

## Prisoners' Education Trust Response to the Prisons White Strategy Paper

February 2022

### 1. Do you agree that these are the right long-term ambitions for the prison estate?

The primary role of a prison has to be to keep people safe and secure. However, it is also essential that prison staff promote rehabilitation and support prisoners' education. We welcome the focus on employability in the White Paper, but education is the building block for employment, and the focus on education is not strong enough. Education in prisons can give individuals the skills they need to unlock their potential, gain employment, and become assets to their communities. It can also build social capital and improve the wellbeing of prisoners during their sentences and once released. Maximising engagement in purposeful activity can support a prison to be safer, reducing tension and conflict on the wings and providing people with a sense of purpose that supports positive behaviour.

We note that the newly designed prisons will have space for group and 1-2-1 education work. All prisons, not just new builds, should have the space and resources to facilitate education and employment, rehabilitation, and purposeful activity. If a prison is going to be designed to develop literacy and numeracy skills as described in the White Paper, then functional skills must be embedded into activities across the prison so that people have the opportunity to practice these and develop them in multiple ways.

The impact of population overcrowding on the ability to deliver education effectively cannot be overstated. This, coupled with scant resources and in particular, a reduction in the number of prison officers, makes accessing education in some prisons extremely difficult. Even before Covid, shortages of officers meant that prisoners could not always be escorted safely around the prison or moved from wing to activity. We are concerned that plans to increase the prison population will create even poorer outcomes in education as prisons struggle to provide access.

It is hard to see how people can get the skills that build the foundations and qualifications they need for work without the promised roll out of in-cell digital technology. It is also very disappointing that plans for the Prisoner Education Service do not seem to include a more varied curriculum. Core PEF providers already deliver vocational training, literacy, numeracy and some IT courses and it is hard to identify how the new service will differ.

Many people in prisons are known to have poor prior experiences of education. Creating a new Prisoner Education Service should offer the opportunity to rebrand prison education departments as colleges. A new Prisoner Education Service should also provide an opportunity to develop provision that is equivalent to the community, with GCSEs and A levels as standard and more access to higher education.

There is much to learn from approaches in Scandinavia and closer to home, Hydebank Wood College in Northern Ireland. However, the current plans for the Prisoner Education Service do not appear to include any significant changes to the system. However it is

branded, commissioned, or managed there will need to be significantly more investment for it to be effective. While the White Paper commits specific amounts for other areas of prison activity, it is noticeable that there are none for education. The White Paper commits to prison education achieving Ofsted grades that are equivalent to those in the community. However, funding has not increased in seven years, leaving prison education poorly resourced. We cannot have a quality prison education service without additional funding.

## **2. Do you agree these are the guiding principles around which the future regime should be designed?**

Lockdown has been savage for people in prison. After the psychological damage of the last 22 months, we believe that it is unacceptable to start from any planning assumptions that will reduce or restrict time out of cell. Ultimately, facilitating safe access to education and activities depends on sufficient officer numbers. Recruitment and retention of officers must now be a priority for HMPPS. Ideally, there will be enough officers to facilitate smaller group sizes and sufficient time - at least ten hours per day - out of cell, and that should be the aim over the next 2-3 years.

Despite considerable efforts to recruit new officers, numbers are still lower than a decade ago and we are concerned that recruitment plans in the White Paper do not go far enough. This is because people are leaving the service faster than posts can be recruited to. We also remain concerned about the growing problem of a lack of staff experience, with a third of officers having been in post for under three years. It has to be time to review whether the pay and conditions for officers are attractive enough to recruit and retain enough officers to create safe prisons, particularly bearing in mind plans to expand the prison estate.

Currently, prison regimes still largely run around the convenience of officer work patterns, rather than what creates a rehabilitative culture. We believe there needs to be a massive culture shift around the core day, with classrooms and workshops being used more over lunch times, to maximise their potential. Time out of cell in the evenings, which once was standard and used for cultural, creative or leisure opportunities, is now rare. Association time - when people can speak to peers, make phone calls, have showers, and do domestic tasks - is often curtailed. We are aware that HMP Five Wells is planning a curriculum that will include evening and weekend activities and education, to enable people to work and train during the working week. We hope that this model will become a fundamental part of future regime design.

The lack of digital technology in prisons reduces all learners' life-chances. Many people in prison do not have adequate digital literacy and we are concerned that learners cannot always access the Essential Digital Skills support and qualifications needed for everyday life and for many jobs. Despite the ministerial commitment to in-cell technology being rolled out across all closed prisons, the implementation is too slow. Digital technology would enable learners to access materials, support feedback and assessments. We need further resources and a proper strategy to roll out digital technology in all prisons.

Currently, there are pockets of innovative practice, but these depend on Governors' discretion. As different systems are introduced into the estate, the provision becomes more fragmented - it is already of concern that the digital hub, the Virtual Campus and the laptops supplied by Coracle Inside do not link up. Prisoners' Education Trust (PET) has been working to develop our distance learning offer electronically and has a course in development. However, without a co-ordinated approach to delivering digital, we cannot develop something compatible with all operating systems.

During the lockdown introduced to limit the spread of Covid, education has been provided through learning packs - printed out materials completed in-cell. As plans for recovery and new regimes develop, it is clear that HMPPS expects independent study to continue to be a big part of education delivery. PET supports enabling learners to participate in individual study, and have been providing distance learning opportunities for over 30 years. However, for this to happen effectively staff need to have the capacity to support this, and currently, learners do not always get the support they need.

If learners are expected to complete more work in-cell and on the wing, officers need to be able to support this, and help to motivate and encourage learners. Individual study can provide an effective stepping-stone for learners, leading to incredible achievements that open up further opportunities and many of our learners go on to find work on release. But if this is to be a key part of the new regime, prison managers, education providers, teachers, officers, and peer mentors need to work together to ensure that learners get the range of support they need.

We support the aim of providing personalised services to people in prison. However, it is hard to see how this can be facilitated without higher officer numbers, specialist support services and a full roll out of digital technology. In-cell technology would enable differentiation and a personalised education service and facilitate self-study, opening more course opportunities to people who would otherwise not be able to access courses at the right levels and subjects.

### **3. How should we develop outcomes frameworks to ensure our Future Regime Design ambition is realised?**

Service user feedback should be part of any evaluation of the regime design and activities. In particular prisoners should be asked how time in cell is impacting on their wellbeing and what other opportunities they would be interested in. As well as using existing peer mentors and representatives forums, it is also important to try and engage with those who are not involved in many prison activities.

Using KPIs and performance measures can result in perverse outcomes. Prisons should be evaluated on the variety of opportunities they can provide for prisoners, the strength of their partnership working and the impact these can have on transferable skills.

To be 'purposeful', activities must give a sense of hope and be meaningful to the individual, in order to improve wellbeing. Currently some 'purposeful activity' in prisons does not meet this definition. The quality, as well as quantity, of 'purposeful activity' needs to be improved and meaningful outcome measures that can identify and assess progress need to be developed.

#### **4. Do you agree with our long-term priorities for making prisons safer? 5. Where can we go further?**

The Ministry of Justice's long-awaited analysis<sup>1</sup> of technology in prisons found that 'the overwhelming feedback from staff and prisoners was that the introduction of digital technology had contributed to an improvement in the psychological wellbeing of, and perception of autonomy amongst, prisoners. It was thought a potential consequence of these improvements was the reduction of incidences of friction and feelings of tension in the prison making it a somewhat less oppressive place to work and reside'. Moving faster on the digital technology roll out would benefit other prisons in this way.

Education also has the potential to support emotional wellbeing and mental health. There is a wealth of evidence about the wellbeing effects of prison education, including sports-based learning, arts and other informal learning such as reading groups.

#### **6. Where can we go further to give prisoners the skills to secure stable employment on release?**

Many prisoners will not be 'job ready' without adequate education support. The skills and competences needed to secure meaningful employment are varied. There are a set of skills and attitudes that many employers expect and set candidates apart at interview. There is some research that demonstrates that employers deem transferable skills more important than qualifications. The policy agenda on employability often overshadows education, but they need to be integrated. Education is generally good insurance against unemployment and can be so even in difficult economic times. Despite the policy focus and a number of new initiatives, the low numbers of people leaving prison with jobs or finding work soon after remain stark. The latest figures we have are that just 4% of women were in paid employment six weeks after release from custody and only 11% of men.

Last year, the Justice Data Lab looked at the employment and reoffending records<sup>2</sup> for the first year of release for over 9,000 people supported by PET to study distance learning courses in prison. They then compared the outcomes for these people with a matched group of similar prisoners that had not been supported by PET. This demonstrates that people supported by PET were more likely to get a job within one year than similar prisoners PET does not support. And even if they do not get a job, they were less likely to reoffend within that year than other prisoners who do not get jobs.

#### **7. What are the main issues and barriers that prison leavers face when they are making a claim for Universal Credit? What impact do they have on prison leavers?**

While some good work has been carried out in this area, and there are processes in place for people to claim prior to release, and a dedicated helpline, prisoners cannot always access these. It would be helpful if access to the online form and system was provided as

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<sup>1</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/899942/evaluation-digital-technology-prisons-report.PDF](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/899942/evaluation-digital-technology-prisons-report.PDF)

<sup>2</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/954465/Prisoners\\_Education\\_Trust\\_\\_PET\\_\\_4th\\_analysis\\_report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/954465/Prisoners_Education_Trust__PET__4th_analysis_report.pdf)

standard. Prisoners also do not always have access to the information or the advisers to support them through the process. There needs to be sufficient benefits advisers in prisons to cover the need. Work needs to be started with enough time to organise ID, a bank account, and an email address. Allowing restricted access to the internet prior to release would enable prisoners to take responsibility for organising these necessary services. Once people have left prison, there can be delays in payments. Leaving prison without any recourse to funds is a known risk factor and can quickly become a crisis, and a risk of further crime.

**8. Should we take a legislative approach, as described above, for those at risk of reoffending who would otherwise be released on a Friday? If so, how should we structure this approach?**

We support a legislative approach to Friday releases. This would clarify the position and ensure that prison staff could sign-off releases a day or two earlier to maximise the chances of accessing services needed for resettlement. This would give an option to release on an earlier day where someone has significant resettlement needs and it is clear that having the time to get support in place earlier in the week would be beneficial.

**9. Do you agree with the 'guiding principles and priority outcomes and areas of focus we have identified for developing the Resettlement Passports? 10. How can we implement the Resettlement Passport approach in a way which is most effective for prison leavers and practitioners?**

Resettlement teams need a stronger focus on education and training post release. PET would like to see far more involvement of further education colleges with their local prisons. Local further education colleges do not deliver PEF contracts and consequently, prison education teams are less likely to have links with local education or training providers. We believe that this reduces the possibility of continuing education and training places and of good outcomes on release. HMPPS needs a strategic approach to developing partnerships with further education and higher education providers. Prisons should be included in all national and regional training, apprenticeships and further education strategies, and prison leavers should have sufficient access to funding streams and initiatives supporting their skills development and employment options. ROTL should be used far more to enable people in prison to access community based education in preparation for release.

In practical terms, the Resettlement Passport must be available electronically post release and easily accessible to prison leavers. It is important to ensure that people have the digital skills they need to be able to access their documents and information in the community. We are not sure how HMPPS will ensure that people have access to digital devices to do this. It would be beneficial for Resettlement Passports to include copies of all qualification certificates achieved during the prison sentence, including any obtained through distance learning, and resettlement teams should ensure that all the achievements are recognised in the document.

**11. How should we encourage prisoners and prison leavers to comply with conditions and expectations in return for support provided, and what consequences should be in place if they do not?**

We believe that in relation to education, encouragement is more productive than compliance. Voluntary attendance at education is more constructive, has higher engagement and is more likely to result in real learning. We understand that engaging prisoners can be challenging, but we believe that the offer should be designed so that people want to participate, not be coerced into doing so

Prisons can incentivise education and promote engagement through advice and guidance from trained staff that identifies a learner's skill set and aspirations and access to opportunities that fit with their goals, allocation processes that ensure people are allocated to the right course and ensuring people can attend activities as scheduled.

Our experience demonstrates that education that is viewed as relevant and practical, and includes teaching methods that are embedded in practical experience, is valued by learners. Well-resourced classrooms and digital technology demonstrate that the prison is invested in education. Learners are also motivated when they believe the prison is offering courses that are nationally recognised and seen as valuable by employers and in the outside world. Clear progression routes build aspiration and motivation, particularly given the growing number of prisoners serving long sentences. Finally, the prison culture needs to convey that education has the same status as work and workshops, including the same remuneration. Education in prison should not be treated as a transaction, a privilege or an optional extra.

**12. Do you agree with our long-term vision? 13. Where can we go further in turning prisoners away from crime?**

Education can reduce reoffending. There is evidence that prisoners who reported having a qualification were 15% less likely to be reconvicted in the year after release from custody than those having no qualifications . A large-scale national study<sup>3</sup> reported a 7.5% reduction in one-year reoffending rates.<sup>19</sup> Similarly, a large-scale United States study<sup>4</sup> found that there was a reduction in re-offending of 13 percentage points for those who participated in correctional education programmes in the USA versus those who did not . Research<sup>5</sup> from the Justice Data Lab showed that the one year proven re-offending rate for 5,846 learners who received a grant through the Prisoners' Education Trust for distance learning courses or arts materials was over a quarter lower than a matched control group of similar prison leavers (18% compared with 25%).

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<sup>3</sup> [https://www.rand.org/pubs/research\\_reports/RR266.html#:~:text=Correctional%20education%20improves%20inmates'%20chances,recidivating%20of%2013%20percentage%20points](https://www.rand.org/pubs/research_reports/RR266.html#:~:text=Correctional%20education%20improves%20inmates'%20chances,recidivating%20of%2013%20percentage%20points).

<sup>4</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/708156/evaluation-of-prisoner-learning-initial-impacts-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/708156/evaluation-of-prisoner-learning-initial-impacts-report.pdf)

<sup>5</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/459470/prisoners-education-trust-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/459470/prisoners-education-trust-report.pdf)



This demonstrates the importance of putting education at the heart of effective prison regimes. That requires proper funding and for the right structures to be in place to support education delivery. As part of this distance learning, which the above evidence shows is effective in reducing reoffending, needs to be supported and embedded into standard education provision, with adequate staff time to support both the administrative processes and the study skills and learning support needed.

**14. Do you agree with our long-term vision for women's prisons?**

Women in prison remain disadvantaged through their minority status in the criminal justice system and by living in a system designed by and for men. Security constraints that are necessary in the male estate are often disproportionate in women's prisons and we support the move to hold more women in lower secure or open conditions. Increasing the numbers of resettlement and open units in the female estate will be extremely beneficial in reducing disproportionate restrictions on women and opening new possibilities for ROTL around studying, training, and work.

Supporting women through education that leads to work creates financial independence meaning less likelihood of being drawn into coercive and controlling relationships. There are strong links between peers, partners and family offending behaviour and the reasons women become involved in crime. In addition, 38% of women attributed their offending to 'a need to support their children'. Providing women not just with information and support but also with the assertiveness, initiative and means to access support themselves is fundamentally important. Education is key to this process.

**15. What more could we do to support women in custody, with particular reference to meeting the needs of women prisoners with protected characteristics?**

Women with neurodiverse conditions need to be identified and supported more effectively. In 2018, the Ministry of Justice reported that 40% of women (compared to 35% of men) in custody were identified as 'having a learning difficulty/challenge'. Despite the commitments in the Female Offender Strategy and the focus on the drivers that may lead women into crime, too little is known about women with additional learning needs in prison. Women with learning disabilities are more likely to experience domestic or intimate partner violence than women without a learning disability.

**16. Are there specific areas of training you think we should be offering prison officers which we do not already?**

Officers should be taught to recognise the educative potential of their interactions with prisoners, at all times. PET and the Education and Training Foundation previously worked with the Prison Service training department on a module 'learning at the heart of the regime' which taught new recruits about the impact of education. However, changes to the entry level officer training means that this is no longer part of the training programme. We would like the training programme to have a stronger emphasis on supporting the vision of prisons as learning environments with education at their heart and support the commitment in the White Paper to "invest in staff training to build a prison

culture that values education and learning across the prison”. The leadership regime in a prison should work to develop officer and instructor roles as part of a strategy to improve education. The Coates Review recommended that blending roles, exchanging learning and opening up progression routes between teachers, instructors and officers should become more commonplace.

**17. Do you agree that more bespoke recruitment training will enable prison officers to better support the needs of prisoners? What other cohorts should we be focusing on and how can we do this in a manner that advances equality of opportunity for offenders with protected characteristics?**

Recruitment needs to focus more on culture, behaviour, and attitudes. However, it is also important to ensure that the on-the-job training supports new officers to treat people in prison with respect and consideration. Effective workforce planning is not just about recruitment, it is also about developing, training, and promoting current staff and it is about succession, to ensure that promotion opportunities are available for staff and that there is a pipeline of potential manager and Governors.

More in-depth training is needed if officers are going to be aware of and meet the needs of people with protected characteristics. In addition, many officers state they would welcome more detailed training on supporting people with mental health difficulties. There is much specialist expertise in the wider criminal justice voluntary sector, among academics and along former prisoners and prisoners themselves. This could be utilised to develop new training programmes for officers.

**18. Are there any areas where we should extend autonomy for all Governors to support the delivery of improved outcomes?**

We believe that governor autonomy responsibilities can only be effective with the right expertise, real delegated responsibilities, and clear top-level performance measures in place. Accountability is important but we would urge that monitoring frameworks are proportionate, not onerous and do not take valuable time away from prisoner facing and front-line work.

While the contractual process for monitoring education is exhaustive, Ofsted reports show that this has not led to better education delivery. Governors have more input into the education provided in their prison, but do not have autonomy over it because there are regional and national structures in place overseeing the contracts that were commissioned and agreed by procurement officials in the MoJ, rather than HMPPS. If Governors are to be given autonomy, it has to be real, rather than rhetorical, with the ability to decide on budget allocation and commission services locally. Governors need to be able to access education expertise if they are to commission and manage education. We welcome the move to create education specialist in prisons, and hope that they will have the required skill set and ability to support a more progressive curriculum and will be sufficiently senior to have a real impact on the strategic direction of the prison.



We would also like to see a review of the Dynamic Purchasing System that can evaluate how this aspect of autonomy has worked. Governors have been able to set their own outcome measures for each of these contracts and there is no published data about how effective they have been. The majority of provision commissioned through the DPS has been Information, Advice and Guidance services, although the DPS was not designed for this. If Governors autonomy is going to be effective, they need the right mechanism for procuring services. Longer term contracts and the options of grant funding should be available and Governors need additional resources if they are going to be able to support the provision of additional activities and IAG in their prisons.

#### **19. How can we further strengthen independent scrutiny of prisons in future?**

We welcome the proposal for legislative change that will strengthen and formalise the existing arrangements relating to HMI Prisons and the IMB. We support their powers being placed on a statutory footing and recognising their rights of access in legislation. We would also like to see powers strengthening the impact of their recommendations so that treatment of and conditions for detainees could be further improved. In particular prisons should be required to respond to monitoring bodies' recommendations, within short time scales, particularly when they are significant concerns.