



## **Prisoner Learning Alliance**

### **Briefing on the Ministry of Justice White Paper: Prison Safety and Reform**

**November 2016**

#### **Introduction:**

#### **Safety and decency**

This White Paper comes at a crucial juncture for prison to improve both safety and rehabilitation. We welcome the fact that the White Paper addresses both, as the two issues are interlinked. Without staff and prisoners feeling safe, effective rehabilitation cannot occur. However providing prisoners with engaging and meaningful learning opportunities to develop the attitudes, skills and behaviours to turn their lives around, is a vital part of the solution to making our prisons safe and decent places to reside and work.

#### **Prison population**

This briefing focuses on education, however it needs to be stated that a system under strain because it is trying to hold too many prisoners is a barrier to effective rehabilitation and learning in prison. There is a disparity between the resources currently available in the system and the number of prisoners it holds.

The prison population does not need to be as high as it is for a number of reasons. We add our voice to others in the sector who call for measures to reduce the prison population and divert from prison those who do not need to be there. For example this should include the increased use of community sentences instead of short custodial sentences.

This would result in prisons being better resourced to enable effective rehabilitative and educational support for those who remain, thereby reducing reoffending.

The current prisoner to staff ratio means that far too many classes and other purposeful activities, including library visits, are being repeatedly cancelled because there are not enough staff for unlock and escort. We are aware of prisoners missing exams as there are not enough staff to take them to the classrooms. This is not only de-motivating for

prisoners, it is also extremely wasteful: of teachers' and paid facilitators' time, and of the goodwill of the many volunteers who support classroom activities and informal learning initiatives. These include reading groups for emergent and experienced readers, creative writing groups, drama workshops, and critical thinking and debating groups. Many of these volunteers (with the support of charities, universities and other community organisations) bring high-level expertise and critical perspectives of immense value to both prisoners and prisons. Their contributions must not be put at risk.

### Smart Rehabilitation

The PLA in our report [Smart Rehabilitation](#) (2013) set out a blueprint for prison education that was outcome-focused, joined-up and value-driven.



We made 17 recommendations for how to achieve this (see Appendix A).

We were delighted that all the recommendations in our post election policy briefing [‘The Future of Prison Education Contracts’](#) (2015) appeared in the Coates Review Final Report [‘Unlocking Potential’](#). It is the Coates Report which should provide the means to evaluate the White Paper. The Government has accepted all the recommendations and therefore the recommendations should be implemented in full in the White Paper.

### The Purpose of Prison Education

Fundamental to the effective implementation of the Coates Report is the understanding of the wide-ranging and holistic benefits and value of prison education, including, but beyond, employability.

*‘Education in prison should give individuals the skills they need to unlock their potential, gain employment, and become assets to their communities. It is one of the pillars of effective rehabilitation. Education should build social capital and improve the well-being of prisoners during their sentences.’* Dame Sally Coates, *Unlocking Potential* (2016)



The Coates Review understood this premise and therefore it is only by implementing the report in its entirety, rather than picking and choosing various elements, that the full benefits of learning in prison will be realised and prisoners' lives transformed.

**Key messages:**

**1. Government must implement Coates' recommendations in full**

Government has accepted the Coates Review Final Report in full and should be held to account to deliver all recommendations.

Implementing some recommendations and not others will 'water down' the impact and will be a missed opportunity to improve the quality and effectiveness of learning provision and transform prisoners' lives.

**2. We welcome the Coates recommendations included in White Paper**

We welcome the elements of the Coates Review Final Report which have been mentioned in the White Paper, in particular: empowered Governors, use of ROTL, personalised learning plans, leadership and staff development and the new Apprenticeship Pathway.

**3. Some key Coates recommendations are missing**

We are disappointed that some key recommendations from *Unlocking Potential* are not included in the White Paper, namely: higher level learning, technology, personal development and support for prisoners with Learning Difficulties and/or Disabilities (LDD).

The Government must use the '*detailed education strategy*' promised next year to push some of the more far-reaching measures advocated by Coates, even if this requires a bold statement of why they are important and justified.

**a) Higher level learning**

The White Paper rightly emphasises the need to improve prisoners' literacy and numeracy. Basic skills are hugely important for the many prisoners who enter prison failed by their mainstream education. However, Coates goes further than this in recommending that "*Education should be aspirational. It must offer a learning journey that is truly transformational and enables progression to higher levels.*" Around 9000 prisoners in 2014/15 were assessed at being Level 2 and others will gain that level of qualification in custody and have time remaining on their sentence to progress to higher levels. Given that Ministry of Justice data shows statistically significant reductions in reoffending of a

quarter for prisoners doing higher level distance learning courses, the recommendations Dame Sally makes for supporting higher level and distance learning, including degree level study, need to be included in the implementation following the White Paper. It will take more than ABCs to give prisoners the skills, and the resolve, to turn their lives around.

### **b) Technology**

Another major missing piece is the use of ICT to support education. In her report Dame Sally stresses the value of technology to give prisoners digital literacy and engage prisoners in independent and higher-level learning, calling prisons' current attitude '*overly prohibitive*'. Coates' makes a specific recommendation to '*urgently review*' the effectiveness of the prison intranet system (the Virtual Campus). This must be included in the programme of prison reform. The White Paper however contains no mention of involving ICT in learning, allowing prisoners to manage their daily life in prison, supporting prisoners to prepare for release or to maintain contact with children and family. In a survey by PET and PRT most prison Governors agreed prisoners should have secure and controlled internet access. Dame Sally's recommendation that Governors should be allowed to develop an approach that suitably risk assessed prisoners should have controlled access to the internet to support their studies and resettlement must be implemented. ICT skills should also be included in the matrix of educational progression measures. The great opportunities offered by digital and blended learning, in both the classroom and in-cell, should not be allowed simply to fade from view.

### **c) Personal development**

Also missing is learning for the sake of personal and social growth and development. The White Paper concentrates instead on the need for prisoners to be taught basic skills that will "*help them find work when they get out*". Dame Sally found that personal and social development through the arts, sports, family learning and other informal educational opportunities were key to engaging prisoners back into education. Indeed they provide the hope, motivation and 'soft' employability skills required to transform prisoners' lives, and build the attitudes and behaviours to find work and make a positive contribution to their families and communities. The implementation of the reform programme must support a broader definition of 'education' including, but beyond, basic skills.

#### **d) Screening, assessment and support for Learning Difficulties and/or Disabilities**

Dame Sally highlights the high numbers of prisoners with Learning Difficulties such as Dyslexia and Learning Disabilities (LDD) and the need to screen all prisoners and then assess and properly support those with LDD, including a '*whole-prison approach*' to ensuring the regime and staff meet their needs. It is vital these recommendations are implemented with urgency to ensure equality of access to education, training and other positive activities within the prison for prisoners with these protected characteristics.

#### **4. Inspection and accountability frameworks are key**

Inspection and accountability frameworks and targets are key to ensuring Governor empowerment delivers and prison performance improves. Getting the accountability framework wrong could lead to perverse behaviours and an 'output' driven approach, rather than a focus on longer term 'outcomes'.

Accountability measures relating to educational progression in custody and after release are welcome; however, performance should be measured against milestones on an individual's learning plan to be meaningful. We are disappointed that the White Paper said this would happen '*in future*' and instead will focus on output-focused measures, such as numbers of qualifications. We know from the OLASS 4 funding system emphasis on numbers of qualifications that this can drive perverse behaviours, unrelated to the learning needs of individual prisoners.

We are supportive of measuring literacy and numeracy levels, where existing data doesn't already tell us that (such as the National Pupil Database). However, we are wary of how this would be carried out in practice. Measures need to be put in place to avoid prisons 'gaming' the system e.g. testing people immediately on reception when they are tired, perhaps still under the influence of substances and not in the right 'frame of mind'. It could also lead to an over emphasis on basic skills, rather than a diverse, aspirational and holistic curriculum including vocational skills, arts, e-learning, family learning, physical education, life skills etc.

Using literacy and numeracy as the only indicators of educational progression in the Prison League Table measures could be counter-productive. It needs to be based on a more nuanced matrix of measures including achievement of milestones set out in individual learning plans.

## 5. 'Through the gate' measures and support

We welcome the inclusion of outcome measures for 'preparing for life after release' including both rates of employment and rates of full and part-time education after release, particularly given the recent joint thematic [report](#) by the Prisons and Probation Inspectorates, who found that out of a sample of 86 prisoners on short term sentences under the supervision of a CRC: *"None of the prisoners we met were assisted into employment or training via the Through the Gate arrangements. For many with more pressing problems, the prospect of immediately entering employment or training may have been unrealistic. It was still disappointing that little thought was given to the possibility of future training for these or other prisoners, as a stepping stone to a more productive life after release."*

We are disappointed that the measure of prisoners entering education after release was not included as an indicator in the 'Prison League Table' measures. Getting further education or training after release is often an important stepping stone towards employment and an important step in maintaining the momentum of a learning journey started in custody. Continuing learning after release helps to develop new positive social networks and can open up opportunities to improve skills, gain work experience, increase confidence and develop a 'student' identity rather than an 'offender' identity.

We are also disappointed that league table measures do not include a measure for the number of prisoners leaving prison with accommodation in place. Having a place to live is a prerequisite to being able to gain employment or continue studying after release.

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**The PLA**

The [PLA](#) is a coalition of 23 organisations who provide expertise and strategic vision to inform future priorities, policies and practices relating to prison education, learning and skills.

## Appendix A

### PLA Smart Rehabilitation Blue Print Recommendations (2013)



#### Outcome-focused:

- 1) **Learning works and should therefore be at the heart of both the youth and adult estate.** There is evidence that prisoner learning can contribute to rehabilitation outcomes. Learning is as important for most adult prisoners' rehabilitation as it is for young people.
- 2) **There should be a broad vision of successful rehabilitation outcomes for learning.** Learning outcomes in prison should focus on giving prisoners the ability to cope with life in and out of prison (resilience), the ability to desist from offending (desistance) and the ability to make a positive contribution to their family and community. These outcomes may encompass, but go far beyond, helping a prisoner have a job on release.
- 3) **When it comes to 'employability skills', a broader understanding is required to improve rehabilitation outcomes, including both becoming a valued employee and self-employment.** 'Employability skills' are often narrowly identified with learning skills for a particular occupation, basic literacy and numeracy or CV writing. True 'employability skills' sought by employers encompass much wider capability in self belief, resilience and ability to work with others that are best promoted by a wider vision of learning. Where occupational skills are required, higher level or niche skills are more valued by employers and helpful in securing sustainable work in an increasingly competitive jobs market.
- 4) **Prisoner learning should focus on rehabilitation outcomes and not outputs.** A focus on outputs e.g. numbers of accreditations or hours of teaching, can lead to perverse outcomes and deflects attention from the end rehabilitation outcomes that learning can achieve.
- 5) **A 'whole person' approach to learning is needed to achieve the desired rehabilitation outcomes.** Prisons should provide a range and combination of learning opportunities to develop 'the whole person'; their human capital, social capital and imaginative capital. Such learning will need to form a 'package' of learning which could include; informal, academic, vocational, relationship, life skills, creative, peer to peer and e-learning.

#### Joined-up:

- 6) **Improved co-ordination between government departments.** Prisoner learning is impacted by policies from multiple departments; BIS, MoJ, DoE, DWP, DCLG, Home Office and the Treasury. This is a time of unprecedented change; recent policies from each of these departments have the potential to conflict. Urgent consideration is needed of how these policies can be joined up in order to achieve positive rehabilitation outcomes. In order to achieve the best outcomes and value for money, policies should be co-ordinated and outcome targets aligned.
- 7) **Improved co-ordination within individual prisons.** There are a range of stakeholders in prisons involved with and funding learning. Education is often siloed from other learning and from broader 'reducing reoffending' work. Successful prisons have a co-ordinated

approach. Plans made by different prison departments relating to a prisoner should align towards the same rehabilitation outcomes. All learning should be recorded in one place.

- 8) **Improved co-ordination between different prisons.** Co-ordination between prisons is vital to minimise disruption to learning. This is urgent given the changes to the prison estate in order to ensure smooth transitions between resettlement and non-resettlement prisons and through the gate. Mechanisms for sharing good practice and developing teachers' skills need to improve in order to increase efficiency and achieve better outcomes.
- 9) **Improved co-ordination between prisons and the community.** Most prisoners will leave prison and return to their communities and families. Learning should be part of resettlement plans including support to access learning after release, family learning and relationship skills. Stakeholders in the community should work closely with prisons and education providers to ensure the learning offer in custody will help lead to the desired rehabilitation outcomes after release. Initiatives working with 'troubled families' should work holistically with the parent in prison to improve the whole family outcomes.
- 10) **Clear leadership, management and accountability for achieving outcomes.** Given the diverse range of stakeholders for prisoner learning and rehabilitation, it is vital to have clear lines of accountability in this ever more complex landscape of rehabilitation. Those holding parties to account need the ability to ensure outcomes improve.

### Value-driven:

- 11) **Personalised.** Prison populations are diverse and therefore a 'one size fits all' approach will not achieve the outcomes desired. Effective inductions and individual learning plans are key to ensuring the prisoner reaches their learning goals and potential. A personalised approach takes time to understand previous learning experiences and achievements and involves thorough assessments of learning levels and types.
- 12) **Inclusive.** Learning opportunities in prison should be accessible to all prisoners and reflect their diverse needs and motivations. A narrow employability focused model may indirectly exclude some groups of prisoners from learning. An inclusive learning culture also involves officers and staff.
- 13) **Engaging.** Insufficient numbers prisoners are engaged in learning as a purposeful activity. A prison's culture and regime must therefore have learning at the heart. Embedded learning and a learning culture can effectively 'hook' prisoners to become learners. Responsibility for a learning culture is found at all levels of a prison, from Governor down. What works must trump concerns about 'public acceptability'.
- 14) **Aspirational.** Once engaged, many prisoners develop a thirst for learning. Prisoners who achieve their basic skills should be enabled to progress with learning to higher levels to reach their potential. Mechanisms to enable progression to happen should be supported.
- 15) **Safe.** Learning areas such as the education department can be hot spots for tension and violence due to their communal nature. Staff must be supported appropriately in behaviour management. Measures should be taken to ensure staff and prisoners can teach and learn in safety. Safety can be both physical and emotional. A 'safe space' to learn is respectful, comfortable, builds on strengths and is motivational. Involving learners in solutions are vital in developing 'safe spaces' to learn.
- 16) **Empowering.** Enabling learners to take responsibility will improve their outcomes, for example through developing learning plans, peer mentoring, service user participation (learner voice) and self-directed learning (as part of a blended learning model).
- 17) **Excellence.** There should be 'the best teachers, the best managers and the best advisors' (Ofsted, 2013). Achieving excellence requires a commitment to CPD of all staff. It also involves partnership working to secure a range of expertise and experience in those delivering learning in prisons including CVS, mainstream education providers, volunteers, prisoners and ex-prisoners.