into the criminal justice system attention.
- v Established in response to the exclusion and lack of understanding of Black, Asian and minoritised women's experiences in generic services, specialist services for Black, Asian and minoritised women and girls are those led 'by and for' Black, Asian and minoritised women and girls through leadership structures, recruitment and service delivery.
- vi Ministry of Justice (2021) [Prisons Strategy White Paper.](#)

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