

# **Tackling Racial Injustice: Children and the Youth Justice System**

## **Children's summary**



## Who are we?

JUSTICE works to make the criminal justice system in the UK better. Most of us are from a legal background, for example, lawyers, judges, and university teachers.

We have written a report about how children are treated differently in the criminal justice system because of their race, skin colour, or cultural background. It takes a close look at the big problems for Black, Asian and Minority Ethnic (BAME) children.

## What is the report for?

In our report we say what we think needs to be done to make things better for BAME children in the criminal justice system. We hope that those in power will listen, and that we can work towards a system that is fair for all children. This is a short version of our report.

## What is the issue?

People have been unfairly treated because of their race for hundreds of years. And in 2021, it is still happening. We see too many examples of this in the criminal justice system.



For example, BAME children are more likely to go to prison than White children. There is no good reason for this, and we think it is very unfair, especially as there are a smaller number of BAME children in the country.

## **What needs to change?**

Some people believe that there is not a problem, or that children are to blame. This is simply not true. The people in power need to understand the voices of children and young adults better. We hope that when this happens, we can help stop a lot of the unfair things that happen to BAME children.

All children deserve a system that is fair, and that gives them respect. It is the system that needs to change, not the children. There are 45 suggestions in the full report. Here are some of our themes for change.

## **Stop treating BAME children as 'bad'**

BAME children and young adults are too often treated as criminals –

because of where they go, what they do together and how they might act towards the police and courts.

This is unfair, damaging and leaves lasting scars on



communities. We think these examples can help fix that.

- Stop the unfair use of stop and search in BAME communities. It makes BAME children feel worried when they go out onto the streets, and there is no evidence that it makes places safer or stops crimes from happening.
- Stop the use of the Gangs Violence Matrix. It labels children as criminals without properly checking if they have done anything wrong.
- Stop the unfair use of Drill Music in court. The Police can use song lyrics or details from drill videos as evidence to try and link children with crimes. We think children and young adults should be able to make music without being afraid of the criminal justice system.
- The Government should think again about how it treats Muslims through its 'PREVENT' programme. Muslim children and young adults are often treated unfairly because of their religion.
- More interest and involvement of the criminal justice system with children from Gypsy, Roma and Traveller communities. They must have the same chances as other children.
- BAME girls and young women's voices to be taken seriously. They are often not believed by the criminal justice system when they are harmed or treated badly.

## Always treat children as children

The child's safety and needs must always be the focus. We make suggestions so that the criminal justice system always does this. For example:

- The Government should think again and look closely at the way the Police treat children, including the use of handcuffs and tasers, to make sure that children are treated with care.
- Always use the word 'child' to describe people under 18 years old in the criminal justice system. Using words like 'juvenile' is wrong, and takes the focus away from their needs.
- Use a 'diversion framework' across the country. This would give children from all parts of the country the same chances as each other to move away from crime. It would offer support instead of going to court or prison.
- Give training to everyone who works in the criminal justice

system about children's different cultures, diversity, background, and experiences. We think this will make sure that children can have better support and that those with power will better understand the



voices of BAME children and their communities.

- People in courts, like judges, must listen to and understand the needs of the child when deciding on their sentence.

### **How can we build BAME Children's confidence in the youth justice system?**

When there is unfair treatment, it means that there is a problem with the system. All parts of the criminal justice system must show BAME children that they will be treated fairly and with respect.

We recommend the following changes to support this:

- Lawyers who work with children and young adults should have special training so that they can give the best support.
- Judges in courts should make decisions that are the same for everyone. We want to make systems better to do that.



- When things go wrong, the police must take responsibility. They should always look closely at the details of situations involving children to find out what really happened.
- The Government must collect more information about how BAME children are treated in courts. This would give a better understanding of how BAME children are treated when they go to court compared with how White children are treated.

### **What will happen next?**

BAME children are not being treated fairly in the criminal justice system in the UK. This is not ok. Because of this, the system is losing people's confidence, trust, and respect.

As well as our suggestions, all parts of the system must agree to make changes to their ideas, culture and the way they work with BAME communities.

The voices and experiences of children should always be listened to so that everyone who makes decisions about them understands their background, and what challenges they have in their lives.

If the suggestions in this report are followed, they will act as an important step towards a criminal justice system that is fair for all children.

[You can read the long report here.](#)

**Thank you to everyone who worked on this report, including**

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