Consultation Response:

Oversight and funding of youth justice services

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Executive Summary

The Ministry of Justice (MoJ) invited a consultation following on from the White paper Cutting Youth Crime. Changing young lives. Restorative Justice for All (RJ4All) International Institute offered our response based on our Policy Brief 3, on Youth Justice Service (YJS) teams' responses and based on our pilot project with the Youth Endowment Fund (YEF): Restorative justice - the evidence: A pilot for the youth justice system of England & Wales.

The MoJ questionnaire consisted of two parts:

1. **Oversight and Accountability**
2. **Funding Reform**

Firstly, as concerns Oversight and Accountability, RJ4All advocates for restructuring National Standards in youth justice services into thematic areas with cross-cutting principles, emphasising the importance of restorative justice. It supports the introduction of new standards on victims, early intervention, and prevention, whilst integrating disproportionality throughout the standards to promote equal access and power sharing.

Secondly, RJ4All believes that the new funding formula should be implemented sooner rather than later, considering the long transition period in which we demand basic organisation costs to be safeguarded.

Supporting the Youth Justice Board's (YJB) Child First framework, RJ4All also upholds the inclusion of victims' and children's voices, along with addressing disproportional representation of those facing compounded marginalisation at every stage with a focus of young women and girls.

RJ4All's consultation response supports restructuring youth justice standards around thematic areas with cross-cutting principles, while arguing that restorative justice should be embedded throughout service delivery rather than treated as a standalone addition. It also supports reform of oversight and funding. Repeatedly conditions that support on preserving Child First practice, safeguarding core functions, and ensuring children, victims, and their families' voices shape both standards and resourcing decisions.

Core Positions

RJ4All favours the restructuring of National Standards based on thematic areas rather than the current structure based on phases of youth justice. Thematic standards with cross-cutting principles better reflect children's non-linear journeys and complex needs. We argue that restorative justice should cut across all standards, be proactively offered at multiple stages, and support victim-centred delivery. RJ4All supports new standards on early intervention, prevention, and victims. We believe that updated out-of-court resolution practice should incorporate restorative justice and a legal definition aligned with wider rights frameworks. RJ4All upholds that disproportionality should be integrated across all

standards, including focused attention to girls and young women and those facing compounded marginalisation.

Oversight and Accountability

RJ4All strongly supports including the voices of children, victims, and families in performance oversight, but maintains that participation is only meaningful when it is accessible, trauma-informed, and sensitive in practice. The current system enforces justice routes whereas we advocate for giving all parties a voice and empowering them through dialogue. RJ4All works towards addressing power abuse. We thus emphasise our support for the inclusion of various voices at all stages of the justice process, highlighting our core value of power-sharing. We also support three-tier performance information in principle, while warning that the proposed "System Health" tier lacks clarity about who would hold responsibility.

Consultation Area	RJ4All Position	Main Qualification
National standards structure	Agree with thematic restructuring with cross-cutting principles.	Must embed restorative justice and accessibility across stages.
Quality Performance Framework	Undecided	Training, time, funding and parameters of need are unclear.
Youth justice plans and updates	Agree	Reduced reporting must not weaken scrutiny or transparency
Serious incident reporting reform	Undecided	Less frequent reporting risks underreporting; pilot recommended first.
Wales oversight proposals	Disagree	Welsh governance differs structurally from England

Funding Reform

RJ4All supports changing the funding formula, citing evidence and using practitioner feedback. Insufficient funding limits both restorative justice delivery and participation in evaluation. 30 youth justice services wanted to join our pilot but were unable to, due to ring-fenced restorative justice funding, which constrained delivery and scale.

At the same time, RJ4All rejects funding principles focused mainly on service-level need if they fail to capture the needs and voices of children and young people. We favor a

bottom-up needs assessment, protection of core business costs, and a phased transition that starts early but safeguards continuity and Child First practice.

In executive terms, the response endorses reform with conditions: embed restorative justice across standards, integrate disproportionality throughout, preserve meaningful oversight, and redesign funding around children's needs rather than administrative convenience. The consultation response below is therefore broadly supportive of modernisation, but only if implementation remains participatory, adequately funded, and accountable.

Key Recommendations

- Implementing the right to be informed about restorative justice processes at every stage of a victim's journey, including each diversion point in the justice system i.e. pre-arrest, pre-charge, pre-trial and post-sentence.
- Clarity on funding related information, reporting and "System Health" accountability.
- Funding and oversight for Wales is not clearly encompassed in the MoJ consultation document and would require its own clarification.
- Invest in a centralised case management system (CMS) for restorative justice youth work, including consideration of RJ4All's dedicated Restorative Justice CMS.

Context

Following the publication of the White Paper, the MoJ invited consultation from practitioners and organisations to respond to a range of questions. These questions asked for feedback on reforms proposed in the white paper. Thus, it is a consultation to help the MoJ gauge the favourability, effectiveness, risks, challenges, improvement in the proposed reforms and systems aimed at the YJS, YJB and all under the purview of the MoJ.

The MoJ published a consultation document to provide more information, to clarify and orient the responders to the questions and intended changes. Though this document has been immensely helpful, there are some sections which lack clarity, especially regarding:

- How exactly the cross-cutting principles will be applied in practice.
- What is included in the 'Quality Performance'?
- New funding formula nuances, especially related to timeline (3yrs. vs 6yrs. rollout) and implementation.
- Need parameters and measurement for needs-based allocation of funds.
- 3-tier approach to performance information namely, YJS, Management boards and partners and System health. While the first two tiers of information sharing and accountability seem clear, the last 'System Health' tier does not mention which exact body or board will undertake and be responsible for these tasks.

RJ4All senses a reduced role of the YJB, transferring more powers to the MoJ. We believe that the YJB should not turn into a mere scrutiny and overview body.

RJ4All also approached its partners and YJS teams, including those participating in our pilot project, to understand the practitioner's side, about how these reforms would affect their practice. Though we were unable to receive more responses due to limited timeframe, we have incorporated the views and insights provided by the few response we did receive. This document is a further step in informing our sector about the changes and our consultation responses.

Consultation

The consultation was divided into (A) Oversight and Accountability and (B) Funding, as mentioned above. Below is a summary of the questions and our responses.

Part A: Oversight and Accountability

Structure of the National Standards

RJ4All supports restructuring the National Standards from system phases into thematic areas with cross-cutting principles, with restorative justice embedded across all themes to foreground the child's best interests and include all affected voices at every stage. If the standards were to remain phase-based, we would support the new standards on Victims, Early Intervention and Prevention, and updated out-of-court-resolutions (OOCRs), informed by our Shared Practice Model, the RJiNEAR Model and the YEF pilot evidence, while upholding the YJB's Child First framework. We highlighted that children's complex needs require this multi-layered approach. We recommended that Restorative justice should be a cross-cutting principle rather than a standalone intervention, making restorative practices "a way of life rather than an occasional technique" (quote by YJS team member).

We advise implementing the right to be informed about restorative justice processes at every stage of a victim's journey, including each diversion point in the justice system i.e. pre-arrest, pre-charge, pre-trial and post-sentence. This implies that all stakeholders in the system (police, prosecutor, court, community) need to support and proactively promote restorative justice options at each diversion point.

Disproportionality

We uphold that in order to tackle the "postcode lottery", the disproportionate representation of children, youth and communities facing compounded marginalisation should be integrated throughout the standards rather than treated as a standalone area. Furthermore, we suggested that a focus on young women and girls should be embedded across all thematic areas.

Quality Performance Framework

RJ4All is undecided on the introduction of a Quality Performance Framework. We support the principle but identified concerns related to the time and cost of training and evaluation. We therefore recommend that the framework draw on our Shared Practice Model, the RJiNEAR Model, our evidence conference held on 15th Sept, and Good Lives model training which have an established and growing evidence base.

Performance information and KPIs

We agree with organising performance information across three tiers (service, management boards and partners, system health). Outcomes for young people and restorative justice should be measured within the KPIs. As one YJS team participant put it, "Measuring RJ would ensure its implementation". Reforms should require services to demonstrate consideration of restorative justice and of victim perspectives at every stage of the criminal justice system. However, we raised concerns that the "System Health" tier lacks clarity on which body is responsible for its tasks. We also raised caution that the YJB must not become a mere scrutiny body.

Voices of children, victims and families

We strongly agree that these voices should form part of oversight arrangements, provided that the participation processes are accessible, trauma-informed, and sensitively delivered Drawing on projects such as ENHAGA, Women's Hearts, A Chance for Change and ENHANCE, more support for girls at risk should be added to the framework.

Wales

We disagree that the proposed arrangements fully reflect oversight and accountability requirements for Wales. Wales's governance landscape differs from that of England, including devolved services, partnership structures, and interactions across youth justice, education, health and social care. Thus, we recommended that either new/separate frameworks are laid out for Wales or more clarity on how these reforms would translate into the Wales Justice system are needed.

Youth justice plans, annual updates and serious incident reporting

We broadly agree with the approach to youth justice plans and annual updates. However, we are wary that reduced reporting must not weaken transparency or YJB oversight. Additionally, annual updates should retain sufficient detail on delivery, outcomes, risks and partnership accountability so that gaps, delays or underperformance do not become invisible. On serious incident notifications, we are undecided whether the change from the current requirement of within 24 hours is advisable. Streamlined reporting (quarterly/annually) risks some serious incidents going unreported, and we recommend piloting the change in one area first to assess its impact on reporting and services.

Part B: Funding reforms

Funding formula reform

RJ4All agrees that the funding formula should be reformed despite the significant redistribution this would entail. We disagree, however, with the principles as currently outlined i.e. they address team needs but fail to account for children's demographic and vulnerability needs. In view of the Child First framework, children's voices should drive

the definition of need and shape the new formula. On needs-based allocation we are undecided: relative need plus fixed costs is plausible, but a bottom-up approach is required to explain the drivers of need. Thus, we highlighted some nuances that support restorative justice in principle and practice. YJS teams in our pilot cited capacity limits caused by insufficient funding for implementing and evaluating restorative justice. We also recorded 30 additional teams being unable to participate because of ringfenced funding restrictions. Moreover, ring-fencing restorative justice funding separates it from core work, restricting its scope and impact.

Measuring need

On alternative datasets to first-time entrant data, RJ4All, like many other NGOs, uses a case management system that tracks referrals, outcomes and impact in SE16. However, this comprehensive local data has never been requested by any government agency.

Core costs and transition

We endorse a standard allocation for core business costs before formula distribution. Core costs must be guaranteed for stable functioning, which enables YJS to adapt to new multi-agency work and crosscutting (restorative justice) standards with additional funding. On timing, we prefer an earlier, phased transition rather than waiting until April 2029, which would lose opportunities to strengthen restorative justice in the coming two years. The MoJ must guarantee core costs and centre children's and victims' needs. We are undecided on the speed of the transition itself, as our pilot participants stressed that (financial) safeguards, mandatory best-practice standards and legislation requiring restorative justice consideration are all needed for effective delivery.

Questions not answered

We were not required to, and were also unable to, answer a small number of questions. In Part A, these included the specific areas a Quality Performance Framework should cover for a local area, the factors for designing local self-assessment arrangements, whether any areas should be added to or removed from the annual update, and any other requirements that could be streamlined or removed. In Part B, the unanswered questions related to which future grant arrangements would best support effective delivery, whether public visibility of partner contributions would strengthen accountability, and what additional measures would strengthen partner contributions. As these are operational questions best answered from within local service delivery, we have no response to offer and would defer to Youth Justice Services themselves on these points.

Policy Recommendations

A. Oversight and accountability
   - RJ4All recommends **restructuring the National Standards into thematic areas** with cross-cutting principles, embedding restorative justice across all

themes to foreground the child's best interests and the voices of all those affected at every stage.

- Where standards remain phase-based, **new standards** on Victims, Early Intervention and Prevention and updated OOCRs should draw on our Shared Practice Model, the RJiNEAR Model and YEF pilot evidence, upholding the Child First framework.
- **Restorative justice** should be a cross-cutting principle, "a way of life rather than an occasional technique", not a standalone intervention, included proactively at every diversion point in the justice system.
- Addressing **disproportionality** should be integrated throughout the standards, with a focus on girls and young women.
- The **Quality Performance Framework** should build on the existing evidence from our Shared Practice Model, the RJiNEAR Model and Good Lives training. The time and cost of training and evaluation for this must be considered and allotted anew.
- Performance measures should be led by the outcomes for young people and restorative justice. Services should be required to demonstrate **inclusion of restorative justice and victims' perspectives** at every stage of a victim's journey, including each diversion point in the justice system i.e. pre-arrest, pre-charge, pre-trial and post-sentence. This implies that all stakeholders in system (police, prosecutor, court, community) need to voluntarily participate, support and proactively promote restorative justice options, while also identifying harm at each diversion point.
- **Clarity** is needed on which body is accountable for the "System Health" tier.
- The **YJB** must not become a mere scrutiny body.
- The **voices of children, victims and families** should form part of oversight through accessible, trauma-informed participatory processes, with more support for **girls** at risk building on projects such as ENHAGA and ENHANCE.
- Any **reduced reporting** must not weaken transparency, with the serious incident notification change **piloted** in one area first.
- Finally, the arrangements do not reflect **Wales's** distinct governance landscape. Thus, separate frameworks or clarity on how reforms translate into the Welsh justice system are required.

B. Policy recommendations on funding reform

- RJ4All supports reforming the funding formula despite the significant redistribution involved, but its principles should go **beyond team needs** to account for children's demographic and vulnerability needs. Children's voices must define need and a **bottom-up approach** explaining the drivers of need should be established.

- A standard allocation for **core business costs** should be guaranteed before formula distribution.
- We caution **against ring-fencing restorative justice funding**, which separates it from core work and restricts its scope and impact. Our pilot teams already cite funding limits that constrain implementation and evaluation, and 30 additional teams were unable to participate due to ring-fenced restrictions.
- Use of **local data from NGOs** including that of RJ4All's **case management system** for SE16 should inform need.
- An earlier phased transition to the new funding formula is preferable to waiting until April 2029, provided the MoJ guarantees core costs and puts in place safeguards, mandatory best-practice standards and legislation requiring restorative justice consideration.

Concluding remarks

RJ4All welcomes the opportunity to respond to this consultation and sees it as a decisive moment to embed restorative justice at the heart of youth justice in England and Wales. Our overall position is that the reforms should embed restorative practice across oversight, standards and funding. They should measure both what is delivered and the outcomes achieved, guarantee the core costs services need to sustain and expand restorative work, and place children, victims and families at the centre of accountability. The evidence from our pilot, including the voices of YJS teams on the ground, should guide implementation and where the answer is not yet clear, such as the speed of transition or the shift in serious incident reporting, we recommend testing change in a limited area before rolling it out. On the small number of operational questions we did not answer, we defer to Youth Justice Services themselves, who are best placed to state what a framework, self-assessment or grant arrangement should look like in their local context.

We hope our recommendation for embedding restorative justice as a cross-cutting principle, measured and properly funded is considered earnestly by the MoJ. It would support the reforms and carry a genuine opportunity to transform youth justice in England and Wales, to deliver better outcomes for children, victims and communities alike.

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ANNEX I – About us

Restorative Justice for All (RJ4All) is a charitable, user-led international institute with expertise in preventing and addressing harm at the individual, community and inter-state levels. We are one of the world's leading experts in transferring complex criminological and social justice concepts into practice through real-life pilots and community projects. At RJ4All, we view and deal with harm in a holistic manner and through positive, user-led methods. Our projects and campaign work are drawn from the belief that the most persistent driver of inequality is power abuse and that the bio-power that exists to prevent and control it is found in restorative justice communities.

Our mission is multifaceted, encompassing community cohesion, equality, and human rights advocacy. RJ4All operates locally from its Rotherhithe Community Centre in London, where a range of initiatives, educational programmes, and volunteering opportunities are offered to marginalised groups.

At RJ4All, we apply restorative justice not merely as a practice for preventing and reducing harm, but more importantly as a way of living and as a moral compass that shifts community focus onto solutions and the future. Two key underlying restorative justice values are power-sharing and involvement in decision-making. Our central methodological approach is community dialogue delivered in a safe, equal and voluntary manner. As a community-cohesion organisation, we use these values and method to work both on the front-line through the provision of anti-poverty and community cohesion projects, but also at society level by: (a) empowering communities to be heard in decision-making and (b) gathering evidence to pursue systemic and structural changes through local and national policy, academia and the press.

ANNEX II – Ethical considerations

During data collection processes for both consultations, RJ4All adhered to all relevant ethical guidelines and considerations.

A condensed list of 4 questions was also offered to YJS teams and RJ4All partners to have an overview of practitioners in the field. Anonymised responses from YJS teams participating in our pilot project are included with informed consent in the consultation. These are attributed and differentiated with quotation marks.

Additionally, RJ4All team members training the YJS teams also provided overall feedback on some of the questions in this consultation.

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