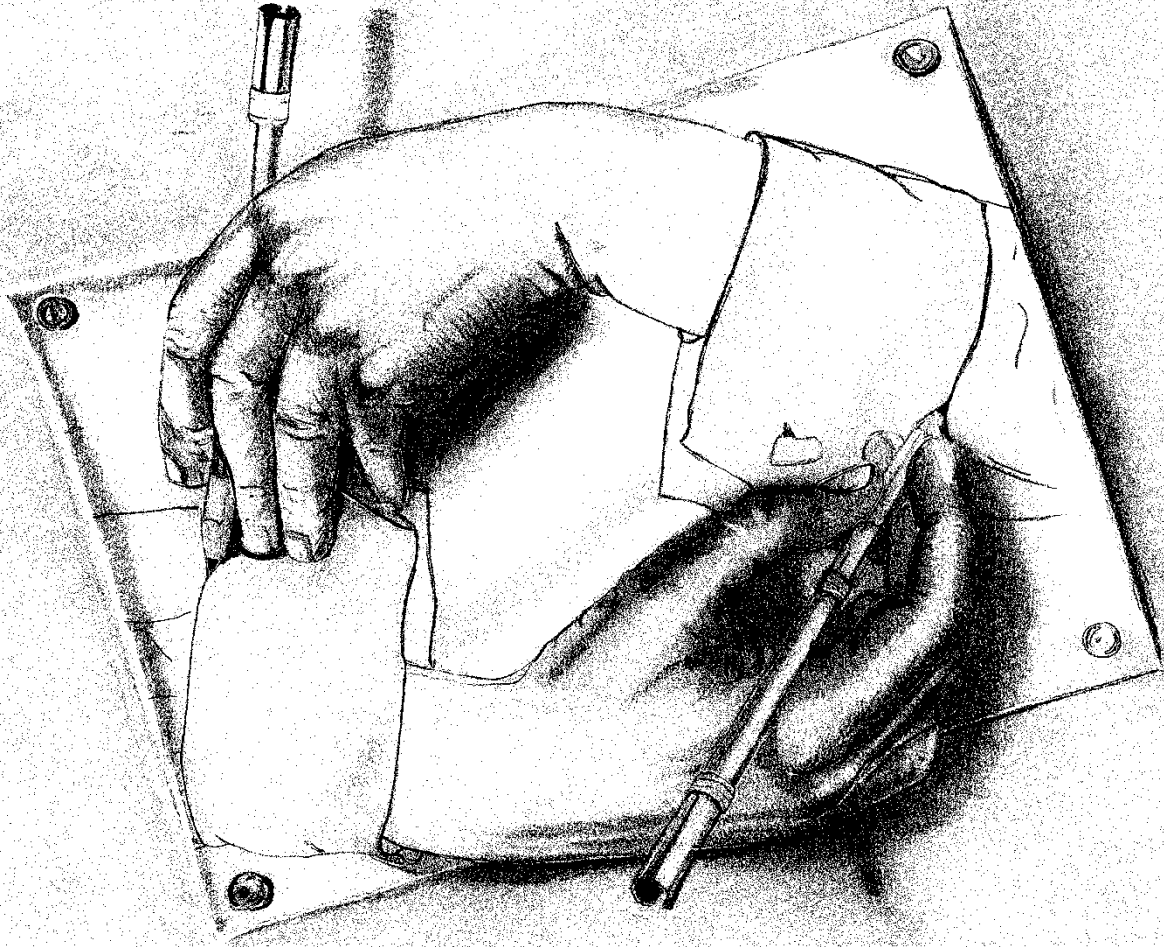


Goodwill and Good Fortune

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Obstacles and Opportunities for Level 2 learners in local jails

**Goodwill and Good Fortune: Obstacles and Opportunities
for Level 2 learners in local jails**

A Report to the Prisoners Education Trust

Dr Anita Wilson – Prison Ethnographer

May 2010

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Goodwill and Good Fortune: Obstacles and Opportunities for Level 2 learners in local jails

Report

Introduction This report is a response to a request from Prisoners Education Trust to look at how far learning is available to prisoners who have reached Level 2 and want to progress, and the obstacles and opportunities that they and their champions encounter.

The remit was to extend understanding of the issues that might be encountered in the world of 'ordinary' prison – of the Cat B local - with its transient population, and high volume of prisoners serving disparate sentences, rather than in the more stable learning environments of longer-term prisoners.

The research was carried out over a period of 9 months, primarily with prisoners and staff at one Category B local prison in the Northwest of England, together with supporting evidence from conversations with prisoners and education personnel in other Category B locals and Category C prisons in England,¹ further comments from the women's and young offender estates, and views expressed by prisoners in Scottish and European jails.

It goes almost without saying that the research would not have been possible without the encouragement and support of all these people and the author wishes to thank them wholeheartedly. Moreover, the experiences and views they expressed are central to gaining a better understanding of the opportunities and obstacles that are present when prisoners serving sentences in these environments wish to access higher level learning. Their words are at the heart of this report.

¹ A more detailed account of the Research Method is contained in Appendix One of the full report

Background Although education and training is seen as one of the pathways out of re-offending², less than 25% of prisoners in England and Wales are able to access prison education per se, and even fewer have an opportunity to progress to higher level courses³. Capacity is often limited, and the range of courses offered noted as somewhat narrow⁴.

Although Prison Rules⁵ state that *'reasonable facilities shall be afforded to prisoners who wish to improve their education by training by distance learning'*, provision is frequently eclipsed by the continued focus on improvement of prisoners' basic skills and employability. Any study at Level 2 and above is often the first to fall in the drive to cut costs.⁶

There are, however, some mitigating circumstances as to why only a small proportion of prisoners attend education. Offending behaviour programs must often take precedence if a prisoner is to meet licence conditions or eligibility for parole; pay for attending education is lower than that offered by bonus schemes in the work sheds or longer hours offered by the kitchens; previous negative experiences of education can also act as a barrier to further engagement⁷. In cat B local jails, adjustment to incarceration and a short length of stay⁸ can also dissuade prisoners from committing to a program of academic work.

There are additional issues. While there is no question that some prisoners require support to improve their level of basic skills⁹, many lower level learners often progress at a remarkable rate. Their enthusiasm turns to frustration when they are unable to progress beyond the required Level 2. Equally, prisoners who have already achieved Level 2 prior to incarceration also find themselves beyond the remit and focus of much prison education. During this study, it was estimated that in one Cat B, only 1% of the monthly intake were at pre-Entry level, while around 4% were already above Level 1 literacy. In another Cat B, of 200 men assessed, 17 were found to be at or above Level 2 in literacy or numeracy on entry into the jail. The exasperation at having progress and ability halted by the 'cut-off' point of Level 2 was a key message voiced by tutors and students alike. The implementation of higher-level or distance learning appear not to be recognised by the system as an ameliorative alternative or viable progression.

² MoJ/NOMS Strategic and Business Plans 2009- 2010 to 2010 - 2011

³ According to the OU website, in 2009 around 1,400 prisoners were taking OU courses

<http://www.open.ac.uk/platform/news/society>

⁴ Schuller T. & D Watson (2009) Learning through Life: Inquiry into the future of Lifelong Learning (NIACE)

⁵ Prison Rules (1999) Statutory Instrument 728

⁶ Sanford R. & J.E. Foster (2006) Reading, writing, and prison education reform? The tricky and political process of establishing college programs for prisoners: in Journal of Equal Opportunities International Vol 25 Issue 7.

⁷ Hurry J, L. Brazier. K. Snapes, A Wilson (2005)

⁸ In one Cat B local it was estimated that 90% of the population moved within 6 months, and over 60% moved within 3 months of arrival

⁹ National Audit Office report: *Meeting needs? The Offenders' Learning and Skills Service*, HC 310 Session 2007-08.

There are further anomalies. While the system provides considerable access to higher and distance-learning for longer-term prisoners¹⁰, it identifies *shorter-term* prisoners as most at risk of re-offending. However, little mention is made of the efficacy of more advanced or alternative forms of learning for shorter-term prisoners¹¹, or the part that higher-level learning could play during their learning journeys through Cat B locals into Cat C prisons. As noted by prisoners in this study, encouraging shorter-term prisoners to engage with distance-learning modules not only occupies them during incarceration, but provides an educational ‘jumping off point’ from which they could progress after release. Capitalising on the strengths of higher level learning would thus fit well with the current emphasis on ‘through the gate’ interventions and with proposed recommendations to provide ‘transition’ entitlements for those leaving prison.¹²

Understandable Difficulties Higher-level learning – either face to face or by distance - is embedded, both physically and metaphorically, within an enclosed institutionalised system that has a raft of other priorities and issues. There are, therefore, some understandable difficulties to effecting what might be termed ‘non-standard’ interventions and programs such as higher level learning.

Firstly, penal policy is focused on the prevention of re-offending and on the rehabilitation of offenders. Its success rests in part on redressing prisoners’ perceived lack of basic skills, and educational provision that relates primarily to training leading to employment¹³. Mandated interventions thus centre on literacy and numeracy classes, employability and employment-related skills such as CV writing and interview skills, and vocational training such as bricklaying, plastering, and joinery. In local Cat B prisons, the necessary pre-occupations of dealing with a high turnover of prisoners, comprehensive risk assessments, and the requirements of mandated policies, deflects attention and resources away from higher level academic or employment-related studies that individual prisoners might wish to engage with.

Secondly, prison – understandably – has security as its first priority. This has an impact on all learning-related activities. For prisoners, possessions – including books and materials - must be security cleared and logged. For tutors, CDs and memory sticks cannot be brought into the jail, and the capacity for providing supplementary materials for higher-level or distance-learning is therefore extremely limited. Furthermore, security demands preclude access to increasingly essential technologies, such as web access and on-line learning, for both prison personnel and prisoners across the entire prison estate. Prisoners coming straight from the courts into local Cat B prisons pose additional security problems,

¹⁰ Ofsted (2009) Learning and Skills for the longer-serving offender

¹¹ Ofsted (2009) Learning and skills for offenders serving short sentences

¹² Schuller T. & D Watson (2009) Learning through Life: Inquiry into the future of Lifelong Learning (NIACE)

¹³ Offender Learning and Skills Service Vision <http://olass.skillsfundingagency.bis.gov.uk/>

and local prisons understandably put the security of the establishment above the often complex and individualised protocols that are part and parcel of access to higher education.

Access to prison can also be difficult and complex and this can have a specific impact on prisoners' access to distance learning support. Tutors from outside, even though they may be supporting only one prisoner, for a short amount of time, still require intensive supervision and negotiated visits, which take up time and manpower. In a Local Cat B, with its intensive regime, this can be seen as an unwelcome chore. Although not the case in the prisons under study, tutors in other prisons have noted that their perceived resentment put them under considerable 'psychological strain'¹⁴.

Finally, there is the question of funding. Prison Governors are currently working to a 5% year on year budget reduction¹⁵, and OLASS providers are finding that their budgets in the new contracts do not cover all they are expected to do. Redundancies of staff are likely to occur. While charities provide some funding for courses, prisons still need to find capacity to assist applications and support learners. This, however, has cost implications, particularly for prisoners who wish to go beyond the current levels of provision. Furthermore, making applications for distance learning can be a slow process. In the intervening time, within the Cat B estate, a prisoner may be transferred to another jail. This means that jails who receive prisoners directly from the courts are, understandably, reluctant to make financial contribution at the initial stages of a prisoners' personalised learning plan, the fruits of which may be reaped by the next allocated prison.

Frameworks of support Frameworks of support for higher and distance learning in prison are considerable, ranging between outside bodies such as the Open University and vocational learning providers, to a wide variety of intermediaries, supporters, and champions.

In this study, prison tutors employed a variety of strategies in order to allow prisoners to continue to continue learning above the mandated levels. For some, classes were organised, for example, under the umbrella of '*personal development*'. In one Cat C prison this meant that prisoners could take pleasure in studying English literature without having to conform to the requirements of accreditation. In two Cat B prisons, tutors allowed higher level learners to attend classes, validating their attendance by using them as peer support tutors, but at the same time offering them opportunities to continue with their own learning. As one tutor noted, '*We have level 2 classes however the majority of them are mixed ability mainly due to our funding being only until level 2. This is why we don't have a designated higher level learning class. The college contract does not get funding for the staff/hours/outcomes*'. There were other instances where prisoners were encouraged to take lower

¹⁴ Watts J.H. (2010) Teaching a distance higher education curriculum behind bars: challenges and opportunities. *Open Learning: The Journal of Distance and Open Learning* (in press)

¹⁵ Hansard (November 2009) HC Deb, 30 November 2009, c448W

level classes, *'just to be part of education'* as one tutor put it. Higher level learners – including post-graduates - were often to be found in the Art class¹⁶.

Access to most distance learning is facilitated through application to the Prisoners Education Trust, and while this charity does everything in its power to assist – awarding 2,300 grants per year for a variety of distance learning courses – nevertheless demand far exceeds supply, with applications and requests numbering 250 – 300 per month¹⁷. Nevertheless, prisoners rarely appeared to be discouraged from applying, often saying that they welcomed the feedback, and the supportive suggestions as to other courses that they might consider applying for.

Dependant upon the ethos and nature of the jail, frameworks of support for distance learning varied. In one Cat B, staff were noted by prisoners as *'doing everything they can'* to help; in another, one prisoner noted that *'I put in an Application [for a course] but nobody knew what to do'* In a Cat C prison, comment was made that support was *'excellent, really good support here from [my tutors] – we have a study group every Monday and Thursday morning'*. In one women's prison, concerns were expressed that, due to changing allocations of responsibility, it was difficult for the education department to know which prisoners were taking distance learning courses.

Unlike longer-term, more settled populations where peer support is more readily implemented, prisoners in Cat B and Cat C prisons, were often undertaking dissimilar studies, in a somewhat solitary fashion, and therefore unable to form their own networks of support. Many voiced the opinion that while support was available from tutors in terms of subject matter, more opportunities for general discussion, shared learning and help with generic study skills would have been greatly appreciated.

Themes and thoughts from higher level learning champions

Opinions expressed by prison tutors and related staff related to both face to face higher level learning and to distance learning. Fundamentally, there was a ***strong sense of good will*** on the part of all staff to do what they could to make higher level learning happen. In Cat B locals, the outreach workers, the CIAS workers, the education staff, the HOLS, the library staff, and various prison officers, freely gave of their time and abilities to help. Tutors *'squeezed people in'* to classes, CIAS workers gave up their lunch-hours, and library staff spent additional time finding specific resources. Often, their efforts went far beyond their designated roles and responsibilities.

However, ***exasperation*** was frequently expressed about a system that moved prisoners at short notice, even when requests had been made to senior managers to hold a prisoner back to that his course could be completed. Their views resonate with a previous study

¹⁶ Ofsted (2009) Report Number 52321

¹⁷ Prisoners Education Trust Annual Review 2009

showing that young prisoners coming into a new prison expressed the same kinds of frustration at being moved just prior to exams, of being on the point of finishing a course, or of moving to a new jail that could not offer equivalent courses¹⁸. Tutors also felt exasperated by the apparent lack of a coherent system that would allow staff to work collaboratively across departments in order to make things happen¹⁹. Furthermore, tutors recognised and were exasperated by the irony that (often reluctant) prisoners, identified as being in need of basic skills, were vigorously targeted for interventions, while (usually keen) higher level learners were frequently left unidentified, unsupported and un-catered for.

Tutors also expressed worries and concern about whether they had **sufficient knowledge and expertise to fully support students**. Across a range of prisons, this was firstly about knowing who these students were, and secondly about what expertise was required in order to provide them with an appropriate service. This was felt particularly keenly by new or less experienced personnel. In Cat B prisons where a high percentage of the sentenced population stay for no more than 3 months, untangling the complexities of available distance-learning courses on a wide range of subjects, for example, knowing whether they were appropriate for prisoners, and understanding the application system in a timely manner, was seen as difficult to fit in to an already tight mandated schedule of tasks. There was a sense that there were a number of higher level learners 'out there' in the prison, but that emphasis on basic skills and required programmes meant that there was a lack of knowledge about who they were, especially if they had not expressed any interest in attending education classes. Equally, it was only by good luck that higher level learners found themselves with a tutor who could support them. This was very noticeable in maths classes where tutors were particularly encouraging.

All higher learning champions displayed great **tenacity and perseverance** in the face of often considerable odds. Despite the discouragement from the system in terms of lack of funds, lack of interest, and lack of resources, people in prison still endeavoured to 'make it happen' for students, even it was not strictly seen as 'their job' or 'in their remit'. Tutors widened the curriculum to accommodate higher level learners, produced personalised materials in order to keep students' interest, and even 'stretched the rules' to make sure that learning could continue.

While tutors expressed their thoughts and concerns about how they could support an eclectic range of learning needs of higher level learners, prisoners had their own views on the obstacles and opportunities that higher level learning presented to them.

¹⁸ Wilson A (2009) www.interruptededucation.com

¹⁹ This may be clarified with the publication of a new Prison Service Instruction

Obstacles Barriers to accessing higher or distance learning were felt deeply by prisoners in this study and reflected elsewhere²⁰, but were accepted with the resignation and tenacity necessary to get through any prison sentence.

Security: ‘I waited 3 months for my books to reach me’ Higher level learning, and distance learning in particular, can offer an alternative route out of a limited curriculum, and is seen by prisoners as a useful way of occupying their minds as well as their time in prison. Security issues, however, can add dispiriting obstacles. Stuart, for example, had begun a distance learning course while in prison. He was subsequently released, taking his course books with him. On being returned to prison, he wanted to take his course up once more, but found that because his materials had left the system, they had to be re-subjected to rigorous prison security checks before they were allowed back into his possession. This had taken 3 months to effect. In addition to the more practical constraints, security issues also impact on the type of courses that higher level learners might want to take such as science-related subjects, law, higher-level electronics or specialised vocational training, for example.

Transience: ‘and then I got transferred out’ In the Cat B estate particularly, there is no doubt that higher level learning is difficult to secure and maintain. Moving to another prison means that the process has to begin all over again. The continuation of distance learning, for example, posed particular problems. Prisoners told of instances where books had been ordered from the library, coursework feedback was expected in the post, and certificates were about to be awarded; they were still ‘transferred out’ at short notice to another prison. Given that higher level learning is rarely added in to a prisoner’s OASyS documentation or sentence plan, recognition of progress is difficult to record. Moves can therefore be seriously disruptive, breaking networks of support, setting prisoners back in their study, or ultimately stopping the learning journey entirely.

Loneliness: ‘I don’t know if I’m saying the words right’ According to many prisoners, progress to learning above Level 2 is about more than mere academic achievement, and access to distance learning is about more than joining a virtual learning community. Prisoners – regardless of their status - said they wanted to feel part of something rather more tangible. Lack of discussion groups and spaces to engage in what prisoners termed ‘*intellectual talking*’ were almost non-existent on Cat B jails. Prisoners worried about mispronouncing key terms, and felt they missed out on the chance of real-time intellectual debate. In the Cat Bs particularly, where solitary learners were spread around the jail, intellectual loneliness was a real issue.

Lack of knowledge: ‘how do I hand the assignments in?’ In a Cat B local prison, with a high turnover of prisoners, there is often neither the time nor the resources to devote to individual learners, and for the small number of distance learners who were

²⁰ Mortimer P (2008) Higher Education in prisons: Jut another chapter in the bigger picture? Cned-Eifa France

identified, questions continually arose about the practical aspects of taking a course. While some staff were unaware of which courses to suggest, some prisoners were left in ignorance as to what would be required of them (a proper letter stating their motivation in the application process, for example), or how to hand in an assignment. Prisoners were often at a loss where to start. As Don noted *'I got the books and then I thought – now what!?'* Higher level learners – especially those on distance learning courses – often felt they lacked some of the practical knowledge required to deal with on-going issues.

Opportunities Prisoners in Cat B and Cat C prisons sent out a strong message that they felt that higher level learning should not be seen as the preserve of long term prisoners, or those who are 'settled in' to their sentence. They felt it offered considerable opportunities to them, that it has a place in local prisons, for shorter term prisoners, which could be better utilised, supported and recorded.

A sense of stability: 'Keeps your head busy' Particularly at the start of a sentence in a Cat B prison, prisoners have little opportunity to make personal decisions, and they have had insufficient time to build up a set of possessions that they can truly call their own. Thus intellectual choices and personal possessions become extremely important. Opportunities to take higher level courses, particularly distance learning course, with their visible proof of course materials, books, and assignments, were felt to offer a sense of personal responsibility and position the prisoner as a student – that is, as one person put it, to be *'someone other than a prisoner'*. In one prison, Open University briefcases were highly visible! For those who had the opportunity to stretch their intellect – especially in maths classes – higher level learning provided them, they said, with a way to *'keep your head busy'* with non-prison business.

Self-determination: 'I get no help – I don't tick any of the boxes' Prison has its own targets, and its own view of prisoners. It sees them as 'needing' to do certain courses, it sees them as 'needing' training for employment, and it sees them as 'needing' basic education. Nick – a high level learner in a Cat B prison – raised that point that not all prisoners fit these assumptions, saying *'I don't do drugs, I don't need literacy' ... 'I don't have mental health problems, so I get no courses and no help ... I don't tick any of their boxes'*. Andrew, holding a degree gained in a Scottish prison, felt that 'high IQ offenders *'marched to the beat of a different drum from everyone else'*. Reano – also a graduate - felt that he gained more solace from the support he received from the chaplaincy rather than anything he might gain from the education department. Getting through a prison sentence for men like this relies on their own self-determination; higher level learning would offer an intellectual outlet and an ideal course of action. Sadly, their experiences illustrate a further limitation of higher level provision, in that post-graduate learning is rarely available except through self-funding or occasional grants from charities.

Negation of past negativity: ‘school was a nightmare’ There is no question that some prisoners have experience of poor schooling, bullying and trauma, resulting in incomplete education²¹. Danny described that he had been ‘*no good at school*’ but then described the joy he felt at discovering a talent for doing highly complex mathematical calculations, to the extent that ‘*I go back to my pad after the class and do some more!*’. He had not been able to access a suitable distance learning course, but continued to be supported far beyond Level 2 by the good will of his maths tutor. Equally, Stewart recounted that he too had left school at 13, had progressed his education during various terms of imprisonment, and felt considerable pride in being accepted for, undertaking, and completing a distance learning course, which was seen to go some way towards ameliorating early negative educational experiences.

Imagined Futures – ‘An entirely new career path’ Daniel explained that this was his first time in prison. On his own admission he had been affected badly and had found it difficult to adjust. He had been grateful for the services of a prison mentor, and had decided that he would like to be trained to become one himself. He had moved swiftly to Level 2, and then – on finding that the prison curriculum could not offer him any progressional route – signed up for a distance learning course on counselling. Like another prisoner, Paul, his motivation was that he now wanted to go on to help people through ‘*what I’ve been through*’. Other learners in face to face classes, said that confidence had been boosted by an enthusiastic tutor, by being encouraged persevere in a class, and that this had given them the incentive to progress to a higher level of learning and widen their horizons.

Key messages Key messages were voiced by prisoners and personnel alike. They expressed the hopes and frustrations experienced by people engaged in or supporting progress beyond Level 2, and the desire for such learning not to have to rely merely on the goodwill of champions or the good fortune of finding them.

Higher level learning can contribute significantly to the universal aim of prison which is to reintegrate and place prisoners on the wider landscape occupied by civil society The increase in personal development, the widening of experience, and the opportunity for positive self-application, reflected in and supported by prisoners’ experiences and views above, suggests that higher level learning in local prisons, whether face to face or by distance learning can be extremely beneficial.

Higher level learning should be an integral part of the educational picture. It is important to keep a perspective and remember where education is currently situated on the overall prison landscape. Prison education per se, and higher level learning in particular, is rarely given priority but has to fight for its place within a hierarchy which prioritises security, economics, and the dictates of competing policies and interventions.

²¹ Hurry et al Op. Cit.

Higher level learning gives added value. If we take the line that re-offending can be reduced by employment, education, and improved life-chances, the marginalisation of higher level learning is counter-productive. What better way to fulfil these aims than by encouraging prisoners to engage in learning that is relevant, motivating, rewarding, and encourages positive decision-making? Furthermore, if – as prisoners say – individualised, higher level learning helps to ‘keep your head straight’, then it has a wider impact on the emotional health of the entire prison.

Higher level learning fills a gap If we are truly to subscribe to European recommendations and Prison Rules that prison education is a right, that learning should be appropriate to the individual, and be as wide as that on offer to the wider community, then higher level learning should be recognised as bridging a gap in educational provision that conventional prison education is currently unable to fill.

Higher level learning has long-term benefits Doing nothing in prison is dangerous. As one prisoner, Colin, suggested, *‘if you keep pressing the ‘off’ button, eventually it will stay off’*. Higher level learning offers the chance for prisoners to appraise their learning options, to identify the various and eclectic buttons that a wide curriculum with academic rigour can offer, and, as Colin suggested, *‘keep pressing them ‘On!’*

Higher level learning in prison should be less fragmented Even within this small study, it became apparent that there was a variety of attitudes to higher level and distance learning in prison that cut across the range of establishments and the professional roles of prison personnel. These forms of learning can only be fully validated if they are seen as an integral part of learning in all establishments, and at all points in a prisoner’s sentence.

Higher level learning – especially in the early stages of a prison sentence - often comes about through good will and good fortune. Good will is displayed by the tutors and staff who go the extra mile, who often ‘bend the rules’ to accommodate maverick learners, working in their own time and their own homes to provide materials for students. Good fortune comes to prisoners, who are lucky enough to meet these tutors, advocates, and mediators as they seek to redress the imbalance of a system focussed only on up-skilling its population to a prescribed and unimaginative level of ability.

Recommendations Prisoners and tutors also had recommendations to leverage the case for higher level and distance learning. They were made on the basis of optimism and enthusiasm.

They felt that a prison that specialised in higher level learning would be beneficial and motivating

Prisons should be made more aware of the benefits of higher level learning

Providers and champions should be made more aware of how distance learning works, and the protocols it requires in order to effect it

Higher level learning, along with educational achievement, should be included in prisoners' sentence plans, and progress recorded on the appropriate prisoner files

Each prison should have a framework of delivery, setting out the roles and responsibilities of all those tasked to encourage prisoners to undertake courses that are appropriate to the student's level of ability, relevant and meaningful

At the highest level, the efficacy of higher level learning should be acknowledged, supported, properly resourced and encouraged across the entire prison estate, rather than the current situation of having to rely on goodwill and good fortune.

Goodwill and Good Fortune: Obstacles and Opportunities for Level 2 learners in local jails

Extended Report

Acknowledgments

The efficacy of prison education has been at the forefront of much of my research over the last few years. It has been used to highlight what is being achieved as well as drawing attention to some as yet unresolved issues.

However, during all this research my access to prisons, my presence in them, and the discoveries I make when I am there I can take no credit for. Without the support and goodwill of far-sighted Prison Governors, the tolerance of prison tutors and prison staff, and the active engagement of prisoners I would have nothing to say. Thankfully, the topics I am asked to investigate appear to be of sufficient interest to all parties that my work continues to be valued. I can only say that in return I value all the help and support I receive from members of the prison community.

In this instance I thank the Prisoners Education Trust most sincerely for inviting me to undertake this work. I also want to record my thanks to Michael Jacobson Hardy for continuing to allow me to use his images and I thank Manuela Barz for her patience when I asked her yet again to work last minute magic on the design of this report.

In line with the theme of this report I would like to acknowledge the good will of everyone involved and my good fortune in working with so many people keen to make a difference.

Introduction and Rationale

This report is a response to a request from Prisoners Education Trust to look more closely at how far learning is available to prisoners who have reached Level 2 and want to progress, and the obstacles and opportunities that they and their champions encounter.

The efficacy of higher and distance learning in prison is an often neglected area within the range of interventions that are put in place to assist prisoners to maintain their mental and social well-being while incarcerated, and which are intended to aid progression towards active citizenship on release. When higher level learning is given some attention, it primarily focuses on distance learning²², with a focus on the ‘settled landscape’ of long-term prisoners who are likely to remain in one prison for some time, and more likely to have access to a distance-learning co-ordinators, higher education facilitators, or flexible learning tutors who have experience of applying for courses, funding, materials, and supporting distance-learning prisoner students.

The remit for this study was to extend our understanding of the issues that might be encountered in the world of ‘ordinary’ prison – of the Cat B local - with its transient population, and high volume of prisoners serving disparate sentences.

The research on which this report is based was carried out primarily with prisoners and staff at one Category B local prison in the Northwest of England, together with supporting evidence from a variety of additional sources, including conversations with prisoners and education personnel in other Category B locals, a cat C prison and one Young Offenders Institution in England,²³ together with personal views expressed by prisoners in Scottish and European jails, and comments from the Education Manager in one women’s prison

It goes almost without saying that the research would not have been possible without the encouragement and support of all these people and the author wishes to thank them wholeheartedly. Moreover, the experiences and views they expressed are central to gaining a better understanding of the opportunities and obstacles to distance learning that present themselves to prisoners serving sentences in these environments. Their words are at the heart of this report.

²² Section 7 & Section 10 The Offender’s Learning Journey (2004) DfES/HMPS/LSC/YJB

²³ In order to maintain the flow of the report, profile the prison and how the research was conducted is contained in Appendix One

Background

Disregard for the benefits of higher and distance learning appear to be endemic at European and national level. Few countries in Europe (with one or two notable exceptions) integrate distance learning into mainstream prison education, and it is rarely given much attention. Even within the Report on the Right to Education for Persons in Detention by the UN Special Rapporteur it is barely referenced. Higher education, and by default most distance learning, is rarely included in prison education budgets.²⁴ While on the one hand Prison Service Order 4201 focuses primarily on higher-level learners and those wishing to take university-level courses,²⁵ The OLASS prospectus²⁶ rates as 'low' the priority it gives to learners wishing to progress beyond Level 2.

Although education and training are seen as one of the pathways out of re-offending in England and Wales²⁷, various factors conspire to make this option available to only a small number of prisoners. Less than 25% of prisoners are able to access prison education per se, capacity is often limited, and the range of courses offered noted as somewhat narrow²⁸. There are further constraining factors. Prisoners are often required to prioritise offending behaviour courses over education if they are to meet licence conditions or eligibility for parole; pay for attendance at education is lower than that offered by bonus schemes in the work sheds, or the longer hours worked in the kitchens; previous negative experiences of education can act as a barrier to further engagement²⁹. Distance learning, along with higher and further education, is often eclipsed by the continued focus on improvement of prisoners' basic skills, and provision above Level 2 has continued to fall in the drive to cut costs³⁰.

Significantly, however, while there is no question that some prisoners do require support to improve their level of basic skills³¹, those who do often progress at a remarkable rate, subsequently becoming frustrated when they unable to progress beyond the required standard. Equally, prisoners who have already reached Level 2 prior to incarceration also find themselves outside the remit and focus of prison education. Enthusiasm subsequently

²⁴ Munoz V. (2009) The right to education of persons in detention United Nations General Assembly GE.09-12758 (E) 230409

²⁵ Prison Service Order 4201 (1999)

²⁶ Developing the Learning and Skills Service : The Prospectus Proposals to develop and reform offender learning (2007)

²⁷ NOMS (2005) The Government's National Reducing Re-offending Delivery Plan

²⁸ Schuller T (2009) Op Cit

²⁹ Hurry J, L. Brazier. K. Snapes, A Wilson (2005)

³⁰ Duguid S. (2000) Can prisons work? The prisoner as object and subject in modern corrections. University of Toronto Press

³¹ National Audit Office report: *Meeting needs? The Offenders' Learning and Skills Service*, HC 310 Session 2007-08.

dissipates. The exasperation at having enthusiasm stymied with a ‘cut-off’ point of Level 2 was a key message voiced by tutors and students alike throughout this research.

There are further anomalies. While the system at least pays lip service to higher-level learning opportunities for longer-term prisoners³², it fails to consider the benefits for shorter term offenders even though it identifies them as most at risk of re-offending³³. Thus it fails to acknowledge the part that could be played by progression learning for those prisoners who move through Cat B locals and into Category C prisons across the estate. Encouraging shorter-term prisoners to engage with distance-learning modules would not only occupy them during incarceration, but provide a ‘jumping off point’ from which they could progress after release. While – as illustrated in the conversations below – higher level learning is about more than employability, these course might indeed go on to act as a starting point towards finding employment or progressing towards higher education. Such a strategy would fit well with the recommendations by the Inquiry into Lifelong Learning to provide ‘transition’ entitlements for those leaving prison.³⁴

It appears misplaced to ignore the fact that higher and distance learning is well suited to the prison landscape. Prisoners have time on their hands, come from an eclectic range of educational backgrounds, and have a variety of needs and interests. So it would seem logical that it should be encouraged and supported across the estate – regardless of prison category. To be fair, however, there are a number of understandable, inter-related reasons why some prisons might be unable or unwilling to engage.

Understandable Difficulties

Firstly, penal policy is focused on the prevention of re-offending and on the rehabilitation of offenders. The success of such policy rests on redressing prisoners’ perceived lack of basic skills, and the view that learning should relate primarily to training, which in turn leads to employment. Mandated interventions thus take the form of literacy and numeracy classes up to Level 2, and employability and employment-related skills such as CV writing, interview skills, and vocational training such as bricklaying, plastering, and joinery. The pre-occupation with these two issues – lack of skills and lack of employability - seems to presume that, on release, most prisoners will be placed on the lower levels of the employment or academic ladder. This pre-occupation deflects attention and resources away from more academic or specialist employment-related studies that prisoners might want to engage with and which are often the forte of distance-learning courses. Education providers, too, have little reason to record students’ ‘above Level 2’ abilities as current policy focuses on raising standards up to rather than above L2.

³² Learning and Skills for the longer term offender (2009) Ofsted

³³ Learning and skills for offenders serving short sentences (2009) Ofsted

³⁴ Schuller T. & D Watson (2009) Learning through Life: Inquiry into the future of Lifelong Learning (NIACE)

Secondly, prison – understandably – has security as its first priority, and this has an impact on access to increasingly essential technologies. Internet access, for example, is still considerably limited even for prison personnel, with restrictions on degrees of access and availability of computers. Even when access is available, prison staff are often prohibited from moving beyond the first page on many websites, or from downloading pdf files. Furthermore, in many prisons, staff are forbidden from bringing in memory sticks, CDs, cameras, or DVDs – often the most obvious way of providing supplementary materials and resources for higher level learners. For prisoners, internet access and the opportunities for on-line learning are extremely limited.

Equally, while access to the outside world is rigorously controlled, access to the prison is equally constrained. OU tutors, for example, may be supporting only one prisoner, for a short amount of time, but they still require supervised and negotiated visits, which takes up considerable manpower. In a Local Cat B, with its intensive regime, this can be seen as an unwelcome extra. This should not, however, be seen as a criticism of the prison, which is already working under duress, or of the tutors, who may wish to come into prison, but who often have little understanding of the prison landscape, the amount of additional work this involves, or the security protocols they may potentially breach. It is noted by them as contributing to a difficult teaching experience.³⁵

Finally, there is the question of funding. Prison Governors are currently working to a 5% year on year budget reduction³⁶, and OLASS providers are finding that their budgets in the new contracts do not cover all they are expected to do. Redundancies of staff are likely to occur. While charities provide some funding for courses, prisons still need to find capacity to assist applications and support learners. This, however, has cost implications, particularly for prisoners who wish to go beyond the current levels of provision. Furthermore, making applications for distance learning can be a slow process, and in the intervening time, within the Cat B estate, it is likely that a prisoner may have been moved to another jail, lost motivation, or left the system. In a climate of accountability and target-setting, prisons are understandably keen to capitalise on the success of their inmates. Those who receive prisoners directly from the courts are, understandably, reluctant to make financial contribution at the initial stages of a prisoners' personalised learning plan, the fruits of which will be reaped by the next allocated prison.

To summarise then, there are reasons why prisons might appear to be unsupportive. Education per se, and higher level learning in particular, has to be set against other priorities, such as security, mandated prison-run interventions, time limitations, and the ever-present budgetary constraints.

³⁵ Watts J.H. (2010) Teaching a distance higher education curriculum behind bars: challenges and opportunities. *Open Learning: The Journal of Open and Distance Learning* (in press)

³⁶ Hansard (November 2009) HC Deb, 30 November 2009, c448W

Signs of progress

There are, however, signs of progress. The system is currently seeking to balance out its concerns about security with an acceptance that information technology and web-based learning are aspects of contemporary life that prisoners need to know about in order that they are better prepared for life outside. In parts of Europe, steps have already been taken to embrace new technologies. Norway, for example, allows internet access for most prisoners, and the Swedish prison system uses distance learning through secured platforms for a large proportion of prisoner learning. In other cases, technological constraints have been creatively circumvented. In Italy, university lectures are videoed and then shared with prison students. In Russia satellite technology is able to link prisoner learners into the distance-learning on-line community of the Moscow University of the Humanities. In the UK, however, access to the internet especially remains extremely limited and terminology currently required to describe email (as 'electronically transmitted messages') reflects the fear of reprisal if the media circulated reports that prisoners had access to email.

In rising to the challenge, however both the Open University and Learndirect have had considerable success in UK prisons. According to the OU website, in 2009 around 1,400 prisoners were taking OU courses³⁷, while the Ufi/learndirect report suggests that, between 2008/2009, almost 5,000 offenders took almost 10,000 Learndirect courses³⁸.

For higher level learners, steps are also being taken to link prisoners in to web-based learning (the Virtual Campus, for example) with the capacity to access secure sites which have internal but no external hyperlinks. However, while access includes links to Open University, Learndirect, and Offender Learning and Skills Service courses, additional VC resources continue to reflect the current focus on employment, with job-related materials, CV writing and access to information on housing, health, finance, and debt³⁹.

Accessing advice, information, and on-going support in Cat B locals, however, is not an easy task. A framework of support provided by champions, advocates, mediators, facilitators, and brokers is essential if prisoners are able to begin, continue or complete higher or distance learning modules.

Frameworks of support

Champions of distance learning range across outside bodies such as the Open University, and vocational learning providers (Stonebridge Associated Colleges, for example)⁴⁰, and a

³⁷ <http://www.open.ac.uk/platform/news/society>

³⁸ Ufi/Learndirect (2009) Ufi/learndirect response to the National Skills Forum Inquiry into Skills and Inclusion

³⁹ Pike, A. (2009) Virtual Campus – is this the future? 'Inside News' Article, March 2009.

⁴⁰ Learndirect, while providing distance learning, is commissioned by the prison and used primarily for courses relating to literacy and numeracy

wide range of mediators such as Prisoners Education Trust, prison personnel such as the HOLS, the tutors and the Careers, Information and Advice Service workers (CIAS), and fellow prisoner-learners. Access to most courses is facilitated through application to the Prisoners Education Trust, and while this charity does everything in its power to assist – awarding 2,300 grants per year for a variety of distance learning courses – nevertheless demand far exceeds supply, with applications and requests numbering 250 – 300 per month⁴¹. Only occasionally – as illustrated by a prisoner in one Cat B local who was taking a course in banking – are prisoners in a position to self-fund.

Within prison, and dependant upon the ethos and nature of the jail, frameworks of support vary. In one Cat B, staff were noted by prisoners as *'doing everything they can'* to help. In another Cat B, Colin noted that *'I put in an Application [for a course] but nobody knew what to do'*. In a different Cat C however, Ben had found that support was *'excellent, really good support here from [my tutors] – we have a study group every Monday and Thursday morning'*. In Cat B locals, tutors, officers, or careers advisors are not unwilling to seek out information for prisoners. The issue (which is noted later in great detail) appears that there is uncertainty as to whose role this is. (This does not necessarily mean that champions do not still try to do everything they can to help). Higher level learners who were lucky enough to be able to study in education classes felt that they were given considerable support by tutors who went out of their way to help. Both levels of achievement and degrees of support were, however, rarely recognised. Tutors found strategies to keep higher level learners in their classes almost subversively and higher level learners' achievements above Level 2 was of little interest to an education department judged on its success in raising standards of basic literacy rather than on an holistic learning package.

Moreover, while prisoners in this study recalled how they *'helped someone with writing a letter'* or *'mentored someone doing Toe by Toe'*, opportunities for mutual support in relation to higher level learning were less straightforward. In Cat B prisons, prisoners were often undertaking dissimilar studies and therefore unable to support each other with content. It appears that at this stage in a sentence higher level learning can often be a solitary activity. Prisoners across this study also voiced the opinion that while support was available from tutors in terms of subject matter, greater support for shared learning and general help with study skills would have been appreciated.

Themes and thoughts from higher learning champions

During the course of this research, four recurrent themes emerged from conversations with tutors, facilitators and champions of higher learning that impacted on the way they could support prisoners. Firstly, there was a ***strong sense of good will*** on the part of all staff to do what they could to make the process happen. In one Cat B local, the outreach worker, the CIAS worker, the education staff, the library staff, and various prison officers, freely gave of

⁴¹ Prisoners Education Trust Annual Review 2009

their time and abilities to help. The librarian, for example, explained that, as a French speaker herself, she had helped a prisoner who was taking a course on spoken French and who needed practice in conversation. CIAS workers gave up their lunch-break to follow up prisoners' applications. In another Cat B education department, a dedicated Prison Officer, who was cleared by security to inspect incoming course materials, collected and distributed distance learning books and materials in a timely manner (not something that occurred everywhere as noted later!)

Secondly, however, **exasperation** was frequently expressed about a system that moved prisoners at short notice, even when requests had been made to senior managers to hold a prisoner back to that his course could be completed. Equally, tutors were exasperated by the lack of a coherent system that would allow staff to work collaboratively across departments in order to make things happen⁴². Stories were recounted that sometimes the lack of support from other professionals in the jail meant that people were prepared to risk being criticised for going 'outside my remit', in order to help a student progress. Others noted that through lack of knowledge, professionals in other departments had unintentionally advised prisoners apply for courses that were clearly neither suitable nor not permissible in prison. Tutors in Cat B locals also expressed frustration at the reduced availability of practical materials. In a world of constant cutbacks, conversations often included the irritations caused by insufficient paper, printing ink, paints, or books that were necessary for someone to complete coursework, hand in course material, or obtain relevant reference material. The most common exasperations across all consulted prisons was the lack of structured support to be able to progress students beyond the ubiquitous 'above Level 2' and the perceived reluctance of the system to acknowledge that such students exist. Monthly returns of student progress were restricted to 'above Level 2' with no reference to distance learning.

Facilitators also expressed concern about having **sufficient knowledge and expertise to fully support students**. The experience of a steep learning curve was felt particularly in the shift from Information, Advice and Guidance (IAG) which had previously been closely linked to education, to a Careers, Information and Advice Service (CIAS), seen as a more discrete service with a wider remit. Often, there had been a change of both service provider and personnel and this was seen by both existing and new employees as potentially difficult. Given that CIAS workers in Cat B prisons have a particularly heavy workload, undertaking initial assessments and end of sentence assessments on all prisoners, they have little time to become familiar with the protocols of applying for distance learning materials, or knowing what courses were suitable. Untangling the complexities of available courses on a wide range of subjects, checking to make sure they were appropriate, and understanding the stages of the application system, all had to be fitted in to an already tight schedule. In a prison where 25% of the sentenced population stayed for no more than 3 months, it is to

⁴² This may be clarified with the publication of a new Prison Service Instruction

their credit that they continued and with some success. Equally, education staff often had sparse knowledge of a prisoner's movements which meant that applications might not come through before re-allocation had taken place. Moreover, in Cat B locals, while higher level face to face learners were accommodated as best they could, there seemed to be a general lack of knowledge as to who potential distance learners might be.

However, all advocates, champions, and facilitators displayed great **tenacity and perseverance** in the face of often considerable odds in order to support students wishing to progress to higher level learning. Despite the discouragement from the system in terms of lack of funds, lack of interest, and lack of resources, people in prison still endeavoured to 'make it happen' for students. They found spaces for them to study, '*squeezing them in*' (as one tutor put it) to classes with a spare computer. They negotiated time in the library, and made sure that prisoners did not lose pay during study time. They spent time encouraging students to persevere during moments of self-doubt. Moreover, they frequently worked in their own time, gathering resources for students and filling in applications.

It also became apparent that tutors persevered in facilitating higher-level learning even if formal learning frameworks were unavailable. In a number of establishments, it was noted that tutors tenaciously hung on to post-Level 2 students, finding ways to keep them in classes, using them as peer tutors and mentors, often able to accredit these softer skills. It was noticed that a considerable amount of study at Level 3 and above was going on. A number of prisoners expressed the hope that on the basis of this encouragement, they would be able to take distance learning modules in the future. It might be inferred that the tenacity and perseverance of staff acted as an investment and advocate for distance learning that the prison was not prepared to make or failed to recognise.

These four themes – good will, exasperation, sufficient knowledge, and tenacity were not merely the preserve of the champions and advocates. Prisoners too, displayed exasperation with the system but also the tenacity to persevere with their studies. Other themes also emerged (often mirrored by advocates) and are reported on below. Fundamentally however, just as advocates and champions displayed good will towards their students, it was to the good fortune of prisoners that they happened to be in the right jail at the right time in order to access them.

Obstacles Obstacles that prisoners encountered appeared to be either surmountable or dealt with, with the resignation necessary to get through any prison sentence. The opportunities appeared to far outweigh them. Two obstacles – frustration and lack of knowledge, for example - resonate with those brought up by tutors. The opportunities, however, send out a strong message that higher level learning should not be seen as the preserve only of long term prisoners, or those who are 'settled in' to their sentence, but that it has a place in local prisons which could be better utilised, supported and recorded.

Moving first to obstacles, these include the ever present security issues, plus themes of transience, loneliness, and ignorance.

Security: 'I waited 3 months for my books to reach me'

While distance learning is seen by many prisoners as a useful way of occupying their minds as well as their time, security issues can add often dispiriting obstacles. Stuart, for example, had begun a distance learning course while in prison. He was subsequently released, taking his course books with him. On being returned to prison, he wanted to take his course up once more, but found that because his materials had left the system, they had to be re-subjected to rigorous prison security checks before they were allowed back into his possession. This had taken 3 months to effect. Mr. T – in the Scottish prison system - was studying for a degree through a public university. Because of security concerns about access to computers, he was restricted to handwriting his assignments, re-writing them entirely if he made a mistake. Eventually, he was offered an out-dated (but security-cleared) word-processor as a solution. (Ironically, a number of prisoners spoken to during this research expressed the view that – rather than access to the internet – they wanted access to computers primarily for *'typing up so that it looks nice'*, rather than to extend their emailing or surfing skills!). For teachers supporting these students, mention has already been made of the difficulties imposed on them by restrictions on memory sticks, cameras, CDs and DVDs coming into or out of the prison.

Transience: 'and then I got transferred out'

As noted under the frustrations of tutors above, stories abound of prisoners being 'transferred out' to different jails just prior to starting courses, during their studies, at the point of completing courses, or when they were about to take exams. The disruptive force of the system for younger men in prison has been previously documented⁴³ and adult prisoners in this research recounted similar stories. Moving prison can be a difficult and unsettling time. Prisoners are – in the interests of security – often told only a matter of hours before they have to pack up and move. Prisoners in this study told of instances where books had been ordered from the library, coursework feedback was expected in the post, and certificates were about to be awarded; they were still shipped out. Given that distance learning is rarely added in to someone's OASyS documentation, moves can seriously disrupt distance learning, breaking networks of support, setting prisoners back in their study, or ultimately stopping the learning journey entirely.

Loneliness: 'I don't know if I'm saying the words right'

⁴³ Wilson A. (2009) Interrupted education – Interrupted life www.interrupted-education.com

Distance learning in the free world takes it for granted that students will be able to be online, and thus become part of 'virtual' communities. Speaking to distance learners in Cat Bs, opinions resonated with those previously expressed by distance learners in Norwegian, English, and Scottish prisons. According to these men, distance learning is about much more than providing online access to a virtual learning community. Prisoners said they wanted to feel 'part of something' rather more tangible. Post-graduate prisoners in Norway, using a combination of face to face and distance learning voiced their concerns that while they understood the concepts in academic texts, *'how to say them correctly'*, as they put it, was a different matter. Lack of discussion groups and spaces to engage in what prisoners termed *'intellectual talking'* were almost non-existent. They worried about mispronouncing key terms, and said they missed the chance of real-time intellectual debate. In one Cat C prison in this study, however, prisoners described how fortunate they felt to have supportive tutors, and were able to join fellow distance learners for 2 sessions per week of self-study. Even so, although they appreciated the opportunity to *'use the computer'*, and be part of a physical community, opportunities for collaborative discussion on the same topic were still limited. In the Cat Bs, where solitary learners were spread around the jail, intellectual loneliness was a real issue.

Lack of knowledge: 'how do I hand the assignments in?'

Lack of knowledge about the practical business of distance learning seemed to be prevalent. Just as some staff were unaware of which courses to suggest, prisoners were left in ignorance as to what was required of them to access a course (a proper letter stating their reasons for example, in the application), or what would be expected in terms of completion. This was compounded with the realisation that, for some courses, they would be 'on their own' as Don described it. Others voiced their concerned realisation that when their distance learning package arrived, it did not automatically come with human support. Prisoners were often at a loss where to start. As Danny noted *'I got the books and then I though – now what!?'* In a Cat B local prison, with a high turnover of prisoners, there is often neither the time nor the resources to devote to individual distance learners, and for the small number who are identified, the question continually arose as to who had the knowledge and time to support them.

Another prisoner, Stuart, just felt that he had had to 'take a rest' from his course, because he could not get the information he required and it was outside his own parameters of knowledge. There was no-one in the prison able to offer him face to face support on his topic. He noted that support had been much easier in the Cat C prison were he had begun the course. This seemed particularly disappointing. Over the years, Stewart had benefitted greatly from prison education, achieving Key Skills and an NVQ during various prison sentences, before progressing to distance learning. On his current course he felt that he had no sense of who he could turn to, to get the kind of detailed information that the course demanded.

Moreover, while the process of application for a course was noted as complex, the knowledge required in order to submit an assignment would test the acumen of any prisoner, no matter how keen. After writing out the assignment by hand, it had to be copied on to the computer, someone asked to print it out, and get it photocopied, handed to the correct person (with the correct paperwork). It would then be sent out, feedback being returned to the prisoner via the education department. This required not only the help of various members of staff, but knowledge of a complex set of protocols and strategies that had to be adhered to.

Additional knowledge gaps around distance learning

It is not only prisoners who lack 'know-how'. Lack of awareness also extends to the intermediaries and champions. Though well intentioned, providers of distance learning materials are often ignorant of how their selection of recipients will be received. In an effort to remain neutral and non-judgemental, they take care not to allow the applicant's offence to colour their judgement (unless the course would be expressly forbidden or inappropriate). But this was felt by some prison tutors and prisoners to lead to disillusionment on the part of other applicants. When the application of a prisoner who was considered by those who knew him to be deserving was turned down in favour of another prisoners who was considered to be unworthy of support, this created considerable bad feeling and a sense of injustice.

Moreover, in high turn-over Category B local prisons, staff are often unaware that some of their population may wish to begin a course, and prisoners are unaware that courses might be available. During this study, comments from various conversations suggest that some prisoners would have appreciated having something to do in their first few weeks of incarceration or during a long period of remand. Although a local prison, some prisoners do remain long enough to complete at least a short course, thus wasting a valuable opportunity to place education firmly within a sentence plan. Their experience is in direct contrast to prisons with a more stable longer-term population where higher education co-ordinators, distance learning co-ordinators, or flexible learning facilitators take this on as part of their role.

However, despite these obstacles, prisoners persisted. Prisoners who passed through this research told of leaving the school system at 13 years of age, making good educational progress at a high level while in prison, of benefitting from a sustained period of prison education and finally feeling confident to take a distance learning course; of being in prison for many years, avoiding education at all cost, and finally succeeding in achieving a degree; or of freely admitting to having caused the system 'some problems' in the past, and then finding a current interest that extended to post-graduate study. For these men, higher level learning – at whatever stage in their incarceration – proved a valuable means of keeping their minds active while incarcerated. This drive, it would seem, is the force behind the wish

to engage in further learning in prison. To engage in self-directed, intermittently supported, and often solitary learning offers opportunities to the learner that go far beyond accreditation.

Opportunities Given the significant obstacles that are put in the way of the prisoner who wishes to progress beyond Level 2, the obvious question is ‘Why do they still persevere?’ Various opportunities, benefits, added-value, plusses – whatever term is used – seem to be felt by prisoners as an incentive. Prime factors which seem to encourage them are a sense of stability, self-determination, the negation of past experience, and imagined futures.

A sense of stability: ‘Keeps your head busy’

Throughout the system – but particularly at the start of a sentence in a Cat B prison-prisoners constantly have to respond to the unpredictable commands of others – when to wake, when to eat, when to work, when to study, when to sleep. They are ordered to attend meetings, courses, assessments, and examinations – often with little warning. The clothes that they wear have often been worn by someone else; the beds that they sleep in have been slept on by others. There is little opportunity to make personal decisions and there are few articles that a prisoner can truly call his or her own. Thus intellectual decisions and personal possessions become extremely important. Decisions to take a distance learning course, coupled with the visible proof of course materials, books, and assignments, offer a sense of personal responsibility and position the prisoner as a student – that is ‘someone other than a prisoner’. This is further reflected in the completion rates of distance learning course undertaken by prisoners⁴⁴. The importance of retaining an identity other than ‘prisoner’ has been noted elsewhere⁴⁵ and the thought of embarking on distance learning (a very personalised activity) or being recognised as capable of undertaking class-based higher level learning with the support of tutors, all help towards ‘keeping your head busy’ with something other than prison business.

Andrew, on the other hand, reminded me that choices have to be timely, that the mental instability of ‘*being in a remand state of mind*’ – might well prevent pre-trial prisoners from taking up distance learning. His point was verified by Reano who said ‘*I don’t think anyone on remand can do education – your body and mind just aren’t there*’. Thus even intellectual stimulation would seem unable to help to ease the pressure of worrying about impending sentence and further incarceration.

⁴⁴ According to the PET Director’s report (2010) ‘Completion rates are very high and success rates for full modules higher than the FE standard rate and the OLASS target rate’

⁴⁵ Wilson A. (2004) ‘*I go to get away from the cockroaches: Educentricity and the politics of Education in Prisons*’ in **Identity, Agency and Social Institutions in Educational Ethnography** in *Studies in Educational Ethnography*, eds Troman G, Jeffrey B, Walford G pub. Jai Press, Oxford, UK

Self-determination: 'I get no help – I don't tick any of the boxes'

Prison has its own targets, and its own view of prisoners. It sees them as 'needing' to do certain courses, it sees them as 'needing' training for employment, and it sees them as 'needing' basic education. Nick – a high level learner – raised an important issue. *'I don't do drugs, I don't need literacy'*, he said, *'I don't have mental health problems, so I get no courses and no help ... I don't tick any of their boxes'*. Andrew, holding a degree gained in a Scottish prison, felt that 'high IQ offenders *'marched to the beat of a different drum from everyone else'*. Reano – also a graduate - felt that he gained more solace from the support he received from the chaplaincy rather than anything he might gain from the education department. Getting through a prison sentence for men like this relies on self-determination which sometimes (but not always) manifests itself in the choice to undertake higher level learning. Getting through a prison sentence for men like this relies on their own self-determination; higher level learning would offer an intellectual outlet and an ideal course of action. Sadly, the experiences illustrate a further limitation of higher level provision, in that post-graduate learning is rarely available except through self-funding or occasional grants from charities.

Equally, there are other prisoners who display the self-determination to apply for courses with seemingly little or no help, such as Stuart who said he just *'filled the forms in my self'*. Self-determination is pre-requisite of prison life. But given the barriers that are sometimes put in their way, it requires a special kind of persistence for a prisoner to apply for a course, to take up the offer, to undertake the study within limited a limited time-frame, often with a noisy or intrusive cell mate, and to manage prison time sufficiently well to complete the course. It also requires determined self-sacrifice. As one man noted *'you'd need a volume of stamps'* to send the work back, which in turn requires the capacity to forgo small treats in order to reallocate meagre personal funds to the pursuit of study.

Negation of past negativity: 'school was a nightmare'

While not wishing to promote the view that all prisoners have poor educational histories, there is no question that some have experienced poor schooling, bullying and trauma, resulting in incomplete education. This certainly seems to be the case for juveniles⁴⁶, young people⁴⁷ and adults⁴⁸ in prison. Being allowed to study in class at a high level, or being accepted for, undertaking, and completing a distance learning course, seems to go some way towards ameliorating past negative educational experiences. Talking to Dan, he told me that he had been *'no good at school'* but then described to me the joy he felt at discovering a talent for doing highly complex mathematical calculations, to the extent that *'I go back to*

⁴⁶ Hurry et al 2005 Op Cit

⁴⁷ Wilson 2009 Op Cit

⁴⁸ Social Exclusion Unit 2002

my pad after the class and do some more!'. The discovery of a love of high level maths was a recurrent theme and reflected in the numbers of L2 learners coming in to the prison.⁴⁹

The system, through constant testing and assessment, appears to do little other than reinforce past negativity, re-confirming how 'needy' prisoners are, rather than valuing the steps they take to put bad experiences behind them. Prisoners on distance learning courses or higher level work, on the other hand, appear to develop an ability to negate past difficulties and turn bad experiences around in order to develop a greater sense of '*doing something good*' as one person put it.

Imagined Futures – 'an entirely new career path'

Daniel told me that this was his first time in prison. On his own admission he had been affected badly and had found it difficult to adjust. He had been grateful for the services of a prison mentor, and had decided that he would like to be trained to become one himself. From then he had progressed quickly to Level 2, and on to taking a distance learning course on counselling. He said it was not something he had '*just jumped in to*' but wanted to go on to help people through '*what I've been through*', a sentiment echoed by Paul – another prisoners with a difficult history - who also wanted to '*turn my bad experiences into something good*'. Both Daniel's and Paul's courses had been motivated by the desire to set off on an entirely new career path.

Other prisoners said that their confidence had been boosted, often merely by being accepted onto a course, or being praised for high quality work, and that this had given them the incentive to progress. This was particularly true of those who had had poor educational experiences when younger. The potential of higher level learning to provide new and imagined futures that particularly involve applying what has been learned in a practical way and altruistic way, chimes with observations of other authors who suggest that not all vocational learners 'imagine' an automatic shift to an academic landscape, but often wish to put their skills into practice⁵⁰. Sadly, this progression is rarely visible on KPTs or on on-going OASyS reports.

Although a small study, the views expressed here by those involved in delivering, supporting, or engaging in higher level or distance-learning in busy, overcrowded, local jails, and the obstacles and opportunities that they present, add significantly to our understanding of one of the most neglected aspects of prisoner education. There are some key messages and recommendations that can be taken from this study and carried forward into future discussion and application.

⁴⁹ Of the 200 prisoners assessed on coming into one jail over a period of 1 month 5 indicated they were already above L2 literacy and 12 indicated they were above L2 numeracy

⁵⁰ Crossouard (2010) with Aynsley, S. *Imagined futures. Why vocational learners are choosing not to go to higher education*. Journal of Education and Work, 23(2), pp.129-143

Key messages Key messages were voiced by prisoners and personnel alike. They expressed the hopes and frustrations experienced by people engaged in or supporting progress beyond Level 2, and the desire for such learning not to have to rely merely on the goodwill of champions or the good fortune of finding them.

Higher level learning can contribute significantly to the universal aim of prison which is to reintegrate and place prisoners on the wider landscape occupied by civil society The increase in personal development, the widening of experience, and the opportunity for positive self-application, reflected in and supported by prisoners' experiences and views above, suggests that higher level learning in local prisons, whether face to face or by distance learning can be extremely beneficial.

Higher level learning should be an integral part of the educational picture. It is important to keep a perspective and remember where education is currently situated on the overall prison landscape. Prison education per se, and higher level learning in particular, is rarely given priority but has to fight for its place within a hierarchy which prioritises security, economics, and the dictates of competing policies and interventions.

Higher level learning gives added value. If we take the line that re-offending can be reduced by employment, education, and improved life-chances, the marginalisation of higher level learning is counter-productive. What better way to fulfil these aims than by encouraging prisoners to engage in learning that is relevant, motivating, rewarding, and encourages positive decision-making? Furthermore, if – as prisoners say – individualised, higher level learning helps to 'keep your head straight', then it has a wider impact on the emotional health of the entire prison.

Higher level learning fills a gap If we are truly to subscribe to European recommendations and Prison Rules that prison education is a right, that learning should be appropriate to the individual, and be as wide as that on offer to the wider community, then higher level learning should be recognised as bridging a gap in educational provision that conventional prison education is currently unable to fill.

Higher level learning has long-term benefits Doing nothing in prison is dangerous. As one prisoner, Colin, suggested, *'if you keep pressing the 'off' button, eventually it will stay off'*. Higher level learning offers the chance for prisoners to appraise their learning options, to identify the various and eclectic buttons that a wide curriculum with academic rigour can offer, and, as Colin suggested, *'keep pressing them 'On!'*

Higher level learning in prison should be less fragmented Even within this small study, it became apparent that there was a variety of attitudes to higher level and distance learning in prison that cut across the range of establishments and the professional roles of

prison personnel. These forms of learning can only be fully validated if they are seen as an integral part of learning in all establishments, and at all points in a prisoner's sentence.

Higher level learning – especially in the early stages of a prison sentence - often comes about through good will and good fortune. Good will is displayed by the tutors and staff who go the extra mile, who often 'bend the rules' to accommodate maverick learners, working in their own time and their own homes to provide materials for students. Good fortune comes to prisoners, who are lucky enough to meet these tutors, advocates, and mediators as they seek to redress the imbalance of a system focussed only on up-skilling its population to a prescribed and unimaginative level of ability.

Recommendations Prisoners and tutors also had recommendations to leverage the case for higher level and distance learning. They were made on the basis of optimism and enthusiasm.

- They felt that a prison that specialised in higher level learning would be beneficial and motivating
- Prisons should be made more aware of the benefits of higher level learning
- Providers and champions should be made more aware of how distance learning works, and the protocols it requires in order to effect it
- Higher level learning, along with educational achievement, should be included in prisoners' sentence plans, and progress recorded on the appropriate prisoner files
- Each prison should have a framework of delivery, setting out the roles and responsibilities of all those tasked to encourage prisoners to undertake courses that are appropriate to the student's level of ability, relevant and meaningful
- At the highest level, the efficacy of higher level learning should be acknowledged, supported, properly resourced and encouraged across the entire prison estate, rather than the current situation of having to rely on goodwill and good fortune.

Appendix 1

Cat B prisons and Cat B prisoners

The prison in which the bulk of this research was undertaken was a Cat B local, holding around 750 prisoners or above at any one time. Around 25% were on remand⁵¹, while around 17% were convicted but un-sentenced. Of sentenced prisoners, around 60% stayed in the jail for less than 3 months. Only around 25% stayed between 3 months and 1 year. They ranged in age from 21 to 70 years, with almost half being in the age group 21- 29. Less than 5% were foreign nationals. Around 12% were from minority ethnic groups. Looking at their backgrounds, it appears that they had previously been employed in a variety of skilled and unskilled jobs, many of which required some level of academic ability, and potential for further development. In addition to those who had been unemployed or receiving sickness or incapacity benefits, professions ranged across aerospace engineer, mechanic, labourer, butcher, auto-body repairer, hairdresser, musician, construction worker, trawler-man, graphic designer, security man, market trader, soldier, nightclub owner, and taxi driver. A number had existing qualifications either GCSEs or NVQs. However, during initial assessments, the vast majority expressed the view that they did not need help with education and had little interest in pursuing it further, either face to face or by distance learning. Over the preceding two years, 12 men had been recorded as taking distance learning courses. Of the 135 men seen over one month, 84 expressed the view that they required no help whatsoever. This reluctance may be indicative of the views of one prisoner, Hussein, who reflected that *'if you've made a living, you don't have time for education'*, suggesting that education of any kind was not seen as either a recent activity or as something to be valued as much as having a job. This was not to say that Hussein would not have welcomed an opportunity to engage in education during his current sentence – just that it had never been opportune in the past.

However, as stated above, current policy focuses on prisoners perceived as being below Level 2 in literacy and numeracy. Those who had already achieved this or progressed towards it while in prison could only be classified as 'Level 3 potential'. Moreover, given the range of vocational training in prison, there was little chance to continue to practice their outside trades. Those wishing to higher level or specialist learning had to rely on the good will of prison educators or staff and the good fortune to meet them.

Furthermore, It was noted that the system takes very little note of prisoners' past or current educational achievement (especially if it relates to distance learning). OASyS rarely contains evidence of courses taken or credits received. Thus educational achievement beyond Level 2

⁵¹ Only one long-term remand prisoner contributed to this research as he had expressed an interest in doing distance learning

is effectively excluded from contributing to IEP schemes, sentence planning, early release, ROTL, or parole hearings – all significant markers on the road to resettlement, an integral part of the Education, Employment and Training reducing re-offending pathway.

Prisoners, who offered detailed accounts of progressing to higher level learning, expressed a wide range of views about the obstacles and opportunities that were presented to them. Their previous experience of education ranged between ‘nightmare’, ‘enjoyed it’, ‘excluded’, ‘got 5 GCSEs’ and ‘special school – which was more fun’. Some were ‘taken out of school the day before so I didn’t get excluded’ while others had felt that there had been ‘not much enjoyment as my parents really pushed me to focus’. Some had been schooled in other countries. Two had gained degrees – one at University and one in prison. One had already taken a number of courses in various prisons, while for others this was their first experience of distance learning. One person had gained virtually all his qualifications in prison. Those not currently taking higher learning courses gave reasons such as ‘I can’t progress any further with the qualifications I want to get’ to ‘I spend time working on my own strategies and business plan – and read business books’.

Research Method

This study was undertaken using a variety of methods including focussed conversations, ad hoc meetings, and an accumulation of secondary data, that took into account the necessary restrictions imposed by the environment combined with the researcher's ethnographic approach. It almost goes without saying that the work could not have been carried out without the agreement of the prison, the collaboration of a number of departments, and the help, advice and support of a range of professionals and prisoners within the establishments.

Rationale

PET already has a substantial knowledge of prisons through the applications that it receives for various courses. However, it became apparent that the majority of applications came from what might be termed more 'settled' prisoners, those serving longer sentences in jails that were more conducive to including distance learning in its provision. It was decided to inquire into the pathways to progression beyond L2 that might be available for those in a less stable environment – i.e. Category B local jails – and the obstacles and opportunities that might present themselves.

It was also decided that it would be beneficial to take the research away from the metropolitan area, and instead bring some attention to what might be termed 'ordinary' prison. To this end it was decided that approaches should be made to a prison in the Northwest of England.

Preparation and access

Although the researcher has some 20 years experience of working in prisons, it was nevertheless important to recognise that no two prisons are the same and that each has its own specific issues regarding population profiles and relevant security protocols. To this end the researcher underwent additional training around security, hazard, and personal and professional safety. This had significant and positive implications in that it provided a core of prison staff who knew what the work was about, thus easing access to prisoners and reassuring staff.

In line with research protocols for research in one prison, PSO 7035 was submitted along with required documents such as Consent Forms, Information Sheets, and proof of CRB check. This process was facilitated by the HOLS.

After gaining access, contacts were made with the Education Manager, individual tutors, and CIAS workers, again mediated by the HOLS. Further networks were built up during the

course of the fieldwork with prison staff, individual tutors, staff in charge of workshops, and individual prisoners.

Other ad hoc conversations took place with personnel in other prisons either by phone and email, or through established networks within the European Prison Education Association.

Access to prisoners

The most difficult aspect of accessing prisoners was to identify them. As discussed throughout the report, higher level learners are of little interest to an organisation focussing on mandated targets for basic skills and Level 2 accreditation. Word of mouth from education staff, CIAS workers, and other prisoners, however, revealed a substantial number of students who were or had been engaged with distance learning. Accessing them had to be sensitively negotiated in order not to interfere with visits, classes, or work regimes. Rather than holding a prisoner back (and running the risk of him losing pay), conversations took place either on the wings, in education, or in the workshops. All staff took great pains to ensure that conversations were private but within sight.

Collecting evidence

In one Category B, 12 prisoners agreed to conversations around distance learning. Daniel agreed to take on the important role of 'pilot interview', which was followed by 11 further interviews with prisoners from across the jail. Men ranged in age from early twenties to late fifties, from a variety of ethnic backgrounds, a variety of offences, and a variety of educational histories. They were located in regular house units, a special unit, and the hospital. They were spoken to in cells, in classrooms, in wing offices, in the hospital, in the work-sheds, and on the yard. Given the qualitative small scale nature of the work, attention was paid only to making sure that a broad spread was achieved (if that were possible!) However, it is not possible to contrive data and students were interviewed on the basis of being in the prison and being involved or potentially involved in higher level learning. Staff spoken with included the HOLS, education personnel, CIAS and outreach workers, library workers, and prison staff. In other establishments, conversations were undertaken with a group of distance learners in one Cat C and their tutors, together with conversations with education personnel in one other category B prison and one potential high level learner. Conversations with prisoners in Europe and Scotland were included retrospectively.

Conversations were negotiated, broadly covering topics such as what courses a person was taking, what else they might like to do, their education experiences prior to coming to prison, and the obstacles and opportunities that higher level learning presented.

Analysis

Given the small number of conversations, analysis was hand done, drawing out themes that ran across the conversations (and indeed the prisons) and linking them to current policy.

Dissemination

Education personnel and prisoners were keen to see what was being written. Subsequently, a draft report was sent to them for comments before a final document was agreed upon and submitted to the funder. A final report was also sent to the jail.