

A Guide to Youth Justice in Scotland: policy, practice and legislation

Vulnerable Girls and Young Women

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1. Introduction

Why guidance for girls?

GIRLS ARE DIFFERENT AND ALL DIFFERENT

“Effective working with girls and young women who have been drawn into the criminal justice system is considerably hampered by a set of interrelated problems” (Batchelor, S and Burman, M, 2004).

There has historically been a tendency to group girls and young women’s offending and risk taking behaviours alongside those of boys and young men. This is due in part to the relatively low numbers of girls and young women and their invisibility within systems predominantly designed for males. Literature and evidence on offending behaviour in young people has tended to be presented under the assumption that girls and boys are the same, however, it is now generally accepted that although there are similarities in some risk factors associated with offending behaviour in both boys and girls, some are more strongly associated with girls.

Girls and young women can present challenging behaviour which is unpredictable, violent and manipulative, and prevalent themes within this are substance misuse, negative peer association, absconding and sexually risky behaviours.

The general perception of girls and young women involved in the system is of a group which is extremely troublesome and difficult to engage. Despite this, until recently, little priority has been given to the development of services and gender specific interventions for girls and young women. Most current services available to address offending and other risk taking behaviours are derived from the principles of ‘What Works?’ which stem from theories of male offending and often do not meet the needs of females.

Girls and boys respond differently to external pressures in that girls are more likely to internalise difficulties whereas boys will “act out” in the form of more delinquent and antisocial behaviour (Merone, 2010). Relationship issues feature strongly in girls’ offending and it is no longer accepted that girls’ needs are simplified to discreet criminogenic factors as some of their needs are not necessarily “treatable” by generic programmes. Interventions are required which are holistic, reflect the complexity of girls’ and young women’s experiences and address the multiple factors relating to offending behaviour.

There is also still a marked difference in societal attitudes towards girls and boys - girls continue to have a tendency to be regarded as being in greater need of moral protection, due in part to the nature of their risk-taking behaviours. It is acknowledged that some girls are placed in secure care due to the impact of sexually risky behaviours, victimisation and a range of mental and emotional disorders. To date, in Scotland, there remains little in the way of suitable alternative services, particularly in the community, which protect vulnerable girls and young women, and manage high risk whilst addressing complex needs.

In June 2011, following the publication of the report by Her Majesty’s Inspectorate of Prisons on Cornton Vale Prison and Young Offenders Institute, the Scottish Government announced the establishment of a new Commission to improve outcomes for female offenders by examining how they are dealt with in the criminal justice system. Of particular concern was

the number of women in prison which had more than doubled over the last decade, problems compounded by overcrowding, and the wider issues of alcohol and drug abuse and mental health problems. The Commission's remit was to find a more effective way of dealing with women offenders with a view to reducing offending. They were tasked to take forward a focused piece of work to review the evidence, identify what works to reduce re-offending and report back to the Scottish Government. The Commission published its report and recommendations on April 17, 2012, and although it does not relate directly to the needs of girls and young women, emphasised from the outset were the numbers of:

“deeply vulnerable people for whom offending is a result of chaotic lifestyles, mental health difficulties and severe addiction problems. Many (women in prison) will have been the victims of abuse – physical, sexual or mental - in their childhoods” (RT Hon Dame Elish Angiolini, June 2011)

- The report acknowledges the complex needs of women in prison particularly in relation to addiction, mental health, and abuse in childhood; the ineffectiveness of short custodial sentences; and high reconviction rates.
- The report states that many of the women imprisoned could be better dealt with out with the prison environment and it acknowledges the impact of parental imprisonment on children.
- Recommendations also include intervention in early years, and parenting programmes and intensive family support to reduce conduct disorders in children.
- The Scottish Government published its response to the report on June 25, 2012 which agreed with the aims of all of the Commission's recommendations, and accepted immediately 33 of the 37 proposed. The remaining four in respect of sentencing options, mental health services, and leadership and delivery of adult offender services in the community, are subject to further consideration and examination in more detail.

Aims of the Good Practice Guidance for Girls and Young Women

This section of the guidance attempts to draw on some of the literature and evidence and suggests how outcomes for girls and young women might be improved by applying good practice principles more holistically and more tailored to the individual needs of girls and young women.

It is aimed at practitioners with direct responsibility for providing services to girls and young women, but it is also relevant for managers and other professionals who may be involved in service design, commissioning and procurement. It aims to provide an understanding of what approaches are effective with vulnerable females for practitioners and other professionals involved in service delivery and decision making processes which may have a long-term impact on the lives of girls and young women and into adulthood.

This section should be read in conjunction with other sections in 'Youth Justice in Scotland: a guide to policy, practice and legislation' which outlines the overarching legislative and theoretical context in which youth justice sits, and details principles and best practice with

specific reference to Getting It Right For Every Child' (GIRFEC), Preventing Offending by Young People: A Framework for Action and the Whole System Approach (WSA).

The ethos of the WSA suggests that many young people could and should be diverted from statutory measures of care, prosecution and custody through early intervention and robust community alternatives. The Good Practice Guidance in Work with Vulnerable Girls and Young Women aims to support the ethos and principles of the WSA.

2. Background

Development (Champions) Group

In April 2008, a number of individuals came together who were concerned about the lack of research and evidence of effective practice with girls and young women assessed as being “high risk” and who were committed to raising the profile of this group. The Vulnerable Girls and Young Women’s Champions Group, supported by the Scottish Government was established as a direct response to concerns raised by practitioners and managers in the field about young women with complex needs and high levels of vulnerability, and raised a number of issues:

- The proportionally high numbers of girls and young women in secure placements due to welfare and vulnerability grounds as opposed to offending behaviour
- A culture of risk aversion, particularly in community based interventions, for girls and young women leading to secure placement decisions
- A gap in skills in working with high levels of vulnerability in girls and young women and the ability to meet needs while managing risks in the community
- A lack of acknowledgement that girls and young women require different methods and approaches to interventions than boys and young men
- Difficulties in transition from secure care and custody back to the community
- Existence of pockets of good practice across Scotland but no mechanism to share or develop this

The big question was asked: *“Why are we locking up girls and young women who are not a risk to members of the public?”*

The formation of the Group was welcomed as an important contributor to the discussion of the place of girls in youth justice (Batchelor, 2009) and initial data collected by the Group began to inform the debate.

In 2008/9 the Group sought to establish baseline figures for girls and young women who were involved in serious or persistent offending and those who were identified as a risk to themselves due to a range of behaviours including substance misuse and self-harm. The sample taken at the time of over 300 young girls/women aged 12 to 18 year olds from across Scotland confirmed that whilst a range of vulnerabilities were present, the majority were not involved in serious or persistent offending.

The Scottish Government also provided funding to the Champions Group for a short life piece of work to provide a clearer picture of pathways into secure care and prison for girls

and young women in Scotland, their needs and the availability of alternative specialist service provision (Mitchell, Roesch-Marsh and Robb, 2012).

3. Risks and needs

Introduction

Working with young people who participate in risk taking behaviours poses challenges and opportunities for professionals. There not only lies the challenge of determining who or what is 'a risk' or 'at risk' and how these should be managed but professionals must also be accountable for the decisions they make and this is particularly apparent in cases when things have gone wrong (Warner and Sharland, 2010). Care planning that places risk within a contextual and 'real' framework is fundamental in effectively intervening in the lives of this group of young people. When understanding risk, it is important to take into consideration maturational developments i.e. are the risk taking behaviours part of adolescent female development?

The Edinburgh Study of Youth Transitions and Crime identified four key facts:

- Persistent and serious offending is associated with victimisation and social adversity
- Early identification of at-risk children is not a water tight process and may be iatrogenic
- Critical moments in the early teenage years are key to pathways out of offending
- Diversionary strategies facilitate the desistance process

(McAra L. and McVie S, 2010)

The study argues that the key challenge is to develop a national youth justice policy which is "holistic in orientation, proportionate to need and maximises diversion from criminal justice".

It is important when assessing risk and managing risk that there is an understanding of the type of risk that is influencing behaviour. Different types of risk factors are relevant for different types of risk decisions:

- Static risk factors - those factors that are historical e.g. death of a parent, age when first offence was committed, abused as a child. Although static risk factors may give some indication of the risk of recidivism, the residual effects of some historical events should be taken into account when assessing level of risk.
- Dynamic risk factors - those factors that are changeable e.g. drug use, unemployment, anti-social peer group (Bonta, 1999)

Risk assessment should take into account both static and dynamic factors, therefore knowledge of both types of factors and how they contribute to vulnerability as well as the risk of recidivism is crucial if effective intervention strategies are to be employed (Bonta and Andrews, 1999).

Many girls who are placed in residential/secure care have histories of being sexually abused. The residual effects of trauma can often manifest in high risk behaviours including sexual

exploitation and promiscuity, and understanding the relationship that exists between both is imperative in formulating risk management plans.

Some gender issues

For youth offending there are similar criminogenic risk factors which apply to both boys and girls, i.e. anti-social attitudes, pro-criminal families and associates, lack of parental supervision and unstructured leisure time. Girls are less likely to be referred to a Children's Hearing on offence grounds and are more likely to have originally come to the attention of the Children's Hearing System (CHS) as a result of being the victim of an offence, such as neglect or sexual abuse.

There are clear gender differences in why Children's Hearings make secure authorisations and SCRA data highlighted the difference in the use of the secure criteria to action a secure warrant:

- Girls tended to present a high risk to themselves, particularly due to sexually risky behaviour
- Boys present risks to themselves and others, particularly due to violence, offending and road traffic offences

Girls are often placed in secure care as a result of risk of harm to themselves. Changes to the criteria for admission to secure care, as stipulated in the Children's Hearing (Scotland) Act 2011, has seen the introduction of:
"...likely to engage in self-harming conduct" (Section 83(6)(b)).

There is a concern that this may impact on girls in terms of increased admission to secure care and children's panel members will need support in understanding and interpretation of self-harming conduct and the context within a risk management framework.

It is suggested that due to societal attitudes and expectations, girls and young women can be pushed higher up the sentencing tariff:

"Traditionally troublesome behaviour was viewed through a prism of paternalistic concern in relation to the moral welfare of girls who engaged in it, and understood as a breach of expectations of conduct derived from gender stereotyping" (CfBT Education Trust).

It could be suggested therefore that girls and young woman who offend present to society a challenging dichotomy of views. They may be treated more harshly based on the view that they should not be involved in behaviour that is more affiliated with that of young boys and young men.

Some questions need to be raised in respect of this:

- At what stage does risk to self and/or an accumulation of concerns necessitate the need for punitive measures of control?
- Who or what determines this, and how can this be influenced?
- How can we as a society ensure that girls and young women get the help they need when they need it, without criminalising their behaviour?

Consensus within literature suggests that some level of involvement in risk taking and offending behaviour in adolescence should be attributed to developmental age and stage, in that a degree of experimentation within this age group is the norm. After the age of 14 years, however, the gender gap widens and boys are more likely than girls to progress to more serious offending and criminal careers. Girls' problematic behaviours can be more difficult to recognise due to the nature of their behaviour and their emotional coping mechanisms. Girls display higher rates of mental and emotional difficulties than boys with a prevalence of post-traumatic stress disorder, depression and low self-esteem, and often this is not recognised until girls and young women enter secure care or custody.

In Scotland, young women involved in offending behaviour are more likely to have convictions relating to miscellaneous offences such as 'Simple Assault' or 'Breach of the Peace' or for crimes involved with dishonesty, the most common being shoplifting. A study in England and Wales noted a growth in the numbers of violent offending by 14 to 18 year old females; however, the figures merely reflected an increase in the numbers of those charged with minor, non-sexual assaults, rather than serious acts of violence which remain in the domain of men. What was not evident in this study was whether this increase was in the actual number of crimes committed, or more attributed to a shift in attitudes and responses to crime committed by young women (Batchelor S. and Burman M, 2004).

Despite evidence which indicates that girls offending, vulnerability and desistance follows a different pathway from that of boys, and that focusing on male criminogenic factors is less likely to impact on girls' behaviours, there remains a lack of gender appropriate services which address girls' complex needs. Girls are less likely to be referred to existing services as the actual numbers are relatively low in comparison to boys and they are more likely to fail to engage as these services have been designed primarily around the needs of boys. Where services or programmes for girls do exist, they tend to have a focus around sexuality and sexual health, which, while useful in addressing one aspect of problematic behaviour, is restrictive in meeting a wide range of complex needs. The different gendered and individual experiences of young women need interventions and strategies which are different, innovative and based on a comprehensive assessment of individual risks and needs.

Girls require a more individualised and gender specific assessment process as risk factors related to recidivism in females are more associated with poor parenting, dysfunctional family environment and absconding. Offending and risk taking behaviour is frequently a result of family breakdown where girls may have been thrown out of, or left the family home and who do not have appropriate or stable accommodation. Poor relationships within the family home, bullying, bereavement and loss, and experience of the care system are just some pre-disposing static and dynamic risk factors that may contribute to girls offending and at times affiliating themselves, albeit in a very small number, with the gang culture (Batchelor S, 2012). Furthermore, high levels of abuse experienced by young women who offend may contribute to truancy from school and absconding. This in turn may also be a pathway to drug and alcohol misuse and sexual exploitation. A correlation exists between the victimisation and abuse of young women and high risk behaviours such as substance misuse, self-harm and suicide - one explanation being the ability of self-medication and self-injury to block out traumatic and distressing experiences, albeit only temporarily.

Violence and Relational Aggression

Longitudinal studies have shown that aggression is one of the best known predictors of future social, psychological and behavioural problems including delinquency, peer rejection, depression, poor achievement and victimisation. There have, however, been limitations within studies - in that aggressive boys have been the dominant subject. Forms of male aggression have been emphasised and those more prevalent to girls have had less attention. Because of this, the knowledge base regarding girls who are aggressive is also limited (Crick N. Ostrov J. and Werner N, 2006).

What is known, however, is that young women who do go on to offend into adulthood generally do so for different reasons than their male counterparts. Studies in England and Wales reported that where violence has occurred, girls' accountability for their behaviour included the need to be self-reliant and to protect others they cared about. Violent behaviours were also linked to issues around control, self-respect, self-protection and victimisation (Youth Justice Board, 2009).

Although exposure to and fear of violence are common amongst young women, this could be perceived as a reflection of the disproportionate experience of violence in their own lives at the hands of families, peers and other associates. Many studies attribute these poor quality attachments and social bonds as a driver for gang affiliation and feature in those young girls/women involved in acquisitive crime, sex work and drug related offences (Batchelor S. 2009. Khan L. et al, 2013). Verbal abuse, gossiping and name calling, however, along with the more recent phenomenon of cyber bullying via text and social network sites, are the most common precursors to physical violence in young women.

A study undertaken in HMPYOI Cornton Vale in 2005 looking at the evidence of young women's involvement in violent offending highlighted a prevalence of past abuse in their lives (Batchelor, 2005). Two-fifths of the young women reported to have been sexually abused, generally by someone in their family. A similar number reported witnessing serious physical violence between their parents, or being the victim of serious violence from their parents predominantly as a result of alcohol abuse. Despite their conviction for violent offending, the young women did not describe themselves as violent but made a distinction to have the potential for violence through becoming angry when mistreated or let down by others and being denied respect.

Research undertaken by the University of Bristol and the NSPCC in 2010 focused on disadvantaged young people's experience of violence and control in their intimate relationships. Twice as many girls than boys reported both physical and sexual violence in their relationships and many of the girls did not recognise, or normalised, the seriousness of their experiences of sexual violence and were less likely to seek help. The majority of the female participants in the study had relationships with older adult men and those with older partners were more likely to report higher levels of violence than those with same age partners.

The growing 'problem' of violent girls and girl gangs has been perpetuated in the media since the mid-1990s, suggesting that violence amongst girls is increasing due to a 'ladette' binge drinking culture, where young women are mimicking the masculine behaviour of their male counterparts. An exploratory study, however, of the views and experiences of

violence by young women in Scotland found little evidence neither of a rise in physical violence by girls nor of girl gangs (Batchelor S, 2009).

Across the UK research on violent youth gangs typically focuses on the experiences of young men and studies emphasise gangs as a male phenomenon with little attention paid to girls and young women. While many youth gangs are recognised as having some mixed gender membership, the majority of participants are male, and the gang has therefore been conceived of as a masculine resource. Young men living in areas of extreme deprivation and in places with a tradition of gangs have been encouraged to engage with gangs and their violent practices as a means of securing masculine identities. Where attention has been given to the role of young women in gangs, and of gender relations, young women have generally been depicted as accessories, girlfriends or referenced in terms of their sexual activity and as victims of male violence.

For many young people in general, being part of a gang or group of friends is seen as a normal way to spend time and build friendships. Most gangs continue to be male-dominated but do include girls whose role may be more complex than previously understood. More recent studies about young women and gang related crime seeks to dispel the myth that girls join gangs simply because they are either violent tomboys or “put-upon” victims. The motivation for girls joining gangs is to achieve a much sought after emotional connection and to ultimately feel a sense of belonging, perhaps not in society as a whole but certainly within the gang itself (Khan et al, 2013).

Young women and young men report membership of a gang as delivering physical protection from others and the study on gangs undertaken by the University of Glasgow, concludes that girls are not just passive members but that, like boys, will spend time with groups from the same territory to achieve both status and a sense of belonging (Batchelor S, 2012). Many young women view gang membership as an inevitable part of growing up in certain areas and in some instances, young women will use the power acquired by being part of a gang to explore their sexuality. In other instances, however, young women may indeed be at risk of sexual exploitation and assaults by male gang members. Young women have also reported of being directly involved in gang fights and in instigating and encouraging violence. Some admit to carrying or concealing weapons or drugs on behalf of boys, however, boys are still twice as likely to carry knives as girls (McAra L. and McVie S, 2010).

Both boys and girls can have the intent to inflict harm on others but there are differences in how this is expressed, particularly in early adolescence when much value is placed on friendships and social connections. Relationships are particularly important for girls reflecting the difference in how they socialise and develop their sense of identity. Boys develop their identities by differentiating themselves from others and are more likely to target their aggression towards victims unknown to them. Girls develop their identities and sense of self-worth more through connection with others. Most behaviour problems girls experience are due to dysfunctional and unhealthy interpersonal relationships and their aggression is much more associated with relationships with others.

While girls do engage in some direct and physical forms of aggression, relational aggression is more prevalent in girls. Relational aggression is generally described as any behaviour which is intended to harm someone by damaging or manipulating relationships with others. It is the use of exploitative, exclusionary or hurtful behaviours to undermine status, self-esteem or inclusion. Unlike other forms of aggression and bullying, relational aggression is not as overt and can therefore be more difficult to identify; however, it is equally as damaging. It should be noted that relational aggression is not social or class specific and

can equally affect those who are different as well as vulnerable. Raising awareness amongst more universal providers might lead to more effective early and effective interventions.

Relational aggression can take many forms but can include ignoring, exclusion, negative body language or facial expressions, sabotaging the relationships of others, gossip and rumour spreading, name calling taunts and insults, intimidation, manipulative affection and alliance building. There are two types of relational aggression – proactive and reactive. Proactive is when behaviours are designed as a means to achieving a goal and reactive is behaviours in response to provocation with the intent to retaliate. Relational aggression can occur in person and increasingly through use of the media including text messaging, YouTube, and social networking sites.

Relational aggression has been on occasion regarded and condoned as part of adolescent development; however, it is neither normal nor acceptable, and should be challenged. The presence of relational aggression dispels the old myth of ‘sticks and stones will break your bones but names will never hurt you’. Relational aggression causes distress, impacts on self-esteem and victims can suffer depression, anxiety and isolation. Young girls can begin to demonstrate traits of being relational aggressors from as young as three years old and it is a behaviour that should be challenged in the early years to prevent its development (Crick et al, 2006).

For some female aggressors it can be a way of establishing social positions or power, or to get the attention of males, but it is not always about this type of attention or popularity. Motives will vary and it can also be due to a lack of skills in managing conflict appropriately where girls will often “bad mouth” or exclude others instead of using assertive communication to deal with an issue or a problem.

The importance of relationship based work with girls and young women cannot be overestimated. Relationships are central to effectiveness and good practice throughout both the assessment process and service delivery, and should be used as the foundation for capacity building, empowerment and developing potential. Attitudes, knowledge and abilities required by workers can be described in terms of the following principles:

- individuation
- purposeful expression of emotion
- controlled emotional environment
- acceptance
- non-judgemental attitude
- client self determination
- confidentiality

(Cited in Trevithick P. 2003)

Trauma

The word ‘trauma’ is derived from the Greek term for wound. Emotional and psychological trauma is the result of extremely frightening or distressing events which causes difficulty in coping or functioning normally after such experiences. Traumatic experiences often involve a threat to life or safety; however, any situation which leaves a victim feeling overwhelmed, helpless and vulnerable can be traumatic, even if there is no physical harm. Emotional and psychological trauma can be caused by both one-off events such as a violent attack, or by

ongoing stress, for example, living in abusive or threatening circumstances, or witnessing violence.

Not all potentially traumatic events necessarily lead to lasting psychological or emotional damage. Yet there are a number of risk factors which make certain individuals more susceptible to this. An event will most likely lead to trauma if it happened unexpectedly; the individual was unprepared for it; powerless to prevent it happening; it happened repeatedly; someone was intentionally abusive; or it happened in childhood. Individuals are also more likely to be traumatised if they are already under significant stress or have recently suffered a series of losses.

Those who have strong support networks and healthy relationships with family and peers are less likely to suffer long-term damage. Girls and young women in the youth justice system, however, are often alienated and have unhealthy relationships with family, peers and partners and therefore are more likely to develop more serious conditions such as depression, post-traumatic stress disorder, anxiety disorders, or alcohol and drug problems. This is often linked to a background of sustained physical, sexual or emotional abuse and parental neglect. Girls and young women may become involved in substance misuse as a form of self-medication in response to stress and feelings of depression, which can in turn increase the risk of becoming involved in offending behaviour.

Female substance abusers also tend to have severe family and social problems and some may use substances to maintain relationships with partners who are users, to fill the void of what is missing in a relationship, or mask the pain of being abused. (Covington S, 2007)

A study undertaken by Oregon Social Learning Center between 1997 and 2006 examining girls with conduct problems highlighted significant gender differences in exposure to trauma. It found that girls were approximately twice as likely to have been exposed to physical and sexual abuse, domestic violence, parental incarceration, parental transitions, and multiple out of home care placements. It also found that the link between trauma and “delinquent” behaviour was of particular concern once girls reached adolescence in terms of their choice of antisocial partners, early pregnancy and intergenerational transmission of emotional and behavioural problems.

In order for services and interventions to be effective, they need to become trauma-informed. Trauma-informed services need to deal with problems and symptoms other than the trauma directly, whilst possessing the knowledge and expertise regarding the impact of the trauma. Trauma informed services should:

- Take account of the trauma
- Seek to understand the causation of behaviour and its relationship with the residual effects of trauma
- Avoid triggering reactions or exacerbating the trauma
- Support girls and young women’s coping capacity
- Allow girls and young women to manage their symptoms successfully

In addition, a therapeutic environment needs to be created which is safe, supportive, and involves and empowers girls and young women to develop and sustain change in the longer term.

Sexually harmful behaviour

Young women who display sexual behaviour that is harmful to others (as opposed to behaviour that is harmful to them) are relatively rare. One study found that only 6% of

referrals to Scottish services working with children and young people who display sexually harmful behaviour were in relation to girls or young women (Hutton & Whyte, 2006).

Adolescents who display sexually harmful behaviours have been defined in the National Youth Justice Practice Guidance as: “young people who engage in any form of sexual activity with another individual, that they have powers over by virtue of age, emotional maturity, gender, physical strength, intellect and where the victim in this relationship has suffered a sexual exploitation”.

Professionals involved with girls or young women who act in a sexually harmful manner need to be mindful that proportionate assessment, risk management and interventions are necessary when behaviours of this nature are identified. The section detailing Managing Risk of Serious Harm provides a comprehensive overview of approaches to working with young people with sexually harmful behaviour. Research suggests that girls who display such behaviours are often slightly younger than boys and have often experienced considerable trauma in their lives (Hendriks & Bijleveld, 2006). A combination of holistic and targeted approaches that help young people move forward in their lives and make sense of past experiences while assisting them in modifying behaviour have been found to be the most beneficial (Halstenson, Bumby & Bumby, 2004).

More recent concern has been focused on young people, particularly the impact on girls in relation to “sexting” - a terminology used in the media and by researchers over the last few years to refer to sexual communications with content that includes pictures and text messages, sent using cell phones and other electronic media. Although some studies have indicated that this behaviour is prevalent amongst adults, of particular concern is youth produced sexual images defined as “images of minors, created by minors, qualifying as pornography under criminal statutes” (Wolak and Finkelhor, 2011).

Sexting can cover a range of behaviours from consensual and experimental activities between peers who are romantically involved through to aggravated behaviours that are clearly criminal. Aggravated sexting would be when an adult coerces a child online to take sexual photographs, or which involves abusive behaviour by other minors such as threats, malicious conduct, sexual abuse, or sending images without the consent of the individual concerned. Some behaviours involve a movement from experimental to aggravated, for example, a boy showing friends sexual images of an ex-girlfriend that were obtained at the time through consent but which are now being circulated to cause distress. Wolak and Finkelhor (2011) provide a useful typology of sexting involving young people, which can help practitioners in scaling the seriousness of ‘self-victimising’ behaviour involving new technologies.

Risks and needs: Some key points to note

Girls are more likely to have been known to Social Work Services from an early age due to welfare and/or child protection issues. The numbers of children referred to the Children’s Reporter have decreased and are at their lowest level since 2003/4. This coincides with an increase in more effective partnership working and early intervention initiatives for children who do not require compulsory measures of supervision.

There are proportionally higher numbers of young women in prison with significant care histories. Some evidence exists that girls experience multiple care placement breakdown

resulting in a number of placement moves. Girls rely on relationships to work through key areas in their lives, and this level of disruption and chaos may impact on their emotional development and contribute to the decisions and choices to engage in offending and anti-social behaviours (Khan, 2013).

Girls are more vulnerable to self-exclusion from school. Pregnancy, sexual exploitation and parental aspirations affect girls disproportionately or exclusively. Differences in experiences and outcomes of education can be explained by differences in the ways boys and girls learn and wider gender expectations (Merone L, 2009). Education plays a role in the perpetuation of gender stereotypes, but can also be a focus for change:

“Gender bias in educational processes, including curricula, educational materials and practices, teachers attitudes, and classroom interaction, reinforce existing gender bias. It has been demonstrated that boys participate more readily in class, and are listened to more attentively by educators” (World Health Organisation).

There are major differences in the developmental and psychosocial makeup of boys and girls. Boys tend to develop their identities by differentiating themselves from others whereas girls develop a sense of self-worth through connection with others. Many behaviour problems experienced by girls are related to dysfunctional interpersonal relationships, in many instances family relationships. In contrast to boys’ aggression, which is more likely to be directed towards strangers, girls’ aggression during adolescence is more often the result of breakdown of significant relationships or associated issues.

Gender differences exist in the strategies and mechanisms to cope with anxiety and stress. Boys generally act out frustrations and problems via overt physical aggression and self-serving rationalisation, while girls will internalise problems and display negative emotional behaviours such as self-blame, self-harm, risky sexual behaviour and low mood.

Vulnerable girls display highly chaotic behaviours, have complex needs and display higher rates of mental health and emotional problems than their male counterparts. High levels of sexual vulnerability linked to substance misuse and lack of supportive and nurturing relationships highlights the need for effective community based measures to manage risk and reduce vulnerability. There is a need for support and services to address anger issues and emotional distress often exhibited through self-harm.

Support and services for girls should be based on a therapeutic approach addressing problems in a holistic way with a focus on addressing behaviour problems within an interpersonal context. Consistency in contact with motivated, trained workers is crucial in the engagement of girls and staff should be trained in gender identity and female development. Girls also respond to supports which involve the minimum amount of professionals required in face to face contact.

4. Assessment and Intervention

Early and Effective Intervention

Girls may first come to the attention of police and other services for both offence and non-offence reasons. Police may also become involved due to incidents of running away from the family home; incidents where the girl is considered to have placed herself at risk in the

community; as a victim of abusive behaviour or neglect directly or indirectly. Other agencies may identify escalating concerns in terms of behaviour or vulnerability.

Local authority multi-agency Early and Effective Intervention (EEI) processes have been developed to identify and provide support and diversion wherever possible on a voluntary basis. Information sharing at this level provides a basis for early identification of vulnerability, and to signpost or refer to the agency most appropriate to provide support or undertake a more comprehensive multi-agency assessment of need or risk.

It is essential that representatives involved in EEI have an awareness of the needs of vulnerable girls and young women, including an understanding that for the majority of girls an offending episode is potentially symptomatic of a range of underlying difficulties. Assessment and decision making processes should always take this into consideration and appropriate supports should be available to girls to divert them from statutory measures of care whenever possible.

Intensive Community Supports

Evaluation of Intensive Community Support and Monitoring Services commissioned by the Scottish Government has evidenced success in reducing the frequency, severity and risk of offending in young people. The application of key principles can further increase the likelihood of success of intensive community supports, and services should be flexible and responsive whilst maintaining the highest quality and standards, have access to community resources and support from management.

Effective intensive services should contain the following elements:

- identified key people in the lives of the young person and their family
- strong partnership approach at all levels within organisations
- ability to produce 24/7 Single Plan with objectives and interventions based on a comprehensive assessment of needs and risks
- risk management strategies and contingency plans
- monitoring and supervision including the use of electronic monitoring (MRC) where appropriate
- review arrangements and evaluation of progress
- transition and aftercare plans
- attention to staff support, supervision and training requirements

Despite the relative success of such schemes, the evaluation also identified differences in how boys and girls responded to the services. It was found that compliance rates for boys were much higher than those for girls, particularly in relation to the MRC, in that boys were more likely to adhere to the rules, possibly more mindful of the need to avoid the consequences. Boys also responded to the often large numbers of workers involved in an ISMS package, however, girls were found to comply more with a holistic care plan but with fewer workers providing direct intervention.

What works for girls and young women

There are core principles which apply to effective practice with both boys and girls. Effective practice with young people involved in anti-social, offending or other risk taking behaviours

should always be rooted in the principles governing GIRFEC. Where two or more agencies need to work together, a lead professional should co-ordinate and sustain the Single Plan through a network of supports and activities designed to positively contribute to the functioning and wellbeing of the young person. Where offending behaviour is a significant factor, the Single Plan should flow from an analysis of criminogenic needs which underpin the behaviour and detail all necessary interventions and risk management processes.

The effectiveness of work with young people involved in anti-social, offending or other risk taking behaviours is maximised only when the elements of assessment, planning, intervention and review are integrated seamlessly into the Single Plan.

Effective practice should be holistic and integrated into the young person's lifestyle and social circumstances, support resilience and positive personal identity, and assist the young person to acquire skills, capacity and knowledge to move towards desistance. Support should be flexible, able to respond quickly to significant changes in circumstance or in times of crisis, and involve a network of post intervention protective factors.

All young people, irrespective of gender, need a suitable and stable placement and access to effective aftercare and intensive support services which meet their assessed needs. This should include:

- Appropriate and sustainable supported accommodation
- Parental/family support
- Support with independent living
- Access to real education, training and employment
- Addressing substance misuse.
- Pro-social relationships and activities

Structured programmes to address the issue of youth offending are now widely used and vary in intensity and outcomes. Although there is a wide range of interventions available, core characteristics have been defined which may make particular programmes more effective than others:

- derived from a theoretical model or robust evidence-base
- delivered in close proximity to the home environment to facilitate transferable learning
- delivered with appropriate intensity based on a comprehensive risk and needs assessment
- directly addresses criminogenic needs
- incorporates behaviour and interpersonal skills training
- maintains programme integrity
- provides aftercare and relapse prevention support.

While there is commonality across genders, there are certain factors in offending and risk taking behaviours by girls which have stronger correlations than for boys. They include victimisation (including physical, emotional and sexual abuse), weak support networks (including school and low parental supervision), peer influence of boys and male associates

involved in offending behaviour, unsupervised and unstructured leisure time, low self-esteem, mental and emotional health and material deprivation.

The profile of girls in literature and as experienced by practitioners, suggests that interventions directed towards females should:

- **Ensure that girls are not disadvantaged in avoidable ways relative to boys.**
Girls' problems can sometimes be more difficult to recognise due to the often covert nature of their behaviour. In addition, relatively low numbers in comparison to boys can lead to them becoming marginalised as services specifically for girls are often viewed as not viable in terms of economy or scale. Because most existing interventions are derived from male theories of offending, they are less likely to impact on the problems experienced by girls.
- **Be based on a therapeutic model which is evidenced based.**
Interventions should be holistic in nature, derived from robust theoretical perspectives and address multiple and complex needs, including criminogenic needs, in a continuum of care. Programmes should not only be specific to gender, but also to age and stage of development, ethnicity and culture. Although interventions should be holistic in nature, the number of professionals directly involved in delivering services should be kept to a minimum to allow relationships to be built founded on mutual trust and respect.
- **Take proper account of the circumstances contributing to girls' behaviour and the associated risks of recidivism.**
The nature and severity of risk taking behaviours in many girls and young women can be attributable to trauma and neglect experienced in childhood and/or throughout their lives. Because of the history and entrenched nature of some of these behaviours, a pragmatic approach needs to be taken to the reality of recidivism when attempting to address underlying problems. For many girls and young women, life will have been focused on the need to survive. They may have developed specific coping mechanisms and strategies in order to achieve this, for example, self-medication and self-harm. In cases such as this, recidivism is almost inevitable as part of a change process as young women learn new skills and develop more self confidence in putting these skills into practice.
- **Recognise the importance of relationships in girls' lives and use these to construct alternative attitudes and lifestyles.**
Girls and young women are more likely to engage with services which are supportive in nature, recognise the value of individuals and where relationships with staff are based on mutual respect and trust. Relationships are paramount to how young women construct their identity and relate to the outside world and they report their relationships, particularly with female peers, as the most significant. Peer support programmes which focus on supportive relationships are being developed in the US to combat physical violence and bullying (Batchelor S. and Burman M, 2004).
- **Promote the constructive use of networks of support - family, professional and social.**
Young women can have a tendency to become isolated in the community, particularly following a period of care or custody where they may have lost traditional family and social support networks. Relationships forged prior to, and whilst in care or custody, may be founded on anti-social or pro-criminal attitudes

and associations. Even if young women are not returning to the family home due to internal conflict, the importance of support from immediate family and other significant others needs to be recognised and should be mobilised. Stable and appropriate professional support should be provided and other pro-social relationships which are stimulating and bring stability should also be encouraged. Interventions should target practical, educational and health needs including mental and emotional wellbeing. Much emphasis is placed on the need to deal with the effects of trauma and mental health; however, other needs such as physical health and access to education, training and employment should not be underestimated in terms of promoting emotional and mental wellbeing.

- **Be trauma informed.**
Have the ability to deal with a range of problems and symptoms whilst being mindful of the impact of trauma.
- **Encourage girls to become more self-reliant and independent.**
Often girls and young women have not had the opportunity, ability or encouragement to think or do things for themselves. Knowledge and skills required to develop into successful adults should be imparted in a manner which is empowering and allows young women to become self-sufficient and less dependent on others.
- **Provide access to female staff.**
Ensure they are trained and skilled in dealing with sensitive emotional issues, and are familiar with issues regarding gender identity and female development
- **Create a female friendly environment.**
It is not always viable to provide a physical space which is reserved exclusively for females; however an environment can be created which allows time for girls and young women to be with other females, which is supportive, positive and non-stressful.
- **Acknowledge that girls need support systems which are sustainable in the long term and plan accordingly.**
In order for girls and young women to be maintained in the community and lead successful and productive lives, support needs to be provided on a longer term basis including into adulthood if necessary. According to individual needs, strengths and aspirations, this can be met through a combination of universal services such as health and parenting support, and specialist services including mentoring and those which promote mental and emotional wellbeing. Crucial in any continuum of support is that individuals have a clear focus and have realistic objectives and targets they wish to achieve. A recent consultation with young women in Glasgow identified education as a key area with a strong desire for access to real training and educational opportunities (Merone L, 2010).

Making our services work

Overarching principles should underpin all work with girls who have been involved in offending and risk taking behaviours:

- Give recognition to girls' violent lives - take account of the reality of girls' experiences
- Play to girls' strengths - a strength rather than a deficit approach will provide positive models for girls to restructure their lives and resolve conflicts

- Talk and listen to girls - relationships are key to effective practice and girls' insights should be incorporated into all work with them

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Appendix 1

'WHAT GIRLS WANT' – Youth Justice Research and Development Team, Glasgow City Council

STRATEGIES for WORKING with GIRLS Findings from a Consultation with Vulnerable Young Women in Glasgow

In October 2010, 22 vulnerable and high risk young women in receipt of intensive social work services from Glasgow City Council were consulted by the council's Youth Justice Research Team in order to explore how the service can better support young women. As part of the process, young women aged between 14 and 21 years were asked to describe what an ideal service for girls would look like and what kinds of things would encourage engagement with services. Findings and suggestions for maximising young women's engagement with services, as recommended by the young women themselves are outlined as follows:

Girls say: 'Provide us with a safe and nurturing environment';

Consider separate service provisions for girls:

Young women were asked to identify the main worries or concerns for girls as well as the main worries or concerns for boys. Whilst acknowledging that girls and boys generally have a similar range of needs, young women identify girl's main concerns as being related to **sexual health, relationships, self-esteem, unwanted pregnancy and avoiding 'risky' situations whilst under the influence of alcohol.** Whilst boy's main concerns are identified as: **substance misuse, fighting with peers and being able to acquire sexual relationships.** Young women also feel there are significant differences between the way girls and boys cope with their problems, with girls preferring to talk more. As such they generally feel that this warrants consideration for separate service provisions for the genders.

"Services should be separate, in two different places because some lassies wouldn't like to talk in front of boys"

"Boys and girls have similar things but need different type of help. Girls like to talk more about it"

"All need to be separate because the kind of problems they have are about the same, but lassies worry more than boys day to day, boys don't worry as much which is why we do need to keep it separate"

Provide services in aesthetically pleasing environments:

The consistent message throughout young women's feedback is that girls will be more likely to engage with services and interventions if they feel comfortable in their surroundings. Décor that is aesthetically pleasing to females and has an ambiance of feeling 'homely and safe' is particularly recommended. Suggestions from young women include:

"You should get the lassies that are going to be going to this and get them to decide how it is going to look, what colour to paint it etc. That will make them want to come because then it makes it more theirs"

"Decorate the place so it feels homely. People need to care about stuff, feel they own it. Have a nice floor, rugs and a couch"

"Make it more comfortable so they get used to each other, like have places to sit and talk with others, more informal settings...."

"Have soft colours so it's more relaxed"

Remove any barriers to attendance:

Young women say that practical difficulties such as childcare arrangements and lack of transport can hinder girl's ability to engage with services and recommend provisions are readily available to girls to overcome these barriers. It is also felt that providing basics such as meals and beauty care provisions (such as shower facilities, toiletries and makeup) would be incentives for girls to want to attend.

"For those that have babies bring them in but have someone that can keep an eye out"

"Have women (staff). Women might be easier to talk to but it depends on the lassie and what problems, some have issues with having a man around them"

"Should start later. Start about 10am so you are fully wakened up"

"Putting on breakfast and lunch is a good idea. If the breakfast is good people will want to go"

Girls say: ‘We need interventions that are responsive to our needs’:

Provide crisis support

Young women say that they are most receptive to services that are flexible about meeting their needs. The consensus amongst young women is that girls need somebody to talk to on a daily basis about their problems, with a drop-in crisis support type of service being viewed as most desirable.

For example girls say:

“You (should) have someone to talk to daily about problems because some girls don’t have anyone around that they can just talk to... need a crisis team who help for alcohol problems, someone to get close to lassies...”

“Don’t force people just have it like, it’s here to use if you want, someone always there to talk to, you just go”

The help should be there, an addictions worker should be there if you need it, but lassies won’t go unless they want to. You could have it like a drop in”

Offer interventions that are tailored to the specific needs and concerns of females

Young women identified the need for a range of focused interventions that will equip them with the knowledge and skills to address problems in their everyday life. The types of structured interventions that young women say they need include:

- Education around female sexual health, including contraception & pregnancy
- Strategies for staying safe in the community; including avoiding being drawn into prostitution and exploited whilst under the influence of alcohol
- Counselling or interventions to address feelings of trauma and bereavement
- Addictions support and information around the impact of substance misuse on the appearance and relationships
- Supports to increase family functioning; communication skills to reduce conflict in relationships and skills to establish appropriate boundaries
- Anger management skills focused around ‘relational violence’
- General parenting skills including activities to inform decision making about becoming a parent and activities to promote bonding between young mums and their babies
- Confidence building activities to promote positive self-esteem

“We need more sex education. I don’t think they get much in school these days and also if they don’t go to school. This would be best by people coming in to talk to them about issues”

"I had underlying anger about my mum and family for 4 or 5 months we talked and did activities like learning anger management skills, it was useful"

"Needs to be about getting lassies more confident about themselves because you get pure paranoid about yourself, your appearance and whether people like you, you can get their confidence up by taking them places and doing team building...making them aware"

"Have that baby doll that cries and you do budgets...A class where you get to push prams and see if that's what you would want"

"Don't just have classes in, take them out, educate them to be streetwise. Show them how people's lives have gone downhill. Make it more real"

Provide opportunities to achieve academically:

All young women in the sample had experience of alternative education provisions as their emotional and behavioural problems were unable to be contained within the mainstream school environment. In the main, young women say they feel it is important for girls to be afforded the opportunity for a 'fresh start' or a 'second chance' to re-address the gaps in their education and achieve their full academic potential. With regards to education young women say they would like:

- The opportunity to undertake academic qualifications and vocational training within a different type of learning environment that feels nurturing and supportive and 'doesn't feel like mainstream school'
- Additional educational support for those young women over the age of 16 who still need extra help with basic numeracy, literacy and developing life/employment skills. In particular there is an identified need for supports to bridge the gap and prepare girls for the transition between leaving school and entering college placements or employment.

"I don't want to go to school just for the sake of attendance, want to go so I'm getting something out of it, not just to please everyone else"

"A chance to do qualifications and give people that didn't get the chance to do it. People should get chance to re-sit qualifications. Should do standard grades and Access 2 & 3. Should sell it as a chance to relearn again and get better at things"

"In school I was too chaotic to sit in a classroom for a long time. I just can't keep my attention which is why I need to be able to learn at my own pace, you need more help. You should be asked how you would like it done (lessons) and not be forced into it"

"Post 16's will need support and encouragement to go into education and training. Like girls will need help with what to write on a CV because they didn't go [to school] and they will need support to find jobs"

“Need something for those people that are not ready for college. Some people still need help with reading and writing...Need more support education wise and physically and mentally so they don't mess up. Like I'm not ready to go to college. I'm not mature enough, not being able to read, it's embarrassing, what can I ever do?”

Girls say: ‘Our potential for positive change is underpinned by the quality of the relationships we establish’

Girls respond to workers that are caring and nurturing:

- Young women are more likely to engage positively with services if they have good relationships with staff. Characteristics of a good worker as identified by young women include:
 - having a good sense of humour;
 - a respectful attitude;
 - a general enthusiasm for working with young people; and
 - the ability to talk to and relate to young people

Above all girls say they are more likely to engage with services that promote a sentiment of positive self-regard for others. Young women feel that girls will engage more positively with workers if they feel their participation is valued. In particular, where care planning is done in collaboration with the young person to ensure it is meaningful, and where the young person is given some choice; where workers show commitment to young people by always following through contacts; where behaviour management strategies adopted by workers are always fair and don't exclude the young person.

“You need to have good workers that you can trust. Have good personalities. Know how to work with young people. A sense of humour. No judging, no eyeing you up like they're better than you. Good talking skills to young people. Acts yourself around you so you feel you can act yourself”

“How young people get on with staff depends on the bond. You should get to choose the keyworker. Have an allocated one for a wee while until we can choose who we get on with”

“I don't like having too many people to work with...You ask them to do one thing and they do the complete opposite, things have not been carried out ... Some workers don't do a lot with you, they just sit and talk to you and bore you. I recommend you avoid that”

“They can make it more fun by having compromise, don't tell you what you're doing, have a choice what you are doing”

“Like have a quiet (room) to themselves so when (the young person's) angry they can get on with their work and not be put out or suspended”

Provide activities that promote learning and support through shared experiences:

- Young women feel that enabling girls to support each other through their shared experiences can have significant benefits; providing an incentive to engage with services and widening girls social support networks. Young women recommend;
- The use of peer support groups and facilitation of group working to empower girls to help each other to make positive changes
- The use of recreational and self-development activities to promote social cohesion and foster good group dynamics between peers and reduce the risk of conflict

“You should have group-work, a group where anything you want to improve or change , you have like a talking session where you get people’s opinions and help”

“Have all the girls together and have counselling, group sessions where you do like what can be made better from this weekend to last weekend? and they talk through it with you”

“Get young people to talk about their experiences, like an AA group for alcohol. Instead of tea and coffee have ginger”

“I was pure worried about not knowing anyone when I first came to XXX. You should explain to girls that everyone is in the same boat and can help each other. That will make them more likely to feel not that bad about coming”

“Should do stuff to help with confidence, working with other people. Do team building like outdoor stuff and quizzes. Learning to work as a team. That will also help lassies get on so there’s no bullying going on”

Appendix 2

SERVICES and CONTACTS

YOUNG WOMEN'S CENTRE, Glasgow City Council Social Work Services.

The centre works with young girls aged between 12 and 18 years old residing across the range of accommodation options, including in a family setting, LAAC provision, and homeless and care leavers accommodation. This encompasses young women involved in or at risk of sexual abuse or exploitation, or abused through prostitution and presenting behaviours causing concern due to the frequency, gravity and impact on safety. The centre also works with young girls at risk of becoming accommodated, progressing through the care system or becoming involved in the criminal justice system as a result of their chaotic lifestyles. Due to the complexity of young women's needs, the service offers an intensive, flexible and individually tailored response to need by establishing a safe, nurturing ethos and approach through the environment and relationships.

For further information contact: 0141 276 1874/ 276 8467

MENTORING for FEMALE OFFENDERS, Dundee City Council

In Dundee, Criminal Justice Social Work established a dedicated team to work with female offenders in April 2011. The team comprises social workers, support workers and a dedicated National Health Service nurse. The age group is aimed at 16+. Those girls/young women referred can have chronic substance misuse, history of trauma linked to offending (abuse; loss; victimisation), emotional/mental health issues and previous exclusion and/or non-compliance with the Court.

One of the ways that Dundee work with female offenders is by offering the Court an intensive support service as an alternative to remand or as a requirement of a Community Payback Order or condition of Probation. This is provided by Tayside Counsel on Alcohol (TCA) who allocates mentors to female offenders. The mentor will agree a mentoring 'contract' with the client which aims to tackle the identified criminogenic needs. In addition, the mentor will provide a pro-social role model and will work with the client to explore goals and aspirations.

For further information contact: 01382 456012