

Education Committee

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

Tuesday 18 January 2022

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Members present: Ian Mearns (in the Chair); Apsana Begum; Dr Caroline Johnson; Kim Johnson; Nicola Richards.

In the absence of the Chair, Ian Mearns was called to the Chair.

Questions 395 - 446

Witnesses

I: Victoria Atkins MP, Minister of State for Prisons and Probation, Ministry of Justice; Alex Burghart MP, Parliamentary Under-Secretary of State, Department for Education; Phil Cople, Director General of Prisons, Her Majesty's Prison and Probation Service; and Louise Wright, Deputy Director for Apprenticeships, Participation and Traineeships, Department for Education.

Written evidence from witnesses:



Examination of witnesses

Witnesses: Victoria Atkins, Alex Burghart, Phil Copple and Louise Wright.

Q395 **Chair:** Good morning and welcome to the Education Committee. As you can see from my presence in the Chair, unfortunately our Chair, Rob Halfon, is still unwell, having tested positive for Covid, and cannot be with us. We again send Rob our very best wishes for an early and speedy recovery.

This morning we have with us Ministers from the Ministry of Justice and from the Department for Education, along with colleagues from those Departments. Could I ask you all to introduce yourselves, who you are and what your title is, please? Can I start with you, Phil?

Phil Copple: Director General of Prisons within Her Majesty's Prison and Probation Service.

Victoria Atkins: Good morning, I am the Minister for Prisons, Tackling Violence Against Women and Girls, Youth Justice and Afghan Resettlement.

Alex Burghart: I am the Minister for Skills in the Department for Education.

Louise Wright: I am a deputy director responsible for apprenticeships, participation and traineeships in the Department for Education.

Q396 **Chair:** Thank you all so very much. We will get straight at it, please. The last annual report by Ofsted revealed that only nine of the 32 institutions inspected were judged to be good, with the vast majority requiring improvement or deemed to be inadequate. How do you defend the Government's poor record on prison education?

Victoria Atkins: Mr Mearns, if I may take that first. First, may I echo your good wishes to the formal Chair of this Committee? I hope he gets well soon.

On the Ofsted rating and its findings about the majority of establishments, we absolutely accept those findings, of course we do. It is the very real intent to improve upon those findings that underscores both the spending settlement that we have secured from the Treasury but also, importantly, the Prison Strategy White Paper. I know that we submitted evidence to this Committee last January, but I do draw the Committee's attention to the Prison Strategy White Paper that was published in December because that underlines not just the purpose of prison and our ambitions for the safety and security of our institutions, but our ambitions when it comes to education and skills training, with a view to rehabilitating prisoners so that when they are released back into



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the community, they can pick up legitimate, legal, lawful lives, including employment. That is, we feel, the best way to protect the public.

Chair: Does anyone else want to come in on that?

Q397 **Kim Johnson:** The settlement that you have just mentioned provides £4 billion to the Prison Service. It is about increasing the number of places in prison—it was something like 18,000—but surely prison education is about preventing the cycle of in and out of prison. How do you think that the prison strategy will meet the demands of those prisoners who are constantly in and out of the system?

Victoria Atkins: As I say, the purpose of prison primarily is to protect the public and to punish offences as deemed appropriate by the sentencing court. With education and skills, we have been clear that that is the best way of preventing reoffending. When we look at the reoffending rates across prisons, if we are able to get people into employment and to have settled lives in the community upon their release, those are the best measures with which to protect the public but also to ensure that prisoners do not go on to reoffend.

I particularly commend the work not just to transform the prisoner education service, but to take advantage of the opportunities provided to us through digital and tech within prisons. Through the pandemic, although it has been very, very difficult for the whole of society and there have been additional pressures within the prison system on safeguarding prisoners and prison staff, there have been opportunities to see how, for example, tech in cell can help prisoners on their education path and their rehabilitative path.

Q398 **Kim Johnson:** Thank you, Minister. I am just going to push on that point, though. When we went out to visit a prison, Thorn Cross, one of the criticisms was about the lack of digital support within prisons and available to prisoners, but there was talk about it being ramped up and expanded. Could you say a bit about that?

Phil Cople: To put some of these efforts in context, it is worth saying that the spending review is very encouraging in terms of the outcome about the level of investment in reducing reoffending activity, within prison but also for prison and probation as a whole system. Over the three-year period, more than £500 million additional money will be invested in those efforts and there will be a big focus on people leaving prison and doing better with accommodation, employment and training outcomes and continuity of substance misuse services as well. Within prisons, we intend to use some of that additional funding to invest in education and training as well. Part of that is in digital infrastructure but I acknowledge that we are coming from quite a low base.

We only have four establishments currently that have in-cell technology. We intend for that to be 15 by the summer. The progress with that is incremental over this period but we will keep making progress. We are



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trying to digitise a number of platforms and systems that we have in this area, including matching candidates to work opportunities with a new digital solution, so we hope to make a big difference with getting people into employment when they leave us.

Victoria Atkins: I know your constituents may well be asking themselves about visions of prisoners having access to tech in cells. They may be querying whether that is the right approach and they may be wondering how we can ensure that they are secure. These are all questions that we have had to explore very, very carefully. In a meeting I had before Christmas with several governors, there was one particularly experienced governor—he had been a governor for many years—who said that initially he was sceptical about the use of in-cell tech, he was particularly worried about the security aspect and whether the technology would be looked after in quite the way it should be and so on, but he happily admitted he was a complete convert to it because it had had such good results in his prison.

So it will take a bit of time. You can imagine that adapting our older prison estates built in Victorian times is very difficult. It is difficult enough getting technology here in the House of Commons. But we want to push this forward and use it appropriately and securely so that when a prisoner has the opportunity in their cell to do some learning, they are seizing that opportunity rather than at the moment not being able to expand their ambitions and their knowledge and learning.

Chair: As you can see, we are struggling with the paperless Committee.

Alex Burghart: Mr Mearns, can I come in briefly on your original question? As the Committee will know, after the Coates review in 2016, responsibility for prison education moved from DfE to MoJ. It is a move that we fully support—governors being autonomous and being the best people to decide what the needs of people in their care are. Ofsted now inspects provision in prisons in the round.

The point that I think we should be aware of is that Ofsted has found all four big providers in prison, which are Novus, PeoplePlus, Milton Keynes College and Weston College, to be good providers. They obviously provide a range of services way beyond what they do in prisons, but these are good providers of services. Where the Ofsted inspections of some prisons are not where we would like them to be, it tends to be because of things like curriculum planning or available space.

Some of that comes from the fact that we are only in the third year of the Coates review being implemented and I imagine some governors are still finding their feet but there is already some very good practice out there. As we were looking at this piece in preparation for the Committee, it struck us that there is some work that DfE does elsewhere in the education system, commissioning bodies like the ETF to help apprenticeship providers or colleges with their curriculum planning, and that we may be able to do something with MoJ and prisoners in this



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space moving forward. Perhaps my colleague Louise will say something about that in a moment.

On the tech piece, we fully support the direction the MoJ is moving in, because it will open up a range of opportunities that people in civilian life currently have that for obvious reasons of access prisoners currently do not have available. Perhaps we will get on to some of the specifics of that later, but it is a very positive opportunity.

Q399 Chair: Your answer in itself begs further questions because Ofsted doing inspections of education in prisons is working under a strange set of guidelines set out for a different context, which is mainly schools and colleges. Given those constraints and those guidelines that Ofsted operates under, are they the right people to be doing that inspection?

Alex Burghart: I think they are. Ofsted is highly professional and highly experienced and it is aware of the particular circumstances in prisons. The criteria that it is using when going into the secure estate is not identical to that which it uses in FE colleges or schools. Louise, maybe you would like to say something about these two points?

Louise Wright: Thank you, Minister. It struck me, looking at this, that some of the issues that Ofsted highlights in respect of prison education provision are particular to the prison estate, for example the difficulties in finding space or difficulties in ensuring that people who are in prison get to their education provision. Others such as leadership and management and curriculum planning can also be found where providers are marked as requiring improvement or poor in the broader community provision.

We have done work, as the Minister said, for example, in apprenticeships, we have commissioned support from the ETF to support providers with issues like that. In the FE space, we are investing a lot in teacher quality. There is more that the Departments could do to share good practice and work together in this area to support the Ministry of Justice and the prison governors as they embark upon this ongoing journey to improve the quality of prison education.

Q400 Chair: Phil, you talked about £500 million being invested in prisons but is it not the position that prison education has stayed at the same level of funding for the last five years? That is not a good platform to build on because in real terms that is less than it was five years ago. There is another additional problem. There do not seem to be any particular incentives for governors themselves, no obvious carrots or sticks, and so it can depend on individual governors as to what happens within their prison institutions. How are we going to incentivise much greater interest in rolling out the potential and opportunities that the new technology could hold for us?

Victoria Atkins: This is again where the Prison Strategy White Paper comes in, because we have set out our intentions to improve the accountability of governors. We will be launching key performance



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indicators, and education and skills and employment opportunities will feature very, very heavily in those KPIs. On attendance, to give an insight into some of the differences that you rightly highlighted, Mr Mearns, between an FE college and a prison, escorting prisoners to their lessons can sometimes be one of the challenges of the day for the Prison Service. There are ways that we want to give governors “earned autonomy”, we are calling it, because we want to support those governors who see these opportunities and want to work with their staff to realise them and to encourage others to meet those standards as well.

Phil Cople: I expect the overall level of investment to rise over the next three years because we are going through finalising the departmental allocations process at the moment for that additional £500 million over the next three years. I fully expect a proportion of that to be dedicated to the new initiatives to improve quality of education. Some of that is linked to what we are learning from a number of Accelerator prisons at the moment, which are focusing efforts, testing out new roles and new initiatives in relation to education and training but also employment and accommodation and substance misuse. We have five that are dedicated to initiatives around education.

Some of this relates to the experiences of the last few years around greater autonomy. One of the things that we have learnt in hindsight is that we also need to invest in providing greater capability and expertise to governors to make the changes and the improvements. We need educationalists in their senior team supporting them much more effectively rather than just giving them the discretion and not having that capacity to go with it. We are testing out new curriculum progression leads and we will certainly welcome input from DfE to help with raising quality in learning over time.

We are also investing in neurodiversity leads in those prisons and a new prisoner learning plan, which we are also seeking to digitise, and laptops are being trialled across those sites. We have 1,300 laptops ready to deploy once we have worked out the best and safest ways of doing it in some of these trial sites. So there is a lot of work going on about how we spend some of the additional money and drive improvements. We will have the new targets, as the Minister said, to try to incentivise governors as well.

Q401 **Chair:** You mentioned individualised prisoner education plans. One of the acid tests of getting that right will be, if those prisoners come out into wider society, is there a seamless transition into education or training for them when they leave the prison estate?

Phil Cople: That is a core part of it because there is a big focus for us on prison leavers having better outcomes. That includes in education and training. Part of the idea of the learning plan is that we can try to maximise opportunity for continuity when there is more to do after release. We try to work closely with probation colleagues to broker that



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with colleges of further education in the community where that is an ongoing requirement.

We are also working very closely with employers. Employers have a lot of training and academies in prisons and that is a growing area. We have set up employment boards in these Accelerator prisons as well to bring employers in on what the training needs are that will help employability so that we have a continuity of training in employment as well, not just through colleges.

Q402 Chair: The fact that we have Ministers from two Departments here discussing this this morning shows the importance of that, because it is about that transition. From your perspective, Alex, anything that Victoria does not get right, you have to pick up the tab.

Alex Burghart: We are working closely together to make sure that people can go on a consistent journey. From our perspective and from MoJ's perspective as well, we are fully aware that the best way of minimising the chances of someone reoffending is by finding them long-term, stable work. Our reform agenda in skills at the moment is all about making sure that there are high-quality routes to work for all students, and qualifications designed by employers that are respected in the workplace. We are working with the MoJ so that same practice filters through in the secure estate so when governors are commissioning courses for people inside, they know that these are courses that will have traction in the workplace.

There are a number of other things that we could probably do to improve the experience of Through the Gateway. Preparing for the Committee, I spoke to a prison governor a day ago and I asked him what sort of information he got on the medium-term outcomes for people who had been in his prison. He said that he received some information from probation but the information that they got was also quite limited.

There is a piece of work to be done in the medium term on acquiring better data from Government data sources about, if people are moving into work, the sort of jobs that they are moving into, the sort of incomes that they are getting. That is what we want in the education system outside prison to help colleges know whether they are choosing the right courses, to help employers identify what other courses employers are choosing, and it would make sense to extend that sort of data sharing to the secure estate so that governors can get a better idea of whether they are making the right choices for the people who they are looking after.

Q403 Chair: That is an interesting point, Alex, because it has to be said that there is not exactly a richness of data regarding the general population in terms of educational, training and employment destinations.

Alex Burghart: We have a wonderful dataset in DfE called LEO, longitudinal educational outcomes. This is an extraordinarily rich source



that we are always considering ways of adding to. I cannot go into it in too much detail at the moment, but suffice it to say that this is one of the areas that we are looking at for future working skills place.

Victoria Atkins: Similarly, we have a dataset called Curious. It measures and takes into account the prisoner's personal plan. The point about resettlement is absolutely understood. In the Prison Strategy White Paper one of the most exciting announcements is the resettlement passport. My fantastic local prison, HMP Lincoln—I appreciate Dr Johnson may have an interest in that prison as well—is one of our Accelerator prisons and it does departure very, very well. It even has what is called a departure lounge. When somebody walks out through the prison gates, they have to go through the departure lounge and staff just spend time with them and say, "Are you ready? Do you need us to ring probation to get you on the way to the appointment? Are there medical appointments that you need?" They offer them a cup of tea, they even offer them clothing because if someone does a long stretch, they may go in in the summer and they are released in winter and they do not have the right clothing. Little practical things like that that set them on the way so that when they are released from the prison gates they are not getting into the car that belongs to their dealer, setting them off on that journey again. We are giving them the best chance we can.

The resettlement passports will have all the information that they need to rehabilitate into the community, not just medical information but probation and other aspects. With that passport, we are just smoothing the way for them back into the community and therefore hopefully reducing their risk of reoffending.

Q404 **Dr Caroline Johnson:** I want to ask about the continuity that Mr Burghart mentioned. It is possible that, at the point at which people are sentenced and put into prison, they are in the middle of some sort of training course. It is also true that you seem to move people from one prison to another for various reasons and they may be halfway through one course that the new prison does not offer. They then lose that.

In particular, we have the secure children's home in Sleaford. Of course, these children have often committed very, very serious crimes and it is right that they are in prison for protection, punishment and rehabilitation. But they have often had very dysfunctional family lives and very poor educational engagement and attainment to that date. The secure children's home does lots of work with them to try to rehabilitate them so that they can be upstanding adults in the future. They may be part the way through a course when they suddenly have their 18th birthday and get sent off to the grown-up prison, at which point all that work becomes essentially useless because they are halfway through something and they do not get to finish and they never realise that qualification and all the work is to some extent wasted. What are you doing to ensure that people have some sort of continuity so that your curriculum planning goes across the estate so that people, when they are moved about, can still complete



things?

Victoria Atkins: That is a very fair challenge. To put it in context, in the adult prison estate, we know that 42% of prisoners were excluded from school. A governor could have within a prison a community whereby the educational needs range from primary level—they have not reached the expectations of an 11-year-old—all the way through to someone who may be about to start or is in the middle of studying a degree. Within that we have to ask governors and their teams to provide that entire reach of education, and of course provide for those who have particular neurodiversity needs, so it is a very, very complex picture.

In terms of continuity of education, that is certainly something that needs to be improved as we move people around. We are looking into what we can do to help young men in particular with that transition from the youth estate, whether it is secure children's home or YOIs, into the adult population. There is an amazing prison, HMP Isis, along the Thames that has a cohort of young men, 18 to 25-year-olds, because they know that with everything going on in their lives they can be a particularly volatile demographic. We are trying to see if there are other ways of managing these young people from the youth estate on to the adult estate.

To give an insight into some of the challenges, I went to an STC, a secure training centre, recently and met a 15-year-old boy who had been convicted of murder. He looked me in the eye and he said, "Look, Miss, I'm going to be spending the next 15 years of my life behind bars, so how do I get excited about education?" It is those sorts of challenges for some of the people who are in our custody, and we have to find ways of including them, keeping them with us on the educational pathway and trying to prepare for the moment of their release. There are many, many challenges with that. We do not shy away from that.

This is why this focus on education and skills throughout the Prison Strategy White Paper does begin to lay the foundations for what we want to see for the future. I do not want that 15-year-old being released and then committing another crime, albeit it was a very, very serious crime. I want him to be on the straight and narrow.

Q405 **Chair:** Given the experience of people within the prison estate—a number of people have said to us that, because they are moving from institution to institution, they are started off on a training programme, they are moved on and have to start the whole thing again. That can be really dispiriting, particularly for people who are educationally vulnerable. Do we not, therefore, need to start thinking about preparing some sort of bespoke, modular, bite-sized, chunk-style training and education programme so that people can build up the currency of previous learning that they can take forward if they are moved within the estate?

Phil Cople: Yes, absolutely. A lot of the ways in which we are trying to develop the provision is to enable that discontinuity risk to be tackled better in the future.



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One of the things that we have done with the new contracts—which only had a year to run before the pandemic started, so we are only just beginning to try to utilise them—was that we have tried to let them by geographical lots that are matched across to prison groups. That was deliberate to try to improve the provision and the continuity of it, because the prison groups have been deliberately put together to reflect a group of prisons that have different functions but that also have quite strong links with each other in terms of prison movement.

A prison like Lincoln will serve the courts and take people on remand awaiting sentence, and the newly sentenced and will in time, if they are serving long enough, transfer them on to a training prison. One of the things we have sought to do is to have the training prisons that Lincoln will typically send large numbers of prisoners to having complementary provision. Our core curriculum will assist with that for a lot of people. Absolutely then there is a question of the timing. We have to acknowledge that, where there are greater population pressures against capacity, the less scope there is to time things ideally for certain courses to finish. But so far as possible, we try to take that into account and time transfers properly rather than cut across existing delivery.

Equally with young people in our own estate, in young offender institutions who are under 18, because they are typically serving quite short sentences, thankfully, we will often keep them in the same institution when they turn 18 rather than immediately transfer them into the adult system, because we know that they are going to be released often within a few weeks or months. The continuity of care and service provision suggests that that is what we should do. It is more complicated with the secure children's home provision, which we do not directly run, which I accept.

Different prisons do have different functions so we do sensibly move people between them and the system requires that to happen, but I absolutely accept the challenge that we need to do better at the continuity provision. It is one of the things that we are focusing on with these changes.

Q406 Dr Caroline Johnson: Do you keep data on the number of people who start courses and are moved before they complete them?

Phil Cople: We do not have that data at the current time. One of the four main areas for improvement for the system is more robust data to monitor how we are doing.

Dr Caroline Johnson: It is difficult to know how you are doing if you do not keep any figures on it.

Victoria Atkins: We are piloting personal learning plans for each prisoner in four of the Accelerator prisons, which includes Lincoln. That will be the model for the future: having the plans follow the prisoner. At



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aggregate level it is important to know, but at a personal level that plan follows the prisoner around the prison estate.

Q407 **Chair:** What sort of timescale are you looking at for rolling that out across the prison estate?

Phil Copple: We are going to link the evidence from the accelerators into the budget allocation decisions that are being made in the next couple of months. We intend to be doing more in more prisons in each of the next three years and incrementally roll out more of the provision based on the learning that we have from these accelerator establishments.

Q408 **Chair:** Given what we know about the role of education in prisons in preventing reoffending, why is that data collection not happening already?

Phil Copple: It is a fair criticism, because this goes to the heart of a lot of the evidence that you will have heard around some of the main factors that have caused some of those Ofsted ratings to be as they are. There are a number of factors and some of it is about culture and prioritisation within the prison regime, which gets reflected in not having the right sort of target framework, not having the right sort of data flows and historically not having the right sort of contract management of the providers either. But we are trying to improve all those things right across the piece to do better. We want to do better with attendance, with relative prioritisation, with regime delivery within the prison and also do much better with the data and having the right targets and framework to incentivise suppliers and governors and to give governors that kind of expertise and that capability on their senior teams, which is an important part of it. We also want to try to raise the quality of teaching and contract-manage the suppliers robustly and work with DfE to help raise the quality in the way that we touched on earlier.

Victoria Atkins: This is where the Prison Strategy White Paper is so important and so significant. It is our view for the next decade.

Q409 **Chair:** How do you respond to criticisms that the commissioning arrangements established in 2019 are bureaucratic and have resulted in a rigid system with little flexibility and little input from local education providers?

Phil Copple: We put in place a system that sought to give more authority to governors to decide on the details of their provision. It tried to have a core curriculum that applied everywhere. Some of the benefits we have touched on in terms of continuity, and sending the right signals about priorities for education provision in the system. That was through one element of the contract, the larger part, which is the prison education framework. Then we also have a smaller element, a dynamic purchasing system, that allowed governors to tailor more bespoke provision for their particular population and their needs and the local labour markets that they were likely to be discharged to, where they were not met by the core curriculum.



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I do not think that doing that on a group basis so that we could have greater strengths and complementary provision between different types of prison was the wrong thing to do. It may have seemed more bureaucratic than that which we had before, but candidly what we had before could be charitably described as light touch and it was not rigorous enough. We have seen the deficits from that over time, which is how the learning has gone into trying to have this more robust framework. We have certainly invested in much more expert contract-management support to governors as well. This is among the additional capabilities and expertise that they need.

Q410 **Chair:** Are there lessons that you are learning before the current contracts end in a year's time, in March 2023?

Phil Cople: Yes, although, to be honest, we have to acknowledge that they only had their first year of operation between April 2019 and March 2020 and then we were into the pandemic, and provision and services have been severely disrupted during that last two-year period. We are trying to learn from that and we have continued to invest in contract management. What we are learning now from the accelerators is very valuable, evidence-based and a lot of it very encouraging.

Q411 **Apsana Begum:** Good morning, panel. I want to pick up on suggestions that a prisoner education service run by the Department would be an improvement on the current contractually privately sourced education. Is there any scope in the White Paper or anything that has been set out for the long term that would incorporate taking a different approach to delivering prison education?

Victoria Atkins: The prisoner education service is a manifesto commitment. We want to transform it. In terms of providers, the colleges that are the four providers at the moment, we want organisations that can work at scale across the 112 adult prisons that they are operating in. We also have what is called the Dynamic Purching System framework, which basically means that prison governors can enter into smaller contracts to supplement the main education provision. We are interested in the results of this because these tend to be smaller providers. For example, it could be local businesses who may be able to offer training in roofing or dry-lining. There were some very good examples of that. That enables prison governors to dip into these smaller providers that can give real help with some of the training that they require.

For example, HMP Ford commissions Chichester College to deliver courses in dry lining and other forms of construction work. At HMP Rochester, local builders have worked with governors to design a specific roofing course through that scheme. These are examples of prisons very much playing a part in their local communities. Although those great big walls surround them, they are none the less still part of our communities. Our constituents work in them, our constituents live around them and it is important that we try to bring as much as we can, within the secure estate—



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Q412 **Chair:** Minister, we spoke to that company from Rochester directly. It seems to me that individual aspects of good practice that we know exist are not widespread. That is the problem. It is the scaling up within the estate that is going to be necessary if we are going to get this right. While you have given your view about a DfE-run education system within prisons, I would be interested to hear with the DfE Minister's view of that would be.

Alex Burghart: We have not had a DfE system following the Coates review. We supported that move because it is very important that governors who work with prisoners on a day-to-day basis and who understand their needs and are closest to their own experiences get to make those decisions. As Minister Atkins has mentioned, though, there are some very good examples of collaboration between prison governors and colleges such as Chichester College but also private businesses which are looking to train up the next generation of their workforce, as well as the third sector and so on.

I think the potential of this way of working is already starting to display itself. To go back to the point I made earlier, we have confidence that the four education providers that are working in prisons are good providers. They have been inspected across a whole range of their activities, but the challenges of working in prisons are particular. Again, I would say that the opportunity for prisoners to access an even greater range of training and education, as MoJ's tech offer comes on stream, is enormous and will enable, for example, people to take advantage of the level 3 offer that we have for all people who are not in prison.

Q413 **Apsana Begum:** Some of the evidence that we have taken on the Committee has talked about governors taking individual approaches depending on the prisons that they are governing. Some of the feedback that we have from providers is, "Actually, we want to provide the education this way, but it depends on the prison." We have also seen that, in some ways, recommendations to expand the availability of different providers do not matter in terms of the culture; you could have one provider, but the delivery of the education is different from prison to prison and that makes it difficult for people to seamlessly transfer. It is not so much the number of providers. Some of the evidence that we have taken suggests that having a more uniform system with less variance between prisons would make sure that the education can be continued in transfers and so forth. That is a point about the actual provision of education by a provider as opposed to the numbers, opportunities and options that may be available.

Victoria Atkins: The caution that I would urge with that is that that approach assumes that every prison is the same and has the same functions. As Phil has already referenced, prisons have particular functions. A local prison can have quite a moving population because people are being remanded into custody by the local court, remanded out again, having their trial and moving around a lot, whereas in some of our higher-security prisons, people are in there for many, many years.



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Some officers who I was speaking to yesterday, working in a variety of prisons across the country, were all incredibly enthusiastic about the ability to make a real change in people's lives. But they were making the point that if you only have a prisoner for a couple of months—let's say they are on remand or they are serving a very short sentence—the ability to help them read for the first time, begin to learn maths and develop themselves is much, much more limited than if someone is a lifer and they are in there for many years.

I do understand the point about standards, I absolutely understand that, but we have to acknowledge the different parts of the prison system and the challenges that presents for the very committed staff who work in those prisons. I would not want anyone listening to this session to think that there is some sort of lack of enthusiasm by prison governors or staff and officers to work on this. They are raring to go. Governors want to make changes in their prisons, they want to seize these opportunities. Indeed, only yesterday I met a number of graduates of the Unlocked graduate scheme. These are students who have left university, having studied psychology, law and other subjects, and they have gone into the prison service to serve as prison officers. They have done so because they have absolutely relished the opportunity to work with people and to turn their lives around. It is that sort of enthusiasm that we are trying to capture in the White Paper, while acknowledging realistically some of the challenges.

Q414 **Apsana Begum:** If providers were not delivering and they were not up to standard—you have spoken about Ofsted—how is that tackled? How can they be held to account if they are delivering so poorly?

Phil Cople: It is through the contract management mechanisms that I touched on earlier. The first element of that is that there is a quarterly performance payment that providers can earn based on how they have delivered over the previous quarter. That can be withheld, which we have done when we have not been satisfied at a particular site with performance over the previous quarter. Beyond that there are different steps that can be taken and different contract levers when we are dissatisfied so that we can issue improvement notices, for example. That requires a rapid improvement plan to be developed and that is closely monitored.

Over the last year or so when we have been improving our capability around contract management, we have had a number of improvement notices issued and we have been satisfied with the responses to them in each case so far by the providers to bring about the improvements that we have wanted. It is essentially through that contract, but on a day-to-day level there will be lots of interaction and holding to account in less formal ways if there are small niggles and so on that people have.

Q415 **Chair:** Given what we know in terms of the Ofsted judgments, we have found little evidence so far that the levers that you have talked about are being regularly applied.



Phil Cople: The performance payments on a quarterly basis under the new contracts overall across the system have fallen due to be paid potentially over 1,000 times and they have not been paid just over 100 times. On around 10% of the occasions they have been withheld, so that has been used. We issued improvement notices on a number of occasions over the last year or so. As I said earlier and I am sorry to repeat it, in some ways with the contract it is still early days because we have not had a lot of experience of using it in ordinary operational environments yet, but hopefully, later this year as we recover from a fourth wave, there is more opportunity to do that.

Q416 **Kim Johnson:** Minister, you mentioned recruitment. While the White Paper is committed to transforming prison education, I think it fails to recognise the significant crisis in staffing in the Prison Service. Without adequate staffing, how do you expect the reforms being talked about to be successful?

Victoria Atkins: I gently disagree with the assertion that the Prison Strategy White Paper does not recognise the absolutely vital role that staff play and how we need to recruit and retain officers and staff. We have a very, very bold commitment to building new prison places. By the way, that is a huge part of our education strategy because in the new prisons that are being built—Five Wells is about to open, Glen Parva is very much steaming ahead with construction—we are able to build things like workshops to take advantage of these opportunities from employers and so on that we have been talking about, and indeed in-cell technology. We absolutely need staff and officers to be part of that.

Being a prison officer is an incredibly invaluable form of public service but not everybody is suited to it—that is the reality. We need much, much more diversity, for example, in our prison staff and prison officer ranks. Both we and the unions recognise that. We have plans for continuing recruitment. We have been recruiting even through the pandemic, which given the vibrant jobs market that we have heard about just today, with employment figures doing so incredibly well, we are competing with other forms of public service to recruit people. It is why I am very committed to looking at the terms and conditions of prison officers and staff so that they feel absolutely supported in their working environment.

For example, we should not ever, ever shrug our shoulders and think that violence within prison wings is just part of life. It is not. We absolutely need to support members of staff and officers in dealing with that and consequences for prisoners who behave like that. It is why we are focusing so much on zero tolerance towards drugs within prisons, because any form of illicit drugs within prisons destabilises the prison environment, it destabilises the atmosphere and that has an impact potentially on our members of staff. I agree with you, of course, that human beings are part of our ambition for this. We have to have qualified officers working in our new prisons as well as our existing prisons and they are the ones who will drive it forward.



It is interesting that, in my conversations with officers, both very new and also more experienced, over the last couple of years—because of Covid we have had to introduce the national framework—they feel as though their role has been to lock doors and that is not why they came into the Prison Service. They came in, as I said earlier with the Unlocked graduates, to change lives and to protect the public. As we ease out of the national framework, I hope, fingers crossed, for good, that we will begin to be able to give staff and officers that more rounded approach to their work with individual prisoners and seeing that turnaround. It is really important.

Q417 Dr Caroline Johnson: I have a quick question. You mentioned prisoners on remand. At this point, while they may later be found guilty and be sentenced, they are innocent until that is proven. Some of them presumably will be discharged and found not guilty. Many of them will be taking part in courses. In light of the fact that over the last year many of the school, university and college provision has been online or it has not been practical courses, what effort is made, particularly with those on remand, to enable them to continue what they were doing before they were arrested and put into prison so that if they are found innocent they can return to life with as minimal disruption as possible? I understand that if they are found guilty and receive a long sentence, it will need reassessing.

Phil Cople: Our education providers carry out an initial screening of everybody and that will include remand prisoners. One of the things that they focus on is information evidence around prior learning and any ongoing training or education that they were engaged in. Where it is possible to maintain that and the individual prisoner is willing to do that, that can be done. Remand prisoners, because of their status, are not required to work in prison or undertake training but many of them do wish to do so and that is possible to facilitate. But it will depend on the nature of what they may have been doing and whether that is part of our core curriculum or part of the local curriculum decisions that have been made by the governor.

Q418 Dr Caroline Johnson: Are you saying that it has to be something that is offered? If they are doing a particular course—or you talked about people at degree level—they would have to be doing something that was offered in the prison and they could not remotely access what they were offered before, given that they are at this point an innocent person?

Phil Cople: Yes, the period of remand may disrupt the provision. One of the reasons why we are keen to try to have a significant provision of secure laptops is that we could enable more remote access in the future for people in that kind of situation, or others, when they come into prison and they have an ongoing training activity taking place so that we could try to facilitate more access to it in the community.

Q419 Dr Caroline Johnson: I was aware of a case recently where a 14-year-old boy had been on remand from April through to nearly Christmas, had



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the court case and the jury have not come to a verdict. He now remains on remand, even as a child, waiting for a potential retrial. I understand that adults are sometimes waiting considerably longer. This can be years of someone's life.

Victoria Atkins: No, there are very strict custody time limits that are in force for anyone who is in custody, particularly for youths. That is not to step away from the backlog in court cases, but even with the pandemic, we have had to adjust the custody time limits because of, for example, Crown Courts not being able to take multi-handed cases, for a number of reasons, not least the availability of rooms for juries to retire to but also the capacity of the cells downstairs. It is a very, very complicated jigsaw.

I would say that any brief doing their job properly will have put forward, as part of the bail discussion, the bail argument, either the employment status or the training status of that young person or the person who has been remanded in custody by the court. I would imagine in the ordinary course of the events, that the judge or magistrate remanding a person into custody will have taken that into account. I am afraid that there are some cases that are so serious that a judge concludes that a remand in custody is the only course available to the court.

Q420 **Dr Caroline Johnson:** I understand that, it just whether, as the Ministry of Justice, you pay particular attention towards ensuring that people on remand can maintain their education.

Victoria Atkins: It is a challenge, I fully acknowledge that, not least because, being on remand, they will be in local prisons, which, as I have already described, have a very transitory population. It can be difficult, I do not shy away from that. Again, through investment in digital technology, that may be a way in which we can improve those situations where if someone is on a very specialist vocational or academic course, it may be that we are able in future years to accommodate that through digital means, just as universities have had to do so through the pandemic.

Q421 **Apsana Begum:** I had a question, to go back, about staff. You talked about safety of staff being paramount and measures to that effect. Last year and during the Covid-19 pandemic we saw with one of the providers, Novus, a strike that happened with staff going off, having felt that they had inadequate support to be safe in a number of institutions. That stood in stark contrast to the approach the other providers had taken in the pandemic. Is the Department and the Prison Service considering looking at the Safe Inside Prisons Charter that has been developed by the UCU union? What other measures are there to consult the unions and members who have had that experience, for example in Novus, to provide safe places of work for them?

Phil Cople: As a service, we do have contact with UCU and some of the main unions for different contracted providers, including beyond education, so services in prisons as well. But we do try to be careful



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about not crossing a line in the sense of trying to manage somebody else's employee relations for them. As you might imagine, we have quite a lot to do ourselves about managing our own employee relations. That requires a lot of effort and ongoing engagement with all our main unions as well.

We do have constructive relationships and regular meetings with them. Clearly, what we are doing about the general prison environment, for example during the pandemic, is of direct interest to them and other employees of other partner organisations. But in terms of specifics in relation to their terms and conditions, particular risks assessments of their area of work that are the responsibility of their employer, we do try to work with the employer about that rather than directly with unions. We did have a lot of contact with Novus in the run-up to that industrial action to try to support them in managing it in terms of finding a constructive way out of it, which in the end was possible to do.

Victoria Atkins: There were also some amazing examples of commitment to their work by education staff throughout the pandemic. I visited Downview recently, which is a female prison, where they have a partnership with the London College of Fashion. The female prisoners there worked throughout the pandemic making scrubs and other items for the NHS, which they clearly valued because they felt that they were playing their part in helping our country through the pandemic.

There was one particular teacher, an amazing man, who refused not to come into work. Although he could have been furloughed, he absolutely wanted to come in to look after the women as they were working on the scrubs and so on, because he saw it as vital to their wellbeing. He enjoys his work so much that he really, really wanted to come in. You meet people like this throughout the prison estate and they are extraordinary public servants. While of course your job is to scrutinise us and to bring these matters to the fore, it is also important that we remember people like that.

Can I give you an example? There was one young woman who was in for quite a long sentence. She very proudly showed me a beautiful jacket that she had made from scratch. She had designed it, she had made it and she said to me, "I'm going to wear this jacket in my job interviews when I get out". She wanted to work in fashion. So there is the opportunity. You get these glimmers of hope and ambition and it is why so many people are committed in the way I have just described.

Q422 **Kim Johnson:** To pick up on that point, Minister, about women in education, throughout the inquiry there seems to be a main focus on men in construction and the gendered approach to women in prison has not been looked at. In terms of providing an equality of opportunity for women who might want to get involved in that kind of work once they leave prison, what needs to happen to make that change and who is going to be responsible for doing it?



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Victoria Atkins: I said to my officials that I wanted my very first visit as a Minister to be to a female prison, because although we house only 4,000 female prisoners out of a total of 78,000, it is in those prisons that we can make great changes. I am very interested in the spread of courses on offer. The London College of Fashion example was because the prison listened to their prisoners and they were very interested in that sort of work. Alongside London College of Fashion, Downview also has a contract with Max Spielmann—forgive my pronunciation—which is a printing and photograph producing business and I think there are other areas that female prisons can and should look into if there is a wish for it from their prisoners.

I am not an educationalist. I am not an expert but I know, as a parent, that if there is a glimmer of interest in a subject, that is to be nurtured. Therefore, if a woman has a glimmer of interest in being involved in the construction industry, both in prison but also, frankly, outside prison—because of course the construction industry is hardly diverse in its participation—I am interested in trying to seize those opportunities.

Q423 **Chair:** Equally, though, doesn't prison education need to be completely gender blind? For instance, there may be men in prison who are very interested in the fashion industry or may become interested in the fashion industry.

Victoria Atkins: Exactly right.

Q424 **Chair:** It works both ways. I think what we have to try to do, as a state, is to look at the individual and see what their needs and aspirations are.

Victoria Atkins: Very much so. HMP Lincoln has a fantastic barbers within its walls because men need their hair cutting as well as women, and so they are training men to become barbers upon their release. I agree. Just as we would not expect in our schools for there to be a gendered approach to services, I very much in the future want us to be offering a wide range of services.

Phil Cople: I think there are some good examples out there in the women's estate as well. I think it is a question of trying to learn from that and apply it more widely. Drake Hall in the West Midlands, a women's prison was favourably assessed by Ofsted, including on its range of provision, and it wasn't in any respect following traditional lines. We have five Accelerator prisons focusing on education and deliberately one of them is a women's prison. It is New Hall Prison in West Yorkshire. Again, we are trying to learn about meeting the needs in that part of the estate as well.

Q425 **Chair:** Great. I am going to move on because I suppose this is a crucial question to end this first part. Believe it or not, this is still the first part of the interchange. As we go towards the end of this current contract, and we look at the £500 million that is to be spent and the opportunities that technology throws up for us in prison education, how are we going to



engender that culture within all prisons of the importance of education per se, because it seems to me it has not always been there in the past?

Victoria Atkins: It is a very clear direction of travel in the Prisons Strategy White Paper. If one looks at the purposes and the values that run throughout the document, we see education and skills training and employment opportunities as the road to reducing reoffending and protecting the public.

Chair: That is a clear answer and we will watch with interest.

Q426 **Nicola Richards:** We have heard concerns that individuals with learning difficulties are not clearly identified. That is around one third of people in prison that have a learning disability and/or a disability. In 2019-20, Ofsted's annual report stated that these people received insufficient support and the range of education offered is poor. Given that that was the assessment made, what improvements will you bring to the skills assessment that offenders receive to ensure that offenders with SEND are appropriately supported?

Victoria Atkins: Prisoners are assessed upon arrival in a prison. That includes an assessment of learning and neurodiversity needs and from that a programme of work can be built. We know that this can be improved upon. For example, through the Domestic Abuse Act, as the Bill Minister, I worked with Chris Bryant on acquired brain injuries within the female estate to ensure that the screening process used by NHS England addresses those needs of female offenders who we know have a disproportionate experience of ABI.

We are investing in increased support again in the White Paper for those with additional learning needs and we are hiring support managers to strengthen that process of identification and related follow up support for those who have learning needs.

There is also a very interesting thing that we are piloting, which is the use of ReaderPens. It is very important during the pandemic, when more than 400 ReaderPens were used in prisons to help prisoners read their correspondence. That is another good example of tech being used just quietly to help people with some of those vital links with home that we know is part of their general wellbeing and, indeed, part of their path to rehabilitation.

Q427 **Nicola Richards:** Aside from that, how do the opportunities differ between those in prison with SEND and others? What range of training and education opportunities are available to them? Are there any barriers to that and, apart from the reading pens that you have just mentioned, what other support do they get?

Phil Cople: I think the actual provision that we currently have can be adapted in principle right across the piece. We are trying to raise our game with, with our providers, to have those adaptations. Again, this is where I think we are recognising that governors need expertise and they



need capability to be built into their prisons. That is why with Accelerator prisons we have been trialling—and we will take this across the estate—having a senior neurodiversity lead to try to help that and the support managers that the Minister mentioned as well.

We are working with providers in a very practical way about how we can make the adaptations to enable some of the mainstream availability of provision to be afforded to other people as well. In addition to that, there can be bespoke targeted provision for people that require that. This is a major focus for us, given that this is one of the main challenges in prison education. One of the things that makes prison education a bit different from mainstream colleges and FE is the scale of learning difficulty and disability that we have within the population.

We have to adapt what we are doing accordingly because there is something about reaching out and motivating people. Because they will typically have had quite poor experiences of education when they were growing up, we need to adapt to bring them in and enable them to improve their life chances as well. Employability is the main thing that we are aiming at here, of course, and a lot of those individuals will benefit and improve their employability chances if we can bring them into education and training activities.

Q428 Chair: I am wondering about that because earlier you talked about a young lad who had 15 years to serve. I suppose for him a vocational course did not seem relevant. Is that, therefore, an argument for engendering a culture of just learning anything? Get them interested in learning anything and that in time might actually engender a wish to use those learning skills, which have been developed, to do other things.

Victoria Atkins: It is important that we look at the different cohorts of people we are looking after. There will be some who are in for a short amount of time for whom vocational courses are extremely relevant and helpful and there will be others, such as the young man I described where, as you say, that journey is a lot, lot longer and we have to try to keep his interest over the next 10 to 15 years as he begins to head towards withdrawal.

It may be that Minister Burghart can help on the provision of further education and university degrees.

Alex Burghart: To your point, Mr Mearns, obviously we value education for education's sake as we value it as a route to employment. Obviously, there are particular challenges with engaging with people who see their life outside being a very long way off. As you say, the important thing is to get people on a journey no matter how long that takes. I am aware of some excellent workshops that have been created within prisons, opportunities for people to pursue what they might initially consider to be hobbies and things to do to pass the time that then become a way of starting a conversation about a career you can have.



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A long time ago, before I was in this job, I worked for a think tank called the Centre for Social Justice. On one of my visits in that role I went to a pupil referral unit, in Wandsworth I think it was—an unusually good setting—and what the headteacher had done there was replace a lot of the classrooms with workshops: a car mechanics studio, a hairdressing salon, a cookery school and a bricklaying studio. The teacher introduced me to a guy who was teaching bricklaying and said, “Tell our visitor how you got into bricklaying”. He said, “I did a job. It was armed robbery. I got caught and I spent about 12 years inside”. It was there that he learned to be a bricklayer and it was from that that he got a job and he was now spending part of his time teaching young people who were at risk of going down the same route as him. He said, “My last successful job as a criminal I earned about £10,000. I now earn more than double that legitimately and there is no risk of me going to jail again”. So I think the opportunity for people to re-establish themselves over long prison terms is clear as long as the right opportunities are given.

Q429 Chair: I suppose the big debate that goes on behind the scenes in education is: what is it for? Is it about producing the next generation of units for the labour market or the next generation of well-rounded human beings? For the people that we are talking about within the prison estate, surely, producing well rounded human beings for integration into society on their release is much more important than just about anything else.

Alex Burghart: That is right but I think the two often go together. A sense of purpose, opportunity, having choices and an ability to provide for one’s self and one’s family are some of the most central things to becoming a well-rounded person. I know that the wonderful work done by governors, by charities and by companies in prisons helps people achieve that inside and continue that when they leave.

Q430 Nicola Richards: We have heard concerns that qualifications and the curriculum offered in prisons are too narrow, with high levels of education scarce. What is your response to this, first, Minister Atkins?

Victoria Atkins: I have not seen the details of those assertions but on the second point about higher education, it is available. I think the Open University estimates that there are 1,600 prisoners who are studying higher education courses through distance learning and the Prisoners’ Education Trust provides funding for more than 120 distance learning courses each year, and the Committee will understand that, following the terrible, terrible events at Fishmongers’ Hall, we have pressed pause on the university partnerships and are reflecting on how to start those up again, if that does happen, but there is provision there for higher education.

The range of needs and skills of the prison population cannot be overestimated. For some of our cohort, turning up on time in the workshop in the morning is for them a first. We take for granted waking up with the alarm clock and so on. For some of the cohort, that is their first step back towards the jobs’ market, so I very much understand the



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call for higher education but I do think we also need to be realistic about some of the challenges that staff working in these prisons face with the different people they have to look after.

Q431 **Nicola Richards:** Thank you. Minister Burghart, how are you working with the Ministry of Justice to make sure there is value for money in the education that prisoners are receiving?

Alex Burghart: That is a really good question, Nicola. Obviously, one of the ways in which we are doing it is by making sure that there are good partnerships between FE, existing training providers and good education providers on the outside. As Minister Atkins has already referred to, it is where you get good governors working with good providers that you really start to see these results. As you can imagine, we have very good relations with the people who are working in the general education market and we can use that experience to inform the decisions that governors make.

Q432 **Apsana Begum:** I want to go back in terms of what has been said about the prison estate and bringing its technological levels up. When we took evidence on the Committee, we spoke to former prisoners. They talked especially about prisons where people are there for 10 years and the huge digital skills gap that they may experience without having access to technology.

You have mentioned the work that is happening everywhere in the country to bring ourselves up to speed. But can you say something about people who are in prison for a very long time in terms of the work that the Departments are undertaking to address when people come out of prison being able to participate just like any other citizen, things like paying bills is done online, all those basic tasks now, when some prisoners may not have had access to technology for such long periods of time while in prison.

Phil Cople: You touch on a very important point because there is something about the principle of normalisation and how you make that real for people, because it is an important part of preparing them to be able to thrive when they are released from prison, particularly if there is the institutionalisation risk of having been in prison for a very long time. Again, to state the obvious, it reinforces why the technology and having more digital technology, albeit with security features, is important because that is the way we all live our lives in the community now to do so many things that were done in person in the past.

There are a couple of things I will touch on. One is that we try very hard to make sure that there are lots of practical things to prepare people for release but, also, that we have incrementally given them greater levels of freedom and personal agency in their day-to-day lives and how they spend their time as they get near to release or potential release. A key aspect of that is we will often have them—if they have made progress and reduced risks—in open prisons for the latter part of their sentence.



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That is why lots of prisoners in open prisons have made progress, been deemed to be an acceptable risk but they are actually convicted of very serious offences. It is often that they have been in prison for a long time but that is the way that we try to manage their sentence and prepare them for release. There is also an element of testing and risk assessment that goes on in relation to that. The parole board takes that into account when it is a case that is subject to a parole board review as well.

The other thing that we try to do for shorter sentenced prisoners is that we try to rebuild a lot of links with community provision and with key services. For example, we have DWP coaches around the prison estate and we try very hard to help people plan and engage with services in terms of being able to access benefits, potentially move into training on release or into employment on release, and try to use mainstream services and link with probation colleagues to try to manage that transition. There is a range of things that we try to do to try to mitigate those risks but they are real.

Again, we are finding that more digital technology is assisting some of those services in a very practical way. Video calls are something that we try to use with DWP coaches, for example. We tried to do more of that during the pandemic when it has been more difficult for services to come into prisons.

Q433 Apsana Begum: I have one more question, on something that has come up for us a few times now, about record setting, educational achievements of learners. That is sometimes lost when people move across the prison estate or is sometimes not able to be passed over to a new prison for a very long time. That creates bringing gaps in learning. In terms of that particular type of infrastructure, what if anything is being done to address concerns that prison learners have shared with us on that front?

Phil Cople: That is absolutely among the things that we are doing in the Accelerator prisons, which we are trying to learn from, to make sure it is secure so that we can roll it out across the system. That is among the things that I am very hopeful we can invest more money in over the next three years, some of the additional funding that is available, so that we are not having multiple assessments in different prisons as people move around and we are able to assist more of the continuity provision as well, as people move between prisons.

We are building some of those digital platforms now. We intend to use them and learn from their use in the digital prisons and really roll it out. Those are among the things I think you should see big improvements on in the next two or three years across the system.

Q434 Kim Johnson: Minister Burghart, you have just given a great example of how prison education can improve life chances for prisoners once they are released. However, we are aware that prisoners serving long sentences they are prevented from doing higher education courses



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because of the six-year rule. I would be interested to hear from you how you intend to improve the opportunity for prisoners, those types of prisoners accessing funding and, again, enable them to access training opportunities. Thank you.

Alex Burghart: It is a good point, Kim. On the six-year rule—and this is something that the MHA and DfE started talking about towards the end of last year—for those people who are ready to learn at a higher education level we want to give them the opportunity. The thing that the Government in the round are always keen to keep as a bit of a brake is that we do not want to give loans to prisoners who have no prospect of paying those loans back. Technically, I think it would be possible for individual governors to use their education budget on those prisoners, but it would end up being quite a substantial spend when they have a lot of other pressures on their budgets.

With that proviso in mind, I think we would probably resist giving loans to people who might leave prison in their sixties and not be reasonably expected to pay them back. In the workplace it is something that we continue to discuss with MHA colleagues.

Chair: I am not dead yet, you know.

Alex Burghart: But you are surely in your late thirties, Mr Mearns.

Q435 **Chair:** That is very kind of you but that is most misguided I am afraid.

We also heard that one way of incentivising prisoners to get engaged in education programmes would be to make the rewards the same as it would be, say, for working in a prison workshop. Has any thought been given to that? We have heard that, because currency is obviously important to prisoners, sometimes they feel they are more rewarded for working in a prison workshop than they are in preparing themselves for life outside. Is that something we need to think about in terms of redressing that balance, Phil?

Phil Cople: It is a perennial problem—I absolutely recognise that—and it is a longstanding one. It does speak to this challenge around the culture and prioritisation of education and training, which I absolutely get. To be candid about the challenges as well, to try to restructure prisoner pay systems is quite a risky business and, speaking as somebody who has been a prison governor, you tread very carefully when you do it. Sometimes you do try to do it and you can try to be bold but there are risks attaching to it. Trying to do something system-wide in this way is potentially quite risky, unless there is a lot of additional money available.

To be frank about it, what I would not want to do is have a centrally directed recalibration of the prisoner pay system that produced 30,000 losers by taking a lot of money from them and moving it to people on education and training courses because that is probably a recipe for



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major disorder. We would be producing huge numbers of prisoners with a collective grievance in that way—losing out financially.

If there is additional money available, so that there is a kind of levelling up rather than redistribution, that is a bit different. The sums of money involved would be quite significant. There are 80,000 prisoners. Another £1 a week to 40,000 people is a lot of money every year. It is something again within the plans for the next few years. We are looking at what we can do about those incentives for people. I think for people with a longer sentence it is a bit different because they will tend to have periods when they can do work that might pay more and then periods when they can do training and learning.

I also think the point that you made earlier, Mr Mearns, was an important one about trying to embed learning opportunities in everything. That can definitely include work and lots of workshops that might have good rates of pay, but having lots of learning opportunities through our instructors and supported by education departments within them is an important part of it.

We also have to recognise that there is quite a lot of work that we do need prisoners to do that isn't terribly pleasant. We do not want to create a different problem for ourselves by disincentivising people to do that. Sometimes it is quite hard work and not particularly attractive but it is necessary for the prison to operate.

We will continue to look at those things and we will have to consider what kind of money may be available to try to improve incentives for education and training but, in principle, we are keen to try to do that but not at the expense of large numbers of other people.

Chair: Yes, it sounds to me that we need an education and welfare allowance for prisoners. Sorry, just a thought.

Q436 **Apsana Begum:** In terms of concerns around the lack of grants available to prisoners with long sentences, prisoners particularly falling foul of that six-year—

Victoria Atkins: I think we just answered that, Mr Mearns. Sorry, I am just conscious that I have 15 minutes.

Apsana Begum: I want to come to it again because one of the things that has come up for us when we have taken submissions from learners is again the prisoners who have been there for a longer time and the employment opportunities for them when they come out. We have talked quite a lot about the good example of departure lounges. But going back to the skills for adults when they come out with basic employment skills, and being able to apply for jobs now that things are digitised as well, I want to understand what is happening in the long-term plan for people when they come out of prison.

Victoria Atkins: We have dealt with quite a lot of this already.



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Phil Cople: People who have a longer sentence, in particular, can often have lots of opportunities that are connected to the use of temporary release. That also enables them to have face-to-face contact with people in the community, potential employers or trainers, and we have a lot of temporary releases dedicated to that type of activity.

We are trying to utilise the video calls technology that we have invested in across the whole prison estate rapidly during the pandemic for official business, as well as what we hope to do in the future with more digital enablement to enable it across a range of different providers and mainstream services in the community. We will continue to try to take that forward.

Victoria Atkins: We are testing employment advisers in prisons. We have already seen some very good results from the Accelerator prisons and we want to see if we can roll those out more, but the partnership between local businesses and prisons are an important part of this. We have the amazing national companies, such as Timpsons—we always have to give a shout-out to Timpsons—that set up workshops within prisons. They train prisoners before they are released, and they say to them, “You will have a job at that branch” as they are preparing for release. That gives people that fluidity and certainty of employment as they are being released.

We very much want to improve the employment outcomes for prisoners in the years ahead. The Deputy Prime Minister is working with employers, as am I, to see what we can do to support them. We want to give them the confidence of employing people who have served a prison sentence if they are right for their business.

Apsana Begum: We have taken some amazing evidence from Timpsons about that model that works so well.

Victoria Atkins: Yes, amazing.

Chair: Again, we are aware that there are some very good examples of extremely good practice but unfortunately they are not to scale yet. It is a question of how we achieve that scaling-up to make sure that those incarcerated within the prison estate have a pretty good chance of moving on in a positive way, so that they do not end up reoffending and back in the prison estate. That has consequences for people out there as well as people in there.

Victoria Atkins: I have to say that the Government are leading by example because we are hiring 1,000 prison leavers into the civil service by next year, as we announced in our Beating Crime plan. I think that is a very positive step forward.

Chair: We will watch that with interest.

Q437 **Dr Caroline Johnson:** Just a quick question. In Education Committee meetings we quite often hear about careers advice. Many prisoners when



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they have been convicted, because of the type of offence they have committed or perhaps because they have been convicted at all, will find that their previous occupation drops off or what they thought they were going to do is no longer going to be available to them. Some of them may be surprised by some of the things they are not allowed to do. What advice is given to prisoners to ensure that when they are choosing courses they are choosing something that offers a realistic prospect of employment, rather than something that will lead to a dead end.

Victoria Atkins: This is where employment advisers will come in because there will be professions that require an enhanced DBS check, which means that they will not be able to support that. Also, the wider work that is going on with Ban the Box is a very interesting innovation. We fully accept that not every job, not every profession, not every industry will be able to take those bold steps forward but some can and Timpsons is a very good, national example of that.

Alex Burghart: In DfE we have a deep dive review of careers provision going on at the moment led by Sir John Holman. He is going to be reporting in the summer but I know that one of the things that he is looking at is specifically work with those furthest from the labour market, and prisoners would fall under that so we hope to have something more to say in a few months' time.

Phil Cople: This again relates to the Accelerator prison initiatives as well. Again, one of the roles we are testing out is an employment lead based in a prison. James Timpson has personally done some great work with us about bringing in employers to an employment board, which is also to help us adapt the education provision to labour market needs and employers that are keen to take on people coming out of prison. Again, we intend to take the learning and roll it out with the additional funding.

I think I touched earlier on digitising a candidate matching process. We are trying to match prisoners to vacancies in the real world, which is an important part of that. We are looking at gaps in the labour market. I was at Lindholme Prison in South Yorkshire a little while ago. It is doing theoretical training for HGV licences. Then in the same group, which is an example of moving prisoners between prisons in the same group, there is an open prison just down the road called Hatfield. They go there to do the practical element on temporary release for a HGV licence. There are plenty of opportunities and people can earn a good living in that respect. Where there are gaps like that, we definitely try to exploit them.

Q438 **Chair:** We were talking earlier about trying to integrate in-prison and post-prison education programmes. Is there not some mileage here for allowing prisoners on a much wider scale to begin apprenticeships that they can continue after release?

Alex Burghart: It is a very interesting idea and one that we are currently looking into, partially prompted by the work of the Committee.



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There are a few operational things that we need to work through but we are hopeful that we will be able to find some way through.

Q439 **Chair:** Some witnesses have called for a change to the apprenticeship levy to allow finance to be paid into prisoner schemes. Can you explain why this is not currently the case?

Alex Burghart: Finance to be paid into—

Chair: Into a prisoner training scheme.

Alex Burghart: As far as I am aware, the advice I have been given is that there is no primary legislative barrier to prisoners becoming apprentices. Consequently, it ought to be possible to come up with a scheme that is either an apprenticeship for prisoners or a modified form of an apprenticeship that would enable people who are on, for example, day release, to take advantage of existing funding streams. This is provisional work, Mr Mearns, and I am not in a position to commit us fully and wholeheartedly to it yet but I am optimistic.

Q440 **Chair:** I think you will know that the Committee has tabled an amendment to the Bill.

Alex Burghart: I am delighted to be able to tell the Committee that the amendment is not necessary because we believe that we can make the relevant changes without changing primary legislation.

Q441 **Chair:** Excellent. That is very good to hear but if there are companies who are not using their apprenticeship levy, could the Department not use that money to help finance this because it is an important area of work?

Louise Wright: On this issue, broadly speaking, as the Minister said, we have the option—we will not need to introduce secondary legislation—to make arrangements for alternative apprenticeships, which we could apply to the prison setting.

With respect to your question on the use of the apprenticeships levy for other forms of prison education and training, the apprenticeships budget, which we derive from the collection of the apprenticeships levy, is set at a level that is estimated to fund forecast demand for apprenticeships within the community, so it isn't possible to fund training in the prison system that is not apprenticeships—or, indeed, training elsewhere that is not apprenticeships. It is set at a level that is designed to meet the demand for apprenticeships.

It may also be worth just referring the Committee to the work that we have also been doing with the Prison Service on pre-employment programmes because we have been supporting our colleagues in the Ministry of Justice by sharing information about our programmes, such as our traineeships programme, which is another way of supporting prisoners in gaining employment opportunities once they move outside. That would offer work preparation, work experience and guaranteed job



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interview. We are also working with Ministry of Justice colleagues to support the implementation of their employment innovation fund to look at systems such as that, which could be very valuable to prisoners in helping them as they approach and gain release and gain employment thereafter.

Q442 **Chair:** I am interested in the first part of your answer, Louise. If the training programmes were apprenticeships, could we then use the apprenticeships levy to fund those programmes if they were apprenticeships?

Louise Wright: I think exactly how the funding would flow forms part of the feasibility work that we need to carry out in conjunction with Ministry of Justice colleagues because, as I have just covered, the apprenticeships budget, which we have been given, is set at a level that is there to meet forecast apprenticeships demand. How the funding would flow is a matter that we still need to work through, so we are not ruling that in or out at this time.

Chair: That is something that would help if it had political will behind it, it seems to me, but that is not an answer I would expect you to respond to, Louise. Thank you very much indeed.

Q443 **Kim Johnson:** I think most of this question has been answered because it is about what more employers need to do to employ ex-prisoners and, Minister Atkins, you have spoken about the civil service. We know that Timpsons are a great employer, but there are still major barriers for prisoners on leaving prison. Whether that is about a declaration of their criminal record or the lack of a CV or experience, so what more do you think needs to be done to look at some of those issues to improve the life chances of prisoners?

Chair: In particular, incentivising businesses to actually look at former offenders as potential employees.

Victoria Atkins: I will not trespass into the world potentially of the BEIS Department in that regard but—

Chair: But they are not here, please try.

Victoria Atkins: I get into trouble when I try to take over other Ministries. We can certainly help on the practicalities. I have referenced the resettlement passport that in the Prisons Strategy White Paper. One of the things that we want to be included in the passport is exactly that, a CV. We want to help the prisoner prepare their CV while they are inside, so that it is as seamless as possible when they leave.

In terms of incentivising employers, as I say, the Deputy Prime Minister and I are working with larger employers to encourage them and also to see what we can do to help them make offers because, as we have been looking at some of the data as part of the work of the strategy, we have been surprised that offers that have been made by businesses have not necessarily been taken up in some parts of the country, so we want to try



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to see what we can do to unblock those barriers so that, when offers are made, they can be seized with great enthusiasm.

Q444 **Chair:** From my perspective, and having a local understanding, there are a number of prisons within the region that I live in and represent. One of the things that marks out the economy in the north-east is the absence of larger employers. There are a few but there are not that many. The vast majority of companies are fewer than 50 employees and it is a question of: how we get into those companies to allow them to embrace taking prisoners on day release, for instance, and that sort of thing. If we do not get into the SME world, we are not going to touch large parts of the economy it seems to me.

Victoria Atkins: Yes. The focus on larger employers is precisely because they tend to have larger human resources departments and so on, so that they can work through some of these problems but it is with a view then to disseminating that across the economy to help small and medium-sized enterprises.

We referred to the work at HMP Rochester as an example of a local business going to the prison and saying, "We really need some help with roofing. Can you help us?" Those sorts of relationships is where an enthusiastic governor can reach out to employers locally and form relationships with them.

ROTL, release on temporary licence, is a way that we can help transition prisoners from prison to life outside in the community. Although it is difficult with the pandemic, as the Committee will appreciate, we saw in the last quarter of 2019 a 40% year on year increase in the number of work-related temporary releases to over 80,000 because we are keen to start that journey so that they are very much on the path to success when they walk through the prison gates.

Q445 **Chair:** In terms of incentivising employers, Timpsons have called for national insurance holidays. It is not your Department but obviously the Departments working together can talk to other Departments about something of that nature. Would there be a willingness to do so, just to talk to another Department to see if that would be a possibility?

Victoria Atkins: I always take very seriously what Timpsons say. I hope the Committee has a sense of how committed both Minister Burghart and I are to this agenda. This is not work for the next month, two months, three months. As I say, this is over the next decade.

Q446 **Kim Johnson:** One final question, Minister. The White Paper is looking at incarcerating more people, so I want to know what we are looking to do to look at the root causes of crime?

Victoria Atkins: I spent my entire career before I was elected to Parliament working in the criminal justice system prosecuting and defending, but mainly prosecuting serious organised crime. There is a huge amount of work going on, both in the Home Office but also in the



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Ministry of Justice on the causes of crime, including, in particular, adverse childhood experiences. We know that they will very often play a role in an offender starting on their path of criminality.

We have some very bad people in prison who have done some very, very bad crimes and there is a place for prison to incarcerate them, to punish them but also to protect the public. However, there are people within prison who, if we can work with them, we can help to start a new life and to move away from criminality. Prison is just a part of that. It includes everything from helping women in domestically abusive relationships and the impacts that that can have on their children, in terms of seeing violence at close hand.

It includes youth workers working with young people who are at risk of joining gangs. It includes our huge work that we have announced recently on the drugs strategy to treat drug addiction but also to ensure that people are not becoming addicted in the first place. There are many, many strands and that is why I think so many people who work in this world are so enthused by it because the ability to change lives is there for the taking and it can be a very worthwhile way of life.

Prisons have an essential part to play in our society but, of course, all the work to prevent crime in the first place must continue alongside that. It is absolutely critical.

Chair: Thank you very much indeed. Phil and Louise, Ministers Atkins and Burghart, thank you very much for coming along this morning and giving evidence to the Committee. We very much welcome your input and I am sure that you will be looking forward to our report in due course.