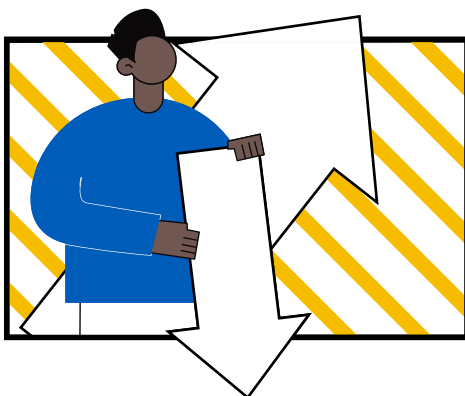


# DISPROPORTIONALITY IN THE YOUTH JUSTICE SYSTEM

**CONSTRUCTIVE  
RESETTLEMENT**



The numbers of children and young people offending, re-offending, and being sent to custody has decreased over the past 10 years. However, the proportion of children and young people from Black and Global majority backgrounds have risen significantly for each performance indicator.

Disproportionality data shows that children and young people from racialised groups are over-represented at most stages of the youth justice system.

Black and global majority children in the criminal justice system now constitute 52% of the under 18s prison population.

**52%**  
OF THE UNDER 18S  
PRISON POPULATION



Recent research<sup>1</sup> has highlighted that children and young people from marginalised ethnic groups receive:

- ▣ More restrictive remand outcomes;
- ▣ Fewer out-of-court disposals
- ▣ Nearly two times as likely to receive custodial outcomes than White children

<sup>1</sup> The Lammy Review (2017)

## Black and mixed-ethnicity children and young people

Particular groups face distinct and significant levels of disproportionality and over-representation<sup>2</sup>:

- ▣ Black children are over **four times** more likely to be **arrested** than White children.
- ▣ Black children were substantially **less likely** to receive an **out-of-court disposal** and
- ▣ **Most likely** to be **remanded** in custody.
- ▣ Black children were **most likely** to receive a **custodial sentence** and to **serve longer sentences** than all other ethnic groups.
- ▣ Children from a Black, Asian or Mixed heritage background are more likely to receive a custodial sentence following reoffending compared to White children, even after similar contextual factors – such as offence type, practitioner assessment of risk, previous disposal – are accounted for.
- ▣ Children with a Mixed ethnicity were **twice as likely** to be **arrested** than white children
- ▣ Children with a Mixed ethnicity appear **less likely** to receive **community remand** and **more likely** to be **remanded in custody**, compared to White children.
- ▣ Practitioner assessments suggest Black and Mixed ethnicity children are assessed as both **higher risk** and **more vulnerable**.

## Gypsy & Roma Travellers

Gypsy Roma and Travellers experience high levels of discrimination and are disproportionately given custodial sentences contributing to them experiencing poorer outcomes in the criminal justice system.



### In the youth justice system:

- ▣ 11% of children held in secure training centres and 6% of children held in young offender institutions identify as being from Gypsy, Roma or Traveller backgrounds, compared to an estimated 0.1% of the general GRT population in England.
- ▣ The Lammy Review highlights that Gypsy, Roma and Traveller prisoners are more likely than non-Gypsy, Roma and Traveller prisoners to report needing support across a range of issues but are less likely to say that they have actually received such support.

<sup>2</sup> Exploring Racial Disparity Summary; How it affects children in their early years and within the youth justice system Youth Justice Board for England and Wales 2020  
Ethnic disproportionality in remand and sentencing in the youth justice system; Analysis of administrative data, Youth Justice Board for England and Wales 2021

<sup>3</sup> Prison Reform Trust (2019) Bromley Briefings Prison Factfile.

HM Inspectorate of Prisons (2019). Children in Custody 2017- 2018

Lammy, D. (2017). The Lammy Review

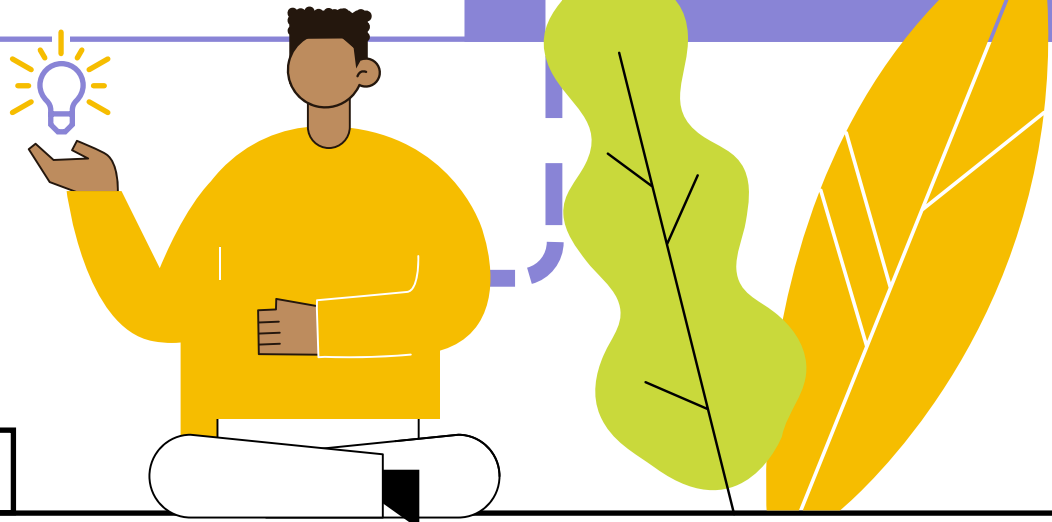
During a child's journey, each time that disproportionality occurs, the chances of them doing well in adult life reduces with potentially long-term consequences.

The youth justice system alone cannot solve the problem but the policy makers and practitioners within it do have a responsibility to do everything they can to tackle disproportionality and to ensure that all children and young people are treated equally, no matter their background.

The Youth Justice Board for England and Wales through its [disproportionality toolkit](#) collects data which shows disproportionality has been consistent over several years and is not reducing.

# A CHILDS JOURNEY

**CAN BE AFFECTED BY DISPROPORTIONALITY**



## Resources

- Offender management statistics quarterly: April to June 2020. Table 1.4, 2020 | Ministry of Justice
- Associations between ethnic background and being sentenced to prison in the Crown Court in England and Wales in 2015, London: Ministry of Justice
- National Statistics. (2021). Permanent exclusions and suspensions in England and Wales
- Exploring Racial Disparity Summary; How it affects children in their early years and within the youth justice system Youth Justice Board for England and Wales 2020
- Ethnic disproportionality in remand and sentencing in the youth justice system; Analysis of administrative data, Youth Justice Board for England and Wales 2021
- Ethnicity, Race and Inequality in the UK: State of the Nation (2020)
- Prison Reform Trust (2019) Bromley Briefings Prison Factfile
- HM Inspectorate of Prisons (2019). Children in Custody 2017- 2018
- Lammy, D. (2017). The Lammy Review