



## Education Committee

Oral evidence: [Prison Education](#), HC 86

Tuesday 8 June 2021

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Members present: Robert Halfon (Chair); Fleur Anderson; Tom Hunt; Dr Caroline Johnson; Kim Johnson; David Johnston; Ian Mearns; David Simmonds.

Questions 105-166

### Witnesses

**I:** Michala Robertson, Assistant Director, Student Additional Support, Open University; Steve Johnson, Prison Governors Association; Francesca Cooney, Head of Policy, Prisoner Learning Alliance; and Peter Dawson, Director, Prison Reform Trust.

Written evidence from witnesses:

– [Add names of witnesses and hyperlink to submissions]



## Examination of witnesses

Witnesses: Michala Robertson, Steve Johnson, Francesca Cooney and Peter Dawson.

Q105 **Chair:** Good morning, everyone, and thank you for coming. For the benefit of those watching, will you please introduce yourselves?

**Francesca Cooney:** I am head of policy at the Prisoners Education Trust, and I am representing the Prison Network Alliance, a network of people and organisations advocating better prison education.

**Michala Robertson:** I am assistant director for student additional support at the Open University. We support students studying in prisons and in secure hospitals and those under licence in the community.

**Peter Dawson:** I am director of the Prison Reform Trust. It does what it says on the tin, and we are about to celebrate our 40th anniversary.

**Chair:** Congratulations.

**Steve Johnson:** I am the current head of support at HMP Leeds and am representing the Prison Governors Association national executive committee.

Q106 **Chair:** I shall start with some questions for all of you. We have a lot to get through, so be as concise as possible. As we go through the session, I might pick just one or two of you to answer, given the broadcasting restrictions. Will you give an overview of the state of prison education today?

**Steve Johnson:** Prison education has been severely impacted by covid and the restrictions placed on face-to-face delivery. Delivery across the board has been significantly reduced, and the recovery will be quite a significant piece of work across the entire prison estate. A lot of governors are on with that recovery process and are looking at different styles of how we might get out of that recovery. Some percentages suggest that we are at about 10% to 20% delivery in what we would normally expect in a lot of establishments.

**Francesca Cooney:** Even outside covid there are massive challenges with delivering education in Britain. Access to education departments is often very limited because of officer numbers. People cannot get to education to study, and with no in-cell technology it is very difficult for them to do any meaningful study.

The resources are too little. The money for prison education has not been increased in years, and the core contracts that deliver education are too inflexible—the curriculum is not appropriate in most prisons. There are not enough opportunities for learning at lots of different levels.

**Michala Robertson:** I recognise the implications of the pandemic across prison education, but this is an opportunity for us to develop far more practical and far more flexible options for education across the prison



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estate. At the Open University we need to rethink some of our online and distance learning offers for face to face. We have developed some innovative, immersive virtual practicals and alternatives to traditional learning, and I would like prison education to benefit from those.

**Peter Dawson:** Prison education, like many subjects in the prison sphere, has a sound policy framework, largely set by Dame Sally Coates. Its implementation is hampered by some new issues—covid, changes in the prison population and some of the old issues, particularly overcrowding. I agree with Michala; it is a moment of opportunity that can be seized.

Q107 **Chair:** The Ministry of Justice's 2018 research found that people who had participated in education were significantly less likely to reoffend within 12 months of release—by 7.5 points. What are your most recent findings on the link between prison education and reoffending rates?

**Peter Dawson:** I am afraid it is a note of caution. Those are good numbers—I am not aware of anything more recent. The only thing we ever measure is reconviction, not reoffending. How many people are reconvicted depends on many things other than what happens in prison and on release.

People choose to desist from crime. Everything works together. Education is important, but its impact is hugely increased if everything else in the system is given the same objective.

Q108 **Chair:** Should the Government or statistics authorities do more to work out exactly what is happening and get an update on good prison education and reoffending?

**Peter Dawson:** I am not sure that is the real need. I think we know what contributes to reducing reoffending. If we try to get too sophisticated about what is having the best impact, we lose the overall message that prisoners are people and need a holistic approach: you need to deal with everything that an individual presents to you.

Q109 **Chair:** But it helps to make the case for proper prison education if you have data to show that it is making a difference.

**Peter Dawson:** That only helps the case if the base of standards is up. The huge risk is that, because we measure reconviction and not reoffending, as police activity picks up—*[Inaudible.]*—gets worse even though activity in the system is having a beneficial effect.

**Francesca Cooney:** We do not have any data around progress or achievement in prison education for the past three years—a massive gap. The data should be able to be published. We do not have any data on people leaving prison and going on to further education or training. Collection of that data would be relatively straightforward and it would help us to get a picture of outcomes for people leaving prisons.

Q110 **Chair:** How many privately run prisons do we have?

**Francesca Cooney:** I think it is about 12.



Q111 **Chair:** Is there a difference in the quality of education between private or state-run prisons?

**Francesca Cooney:** It massively varies. What sometimes happens in contracted-out prisons that is positive is that the education provider and parent company are the same. The work is more integrated and everybody is working for the same employer. It is easier to organise things in the prison and get them achieved. Sometimes they are a bit more flexible about resources: they are not as limited in their budgets and can move money around. In some private prisons there is huge support for education and it can be more positive.

Q112 **Chair:** Where prisons are not providing a proper education service and are not following the guidelines, even under current restraints and the difficulties with funding, what is the carrot and stick that can be used to improve things?

**Steve Johnson:** There are systems in place through our incentive framework that can incentivise attainment, which a lot of our prisoners do not get.

Q113 **Chair:** I am talking not about the prisoners but about the prison not providing a decent education service for one reason or another. We shall come later to incentives. What carrots and sticks can be used to change that?

**Steve Johnson:** A paper came out giving governors autonomy over what they are delivering. We put governance in place, modelled on community-based education settings. It looked at the delivery of the curriculum, regular reviews and adjustments to those reviews to meet the needs of the cohort being dealt with, which can be quite regionalised. Some establishments are out in the sticks with limited access to local amenities, but some are in big cities. There is that mechanism for governors regularly to review and ensure they are delivering an appropriate curriculum.

**Michala Robertson:** The Coates review recommended a review of in-cell activity, particularly in-cell education. The incentives for prison governors would be to look at purposeful activity earmarked for in-cell education. The OU has a framework for how many hours a student studying a module would be able to commit to purposeful activity. The pandemic has shown that students often prefer to study in cell rather than in a classroom or library.

**Peter Dawson:** It is 10 years since I governed a prison. I don't want to steal Steve's thunder, but I don't think you would find any governor in the system who wasn't incentivised to make education work. Whether or not they believe in learning as an objective, it always make your prison work better if prisoners are active and engaged.

Q114 **Chair:** That might be the case, but just as Ofsted intervenes on failing schools, if, despite the good work being done, a prison is not working, what should be done? What are the carrots and sticks?



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**Francesca Cooney:** A huge amount of governance and monitoring already happens. Ofsted goes in with the prison inspectorate, and time and again we see poor inspection reports on prison education.

It is really challenging. Where do you lay the accountability? You need the prison team and the education team to work together. Education is fragmented at the moment and does not always work in a co-ordinated way.

I genuinely think that until we have proper resources in prisons—until we have enough officers working to support the delivery of education—we won't have decent education in prisons. There might not be much point in more carrot-and-stick mechanisms because governors already feel they are monitored to the nth degree.

Q115 **Chair:** Before passing to colleagues I want to ask about prison apprenticeships, which I am quite passionate about. The Ministry of Justice's 2019 education and employment strategy stated that there were plans for a prisoner apprenticeship pathway as a vocational route to gain qualifications and work experience while in custody that could be continued after release from prison. We have heard that the proposal has not yet materialised. Why is that? What needs to be done to establish a prisoner apprenticeship programme?

**Michala Robertson:** There needs to be a review of the Education and Skills Funding Agency's funding role and, rather than a contract, a memorandum of understanding, with greater use of the release on temporary licence system for prisoners close to release and the frontloading of funding for apprenticeship training.

Q116 **Chair:** For those watching, will you please explain the ROTL system?

**Michala Robertson:** Release on temporary licence often happens in cat C or open prisons. Prisoners are released to attend college or a work placement.

**Francesca Cooney:** ROTL is massively under-used in prisons and could be used far more. A lot of prisoners could be going out to apprenticeships in the community. As Michala said, there are challenges around the appointment contracts for apprenticeships, but it is also about putting resource in and giving governors expertise and information so that they are able to create and explore apprenticeship pathways in their prisons.

**Steve Johnson:** A lot of barriers in the custodial environment impact on the delivery of apprenticeships, and I am a big fan within the community with the voluntary work I do. It is the under-25s, it's the custodial environment, it's ROTL, it's in-cell technology, it's the blended working methods, it's the contracts that are already in place from our education providers through the PEF—prison education framework—where they have to draw down the money and there just isn't the investment, infrastructure or capacity to fulfil a successful apprenticeship. I speak to a lot of governors, certainly from the PGA. In my 22 years' experience in

prisons, that is a real frustration for some governors who want to try, but contractually there are so many obstacles in place to achieve it.

**Q117 Fleur Anderson:** I draw attention to my registered interest: I am an Open University alumna. There was a lot there to unpack, but I want to think about the recommendations we will make in the report. Outside the prison classroom, what has to happen to enable prisoners to engage with training and education? One of the facts we were looking at is that you have to be there for six years, so early engagement with training is missed by many prisoners. Beyond changing the six-year rule, what other things need to be in place to enable prisoners to engage?

**Steve Johnson:** Historically, we have designed the prison regime around mornings and afternoons and lengthy sessions, often in quite small classroom environments. Some of our more chaotic members of society are coming into prison and being asked to engage in things in the short term and then the longer term. It just isn't practical for some of them without proper screening, which you would have within a proper education environment within the community. You would have assessments around learning disabilities and things like that.

We are not funded across the board to deliver that. There is an impact straightaway in getting bums on seats and engaging in learning. Rather than looking at activity places, look at what is purposeful. For too long we have been measured on getting bums on seats, which is not right because it is not impacting outcomes.

Looking at a different way of delivering education is key: shorter classes, and more blended learning back in the cells. One of my colleagues rightly said that prisoners feel safer in their cells, and it has been proven through covid that that is quite effective, but for a smaller cohort of prisoners across the estate. There are lessons to be learned around that, but some real development in those areas needs to be done to engage a wider population.

**Francesca Cooney:** In-cell materials and learning can offer lots of opportunities for lots of people but it is not a panacea and is not ideal for everybody, particularly those with additional learning needs. We need to try to get some roll-out of digital technology in cell.

I would be concerned if we went too far down that road with in-cell learning. Prisoner learners develop transferable skills in group work, in classrooms and in other activities. Those transferable skills are really important—that personal and social development is really important. Employers often value those things more than qualifications that people get in prison.

In engaging prisoners, as Steve said, we need good assessment. We need really good information, advice and guidance that motivates and inspires people and helps them to be aspirational and to see what their potential can be. We need proper allocation processes that take account of people's skills and aspirations and help them to get to the opportunities that they

need. We need a wider variety of activities, and we need more activity spaces in prisons. Many prisons, particularly category B and category C prisons, just don't have enough activity spaces for people.

**Q118 Fleur Anderson:** What role do the prison governor and staff have in facilitating that? There seems to be a lot there about encouraging, enabling, identifying, being personalised and coaxing prisoners back into classrooms when they may not want to be there or have not had a great experience of school, or encouraging and enabling in-cell learning. What more do the governor and prison staff do to facilitate prisoner learning?

**Steve Johnson:** Governors across the entire prison estate are keen to support education provision and will put in whatever methods we have. One of my colleagues alluded to us being understaffed but always trying to get people to a place for education. Some establishments' infrastructure is just not fit for purpose. IT is not fit for purpose, which is an inhibitor, and budgets are being cut and restricted.

My colleagues have to work hard around those barriers to provide the environment. If you don't have a good environment in which to learn, you have already got a huge obstacle to try to get over, and that is common in any education setting. If the environment is not right, the learning won't be what you expect. That is one of the biggest barriers to successful outcomes for our prisoners in every custodial environment.

**Fleur Anderson:** We will come back to IT.

**Peter Dawson:** It is so important that the Education Committee is doing this inquiry. The answer to your question is the same as the one that a head teacher or classroom would give: you have to listen to the learner. You have to have time to listen and you respond to what they tell you.

We gave you some evidence from our prisoner policy network on what prisoners were telling us about learning in prisons. They are saying all the things you would want to hear and that the Government would want to hear. There is enthusiasm and there is a desire to learn, so it is about the system clearing obstacles rather than assuming that people don't want to learn.

**Q119 Fleur Anderson:** The difference is that in a school everyone is seen as a learner, whereas in a prison they are seen as prisoners first and learners second. Do you submit that that is not the case and that there is a culture of seeing prisoners as learners, and it is just facilities?

**Peter Dawson:** In a good prison there is a culture of seeing prisoners as people. In a good school there is a culture of seeing children as children. Prisons are dealing with someone's whole life. You cannot solve problems by saying, "We are going to make this our top priority and everything else must suffer as a result." You have to deal with what is in front of you. The good prison officer deals with what the person in front of them presents. Sometimes, learning will be key to that; sometimes it won't. But in a long sentence there will be a moment when it is absolutely relevant. You just have to be alert and seize that moment.



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Q120 **Kim Johnson:** Francesca, you mentioned resources being too little and too inflexible. How well does prison education reach those with the lowest levels of education attainment? What improvements have you seen in the curriculum and in the way functional skills are taught since the introduction of the new prison education framework?

**Francesca Cooney:** A lot of prison education delivery is focused on the people with the lowest levels of skills and attainment. A lot is focused on entry level and up to level 2. Very little prison education delivery is at level 3 or above. It is very rare to find that.

It is focused on those who need it most, perhaps, but the lack of activity spaces and the challenges of getting people to education in the first place mean that people miss out.

Under the current system, if you don't have your functional skills it is often mandatory to go to education. That isn't a way of engaging people, because they feel that their choice is either to be locked in their cell all day or go to a class. It would be much healthier to embed functional skills across all areas of the prison—to have them involved in industry, in kitchens and in all the different areas of a prison.

You asked about improvements under the PEF—the new contracts. I would say that improvements are few and far between. Ofsted tells us that two thirds of prisons don't have the right curriculum. We are not seeing a culture of improvement since the PEF has come in.

Q121 **Kim Johnson:** I know that the Prisoner Learning Alliance has identified the lack of information and data in tracking the education resources of prisoners out of prison. What needs to happen to improve that?

**Francesca Cooney:** We can monitor whether someone is in work six weeks after release. Probation officers and offender managers in the community are getting that data together and it is being collated, recorded and published quarterly. All those staff are having contact with all the people who have come out of prison. There is no reason why we cannot also monitor whether people are in education and training at the same time. It would be fairly straightforward and it would give us a good idea of what is happening to people on resettlement.

Q122 **Kim Johnson:** In terms of capacity, classroom places and technical resources in large prisons, how easy is it for prisoners to be allocated to appropriate education and training that meets their needs and preferences?

**Steve Johnson:** We regularly do an assessment of need and what is required across establishments to find out what prisoners want. My colleagues have mentioned many times that some of the infrastructure to provide good education is really in need of investment. The classrooms aren't fully interactive. If you walk into any primary or secondary setting, as I do in some of my voluntary roles, they are fully interactive, engaging with state-of-the-art technology. They have an engaged class and have identified the needs of people who might not take up that engagement.



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Within the prison environment it is still one size fits all. Prison governors have tried to invest in that but, because of how the contracts are set and delivered by various partners, there is just not the investment in there. VC2—virtual campus 2—which we are all pushing to get in all establishments, has needed significant investment just for cabling in most establishments. That does not mean that we have classrooms that enable it to be used effectively.

The biggest thing, capacity-wise, is that classrooms are too small and are not interactive. They are not reflective of what is in society currently—interactive screens and how learning is blended into normality. A big piece of work needs to be done there.

As with apprenticeships, we need to put it into industry. We need to know what is in the local community so that we can provide purposeful education and so that when people are released into the local area they understand what work is available.

Ten sites across the country have an initiative—an accelerator programme commissioned by Hannah Meyer, the director of Reducing Reoffending—that I see as a really good piece of work. It will run until next March and has brought specialists into key roles, education and employment being one of them. We will see some really good results from that because it gives us an extra level—an actual person—trying to effect good resettlement through education and employment. If that is a success and can collect the data, it will be great.

**Peter Dawson:** The answer to your question on how you allocate people is that it is really difficult. There are so many competing demands in a short day. I take you back to what Steve said about the usable day in most prisons. In most prisons it is four or five hours when you can use all the facilities that are available. It is not just about the size and capacity of facilities but the length of time they are used. That is about resources and changing the prison day so that it suits prisoners rather than the Prison Service.

**Kim Johnson:** Clearly, massive investment is needed to meet prisoners' needs. Thank you, panel, for your responses.

Q123 **David Simmonds:** I want to ask how learning and employment goals are incorporated into the sentence plan on entry to prison. As a magistrate, I visited Wormwood Scrubs, where there is quite a substantial training centre focused on construction skills. There was chatter in the local building trade about how people go from prison to work in manufacturing double glazing, because there is a lot of demand for people with those skills and it is what they can learn. Clearly, that isn't right for everybody, so how is the post-prison plan for people's employment incorporated from the moment they enter the custodial estate? How is it monitored, especially as prisoners may be moved around to different locations?

**Francesca Cooney:** It is rare for learning plans and sentence plans to be co-ordinated, because they are done by different departments. Learning



plans are done by the education team and they go on to one database system. Sentence plans are done by the offender management team and they go on to yet a different computer system. Unless you have a very proactive keyworker—the officer who looks after you on your wing—or a proactive offender manager who might find out what your learning goals are, the plans will not be integrated and co-ordinated. It is therefore rare for them to be monitored in any way to demonstrate where someone is making progress.

**Q124 David Simmonds:** That is obviously a very concerning message. Clearly if there isn't a plan right from the start, we cannot be confident that any of the outcomes will be achieved. What in policy terms needs to change to make things work more effectively?

**Francesca Cooney:** The challenge is that there are so many different departments, many of which will have their own individual plans for prisoners and those plans are not co-ordinated. We need to make a decision about who should lead on custody plans for people—whether it should be the keyworker such as the prison officer who might look after five or six prisoners, who could support them and pull in data from every other department in the prison—and about who has fundamental responsibility for supporting someone's progress in prison. At the moment, the system is incredibly complicated and fragmented and very hard to co-ordinate.

**Q125 David Simmonds:** In my experience of adult education not in the prison sector, I see a structure to adult education that applies outside the custodial estate. Do you think it would be helpful if the prison system of education were integrated or aligned with what is happening in the locality outside the prison estate? For example, that could be a local authority plan based on Government objectives around access to English as a second language, employability skills and so on. Rather than each prison being an island unto itself, it would be part of that system.

**Steve Johnson:** There is an absolute need to link back into the community. If you do not know what is available for prisoners and just make a generic response, they will not go back out and engage purposefully. There is a real need to get someone to link directly with local authorities and into the apprenticeship pot so that prisoners are involved in purposeful activities in prison that link back to the community. Having a device whereby you can measure that is also really important.

**Francesca Cooney:** We would like education in prisons to be more aligned with what happens in the community. We would like GCSEs, A-levels and other level 3 qualifications to be standard provision in prison. We would like local further education colleges to have much more of an impact and an input into what happens in prisons. We definitely think that the opportunities for people in adult and community education should read across to prisoners as well.

**Peter Dawson:** Over 20 years ago in health, the principle of equivalence was accepted. I am not saying that prison health is perfect, but it aims to



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be the same as it is in the community. That is a key policy objective and I am not sure that it is true of education. That shows up in facilities, access to ICT and in a number of other ways.

Q126 **David Simmonds:** The equivalence point is important. Clearly prisoners should not be deprived of access to cancer treatment. My constituency is in London and the area review looked at the organisation of colleges and considered adult education. Would it be helpful for the prison education service to become part of that wider adult education world in order to align things more directly?

**Peter Dawson:** If we knew what the prison education service was or was going to be, that would be an easier question to answer. The most useful thing would be to know locally who was coming out of Scrubs to your area and who was not. A great many people in Scrubs would be going to prisons all over the country.

**David Simmonds:** The witnesses may have a view on this but it may be worth looking at whether the review of adult education in the round should incorporate prison education as part of its consideration so that there is a clear local authority or governmental duty to say, "You need to consider the needs of prisoners who may be released and who are from your area and are returning to it." Even the tuition might be joined up so that young people or, indeed, older prisoners who are retraining will meet during their time in custody the tutor who will be with them outside prison. The transition would then be more supported. That would be really helpful.

Q127 **Chair:** Would it be practical or possible to develop a digital educational passport for prisoners that would show whatever education they had undertaken? If they moved prisons, it would be very easy for them to carry on their education because each prison would be able to access their digital passport to see their level of progress. Is such a thing practical or possible?

**Steve Johnson:** There is a simple method in place whereby individual learning pathways can be uploaded to our current system which is called NOMIS. That is a national database but unfortunately no one is contracted to deliver that piece of work. Our local education provider does it for us but that will not happen in every establishment. But there is an ILP in place that can be uploaded to NOMIS and that follows the prisoner into whatever establishment they go. All staff can have access to that.

Q128 **Chair:** But that does not happen at the moment. Is that right?

**Steve Johnson:** It does in silos but not across the piece.

Q129 **Chair:** But it is practically possible to do it?

**Steve Johnson:** Yes.

Q130 **Fleur Anderson:** I will move on to talk about higher and further education—level 3 and above. Michala, what is the case and the demand for enabling and allowing higher level learning in prisons? How should higher and further education be funded for prisoners?

**Michala Robertson:** In previous inquiries, much has been made of the reduction in reoffending data for prisoners engaged in higher education. The value is clear both in reducing reoffending and in engaging prisoners. Many of the prisoners studying OU degrees are involved in student councils and other initiatives that help to promote wellbeing and calm within a prison.

I remind the Committee that we have an open access model at the Open University in which there are three interdisciplinary access modules that are open to any prisoner regardless of qualification. Those access modules ensure that that student is ready for undergraduate studies and they encourage the uptake of further learning—whether it be with the Open University or with other level 3 and higher-level learning courses. There is a need to make better use of those access modules within both local and long-stay prisons because an access module can be achieved in 18 weeks. I would like to see greater promotion of those access modules for prisoners.

Q131 **Fleur Anderson:** What is the uptake of those modules at the moment? What are the main barriers to their being taken up? Is it knowing about them, IT or some other barrier within prisons?

**Michala Robertson:** With regard to IT, the last of the access modules is the only online module. It is available through the Open University's prison VLE on the virtual campus. We have been trialling pilots within some establishments with stand-alone devices where those access modules are on screen but offline. They enable prisoners to complete their study. We have seen that happen throughout the pandemic. We are also trialling in some establishments secure URLs within cells for the access modules.

Please remind me of the other part of the question.

Q132 **Fleur Anderson:** What is the uptake?

**Michala Robertson:** Currently we have about 600 students on the three interdisciplinary access modules for 2021-22. They are fully funded through our relationship with the Prison Education Trust. Uptake is increasing year on year and we have seen an increase of about 15% during the pandemic because we were able to use bi-weekly telephone tutorials via HMPPS to encourage uptake. They are available fully face to face and then the final module can be done either through the virtual campus or, if that is not fully available, using in-cell technology.

Uptake is increasing but there needs to be greater promotion. I do not think there is enough understanding of our open-access model and that they are really flexible modules. Yes, they can be done within 18 weeks, but you are able to take a longer time of up to 30 weeks and beyond. And, of course, this model is not hampered by the six-year rule.

Q133 **Fleur Anderson:** Are you reliant on prison staff knowing about the access model and encouraging uptake of it?



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**Michala Robertson:** Prison staff and prison education framework provider staff are part of our really good engagement programme. Regional managers go into prisons and deliver, either virtually or face to face, recruitment information, advice and guidance sessions. We do a great deal of work with PET and it is very good at promoting these. But there is always room for better promotion and enhancement of understanding of the open access model for these qualifications. There is more to be done because the access modules would be really appealing for certain cohorts of prisoners.

Q134 **Fleur Anderson:** As things stand in most prisons, what are the practical challenges and the additional costs to prisoners of undertaking distance learning?

**Michala Robertson:** For the access modules there is no cost to the prison or prisoner. Obviously there are student loans for the undergraduate degrees, but when you take an undergraduate degree with the Open University, you are getting real value for money. There is great support for those students with additional needs who are undertaking an undergraduate degree with the OU, and every student in prison benefits from the same support services that we have for students with additional needs in mainstream society.

There is real value for money in studying with the OU. I would say that undertaking a loan is fairly daunting for any student regardless of their situation, and many prisoners are debt averse. There has been a decrease in the number of students undertaking undergraduate degrees and that has occurred across the board, whether in prison or not, since the grant system was abolished.

Q135 **Chair:** The Skills and Post-16 Education Bill, which is going through Parliament, will introduce loans to enable adults to access almost any form of lifelong education. How will that affect prisoners? Will they be subject to the same problems that we know they have in accessing loans to higher education? If so, should the Bill be amended to ensure that they can participate in the lifelong learning schemes announced by the Government?

**Francesca Cooney:** Realistically, prisoners will be able to participate in those schemes only if there is digital technology in the prisons. Everything else will be provided by the core PEF provider. If you are an adult in the community and you do not have a level 3 qualification, you can do a wide range of qualifications—A-levels, vocational courses and access courses—for free. I think that offer should be extended to prisoners. It should be standard that prisoners can take level 3 qualifications for free if they do not already have one.

Q136 **Ian Mearns:** In respect of the greater use of in-cell technology, which has just been referred to, many submissions say that the security risks can now be managed safely and that the technology exists to provide restricted access securely. What are the practical considerations that come into play here in allowing prisoners more digital equipment for



education in their cells?

**Francesca Cooney:** There is definitely an appetite for digital technology. Lots of governors support it as do many people in central office. The lockdown has shown that it is absolutely essential. It will revolutionise prison education. But there is not enough funding or resources for this, so practically the biggest challenge is money. If the resources could be found, quite a few prisons could implement digital technology and in-cell devices simply and quickly. They already have the infrastructure through in-cell telephony; the cabling is already there. It would be more complicated in other prisons, but there is no reason, apart from money, for it not to be rolled out in quite a few prisons quite quickly.

Q137 **Ian Mearns:** School-style, educational Chromebook pads are not massively expensive. I have heard figures bandied around this morning that they go from £200 each down to £120 if you buy in bulk. Would that sort of equipment be adequate for the educational programmes that prisoners would need to participate in?

**Francesca Cooney:** It would be adequate, but there would need to be additional restrictions on the specific equipment to make sure that there was restricted internet and intranet access. But absolutely that could be done. We know that we have the technology to manage the security now and to put it in place safely. But it really is about the political will and finding the resources and getting the funding together to do this.

**Ian Mearns:** I saw Michala waving her hand there. Sorry, Chair: I should declare an interest because my partner is an Open University tutor.

**Michala Robertson:** We have seen pockets of really good practice in HMP Altcourse, HMP Thameside and HMP Lowdham Grange with in-cell technology where they are able to use secure URLs, such as learn seven which is the OU prison VLE.

In addition to resource and funding, what we need is a clear strategy for ICT in prisons in which all the ICT stakeholders are involved. My colleague Stephen said earlier that many different systems are used in prisons and none of them are aligned. We need a clear strategy, a clear road map and a clear vision of how ICT should be part of a holistic package involving not only education but sentence planning, healthcare etc. There is a real gap in that with no national direction for ICT. At the moment there are pockets of good practice and multiple stakeholders but no alignment or central drive forward for that.

Q138 **Ian Mearns:** We did know that prisoner education services were far from adequate and a million miles away from being perfect before the pandemic, and now covid has severely compromised the limited offer that was available. Is there now an opportunity to do something on a national scale? With what we know about the potential unit costs of providing technical equipment, that could be done relatively cheaply. Peter, would you like to respond to that?



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**Peter Dawson:** It is a political issue like everything else. We are about to spend £4 billion building prisons so I do not think that resource is ultimately the obstacle if people are willing to do something.

The political issue is that something will go wrong and prisons are about managing risk, not eliminating it. There was a time when it was unthinkable that prisoners would have televisions in their cells. There was a time very recently when it was unthinkable that they would have phones in their cells, yet two thirds of prisoners now have phones in their cells. The use of technology goes so far beyond education. We were worried about people spraying Spice on to letters. You can't spray Spice on to an email but prisoners can't access electronic communications. The case was made a long time ago that it needs political will to make this happen.

Q139 **Ian Mearns:** Stephen, anything on this from the perspective of governors?

**Steve Johnson:** Certainly every governor that I come into contact with and those in the NEC would encourage the use of in-cell technology in every establishment. It underpins safety, dealing with self-harm, education and it links directly with what is in society. Some of our offenders have been inside for 20 or 30-plus years and they have probably have never seen a tablet. I echo what Peter has just said. It would be supported across the piece, but it needs investment. The money cannot be found out of local budgets.

Q140 **Chair:** Just to clarify, Google very successfully provides education Chromebooks for loads of schools, and there is limited access on those Chromebooks. As Ian has pointed out, they are very cheap and rugged. Could a national system be possible in which Google Classroom is used for prison education and where Google supplies Chromebooks to prisons? Is that a practical solution?

**Ian Mearns:** Rob, we should point out for the watching public that other devices from other providers are available.

**Chair:** Absolutely. I do not work for Google or gain any benefit from mentioning them. Far from it. I just wanted your views on this.

**Peter Dawson:** The short answer is yes, and it is the equivalence point again. One of the points about technology in prisons is that it is respected. If something is useful and prisoners like it, it is respected and not vandalised. Some people will seek to abuse it and security systems need to be able to deal with that as best they can. Most of that is about monitoring and knowing what has happened possibly after it has happened rather than being able to prevent it.

Q141 **Dr Johnson:** How do you prepare and educate people for release? If people have been in prison for 20 years and might not have seen an iPad—and mobile phones were not widely available 20 or 25 years ago—how do you ensure that when people come out of prison after such a prolonged period they are sufficiently aware of technologies so that they are able to participate in the society into which they are released?



**Peter Dawson:** The short answer is very poorly. The most useful thing available to governors is the use of release on temporary licence. We employ prisoners so that they can come out and use ICT in our office. It is not just about education; it is about finding somewhere to live, a permanent job and everything they need to make a success of their life when they come out. At the moment, release on temporary licence is the only way to do that, although some places have internal systems that mimic real-world systems. But they are only mimicking and they need to keep up to date.

Q142 **Fleur Anderson:** Mine is a quick technical question. Michala, earlier you said that there was on screen but not online ways of working. Does that mean that it does not matter if a router cannot work within thick prison walls? That would not be a limitation. It is about having a device and putting information on that device. Is that correct?

**Michala Robertson:** The Open University has a programme in Myanmar where there is a lack of internet capability. Students go to an OU office, upload the materials and the interactive activities on to a laptop, Chromebook or whatever. We are trialling that in a number of prisons where Chromebooks are taken to the education department to download from a system called learn seven the materials that the students need. They are on screen but offline interactive activities, and the Chromebooks are then taken back to the cells. It is also possible to have secure wi-fi and URLs within the cells, and that is the best way forward for those studying in prisons so that they mirror the experience that students have in the mainstream.

Q143 **Tom Hunt:** How well is the current prison education system picking up and diagnosing specific learning needs and tailoring support to meet the range and complexity of the needs that are presented among prison learners?

**Francesca Cooney:** There has been some progress in this area and we are pleased that, at last, there is a national standardised screening tool across prisons that all the PEF providers are using. Anybody going into prison now will have that screening and, hopefully, that means that they will be flagged up, identified and possibly get additional support. People that were already in prison before the screening came in might not be identified and might not be getting support, but even when the screening is in place, there is not enough additional support either in classrooms or in prisons across the board.

We know that around a third of people have an additional learning need that might require support and the latest Ofsted annual report said of the more than 40 prisons they inspected, only 12 provided adequate support in the classroom for people with additional learning needs. We know that we have quite a long way to go.

Q144 **Tom Hunt:** Screening seems to have been a recent development. In a recent session of the Committee, we came away with the view that this was not happening. All that happened was that when a new prisoner



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came into the system, they would have a learning needs assessment of their literacy etc. You said it was national screening, but I have heard that there was not one national approach. There are different versions across the country that are not all the same. Is screening the same as a proper SEND diagnosis?

**Francesca Cooney:** No it is not. It is not a full diagnosis at all. The idea of screening is that it just flags up whether there might be issues. Ideally, you would go on to a full assessment with a more specialist worker once the screening had taken place. When the PEF contracts came in, screening became a mandatory part of them so the core providers provided screening, but they were all working to their own methods. You are right. The national screening tool that has been worked on by all the four providers and HMPPS has come in only very recently, but it is progress that we have got it in place at last.

Q145 **Tom Hunt:** I know a bit about tests to determine whether you have special learning needs. Would a lot of the screening rely on prisoners themselves identifying that they have issues? I would like to know more about how the screening would work in practice. What does it look like? What sort of questions does it involve? I am trying to understand how it is different. I understand that it is resource heavy, but would you support proper diagnostic tests for every person coming into the system?

**Francesca Cooney:** Screening is supposed to pick up whether someone needs a full diagnosis or a full assessment. It is supposed to be able to be done by probably anybody working in the education department. You do not need to be a specialist to do that. I would support fair assessments of people, but many of them will have had assessments in the community through social services, education or health. It would be cheaper and more efficient to have more alignment with those systems so that when people come into custody their needs are known because their previous assessments have come in with them.

Q146 **Tom Hunt:** Do you have confidence in the screening and think that it will pick most individuals who might need more intensive tests?

**Francesca Cooney:** I wouldn't say that I have confidence in it yet. It has only come in very recently and we do not have enough data to know how it will work. We have to wait to see what the data tell us. It is far too early to say that we know it is going to make improvements, but I am pleased that they have at last brought in a national screening system.

Q147 **Tom Hunt:** It does seem a step forward, don't get me wrong. It is a much better position than we thought we were in a couple of weeks ago, so already it seems like there has been movement forward.

My final question is about this statistic that 35% of the prison population have special learning needs. Bearing in mind that we have only just introduced this national streaming system, and that we do not test everyone who comes into the prison system, to what extent do you think this 35% is an underestimate?



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**Francesca Cooney:** Consistently, all the research that has been done in this area puts the figure at about one-third, 35%. It is always a similar figure, but a lot of that is self-reported, so until we have a proper assessment system, we have no idea what the real need is.

Q148 **Chair:** Thank you. Steve, did you want to say something?

**Steve Johnson:** It was just to come in on the first point, if that is okay, Chair. I have witnessed screening: it comes in. It is not as thorough as people might expect and what you see in the community in a standard education environment outside the prison walls, so it is not as in-depth and there is a lot of self-reporting. What you would then require through a SENCO in a school environment is regionalised, so there is not the specific experience and expertise in identifying and diagnosing. We are unable to diagnose through the PEF contract: we can identify some additional needs, but it is nothing like you would expect in the usual educational environment. There is a lot of work to be done there, and I would encourage—as would a lot of my colleagues—having that embedded at every level.

Q149 **Tom Hunt:** I have a final question, if I can butt in yet again, Chair. Steve, bearing in mind the potential shortcomings of screening and how it is still heavily reliant on people self-referring, would you support an approach where every person coming into the system would be properly tested through proper diagnosis tests? Is that something you would support?

**Chair:** With a tailored plan. As Tom was just saying, you would have every prisoner come in to assess both their additional learning needs and their general education ability, and then work out a tailored plan for every single prisoner.

**Steve Johnson:** Yes, Chair, I would support that. It is not something we can currently do within the guidance of the PEF. We cannot diagnose every single person who comes through the doors to that level, where you would then put maybe an EHCP in there to develop them through, back into the community. That is not embedded, but it is something we will continue to try and embed.

Q150 **David Johnston:** I am going to change my question slightly. We have this stat that 13 out of 36 prisons inspected in the year before covid had poor attendance and punctuality in their education programme. I want to ask a slightly broader question about the role of Ofsted. We look at Ofsted quite a bit in the context of schools, and have accountability hearings with them to decide whether we think they are doing a good enough job or not. Can I ask you for your view specifically on Ofsted's role: how you think it is helpful, how you think it is unhelpful, and what you would like to see changed?

**Steve Johnson:** I have worked with Ofsted a lot over the years. I like how they do their inspections: it is sometimes not necessarily about the specific outcome, but how you make that journey to an outcome and have the intent, the implementation and the impact on everything we do. That should be across every value we have, within the community, HMPPS, and

all the agencies we work with and collaborate with. We should have those key principles around what an Ofsted inspection is, and encourage SARs: we are looking to develop our own self-assessment reports, but link our action plan in with that, so it is actually meaningful and has an outcome every time. Sometimes, inspections can have hundreds and hundreds of things we have to achieve, but not all of them have direct outcomes. With the Ofsted criteria and the Ofsted framework, as I understand it, it can be reflected in a lot of environments—custodial environments being one of them—so I am a fan.

Q151 **David Johnston:** Would anybody else like to comment on that? Francesca?

**Francesca Cooney:** I just wanted to say that I think Ofsted is really helpful, and it is helpful that they use the same framework as they use in other further education environments. They brought in a new inspection framework, as you will know, just before covid, so only a handful of prisons were inspected under that before the covid lockdown. We expect that to be more positive for people.

One challenge is that the relationship between prisons and Ofsted is coordinated through the Inspectorate of Prisons. Ofsted usually only go in when the Inspectorate of Prisons do. If they were more aligned to go in when education was poor in prisons, that might be helpful—so go in by themselves, not just when the prison inspectorate is in.

Q152 **David Johnston:** Thank you, so a pretty good view of Ofsted. It was interesting what Steve just said about all these hundreds of different things you have to try to achieve. To what extent does your individual governor have the ability to change the things they are being asked to change? Is what we are asking them to do on prison education reasonable? Could we make it easier for them in some way?

**Steve Johnson:** I will come in on that. The Coates review gave governors autonomy over how education was delivered, but then it did not reflect that in policy. Contractual policy has dictated that governors have autonomy, but only within the lines of the contractual obligations. The drawing down of funding through PEF has significantly impacted governors across the entire estate in how they deliver. That is one thing that needs to change—not entirely, because it is right and proper that we are scrutinised on spending public money—but it needs to be reflective about how much we need to change regarding our cohorts for maximum impact and outcomes for the prisoners that are leaving, so that they are not going to reoffend.

Q153 **David Johnston:** Peter, you were smiling when we were talking about that. Do you want to add anything?

**Peter Dawson:** People talk a lot about the accountability of governors, and I have never thought that they are short of accountability. I once drew up a quick list of the people that I was accountable to as a governor and I got to 25 in a few minutes. The buck clearly stops with the governor, but the tools to do the job are often denied to them.



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Accountability is then confused by a very top-heavy service. There are an awful lot of people above establishment level who have some sort of skin in the game and do not interpret their role as being to support the governor as the key manager and deliverer within prisons.

I am smiling because it is a debate that has raged for many years. I would not say, "Just leave the governor alone and let them get on with it," but there is no question at the moment that the balance is too far away from equipping governors to do the job. But it works—the prison service is a simple organisation, fundamentally. Everybody in a prison knows who is in charge and accountable. We do not exploit that simplicity and strength within the organisation.

Q154 **Chair:** Do prisons have a director of education alongside the governor?

**Steve Johnson:** There is a similar governance arrangement to what you would find in a school, so a chair of governors who would be your governing governor. Underneath that you have a head of learning and skills, who usually is a specialist around education provision, and a head of reducing reoffending, who is a governor or a non-operational governor.

Q155 **Chair:** Because of the huge responsibilities that governors have in running the prison, it is not realistic to say that they have to run an education system as well. If there was a director of education just below the governor—or whatever the structure is—that has real authority to develop, in essence, an education programme in the prison, would that make a difference?

**Steve Johnson:** Within my experience in academisation and schools—absolutely. People such as myself—22 years, started as a prison officer, now a governor, but with an interest in education—would have just asked to be that person without that appropriate understanding and knowledge, so yes.

Q156 **Chair:** And they have to be at director level? What is the most senior you can be other than the governor? What would the title be?

**Steve Johnson:** Deputy governor is band 9. Governing governors are generally band 11s, or 10s in some establishments. Governing governors are generally band 11s, or 10s in some establishments.

Q157 **Chair:** Could you have a deputy governor who is solely responsible for education and skills in a prison?

**Steve Johnson:** No, we do not have that currently.

Q158 **Chair:** Are you saying that there could be a director in charge of education, at a similar band, and that would make a difference?

**Steve Johnson:** If there was, that would be perfect. There is no JES for it; there is no job description for it. It would have to be a quite significant change, but yes, ultimately, if we wanted significant changes, that would be the way forward.



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**Peter Dawson:** I would agree with Steve. It is about being on the senior management team and about being a specialist. Looking at the health comparison is interesting. I had a head of healthcare who was my clinical lead. I chaired something called a clinical governance board, and I was terrified because I did not have the personal experience to deliver, but I had an expert head of healthcare on whom I would rely, and that is how you run a large multifunctional organisation.

**Francesca Cooney:** I agree that expertise is essential, particularly around commissioning education. At the moment, we have many heads of learning and skills who may be doing as good a job as they can, but they do not have any background in education whatsoever.

**Chair:** So a serious proposal would be to consider a director of prison education in each prison with proper seniority and so on—okay.

Q159 **Ian Mearns:** I think the point that you have just made about a senior manager is vital, as long as they have the resources to manage. The resources must follow the proposal for a manager, otherwise you have a manager who is overseeing a resource-light set of provisions, which would seem to be waste in itself.

Steve, you mentioned the Coates review from 2016. The Ministry of Justice took the decision not to extend the National Careers Service contract for prisons. What has been the impact of that decision, and how well is careers information, advice and guidance now supporting prisoners in their rehabilitation planning?

**Steve Johnson:** There is a similar provision now in place, but it was lotted—it was provided to the establishment with no establishment input—so we were given a service that we now need to mould into what we want in local establishments. That is not ideal because a bit of work needs doing there. Unfortunately, it needs time to embed.

What is more impactful is actually developing that into a peer-led service because peer voice is much more powerful than mine ever will be in prisons. That lived experience is really, really key. It is about identifying prisoners to underpin that experience. That can be so much more powerful. If we get the right people involved at every level—local businesses, the local chamber of commerce—in what we are trying to achieve, we can actually get those outcomes.

Q160 **Ian Mearns:** In terms of careers information, advice and guidance, it is not just about saying to a prisoner, "You are going to be leaving in six months. What do you want to aim for?" It could be for prisoners across the estate in terms of helping them to plan their own learning programmes.

**Steve Johnson:** Absolutely. It needs to be a person-centred approach, like in any learning environment. The person is key to what is actually achieved, so if you are trying to tell someone to do something that they are not actually engaged in, the outcomes are not going to be there. It is about identifying that. We have talked about this throughout the entire



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questioning. It has to start at the earliest point, which is through the gate. The screening has to be there: we have to identify those adverse childhood experiences and whether there is trauma or learning disabilities, and develop that through to the pathway into good resettlement. That needs a to be a joined-up approach, which we are getting better at, but there is still some work to be done.

Q161 **Ian Mearns:** From your perspective, Steve, the measure of success is how few people you see again and again, isn't it?

**Steve Johnson:** Absolutely, yes.

**Ian Mearns:** Francesca, I think you were nodding.

**Francesca Cooney:** Yes, I just want to say that since the National Careers Service went, we have seen many gaps in provision. We have a much more fragmented service now because each governor is buying their own careers advice in, and there is no national outcomes framework or quality framework for that. We do not really know what the provision is like because each governor can set their own outcomes framework. We would really like to see a more standardised approach. That does not necessarily have to be a national approach, but a much more standardised one to delivering IAG in prisons.

Q162 **Chair:** What is the state of the prison library system and what should be done to improve it?

**Francesca Cooney:** I would say that, generally, prison libraries provide a really valuable and fantastic service. Lots of librarians do lots of other additional services as well—reading groups and all kinds of things. The big challenge with the prison libraries is access and people being encouraged and being able to get there. Also, libraries in prisons tend to open just during core day hours, whereas in the community we have access to libraries at weekends and evenings.

Q163 **Chair:** Steve, are libraries used a lot? Are they popular? What else could be done to improve the service—building on what Francesca has said?

**Steve Johnson:** Historically, they have been used a lot and have been run generally by local authorities, but that has come back within the PEF providers. Under covid, there has been very limited access because of the restrictions. Normally, they are very well used, but the IT and the infrastructure needs to be in there as well. It is not an area that has been funded heavily. Under VC2 we have, across the country now, education providers putting that technology in there. It enhances learning in that environment, but the regime is very restrictive with regard to access.

Q164 **Chair:** Are the libraries well stocked on the whole, or does it vary from place to place? Are they stocked with modern stuff?

**Steve Johnson:** They do rely on a lot of donations, but they can order in. There is a service like you would have in any library. If you went in and they did not have a book that you wanted, you would make an application



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and maybe a couple of weeks later that would be there for you to loan out. It is a very similar process in places, but the access needs to improve.

Q165 **Chair:** On the idea of incentives for prisoners, which we have touched on in terms of doing education, would you say that incentives should be given if there was a qualification at the end, even if it is a very basic qualification, or would you say any kind of education deserves an incentive whether or not there was a qualification?

**Steve Johnson:** I firmly believe that attainment at any level is an achievement for an individual. Some individuals are never going to attain the levels that we would expect in the community, and that might be due to their disability or a number of other things, but I think attainment needs to be supported across the piece. The problem we have is budgeting. We have a budget for prisoner pay, which attainment and education has to come out of, and that is in every jail. That budget is not big. It is quite small. To have attainment at every level in education we would need a budget review under that pay policy, so all governors could support it.

**Francesca Cooney:** I think it is worth exploring, and I certainly think that we should not have systems that disincentivise attendance at education. It should be paid as much as work.

Q166 **Chair:** Paid as much as work?

**Francesca Cooney:** Yes.

**Chair:** Okay, that is important. Thank you.

**Michala Robertson:** There has long been a financial imbalance between education pay and work pay. I think that over and above incentivising education enrolment, we should be incentivising outcome and achievement rather than—I think somebody used this phrase earlier—bums on seats. Our focus needs to be on outcome and achievement rather than attendance.

**Chair:** That brings our questions to a close. I want to thank all of you, your respective organisations and the work that you do on this. It has been really helpful. I am very glad we are doing this inquiry. We are learning more and more as each session goes on. I really wish you well and I thank you for your time today.