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Oversight and funding of Youth Justice Services

A question-by-question response

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About TM: The Traveller Movement (TM) was established in 1999 and is a leading national policy and voice charity, working to raise the capacity and social inclusion of the Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller communities in Britain. TM act as a bridge builder bringing the communities, service providers and policy makers together, stimulating debate and promoting forward-looking strategies to promote increased race equality, civic engagement, inclusion, service provision and community cohesion. For further information about TM visit www.travellermovement.org.uk

TM's central message

A fairer and more effective youth justice system must make unequal outcomes visible and actionable for Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller communities. TM's evidence base shows that the pathway into youth justice is shaped by poor ethnicity monitoring, school exclusion, unmet need, poverty, discrimination, cultural misunderstanding and weak access to early support. Reform should therefore mean better data, meaningful voice, culturally competent practice, properly funded prevention and diversion, and accountability across the whole system.

Evidence base: TM's response is grounded in our published youth justice, education and equality evidence base, including *Overlooked and Overrepresented*, *Effective Practice for Youth Offending Teams*, *Disrupting the School to Prison Pipeline*, the *Pre-Sentence Report Toolkit*, *Fought not Taught* and *Tackling Institutionally Coercive Exclusions*. Across these publications, TM has combined policy analysis, community insight, practitioner learning and case-study evidence to show how poor ethnicity monitoring, school exclusion, unmet SEND and mental health needs, poverty, discrimination and cultural misunderstanding can increase the risk of justice involvement for Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people. This evidence base should be read alongside the response below because it explains why oversight and funding reform must make unequal outcomes visible, actionable and properly resourced.

In summary, TM recommends that the reformed framework should: retain a dedicated focus on disproportionality and embed equality throughout all standards; require reliable 18+1 ethnicity monitoring and action on missing data; protect early intervention and diversion funding; include culturally competent practice and trusted community engagement within quality measures; hold statutory partners accountable for education, health, housing, social care and family support; and apply equality impact assessment to any funding redistribution.

PART A • PERFORMANCE AND OVERSIGHT

Question 1. National Standards structure

RESPONSE: OPTION 2 - thematic standards with cross-cutting principles.

The thematic model feels more natural to how children and young people experience services. A young person does not necessarily move neatly from one 'phase' to another; education, family support, health, SEND, poverty and discrimination can shape what happens long before and after formal justice contact. TM's work on the school-to-prison pipeline makes this point particularly clear: exclusion, ethnic inequality, poverty and mental ill health can combine before a young person reaches youth justice. A thematic framework would let the YJB ask a more useful question: are the right things being addressed across the whole journey, and are outcomes fair? For Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people, equality should therefore be visible throughout the framework, rather than added as a separate compliance exercise.

TM evidence: Overlooked and Overrepresented (2016; 2022); Disrupting the School to Prison Pipeline (2022).

Question 2. Additional standards if phases are retained

RESPONSE: YES - to all three proposed additions, if Option 1 is retained.

TM's preference remains Option 2. If the current phase structure is kept, however, we support adding standards on victims, early intervention and prevention, and Out of Court Resolutions. We would strengthen each one by asking whether it works equally well for different communities. TM's Effective Practice work is a useful example: improving ethnicity recording led to a W3 Irish Traveller category being added to the Youth Justice Application Framework, while children and young people in custody reported feeling less safe when staff did not understand them. That suggests a practical standard should cover not just whether a service exists, but whether staff understand the young people they are working with, whether families can engage, and whether diversion and prevention are genuinely accessible.

TM evidence: TM Effective Practice for Youth Offending Teams (2021).

Question 3. Thematic areas and cross-cutting principles

RESPONSE: STRONGLY AGREE - with stronger equality and cultural competence requirements.

We support the thematic areas but would make the cross-cutting principles more concrete. Equality, anti-discrimination, cultural competence, good ethnicity data and the voice of children and young people should be explicit expectations. TM's earlier ethnicity-monitoring briefing showed why these matter: HMIP data indicated very high representation of Traveller-background children and young people in secure settings, while the youth justice system itself did not record ethnicity consistently enough to investigate the problem properly. The issue is not simply whether a service has an equality policy; it is whether it can identify unequal access and outcomes and then do something about them. In practice, disproportionality should be treated as a performance question with actions, owners and deadlines.

TM evidence: Ethnicity Monitoring in the Youth Justice System briefing; Overlooked and Overrepresented.

Question 4. Disproportionality

RESPONSE: KEEP A DEDICATED STANDARD/THEMATIC AREA - and integrate it throughout.

We would not choose between a dedicated focus and a cross-cutting approach: we need both. If disproportionality is only 'integrated', it can disappear into general equality reporting. A dedicated requirement makes it much harder to overlook the experience of Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people, while cross-cutting requirements ensure every part of the framework has to respond to unequal outcomes. TM's Overlooked and Overrepresented work has shown that over-representation in youth custody is persistent. Its Effective Practice work also shows that culturally informed practice can make a difference to how safe and understood young people feel. The framework should therefore require services to identify disparities, explain likely causes, agree practical action, allocate owners and deadlines, and show whether things have improved.

TM evidence: Overlooked and Overrepresented (2016; 2022); Effective Practice for Youth Offending Teams (2021).

Question 5. Quality Performance Framework

RESPONSE: STRONGLY AGREE - provided it is improvement-focused rather than another reporting burden.

A QPF could be a real improvement if it helps services understand what good practice looks like and learn from it. It should not simply create another layer of paperwork. For TM, quality' has to include the experience of the young person and whether services are culturally competent. TM found that children and young people in custody had felt less safe because staff did not understand them; the resulting Effective Practice Briefing, developed with the Youth Custody Service, was then shared across establishments and was associated with improved reported experiences, although TM rightly cautions that this does not prove causation. That is exactly the sort of learning a quality framework should capture: what changed, why, for whom, and whether it improved outcomes.

TM evidence: Effective Practice for Youth Offending Teams (2021).

Question 6. QPF content and measures

RESPONSE: FREE TEXT - keep the measures focused, but make fairness visible.

We would keep the KPI set small enough to be useful, but it needs to cover both service quality and unequal outcomes. At minimum, it should look at access to Out of Court Resolutions and diversion; assessment and intervention quality; children and young people's experience; safeguarding; SEND and neurodiversity; care experience; health and mental health; education attendance and exclusion; housing and family support; remand, custody, resettlement and reoffending. Crucially, these should be broken down by ethnicity wherever numbers allow, with missing or unknown ethnicity monitored as a quality issue in its own right. TM's school-to-prison research called for 18+1 ethnicity monitoring, targeted education interventions, better Pre-Sentence Reports and greater use of community alternatives. Those recommendations point towards a QPF that tracks whether protective interventions are actually reaching Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller young people - not simply whether a service has a policy on paper.

TM evidence: Disrupting the School to Prison Pipeline (2022); Pre-Sentence Report Toolkit (2023); ethnicity-monitoring briefing.

Question 7. Three tiers of accountability

RESPONSE: STRONGLY AGREE - with real partner accountability.

The three tiers make sense because a Youth Justice Service cannot fix every problem on its own. If a young person cannot get a mental health assessment, suitable education, housing support or social care, that is not simply a YJS performance failure. Tier 2 should therefore make partner responsibilities visible and require action when services are missing. Tier 3 should then show whether those gaps are creating wider inequalities, including for Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people. TM's work is particularly relevant here because it shows that the route into justice can begin upstream - through school exclusion, discrimination, SEND and unmet needs. Accountability needs to follow the problem across the system, not stop at the YJS boundary.

TM evidence: Disrupting the School to Prison Pipeline (2022); Criminal Justice Policy, Campaigns and Research.

Question 8. Measures and KPIs

RESPONSE: FREE TEXT - distinguish service performance from wider system conditions.

The KPI set should answer three straightforward questions: is the YJS doing its job well, are partners doing theirs, and are outcomes fair? At YJS level, measures should include timeliness, assessment quality, intervention completion, reoffending and custody, alongside access to diversion and Out of Court Resolutions. At partnership level, look at access to education, SEND, health, mental health, housing, social care and transition support. At system level, monitor entry, diversion, remand, custody and reoffending by ethnicity. TM has consistently argued that poor ethnicity recording makes unequal outcomes harder to see. We would therefore monitor missing or unknown ethnicity as well as recorded ethnicity. If a significant number of records are missing the information, that is itself a quality problem.

TM evidence: Ethnicity Monitoring in the Youth Justice System; Effective Practice for Youth Offending Teams.

Question 9. Voices of children and young people, victims and families

RESPONSE: STRONGLY AGREE - make participation meaningful and safe.

We support this strongly. Children and young people, victims and families should help shape oversight rather than simply be asked whether they were satisfied afterwards. Participation should be accessible, culturally competent and safe, and the framework should make space for trusted community organisations where relationships with statutory services are weak. TM's education and case-study evidence is a useful reminder that families can be described as 'hard to reach' when the real issue is that services are not communicating in ways that work for them. The same principle applies here. Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people should be deliberately included in qualitative evidence, with appropriate safeguards for small numbers. Their experiences should lead to changes in practice, not just another satisfaction score.

TM evidence: Fought not Taught (2024); Tackling Institutionally Coercive Exclusions (2025); wider TM equality and youth work.

TM case-study evidence also shows why participation must be more than a satisfaction measure. Families and young people often describe barriers that are practical as well as cultural: not understanding the justice process, feeling judged or misunderstood by professionals, struggling to access education or health support, or being reluctant to disclose ethnicity because of previous discrimination. These experiences help explain why trusted community organisations are needed to support engagement and why qualitative evidence should sit alongside performance data.

Question 10. Welsh context and oversight

RESPONSE: TO SOME EXTENT - recognise the distinct Welsh context.

We agree that the framework should work across England and Wales, but the Welsh context needs more than a short note in the national framework. Youth justice sits alongside devolved Welsh services and policy, and the consultation itself recognises that future arrangements need to reflect that relationship. We would therefore expect the YJB and Welsh Government to co-design the Welsh arrangements, including bilingual provision, data, funding transition and accountability to Welsh partners. Equality monitoring should remain consistent enough to identify outcomes for Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people across both nations. The principle should be simple: a shared national ambition, but enough flexibility to reflect Welsh structures and legislation.

Context: UK Government/Welsh Government agreement on an expanded Welsh role in youth justice (2026); TM equality and criminal justice evidence.

Question 11. Self-assessment

RESPONSE: AGREE - if it is evidence-led and triangulated.

Self-assessment can be useful because local teams understand their own context. But it works best when it is tested against other evidence: inspection findings, the experiences of children and young people and families, partner feedback and outcome data. We would also require a short equality and disproportionality section, including any disparities for Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people, with named actions and deadlines. A local average can look positive while a small group is experiencing a very different reality. Self-assessment should help a service spot that problem rather than unintentionally hide it.

TM evidence: ethnicity-monitoring and lived-experience research; Effective Practice for Youth Offending Teams.

Question 12. Youth justice plans and annual updates

RESPONSE: AGREE - streamline them, but do not strip out equality information.

We support a simpler annual update. Local teams should spend their time improving services rather than repeatedly entering the same information into different templates. But the streamlined approach still needs to show what the service is doing about unequal outcomes, diversion, safeguarding and partnership gaps. For Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people, that means retaining meaningful ethnicity data and a clear explanation of any significant disparity. The aim should be one coherent story: what the local need is, what the service planned to do, what happened, what changed and what still needs attention.

TM evidence: Criminal Justice Policy, Campaigns and Research; youth justice and education publications.

Question 13. Content of the annual update

RESPONSE: FREE TEXT - focus on change, not paperwork.

We would keep the annual update short and practical. It should cover key outcomes and disparities; access to diversion and Out of Court Resolutions; the experience of children and young people and families; safeguarding; partner contributions and gaps; progress against improvement actions; and any significant equality issue requiring further work. There should also be enough local context to explain small numbers and unusual changes. For example, a service should be able to explain why outcomes for Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people have changed, even if the numbers are small. TM's experience shows that small populations are precisely where national averages can hide important issues.

TM evidence: ethnicity-monitoring work; Overlooked and Overrepresented; Effective Practice for Youth Offending Teams.

Question 14. Serious Incident Notification

RESPONSE: STRONGLY AGREE - remove the 24-hour requirement, but retain immediate safeguarding escalation.

We support removing a rigid 24-hour notification requirement if it is producing bureaucracy rather than learning. Serious safeguarding or public protection concerns must, of course, still be escalated immediately through the appropriate routes. The difference is that not every incident needs to generate a rushed national report simply because of a deadline. A more proportionate approach would allow the YJB to look across incidents periodically and identify patterns - including whether particular groups are experiencing repeated problems. That would fit better with the consultation's emphasis on learning and continuous improvement.

Consultation position: replace the current notification requirement with proportionate learning and reporting arrangements, while retaining immediate safeguarding/public protection routes.

Question 15. Streamlining reporting

RESPONSE: FREE TEXT - one coherent dataset, fewer duplicate returns.

The simplest test should be: if government already has the information, do not ask the YJS to submit it again. Annual plans, QPF measures, grant assurance and other reporting should use one agreed dataset wherever possible. Qualitative reporting should focus on explanation and learning rather than repeating the same narrative in several formats. But streamlining must not mean removing equality monitoring. TM's experience is that ethnicity information can already be incomplete; taking it out because it is administratively difficult would make the problem worse. The reform should reduce duplication while improving the quality and usefulness of the information that remains.

TM evidence: Criminal Justice Policy, Campaigns and Research; ethnicity-monitoring briefing.

PART B • FUNDING

Question 16. Reform of the funding formula

RESPONSE: AGREE - but redistribution must be safe and fair.

We agree that the historic funding formula needs reform. A formula based on old data cannot reliably reflect current need. But a new formula should not simply move money around on paper: it needs to be tested for its real-world impact on prevention, diversion, specialist provision and equality. We would want transparent modelling and a clear equality impact assessment before redistribution, including specific consideration of Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people. TM's evidence also points to a wider problem: some need is not visible in justice data because ethnicity is poorly recorded or because the young people concerned are still at the prevention stage. A fair formula must not reward late intervention or penalise services that identify hidden need early.

TM evidence: ethnicity-monitoring evidence; Disrupting the School to Prison Pipeline (2022).

Question 17. Funding principles

RESPONSE: AGREE - with equality, hidden need and fixed costs added.

The proposed principles are broadly right: use current data, fund according to need, support prevention and diversion, reflect complexity and account for regional costs. We would add three things. First, test every option for equality impact. Second, recognise that need can be hidden or under-recorded, particularly for smaller ethnic populations. Third, recognise unavoidable fixed costs, especially in smaller or geographically dispersed services. TM's work illustrates why these matter: the route into youth justice can be visible only after a long period of exclusion or unmet need. Funding should support services to intervene early, not wait until the problem becomes a recorded justice demand.

TM evidence: ethnicity-monitoring briefing; Disrupting the School to Prison Pipeline (2022).

Question 18. Allocate MOJ funding by relative need

RESPONSE: AGREE - but define 'need' broadly.

Needs-based funding is preferable to historic allocations, but we would resist a narrow definition of need based mainly on recorded justice contact. The formula should also consider deprivation, housing overcrowding, school exclusion and persistent absence, care experience, SEND, health and mental health, prevention demand and evidence of unequal justice outcomes. TM's research is especially clear about education: Romani (Gypsy), Roma and Irish Traveller pupils have experienced markedly higher exclusion rates, and TM identifies exclusion as part of a wider school-to-prison pathway. A good funding formula should help a YJS work with partners before a young person enters the justice system, rather than create an incentive to wait for demand to appear.

TM evidence: Disrupting the School to Prison Pipeline (2022); Fought not Taught (2024); Tackling Institutionally Coercive Exclusions (2025).

Question 19. Alternative and supplementary datasets

RESPONSE: FREE TEXT - use a basket of indicators, not one proxy for need.

We recommend testing the formula against a basket of indicators: school suspensions and permanent exclusions; persistent absence; children and young people in care; SEND/EHCP rates; child poverty and deprivation; housing overcrowding and homelessness; population and ethnicity data; health and mental health; NEET rates; police stop/search and arrest; diversion and Out of Court Resolution outcomes; and youth-to-adult transitions. TM's education research gives a particularly strong reason to include exclusion data. In 2018–19, temporary exclusion rates were 21.26% for Gypsy/Roma pupils and 14.63% for Irish Traveller pupils, compared with 5.36% for all pupils. Those figures describe a prevention need that would be missed if funding looked only at first-time entrants. Small-number disclosure rules should, of course, be applied.

TM evidence: Disrupting the School to Prison Pipeline (2022); education and ethnicity-monitoring publications.

Question 20. Standard allocation for core business costs

RESPONSE: SUPPORT - alongside a needs adjustment.

A basic allocation for core costs is sensible because many costs do not fall when caseloads fall. Smaller services still need management, safeguarding, data, training, partnership coordination and specialist expertise. This matters for equality too: a small number of Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people should not mean a service has no resources to build cultural competence or specialist relationships. We would therefore retain a core-cost element, then add the needs-based adjustment on top. The model should also recognise geography, travel and workforce pressures.

Consultation evidence: fixed costs can create particular pressure for smaller services; TM evidence supports protecting specialist capacity.

Question 21. Funding transition

RESPONSE: OPTION B - a gradual six-year transition.

We favour the slower transition. A new formula may be fairer in the long run, but rapid redistribution could destabilise the very services expected to deliver prevention and diversion. That would be a false economy. A six-year transition gives local areas time to plan, protect staff and relationships, and adapt services without sudden reductions. We would add funding floors, transparent modelling, equality impact assessment and regular review points. Where a service works with a small but highly disadvantaged population, a simple population or caseload calculation should not produce a cliff edge.

Consultation evidence: transition options; TM evidence on prevention, diversion and specialist provision.

Question 22. Grant arrangements and ringfencing

RESPONSE: OPTION B - merge grants administratively but ringfence early intervention.

This is the strongest option for TM. Bringing funding arrangements together could reduce bureaucracy, but early intervention and prevention should remain protected. TM's school-to-prison research explains why: exclusion, poverty, ethnic inequality and mental ill health can combine long before formal justice contact. The report calls for early intervention, targeted education work, community alternatives and diversion. If prevention funding is not protected, there is a real risk that acute demand will absorb it. That would leave the underlying pipeline untouched and make it harder to deliver the consultation's own ambition of earlier intervention.

TM evidence: Disrupting the School to Prison Pipeline (2022).

Question 23. Timing of grant reform

RESPONSE: OPTION B - no earlier than April 2029.

We support keeping the change no earlier than April 2029. That gives the sector the stability of the existing multi-year settlement while the new formula is tested, modelled and subject to an equality impact assessment. It also gives services time to understand what the new accountability framework means before funding changes at the same time. For small or specialist populations, including Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people, stability matters because relationships and preventative work take time to build.

Consultation evidence: proposed multi-year settlement and April 2029 funding reform timetable.

Question 24. Public visibility of partner contributions

RESPONSE: STRONGLY AGREE - publish meaningful contributions and gaps.

We support greater transparency. If a Management Board says partners are contributing, there should be a way to see what that means in practice: cash, staffing, specialist services, access to provision and agreed commitments. This would help expose postcode differences and make it harder for a YJS to be held responsible for a service it cannot provide itself. It should also help identify where the same gap is affecting some communities more than others. TM's work shows how education, health, family support, culture and justice interact. The answer cannot be to expect the YJS to carry all of that responsibility alone. Publication should protect personal information, but it should not hide systemic gaps.

TM evidence: Criminal Justice Policy, Campaigns and Research; Disrupting the School to Prison Pipeline.

Question 25. Strengthening partner contributions

RESPONSE: FREE TEXT - make partnership obligations practical and enforceable.

We would set minimum expectations for partners and make them measurable. Each Management Board should have an annual resource plan covering cash, staffing, specialist provision and commitments from health, education, police, probation, housing and social care. Where a gap persists, it should become a formal Tier 2 improvement action and, where necessary, be escalated nationally. Equality should be built into that process: if a partner gap is disproportionately affecting Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people, the framework should make that visible and require action. TM's research shows why a whole-system approach is needed. School exclusion, cultural misunderstanding and weak ethnicity data can all shape later justice outcomes. The MoJ should therefore set clear expectations, require evidence of delivery and intervene where persistent partner failure undermines fair outcomes.

TM evidence: Effective Practice for Youth Offending Teams; Disrupting the School to Prison Pipeline; Criminal Justice Policy, Campaigns and Research.

Conclusion

Summary of TM evidence base

Overlooked and Overrepresented identifies the persistent over-representation of Romani (Gypsy), Roma and Traveller children and young people in youth custody and the need for better ethnicity monitoring. *Effective Practice for Youth Offending Teams* draws on TM's work with youth justice and custody partners to improve cultural understanding, trust and ethnicity recording. *Disrupting the School to Prison Pipeline* links exclusion, poverty, unmet need, discrimination and poor access to support with later justice involvement. The *Pre-Sentence Report Toolkit* supports better-quality reports and fairer sentencing decisions. *Fought not Taught* and *Tackling Institutionally Coercive Exclusions* strengthen the education evidence base by showing how exclusionary practice, poor communication and institutional barriers affect Gypsy, Roma and Traveller pupils and families. Together, these reports and case studies support TM's call for oversight and funding reform that is evidence-led, culturally competent and focused on measurable action.

Closing position

TM supports the direction of travel towards clearer accountability, better use of evidence, simpler reporting and fairer funding. But for reform to work for Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller children and young people, equality cannot sit at the margins. TM's published reports and case-study evidence show that unequal outcomes are shaped by a connected set of factors: poor ethnicity data, exclusion from education, unmet SEND and mental health needs, poverty, discrimination, cultural misunderstanding and weak access to trusted early support. The system therefore needs reliable ethnicity data, meaningful participation, culturally competent practice, protected prevention and diversion, and partner accountability across education, health, housing, family support and justice. The key test is not whether the framework looks simpler; it is whether it produces fairer outcomes.

Wider youth justice sector direction

A September 2026 review of relevant youth justice organisations and sector bodies identifies a consistent direction: more reliable and equitable diversion; less postcode variation; stronger prevention and community-based support; evidence-led practice; meaningful participation; and accountability for racial and other disparities. The Centre for Justice Innovation, Youth Endowment Fund and Youth Justice Legal Centre emphasise consistent, evidence-informed diversion; the Alliance for Youth Justice stresses prevention and structural racial justice; Howard League and Transform Justice continue to press for custody to be a last resort; and Catch22, St Giles Trust, the Commissioner's Office for England and the Magistrates' Association emphasise early support, avoiding unnecessary criminalisation, and consistent Out of Court Resolutions. This reinforces TM's approach while adding the specific evidence and lived experience of Romani (Gypsy), Roma and Irish, Scottish and Welsh Traveller communities.

Sector sources reviewed: Centre for Justice Innovation; Clinks; Youth Justice Legal Centre; Alliance for Youth Justice; Howard League for Penal Reform; Transform Justice; Youth Endowment Fund; JUSTICE; Catch22; St Giles Trust; Restorative Justice Council; Commissioner's Office for England; Magistrates' Association.