

Understanding the educational background of young offenders

Introduction and background

This is a joint report between the Ministry of Justice (MoJ) and the Department for Education (DfE) which presents initial findings from a major data sharing project. The report provides initial findings from a match between MoJ's extract from the Police National Computer (PNC) and DfE's National Pupil Database (NPD). It is based on offenders from the PNC who were successfully matched to the NPD. The records of around 1.74 million offenders, aged between 10 and 29 years, from between 2000 and 2015 were shared with the DfE. Of those, around 1.22 million were matched and included in the final matched dataset; a good match rate of 70 per cent was achieved. The matched cohort includes approximately 500 young people on custodial sentences of 12 months or longer, just under 1,500 on custodial sentences of less than 12 months, around 5,000 sentenced to Youth Rehabilitation Orders (YROs), around 7-8,000 sentenced to referral orders (ROs) and approximately 15-18,000 given a caution.

The aim of this analysis is to better understand the educational background, including attainment outcomes and characteristics, of young people aged 10 to 17 years who were sentenced in 2014 in England and Wales. The year 2014 has been used as this is the most recent full year of data included in the data share. The authors of the report are keen to stress that they would not wish to draw any causal links between Free School Meals, Special Educational Needs, attainment, absences and other characteristics and the propensity to offend. The term 'youth justice disposal' is used throughout the report to denote the type of sentence or sanction given.

Key points

Key Stage 2 attainment

- The analysis looked at the attainment of offenders who received a youth justice disposal in 2014. As data is restricted to one academic year, the analysis considers those who finished Key Stage 2 (KS2) in 2007-8.
- In 2007-8 there were a total of 600,000 pupils who finished key stage 2. Of this total, 79 per cent achieved level 4 or above in mathematics, 87 per cent achieved level 4 or above in reading and 68 per cent achieved level 4 or above in writing.
- Attainment is lower at KS2 for matched young offenders that were at the end of KS2 exams in 2007-08 across all youth justice disposal types and for all subjects when compared to results for the overall pupil population.
- Attainment amongst those who received a young justice disposal varied according to the sanction imposed. The more severe the sanction, the lower the attainment at KS2 generally appeared to be. For example, for those who were given a custodial sentence of longer than 12 months, scores at level 2 or above were: 52 per cent for mathematics, 58 per cent in reading and 33 per cent in writing. In contrast, equivalent attainment figures at level 4 and above for those given the least severe sanction (caution) were: 61 per cent for mathematics, 70 per cent for reading and 42 per cent for writing.

Key stage 4 attainment

- The Key Stage 4 (KS4) attainment exams commonly take place at the end of Year 11. These are typically GCSEs but a pupil may also have the option to take equivalent exams such as vocational qualifications. This analysis looks at three KS4 headline attainment measures: the proportion achieving any pass in GCSEs (or equivalents); the proportion achieving 5 or more A* to G grades in GCSEs (or equivalents) including English and maths; and the proportion achieving 5 or more A* to C grades in GCSEs (or equivalents) including English and maths.
- For the overall pupil population, attainment against the measures above is as follows: any pass at all (99.7%); at least 5 GCSEs grades A*-G including English and maths (91%); and at least 5 grades A*-C including English and maths (59%).
- Young offenders sentenced in 2014 who completed Key Stage 4 (KS4) in the academic year 2012-13 are less likely to have attained all of the above measures than the overall pupil population.
- As with KS2, there is a tendency for those who were given more severe sanctions to perform less well. For example, the attainment figures for those who received a custodial sentence of over 12 months were: 91 per cent achieving any pass; 32 per cent achieving 5 or more GCSEs grades A*-G including English and maths; and just 5 per cent achieving 5 or more GCSE grades A*-C including English

and maths. The figures for those who received a caution were 96 per cent, 66 per cent and 17 per cent respectively.

Eligibility for free school meals (FSM)

- Of those young offenders sentenced in 2014 who were at the end of KS4 in academic year 2012-13, 38 per cent were eligible for free school meals (FSM) compared to the 15 per cent of the general pupil population eligible for FSM in state-funded schools.
- Those receiving cautions and referral orders have a lower proportion known to be eligible for FSM (30% and 36% respectively) than those sentenced to custody or YROs (44% and 40% respectively).

Young offenders with special educational needs (SEN) at the end of key stage 4

- This section of the report is based on young offenders sentenced in 2014 who were at the end of KS4 in 2012-13.
- For the general pupil population in the matched cohort, 17 per cent were recorded as having a SEN without a statement and 4 per cent were recorded as SEN with a statement.
- Amongst young offenders, the proportion of those with SEN was significantly higher. Of those sentenced to 12 months or more in custody, 46 per cent were recorded as SEN without a statement and 21 per cent were recorded as SEN with a statement. Figures for those receiving YROs were almost the same (46% and 22%). Of those who received a caution, the figures were 38 per cent and 9 per cent respectively.
- This analysis looks at the primary SEN type that was recorded in the School Census during the spring term of the academic year for which the young offender was at the end of KS4. The Sen types have been grouped into: Behaviour, Emotional and Social Difficulties (BESD); Moderate Learning Difficulty (MLD); Autistic and Learning Difficulty (ASD); and Other Difficulties/Disability and Impairments.
- For all youth justice disposal types, BESD was by far the most prevalent primary SEN type in the matched cohort for those recorded with SEN. This differs from the overall pupil population (for pupils with SEN in state-funded schools at the end of KS4) where a greater proportion have a primary SEN type recorded as ASD.
- Eighty-four per cent of those sentenced to less than 12 months in custody had a primary SEN type recorded as BESD. The equivalent figure for those sentenced to 12 months or longer in custody was 73 per cent and for YROs it was 78 per cent.
- For those sentenced to custody and YROs, the primary SEN type with the second highest proportion recorded at the end of KS4 was Moderate Learning Difficulty (MLD). The lowest proportions were for those recorded as Autistic and Learning Difficulties or Other Difficulties, Disabilities and Impairments.

Looked after children

- The following section looks at the proportion of the matched young offender cohort who were aged 16 or 17 on their sentence date and who were recorded as being looked after children (LAC) on 31st March 2014. By using this measure, the analysis takes no account of how long

the children were in care and does not count the young offenders who were looked after during 2014 (or previously) but were not looked after on 31st March 2014.

- For all youth justice disposal types, the proportion of the matched cohort aged 16 and 17 that were LAC on 31st March 2014 (19%) was much higher than seen in the overall population (1%).
- Thirty-one per cent of those sentenced to custody for 12 months or longer were looked after on 31st March 2014. The equivalent figure for those sentenced to custody for less than 12 months was 27 per cent.
- It is not possible to conclude from these findings that being LAC means a young person will go on to offend. There were nearly 15,000 looked after children aged 16 and 17 at 31st March 2014, many of whom had never offended.

Absence and permanent exclusions

- This section explores the proportion of the 2014 matched young offender cohort that have a history of being persistently absent from school or have a previous record of being permanently excluded from school. A young offender has been classified as being persistently absent from school when they have taken absences (both unauthorised and authorised) during the school year that account for more than 10 per cent of the total number of school sessions available.
- Around 90 per cent of those sentenced to custody in 2014 had a previous record of being persistently absent from school. The figure for YROs was also around 90 per cent and for ROs and cautions, between 80 and 90 per cent had a previous record of being persistently absent from school. As a comparison, in the autumn 2015 term, around 670,000 of pupils enrolled in state-funded primary and secondary schools were persistently absent from school (around 10 per cent of all pupils).
- Twenty-three per cent of those sentenced to less than 12 months in custody had been permanently excluded from school prior to their 2014 sentence date. For those sentenced to 12 months or longer in custody, 16 per cent had a previous record of being excluded from school prior to sentencing. For those with a caution it was 8 per cent. It is not possible in this case to make a direct comparison to the overall pupil population.

The full document can be downloaded from:

<https://www.gov.uk/government/statistics/understanding-the-educational-background-of-young-offenders-full-report>