

What the pandemic meant for children in the justice system

*Public sympathy for children caught up in the justice system is limited. But the voices of children traumatised by solitary confinement and hugely disrupted education must be heard if we are to improve this unjust and underfunded system, says **Hannah Smithson (Manchester Metropolitan University)**.*

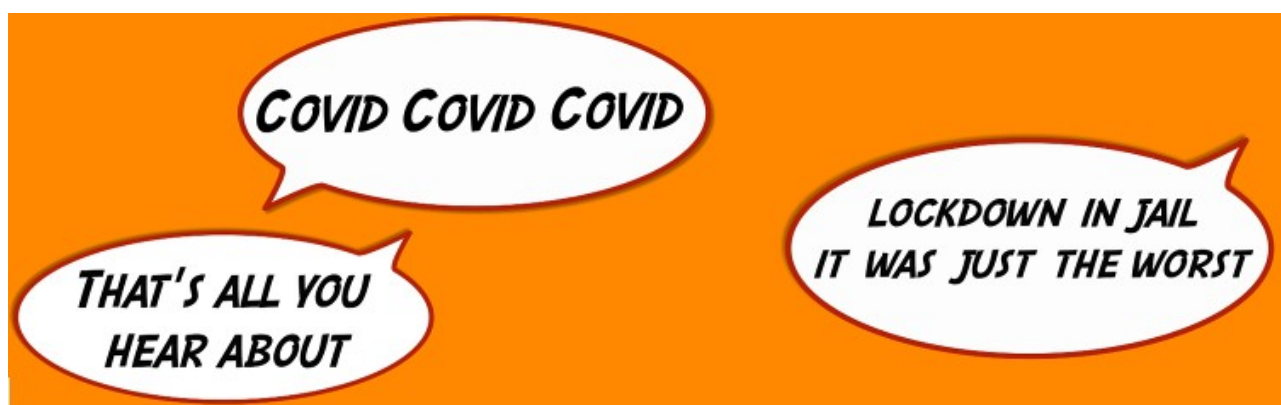
As a scholar of youth justice, I am used to the lack of political, media and public interest in children who come into conflict with the law, and the absence of sympathy for them. During the first national COVID lockdown, I began having conversations with youth justice colleagues to see how they were coping. It quickly became apparent that, unsurprisingly, the pandemic presented significant challenges for the youth justice system in England and Wales. These challenges and their impact on children in the youth justice system received very little airtime. With UKRI research funding, the Manchester Centre for Youth Studies at Manchester Metropolitan University, in partnership with the Alliance for Youth Justice (AYJ), has addressed this lack of focus.

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We carried out over 100 interviews with youth justice professionals, sent a national survey to all youth justice teams in England and Wales, produced a case study of a youth offending institute and a secure children's home, and worked with 40 children involved in the youth justice system through participatory workshops in the community and in the secure estate. We found that urgent and coordinated action is needed to prevent more children being drawn into the criminal justice system in the future, due to increased vulnerabilities and social problems caused by the pandemic.

The 'overnight' impact of the pandemic on service provision and delivery has been acute. COVID has exacerbated the issues faced by children in the youth justice system, significantly affecting their mental health and increasing exposure to risks that could increase chances of future offending.

In the early stages of the pandemic, some children in custody spent up to 23 hours a day alone in their cells, and others went up to 12 months without an in-person visit. Their education was hugely disrupted, with inadequate access to laptops and teaching materials leading to children often not gaining qualifications. Those children awaiting trial faced lengthy delays to their case, affecting mental wellbeing, quality of evidence, and potentially fostering increasing disaffection with the criminal justice system. The increased use of police 'released under investigation' powers exacerbated uncertainty and anxiety for children. Similarly, there was a noted increase in police deciding that no further action was required for relatively minor offences, which meant children were denied more targeted support to prevent escalation in criminal behaviour.



Quotes from a film co-produced with children involved in the youth justice system, as part of this research.

Within the wider youth justice system, professionals expressed concern that some COVID adaptations, including reductions in specialist statutory and non-statutory support and fewer in-person welfare checks, increased the risk of domestic abuse, neglect and criminal exploitation. Youth justice professionals outlined their safeguarding concerns during lockdowns with children isolated in their homes with family members in crisis, not attending school, and lacking interaction with friends and peers. This led to increases in anxiety, isolation and escalating mental health issues that led to attempts of self-harm and suicide.

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The morale of professionals across the system is also concerning. Much was said about 'hidden heroes' during the pandemic, and this resonated with colleagues across the system. Professionals are angry, tired, and anxious about the short and long term challenges the youth justice system faces.

Some have argued that the way children in justice systems are treated is fundamentally unjust, because it targets children already marginalised by ethnic heritage, class, gender, and structural and cultural inequalities. In the aftermath of the pandemic, the urgency to completely re-imagine the purpose and the ethos of the youth justice system has never been more apparent, articulated succinctly by a senior manager in a youth offending institute whom we interviewed: "I think this is a once in a century, hopefully lifetime, opportunity to do something very different".

Central to doing this would be a cross-government strategy, including the appointment of a cabinet minister for children. It would be a recognition that some children are likely to be traumatised by their experiences during the pandemic. Professionals need to acknowledge this trauma and co-design personalised approaches with children themselves to ensure that it is addressed. Children should be supported and encouraged to participate in the planning of post-pandemic service provision and delivery. Encouraging and supporting children to tell their stories, describe their experiences, and give their opinions, provides an opportunity for professionals and relevant partners to co-create responses that meaningfully engage them. As the National Children's Bureau [puts it](#): "This generation of children face unprecedented threats to their childhoods and life chances. They deserve an unprecedented response."

This post represents the views of the author and not those of the COVID-19 blog, nor LSE. Read the Manchester Centre for Youth Studies' full series of briefings [here](#). To read the blogs and policy briefs produced by the AYJ, please visit [General 1 — AYJ, Alliance for Youth Justice \(formerly SCYJ\)](#).