

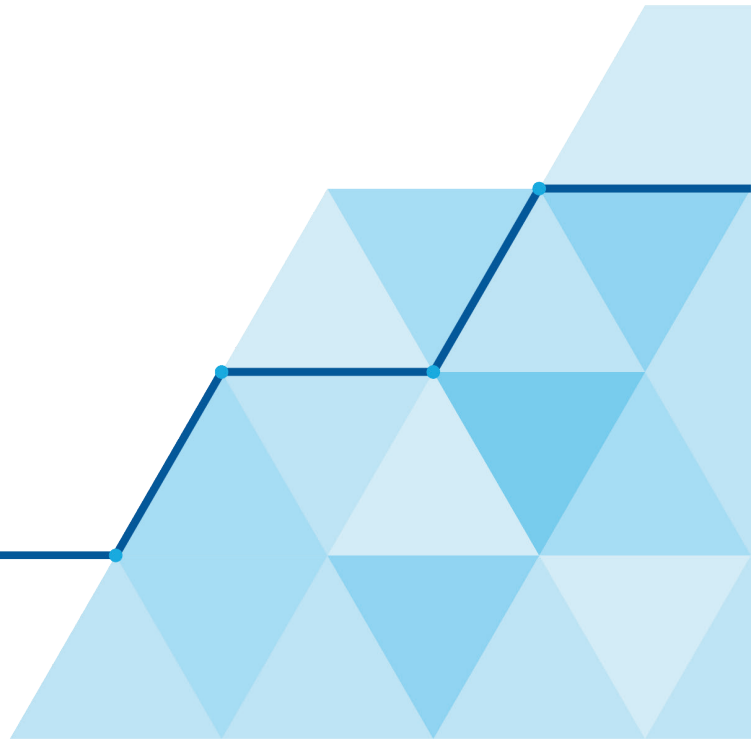


Ministry
of Justice

The Youth Justice Board

Public bodies review Summary and findings

February 2026



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1. Approach

Lead Reviewer preface

While this report was in the final stage of being drafted, Ministry of Justice (MOJ) received a commission from Cabinet Office to review all of its arm's length bodies. It is clear that there is a desire to speed up government and reduce bureaucracy and inefficiency – I welcome this. In some respects, it would have been easier to 'tack with the prevailing winds' and recommend the abolition of the Youth Justice Board (YJB). However, I think that the YJB deserves to have a particular focus because of the uniqueness of youth justice, its history, and the relative success of current arrangements. In short, my own conclusion is that 'retain but reform' is the best approach for the YJB, while respectfully acknowledging that government will always have a broader perspective that may lead ministers to draw different conclusions. If so, then I hope that this report provides food for thought in terms of what may need to follow.

Lead Reviewer's executive summary

HM Treasury (HMT) and Cabinet Office's (CO) Public Bodies Reform Programme requires departments to review their public bodies to assure the public, ministers and the principal accounting officer (PAO) for MOJ of the organisation's performance, consider its effectiveness and efficiency, ensure the functions remain useful and necessary, and to assess alternatives to deliver the department's objectives.¹ This review of the YJB forms part of that programme. It is a review of the YJB and does not cover the internal structure of MOJ. Therefore, where there is potential for duplication and efficiency savings between the two organisations, I have highlighted this and indicated that further exploration will be necessary rather than seeking to determine which side of the MOJ/YJB line the efficiency should fall.

The review undertook wide-ranging stakeholder engagement through interviews, workshops, roundtables, a survey, receiving written feedback and visits to youth justice services and a young offender institution (YOI).²

As form follows function, this review has considered each of the YJB's functions to assess whether they remain necessary, useful and relevant to the current needs and challenges

¹ GOV.UK, 'Public bodies', available at: <https://www.gov.uk/guidance/public-bodies-reform>

² Youth justice services are the youth offending teams (YOTs) described in statute, but are now known as youth justice services.

faced by the youth justice system. This review has considered whether, and how, these functions could be strengthened to set out a clear vision for the system. The review also sets out, if retained, the public body classification and form that any future YJB should take.

The YJB has historically carried out its role well since its inception in 2000 as a result of the Crime and Disorder Act 1998 and has delivered many benefits.³ We have significantly fewer children in custody and significantly fewer children in police stations and courts. HM Inspectorate of Probation (HMIP) found in its Youth Annual Report 2023 that over 75% of youth justice services inspected were rated as ‘outstanding’ or ‘good’ in 2022/23.⁴ This is a credit to those local services and also to the oversight and leadership of the YJB. This stands in stark contrast to other parts of the justice system overseen by MOJ; probation and prisons in particular.

However, the continuation of the YJB, if that is what is to happen, should not and cannot be a reward for past endeavours and we must be clear-eyed as to whether the YJB is still required. There is no doubt that some stakeholders felt that the YJB has ‘lost its way’ and that it should be doing more to promote ‘what works’ with children in the youth justice system. This could include the YJB being a more vocal advocate around the challenges faced by children in the system and youth justice services themselves and, in particular, robustly holding statutory partners to account and promoting a joined-up approach to youth justice across England and Wales at both a local and national level.

That said, stakeholder engagement consistently highlighted the importance of, and the need for, an independent body with technical expertise in the youth justice system, in order to lead, provide strategic advice, understand the complexity and range of the system, and advise government in the widest, cross-departmental sense. It would be easy to jump to a conclusion that because stakeholders (especially those involved in service delivery) were not satisfied with the YJB’s current performance, that they wanted it to be abolished. They didn’t, they wanted it to be there in a leadership role but to do better so that service delivery could be improved and supported.

There is also another critical factor. It has been long accepted that children should be treated differently within the criminal justice system. However, the 1996 report ‘Misspent Youth’ criticised the youth justice system as being too costly, inefficient and ineffective. It recommended greater multi-agency cooperation in national government and local practice. The Crime and Disorder Act 1998 addressed these issues and introduced an essential and now widely accepted multi-agency approach to service delivery which recognises the

³ [Crime and Disorder Act 1998](https://www.legislation.gov.uk/ukpga/1998/37/section/41), available at: <https://www.legislation.gov.uk/ukpga/1998/37/section/41>

⁴ HM Inspectorate of Probation, ‘Impressive’ youth justice services praised in Inspectorate’s annual report, September 2024, available at: <https://hmiprobation.justiceinspectorates.gov.uk/news/impressive-youth-justice-services-praised-in-inspectorates-annual-report/>

complexities of children's needs. This then requires multi-agency partnership governance at local level from all the statutory partners. It would, in my view, be illogical, retrograde and potentially damaging to service delivery to now have a single government department with oversight of these multi-agency, multi-professional arrangements.

My conclusion therefore is there is a continued requirement for an independent non-departmental public body (NDPB) to bridge the gap between government departments and their frontline services. In order to fulfil this and future needs, the YJB must undertake significant change.

To achieve this, I believe that we need to refine our definition of the youth justice system as the first step in providing clarity of purpose.

The history of youth justice demonstrates that it is a unique and complex area of work that lies at the intersection of justice, policing, youth work, children and families, education, substance misuse, probation, mental health and public health policies. Time and again stakeholders have reiterated this to the review team. A more nuanced definition of youth justice should take account of the complex interplay between these services, reflect the complexity of the lives of children and young people and draw attention to the influencing factors that can bring children and young people into contact with the youth justice system. From this the rest can flow.

Revised statutory functions must underpin the efficient working of the system as defined above. Revised functions should harness the ability to drive all facets of performance in the system as defined. I have recommended a revised set of statutory functions for the YJB.

The report also outlines ways in which the YJB, and in particular the board itself, can be remodelled to provide a better structure that will enhance leadership, oversight and continuous improvement of the system.⁵

The report outlines potential efficiencies and improvements in governance, data and analytics, IT, and policymaking.

My view is that, taken together, these recommendations provide the best opportunity to retain and reform the YJB as a crucial part of the complex youth justice system, one which will provide leadership, advice to ministers, drive improvement and secure better, more efficient services for children, young people, victims and communities.

⁵ Throughout this report I use 'the YJB' to refer to the overall organisation which includes its senior leadership group and staff who are charged with fulfilling the YJB's overall functions. 'The board' refers to the group of ministerial appointees made to the YJB.

Introduction

Terms of Reference

- 1.1 A public bodies review is undertaken to provide assurance to the public, PAO and ministers that a public body's functions remain useful and necessary, and to assess whether there are more effective and efficient alternatives to deliver the government's objectives.
- 1.2 The rationale for reviewing the YJB now is threefold:
 - i. The last CO review of the YJB took place in 2013.⁶
 - ii. There have been significant changes to the nature of the youth justice system since the YJB's creation, without any formal change in its statutory functions.
 - iii. Since the last CO review, the structure of, and demands on, the YJB have changed significantly. In 2018, the YJB's functions were split resulting in responsibility for the commissioning and provision of secure places moving to MOJ's Commissioning Directorate and Youth Custody Service (YCS).
- 1.3 An in-depth review of the YJB provided the opportunity to consider whether the YJB's statutory functions remain useful and necessary, where these functions should sit, whether the YJB's current delivery model remains appropriate and the use and effectiveness of the YJB's performance metrics.⁷ This review has also considered how the YJB and MOJ should work together to deliver ministerial priorities and deliver value for money.
- 1.4 The review was led by an independent Lead Reviewer, Steve Crocker, who is a former president of the Association of Directors of Children's Services. Steve has over 30 years' experience in social work and children's services, most recently as Director of Children's Services for Hampshire and the Isle of Wight. He has extensive local operational experience with youth justice services and local authorities. Steve has also chaired the Ministerial Advisory Group on profiteering in care placements (which is ongoing) and worked with Department for Education (DfE) on secure children's home policy and special educational needs change programmes.
- 1.5 The Lead Reviewer was supported by MOJ's public bodies centre of expertise review team.

⁶ Ministry of Justice, 'Triennial Review of the Youth Justice Board for England and Wales', November 2013, available at: <https://consult.justice.gov.uk/digital-communications/yjb-triennial-review-2012/results/triennial-review-yjb-stages1-2.pdf>

⁷ A summary of the review's Terms of Reference can be found at Annex D.

- 1.6 During the final drafting stage of this report, MOJ received a new commission from the CO to review its arm's length bodies (ALBs), with the aim of reducing duplication, driving efficiency and ensuring democratic accountability for policy decisions that affect the British public. Given the stage at which the public bodies review of the YJB was at, while it has not changed the overall tenor of the report, it has sought to address the key points of principle in that commission.

Process and methodology

- 1.7 The review undertook wide-ranging stakeholder engagement through interviews, workshops, roundtables, a survey, receiving written feedback and visits to youth justice services and a YOI.
- 1.8 The stakeholders⁸ the review engaged with were drawn from across the youth justice sector, MOJ (including Minister for Youth Justice, senior officials and functional experts), wider government, the third sector, frontline services and the YJB (including the current chair and CEO, senior leadership group and the board).
- 1.9 Engagement with youth justice services included a survey comprising a series of questions looking at their engagement and relationship with the YJB, and how youth justice services understand and view the role of the YJB. This survey was sent to all youth justice services across England and Wales and received over 150 responses.
- 1.10 The review also undertook an assessment on whether the YJB meets one or more of the three tests for an arm's length body.⁹
- 1.11 To test the review's methodology, conclusions and proposed recommendations, a challenge panel was convened and met with the Lead Reviewer and the review team twice prior to the drafting of the final report. The challenge panel acted as a 'critical friend' to the review but was not there to lead or guide the direction of travel of the review.
- 1.12 As per the Terms of Reference (ToR), the review focused evidence-gathering on the YJB's current functions, its form and its use of performance metrics.

⁸ A full list of stakeholders can be found at Annex B.

⁹ The three tests are:

- (A) Does the arm's length body provide a technical function which needs external expertise to deliver?
- (B) Does the arm's length body provide a function that needs to be delivered with absolute political impartiality?
- (C) Does the arm's length body provide a function that needs to be delivered independently of ministers?

What is the Youth Justice Board and what does it do?

- 1.13 In 1996, the Audit Commission published a report entitled ‘Misspent Youth’ that outlined the lack of an integrated system for youth justice.¹⁰ It also highlighted that the way that children and young people who offended were dealt with was inefficient, ineffective and expensive. Following this report and the change in government in 1997, the YJB was established to promote a multi-agency approach and to provide leadership and consistency across the new youth justice system.
- 1.14 The YJB is a non-departmental public body (NDPB) of MOJ created by the Crime and Disorder Act 1998.¹¹ In summary, it has responsibility for: overseeing the operation of the youth justice system in England and Wales, monitoring the operation of the youth justice system, and the provision of youth justice services and the management of grants to youth justice services which provide community-based support and supervision. The full text of the YJB’s statutory functions can be found at Annex A.
- 1.15 The YJB previously held responsibility for commissioning secure places for children remanded or sentenced by the courts to custody. This function became the responsibility of YCS, a service within HM Prison and Probation Service (HMPPS) in 2017. Following this, there has been a reduction in size of the YJB to its current level of c.92 staff plus the board.
- 1.16 The YJB’s budget for 2024/25 was £103.6m (£6.4m staff costs, £3.6m on IT, £0.6m on other costs and £93m grant funding). The YJB also has a £1.2m capital budget for IT. As of March 2025, it had a headcount of 94 with c.92 full-time equivalent employees.

Public bodies review of the YJB

- 1.17 The HMT and CO Public Bodies Reform Programme requires departments to review their public bodies to assure the public, ministers and the PAO of the organisation’s performance, consider its effectiveness and efficiency, ensure the functions remain useful and necessary, and to assess alternatives to deliver the department’s objectives.¹²

¹⁰ Audit Commission, ‘[Misspent Youth... Young People and Crime](https://webarchive.nationalarchives.gov.uk/ukgwa/20150410163038/http://archive.audit-commission.gov.uk/auditcommission/aboutus/publications/pages/national-reports-and-studies-archive.aspx.html)’, 1996, available at: <https://webarchive.nationalarchives.gov.uk/ukgwa/20150410163038/http://archive.audit-commission.gov.uk/auditcommission/aboutus/publications/pages/national-reports-and-studies-archive.aspx.html>

¹¹ [Crime and Disorder Act 1998 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1998/37/section/41), available at: <https://www.legislation.gov.uk/ukpga/1998/37/section/41>

¹² GOV.UK, ‘[Public bodies](https://www.gov.uk/guidance/public-bodies-reform)’, available at: <https://www.gov.uk/guidance/public-bodies-reform>

- 1.18 Public bodies reviews are generally conducted in two stages. The first, involving the department and the public body, is the CO Self-Assessment Model (SAM). This is a 'health-check' of the public body and how it and the department work together. The SAM comprises a series of questions covering efficacy, efficiency, governance and accountability, and outlines the minimum expectations and indicators of good practice. The SAM helps to determine whether an in-depth review is needed and the scope and lines an in-depth review should follow.
- 1.19 MOJ's review team concluded a SAM for the YJB in April 2024 (which included engagement with internal MOJ stakeholders, the YJB and the Government Internal Audit Agency) and, following analysis, found that, while the YJB operates well in some areas, there were fundamental questions around the YJB's form and functions that would benefit from further consideration.¹³
- 1.20 Consideration of the YJB's form and functions includes whether they continue to be appropriate, necessary and useful. The SAM also highlighted differing views on the use and effectiveness of performance metrics.
- 1.21 The YJB is the sixth MOJ public body to be reviewed under the 2022–25 CO Review Programme, and the first to go to an in-depth review.

¹³ Form refers to the type of public body. The YJB is currently a NDPB and operates at arm's-length from ministers. Functions refer to the YJB's statutory responsibilities such as monitoring the operation of the youth justice system. A full list of the YJB's statutory responsibilities can be found at Annex A.

2. Analysis of functions

Overview

- 2.1 This section of the review considers the YJB's current statutory functions and whether these remain useful and necessary. It also considers how changes to the statutory functions could be used to drive efficiency and strengthen and enhance delivery. The review considers the YJB's current and potential functions and makes recommendations supported by evidence and analysis.
- 2.2 As form follows function, this review has considered each of the YJB's functions to assess whether they remain necessary, useful and relevant to the current needs and challenges faced by the youth justice system. This review has also considered whether, and how, these functions could be strengthened to set out a clear vision for the system. As part of the review's methodology, each function was assessed against the government's 'three tests':
- A. Is this a technical function (which needs external expertise to deliver)?
 - B. Is this a function which needs to be, and be seen to be, delivered with political impartiality?
 - C. Is this a function which needs to be delivered independently of ministers to establish facts and/or figures with integrity?
- 2.3 The decision tree at Annex C was used to consider and assess the YJB's current functions. In addition to this, in line with CO guidance on undertaking public body reviews, this review has also considered the most appropriate and efficient mechanism for delivering these functions.¹⁴

Overview of stakeholder feedback

- 2.4 Stakeholder engagement consistently highlighted the importance of, and the need for, an independent body with technical expertise in the youth justice system. Independence was seen as a critical factor in:
- providing neutral advice for decision makers
 - preventing youth justice from becoming, in stakeholders' words, a 'political football' (several stakeholders referenced the politicisation of youth justice following historical high-profile cases)

¹⁴ See the section on public body classifications (p.24) for further information.

- challenging the government of the day if policy proposals are not based on evidence
- advising on performance, policy and recommendations on youth justice beyond electoral cycles to provide evidence of ‘what works’ with children and young people in the system
- enabling greater freedom and facilitation of engagement between different government departments to ensure coherence in policy making relating to children and young people in the youth justice system and those at risk of entering the system
- being a credible and respected champion of the voice of children and young people within the youth justice system

2.5 Stakeholder engagement also fed back consistently that an independent body with technical expertise in this area should:

- use data, evidence and its technical expertise to drive best practice in a transparent, agile and proportionate way
- drive improvement by using technical expertise to share innovation and best practice with the sector
- have ‘teeth’ and levers at both the local and national level along with the ability to advocate on behalf of the sector to hold government and other statutory partners to account
- promote multi-agency working at the local and national level to ensure that there is collective responsibility for youth justice across government and the sector

2.6 While the majority of stakeholders consulted noted the importance of an independent body with technical expertise, many felt that these functions are not being carried out as well as they could be by the YJB and that there is scope for improvement. 74% of respondents to the survey of youth justice services stated that they felt the work of their service could be improved by closer working with the YJB and 70% of respondents stated that they would appreciate more involvement from the YJB in their work. Stakeholders noted the developments, change, and shift in focus to a more preventative system that has taken place across the youth justice system over the past 25 years, and the need for any public body in this area to reflect this changing landscape to remain effective, useful and relevant.

The YJB’s current statutory functions

2.7 The YJB has several functions that are set out under the Crime and Disorder Act 1998. A full set of the statutory functions, as set out in legislation, can be found at Annex A. In summary, these are to:

- monitor the operation of the youth justice system and provision of youth justice services
- provide advice to the Secretary of State (SoS) on the performance of the youth justice system and how it might be improved
- publish information obtained from relevant authorities
- identify, make known and promote good practice (including through commissioning research in connection with such practice)
- make grants to local authorities and others
- provide assistance to local authorities and others with IT

2.8 As well as these functions, the YJB technically has responsibility in statute for certain functions that relate to the custodial estate. Following the Taylor Review in 2016, the YCS was established to take on responsibility for delivering these parts of the YJB's role.¹⁵ Any changes to the YJB's statutory functions would require amendments to secondary legislation, but it appears to me that now would be a good time to 'tidy up' these statutory functions that are in fact no longer carried out by the YJB.

Definition of the youth justice system

- 2.9 As the YJB's first statutory duty is to 'monitor' the operation of the youth justice system, it is important to clarify what is meant by the term 'youth justice system'. A clear definition of this will ensure stakeholders have the same understanding of the system and ensures statutory functions effectively underpin the efficient working of the system.
- 2.10 At present, there does not appear to be a consensus across government, and between wider stakeholders, around how the youth justice system is defined and how far the definition of the youth justice system stretches. Stakeholders repeatedly flagged that the nature of the system has changed since the creation of the YJB in 2000. For example, in the year ending March 2024, there was an average of 430 children and young people in custody at any one time compared to 2009/10 where there was an average of 2,418 children and young people in custody at any one

¹⁵ Ministry of Justice, 'Review of the Youth Justice System in England and Wales', December 2016, available at: <https://assets.publishing.service.gov.uk/media/5a7ffc81ed915d74e622bcdb/youth-justice-review-final-report-print.pdf>

time.¹⁶ In addition, there is an increasing amount of valuable non-statutory work, diverting children from offending, being undertaken ‘further upstream’ in the system (for example, targeted early intervention work for children and their families). This change, to understand youth justice in a broader sense, has also been reflected in recent government missions such as local prevention partnerships that are being developed by Home Office.

- 2.11 I believe there are two ways that the youth justice system could be defined. Firstly, a ‘narrow’ approach could be taken. It could be argued that the youth justice system should solely focus on the legal processes and systems for children who have offended. In other words, what happens in the police station and courts and the results of these interfaces. This would focus efforts specifically around the areas within MOJ’s sphere and give any future body in this space, or indeed MOJ itself, a very narrow and limited remit with little scope to effect change for children and young people. However, this definition does not capture the complexity of the current youth justice system and takes what I would perceive to be a reductive approach to youth justice, seeing it as a subset of adult offending systems and processes and children as decontextualised offenders. It also, arguably, takes youth justice back to the pre- ‘Misspent Youth’ era, when youth justice was a minor backwater in the then Home Office’s portfolio.
- 2.12 The history of youth justice in both its challenges (for example, some of the high-profile offences) and its successes (such as the reduction in the number of children and young people in custody), shows that youth justice is a unique and complex area that lies at the intersection of justice, policing, youth work, children and families, education, substance misuse, probation, mental health and public health policies. This is evidenced by the fact that a high proportion of children supervised by youth justice services exhibit a range of important, interdependent and interrelated needs.¹⁷ Time and again stakeholders have reiterated this to the review team. This more nuanced approach takes account of the complex interplay between these services, reflects the complexity of the lives of children and young people

¹⁶ GOV.UK, ‘[Youth Justice Statistics: 2023 to 2024](https://www.gov.uk/government/statistics/youth-justice-statistics-2023-to-2024/youth-justice-statistics-2023-to-2024)’, available at: <https://www.gov.uk/government/statistics/youth-justice-statistics-2023-to-2024/youth-justice-statistics-2023-to-2024>;

‘[Youth Justice Statistics 2009-10](https://assets.publishing.service.gov.uk/media/5a7c4ed2e5274a1b00422e16/yjb-annual-workload-data-0910.pdf)’, available at: <https://assets.publishing.service.gov.uk/media/5a7c4ed2e5274a1b00422e16/yjb-annual-workload-data-0910.pdf>

¹⁷ For example, the YJB’s assessment data for sentenced children in 2019/20 outlined that that 71% of children assessed had concerns in at least 5 of the 19 assessed areas; 90% relating to safety and wellbeing; 87% relating to risk to others; 76% relating to substance misuse; 72% relating to mental health; and 71% relating to speech, language and communication: ‘[Assessing the needs of sentenced children in the Youth Justice System 2019/20](#)’, January 2021, available at: [experimental-statistics-assessing-needs-sentenced-children-youth-justice-system-2019-20.pdf](#)

today, and draws attention to the influencing factors that can bring children and young people into contact with the youth justice system.

- 2.13 I propose that a broader definition of youth justice accounts for these wider determinants and services that are involved in the lives of children and young people. This definition should be used as a starting point to provide clarity and develop a shared understanding between multiagency partnerships. It should set out that:

‘The youth justice system is both the set of legal processes, functions and systems that involve children who have offended, their victims and communities; and also, the range of services and systems that function to support children, enable them to thrive and which help them avoid offending, addressing the unique and complex interplay between childhood, family and community environments, national policies and local services’.

- 2.14 To be crystal clear, the corollary of this definition is that: (a) children should be treated differently from adults within the criminal justice system (as indeed they have been since the introduction of Youth Courts in the 1970s and arguably since the Children and Young Persons Act 1933); and (b) that it is both advantageous and necessary to have a body that oversees and steers the complexity of such a system that is both independent of and reaches beyond the bounds of any one government department. This focus on the need for a collective and multi-agency response to the challenges facing youth justice is affirmed by the government’s missions that aim to break down siloed working and drive towards a common goal.
- 2.15 Any revised statutory functions therefore need to underpin the efficient working of the system as defined above. Revised functions should harness the ability to drive all facets of performance in the system as defined. It is my view that the current set of statutory functions should now be revised in order to:
- reflect developments and changes that have taken place across the youth justice system
 - better support the sector that delivers services to children and young people and which protects the public
 - provide greater clarity around roles and responsibilities
 - enable transparency
 - support the delivery of a more efficient and effective public body that can use its independence to drive continuous improvement across the youth justice system, support frontline services and promote a multi-agency approach that delivers the government’s missions

What does good look like?

2.16 When considering how any future statutory functions should underpin the efficient and effective working of the youth justice system that delivers for children and young people, it is important to reflect on what factors underpin the efficient and effective running of an independent public body in this space. Table 1 below sets this out based on feedback from stakeholders and internal workshops.

Table 1: What factors underpin the efficient and effective running of an independent public body in the youth justice system?

| Functions | Requirements |
|---|---|
| Leading change | <ul style="list-style-type: none"> • A chair, board, and executive with a clear strategic vision on how it will work to drive continuous improvement and efficiency throughout the youth justice System. • Setting clear strategic goals and measurable outcomes. • Awareness of current and emerging issues within youth justice. • The ability to effectively drive proactive multi-agency working at both the local and national level. • Close working with frontline practitioners to understand challenges, promote best practice and identify trends and patterns. • Strong working relationships with the third sector, frontline and other government departments (OGD) that are used to drive change. • A culture of continuous development. Qualitative and quantitative data should be used to refine the system based on system-wide data and feedback from practitioners. • An evidence base that speaks to the whole system from prevention through to resettlement. |
| Influencing and holding to account | <ul style="list-style-type: none"> • A chair, board, and executive with a clear technical understanding of the nuances and complexity of the multi-agency partnerships that make up youth justice services, and the ability to influence change across government departments. • 'Teeth' and the ability to influence at both a local and strategic level to advocate for changes across the system. • The ability to hold statutory partners, agencies and departments to account. This should be underpinned by a strong grip on data and the evidence base. • Acting as an independent advocate for children in the youth justice system. |

| Functions | Requirements |
|---------------------------------|---|
| Use of data and evidence | <ul style="list-style-type: none"> • Strong and visible grasp on the data reported by youth justice services, an understanding of the challenges faced by services and the ability to proactively identify trends at the local and national level. • Providing high-quality and transparent performance data that drives change and continuous improvement. • Using technical expertise to actively promote evidence-based practice and research to frontline services, the sector and government. • A clear feedback loop for data in the system. Data should be collated, shared with policy officials and ministers, and used to hold government to account. • Youth justice services should be clear as to why they are asked to provide data (on both children and performance) and how this is data used to drive improvement across the system. • Easily accessible digital services to enable practitioners to see data clearly and identify and report trends in a timely fashion. |
| Technical expertise | <ul style="list-style-type: none"> • Ensuring the board and executive have sufficient (and relevant) expertise on both the challenges facing the youth justice system and the broader determinants around youth justice. • The right level of technical expertise to provide youth justice services, with support on their performance and to drive continuous improvement of services. • Being seen as the 'go-to' people in terms of expertise and knowledge of the system. • Technical expertise should be used in an agile and transparent way. |

2.17 Considering what 'good' looks like provides clear direction, reduces the risk of duplication and inefficiency and sets out a 'gold standard' for the system to work towards. This feedback has been used to inform the recommendations I have made.

Consideration of functions

Monitoring versus continuous improvement and best practice

- 2.18 Under the Crime and Disorder Act 1998, the YJB has a statutory responsibility to ‘monitor the operation of the youth justice system and the provision of youth justice services’. This is the primary function of the YJB.
- 2.19 The YJB fulfils this function through its data collation, the use of key performance indicators (KPIs) and qualitative data, and the implementation of its performance oversight framework (see section 5 on data and performance for further information).
- 2.20 While this function is being performed, there was concern from stakeholders around the framing of this. Feedback highlighted that the term ‘monitoring’ conjures a narrow and ‘top-down’ approach. In addition, it is passive, and stakeholders felt that more proactive language would be helpful in driving change across the system and its multi-agency partnerships. A survey of youth justice services found they recognise the benefits of working with the YJB in improving practice.
- 2.21 Monitoring is very much focused on observing what is currently happening and does not set out a clear path for action. This can lead to stagnation, duplication and inefficiencies. Some stakeholders also noted that the term ‘monitoring’ places the YJB into a similar space as inspectorates such as HMIP, which can lead to confusion for youth justice services.
- 2.22 From my professional experience, I would agree with another area of feedback which underlined a desire for an independent body in this space to be more closely aligned to the sector, to gain greater understanding of the landscape, to be able to identify and drive effective practice, be live to the issues within the system and be able to flag and articulate these in a timely fashion. The foundations of continuous improvement are built on technical expertise, supported by a strong evidence base that identifies best practice, cuts costs and improves resource allocation. It presents a more proactive approach that focuses on seeking out opportunities for better practice and makes iterative changes to processes, guidance and services. It also places emphasis on longer-term strategic thinking, and empowers frontline services, charities and other users of a service to participate in the decision-making process, contribute ideas and improvement and foster a collective sense of responsibility. Continuous improvement develops a clear vision to work towards, something that stakeholder feedback and my assessment has found lacking across the youth justice system at present.

- 2.23 While a role for the YJB in promoting continuous improvement can be inferred from its other functions (e.g. ‘providing advice for the Secretary of State on the performance of the youth justice system and how it can be improved’), I think that there is a benefit for both the YJB and service delivery in clarifying this further and putting continuous improvement of the youth justice system front and centre of the functions of the YJB, to set a clear vision. I therefore recommend changing the language relating to ‘monitoring the operation of the youth justice system’ to ‘promoting and driving continuous improvement across the youth justice system’. There is symbolic significance in changing the first statutory function to a more proactive approach that empowers end users and focuses on continuous improvement. It also acts as a ‘golden thread’ that runs through other functions (e.g. promoting best practice and using data effectively to share advice).

Recommendation 1:

MOJ’s Youth Justice Policy Unit (YJPU), in consultation with the YJB, should seek secondary legislation to amend the YJB’s function to ‘monitor the operation of the youth justice system’ to ‘to promote and drive continuous improvement across the youth justice system’.

Timing: Within 12 months.

Outcome: An approach that puts continuous improvement at the heart of the statutory functions, providing a clear vision for the system that focuses on efficiency and driving informed improvement across multi-agency partnerships.

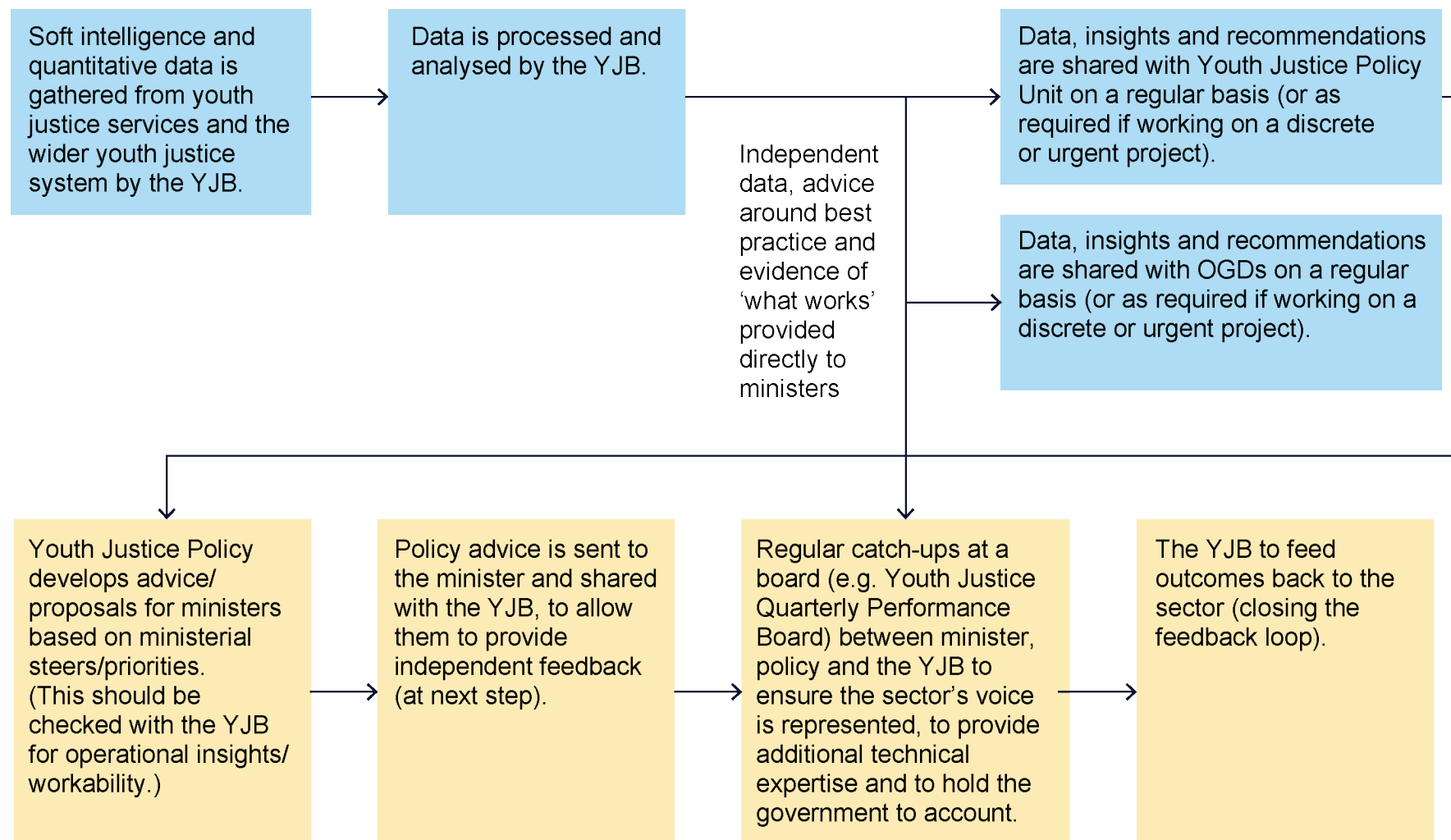
Advice

- 2.24 The YJB has a statutory responsibility to advise the Secretary of State for Justice on the performance of the youth justice system and how it might be improved.
- 2.25 Stakeholder feedback underlined the importance of independent, evidence-based advice being shared with MOJ and, especially, other government departments to:
- provide politically impartial evidence around ‘what works’ for the youth justice system
 - hold government to account and provide independent and external challenge to government policy making (due to the perceived political nature of youth justice)
 - share and drive-up best practice
- 2.26 Stakeholders noted that a public body in this space should have technical expertise on the youth justice system and would make it best placed to understand and communicate the challenges faced by the system. Further, an independent body within the system has flexibility and can provide evidence, data and advice in a

factual way that is not tied to political sensitivities or differing priorities for government departments.

- 2.27 In terms of the mechanism for providing this advice, stakeholder feedback highlighted confusion over roles and responsibilities when it came to advising ministers. Stakeholders felt unclear as to who provides advice to ministers, how this advice is presented and whether this came from the YJB, YJPU in MOJ, or policy units in other government departments.
- 2.28 In addition, this review found there was confusion around the role that the YJB has been asked to play in terms of advice in the past. At times it has been asked to provide policy options, and on other occasions it was noted that the role of policy development should sit with MOJ's YJPU. This lack of clarity has led to an inconsistent approach, duplication and overlap between MOJ's YJPU and the YJB. In my view, clearer remits would avoid duplication, remove confusion for the sector and deliver a more efficient system. See diagram 1 below.

Diagram 1: The proposed ‘flow of advice’ from the YJB for instances where sector input is provided



- 2.29 It is important to note that there is a distinction between the YJB's ability to independently advise ministers on how to support an aim or improvement in the system from an operational perspective (e.g. addressing knife crime), and the policy team (following direction from the minister) drawing on the YJB's expertise and advice to scope options for policy to implement. As such, the role of policy making, as opposed to advice, sits with MOJ's YJPU. However, the YJB and MOJ YJPU need to adhere to their respective remits (as outlined) and work in a joined-up way to prevent duplication and deliver more efficient outcomes for the system. While ministers are not compelled to act on information provided by an independent public body, it is important that there is a direct link from an independent public body to ministers to flag areas of concern – and vice versa. Similarly, it is important for ministers to carefully consider advice provided by an independent public body (with the relevant technical expertise) to make informed decisions on improvements and changes to the system.
- 2.30 In addition, stakeholder feedback and my experience working in the sector has highlighted the need for the YJB to have a clear voice on areas that affect youth justice such as policing procedures, or the impact of health policies on improving children's mental health in so far as it affects their risk of offending, or school exclusions etc. As highlighted at paragraph 2.13, if it is accepted that a broader definition of youth justice is applicable, this underlines the importance of a multi-agency approach to tackling the issues facing youth justice. Given the number of departments and agencies that are involved in the delivery of youth justice (and that are linked to the wider determinants of youth offending) it is critical that a credible independent body in this space provides data and advice to other government departments around: 'what works', how the system is performing, and any trends or concerns at both the regional and national level. It is important that this should also encompass a broader set of ministers and policy makers in other government departments.
- 2.31 If the YJB is to facilitate discussion and advice around a broader approach to youth justice, it needs to engage effectively with other government departments. During the review's engagement, stakeholders highlighted elements of the YJB's work such as the 'child first' principles and evidence framework that it has promoted through youth justice services. Such an approach may well be laudable, but it is also easily misunderstood and misused. The review found little evidence that other government departments had been engaged on the development of this approach and the potential consequences of adopting this for delivery services (whether police, local authority social care services or health services). This cross-government perspective should be at the core of the YJBs functions.

- 2.32 I have given consideration to the issue of whether MOJ continues to be the best government department to oversee youth justice. There is an argument (with some merit) that the department that has most oversight of policy with regards to children and young people is DfE and that this department could act as the sponsor for a revised YJB. However, there remains the unavoidable issue that the primary statutory focus of the work being carried out is undoubtedly criminal justice.¹⁸ Accepting that children and young people will continue to be dealt with under the existing criminal justice system means that there will continue to be a need for a cross-government approach that encompasses both justice and child-focused policy.
- 2.33 The sponsoring department ought to have a mechanism to build bridges with the other relevant government departments (and this will mean not just DfE but also Home Office with regards to policing policy and children and young people, Department for Health and Social Care with regards to mental health youth policy etc). This should be precisely the space in which the YJB operates, acting as both a conduit for inter-departmental discussion and advice with regards to youth justice in its broadest sense, and also as a source of trusted advice across government departments. On balance, my view is that the sponsoring department should not change at this point but should be kept under close review given the developments in diversion from the youth justice system that are proving effective thus far.

Recommendation 2:

The roles of the YJB and MOJ's policy team should be clearly defined as per Diagram 1, in summary:

The YJB's role is to share data, insights and trends and to continue to independently advise ministers.

MOJ's policy team's role is to provide impartial advice to the Minister for Youth Justice, and to draw on the YJB's independent expertise to set out systems, strategies or options for policy to implement. This should be achieved by closer and more open, joint working between policy and the YJB.

Timing: Following the publication of this review/within 6 months

Outcome: Clear and shared understanding of the respective roles and responsibilities of the YJB and MOJ's YJPU in delivering ministerial priorities, reducing the risk of overlap/duplication across areas of work and creating a more efficient system.

¹⁸ Consideration would also need to be given to Wales and the increased complexities of this arrangement given that responsibility for education is devolved to the Welsh Government.

Grants

- 2.34 The YJB also has a statutory responsibility, with the approval of the Secretary of State, to make grants to local authorities for the purposes of the operation of the youth justice system and the provision of youth justice services.
- 2.35 MOJ's funding, provided via the YJB, for youth justice services makes up, on average, just under a third of the total funding that youth justice services receive.¹⁹ The rest of their funding is provided by local authorities and partner agencies. This money is allocated to the YJB via a grant provided by MOJ. The YJB then has responsibility for distributing this funding to youth justice services based on a grant funding formula. The current funding formula has not been revised for several years, and I would support exploration of alternative models for this formula being undertaken by MOJ's YJPU and the YJB. This grant must be spent on the delivery of youth justice services, but how it is spent within that constraint is at the discretion (broadly speaking) of each youth justice service. Consequently, youth justice services can spend this money to address specific local needs. The rest of youth justice services' funding is provided by local authorities (mainly), and partner agencies (e.g. police, probation and health services) who also set out youth justice service priorities in their area. These priorities are based on local need and outlined in services' annual youth justice plans, which youth justice services must produce, as a condition of the grant.²⁰
- 2.36 Stakeholder feedback around the distribution of the grant from MOJ (via the YJB) highlighted:
- dissatisfaction with the core grant being used to 'prop up' youth justice services due to other partner agencies stepping away or reducing their contributions to services
 - the importance of the grant as a 'lever' to hold local services to account and drive performance
 - concerns around the timeliness of grant allocations to youth justice services and the reporting burden associated with the grant
 - some confusion around certain youth justice services receiving funding streams for specific programmes such as 'Turnaround' from MOJ separately from the YJB, which adds to frontline services' perceived reporting burden²¹

¹⁹ To note, the exact amount of funding each youth justice service receives varies significantly between services.

²⁰ GOV.UK, 'Youth justice plans: guidance for youth justice services', available at: <https://www.gov.uk/government/publications/youth-justice-plans-guidance-for-youth-justice-services/youth-justice-plans-guidance-for-youth-justice-services>

²¹ Turnaround (<https://www.gov.uk/guidance/turnaround-programme>) is a youth early intervention programme led by Ministry of Justice. It is a c.£71 million programme providing multi-year funding to

- 2.37 The YJB does not have the final say on the process for the grant allocations from MOJ, but it is responsible for its distribution to youth justice services. Some stakeholders are of the view that the grant function should be moved to MOJ as the existing systems have been viewed as being cumbersome and the final allocation should be subject to political oversight and sign off. As outlined at section 3 on public body classification, from the evidence I have seen it is unclear that moving this function to MOJ would bring significant benefits or efficiencies (there are 3 people overseeing this function in the YJB).
- 2.38 However, if it is accepted that the YJB should have a broader role in the oversight and improvement of the youth justice system, then it is logical that grant-making processes should sit with the body that is charged to carry out that improvement. It has been flagged that the grant is one of the few existing 'levers' within the system. My view is that the grant is an effective way to lever change, ensure best practice, promote innovation and clearly set out how it delivers value for money. If the grant function is to remain with the YJB, it needs to be more robust in the conditions/requirements of the allocation to youth justice services and clearly articulate to the department how it is ensuring value for money. This should be implemented in a way that does not increase the reporting burden on youth justice services.
- 2.39 It has been reported that there are challenges in effectively using the grant as a lever. This is because over the years NHS, Probation Service, local authorities and the police have reduced their contributions to youth justice services. Neither the YJB, government departments or partner agencies have been able to effectively tackle this in any way which has, in turn, led to the MOJ grant being used to prop up services. One key to unlocking this is a stronger ability by the YJB to address this at a national level through increased political accountability for the agencies concerned. This could be enabled by amending the current statutory function around grants to include a section to 'advise relevant ministers across departments of the fulfilment of partner agencies' statutory duties and financial commitment to the youth justice system'. This will drive efficiency through the system by ensuring statutory partners fulfil their responsibilities around funding arrangements, and ensure the grant given to youth justice services can be used for its original purpose, that is, to develop best practice and pilot new and innovative approaches.
- 2.40 I would welcome work by MOJ's YJPU and the YJB to consider multi-year funding to youth justice services and consider a revision of the youth justice funding formula. Any future revisions to the funding formula and multi-year funding should take place in consultation with the YJB to ensure that it is future proofed, has clear

youth justice services across England and Wales until March 2026, enabling them to intervene earlier and improve outcomes for children on the cusp of entering the youth justice system.

and concise reporting criteria, and reduces inefficiency by avoiding multiple funding streams from different parts of the department.

Recommendation 3:

YJPU, in consultation with the YJB, should seek secondary legislation to amend the YJB's current function relating to grants to include a section on 'advising relevant ministers across departments of the fulfilment of partner agencies statutory duties and financial commitment to the youth justice system'.

Timing: Within 12 months.

Outcome: To provide greater transparency and accountability and ensure statutory partners fulfil their responsibilities around funding arrangements. This will ensure the grant given to youth justice services can be used for its original purpose, that is, to develop best practice and pilot new and innovative approaches.

Recommendation 4:

MOJ's YJPU and the YJB to consider submitting advice to ministers on the potential for multi-year funding to youth justice services and consider a revision of the youth justice funding formula. This should be undertaken in consultation with the YJB to ensure that any revised formula is future-proofed, has clear and concise reporting criteria and reduces inefficiency by avoiding multiple funding streams from different parts of the department.

Timing: 12–18 months

Outcome: To create a more efficient funding mechanism for youth justice services.

Recommendation 5:

The YJB should work to develop the grant conditions for allocations to youth justice services to ensure that conditions lever change, enable best practice and drive innovation. This should be shared and discussed with the relevant MOJ functions. The YJB should also clearly articulate to the department how it is monitoring the grant and the level of partner agencies' financial contributions to ensure value for money.

Timing: 12 months

Outcome: Greater accountability for public money and increased transparency.

Custody

- 2.41 As outlined at paragraph 1.2, in 2017 the YJB's functions were split, resulting in responsibility for commissioning functions relating to the youth secure estate passing into MOJ's Commissioning Directorate. Provision for this also moved to the newly formed YCS through a memorandum of understanding. YCS now has responsibility for the operational running of public sector sites across the youth secure estate (apart from local authority secure children's homes, but it does manage the contracts with the local authorities), for children and young people between the ages of 10–17 across England and Wales. YCS also has responsibility for purchasing placements and the contractual management of private sector sites, as well as placing children and young people who are remanded or sentenced to custody.
- 2.42 This shift marked a change in the operation of the YJB as an organisation. Stakeholders noted that following the separation of custodial functions from the YJB, it has been less 'vocal' around the treatment and conditions of children and young people in custody, and less 'involved' in issues to do with youth custody. Many stakeholders felt that there should be a role for the YJB in articulating and advocating around the impact of custody on children and young people, and their risk of reoffending.
- 2.43 However, certain stakeholders (predominantly those working in youth custody) noted that youth custody already receives a lot of scrutiny from MOJ as a department, various inspectorates (such as Ofsted, HMI Prisons, Care Quality Commission, Estyn and Care Inspectorate Wales), and the third sector. It was noted that scrutiny of youth custody is a 'crowded' space and some felt unclear on what benefits another voice would bring. There has also been some important work carried out by the Children's Commissioner, giving a voice to children in custody.
- 2.44 I do, however, feel there is a role for the YJB to play here. If the role of the YJB is to provide oversight of the system (a proposed broader definition of the system is set out at paragraph 2.13) then youth custody must also be factored into these considerations to ensure that the system is working together effectively and aligning with its overall aim, that is, to prevent offending (and, more broadly, to reduce the risk of reoffending). This oversight should work to identify systemic issues across both community and custodial settings, promote continuous improvement, and promote a coordinated approach across youth justice. If we take this view of the YJB's role as encompassing the whole system, then this should enable them to advise ministers on the effectiveness of custodial remands and sentences, and the interface between custody and resettlement in the community. However, it is important that this role avoids overlap with other areas (such as the role of inspectorates) to reduce duplication.

- 2.45 This review also provides a helpful opportunity to transfer these functions to YCS officially if secondary legislation is used to amend other statutory functions as set out above.

Recommendation 6:

MOJ's YJPU, in consultation with the YJB, should take this opportunity to amend legislation to reflect the functions of the YJB as they stand and formally transfer those relating to custody to YCS.

Timing: Within 12 months.

Outcome: Clarity of roles and functions between YCS, the YJB and MOJ's YJPU.

Use of data and IT

- 2.46 The YJB's statistics and analysis team is responsible for collecting data from youth justice services and ensuring that the data reporting requirements set mean that they are receiving and analysing good quality data. Given that the youth justice services do not use a single case management system (CMS) – there are four different systems in use – this is a complex and technical process. It involves the YJB setting out the requirements for data collection to local authorities, who then commission the CMS providers, so that the necessary system updates can be made and they can access the data required from youth justice services for the next reporting year. Further information around the YJB's use of data (and recommendations linked to this) can be found at section 5 on performance and data.
- 2.47 The YJB also has responsibility for providing assistance to local authorities and other persons in connection with digital services and equipment. As part of this, the YJB pays for, and maintains, AssetPlus, the Youth Justice Application Framework (YJAF), and the Prevention and Diversion Assessment Tool.²²
- 2.48 Stakeholder feedback on IT noted that the current systems (AssetPlus and YJAF) are frustrating to use, often involve 'double keying' of information, and do not speak to other systems used by local authorities, e.g. data recording programmes for

²² AssetPlus is an assessment and planning interventions framework designed to provide a holistic end-to-end assessment and intervention plan, allowing one record to follow a child or young person throughout their time in the youth justice system.

YJAF is an online platform for use exclusively by youth justice services and the secure estate to communicate effectively (including sharing AssetPlus, case diary entries etc) and to download formal documents and templates.

Youth Justice Resource Hub, 'YJB's Prevention and Diversion Assessment Tool (PDAT)', available at: <https://yjresourcehub.uk/prevention-and-diversion-assessment-tool/>

children's services.²³ In addition, the YJB itself has highlighted that the current IT system now requires significant annual investment and development to maintain and for them to be able to deliver their statutory function to obtain information from relevant authorities.

- 2.49 Given the proportion of work that youth justice services undertake in prevention and diversion, they need to be able to use systems and access data in all elements of a child's life, outside of their involvement in justice system and more aligned to the CMS used by local authorities.
- 2.50 There is recognition that the current IT set up is not efficient and could deliver much better value for money. Work has been undertaken by the YJB and YCS to develop a statement of need for a reformed youth justice IT system that reduces the administrative burden for frontline staff, acts as a single system for a child, extracts information quickly and easily, and facilitates sharing of information between youth justice practitioners. However, it should be noted that overhauling the current IT system would come at a cost and any new system would take time to embed.
- 2.51 IT is one of the YJB's highest areas of spend as an organisation. There is potential for scoping for efficiencies by the YJB continuing to work closely with Justice Digital, DfE, or through closer collaboration with local authorities to identify ways to streamline systems, e.g. through greater automation or incorporating youth justice service requirements. Further information on this can be found in the section on efficiencies on page 55.

Wales

- 2.52 There are 17 youth justice services in Wales made up of multi-agency partnerships (that is, police, probation, education, health, housing and social services). However, there are several differences, and additional complexities, relating to the delivery landscape in Wales. While the UK government has responsibility for youth justice, many services for children in Wales (e.g. education, health and social services) have been devolved to the Welsh Government. This adds complexity to the delivery of youth justice services.
- 2.53 The YJB has a dedicated Wales team which has oversight of the system in Wales as youth justice is delivered in collaboration with devolved and non-devolved services. This team uses its technical expertise to reflect the differing circumstances for both children and youth justice services in Wales, the diverse delivery landscape, and engage in cross-organisational work. In addition to this, the YJB also has a dedicated board member for Wales to ensure the board considers the

²³ Double keying refers to an instance where two independent data entry operators input the same data.

Welsh context. Although the YJB has no statutory function to provide advice to the Welsh Government, the YJB has a long-standing relationship with the Welsh Government, formalised through governance processes such as the Wales Youth Justice Advisory Panel (WYJAP), co-chaired by a YJB board member for Wales, and through its contribution to projects such as the Youth Justice Blueprint for Wales.²⁴ It was noted that, as Wales makes up a smaller proportion of the justice system, there can be instances where policy and practice can be England-centric, which can further complicate this landscape. It is therefore important for the YJB to have a proportionate role in Wales so that it can advise UK government ministers on the delivery landscape in Wales and the impact that potential approaches may have in reserved matters (and vice versa).

- 2.54 I am conscious that the government has a manifesto commitment to work with the Welsh Government to consider the devolution of youth justice to Wales, and that no final decisions have been made. I feel there is still a role for an independent body with technical expertise to play in delivering the statutory functions outlined above. This includes driving continuous improvement across Wales and in holding statutory partners to account. However, should discussions around devolution develop, there should be work undertaken by the Welsh Government, the YJB, MOJ YJPU and MOJ's Public Bodies Centre of Expertise Partnership Team to consider how the YJB's functions would best support a devolved model of youth justice.

Revised statutory functions

- 2.55 The changes outlined above, in addition to the 'tidying up' of historical duties relating to custody, could give the YJB a revised set of statutory functions as follows with changes shown in square brackets:
- A. **[to promote and drive continuous improvement across the youth justice system]**
 - B. to advise the Secretary of State on the performance of the youth justice system and how it might be improved
 - C. to monitor the extent to which that aim is being achieved and any such standards met
 - D. for the purposes of (a), (b) and (c), to obtain information from relevant authorities
 - E. to publish information so obtained
 - F. to identify, to make known and to promote good practice
 - G. to commission research in connection with such practice

²⁴ This aimed to bring together senior government officials and stakeholders to form a project board to develop and enhance the youth justice system in Wales: 'Youth Justice Blueprint for Wales', available at: https://www.gov.wales/sites/default/files/publications/2019-05/youth-justice-blueprint_0.pdf

- H. with the approval of the Secretary of State, to make grants to local authorities and others and **[advise relevant ministers across departments of the fulfilment of partner agencies' statutory duties and financial commitment to the youth justice system]**
- I. to provide assistance to local authorities and other persons in connection with information technology systems and equipment used or to be used for the purposes of the operation of the youth justice system and the provision of youth justice services

3. Consideration of public body classification

- 3.1 Following on from the assessment of the YJB's functions, the review explored the current public body classification for the YJB and assessed whether this continues to be the most appropriate model.²⁵ It looked at and tested the rationale and ongoing justification for retaining the YJB as a NDPB. To do this it considered the extent to which the YJB's functions continue to meet the 'three tests' for a public body:²⁶
- A. Is this a technical function, which needs external expertise to deliver?
 - B. Is this a function which needs to be, and be seen to be, delivered with absolute political impartiality?
 - C. Is this a function that needs to be delivered independently of ministers to establish facts and/or figures with integrity?
- 3.2 The review assessed whether the YJB is operating at an appropriate 'arm's length' to ensure the right balance between alignment with government priorities and any need for technical expertise or impartiality. The review also explored alternative delivery models in line with CO guidance on the classification of public bodies.

Stakeholder feedback

- 3.3 While stakeholders did not have specific views on which public body classification would be most appropriate to deliver the statutory functions, there was strong consensus that an organisation independent from government is needed, and its form should support this independence.²⁷ Stakeholders noted that youth justice can be both emotive and political and, as such, there needs to be a robust body (with technical expertise) that works closely with frontline services beyond electoral cycles, looks at current issues facing youth justice in the round and can then advise government according to the evidence. There was an opinion that a statutory footing for an independent body in this space is important, and an independent

²⁵ Cabinet Office, 'Public Bodies Handbook – Part 1. Classification Of Public Bodies: Guidance for Departments', available at: <https://assets.publishing.service.gov.uk/media/5a74d700e5274a59fa715592/Classification-of-Public-Bodies-Guidance-for-Departments.pdf>

²⁶ Guidance on the three tests can be found at 'Requirements for Reviews of Public Bodies - GOV.UK', available at: <https://www.gov.uk/government/publications/public-bodies-review-programme/requirements-for-reviews-of-public-bodies>

²⁷ As set out under s.41 of the Crime and Disorder Act (1998).

body is needed to clearly advocate and advise across the youth justice system, provide an evidence-based approach around 'what works', and provide consistent, long-term advice that emphasises the long-established need to treat children and young people in the youth justice system in accordance with their age, understanding and what works to prevent offending and reduce the risk of reoffending.

- 3.4 There was some feedback that highlighted that the YJB offers a depth of practice experience and an appetite for risk not seen in the Civil Service which is linked to it being independent. It can communicate messages about the needs and rights of children that focus on the evidence base, as opposed to political factors and considerations.
- 3.5 There was also feedback that the YJB's form should be independent of government so it can identify risks that may result from departmental policies and actions, inform the department where a specific action would have a particular consequence, and hold government in the broadest sense to account on 'what works' in youth justice.
- 3.6 However, I agree with the view of some stakeholders who commented that the advocacy that should be being provided by an independent body is not always being carried out to the standard expected or as required. Children and young people in the youth justice system, although they will have acted in ways that may have caused harm to individuals and communities, are undoubtedly some of the most vulnerable and excluded children and young people from our society. The system that is designed to help and steer them away from crime needs the highest levels of leadership and oversight. The YJB has historically carried out its role well and has delivered many benefits for which we should be grateful (we have many fewer children in custody and who are offending). However, we cannot be complacent and the feedback from stakeholders was clear that the YJB should be doing more to promote 'what works' with children and young people in the youth justice system, and that the YJB could act as a more vocal advocate around the challenges faced by both children and young people in the system and youth justice services. It could also do more to robustly hold statutory partners to account and promote a joined-up approach to youth justice across England and Wales at both a local and national level.

The form of the YJB

- 3.7 When I refer to the ‘form’ of the YJB, I mean its public body classification, that is, the delivery model in which it is legally set up to deliver its functions.
- 3.8 The form of the YJB needs to support the delivery of the refined and clarified functions. This form should support its ability to influence and provide evidence-based advice across government, bolstering a multi-agency approach that delivers and enhances the work of local youth justice services.
- 3.9 The review considered potential forms for the YJB and whether it is still best constituted as an NDPB (its current form). A decision tree mapping exercise (see Annex C) looked at whether the YJB’s revised functions would now be better delivered through a different delivery model. Forms considered included: an executive agency, expert committee, statutory officer holder, and bringing functions within government, among others.
- 3.10 Each potential form was queried, considering the benefits and restrictions of each, noting some forms are not suitable given the YJB’s role or what the review determined it should be doing in the future. Table 2 outlines the most viable forms considered.

Table 2: Consideration of alternative forms

| Form | Appropriate? | Comments/considerations |
|---|--------------|--|
| Non-departmental public body (NDPB) (current form) | Yes | Advantages: <ul style="list-style-type: none"> One of the most flexible forms for a public body (as outlined by the National Audit Office (NAO) and in Managing Public Money).²⁸ As outlined by CO guidance, NDPBs are not tied to government departments but can still operate across the systems, e.g. the youth justice system, to better facilitate a multi-agency approach.²⁹ The importance |

²⁸ NAO, ‘[Central oversight of arm’s-length bodies](https://www.nao.org.uk/reports/central-oversight-of-arms-length-bodies/?nab=2)’, available at: <https://www.nao.org.uk/reports/central-oversight-of-arms-length-bodies/?nab=2>. In this context public bodies refer to executive agencies, non-departmental public bodies and non-ministerial departments. Other forms (e.g. expert committees) are classified as non-ALB ministerial entities.

HM Treasury, ‘[Managing Public Money](https://assets.publishing.service.gov.uk/media/684ae4c6f7c9feb9b0413804/Managing_Public_Money.pdf)’, June 2025, p.200. Available at:

https://assets.publishing.service.gov.uk/media/684ae4c6f7c9feb9b0413804/Managing_Public_Money.pdf

²⁹ Cabinet Office, ‘[Public Bodies Handbook – Part 1. Classification Of Public Bodies: Guidance for Departments](https://assets.publishing.service.gov.uk/media/5a74d700e5274a59fa715592/Classification-of-Public-Bodies-Guidance-for-Departments.pdf)’, available at: <https://assets.publishing.service.gov.uk/media/5a74d700e5274a59fa715592/Classification-of-Public-Bodies-Guidance-for-Departments.pdf>

| Form | Appropriate? | Comments/considerations |
|--|--------------|---|
| | | <p>of promoting a multi-agency approach by individuals with technical expertise was highlighted repeatedly by stakeholders.</p> <ul style="list-style-type: none"> • Added layer of trust as an independent advocate. • If retained in its current form, no primary legislation required. • Make-up of the board model can reflect diversity of the system and its statutory partners. <p>Disadvantages:</p> <ul style="list-style-type: none"> • This form can create bureaucracy (but this is arguably a 'necessary evil' to evidence value for money). • Flexibility of the form can lead to a lack of clarity if functions and expectations are not clearly defined. For the body to operate effectively and with the most impact it requires the right expertise and clarity of vision. |
| <p>Move to an existing team within MOJ or another government department</p> | <p>Yes</p> | <p>Advantages:</p> <ul style="list-style-type: none"> • Would provide more direct control from the department over elements of the youth justice system and promote clearer democratic accountability. • There could be more ready access to data/information than at present. <p>Disadvantages:</p> <ul style="list-style-type: none"> • It is accepted that children and young people should be treated differently within the criminal justice system. An essential part of this is a multi-agency approach to service delivery, which recognises the complexities of their needs. This requires statutory multi-agency partnership governance at the local level. It would be illogical, retrograde and potentially damaging to service delivery to have a single government department with oversight of these multi-agency, multi-professional arrangements. • Would not be independent from government, which goes against the significance of this flagged by stakeholders. |

| Form | Appropriate? | Comments/considerations |
|------|--------------|--|
| | | <ul style="list-style-type: none"> • Would require a large change programme to remove functions from the YJB and move things into MOJ. This would need to account for considerations such as staffing (outlined below) and additional costs to move elements 'in house'. It is unclear that this move would deliver significant cost benefits and may be badged as 'reinventing the wheel'. • Unclear which team would have the level of technical expertise required to carry out all statutory functions without moving public servants across from the YJB into the Civil Service via TUPE or COSOP arrangements. Bringing functions in house by transferring people via TUPE or COSOP would bring these costs into the department's budget during a challenging fiscal period. There would also be the loss of the experience and expertise of board members. • Would require disaggregation of functions across different areas which carries inherent risks (e.g. impacts agility, delivery) and may lead to duplication and increased bureaucracy. Disaggregated functions would create greater challenges in delivering a multi-agency approach. • If the YJB is abolished and all functions are removed, primary legislation would be required, which is costly and labour intensive. • Transferring multiple functions could be seen as contentious as it removes a form of external oversight from the system. • An influential and vocal chair may be considered to have more 'political capital' than those inside the Civil Service. Independent political capital allows for more diverse viewpoints and independent checks and balances. • More chance of youth justice being used as a 'political pawn'. |

| Form | Appropriate? | Comments/considerations |
|------------------|--------------|---|
| Expert committee | Yes | <p>Advantages:</p> <ul style="list-style-type: none"> • Would allow for independent expertise that is more reflective of current statutory partnerships. • Smaller and arguably more agile. • Independent advocate representing the needs of children and young people. <p>Disadvantages:</p> <ul style="list-style-type: none"> • Does not operate at arms-length from ministers, which was a benefit flagged by stakeholders. • It would require functions to be disaggregated across areas, which impacts agility, transparency and clarity, delivery, and may lead to duplication and increased bureaucracy. Disaggregated functions would create greater challenges in delivering a multi-agency approach. • As outlined in CO guidance, expert committees are not subject to the same levels of review and scrutiny as other forms, e.g. NDPBs.³⁰ Expert committees typically deal with low volumes of advice where there is negligible reputational or operational risk.³¹ • It would be unusual for an expert committee to have a separate legal personality, the level of statutory responsibility as set out under the YJB's functions and the level of funding it gives as a grant. • An expert committee is set up to deliver advice and is focused more on the delivery of advice than on performing additional statutory functions. • A smaller organisation such as an expert committee may struggle to have as much in-depth knowledge across an area as broad as the youth justice system. • Requires primary legislation which is relatively costly and labour intensive. |

³⁰ Cabinet Office, 'Public Bodies Handbook – Part 1. Classification Of Public Bodies: Guidance for Departments', p.20. Available at: https://assets.publishing.service.gov.uk/media/5a74d700e5274a59fa715592/Classification-of-Public_Bodies-Guidance-for-Departments.pdf

³¹ Cabinet Office, 'Public Bodies Handbook – Part 1. Classification Of Public Bodies: Guidance for Departments', p.41. Available at:

| Form | Appropriate? | Comments/considerations |
|---|--------------|---|
| Statutory office holder, e.g. Youth Justice Commissioner | Yes | <p>Advantages:</p> <ul style="list-style-type: none"> • Provides one clear voice for issues across the sector. • Independent advocate. <p>Disadvantages:</p> <ul style="list-style-type: none"> • A single statutory office holder cannot reflect the diversity of the system in its makeup (unlike a board). • Does not operate at arms-length from ministers, which goes against the necessity flagged by stakeholders. • Will be very small with a limited capacity. • Could be seen as another spectator as opposed to a driver of change in an already crowded space. • Would require an individual who is authoritative across all areas of youth justice (e.g. health, policing, education, prevention work, local authority systems), which is rare. • Requires primary legislation, which is costly and labour intensive. • Would require functions to be disaggregated across areas, which impacts agility, transparency and clarity, delivery, and may lead to duplication and increased bureaucracy. |

3.11 In addition to Table 2, other forms of public body classification were considered (see Annex C on decision tree mapping). However, these were not seen as viable alternatives for the YJB's statutory functions.

3.12 To effectively deliver the revised functions I have proposed, I believe a NDPB remains the most suitable delivery model. Although there are other options that could be feasible, they do not have as many merits as a NDPB. My view is that changes to the current form of NDPB would be risky, requiring high costs and levels of change when there is no certainty that these functions would be better delivered by an alternative mechanism (such as bringing the functions back into MOJ, which would either increase the Civil Service head count or redundancies that would come at a high cost). In addition, this would require disaggregation of the YJB's statutory functions across areas, which leads to a less agile, more complex, and less

transparent delivery mechanism for something that may not return significant investment. This would create confusion rather than greater clarity in the youth justice sector. There is also a need to consider the technical expertise required for several of the functions carried out by the YJB, alongside stakeholder feedback around the importance of an independent advocate in this space. As outlined in *Managing Public Money*, ‘the form and structure of the NDPB is very flexible, suiting specific and technical functions’.³²

- 3.13 This model for the YJB provides the optimal mechanism for delivering the revised statutory functions. This should not be read as an unequivocal endorsement of the status quo: it isn’t. However, I believe that the evidence shows that a multi-agency approach, led by individuals with technical expertise, is key to preventing children and young people being drawn into crime and in supporting those children and young people who are within the youth justice system. I feel that this is best facilitated by an independent body that can easily interact between departments, acting as an ‘expert voice’ on ‘what works’, working in partnership with other government departments to deliver continuous improvement to frontline services.
- 3.14 There are now fewer children in custody, with increasing numbers of children dealt with by youth justice services on non-statutory caseloads.³³ I am also aware that many of these children have multiple and complex needs. This highlights to me that, while there have been successes across the youth justice system, there is still work that needs to be done to bolster the system and truly integrate a multi-agency approach, in line with the government’s missions. To achieve this I, and many of the stakeholders interviewed, agree that there needs to remain an independent voice for the youth justice system that uses its technical expertise to draw statutory services together, creates a more efficient system, promotes ‘what works’ and holds government to account.

Recommendation 7:

The YJB should remain in its current form as a non-departmental public body (NDPB).

Timing: N/A

Outcome: Alongside the recommendations made in this report, this form allows for the YJB to be influential across government in preventing children and young people being drawn into crime and in supporting those children and young people who are within the youth justice system.

³² HM Treasury, ‘[Managing Public Money](https://assets.publishing.service.gov.uk/media/684ae4c6f7c9feb9b0413804/Managing_Public_Money.pdf)’, June 2025, p.257. Available at: https://assets.publishing.service.gov.uk/media/684ae4c6f7c9feb9b0413804/Managing_Public_Money.pdf

³³ In the year ending March 2024, there was an average of 430 children in custody; this is compared to 2009/10 where there was an average of 2,418 young people in custody at any one time.

4. Revised structure

- 4.1 If the above clarifications and amendments are accepted, it is important to consider whether the current internal structure of the YJB enables the functions to be effectively delivered. For clarity, I will differentiate between ‘the board’ as the group of ministerial appointees and ‘the YJB’, which is the overall organisation which includes its senior leadership group and staff who are charged with fulfilling the YJB’s overall functions.

The YJB board

- 4.2 The board of the YJB has corporate responsibility for ensuring the wider organisation fulfils its strategic objectives. Board membership (in terms of size of membership and expertise) is set out in the Crime and Disorder Act 1998, which notes the board must comprise between 10 and 12 members who are appointed by the Secretary of State. Board members shall include “persons who appear to the Secretary of State to have extensive recent experience of the youth justice system”. At the time of review, the board membership comprised the chair and nine members with experience in policing, education, the voluntary sector, youth work, the Welsh Government and criminal justice. A recent appointment has also added much needed local authority children’s services leadership experience. Any changes to the overall structure of the board would require primary legislation.
- 4.3 Stakeholder feedback on the board was varied and covered a number of issues. It was felt that the role of the board, and the levers it had to effect change, were not always clear. Stakeholders highlighted the need for a stronger strategic vision for both the board and the organisation as a whole. Linked to this, some stakeholders raised concerns that the board was too focused on keeping children out of the criminal justice system rather than in ensuring protection against the risk of reoffending. In addition, it was noted that a large amount of board members’ time is taken up by governance work as opposed to fulfilling their core purpose, namely, to drive change and improvement across the youth justice system.
- 4.4 As youth justice relies on a multi-agency approach, I am of the firm view that consideration should be given to the board being more reflective of the representatives from the YJB’s statutory partners – and stakeholders agreed. This would reflect the approach taken at the local level and underline the original, multi-agency approach that is at the heart of a successful youth justice system. Having statutory partners contribute at a board level would increase accountability for other

statutory partners and provide additional technical expertise. Consideration should also be given to good practice standards for who sits on the board (that is, the level of seniority of partners on the board) as board members should be able to communicate effectively with ministers to highlight issues across the youth justice system and set out what 'good' looks like for the system.

- 4.5 From my experience, a strong chair is essential in setting a clear vision for the organisation and outlining transparent steps around how this aim will be achieved. Feedback from stakeholders noted that the chair should be able to manage and steer the board of the YJB to avoid things becoming a 'talking shop'. It also highlighted the need for clearer lines of demarcation between the board and the chair regarding areas of responsibility and expectations. This was felt to be particularly important, given members' time constraints in undertaking their role. Some stakeholders felt that the board did not meet frequently enough, and that this posed challenges.³⁴ The board's visibility to the organisation could also be better as there was some concern noted about the understanding of the board's work within the wider YJB.
- 4.6 Potential recommendations for alternative board structures include:
1. A smaller board comprising four to five members with experience from the YJB's statutory partners and with direct lines of communication to ministers. These members would be supported by a maximum of two non-executive members. Appointment letters and terms of appointment for members would be revised to clearly set out board member activity and the board's overall objectives.
 2. A board of between six and eight members made up of subject matter experts supported by a number of co-opted members drawn from the YJB's statutory partners to provide additional expertise on an ad-hoc basis. Appointment letters and terms of appointment for members should be revised to clearly set out board member activity and the board's overall objectives.
 3. Continue with the current size of the board, but clearly define what board member activities should be. Appointment letters for members would be revised to clearly set out board member activity and the board's overall objectives.
 4. A board that retains its current overall size and which places emphasis on the recruitment of members with current or very recent senior leadership of roles carried out by statutory partners, that is policing, children's services, probation, NHS, a multi-academy trust or similar, and an academic from the youth justice sector. Recruitment should also consider appointing members with a proven and successful background in senior governance roles including HR, Finance, IT, and a lead member for Wales, plus an independent chair of significant standing and seniority. Appointment letters and terms of appointment for members would

³⁴ To note, the board held four board meetings and two workshops in 2024/25.

be revised to clearly set out: board member activity, their role in promoting good governance, their role in driving forward system improvement, and the board's overall objectives.

- 4.7 On balance, this final option is my preferred option. It would provide a golden thread of accountability and oversight between local and national partnerships, would bring real operational knowledge and experience to bear drawing on senior leadership skills, and would ensure that the importance of good governance was aligned with the strategic intent of the organisation.

Recommendation 8:

A board that retains its current overall size (10–12 members) with specific consideration given to the recruitment of members with current or very recent extensive knowledge and experience of senior leadership roles carried out by statutory partners including policing, children's services, probation, NHS, a multi-academy trust and a youth justice academic background. Recruitment should also consider appointing members with a proven and successful background in senior governance roles including HR, Finance, IT, a lead member for Wales and an independent chair with relevant skills and experience garnered at a senior level. Appointment letters and terms of appointment for members would be revised to clearly set out: board member activity, their role in promoting good governance, their role in driving forward system improvement, and the board's overall objectives.

Timing: 12–18 months

Outcome: Local and national oversight and accountability that has senior operational leadership and expertise. The YJB's governance is aligned with the strategic intent of the organisation.

The YJB's staffing

- 4.8 To support the board, the YJB's executive management (known as its senior leadership group, SLG), led by the CEO, oversees the delivery of the YJB's strategic and business plans, reviews and monitors budgets, and identifies and manages risk. Youth justice services' interface with the YJB is through the regional teams who are responsible for engaging with local services, monitoring performance and, more recently overseeing performance improvement in accordance with the new oversight framework.

- 4.9 There was considerable variation in feedback from stakeholders in terms of their interaction with the YJB. There were some views expressed that some staff, including in the SLG, have been in post for a long time, or have been drawn from backgrounds that led to them having insufficient current expertise or insight into the challenges facing the system or changes in priorities for frontline services. While I think that there may well be a place for well-qualified staff from alternative backgrounds to contribute to the effective operation of the YJB, the notion that there were some square pegs in round holes does seem to be supported by the variation in feedback received. Some youth justice service managers reported that they had limited engagement with those in the YJB that are at a more senior level and for them to engage more at a local level would be welcomed.
- 4.10 Youth justice services noted that where they had experienced and credible YJB regional managers (often drawn from the sector) these were found to be excellent and active members of the local youth justice board. They are often the first point of contact for youth justice services that were encountering issues and required advice and assistance.
- 4.11 The review identified the need to strengthen the skills and experience of regional staff who are the key to the YJB's oversight and improvement framework (see recommendation 15, page 52). To support the organisation's focus on promoting continuous improvement and promoting best practice across the youth justice system its staff, throughout the organisation, must have the most up-to-date experience and understanding of how the youth justice system works. Several stakeholders suggested that secondments from frontline staff and statutory partners would provide flexibility and benefit the development of the YJB's technical expertise and enable greater insight into the system.

Recommendation 9:

The YJB should seek inward secondments from local authority partnerships and frontline staff.

Timing: 12 months

Outcome: This will build on the YJB's technical expertise of the system, build greater flexibility and agility, ensure greater buy-in from other statutory partners, and encourage a culture of communication, innovation and a more informed approach to problem-solving. This could also generate efficiencies across the system.

- 4.12 On reviewing the structure of the YJB as an organisation it has been commented by some that the organisation is seen as 'top heavy'. Most staff are senior executive officer (SEO) grade or above, with a significant layer of grade 7 staff. The review has noted that, if greater efficiencies are required, and given the bulk of the YJB's budget is staff costs (setting aside the grant), the YJB's organisational structure may need to be reviewed. Notwithstanding any potential cost efficiencies, a review of the YJB's staffing structure would allow the organisation to become more agile and for their structure to reflect their new priorities and vision as an organisation, following implementation of the rest of the recommendations made in this report.

Recommendation 10:

The YJB should review its senior staffing structure, in line with the overall recommendations of this report, making any changes required in response to the changes recommended in this report.

Timing: Within 6 months

Outcome: A senior staffing structure, which is agile and responsive to the board's needs and delivery priorities, with minimal duplication and greater clarity of roles and responsibilities.

5. Performance, data and analysis

Overview

- 5.1 The YJB has four statutory functions focused on collating, analysing and publishing data and information to assess the performance of the youth justice system and youth justice services. This includes data and statistical analysis on the whole youth justice system, as well as KPIs and other metrics which are used to assess the performance of youth justice services. The review has looked at the efficacy of these functions and considered how the YJB itself could demonstrate their contribution to system-wide outcomes and the quality and impact of their work.
- 5.2 This section considers the YJB's external data publication, collation and analysis of KPIs, its performance oversight framework, and its use of metrics to measure its success as an organisation.

YJB data published externally

- 5.3 The YJB compiles and publishes the youth justice annual statistics for England and Wales.³⁵ They are classed as official statistics. This occurs each January, with the pack of statistics looking at the flow of children (aged 10–17) through the statutory youth justice system in England and Wales. The data is collated by the YJB from various sources including Home Office, MOJ, youth justice services and youth secure estate providers.
- 5.4 This data also provides insight into the trends of stop and searches, arrests, first time entrants, children cautioned or sentenced, proven offences, criminal history, remand, those in youth custody, and proven reoffending; and makes comparisons with the adult system.
- 5.5 At the same time as publishing the annual statistics, the YJB publish a press release, highlighting key findings and trends, with the chair providing their own assessment of the statistics.
- 5.6 In addition to the annual statistics report, the YJB has also published specific data on knife crime, ethnic disparities, stop and search and from specific pathfinder

³⁵ GOV.UK, 'Youth justice statistics: 2023 to 2024', January 2025, available at: <https://www.gov.uk/government/statistics/youth-justice-statistics-2023-to-2024>

projects. These focused data reports are often found by stakeholders to be more helpful and will go into greater detail than what is published annually.

- 5.7 Creating and publishing the annual youth justice statistics report is a significant piece of work for the YJB's statistics and analysis team, and they are required to have a technical understanding of the case management and data systems used by the youth justice services in addition to an understanding of how the youth justice system operates, given it is placed in the public domain. The YJB provides clear information on how the data is collected and analysed. This data is viewed and used by organisations, both inside and outside of government, across the youth justice sector.
- 5.8 Many stakeholders considered it to be important in providing a comprehensive overview of the whole youth justice system and noted that they will often refer to and use this published data. However, there was also feedback, from stakeholders outside of youth justice services, about the data's limitations and the need for published data to be more granular to develop insights, e.g. comparisons between local and national levels. They also noted that it would be helpful for the YJB to provide this data on a more regular basis, (e.g. monthly or quarterly). In addition, I am aware that there are other data reporting mechanisms (e.g. information on the KPIs and AssetPlus data) that will be publicly available in the future, which will provide some of this more granular information.
- 5.9 Over five years ago the YJB started to publish data from AssetPlus, the assessment tool used by all youth justice services. This was last published in 2020/21. The YJB paused this work because, at the time, its data and analysis team were not resourced to undertake this work in addition to the new (KPI) data reporting commitments. Stakeholders, particularly those in the third sector, noted that they had found the previous publications of AssetPlus data to be helpful and insightful. As part of its 2025/26 delivery plan, the YJB is committed to exploring the data, with a view to determining what can be published in the future.
- 5.10 Data is key for both national policy making and local decision making when providing the relevant services to meet the needs of children and young people, families and local communities. It is my view that the YJB needs to review the data it produces, its accessibility and usefulness, seeking on-going feedback to improve and meet the needs of services and MOJ. The YJB should work to gather, cleanse and analyse AssetPlus data to provide information and evidence to help inform how youth justice services can prioritise and make decisions about required resources and interventions. This data, coupled with the KPIs, will then provide a more detailed and frequent picture of youth justice in England and Wales, beyond that of the annual statistics.

Recommendation 11:

The YJB should seek to analyse and publish AssetPlus data. This information should then be used by MOJ's YJPU to inform policy decisions, and by youth justice services to develop greater insight into their services and improve decision making on the needs of children and young people.

Timing: Within 12–18 months

Outcome: Sharing this analysis with MOJ's YJPU and youth justice services will improve decision making and identify local and national trends that are critical in enabling effective policy making and ensuring support is targeted appropriately and delivers value for money.

Key performance indicators (KPIs)

- 5.11 There are four KPIs (first time entrants, reoffending binary rate, reoffending frequency rate and the number of children in custody) that youth justice services report on to the YJB. They are known as the 'core KPIs'. This youth data summary is shared with the services themselves and MOJ and is also used by the YJB in the performance oversight framework (paragraphs 5.18–5.30).
- 5.12 Following a consultation undertaken by MOJ's YJPU and previous ministerial direction, new KPIs were introduced in 2023. These were introduced by MOJ to enable youth justice management boards, the YJB, and MOJ to identify strengths and challenges across youth justice partnerships. These measures aim to provide intelligence across key areas to address the needs of children and young people, to prevent offending and tackle reoffending. Guidance sets out that the new KPIs should be used to: (1) facilitate partnership working and service improvements, (2) promote the sharing of best practice, and (3) identify where to target support. Initial data was submitted to the YJB in October 2023 and the first dashboard was produced the following year. The YJB states that creating and implementing the KPIs has been a complex process. In addition, the pace with which the KPIs were introduced meant that the YJB did not have the required time to test the data supplied by youth justice services and, consequently has had to do this retrospectively, which led to delays in publication. It would be remiss not to note that the new KPIs are in fact similar to numerous previous KPIs that existed prior to 2018.
- 5.13 All KPI data is available to the YJB, but youth justice services will only see their own data and are therefore unable to make any comparisons with other service areas. The YJB reports that it does not wish to share this data more widely or publish it

until it can be assured of its quality. It notes that publishing before quality is sufficient risks decisions being made based on incorrect information, which could be harmful to children and young people and lead to poor use of public funds.

- 5.14 However, the YJB recognises that it made a public commitment to publish KPI data in Spring 2025.³⁶ It will therefore publish a 'quality and transparency' report, outlining how it has only been appropriate to publish summary, but not underlying, data as part of this publication. This will also advise that the data is not suitable for decision making due to its quality limitations.
- 5.15 Stakeholders noted that the new KPIs requested by the YJB and MOJ have created an additional reporting burden for youth justice services. While it is acknowledged that these KPIs are helpful when assessing performance, youth justice services were frustrated that this data is not being published and felt there was a lack of transparency and clarity around how this data would be used by the YJB to drive benefits to frontline services. The YJB explained that it is working hard to reduce the reporting burden of the youth justice service teams, working with CMS providers to automate as much of the data gathering as possible or use existing data collections (e.g. grant audits) to avoid duplication.
- 5.16 As the new KPIs are still being developed, and have not yet been publicly reported on, this review is unable to comment on how effective these performance metrics are in: (1) facilitating partnership working and service improvements, (2) sharing best practice, and (3) identifying where to target support.
- 5.17 Given the additional reporting burden on youth justice services, the YJB should work to publish data around the new KPIs as soon as possible and ensure that this data is shared regularly with youth justice services, MOJ's YJPU and other government departments in order to inform decision making. The YJB should undertake greater engagement with the sector around how these KPIs fit with its performance oversight framework and how they will be used to enable increased accountability from statutory partners.

³⁶ GOV.UK, '[Key performance indicators for youth justice services](https://www.gov.uk/guidance/key-performance-indicators-for-youth-justice-services)', March 2023, available at: <https://www.gov.uk/guidance/key-performance-indicators-for-youth-justice-services>

Recommendation 12:

The YJB to publish data around the new KPIs as soon as possible and share the data regularly with youth justice services, MOJ's YJPU and other government departments to inform decision making. The YJB to undertake greater engagement with the sector around how these KPIs fit with its performance oversight framework and how it will be used to enable increased accountability from statutory partners.

Timing: Within 6 months

Outcome: Greater understanding from youth justice services as to the purpose of the new KPIs. Analysis of KPIs will mean that decisions made nationally and locally are responding directly to what is happening, driving up best practice, identifying areas that may require additional support (alongside other soft intelligence the YJB receives) and used to facilitate better partnership working and service improvement.

Recommendation 13:

Twelve months after the first publication of the new KPIs, the YJB and MOJ's YJPU should work together to review and assess how useful the KPIs have been in: (1) facilitating better partnership working and service improvements, (2) sharing best practice, and (3) identifying where to target support.

Timing: Within 18 months

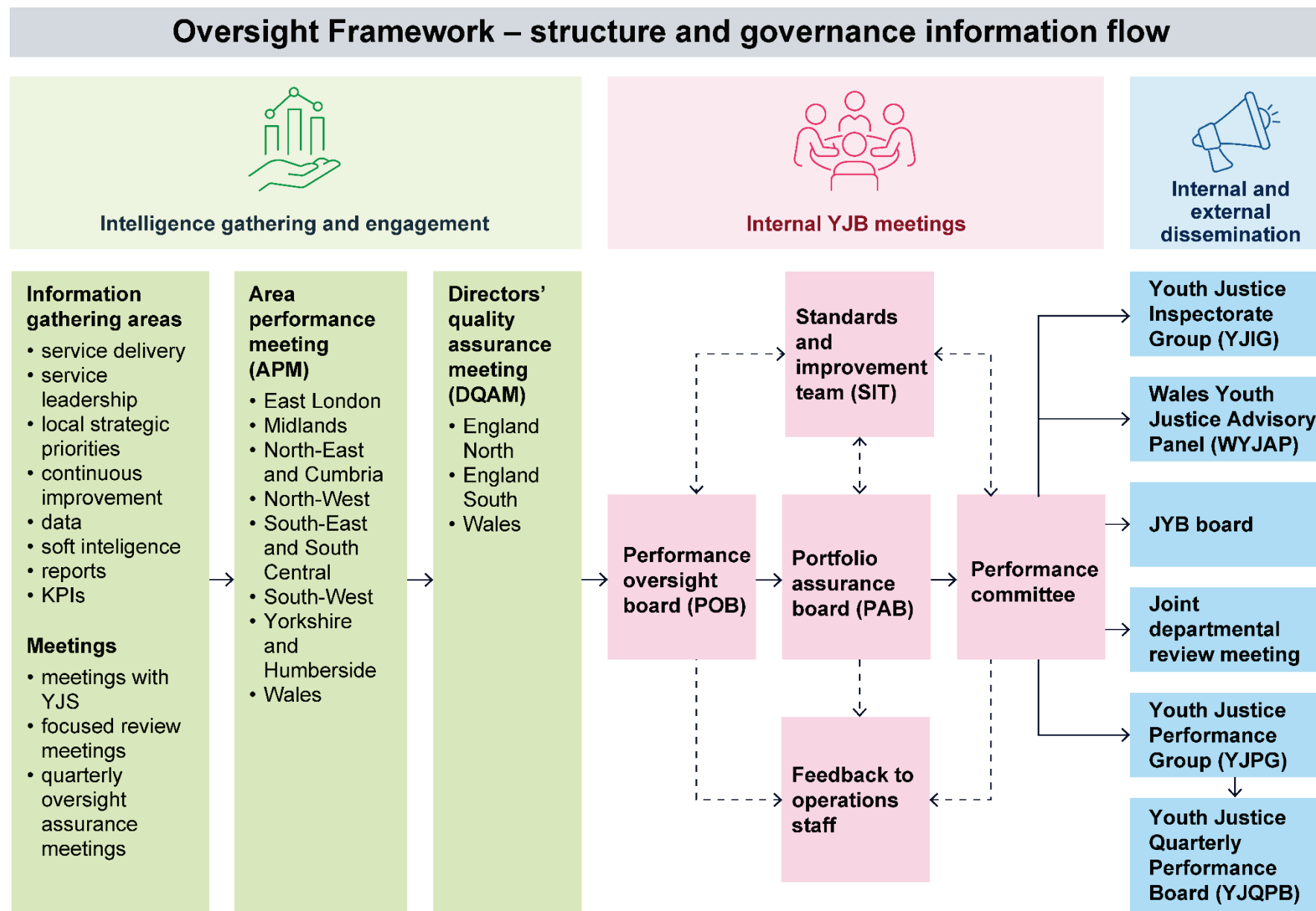
Outcome: Given the reporting burden for the youth justice services, this will make sure that the KPIs are having the impact as originally intended, continue to reflect where a performance focus is needed and take into account emerging issues across the youth justice system.

Performance oversight function

- 5.18 Following previous ministerial direction for the YJB to focus on performance of the youth justice services, the Youth Justice Performance Oversight Framework (youth justice system performance: oversight, assurance and compliance) was introduced by the YJB in April 2023 to place a renewed focus on performance. It provides clarity on how the YJB's monitoring function is fulfilled, outlining how oversight of local youth justice services is undertaken, and how delivery across the wider system is understood.

- 5.19 The oversight process follows an ongoing cycle of:
- monitoring youth justice system performance against the oversight fields the framework outlines and assigning services to performance quadrants
 - identifying the scale and nature of support needs and/or areas of effective performance and evidence-based practice
 - co-ordinating improvement (and where necessary formal intervention)
- 5.20 The YJB's regional oversight teams will make a performance assessment, which will inform the scale and nature of support that may be required across local services. These assessments of performance take place quarterly and assign a service within a performance quadrant (1 – strong performance to 4 – persistent or significant under performance). The diagram below shows the performance oversight framework in full.

Diagram 2: The YJB's Performance Oversight Framework



- 5.21 In April 2025, Government Internal Audit Agency (GIAA) completed an audit report into the YJB's Oversight Framework, with their conclusions being that the YJB has effectively established the framework, with roles and responsibilities clearly defined, with robust reporting structures in place to deliver the performance assessments. However, GIAA identified areas for improvement around inconsistencies in approach among the YJB's regional oversight teams in how quadrant ratings are communicated to services, how the framework is used to support oversight discussions, and the sharing of best practice. It made six recommendations to address these points (two medium priority and four low priority).
- 5.22 This review's engagement with wider stakeholders and youth justice services found many similar points to those highlighted by GIAA. When we surveyed youth justice services about the YJB's performance management function, 78% of responses rated the YJB's support and contribution as being 'helpful', 'good' or 'excellent'. Several youth justice services reported that the more experienced and involved the regional oversight manager is with a youth justice service, the more confident the service would be about the performance assessment made by the YJB. There were issues with transparency and consistency when it came to decisions about performance quadrants, and it was felt that more could be done to share best practice from high-performing services.
- 5.23 The YJB emphasised how a constructive relationship between services and the oversight manager is integral to the process to be able to access further intelligence – the KPI data is only part of the information gathered when deciding on a team's performance. If this is working well, teams should not be surprised by performance quadrant decisions, as this should have been apparent in discussions with the regional oversight manager, who would have shared all the information and data they had considered in their decision making.
- 5.24 The YJB recognises the skills and capabilities gaps in the regional oversight team, and that this in turn has meant the offer to youth justice services has not been as consistent as it could be. There was recognition that the abilities of the oversight manager can vary, given that some are new in role or that the nature of the role (holding teams to account) had changed in recent years.
- 5.25 Following the new framework being introduced, the nature of the relationship between youth justice services and the YJB has changed with a greater emphasis on oversight and holding services to account. The YJB's standards and improvement team provides coaching and training to the regional oversight managers to make sure the evidence gathered is robust, and that they can clearly articulate their recommendation to the performance oversight board and the youth justice service.

- 5.26 The YJB also noted that the regional oversight team has limited flexibility when it comes to demand, with some regions having a disproportionate number of youth justice services in quadrants 3 and 4 (improvement needed and persistent or significant under performance). Resource levels dictate whether resources can be moved across the regions to meet need, and at the same time provide consistency with areas having an established oversight manager who understands the areas needs and challenges.
- 5.27 There are layers of quality assurance built into the oversight process, with a national oversight manager being present at all regional and director level performance meetings, to make sure decisions are consistent and fair. The YJB accepts that not all youth justice services fully understand how the framework operates or that there are mechanisms in place to ensure there is consistency with the decisions made. The YJB is in the process of reviewing the framework document, so that this is made clear and is better understood. This is intended to minimise any discontent about quadrant decisions and, for example, outline that a decision to move a service area from quadrant 2 into quadrant 3 is not punitive but is to provide greater support to drive the required improvement.
- 5.28 The YJB accepts that it could be doing more to share best practice from those services who are assessed as the best performing (quadrant 1). While it is their intention to gather good practice and share this with other areas, their ability is often limited (due to workload in the regional teams) to focusing on working with services requiring greater support and intervention. The YJB also reports that some services in quadrant 1 see sharing best practice with others as additional demand on their time and feel unable to feed this back to other teams.
- 5.29 The YJB knows it needs to give consideration as to what the right model is when it comes to sharing best practice as part of the oversight framework. Consideration is being given as to whether it needs a specific role in the team to visit the higher performing services to observe and pull together best practice, for them to then market and share with the other services.
- 5.30 I believe there is potential for the YJB to consider more innovative and flexible ways of sharing best practice, for example, having regional managers attend or plug into existing mechanisms set up by youth justice services to share best practice (for example, regional youth justice manager meetings). This will reduce duplication and tie into existing structures.

Recommendation 14:

The YJB to fully implement the recommendations made in the GIAA report on the Performance Oversight Framework.

Timing: Within 6 months

Outcome: Closer involvement and better understanding of the Performance Oversight Framework will expediate any required service changes and improvements. Increased confidence in the framework will produce better relationships, better intelligence and evidence.

Recommendation 15:

The YJB to review the structure of its regional oversight team so that it has the right level of expertise, can assess performance, intervene where required, prioritise sharing best practice and drive continuous improvement.

Timing: Within 6 months

Outcome: With proven best practice shared, performance should improve across all youth justice services. The YJB will also be able to undertake and/or commission research to create an evidence base for this new and emerging best practice that drives continuous improvement across the system.

Internal performance metrics for the YJB

- 5.31 The YJB has a comprehensive annual business plan that sets out its activities for the year.³⁷ However, unlike other MOJ public bodies, the YJB does not currently have any internal performance metrics or KPIs. On reviewing other public bodies, many have internal KPIs focusing on their own performance (metrics on case review completion rates, customer satisfaction, time bound targets for case completion, etc), as well as people-focused metrics on staff retention, satisfaction and sickness absence.

³⁷ [YJB business plan 2024 to 2025](https://assets.publishing.service.gov.uk/media/66d0f5f659b0ec2e151f852c/YJB_business_plan_2024_to_2025_print_ready.pdf), available at:
https://assets.publishing.service.gov.uk/media/66d0f5f659b0ec2e151f852c/YJB_business_plan_2024_to_2025_print_ready.pdf

- 5.32 Unlike these other public bodies, the YJB's functions do not include casework or tangible deliverables. The current YJB strategic plan lists a number of success measures including inspection results, KPIs, funding and research.³⁸
- 5.33 KPIs should provide clear metrics that shine a light on priorities for an organisation, identify areas for improvement and guide effective decision making. They are critical for enabling organisations to succinctly demonstrate their success, or conversely, to identify areas for improvement. While KPIs alone cannot tell the 'whole story', they are a useful tool in measuring progress against strategic aims and goals.
- 5.34 The YJB is in the very early stages of developing internal KPIs or identifying how it can measure the benefits of its statutory functions and strategic objectives. These benefits have been identified by the YJB as being:
- 1) addressing racial disparity
 - 2) improving performance of youth justice services
 - 3) improving the performance of the YJB – efficient, effective and inclusive
 - 4) a child-first youth justice service
- 5.35 Most of these benefits will need to be tracked over several years, not just one business/performance year. The YJB intends to measure these benefits with a combination of qualitative and quantitative data, e.g. first-time entrants, custody disproportionality data, oversight quadrants movement, HMIP ratings, external KPIs, people survey, internal KPIs, pathfinder outcomes, YJB recommendations given to other government departments, tracking progress against GIAA recommendations and audit ratings.
- 5.36 The YJB is also in the process of developing internal 'corporate' KPIs and is hoping to link them to the YJB's people strategy KPIs. These include:
- staff retention, improvement or equal to UK average
 - people engagement scores, benchmarked against Civil Service and improvement
 - inclusivity score, equal to Civil Service score
 - bullying, harassment and discrimination scores equal to or lower than the Civil Service benchmark
 - year-on-year reduction of gender and ethnicity pay gaps
 - increase in workforce diversity to reflect census population
 - budget managed effectively – overspend and forecasting
 - average working days lost due to sickness

³⁸ A full list of the success measures can be found in the [Youth Justice Board for England and Wales Strategic Plan 2024-27](https://assets.publishing.service.gov.uk/media/6603e2ecc34a860011be7607/2024_03_26_-_6.8802_YJB_Strategic_Plan_2024_FINAL_v07_WEB.pdf), available at:
https://assets.publishing.service.gov.uk/media/6603e2ecc34a860011be7607/2024_03_26_-_6.8802_YJB_Strategic_Plan_2024_FINAL_v07_WEB.pdf

- 5.37 While there is still much to be done by the YJB, it is positive to note work has started on this. It will be beneficial for the YJB to focus on certain areas when developing their KPIs; I have outlined these in the recommendation below. While I acknowledge that there are factors that are outside of the YJB's control, it should develop KPIs around the success of its oversight function and ability to hold other organisations to account. This could include the percentage of youth justice services assessed as good or improved by HMIP and the transparency and visibility it has when engaging across the system.

Recommendation 16

The YJB should develop internal KPIs that focus on:

- the quality of youth justice services, as graded by HMIP
- outcome measures – a reduction in children and young people in custody, reoffending and first-time entrants
- equality measures – including, but not only, racial disproportionality and in particular the impact of poverty as a driver for youth crime, which has been under-recognised
- value for money – as measured by NAO
- a series of HR benchmarks around recruitment, retention etc. matching Civil Service norms
- the success and impact of the YJB's oversight framework
- the YJB's ability to hold other organisations to account

Timing: Within 6–12 months

Outcome: The YJB can demonstrate the impact it is having on driving up performance and how it is working across the youth justice sector to secure better, more efficient services for children, young people, victims and communities.

6. Efficiencies

- 6.1 The review's ToR include a requirement to identify where a minimum of 5% RDEL efficiency savings can be made.³⁹ It is expected that this target is met where there is not an equivalent pre-existing efficiency savings target set for the public body in question.
- 6.2 As outlined throughout this report, this review seeks to give the YJB a clear purpose: to create a more streamlined system, less duplication and wider savings. This should be underpinned by a renewed focus on efficiency to clearly demonstrate value for money to the youth justice system and the taxpayer. This is in addition to areas where potential efficiencies have already been identified, such as clarity around roles and responsibilities for different parts of the system.
- 6.3 As part of the 2021 Spending Review (SR), MOJ requested that the YJB find efficiencies from its 'core' budget.⁴⁰ Consequently, during the allocation process for 2024/25, the YJB's staffing and 'non-grants' budget was reduced by £750k, which equates to a 6.56% efficiency saving. While this meets the criteria to find 5% efficiency savings, I am mindful of the current economic situation and that the department may wish to go further in the identification of efficiencies. As such, based on the information gathered during the review, I have set out further areas that could be considered to deliver these efficiencies, as well as highlighting the associated risks. Some of the areas present more radical opportunities that MOJ may wish to pursue.

Staffing

This is the highest area of the YJB's spend from its core budget.

The YJB currently has c.92 FTE split across: operations (North, South and Wales); business; intelligence and insights; strategy and portfolio; and people, finance and organisational development. Further information on the YJB's executive structure can be found in the section on the executive (page 38).

In 2024/25, the YJB spent c.£6.4m on staffing costs.

³⁹ RDEL spending is money that is spent on day-to-day resources and administration costs. GOV.UK, 'How to understand public sector spending', available at: <https://www.gov.uk/government/publications/how-to-understand-public-sector-spending/how-to-understand-public-sector-spending#resource-and-capital-spending>

⁴⁰ In this context I am using the term 'core budget' to refer to budget for the YJB as an organisation, excluding the grant that is providing from MOJ, via the YJB, to frontline services.

| Options | Risks |
|--|--|
| 1) Following this review, requesting that the YJB conducts a review of its organisational structure to better match the recommended focus on priority areas, e.g. driving continuous improvement across the system. | 1) There is a risk of 'change fatigue' for the YJB as an organisation following the previous restructuring exercise requested by the department as part of SR21. In addition, there is an operational risk that the quality of statutory functions could decrease if people are spread too thinly. |
| 2) As highlighted in the section on the executive (page 38, recommendation 10), I believe there would be merit in conducting an exercise to look at reformulating the grade structure of the organisation to drive efficiencies, reposition the organisation, and ensure it is operating in an agile way. | 2) Arguably the YJB's staffing levels and grade structure are not particularly high compared to other public bodies (with a similar core budget, that is, excluding the grant) that are sponsored by the department. |

IT

IT is the YJB's second-highest area of spend from its core budget.

As highlighted at paragraph 2.47, the Youth Justice Application Framework (YJAF) is an online platform used by youth justice services and the secure estate to communicate effectively. YJAF also transfers AssetPlus data across from the community into the secure network. Despite operating across the YJB and YCS, this is funded solely by the YJB. The YJB has highlighted that the current IT system is out of date and requires significant development and investment to maintain. Stakeholders also highlighted that many youth justice services were using existing children's services case management systems for their preventative work (which of course is now a significant proportion of their work). There is the potential for greater alignment with existing local authority systems.

In 2024/25, the YJB spent c.£3.6m resource on IT and telecommunications and had a £1.2m capital budget for IT. This is considered to be higher than expected due to use of a legacy IT system.

| Options | Risks |
|---|---|
| <p>1) Continue working with colleagues in Justice Digital to further identify efficiencies and further ways to streamline systems, e.g. through greater automation.</p> | <p>1) Does not address the underlying issues around digital services and is a short-term solution to a wider issue. A lack of investment in a legacy IT system may save immediate costs but leads to increased risks (e.g. security breaches and maintenance issues), inefficiencies and long-term financial consequences. Would also have a knock-on effect on YCS, which uses the same system, and this approach also fails to adequately integrate with children's social care IT systems.</p> |
| <p>2) Overhaul and redesign of the current IT system.</p> | <p>2) Requires upfront investment during a challenging fiscal period and may not be seen as an area of priority.</p> |
| <p>3) Exploration of closer collaboration with OGDs, in particular, with DfE with regards to local authorities' digital services and incorporating the requirements of youth justice services into these. This could reduce reporting requirements on frontline services and create more joined-up systems at the local level.</p> | <p>3) Would likely require upfront investment which would need to be agreed between MOJ and the YJB. This would likely be a long-term and more complex option to consider (although with the potential to be significantly more efficient) given the amount of work that would be required to amend systems to capture youth justice specific data.</p> |

| Options | Risks |
|---|---|
| <p>4) Scoping options to bring digital services ‘in house’, e.g. to deliver through Justice Digital.</p> | <p>4) This would not address underlying issues around the legacy system, which would continue to need to be worked through. While Justice Digital has technical expertise and understanding of digital services and platforms, at present Justice Digital only has digital teams and functions aligned to MOJ’s executive agencies. Any changes to this would require significant organisational changes (including respective budgets and prioritisation) to be considered and approved by the department’s senior leaders. However, Justice Digital could support work to scope commercial ‘off the shelf’ products which may meet the YJB’s needs or could work to source suppliers who may be able to work with the YJB directly to build custom solutions.</p> |
| <p>5) Removal of the IT function as a statutory responsibility.</p> | <p>5) Removing the statutory function would be high risk and create a gap in responsibility for these digital services and data collation. May also pose risks to frontline services if data is not being reported consistently or in a standardised way. Costs for IT would also need to be met elsewhere.</p> |

Grant to youth justice services

The YJB annually delivers a grant (funded by MOJ) to all 155 youth justice services. As outlined at paragraph 2.35 each youth justice service receives a different level of funding based on a funding formula.

In 2024/25 this grant was £93m.

| Options | Risks |
|---|---|
| 1) The department could seek a reduction of funding to the core grant and/or pathfinder grants, particularly if the funding formula is revised to ensure that the grant given by MOJ is no longer used to 'prop up' other services. | <p>1) Reduction in funding to frontline services may impact the range and quality of work that youth justice services are able to undertake.</p> <p>2) Removal of pathfinder grants inhibits promotion of, and exploration of, innovative approaches and areas of best practice.</p> <p>3) The grant to youth justice services comes from MOJ and is not an area of the YJB's 'core spend' as an organisation and therefore would not be an efficiency saving by the YJB.</p> |

Recommendation 17:

Teams across MOJ (including financial strategy and planning, finance business partners, YJPU, and the Public Bodies Centre of Expertise Partnership Team) and the YJB, to undertake a strategic assessment of the efficiency options identified and determine which options are feasible.

Timing: Within 6–12 months

Outcome: Collaborative working between MOJ and the YJB to support effective efficiency planning as part of wider discussions around efficiencies. This will ensure the YJB offers the greatest possible value to the taxpayer and to the youth justice system.

7. Conclusion and recommendations

- 7.1 As highlighted throughout this review, my judgement (alongside feedback from the majority of stakeholders I met with) is that there continues to be a need for an independent voice for the youth justice system that bridges the gap between government departments and frontline services. This should use its technical expertise to draw together statutory services, create a more efficient system focused on continuous improvement, promote ‘what works’ and to hold government to account.
- 7.2 While it is right to acknowledge the successes across the youth justice system (such as the decrease in the number of first-time entrants and number of children in custody) and the role that the YJB has played in this, we should not be complacent. My view is that there is a continued requirement for an independent NDPB to bridge the gap between government departments and frontline services. However, to fulfil this role, the YJB needs to be reformed. There is scope for improvement and for a more agile, focused and reformed YJB to add greater value to the sector. The recommendations below should lead to a leaner, more efficient organisation with a clearer purpose.
- 7.3 It was repeatedly highlighted to me by stakeholders that youth justice remains a unique and complex area that lies at the intersection of justice, policing, youth work, children and families, education, substance misuse, probation, mental health and public health policies. Government policy on youth justice does not fall neatly within one department. For illustration, in 2019, the National Crime Agency found that 100% of children involved in County Lines had been excluded from school.⁴¹ A coordinated multi-agency approach is critical in addressing these needs, preventing crime, promoting desistance and keeping communities safe. Indeed, HMI Probation’s last annual report praised the ‘impressive’ youth justice service inspection results, highlighting that 75% of multi-agency youth justice services inspected in 2022/23 were rated as ‘good’ or ‘outstanding’.⁴² This is in very stark contrast to other aspects of the justice system. I believe there is further work to be done to truly integrate a multi-agency approach to youth justice, in line with the government’s missions. It has long been accepted that there should be a distinct approach taken to children within the criminal justice system and that many of these children have multiple and increasingly complex needs. My view is that it would be

⁴¹ <https://committees.parliament.uk/writtenevidence/124582/html/>

⁴² HM Inspectorate of Prisons, “‘Impressive’ youth justice services praised in Inspectorate’s annual report”, available at: <https://hmiprobation.justiceinspectorates.gov.uk/news/impressive-youth-justice-services-praised-in-inspectorates-annual-report/>

illogical, retrograde, inefficient and costly, and potentially damaging to service delivery to move things back to a pre- 'Misspent Youth' era, with one department attempting to have oversight of these multi-professional, and multi-agency arrangements.

- 7.4 The recommendations below provide the best opportunity to retain and reform the YJB as a crucial part of the complex youth justice system, one that will provide leadership, impartial and evidence-based advice to ministers; drive improvement; and secure better, more efficient services for children, young people, victims and communities.

| | Recommendation | Outcome | Timescale |
|---|---|---|---|
| 1 | MOJ's Youth Justice Policy Unit (YJPU), in consultation with the YJB, should seek secondary legislation to amend the YJB's function to 'monitor the operation of the youth justice system' to 'to promote and drive continuous improvement across the youth justice system'. | An approach that puts continuous improvement at the heart of the statutory functions, providing a clear vision for the system that focuses on efficiency and driving informed improvement across multi-agency partnerships. | Within 12 months |
| 2 | <p>The roles of the YJB and MOJ's policy team should be clearly defined as per Diagram 1, in summary:</p> <p>The YJB's role is to share data, insights and trends and to continue to independently advise ministers.</p> <p>MOJ's policy team's role is to provide impartial advice to the Minister for Youth Justice, and to draw on the YJB's independent expertise to set out systems, strategies or options for policy to implement. This should be achieved by closer and more open, joint working between policy and the YJB.</p> | Clear and shared understanding of the respective roles and responsibilities of the YJB and MOJ's YJPU in delivering ministerial priorities, reducing the risk of overlap/duplication across areas of work and creating a more efficient system. | Following the publication of this review/ within 6 months |

| | Recommendation | Outcome | Timescale |
|----------|---|---|------------------|
| 3 | YJPU, in consultation with the YJB, should seek secondary legislation to amend the YJB's current function relating to grants to include a section on 'advising relevant ministers across departments of the fulfilment of partner agencies' statutory duties and financial commitment to the youth justice system'. | To provide greater transparency and accountability and ensure statutory partners fulfil their responsibilities around funding arrangements. This will ensure the grant given to youth justice services can be used for its original purpose, that is, to develop best practice and pilot new and innovative approaches. | Within 12 months |
| 4 | MOJ's YJPU and the YJB to consider submitting advice to ministers on the potential for multi-year funding to youth justice services and consider a revision of the youth justice funding formula. This should be undertaken in consultation with the YJB to ensure that any revised formula is future-proofed, has clear and concise reporting criteria and reduces inefficiency by avoiding multiple funding streams from different parts of the department. | To create a more efficient funding mechanism for youth justice services. | 12–18 months |
| 5 | The YJB should work to develop the grant conditions for allocations to youth justice services to ensure that conditions lever change, enable best practice and drive innovation. This should be shared and discussed with the relevant MOJ functions. The YJB should also clearly articulate to the department how it is monitoring the grant and the level of partner agencies' financial contributions to ensure value for money. | Greater accountability for public money and increased transparency. | 12 months |

| | Recommendation | Outcome | Timescale |
|----------|--|--|------------------|
| 6 | MOJ's YJPU, in consultation with the YJB, should take this opportunity to amend legislation to reflect the functions of the YJB as they stand and formally transfer those relating to custody to YCS. | Clarity of roles and functions between YCS, the YJB and MOJ's YJPU. | Within 12 months |
| 7 | The YJB should remain in its current form as a non-departmental public body (NDPB). | Alongside the recommendations made in this report, this form allows for the YJB to be influential across government in preventing children and young people being drawn into crime and in supporting those children who are within the youth justice system. | N/A |
| 8 | A board that retains its current overall size and which places emphasis on the recruitment of members with current or very recent senior leadership of roles carried out by statutory partners, that is, policing, children's services, probation, NHS, a multi-academy trust or similar, and an academic from the youth justice sector. Recruitment should also consider appointing members with a proven and successful background in senior governance roles including HR, finance, IT, and a lead member for Wales, plus an independent chair of significant standing and seniority. Appointment letters and terms of appointment for members would be revised to clearly set out: board member activity, their role in promoting good governance, their role in driving forward system improvement, and the board's overall objectives. | Local and national oversight and accountability that has senior operational leadership and expertise. The YJB's governance is aligned with the strategic intent of the organisation. | 12–18 months |

| | Recommendation | Outcome | Timescale |
|-----------|---|--|---------------------|
| 9 | The YJB should seek inward secondments from local authority partnerships and frontline staff. | This will build on the YJB's technical expertise of the system, build greater flexibility and agility, ensure greater buy-in from other statutory partners, and encourage a culture of communication, innovation and a more informed approach to problem-solving. This could also generate efficiencies across the system. | 12 months |
| 10 | The YJB should review its senior staffing structure, in line with the overall recommendations of this report, making any changes required in response to the changes recommended in this report. | A senior staffing structure, which is agile and responsive to the board's needs and delivery priorities, with minimal duplication and greater clarity of roles and responsibilities. | Within 6 months |
| 11 | The YJB should seek to analyse and publish AssetPlus data. This information should then be used by MOJ's YJPU to inform policy decisions, and by youth justice services to develop greater insight into their services and improve decision making on the needs of children and young people. | Sharing this analysis with MOJ's YJPU and youth justice services will improve decision making and identify local and national trends that are critical in enabling effective policy making and ensuring support is targeted appropriately and delivers value for money. | Within 12–18 months |

| | Recommendation | Outcome | Timescale |
|-----------|---|--|------------------|
| 12 | The YJB to publish data around the new KPIs as soon as possible and share the data regularly with youth justice services, MOJ's YJPU and other government departments to inform decision making. The YJB to undertake greater engagement with the sector around how these KPIs fit with its performance oversight framework and how it will be used to enable increased accountability from statutory partners. | Greater understanding from youth justice services as to the purpose of the new KPIs. Analysis of KPIs will mean that decisions made nationally and locally are responding directly to what is happening, driving up best practice, identifying areas that may require additional support (alongside other soft intelligence the YJB receives) and used to facilitate better partnership working and service improvement. | Within 6 months |
| 13 | Twelve months after the first publication of the new KPIs, the YJB and MOJ's YJPU should work together to review and assess how useful the KPIs have been in: (1) facilitating better partnership working and service improvements, (2) sharing best practice, and (3) identifying where to target support. | Given the reporting burden for the youth justice services, this will make sure that the KPIs are having the impact as originally intended, continue to reflect where a performance focus is needed and take into account emerging issues across the youth justice system. | Within 18 months |
| 14 | The YJB to fully implement the recommendations made in the GIAA report on the Performance Oversight Framework. | Closer involvement and better understanding of the Performance Oversight Framework will expediate any required service changes and improvements. Increased confidence in the framework will produce better relationships, better intelligence and evidence. | Within 6 months |

| | Recommendation | Outcome | Timescale |
|----|---|--|--------------------|
| 15 | The YJB to review the structure of its regional oversight team so that it has the right level of expertise, can assess performance, intervene where required, prioritise sharing best practice and drive continuous improvement. | With proven best practice shared, performance should improve across all youth justice services. The YJB will also be able to undertake and/or commission research to create an evidence base for this new and emerging best practice that drives continuous improvement across the system. | Within 6 months |
| 16 | <p>The YJB should develop internal KPIs that focus on:</p> <ul style="list-style-type: none"> the quality of youth justice services, as graded by HMIP outcome measures – a reduction in children and young people in custody, reoffending and first-time entrants equality measures – including, but not only, racial disproportionality and in particular the impact of poverty as a driver for youth crime, which has been under-recognised value for money – as measured by NAO a series of HR benchmarks around recruitment, retention etc. matching Civil Service norms the success and impact of the YJB's oversight framework The YJB's ability to hold other organisations to account | The YJB can demonstrate the impact it is having on driving up performance and how it is working across the youth justice sector to secure better, more efficient services for children, young people, victims and communities. | Within 6–12 months |

| | Recommendation | Outcome | Timescale |
|----|---|---|--------------------|
| 17 | Teams across MOJ (including financial strategy and planning, finance business partners, YJPU, and the Public Bodies Centre of Expertise Partnership Team) and the YJB, to undertake a strategic assessment of the efficiency options identified and determine which options are feasible. | Collaborative working between MOJ and the YJB to support effective efficiency planning as part of wider discussions around efficiencies. This will ensure the YJB offers the greatest possible value to the taxpayer and to the youth justice system. | Within 6–12 months |

Annexes

Annex A – The YJB’s statutory functions

The YJB’s **statutory responsibilities** under s41 of the [Crime and Disorder Act 1998](#) are:

- A. to monitor the operation of the youth justice system and the provision of youth justice services
- B. to advise the Secretary of State on the performance of the youth justice system and how it might be improved
- C. to monitor the extent to which that aim is being achieved and any such standards met
- D. for the purposes of (a), (b) and (c), to obtain information from relevant authorities
- E. to publish information so obtained
- F. to identify, to make known and to promote good practice
- G. to commission research in connection with such practice
- H. with the approval of the Secretary of State, to make grants to local authorities and others
- I. to provide assistance to local authorities and others with IT
- J. to enter into agreements for the provision of youth detention accommodation
- K. to facilitate arrangements between the Secretary of State and any person providing youth detention
- L. at the request of the Secretary of State, to assist him/her re: release of offenders detained in youth detention
- M. to undertake annual assessments of future demand for youth custody; produce an annual delivery plan for the Secretary of State’s approval⁴³

In addition to the above statutory responsibilities, the YJB has taken on the following wider roles not explicitly set out in legislation:

- voice of the child – the YJB has undertaken work to promote a ‘child-first’ youth justice system that champions the voice of the child, including taking advice from their youth advisory panel of children and young adults who have current or previous experience of the youth justice system
- external stakeholder engagement and management – as part of delivering functions A–C above, the YJB runs a number of different stakeholder engagement fora (with academics, the third sector and OGDs)

⁴³ J, K, L and (parts of) M refer to youth custody. Following the Taylor Review in 2016, Youth Custody Service was established to take on responsibility for delivering these elements of the YJB’s role.

Annex B – Stakeholders

Those listed below were approached to contribute to this review. The review also received additional evidence from wider stakeholders with specific interest in youth justice.

- Alliance for Youth Justice
- Association of Directors of Children's Services
- Association of Youth Offending Team Managers
- Centre for Justice Innovation
- Children's Commissioner
- College of Policing
- Crown Prosecution Service
- Department for Education
- Department for Health and Social Care
- Government Internal Audit Agency
- HM Inspectorate of Constabulary and Fire & Rescue Services
- HM Chief Inspector of Prisons
- HM Chief Inspector of Probation
- HMI Probation
- Local Government Association
- Mayor's Office of Policing and Crime
- Ministry of Housing, Communities & Local Government
- Ministry of Justice – senior officials
- Ministry of Justice – functions
- Ministry of Justice – youth justice policy unit
- National Appropriate Adult Network
- National Police Chiefs' Council
- Office of the Children's Commissioner
- Ofsted
- Police and crime commissioners, and acting police and crime commissioners
- Probation Service
- Research in Practice
- Welsh Government
- Youth Alliance Network
- Youth Endowment Fund
- YJB chair
- YJB CEO
- YJB Cymru
- YJB senior leadership group
- YJB board members

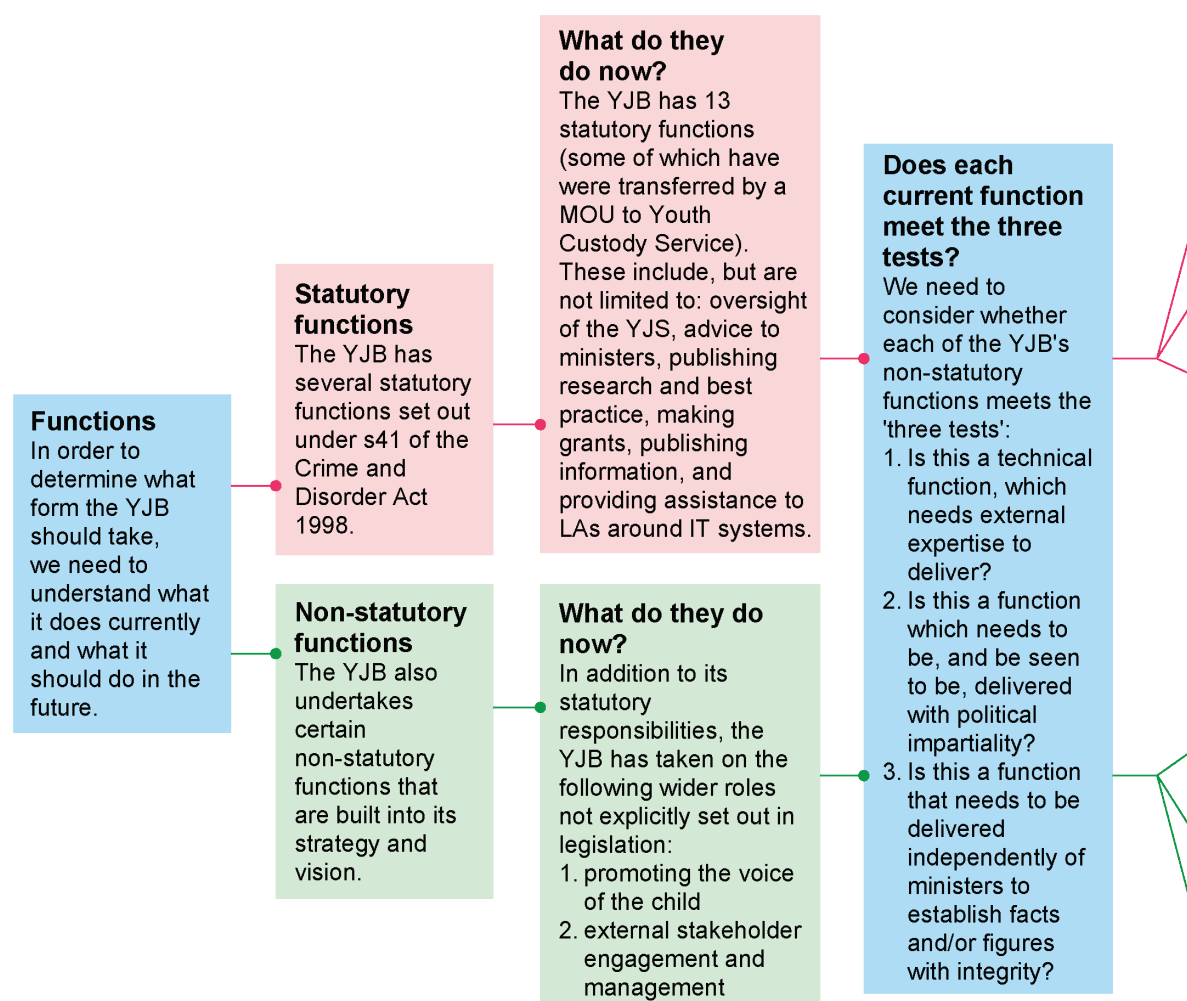
- Youth Offending Team managers Cymru
- Youth Justice Services (via a survey)
- Youth Custody Service

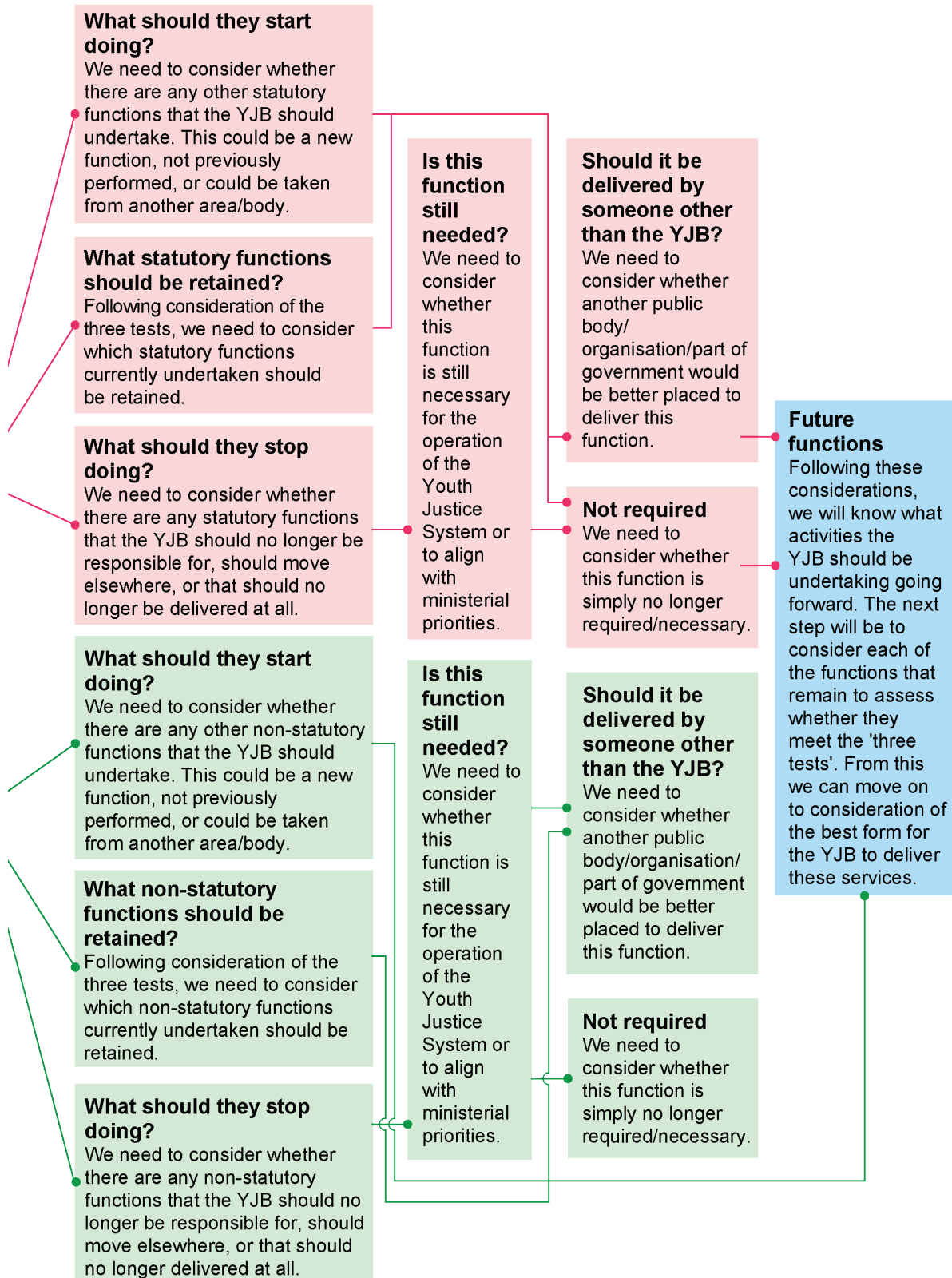
Several individuals with specific links to the YJB (e.g. former CEOs and chairs) were also approached as part of the review.

Annex C – Decision trees

Consideration of functions

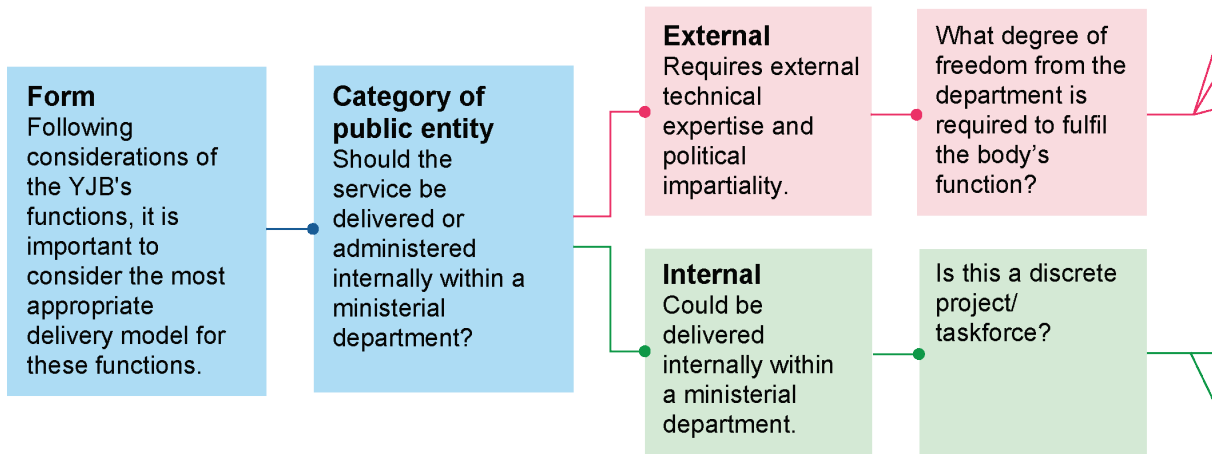
The YJB has statutory functions set out under the Crime and Disorder Act. This review will explore whether the delivery of the YJB's current functions in England and Wales remains necessary and useful. As part of this, the review will consider what the YJB currently does, if there is anything it should stop doing and if there is anything else it should be doing. We will then know what functions it should deliver going forward, how each function should be defined and weighted, and what form best supports that delivery.

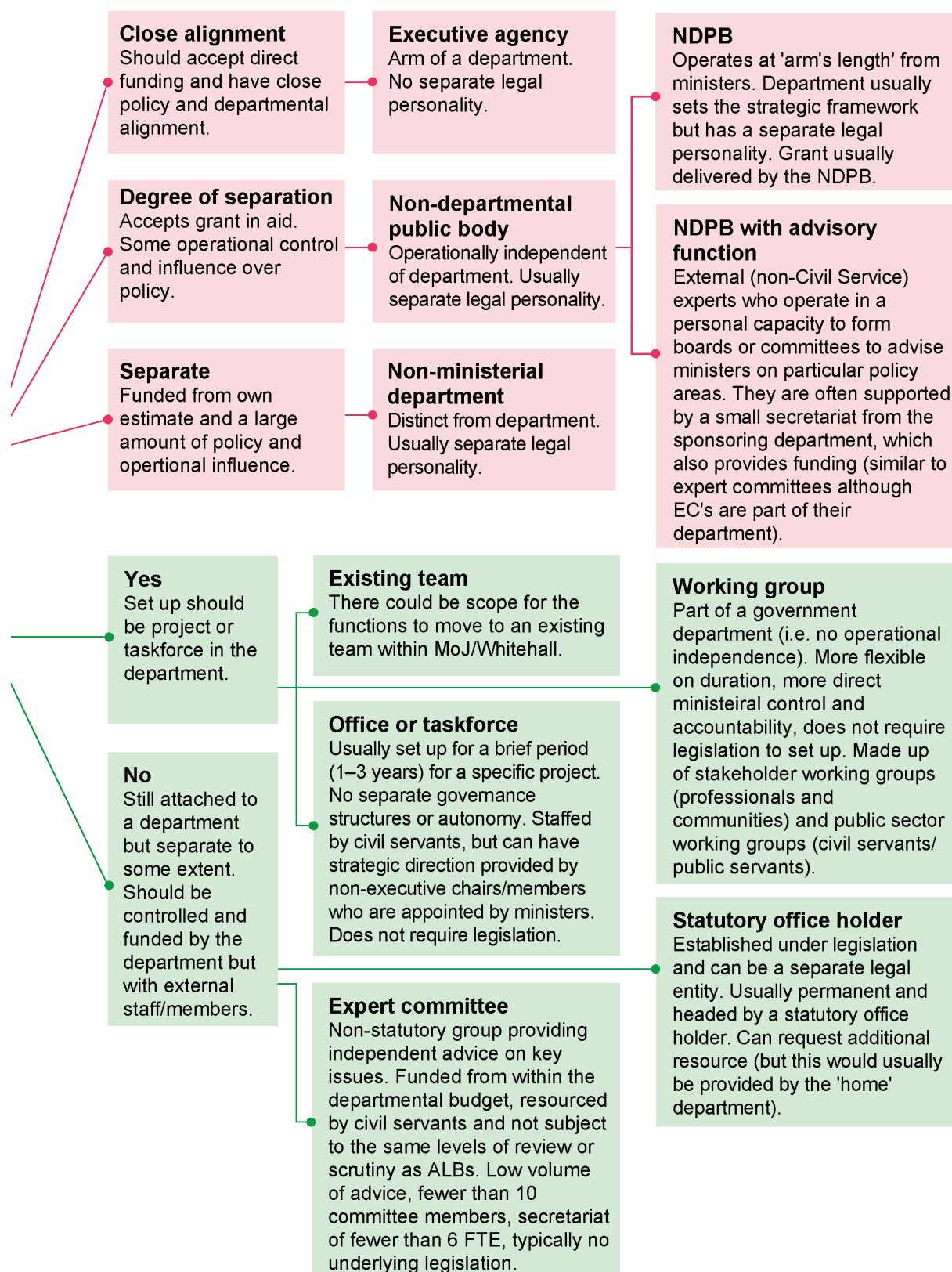




Consideration of form

Following consideration of the YJB's functions, this review will consider whether the YJB is best constituted as a NDPB. It is also important to note that, if the YJB remains a NDPB, this does not necessarily mean a continuation of the status quo. The review can still recommend changes to improve governance, roles and responsibilities, accountability, and performance. Following consideration of form, the review should also consider where the sponsorship for the YJB should sit.





Annex D – Summary of the Terms of Reference for the YJB’s review

As outlined in the review’s Terms of Reference, the following areas will be covered by the review:

Function

- Does the delivery of the YJB’s current functions in England and Wales remain useful and necessary?
- Is there scope to reduce duplication across the system?
- Are there alternative options for delivering the YJBs functions?
- Consider how potential changes to the functions may impact the YJB’s organisational structure and resourcing requirements.

Form

- To focus on, and test, the rationale for retaining the YJB as a non-departmental public body.
- Consider the extent to which the YJB continues to meet the ‘three tests’ for a public body.
- Explore alternative models for delivery in line with CO guidance on the classification of public bodies.

Performance

- Consider the extent to which the YJB’s internal and external performance metrics are clear, timely, accurate and accessible to stakeholders.
- Consider whether the information provided enables sufficient levels of performance oversight.
- Consider whether there is scope to develop the YJB’s internal metrics to demonstrate the YJB’s contribution to system-wide outcomes.
- Consider whether functional KPIs could be adopted for the organisation, e.g. around people, finance and digital performance.



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