

# The Education Committee inquiry into boys' attainment and engagement in education



**Our response**

Submitted May 2024

# About Clinks

Clinks is the specialist infrastructure charity dedicated to supporting voluntary organisations working directly with people in the criminal justice system and their families England and Wales. We support, promote, and advocate for our members and the wider voluntary sector across England and Wales.

## About this response

Given Clinks' work and the nature of our expertise, we have limited our response to two of the questions set out in the call for evidence: 'how can the UK improve the progression of boys into higher education?' and 'what are the wider social implications of boys' underperformance and under engagement with education?' Our response will collate and highlight evidence and recommendations from voluntary organisations working with people in the criminal justice system, although the impact of boys' attainment and engagement in education is of course wider than that.

It should also be noted that, although a large percentage of young adults in the criminal justice system have lower educational attainment, most people with lower educational attainment have not, and will not, be convicted of crimes.

The links between lower educational attainment and criminalisation are well evidenced. In May 2022, the Office for National Statistics published [a review](#) of educational attainment and provision, social care provision and demographics of young people educated in England who subsequently received a custodial sentence, comparing with their peers who did not. Note that, in this study, 92.6% of young adults sentenced to prison, and 68.6% of those receiving a community sentence or caution were male. Key findings include:

- 36.9% of young adults (aged 18-25) sentenced to prison achieved the expected level of English and maths by the end of key stage 2, compared with 53.0% of their peers with community sentences or cautions, and 72.4% of those without criminal convictions.
- More than half (52.5%) of young adults sentenced to prison had been persistently absent during schooling, compared with 35.9% of those with community sentences or cautions; persistent absence was lowest among those with no criminal convictions (10.9%).
- Nearly three-quarters (72.2%) of those sentenced to prison had received a fixed exclusion compared with half (50.3%) of those with community sentences or cautions, and 9.0% of those with no criminal convictions.
- More than half (52.5%) of young people who were sentenced to prison had been persistently absent from school. Absenteeism declined to around one-third (35.8%) among those with community sentences or cautions, and 10.9% among those with no criminal convictions.
- Almost a quarter of young people who were sentenced to prison had attended a pupil referral unit (PRU, 13.5%) or another form of alternative provision (AP, 10.2%). A fraction of those that had no criminal convictions had attended a PRU (0.4%) or other AP (0.7%).
- Four in five (79.8%) people who were sentenced to prison had an identified special educational need (SEN) at some point during their schooling. People who went on to receive custodial sentences were almost five times more likely to have had a SEN statement than people with no criminal convictions (18.0% compared with 3.8%).

The latest [youth justice statistics for 2022-23](#), show that about 13,700 children - 86% of them male - received a caution or sentence in the year ending March 2023. Black children remain over-represented in youth justice outcomes, accounting for 11% of all children aged 10 to 17 cautioned or sentenced, compared to 6% of the general population. [A 2022 briefing from the Traveller Movement](#) highlights that the 2019-20 children in custody data indicates that nearly 10% of young people who responded identified themselves as being from a Traveller background, despite Gypsy, Roma, and Traveller people making up an estimated 0.1% of the UK population as a whole.

## Evidence and recommendations from the voluntary sector

Here we focus on recommendations to prevent children and young people entering the youth justice system, as well as support for learners in prison and on probation to attain qualifications. We also highlight some of the challenges around accessing higher education for people with a criminal record.

In February 2022, the Alliance for Youth Justice (AYJ) and Leaders Unlocked published the [first report](#) from their peer led research on youth justice. The AYJ brings together over 75 diverse organisations ranging from grassroots community groups to national charities.

Leaders Unlocked is a social enterprise that enables young people and underrepresented groups to have a stronger voice on the issues that affect their lives.

‘Education and early warnings signs’ was one of three research priorities identified and investigated by Young Advocates – a group of 15 young people aged between 14–20, with a wide range of lived experience including school exclusion, police contact, and youth justice. The Young Advocates received training on social and peer research, interviewing, public speaking, presentation skills, workshop facilitation, and data analysis.

The research highlighted some negative experiences in both primary and secondary education: a lack of necessary support; the impact of exclusions and the quality of alternative education; and early labelling and categorising of those struggling academically. Participants reported feeling disappointed in the way these experiences impacted their trust, and sense of self. Conversely, many participants reported the positive impact support and high-quality relationships – those with a deep level of personal and cultural context – had in their lives. Young people saw teachers as having an important role but felt they were not always equipped to respond to the needs of young people in their care.

The report makes five recommendations around education:

1. Reduce school exclusions, with a target to eliminate them completely. Every school should have a process of intervention that recognises and targets the 'school to prison pipeline' – the higher chance of disadvantaged children ending up in prison, because of unequal treatment in education.
2. Increase teachers' awareness of how to responsibly support children outside of academia.
3. Educate professionals on how to recognise and respond to national, regional, and local level issues affecting young people including child criminal exploitation, domestic abuse in different contexts/cultures, online harms, and substance abuse.
4. Establish an official body that is only responsible for children in trouble in education, responding to this group as vulnerable, and advocating for school-excluded children's rights to education.
5. Update national curriculums to reflect the current demands in the world of work with more hands-on teaching, practical knowledge, and money-making skills to ensure education is engaging, relevant, accessible for children and young people and reduce the initial incentive to commit crime.

In their **second report**, published in February 2024, the Young Advocates reiterated the role of schools and education providers in keeping children and young people out of the youth justice system. Respondents frequently reported feeling that their schools were quick to suspend or exclude them, and/or labelling students as a 'bad child' to fend off being labelled a 'bad school'. The experience of suspension or exclusion was reported as creating a strong sense of powerlessness.

Recommendations included:

- Government should invest in non-criminal educational programmes related to emotional management, healthy relationships, consent, survivorship and loss. The Department for Education should introduce peer to peer mental health first aid models and mentoring training at secondary schools across the country, to enhance the accessibility and qualitative of positive support over time.
- Department for Education and Department for Digital, Media, Culture and Sport to train teachers, youth and community workers, and other professionals in contact with children to recognise and respond to behaviour that could be viewed/labelled as antisocial and deepen understanding of the range of potential causes and triggers.
- All bodies with a duty of care must be held accountable by the Department for Education if a child is not given sufficient alternative education options or if the school's suspension procedures limit a child's chance to be accepted into alternative education. This consequence could be relative to the period a child is out of education. Schools, headteachers, governors, and others involved in suspension and exclusions must be responsible for children until they are placed in another educational setting.
- The Department for Health and Social Care to provide more funding for better, local, person-centred therapeutic services, as CAMHS is not fit for purpose. Professionals overseeing and affecting children and young people's mental wellbeing must be culturally informed, and increasingly embedded in communities.

The **Youth Endowment Fund's Toolkit** – an overview of approaches to preventing serious youth violence also highlights the role of schools and education leaders. For example:

- Exclusion prevention programmes, including training in emotional self-regulation, mental health support, mentoring, and tutoring can be effective.
- Some after school programmes may reduce general crime by 8% on average, and externalising behaviours by 14%. Programmes including academic work and skills building were found to be more effective than recreational programmes, while targeting children aged 11-14 was also found to be more effective.
- Some evidence shows that mentoring may reduce crime and behavioural difficulties, substance misuse and improve self-regulation.

Nacro's 2021 report **Learn without limits** focused on education support for disadvantaged 16-19 year olds, inspired by Education Policy Institute research that showed that poorer students face an extra attainment penalty during the 16–19 education phase. In the year to March 2023, **74% of children cautioned or sentencing were aged 15-17** and 86% were boys.

Nacro's recommendations include:

1. A Pupil Premium Plus: an extension of the extra funding given to disadvantaged pupils (Pupil Premium), to 16–19-year-olds.
2. A guaranteed range of high-quality, employer endorsed vocational or technical qualifications at Level 2 and below.
3. A Digital Inclusion Guarantee to close the digital divide, incorporating the guarantee of data and devices for all young people; digitally enabling staff at education providers, and ensuring all providers digital infrastructure can cater for online learning.

Unlock is a charity that helps people overcome the long-term disadvantage caused by their criminal records. This includes providing advice for people with a criminal record applying to university and **publishing its 'Fair Study' toolkit** that offers guidance for higher education providers who want to develop fair approaches for applicants and students with criminal records.

Unlock conducted a review of its helpline offering specialist criminal records advice for 2022-23, for cases concerning higher education. Through this, Unlock identified several common themes and challenges. These included that people with criminal records felt unsure whether they would be able to access higher education and felt vulnerable in asking for guidance, with many fearing they would be discriminated against because of their criminal record. Where people had made an application, they were unsure as to which parts of their criminal record they were being asked to disclose, with questions being unclear or not giving enough information.

The analysis also revealed that many people received their criminal record as a young person, highlighting systematic barriers some applicants may have already had to overcome before considering higher education. Moreover, the average length of time since a caller to the Unlock helpline had received their criminal record was 13 years, meaning criminal records have a long-term impact and raises questions as to how relevant the record is for accessing most courses.

As part of its toolkit, Unlock provides practical examples, guidance, and links to other external sources of information about criminal records and access to higher education. It also sets out a checklist that provides higher education institutions with a reminder of things to consider. The broad topics covered by this checklist include:

- Institutions 'value the experience of applicants with criminal records and communicate positively to and about them'
- Institutions 'understand and apply criminal records and data legislation'
- Institutions 'have an accessible, detailed policy for people with criminal records'
- Institutions 'support applicants to disclose safely and fairly when necessary'
- Institutions 'staff are trained and knowledgeable on criminal records'
- 'Access to regulated courses is fair and transparent'
- Institutions 'support students with criminal records to succeed in the future'
- Institutions 'encourage students to be part of [their] community'.

## Summary

The voluntary sector in criminal justice has significant expertise and experience in improving access to and engagement with education for at risk young people and those already in the criminal justice system. This includes supporting collaborative and co-produced recommendations from those affected. The recommendations highlighted in this brief response are just a snapshot, but we note that many resonate with recommendations made in the Committee's 2023 report *Persistent absence and support for disadvantaged pupils*.

Boys attainment and engagement in education – or lack thereof - has a lifelong impact on the individual and widespread social costs. While the vast majority of boys and young men with lower educational attainment do not commit crime, the majority of those who do commit crime have poor educational experiences and outcomes. Addressing their needs would create significant and widespread benefit for individuals, their families and communities, and go some way to reducing the huge cost of crime - estimated at £59bn a year at 2015/16 prices and reoffending – estimated at over £18bn at 2017/18 prices.

## Our vision

Our vision is of a vibrant, independent and resilient voluntary sector that enables people to transform their lives.

## Our mission

To support, represent and advocate for the voluntary sector in criminal justice, enabling it to provide the best possible opportunities for individuals and their families.

## Join Clinks: be heard, informed, and supported

### Are you a voluntary organisation supporting people in the criminal justice system?

Join our network of over 500 members.

Clinks membership offers you:

- A voice to influence change
- Practical assistance to be effective and resilient
- Support from a community of like-minded professionals.

Membership starts at just £80 per year and is free for organisations with little income.

**[www.clinks.org/membership](http://www.clinks.org/membership)**

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