NAYJ
Justice for Children in Trouble
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YPA

Submission to the Law Commission Issues Paper on Appeals in respect of children

Contents

About the National Association for Youth Justice (NAYJ)[1]
The NAYJ is the only individual member organisation within England and Wales which campaigns exclusively for the rights of and justice for children in trouble with the law. It seeks to promote the welfare of children in the youth justice system in England and to advocate for child friendly responses where children are suspected of infringing the law.

About the Youth Practitioners Association (YPA)[2]
The YPA aims to encourage and maintain the highest standards of advocacy and practice from the police station to the High Court and to support, assist and educate those who represent young people in the criminal justice system. The YPA is committed to promoting the importance of specialist youth representation and encouraging and maintaining the highest standards of advocacy and practice.

Executive summary
This short submission by the NAYJ and YPA focuses on the issues that affect children who may need to use the appeal process. It argues that in any reform of criminal appeals the special position of children in the criminal justice system ought to be taken into account in accordance with well-established domestic and international law.

Children's welfare should be a primary consideration in all actions by the courts and additional steps and adaptations should be taken to ensure they can access appellate systems in a meaningful way. Children in the criminal justice system are particularly vulnerable and, as the Lammy report highlighted, often face racial discrimination (Lammy, 2017). [3]

There are particular problems in securing specialist legal representation for children. The Law Commission will need to consider what structural changes can be put in place to mitigate this, including dealing head on with the accumulated disadvantage faced by children with protected characteristics other than age.

It should be remembered that the vast majority of children's cases are heard in the Youth Court which sits in the magistrates' courts, including extremely serious matters that for adults would only ever be heard in the Crown Court. At the very least, any changes to the system of appeals should factor that in and specifically ensure that children are not disadvantaged as a result. Further, children's cases should be treated differently in appeals to the Crown Court to take account of their particular needs. For example, there should be a prohibition on the Crown Court imposing a more severe sentence on appeal on a person convicted or sentenced as a child.

[1] https://thenayj.org.uk/
[2] https://youthpractitionersassociation.co.uk/
[3] While this paper focuses on the special position of those convicted and/or sentenced as children, the authors acknowledge the developing recognition in recent years of the special position of young adults. The Commission may wish to explore this further in the course of its considerations and is referred to the extensive work on this by T2A (https://t2a.org.uk)

The special position of children in respect of appeals following guilty pleas requires examination as there are many reasons why children might plead guilty that differ from adults.

Similarly, at present, there is no formal distinction in the way that the Court of Appeal applies various tests to children as compared with adults. This should change. For example, the test for fresh evidence should be adapted in the case of those convicted or sentenced as children. Their need to satisfy the reasonable explanation requirement should be removed or reduced given that the reasons why they were unable to provide the evidence at the time are likely to relate to their age and/or lack of maturity.

Those who are convicted and sentenced as children should not be time barred from appealing, or at least a more lenient approach should be adopted. 'Loss of time' orders should never be applied to those who were convicted or sentenced as children. No child should ever be expected to appear before the Court of Appeal unrepresented.[4]

The different and special position of children in the CJS

It is well established that as a matter of law and policy, all courts, whether civil or criminal'. must have regard to the welfare of children and adhere to the "child first principle". The welfare principle is enshrined in the Children and Young Persons Act 1933. Section 44 (1) states:

> "Every court in dealing with a child or young person who is brought before it, either as an offender or otherwise, shall have regard to the welfare of the child or young person and shall in a proper case take steps for removing him from undesirable surroundings, and for securing that proper provision is made for his education and training."

This clause remains good law and has been affirmed and emphasised by s58 of the Sentencing Act 2020 and the Sentencing Council's guidelines on children (2017)[5].

In recent years, the Youth Justice Board has developed and promoted the "child first" principle which has been endorsed by Ministers through the National Standards (Youth Justice Board, 2019).[6] The Board explains the principle in its paper, *A Guide to Child First* (Youth Justice Board, 2022).[7] It describes how a "Child First approach" requires that the "youth justice system should treat children as children, see the whole child, including any structural barriers they face and focus on better outcomes for children".

[4] This submission has been prepared by Dr Laura Janes on behalf of NAYJ and YPA.
[5] Sentencing Council (2017) Sentencing Children and Young People Overarching Principles; Definitive Guideline. London, available at: https://www.sentencingcouncil.org.uk/wp-content/uploads/Sentencing-Children-and-Young-People-definitive-guideline-Web.pdf
[6] YJB (2019) Standards for children in the youth justice system. London, available at: https://www.gov.uk/government/publications/national-standards-for-youth-justice-services
[7] Youth Justice Board (2022) A Guide to Child First, London, available at: https://yjresourcehub.uk/legislation-and-guidance-documents/item/1043-a-guide-to-child-first-youth-justice-board-for-england-and-wales-october-2022.html

This approach is entirely consistent with the United Nations Convention on the Rights of the Child (UNCRC). Article 3 of the UNCRC states:

> "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."

The UNCRC also recognises the particular position of children in conflict with the law. UNCRC Article 37(c) states:

> "Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so…"

UNCRC Article 40 (1) states:

> "State Parties recognize the right of every child alleged as, accused of, or recognised as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society."

UNCRC Article 40 (3) states:

> "State parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law…"

In the case of *ZH (Tanzania) v Secretary of State for the Home Department* [2011] UKSC 4, Lord Kerr emphasised that consideration of the best interests of a child is a factor that "must rank higher than any other. It is not merely one consideration that weighs in the balance alongside other competing factors. Where the best interests of the child clearly favour a certain course, that course should be followed unless countervailing reasons of considerable force displace them" (§46). In the same judgment, Lady Hale described Article 3 of the UNCRC as "a binding obligation in international law" and noted that "the spirit, if not the precise language, has also been translated into our national law" through section 11 of the Children Act 2004 which places a duty upon a wide range of public bodies to carry out their functions having regard to the need to safeguard and promote the welfare of children" (*ZH*, §23).

While *ZH* was a civil case, the courts have also repeatedly acknowledged that children in the criminal justice system should be treated differently from adults (see for example, *R v. Lang* [2006] 2 All ER 410 and *R (Smith) v Secretary of State for the Home*

Department [2005] UKHL 51 [para 23]. In *R (F and Thompson) v Secretary of State for the Home Department* [2008] EWHC 3170 [paragraph 19], it was noted that:

> "[t]he courts have consistently approached consideration of measures which are to be applied to children on the basis that the immaturity of a child offender must be taken into consideration as being of prime importance."

Therefore, the Commission should ensure that any change to the system of criminal appeals takes into account the need to promote the welfare of children who may need to use that process.

The particular vulnerability of children in the CJS

The particular difficulties that children face as defendants has been recognised by the courts. In *R(D) v Camberwell Green Youth Court* [2005] 1 WLR 393 (the "Camberwell Green case") Lady Hale acknowledged the significant problems facing child defendants:

> "56 Mr Carter-Stephenson was concerned that we should understand the realities of life in the youth court. The child defendants appearing there are often amongst the most disadvantaged and the least able to give a good account of themselves. They lack the support and guidance of responsible parents. They lack the support of the local social services authority. They lack basic educational and literacy skills. They lack emotional and social maturity. They often have the experience of violence or other abuse within the home. Increasing numbers are being committed for trial in the Crown Court where these disadvantages will be even more disabling.
> 57 These are very real problems. . . the question is what, if anything, the court needs to do to ensure that the defendant is not at a substantial disadvantage compared with the prosecution and any other defendants: see *Delcourt v Belgium (1970) 1 EHRR 355* , para 28."

Assessments of children who were sentenced during 2018/2019 indicates that such children 'exhibit a range of important, interdependent and interrelated needs' (Ministry of Justice/ Youth Justice Board, 2020).[8] The analysis explored the prevalence of 19 'concern types' among a cohort of convicted children. The most common concern identified was in relation to 'safety and wellbeing' which was present for 88% of children. Five of the concern types were exhibited by 70% or more of children, as set out in the table below produced by the NAYJ in its 2020 State of Youth Justice report (Bateman, 2020):[9]

[8] Ministry of Justice / Youth Justice Board (2020) Assessing the needs of sentenced children in the youth justice system 2018/19. London: Youth Justice Board, available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/887644/assessing-needs-of-sentenced-children-youth-justice-system.pdf

[9] Bateman (2020) The state of youth justice 2020An overview of trends and developments. Available at https://thenayj.org.uk/cmsAdmin/uploads/state-of-youth-justice-2020-final-sep20.pdf
For a detailed review of the wider disadvantages, including socio-economic disadvantages, faced by children in the criminal justice system, see Chapter 5

Prevalence of assessed concerns exhibited by sentenced children 2018/2019
Derived from Ministry of Justice/ Youth Justice Board, 2020b

Concern type	Proportion of children exhibiting concern
Safety and wellbeing	88%
Risk to others	85%
Substance misuse	75%
Speech, language and communication	71%
Mental health	71%

It is also significant that, in his 2017 report on race and the criminal justice system, David Lammy's 'biggest concern' lay with the youth justice system.[10] Yet nothing has been done to address these problems. If anything, the rates of incarceration of Black children have increased. The latest available data from September 2023 shows that over half of all children in custody were from minoritised backgrounds (Ministry of Justice, 2023a).[11]

While the overall number of children in custody has reduced by 73% over the last decade, the proportion who are from ethnic minority backgrounds has increased from 32% to 53% (Public Accounts Committee, 2023).[12]

The vulnerability of children in detention has been recognised by the courts. In *R (Howard League) v Secretary of State for the Home Department and the Department of Health* [2003] 1 FLR 484:

> "[Children in custody are]…on any view, vulnerable and needy children. Disproportionately they come from chaotic backgrounds. Many have suffered abuse or neglect" [para 10].

In R (Children's Rights Alliance for England) v SSJ [2013] EWCA Civ 34, Lord Justice Laws endorsed the reference by Foskett J in the court below to children in custody as:

> "…amongst some of the most vulnerable and socially disadvantaged and that they have specific needs which may not be common to the wider population of young people" [paragraph 9].

The particular problems of securing specialist representation for children

In view of the special legal position of children involved in the criminal justice system and their particular vulnerabilities, there is widespread agreement that criminal lawyers

[10] Lammy, D (2017) An independent review into the treatment of, and outcomes for Black, Asian and Minority Ethnic individuals in the criminal justice system. London: Ministry of Justice, Available at: https://www.gov.uk/government/publications/lammy-review-final-report
[11] Ministry of Justice (2023a) Youth custody data, Available at: https://www.gov.uk/government/publications/youth-custody-data
[12] Public Accounts Committee (2023) Support for vulnerable adolescents, Available at: https://publications.parliament.uk/pa/cm5803/cmselect/cmpubacc/730/report.html

representing children require specialist knowledge and skills (Aubrey-Johnson, 2020).[13]

However, research has highlighted the particular difficulties in the current legal aid system, which most children rely on, in securing specialist representation (Hunter and Campbell, 2023).[14] This research adds to a growing body of evidence but, for the first time, highlights the extent to which solicitors are themselves seeking to address this training need but also shows that, without clear guidance they are falling short, and children are being failed.

As there is no requirement for solicitors representing children in the criminal justice system to have any specialist training before entering a youth court or representing children at a police station, it therefore falls to individual solicitors to identify and fund their training needs.

The Independent Review on Criminal Legal Aid by Sir Christopher Bellamy highlighted the need for specialist representation for children in criminal proceedings:[15]

> "Numerous respondents, including the Law Society, LCCSA, Bar Council, CBA, YBC, YLAL, Youth Practitioners Association (YPA) and Transform Justice, as well as academic and other individual respondents, argued that Youth Court work was particularly difficult and important, but seriously undervalued and not sustainable at current fee levels. This work requires serious specialised knowledge dealing with highly vulnerable children, often with learning difficulties and behavioural disorders, who may themselves be victims of social or family deprivation or even modern slavery. Building up trust and understanding is time consuming and challenging, yet the fee levels are such that youth cases may be undertaken by junior or inexperienced lawyers, who may have sometimes received the papers only shortly beforehand and have only a very short opportunity to meet the client, try to explain what is going on and win the client's trust and understanding. It is also argued that there should be specialised training for Youth Court work and a system of accreditation, given evidence as to variability in the quality of advocacy in the Youth Court."

In view of this evidence, the report made various recommendations to strengthen remuneration and the quality of representation in the youth court. However, these have not all been taken up and it is certainly the case that most firms representing children are still simply not paid enough to fund the level of additional training they would wish to undergo to represent children.

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[13] Aubrey-Johnson (2020) Evidence to The Justice Committee's Call for Evidence on The Future of Legal Aid, Available at https://committees.parliament.uk/writtenevidence/13975/pdf/

[14] Hunter and Campbell (2023) A short report on the quality of legal representation in the youth justice system. Project Report. Institute for Crime and Justice Policy Research, Available at https://eprints.bbk.ac.uk/id/eprint/50793/

[15] Bellamy (2021) Independent Review of Criminal Legal Aid, Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1041117/clar-independent-review-report-2021.pdf See Chapter 11

Appeals from the Youth Court

The vast majority of children's cases are heard in the Youth Court, which sits in the magistrates' courts. This can include extremely serious matters that for adults would only ever be heard in the Crown Court. The presumption that children's cases should be heard in the Youth Court is set out in the Overarching Guideline for children published by the Sentencing Council which states that "subject to the exceptions … cases involving children and young people should be tried in the youth court" (Sentencing Council, 2017). [16] It is therefore rare for cases to be heard in Crown Court (South Tyneside Youth Court & Anor [2015] EWHC 1455, para 28). This position was reaffirmed recently in the case of BH v Norwich Youth Court [2023] EWHC 25 (Admin) in which the High Court found a District Judge correct to retain jurisdiction of a rape case despite the defendant being 18 at the start of the trial. The Court held:

> "….the general policy of the legislature that children and young persons should, wherever possible, be tried in the youth court, a court best designed to meet their specific needs, avoiding the greater formality and public involvement of the Crown Court." [para 28]

Latest data from the Ministry of Justice shows that 99% (11,675) of all children who were sentenced in the criminal courts were dealt with in the Youth Court (Ministry of Justice, 2023b).[17]

As the Youth Court sits as a specialist court within the magistrates' courts, it is essential that any reforms to the magistrates' courts generally take care to ensure that any changes to the system of appeals should factor the needs of children. Further they should, at the very least, specifically ensure that children are not disadvantaged as a result.

There is a strong case for a completely different approach to deal with appeals in respect of those who were convicted or sentenced as children in order to take account of their particular needs. A full review should occur applying a child rights' lens. However, specific consideration should be given to restricting the Crown Court from dealing with sentences more severely on appeal and enabling appeals from those who entered guilty pleas as children.

Restriction on a more severe sentence being imposed in the Crown Court than in the Youth Court

Where a person appeals from the Crown Court, the Court of Appeal is prohibited from dealing with them "more severely" at sentence on appeal (see s11(3) of the Criminal Appeals Act 1968). The same is not true in respect of appeals from the magistrates' court: the Court can impose any sentence that the court below could have imposed, and in the case of children this can be up to 2 years' detention even though the maximum sentence for adults in the magistrates' courts is 6 months. This is because the hearing in the Crown Court is a complete review and, some commentators

[16] Sentencing Council (2017) Sentencing Children Guideline, para 2.1, Available at https://www.sentencingcouncil.org.uk/wp-content/uploads/Sentencing-Children-and-Young-People-definitive-guideline-Web.pdf
See also R (on the application of H, A and O) v Southampton Youth Court [2004] EWHC 2912 Admin
[17] Ministry of Justice (2023b) Criminal Justice System statistics quarterly: December 2022, Magistrates' court data tool. Available at https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2022

surmise, the wide-ranging power on sentence "off-sets" the absence of a leave requirement. However, in the case of children, the prospect of a more severe sentence has a chilling effect with many children not wanting to risk that in combination with going through the daunting process again. It is essential that barriers to the appeals process for children are removed and the Commission should consider how best to do this. One option would be for there to be a parallel restriction on more severe sentences being imposed, while maintaining the automatic right of appeal to the Crown Court.

Guilty pleas

The special position of children in respect of appeals following guilty pleas requires particular examination. There are many reasons why children might plead guilty that differ from adults. Children may not have had the benefit of specialist legal representation (see above) or may struggle to understand the consequences of pleading guilty. A paper from the University of Exeter argues that children are more likely to plead guilty in response to the prospect of relatively modest reductions in sentence, as well as perceived pressure from their lawyers (Helm, .[18]

There are a number of examples where children have pleaded guilty where defences were available to them. For example, a child may have failed to utilise a modern slavery defence. In some instances, children have not realised they have been victims of modern slavery or been too worried about the repercussions from talking about it, even with their defence lawyers. In other cases, they may not have been advised as to its availability. This is what happened in *R v BSG* leading the Court of Appeal to state at §57: "we accept that the defence under s45(4) of MSA 2015 was not advanced because the applicant was not advised about it. We further accept that, if it had been advanced, it would probably have succeeded and that a clear injustice has been done." [19]

Similarly, a child may also have been able to argue that they did not have the requisite intent to commit the offence due to a mental disorder or cognitive difficulties that were not known about or evidenced at the time.

Regardless of the reason, if a child has pleaded guilty and not made use of a defence or argument open to them, an injustice will have occurred.

However, the circumstances in which a child and adult may vacate a plea are the same and very limited. There should be provision for those who were convicted or sentenced as children to appeal their convictions, even where they have pleaded guilty to correct this injustice.

There may be other scenarios, such as when a child is subsequently diagnosed with a mental disorder that could have affected their culpability. The focus on speedy justice in the youth court and sentencing on the day where low level penalties are envisaged means that diagnoses may well be missed and specialist reports not commissioned.

[18] Helm, R. (2021) Guilty pleas in children: legitimacy, vulnerability, and the need for increased protection, University of Exeter, Available at https://ore.exeter.ac.uk/repository/bitstream/handle/10871/124736/jols.12289.pdf?sequence=5&isAllowed=y
[19] https://yjlc.uk/sites/default/files/attachments/2023-10/BSG%20v%20R%202023%20EWCA%20Crim%201041.pdf

Adapting tests concerning children in the Court of Appeal

At present there is no formal distinction in the way that the Court of Appeal applies various legal tests to children as compared to adults. This should change to take into account the special position of children. All Court of Appeal rules and processes should be reviewed with a child rights' lens. Particular consideration should be given to adapting the test for fresh evidence, extensions of time, legal representation and loss of time orders.

Fresh evidence appeals for children

The test for fresh evidence is strict and requires, among other things, for a reasonable explanation as to why the evidence was not adduced at the time. The test is the same for children as for adults. In the case of children, it may be that the child was aware of the relevant information but was not aware as to its relevance to the process or was scared to mention it.

The test should recognise the multiplicity of reasons as to why, in the case of a child, available evidence may not have been adduced that an adult would have been expected to put forward if they were to wish to rely on it later. The test should be adapted in the case of those convicted or sentenced as children so as to remove or reduce the need on appellants to satisfy the reasonable explanation requirement given that it is likely that there will be additional reasons as to why evidence was not available at the time. According to Dr. Enys Delmage, Consultant in Adolescent Forensic Psychiatry, child and adolescent psychiatrists are understandably reluctant to make hasty diagnoses. This is partly due to the diagnostic criteria requiring evidence of behaviour over time, and partly due to the high degree of complexity in a group with high comorbidity. It is not uncommon to encounter young people with comorbid conduct disorders, psychosis, ADHD, complex PTSD intellectual disability and autism on a background of severe abuse and neglect. Picking apart these diagnoses can take months, even in inpatient settings where they are being assessed 24 hours a day. Over time it may become clear that there has been a wrong outcome in the criminal case, for example, if it becomes clear that they have a long-standing and enduring mental illness that affects their culpability or the appropriate sentence, and this may have been masked or missed. This is of course more likely in a group who are mistrustful of services and may not be forthcoming about the nature of their difficulties, or may feel shame and embarrassment about anything which differentiates them from their peers.

Similarly, it may be the case that, as noted above, a child was not aware that they were subject to exploitation or feared to provide information about it at the time.

Extension of time and loss of time orders

As noted above, children often struggle to secure specialist representation. Children are not always advised on their appeal rights. The tight time limits on appeal apply equally to adults and children despite the difficulties that children may face in knowing

that they are entitled to advice and ensuring they get it. Those who are convicted and sentenced as children should not be time barred from appealing or at least a more lenient approach should be adopted to out of time appeals.

In any event, given the huge barriers that children face in accessing justice, they should not be penalised for attempting to appeal their convictions and sentences. There is significant anecdotal evidence that children have been put off from applying to the Court of Appeal by the fear that some of the time served will not count towards their sentence if they get a loss of time order. The fact that these orders are of limited time, and rarely imposed, does not stop their existence from having a chilling effect. Loss of time orders should never be applied to those who were convicted or sentenced as children.

Legal representation at all stages

As noted above, children require specialist legal representation but often find it hard to obtain. The fee structure does not incentivise lawyers to represent children on appeal as this work is poorly paid. It is also the case that, where leave is not granted by the Court of Appeal, there is no legal aid funding available for an oral renewal. Solicitors and barristers are expected to work pro bono or children and young people are expected to represent themselves. This cannot be right: at the very least there should be automatic legal aid for any person sentenced or convicted as a child for the oral renewal stage.

Conclusion

There is a dearth of research on the area of children and criminal appeals. We do not know how many children appeal to the Crown Court or the Court of Appeal, how many of these are represented, or their outcomes. Even more importantly, we do not know how many children do not appeal due to the chilling effect of some of the procedures and practices that apply equally to children and adults. There is a strong case for a different approach to children to ensure that any reforms to the appeals system adheres to the welfare principle and the Commission is strongly urged to explore this further.

28 November 2023

References

Aubrey-Johnson (2020) Evidence to The Justice Committee's Call for Evidence on The Future of Legal Aid, Available at: https://committees.parliament.uk/writtenevidence/13975/pdf/

Bateman, T. (2020) The state of youth justice 2020An overview of trends and developments. Available at: https://thenayj.org.uk/cmsAdmin/uploads/state-of-youth-justice-2020-final-sep20.pdf

Bellamy, C. (2021) Independent Review of Criminal Legal Aid, Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1041117/clar-independent-review-report-2021.pdf

Helm, R. (2021) Guilty pleas in children: legitimacy, vulnerability, and the need for increased protection, University of Exeter, Available at: https://ore.exeter.ac.uk/repository/bitstream/handle/10871/124736/jols.12289.pdf?sequence=5&isAllowed=y

Hunter, G. and Campbell, N. (2023) A short report on the quality of legal representation in the youth justice system. Project Report. Institute for Crime and Justice Policy Research, Available at: https://eprints.bbk.ac.uk/id/eprint/50793/

Lammy, D (2017) An independent review into the treatment of, and outcomes for Black, Asian and Minority Ethnic individuals in the criminal justice system. London: Ministry of Justice, Available at: https://www.gov.uk/government/publications/lammy-review-final-report

Ministry of Justice (2023a) Youth custody data, Available at: https://www.gov.uk/government/publications/youth-custody-data

Ministry of Justice (2023b) Criminal Justice System statistics quarterly: December 2022, Magistrates' court data tool. Available at https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2022

Ministry of Justice / Youth Justice Board (2020) Assessing the needs of sentenced children in the youth justice system 2018/19. London: Youth Justice Board, Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/887644/assessing-needs-of-sentenced-children-youth-justice-system.pdf

Public Accounts Committee (2023) Support for vulnerable adolescents, Available at: https://publications.parliament.uk/pa/cm5803/cmselect/cmpubacc/730/report.html

Sentencing Council (2017) Sentencing Children and Young People Overarching Principles; Definitive Guideline. London, Available at: https://www.sentencingcouncil.org.uk/wp-content/uploads/Sentencing-Children-and-Young-People-definitive-guideline-Web.pdf

Youth Justice Board (2019) Standards for children in the youth justice system. London, Available at: https://www.gov.uk/government/publications/national-standards-for-youth-justice-services

Youth Justice Board (2022) A Guide to Child First, London, Available at: https://yjresourcehub.uk/legislation-and-guidance-documents/item/1043-a-guide-to-child-first-youth-justice-board-for-england-and-wales-october-2022.html