



Raad voor
Strafrechtstoepassing
en Jeugdbescherming

Summary

Advisory report the criminal justice approach to school absence

Council for the Administration of Criminal Justice and Child & Youth Protection

The Advisory Division of the Council for the Administration of Criminal Justice and Protection of Juveniles (hereinafter referred to as 'the RSJ') issued an advisory report on the criminal justice approach to school absence. School absence is a criminal offence for young people between the ages of twelve and eighteen in case they have not yet obtained their basic educational qualification. This advisory report offers perspectives for an alternative, child-centred approach to school absence.

A different perspective

The RSJ believes that the discussion surrounding school absence should focus on the question: 'what do young people need to develop to their fullest potential?' At present, the debate is primarily centred on the usefulness and desirability of the prosecution of young people for school absence. The current emphasis on enforcing compulsory education, the so-called 'leerplicht', results in an inability of stakeholders to think beyond the existing framework of compulsory education and a criminal justice approach to school absence. However, the approach to school absence should not be driven by the system itself, but by the development of young people and their participation in society. The solution lies in addressing the underlying causes of school absence and to focus on the needs of young people to be able to develop to their fullest potential both within the education system and beyond.

The RSJ concludes that it is of great importance to implement a fitting and effective alternative for the approach to school absence as soon as possible. Education is essential for the optimal development of young people and should be the primary priority, with provisions tailored to the young people's developmental needs, capabilities and resilience. This requires identifying an appropriate form of education or alternative programme. It's important that young people are able to experience success and build a positive outlook for the future.

One of the issues young people and their parents experience is that multiple organisations and care workers become involved for various problems. This fragmented method hinders an effective approach to school absence. The RSJ therefore emphasises the importance of introducing a case coordinator with the authority to coordinate services and ensure that necessary actions are carried out.

1. End the criminal prosecution of young people for school absence. Ensure that a fitting and effective alternative for the approach to school absence is introduced as soon as possible.

2. Appoint a single organisation or occupational group as primarily responsible for the approach to school absence and ensure this organisation or occupational group has decision-making authority and mandate within the municipality. Appoint a case coordinator with decision-making authority for a cross-domain approach to school absence and legislate their tasks and responsibilities. The further development of the role of the school attendance officer could, for example, be considered.
3. Focus on the root causes of school absence rather than on the form of school absence (authorized and unauthorized).
4. Ensure an uniform, national approach to school absence. A child-centred approach should be central, which ensures that young people feel seen and heard within schools.
5. Amend the law on compulsory education (the Leerplichtwet) so that it reflects current practice and offers professionals clarity and guidelines for action to ensure quick and effective intervention in the case of school absence.

School absence as a threat to the development of young people

In cases of persistent school absence, youth care or youth protection may be necessary. However, school absence is not always recognised as an indicator of underlying problems. The RSJ argues that persistent school absence should be recognised as a (serious) threat to the healthy development of young people. In such cases, the application of child protection may be appropriate.

6. Recognise that persistent school absence is usually the result of underlying issues that require timely and fitting support, possibly within the framework of compulsory child protection measures.
7. Ensure that education is a primary priority, including during the provision of youth care and support.

Child-centred and preventive

An effective approach of school absence requires a child-centred and preventive approach. This begins at home and at school. Schools should be supported in implementing this approach, with due consideration for the practical feasibility for schools. Young people should be seen when they are present and missed when they are absent and schools should take a proactive approach to preventing school absence. This approach should actively involve both young people and parents. Early and timely intervention at the first signs of school absence has been shown to be effective in preventing and reducing school absence.

8. Ensure that the approach to school absence has a preventive character by identifying the early signs of school absence and providing timely and fitting support to young people and parents.



9. Actively involve parents in the approach of school absence.
10. Ensure fitting forms of education or an alternative programme are available for young people who do not benefit from regular education and provide opportunities for them for experiences of success and build a positive outlook for the future.

The advisory report is available on the [website of the RSJ](#).

