

Youth Justice White Paper

Overarching Equalities Statement

1. This Equalities Statement (ES) relates to the measures included in the Youth Justice White Paper (YJWP).
2. This statement sets out how the Ministry of Justice (MoJ) has demonstrated due regard to the public sector equality duty (PSED) in developing the reforms outlined in the White Paper. These reforms span the whole youth justice system – from early intervention and diversion to courts, sentencing, remand and custody – and aim to deliver earlier, fairer, and more effective support for children.
3. The statement provides a high-level assessment of the potential equalities impacts – both benefits and risks – of the YJWP as a whole and identifies groups who may be particularly affected.
4. In recognition of the ongoing nature of the PSED, we will keep the equalities impacts of the YJWP reforms under review as policy development and implementation plans progress. The YJWP sets out plans for several public consultations on specific policy areas over the coming year. We will carefully consider stakeholder responses and emerging evidence to ensure that our assessment of equalities impacts remains robust and informed by the most up-to-date information available.

Summary of the Youth Justice White Paper Objectives

5. The YJWP sets out a comprehensive programme of reforms to deliver a modern youth justice system that prevents offending, protects the public, and supports children to build positive futures. It responds to three core challenges: intervening earlier to prevent children entering the justice system in the first place; ensuring fair, proportionate and effective responses when children do offend; and strengthening the system's capacity, accountability, and custodial environments to meet the needs of a smaller but increasingly complex cohort of children.
6. The reforms are designed to reduce unnecessary criminalisation, strengthen early intervention, and ensure that responses are consistent, proportionate and focused on children's needs and capacity for change. Collectively, these reforms we set out are intended to improve outcomes for all children, including those who are currently overrepresented in the youth justice system.
7. The YJWP sets out what this government has delivered already, and will deliver over this Parliament, alongside longer-term reform including:
 - strengthening early intervention and prevention through investment in reforms to address upstream drivers of offending and early intervention programmes, improved multi-agency working and longer-term work to better rationalise the landscape.

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- reforming youth diversion and court processes to promote greater consistency, fairness and confidence, including plans to consult on reform of the out-of-court resolution framework, developing a new model for specialist training requirements for lawyers representing children, and piloting new Intensive Supervision Courts.
- reducing unnecessary custodial remand and reforming youth sentencing, with stronger community alternatives, to ensure custody is truly used as a last resort.
- reforming the childhood criminal records disclosure regime to ensure it protects the public while enabling ex-offenders to rebuild their lives.
- strengthening youth justice services through multi-year funding settlements, a redefined role for the Youth Justice Board, and publicly consulting on funding arrangements and oversight.
- stabilising and improving the youth custodial estate, and setting a longer-term vision for smaller, more therapeutic secure environments.
- harnessing technology to reduce administrative burden, improve information sharing, and support earlier identification of risk.

Public Sector Equality Duty

8. Under Section 149 of the Equality Act 2010 (the 2010 Act), when exercising their functions, public authorities have an ongoing legal duty (known as the public sector equality duty – PSED) to have due regard to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010
 - advance equality of opportunity between persons who share a protected characteristic and those who do not share it
 - foster good relations between persons who share a relevant protected characteristic and those who do not
9. The nine protected characteristics under the 2010 Act are:
 - age
 - disability
 - gender reassignment
 - marriage and civil partnership
 - pregnancy and maternity
 - race
 - religion or belief

- sex
- sexual orientation.

Equalities Assessment

10. The MoJ has ensured that work to develop and implement the reforms set out in the YJWP has been carried out in accordance with the PSED set out in section 149 of the 2010 Act.
11. The PSED is an ongoing duty and the equalities implications of reforms set out in the White Paper will continue to be kept under review and updated in light of further relevant evidence or understanding.
12. In addition to this overarching Equalities Statement, the MoJ will complete individual Equality Impact Assessments (EIAs) for key reforms set out in the YJWP as they are further developed and refined. These assessments will provide a detailed consideration of the potential impacts on individuals and groups who share protected characteristics, as well as possible mitigating action where appropriate. Several areas of reform will be subject to public consultation later in the year about how to implement the proposals, and the findings from those consultations will inform our knowledge-base and EIAs. This will ensure that equalities impacts are appropriately identified, assessed and addressed prior to implementation.
13. The overarching summary is as follows:
 - **Direct discrimination:** We do not consider that the reforms set out in the YJWP are likely to give rise to direct discrimination within the meaning of the Equality Act 2010. The proposals are not expected to result in any child being treated less favourably because of a protected characteristic.
 - **Indirect discrimination:** We recognise that certain groups sharing protected characteristics – such as boys (sex), children from some ethnic minority backgrounds (race), Muslim children (religion or belief), and children with SEND or neurodiversity (disability) – are more likely to be affected by the proposals in the White Paper due to their over-representation in parts of the youth justice system.
 - While we do not consider that the reforms amount to indirect discrimination within the meaning of the Equality Act 2010, we recognise the risk that provisions, criterion or practices introduced through these reforms could give rise to particular disadvantage for some groups – some of these risks are identified below. We will continue to assess and monitor the impacts of reforms as they are further developed, implemented and evaluated, in line with our obligations under the 2010 Act.
 - Sentencing reforms: Given the overrepresentation of Black and Mixed-heritage children in custody¹, reforms to the sentencing framework—in particular strengthening

¹ [Youth Justice Statistics: 2024 to 2025 - GOV.UK](#)

community sentences—could have a positive impact by increasing the likelihood that children from these groups are diverted from custody into robust community-based alternatives. However, there is also a potential risk of indirect discrimination. Evidence of disparities in decision-making and outcomes² suggests that bias could lead to more intensive community sentences for these groups than might otherwise have been imposed prior to the reforms – referred to as ‘up-tariffing’. To manage this risk, the MoJ will monitor sentencing data by ethnicity to identify any unintended impacts and inform any necessary action.

- **Preventative analytics:** There is a potential risk that the use of preventative analytics or artificial intelligence tools could replicate or amplify existing biases present in historical data. This could lead to some groups with protected characteristics – such as ethnic minority children or those with SEND – being disproportionately identified for monitoring and intervention. To mitigate this risk, the MoJ will ensure appropriate safeguards, oversight, and monitoring frameworks are in place to ensure these tools support, rather than replace, professional judgment and do not lead to disproportionate impacts. An expert advisory panel on preventative analytics is also being established to guide this work in an ethical and lawful manner, including consideration of safeguards to avoid bias.
- **Harassment and victimisation:** We do not consider that these reforms are likely to give rise to harassment and victimisation within the meaning of the 2010 Act. The reforms in the White Paper focus on strengthening early intervention, ensuring responses to children are fair, proportionate and rehabilitative, and improving outcomes for vulnerable groups. They are not expected to create or increase risks of harassment and victimisation.
- **Discrimination arising from disability and the duty to make reasonable adjustments:** We do not consider that the reforms are likely to give rise to unlawful discrimination arising from disability or undermine the duty to make reasonable adjustments. The White Paper recognises the high prevalence of special educational needs, neurodivergence, and complex needs among children in the youth justice system, and includes measures aimed at improving the system’s ability to identify and respond to children’s individual needs.
- **Advancing equality of opportunity:** We have taken steps, through the reforms set out in the White Paper, to advance equality of opportunity for different groups of children with protected characteristics. While the measures are designed to improve outcomes for all children in the youth justice system, several reforms are expected to particularly benefit groups who are disproportionately represented within it. These include:
 - Measures to raise the standard of legal advocacy for children are expected to particularly benefit children with SEND and other disabilities by helping to make the court process more accessible—for example, through clearer and more accessible communication of their rights and options.

² [Ethnic disproportionality in remand and sentencing in the youth justice system - GOV.UK](#)

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- Reforms to the childhood criminal records regime aim to reduce the long-term impact of criminal records by removing unnecessary barriers to education and employment, supporting desistance and social mobility. Children from ethnic minority backgrounds (particularly Black children) and those with neurodivergence or additional needs are overrepresented³ in the youth justice system and therefore more likely to be adversely affected by the disclosure of childhood criminal records. Reducing the disclosure period is expected to mitigate these disproportionate impacts and improve equality of opportunity.
- **Fostering good relations:** We consider that the reforms in the White Paper are likely to support fostering good relations between those who share a relevant protected characteristic and those who do not. By promoting fairer, more consistent decision-making, the reforms are expected to strengthen trust and confidence in the justice system among communities that have historically experienced disproportionate outcomes. For example, improving consistency in diversion, such as access to Outcome 22, is expected to help reduce disparities where Black children are less likely to receive diversionary outcomes for similar offences.⁴

Equalities Data and Evidence

Youth justice system population

14. The reforms set out in the White Paper cover the whole youth justice system. This includes children aged 10 to 17 (both male and female) in the youth custodial estate, as well as those with formal justice system involvement, such as children who have received an out-of-court resolution or a community sentence.
15. We have considered the distribution of protected characteristics within the youth justice system and compared this with the profile of the 10-17 population in England and Wales (or another comparable cohort as required).
16. Analysis indicates that children with certain protected characteristics are disproportionately represented in the youth justice system compared to the general population. As a result, these groups are more likely to be affected by the proposed reforms. Such overrepresentation is observed among:
 - Those who are male (sex);
 - Those with special educational needs (disability);
 - Those from some ethnic minority backgrounds (race);
 - Those who are care-experienced (not a protected characteristic but a significantly overrepresented and vulnerable group);
 - Those who are Muslim (religion or belief);

³ [Youth Justice Statistics: 2024 to 2025 - GOV.UK](#) and [Education, children's social care and offending - GOV.UK](#)

⁴ [Black children are 15% less likely to be diverted from the criminal justice system, London study shows | Youth Endowment Fund](#)

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17. Boys account for 86% of children cautioned or sentenced in England and Wales while in the latest census data (2021) they made up 51% of the 10–17-year-old population.⁵
18. 80% of children cautioned or sentenced, and 87% of those cautioned or sentenced for a serious violent offence, have been recorded as ever having special educational needs. This compares to 45% of the all-pupil cohort.⁶
19. The Lammy Review highlighted persistent racial disparities across the criminal justice system, naming the youth justice system as the ‘biggest concern’.⁷
 - Black and Mixed-heritage children are particularly overrepresented. They account for 12 % and 11% respectively of children cautioned or sentenced, while each making up 6% of 10–17-year-olds in the population.⁸
 - Overrepresentation of those from minority ethnic groups increases further when looking at representation in the custodial population. Children from ethnic minority backgrounds (excluding white minorities such as Gypsy, Roma, and Traveller children) account for on average 52% of the youth custodial population which is double their representation in the 10–17 population.⁹ Black and Mixed-heritage children make up 22% and 18% of the youth custodial population respectively¹⁰ while each representing 6% of the 10–17-year-old population.¹¹
 - Analysis by the YJB on disproportionality in remand and sentencing found that, after taking into account demographic and offence related factors, children of Mixed and Black ethnicities remained more likely to get custodial remand (by 5 and 7 percentage points, respectively) compared to White children. Black children were also between 2 and 10 percentage points less likely to receive a first-tier outcome and between 2 and 8 percentage points more likely to receive a custodial sentence compared to a Youth Rehabilitation Order.¹²

⁵ To note, the time periods in these data sources are not directly comparable but the disproportionality highlighted is expected to have remained roughly consistent. [Youth justice statistics: 2024 to 2025 - GOV.UK](#) and [Dataset Selection - Query - Nomis - Official Census and Labour Market Statistics](#).

⁶ Based on children with a KS4 academic year of 2012/13 - 2014/15. [Education, children’s social care and offending - GOV.UK](#)

⁷ [The Lammy Review](#)

⁸ To note, the time periods in these data sources are not directly comparable but the disproportionality highlighted is expected to have remained roughly consistent. [Youth justice statistics: 2024 to 2025 - GOV.UK](#) and [Ethnic group by age and sex in England and Wales - Office for National Statistics](#)

⁹ To note, the time periods in these data sources are not directly comparable but the disproportionality highlighted is expected to have remained roughly consistent. Where race is not known, these have been excluded from the calculations. [Youth justice statistics: 2024 to 2025 - GOV.UK](#) and [Ethnic group by age and sex in England and Wales - Office for National Statistics](#)

¹⁰ [Youth Justice Statistics: 2024 to 2025 - GOV.UK](#)

¹¹ [Ethnic group by age and sex in England and Wales - Office for National Statistics](#)

¹² [Ethnic disproportionality in remand and sentencing in the youth justice system - GOV.UK](#)

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- The Review also highlighted the overrepresentation of children from Gypsy, Roma and Traveller communities within the youth custody population.¹³ For example, the HMIP Inspectorate report found that 8% of children surveyed in Young Offender Institutions and the Secure Training Centre reported being from a traveller community compared to less than 1% in the 10–17-year-old population.¹⁴
20. Care-experienced children, while not relating to a protected characteristic within the meaning of the 2010 Act, are disproportionately likely to have youth justice involvement compared to those without care experience (32% of children cautioned or sentenced had been a child in need compared to 6% of the all pupil cohort).
 21. The Lammy Review highlighted a concern in the lack of understanding about Muslim experiences within the Criminal Justice system, and specifically the gap in data collected by the courts and CPS. Custodial data shows that on average in 2024/25, 28% of children in youth custody identified as Muslim compared to 11% in the 10–17-year-old population.¹⁵ The proportion identifying as Muslim has increased year on year since the start of the data series in 2021/22.¹⁶
 22. We recognise that certain cohorts experience compounded disadvantage linked to protected characteristics and structural inequalities. Analysis by the YJB on the needs of sentenced children in the Youth Justice System found that of the children assessed who received community sentences, 78% had 10 or more concerns present, while 40% of those who received custodial sentences had 15+ concerns present.¹⁷ These concerns include safety and wellbeing, substance misuse, mental health, and speech, language and communication. Such vulnerabilities frequently intersect compounding the multiple and overlapping disadvantages experienced by many children in the system.
 23. The youth justice population is diverse, with a range of intersecting protected characteristics and complex needs. The MoJ will continue to take this diversity into account when developing and implementing reforms, ensuring that equalities considerations remain central to policy design and delivery.

Overarching Evidence

¹³ [The Lammy Review](#)

¹⁴ To note, the time periods in these data sources are not directly comparable but the disproportionality highlighted is expected to have remained roughly consistent. The HMIP report figures are based on children's self-reported demographics in the Secure Training Centre and Young Offender Institutes. [Children in custody 2024–25 – HM Inspectorate of Prisons](#) and [Ethnic group by age and sex in England and Wales - Office for National Statistics](#)

¹⁵ To note, the time periods in these data sources are not directly comparable but the disproportionality highlighted is expected to have remained roughly consistent. Where religious belief is not known, these have been excluded from the calculations. [Youth custody data - GOV.UK](#) and [Religion by age and sex in England and Wales - Office for National Statistics](#)

¹⁶ Where religious belief is not known, these have been excluded from the calculations. [Youth custody data - GOV.UK](#)

¹⁷ [Assessing the needs of sentenced children in the Youth Justice System, 2021 - YJB](#)

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24. The table below provides a consolidated summary of available data on children in the youth justice system across each protected characteristic. This evidence base will inform the assessment of potential equalities benefits and risks associated with key measures proposed in the White Paper.

Protected Characteristic	Youth Justice Data	Youth Custody Data
Age	In the year ending March 2025, those aged 15 to 17 accounted for 76% of all children receiving a caution or sentence, while making up 36% of the 10 to 17 population in England and Wales. In contrast, the 10–14-year-olds accounted for 24% of children cautioned or sentenced and 64% of the 10–17-year-old population. ¹⁸	In the year ending March 2025, children aged 15-17 accounted for on average 96% of the youth custody population, while making up 36% of the 10–17-year-old population in England and Wales. Those aged 17 accounted for 57% of the youth custody population in the year ending March 2025. ¹⁹
Disability	Analysis indicates 80% of children who had been cautioned or sentenced for an offence, and 87% of those cautioned or sentenced for a serious violence offence, had been recorded as ever having Special Education Needs, compared to 45% of the all-pupil cohort. ²⁰	33% of children and young people surveyed in Young Offender Institutions and the Secure Training Centre reported having a disability. 2021 Census data shows that 10% of 10–14-year-old boys and 10% of 15- to 19-year-old boys in England are disabled. ²¹
Gender Reassignment	There is no published data available on the prevalence of children in the youth justice system who are undergoing or have undergone gender reassignment.	There is no published data available on the prevalence of children in youth custody who are undergoing or have undergone gender reassignment.
Marriage and Civil Partnership	The Marriage and Civil Partnership (Minimum Age) Act 2022 raised the legal age of marriage to 18 in England and Wales. While there is no published data, it is therefore considered unlikely that children in the youth justice system are married or in a civil partnership.	The Marriage and Civil Partnership (Minimum Age) Act 2022 raised the legal age of marriage to 18 in England and Wales. While there is no published data, it is therefore considered unlikely children in youth custody are married or in a civil partnership.
Pregnancy and Maternity	There is no published data available on pregnancy and maternity within the youth justice system.	There is no published data available on pregnancy and maternity within youth custody.

¹⁸ [Youth justice statistics: 2024 to 2025 - GOV.UK](#)

¹⁹ [Youth justice statistics: 2024 to 2025 - GOV.UK](#)

²⁰ Based on children with a KS4 academic year of 2012/13 - 2014/15. [Education, children's social care and offending - GOV.UK](#)

²¹ [Children in custody 2024–25 – HM Inspectorate of Prisons](#) and [Disability by age, sex and deprivation, England and Wales - Office for National Statistics](#). Self-reported disability is not collected by the same method so estimated prevalences are not directly comparable.

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<p>Race</p>	<p>In the year ending March 2025, 69% of children cautioned or sentenced declared themselves in the White ethnic group (including white ethnic minorities)</p> <p>6% of children cautioned or sentenced declared themselves as Asian, 12% as Black, 11% as Mixed and 3% other, and a further 1% of children identified as Gypsy, Irish Traveller or Roma.²²</p> <p>The proportion of those declaring as from an ethnic minority group has remained similar for the past five years.²³</p> <p>This compares to the 10–17 population where 12% of the population is Asian, 6% Black, 6% Mixed, 3% Other, and less than 1% Gypsy, Irish Traveller or Roma.²⁴</p>	<p>In the year ending March 2025, on average 48% of children in custody declared themselves in the White ethnic group, while 52% identified themselves as part of an ethnic minority group: 12% Asian and Other, 22% Black and 18% Mixed (excluding white ethnic minorities).</p> <p>The proportion of those declaring as from an ethnic minority group has remained similar for the past five years.²⁵</p> <p>This compares to the 10–17 population where 12% of the population is Asian, 6% Black, 6% Mixed and 3% Other.²⁶</p>
<p>Religion or Belief</p>	<p>There is no published data available on religion or belief across the youth justice system (beyond the youth custody data noted).</p>	<p>In the year ending March 2026, on average (where religious belief is known) 39% of children and young people in youth custody identified themselves as Christian, 33% as Muslim, 8% other religion and 21% no religion. The proportion identifying as Muslim has increased year on year since the start of the data series in 2021/22.²⁷</p>

²² Where race is not known, these have been excluded from the calculations. Figures may not sum due to rounding. [Youth justice statistics: 2024 to 2025 - GOV.UK](#)

²³ Where race is not known, these have been excluded from the calculations. Not including white ethnic minorities. [Youth justice statistics: 2024 to 2025 - GOV.UK](#)

²⁴ To note, the time periods in these data sources are not directly comparable but the disproportionality highlighted is expected to have remained roughly consistent. [Ethnic group by age and sex in England and Wales - Office for National Statistics](#)

²⁵ Where race is not known, these have been excluded from the calculations. [Youth justice statistics: 2024 to 2025 - GOV.UK](#)

²⁶ To note, the time periods in these data sources are not directly comparable but the disproportionality highlighted is expected to have remained roughly consistent. [Ethnic group by age and sex in England and Wales - Office for National Statistics](#)

²⁷ Latest data at the point of publication was to March 2026. Data includes those aged 18 and over in the Young People's Secure Estate. Where religion is not known, these have been excluded from the statistics. [Youth custody data - GOV.UK](#)

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		This compares to 40% of the 10–17 year old population in England and Wales identifying as Christian, 11% as Muslim, 4% other religion and 45% no religion. ²⁸
Sex	In the year ending March 2025, boys accounted for 86% of children receiving a caution or sentence compared with 51% of the 10 to 17 population in England and Wales. ²⁹	In the year ending March 2025, on average the majority of children in custody were boys (98%) which is a small increase compared to 10 years ago (96%). This compares with 51% of the 10 to 17 population in England and Wales. ³⁰
Sexual Orientation	There is no published data available on sexual orientation within the youth justice system.	There is no published data available on sexual orientation within youth custody.

²⁸ Those who didn't answer have been excluded from these statistics. [Religion by age and sex in England and Wales - Office for National Statistics](#)

²⁹ [Youth justice statistics: 2024 to 2025 - GOV.UK](#)

³⁰ [Youth justice statistics: 2024 to 2025 - GOV.UK](#)