Our response to the Ministry of Justice Consultation on Oversight and Funding of Youth Justice Services: September 2026

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About us:

For over 25 years, AYM has been representing the views of leaders and managers in youth justice services across England. We have a network of regional representatives covering each of the nine regions, and through them we are in a unique position to understand and promote the opinions of those who are in daily, direct contact with children in the justice system, their families and the victims of their offences. We are grateful that the Ministry of Justice has made tackling the problems with oversight and funding a priority and are glad of the opportunity to share our members' views.

Part A: Youth justice service performance and oversight

Question 1.

Of the options available for the restructure of National Standards, we chose Option 2 i.e. that they be re-structured into thematic areas with cross-cutting principles.

However, in our view National Standards have limited impact on practice. For managers and service leaders, it is the HMIP inspection standards that have the greater impact on service priorities. The new inspection standards in relation to work with victims, for example, have brought about meaningful change in ways that National Standards have not. We do not think that we need both National Standards and the inspection standards.

Practitioners and managers also refer to the YJB's Case Management Guidance. The current conditions of grant funding require adherence to both National Standards and the Case Management Guidance, though is it not feasible to adhere to every detail of

the sprawling Case Management Guidance. It would be helpful to clarify the status of the Case Management Guidance.

National Standards, if they are to remain, should align with inspection standards.

Question 2:

If "Option 1" is selected (i.e. that National Standards remain as phases of youth justice), we agree that new National Standards would be needed for Victims, Early Intervention and Prevention, and to update OOCRs to reflect contemporary good practice.

However, as indicated above we question the added value of National Standards, given the importance and the influence of inspection standards (for managers and management boards) and case management guidance (for practitioners).

Question 3.

If "Option 2" is selected, we agree with the proposed example thematic areas and cross-cutting principles and have no additional suggestions in this regard.

Question 4. *"Should disproportionality be included as an individual standard/thematic area or integrated throughout the National Standards?"*

Our view is that a focus on disproportionality should cut across all standards. In fact, we would re-cast "disproportionality" as "over-representation". Services should routinely look for evidence of over-representation of different ethnic groups of children, of girls, of white, working-class boys, of children in care, of SEND/ neuro-divergent children etc., and should seek to influence the work of partners' services to target areas of over-representation.

Question 5. *"To what extent do you agree with the introduction of a Quality Performance Framework to define high-quality practice and support continuous improvement?"*

A majority of our members agree, with caveats. A minority question the value of such a framework, but the majority propose that such a framework, if introduced, would need to align with the HMIP inspection standards and should support YJSs in developing good practice in line with these. The risk is of duplicate and unaligned frameworks, creating additional work without improving performance.

Question 6. *"What areas or aspects of youth justice practice should the framework cover to be most useful to your local area?"*

See above. A framework should support the identification, dissemination and embedding of good practice, consistent with the inspection standards, and align with the Key Performance Indicators (KPIs) if a credible new set of KPIs can be agreed.

Question 7. *"To what extent do you agree that performance information should be organised and used across three tiers: Youth justice service, Management boards and partners, and System health".*

We agree with the spirit of this proposal and see local service provision and partnership arrangements as the key domain for management boards (Tier 2) and cross-cutting, interdepartmental change as the key domain for central, or devolved government (Tier 3)

Question 8. *"We currently collect 14 national KPIs and a range of other performance information. As we develop future oversight arrangements which measures are most useful for understanding the performance of an individual youth justice service, of local partnership arrangements and the health of the youth justice system as a whole?"*

Re-offending is a key measure and, if this remains, it must include informal outcomes as well as statutory outcomes. It must be measured more quickly using local data rather than PNC (due to accuracy concerns, time lag, and diversion outcomes not being recorded on PNC). Its usefulness as a national measure would rely on greater national consistency in police detection rates.

For a measure of performance which is more in the control of YJSs, we would suggest levels of engagement with YJS interventions and successfully completed outcomes.

To measure the effectiveness of local partnership arrangements we suggest the following: Use of remand and custody (i.e. add remand data to the current custodial sentences KPI), access to appropriate education, training and employment opportunities, access to appropriate mental health services including speech and language interventions, access to suitable accommodation, and provision of victim information.

For understanding the health of the youth justice system overall, we suggest numbers of first-time entrants.

"Are there any measures that should be moved, removed or added?"

We suggest: Remove: the new KPIs, with the exception of those relating to education provision. They are not sensible measures and data quality will always be poor.

Add: a broad range of over-representation measures (aligning with Tier 2 of the proposed performance framework), including the proportion of diversion and formal outcomes for over-represented or minority groups.

Add: a revised serious youth violence measure (Tier 2)

Add: offending by children subject to an out-or-area placement (Tier 3). Some of our members are in youth justice services whose overall performance results are adversely affected by offending committed by children who are normally resident outside their area. The issue of children placed by local authorities in residential units outside their area has been raised repeatedly over at least twenty years. The review of KPIs could provide an opportunity to find a resolution at a national level.

Add: a measure of the proportion of diversion outcomes and formal outcomes to enable a comparison of policing policy across forces (Tier 3).

Add: time taken from offence to outcome in order to monitor the timeliness of police/CPS decision making and of outcomes (to answer the question: is the system working quickly enough?) (Tier 2)

Add: successfully completed caution and court outcomes and successful voluntary engagement in prevention programmes (Tier 1)

Question 9. *"To what extent do you agree that the voices of children, victims and families should form part of local and national performance oversight arrangements?"*

We agree with caveats. We think this does not need to be part of the national performance arrangements and the methodology for collecting data could be locally determined. The data collected might include whether consent obtained from victims for contact from YJS as well as victim engagement with YJS.

Question 10. *"To what extent do you agree the proposed arrangements reflect the oversight and accountability requirements of youth justice in Wales?"*

We represent managers in England only and have no opinion on this question.

Question 11. *"What factors should be considered when designing local self-assessment arrangements to ensure they are meaningful, proportionate and support improvement in practice?"*

There would need to be clear guidelines for self-assessment in order to ensure that there is consistency of learning from them. We recommend building on, rather than duplicating current "preparation for inspection" audits. We also recommend some external involvement in self-assessment arrangements. Our work on peer reviews demonstrated that peer reviews are proportionate and affordable; they provide benefit both to the services that receive the reviews and to the services that provide them. We are keen to revive this work once decisions are made on future funding arrangements.

Some services also report finding a self-audit tool produced by the Youth Endowment Fund to be useful.

Question 12. *"To what extent do you agree with the proposed approach to youth justice plans and annual updates?"*

We agree with the caveat that plans should be slimmed down, and we suggest there could be a nationally agreed word limit. The proposed headings could still generate lengthy documents, unless there is guidance about brevity or word limits. Retaining local sign-off remains important and local democratic processes should be taken account of when setting deadlines for submission.

Question 13. *"The proposed annual update would cover a number of areas. Are there any areas that should be added, removed or amended?"*

The proposal that the annual update would cover confirmation of a locally approved youth justice plan, strategic priorities, a performance summary, key risks and staffing and resources seems reasonable and proportionate. However, it leaves us unclear about the distinction between an annual plan and an annual update to a plan. We assume the proposed distinction is that the youth justice plan is approved locally, and the annual update is the headline information from the YJ Plan, submitted to the Ministry of Justice.

Question 14. *"To what extent do you agree with the proposal to remove the requirement for youth justice services to submit Serious Incident Notifications within 24 hours and instead report learning from serious incidents at regular intervals?"*

We strongly agree. We see no benefit to informing you of individual incidents as there is limited capacity centrally for Government to respond in a helpful way. Keeping local

data and a log of lessons learned remains essential. The consultation document implies that the current notifications take place within 24 hours of the incident, whereas the notifications are actually required within 24 hours of a child being charged, which could be months or even years after the incident. We do not see any risks to YJSs from this proposed change, because there are no benefits to YJSs from the current arrangements.

Question 15. *"As we develop a more proportionate approach to reporting and compliance, are there any other requirements that you think could be streamlined, simplified or removed?"*

We suggest a guiding principle must be not to ask for data that you do not have the capacity to analyse and to help us learn from. It may be possible to provide a more informed response to this question once the details are known about the new reporting and compliance requirements. We agree with the principle that the focus of the arrangements should be on 'improvement over compliance'.

Part B: Stable and sustainable funding

Question 16. *"Do you agree that we should reform the funding formula, recognising that it is likely to result in a significant redistribution of funding across services in England and Wales?"*

We agree with caveats as follows: Reform of the formula is long overdue. We have concerns about reforming the funding formula in isolation from the reform of other funding formulae that are used to allocate funding to partners such as health and local authority children's services. Some youth justice partnerships which receive low levels of funding under the outdated YJS formula suffer the "double disadvantage" of being located in poorly funded local authority or health areas.

Question 17. *"Do you agree that the principles outlined below are the right ones to guide the design of a new funding formula?"*

• a distribution of funding across England and Wales according to need

• a clear, transparent and evidence-based methodology for identifying drivers of need

• use of current, credible and publicly available data at the appropriate geographical level, comparable across England and Wales

• recognition of the importance of early intervention, prevention and diversion activity alongside the statutory caseload when assessing need – where suitable data is available

• consideration of regional cost variation to reflect differences in labour and travel costs, based on the best available data at the point of design

• periodic review to consider updating of the formula and its underlying data

We agree with caveats. Our members in large rural areas regularly point out the time taken to maintain in-person contact with children. We would support an attempt to factor in the added costs associated with rurality.

We would support a review of the formula every three years. To help YJSs control their costs, there is a need for a national skills and qualifications framework so that all partners are clear on the skills needed (and hence the remuneration received) for their staff who undertake core YJ tasks such as assessing risk and planning interventions.

Lastly, we think that the proposed measure for early intervention risks breaching the principle of comparable publicly available data at the appropriate geographical level.

Question 18. *"Do you agree that allocating MOJ funding to youth justice services across England and Wales based on relative levels of need is the most appropriate approach?"*

We agree, albeit again with caveats. "Relative levels of need" will be difficult to define. The 10 to 17 population of an area would be a fair starting point, coupled with relevant data drawn from the IDACI scale. A system will be needed which allows transparency over the data that is used and which allows for a regular refresh of the numbers, including updates of 10-17 population numbers from the mid-year population estimates.

Question 19. *"Stakeholders have highlighted the limitations of using first time entrant data as a proxy for demand and need. Aside from diversion data currently collected by the YJB, what alternative or supplementary datasets could be considered to provide a comprehensive measure of need in your local area?"*

As indicated above we suggest 10-17 population coupled with (for England) IDACI Scale data. To the criteria you gave for validity of data sets we would add the following:

"Not directly influenced by the priorities of other partners" (e.g. school exclusion rates, numbers of children in need etc, local policing priorities etc) in order to avoid perverse incentives or local variations in policy or practice.

Question 20. *"To what extent do you support providing all youth justice services with a standard allocation towards core business costs before the remaining funding is distributed through the funding formula?"*

We agree with this as there is a significant infrastructure cost for even the smallest service. We suggest this question should read "providing all **local authorities** (not 'all youth justice services') with a standard, ring-fenced allocation for the delivery of their youth justice service's core business costs etc". This avoids the current disincentives for cross-authority working. All YJSs should receive a minimum level of funding before the funding formula kicks in. This must recognise that all services need the same basic infrastructure such as buildings and IT.

In our view, YJSs that have decided to deliver services jointly with one or more neighbouring local authorities, through a multi-authority, combined service, should not be penalised for doing so. The allocation to the combined YJS should be the same as individual YJSs would have received if they were separate. Lastly, we strongly recommend retaining the ring-fence on all grants to youth justice services.

Question 21. *"If a new funding formula is introduced, which approach to managing the transition would you prefer?*

***"Option A: Faster implementation, for example over 3 years** - services would reach their target allocations sooner and national funding would be distributed in line with local need - but the sharper pace of change could create instability for some services, particularly where funding levels would need to adjust more quickly to align with the formula*.

***"Option B: Gradual implementation, for example over 6 years** - changes would be phased over a longer timeframe, providing greater stability for services, but delaying the move to a fully needs-based distribution".*

We prefer option A and given that this review is long overdue, and has been promised many times over the years, we find even the proposed "faster implementation" (by which it is meant not fully completing the implementation for six years) to be unacceptably slow. Many services believe that they can demonstrate that they, and their services users, have already suffered inequality of provision for too many years. The longer the process takes, the more chance there is of it being changed or cancelled prior to implementation by different governments or ministers.

Question 22. *"Which of the following future grant arrangements would best support effective delivery of youth justice services in your local area?*

***"Option A**: Maintain the current arrangement (separate agreements for the core grant and Turnaround funding).*

***"Option B:** Merge core grant and Turnaround funding to form one grant agreement but maintain a ringfence for the delivery of early intervention activity (currently delivered through the Turnaround programme).*

***"Option C:** Merge Turnaround funding into the core grant, with no ringfencing for early intervention and give local authorities the flexibility to manage this locally."*

We support option B. Splitting grants from the same funding source adds to the administrative burden for YJSs. Part of the logic for Option B is that it reduces the administrative burden of having to report on two separate grants. It therefore makes sense to reduce the administrative burden immediately, not in 2029.

Question 23. *"Current grant arrangements for the core grant and Turnaround funding are in place until March 2029. However, if Option B (merge core grant and Turnaround funding to form one grant agreement) were implemented, when should this change take effect?*

***"Option A:** as soon as possible (making adjustments to the current grant arrangements)*

***"Option B:** after the current spending review period (no earlier than April 2029)"*

We appreciate the greater certainty that has come from the recent three-year funding agreement. Although our preference is for Option A, we would want to retain the same level of certainty over Turnaround funding within the merged funding arrangement. We also suggest that the eligibility criteria for Turnaround need to be reviewed so that they allow greater local discretion.

Question 24. *"To what extent do you agree that greater public visibility of partner contributions (including how they vary between areas) would strengthen accountability, support management boards to hold partners to account, and drive partners to meet expected levels of engagement and funding contributions?"*

We strongly agree with this proposal. Partner contributions vary significantly across the country, and this is particularly evident in the patchwork provision of probation officers and speech and language therapists.

Youth justice plans already explain the contributions (cash and in-kind) that partners make. It should also be the case that local health service plans, policing plans, and any local plans from the probation service are required to provide the same data.

Question 25. "*What additional measures would most help strengthen partner contributions in your area?"*

We suggest.

- clear, national guidance agreed with all relevant Government departments setting out the expected level of provision for youth justice from police,

probation, health and education. It is not acceptable for local authority children's services to have to pick up the slack when other partners pull their staff or their funding away.

- Include youth justice contributions and outcomes, including the work of seconded staff, in other inspection frameworks (Ofsted, CQC, HMI Probation, HMICFRS).
- Wherever possible, standardising the expected provision of seconded staff, for example the provision of a speech and language therapist resource in every YJS.

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