

Written evidence submitted by David Breakspear (Co-Founder at
What Can Be)

Dear Committee members

It fills me with inspiration to have an opportunity of providing you with a written submission regarding education in our prisons. After nearly forty years of being trapped in the arms of the criminal justice system I was finally able to turn my life around. Using the power of my prison education to do so. Education, especially one achieved in prison, can and does have the power of making the impossible, possible.

I do not profess to know all the solutions to your problems, however, I do have a story to tell and one that not only comes from my personal experience over the years, but, also through the mentoring roles I have covered in prison, such as a mentor for Shannon Trust (a charity who provide resources for prisoners who can read to be trained to teach prisoners who can't read to be able to read), as a listener (prisoners who are trained by the Samaritans to provide support to fellow prisoners 24/7) and in a variety of roles covered by a prison education mentor, I have witnessed first-hand the journey of several of my fellow prisoners.

At the age of 10 I received my first police caution. At 14 I was excluded from the education system and at the age of 15, I had slid down the school to prison pipeline. A journey which lasted until April 2019 when at the age of 49 I completed my 'final' prison sentence on licence in the community.

As you are no doubt aware the rate of adults within the prison estate who were excluded from school at some point in their lives is over 40%. Another figure of which I have no doubt you are aware of is that for children in custody the rate is 90%. It is blatantly obvious from those two sets of figures alone that a lot of the problems begin with school exclusion. Although that does not necessarily provide us with the full picture of an individual.

The majority who reoffend are those serving prison sentences of 2 years and under where there is no time, or space on the right class or course, for those individuals to access the resources available to them in prison to help them out of the revolving doors of prison. The correlation between short-term sentences and the high-rates of reoffending is plain to see.

It is interesting to note the lowest rates of reoffending are among those serving sentences of 4 years and over. This could suggest the theory of longer term sentences working is correct, however, I argue it is more to do with the fact that given time, the right opportunities and resources (up to date and relevant to the world today) a very high majority of prisoners will take advantage of what is around them. Because in the cold light of day, no one really wants to be in prison

Time, and timing, is of the essence regarding rehabilitation which highlights the importance of early intervention as do the figures of those in custody throughout the prison estate who were excluded from school at some point.

Throughout my written submission I will attempt to answer the questions as published and raised by the committee whilst also providing both the negative and positive perspective from my experiences.

Former prisoner

What is the purpose of education in prisons?

What the purpose of education in prison is not, is to uncover the next Einstein or for prisoners to reach the peak of academic qualifications. Although, the latter does happen. Education in prison is not just about learning, or re-learning, our 1,2,3's and A,B,C's. Both academic and vocational education are important. The purpose of education in prison is to provide the individual with purposeful activity and the opportunity to unlock *their* potential by providing *them* with the necessary skills, subjective to them as individuals, to lead a life free of offending, addiction, and/or unemployment. Therefore, the purpose of education in prisons should have inclusivity and variety at its very core. Prisons should also be allowed to focus activities within their prison to reflect local issues and employment shortages/opportunities and not have to follow a national policy.

Prison education is an unacknowledged part of the education system but one that plays a vital role in the prevention of re-offending which costs this country over £18 billion a year.

What data exist to demonstrate the effectiveness of education and training in prisons and on prisoner attainment, and what international comparisons are available?

In May 2019, the government produced a review of evidence relating to prison education programmes and whether they improve outcomes for prisoners¹, and in which they say “The most recent comprehensive evidence is from North America. This indicates an associated reduction in reoffending of around 13 percentage points. Both academic and vocational education can improve reoffending outcomes. Research on the impact of prison education in England and Wales looks very promising. The most recent and large-scale national study reported a 7.5% reduction in one-year reoffending rates. More good quality research is needed.”

In a joint experimental statistical report from the Ministry of Justice and Department for Education published in July, 2017, '*Exploring the outcomes of prisoner learners: analysis of linked offender records from the Police National Computer and Individualised Learner Records*'², the key findings showed, based on prisoners released after 2010 that:

- Prisoners who take any form of learning activity have a significantly lower re-offending rate on release from prison than their peers. The proven one-year re-offending rate is 34% for prisoner learners compared to 43% for prisoner non-learners.
- On average, prisoner learners receive a prison sentence on re-offence that is 120 days shorter than their initial sentence. In contrast, prisoner non-learners receive a prison sentence on re-offence that is slightly longer than their initial sentence.
- If a drug issue was raised on entry into prison, the offender was more likely to reoffend, regardless of taking a learning activity.
- Achievement of the learning activity makes little difference to the proven one-year reoffending rate. It is taking part in the learning activity which appears to have the most impact.
- Prisoner learners and prisoner non-learners who were in P45 employment prior to their prison sentence have significantly lower proven one-year re-offending rates compared to those not in P45 employment.

How well are additional learning needs met by the prison education and youth custody systems, including SEND and language and communication needs?

Among those entering prison between 2017-18, and upon assessment, 34% were recorded as having a learning disability or difficulty.³

In 2008, the Prison Trust published *'Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties'*⁴ where it was reported, "people with learning disabilities or difficulties are discriminated against personally, systemically, and routinely as they enter and travel through the criminal justice system. They are frequently excluded from elements of the prison regime including opportunities to address their offending behaviour."

The report goes on to tell us that "Prisoners with learning disabilities or difficulties are more likely than other prisoners to have broken a prison rule, they are five times as likely to have been subject to control and restraint, and around three times as likely to report having spent time in segregation."

Therefore, the additional learning needs of prisoners is an area that needs significant improvement in all parts of our criminal justice system.

Does education in prisons deliver the skills needed by employers, and what more can be done to better align these?

Plain and simple, no it does not. One of the main reasons for this is, over the years, the construction and hospitality industries have continued to be sympathetic to the criminal justice system. In turn, not only has this seen a huge rise in the number of organisations and/or companies from those industries associated with prisons it

could also be argued the prison education curriculum has been designed with employment in those industries as its main focus.

I mentioned in response to an earlier question that “Prisons should also be allowed to focus activities within their prison to reflect local issues and employment shortages/opportunities and not have to follow a national policy.” As well as being a part of society our prisons are also part of their local communities. As we know, prisons are expensive to run but on the flip side of the coin they also bring, and add, value to the local economy. Prisons can bring and add more value to the community by connecting more with the variety of different businesses within the prison’s catchment area. I can envisage prison shops in villages and towns selling produce grown in the local prisons, staffed by prisoners on ROTL. Prison craft shops, and clothing shops, again staffed by prisoners on ROTL, selling arts and crafts which have been created by prisoners, etc. to the local communities. Alongside the many benefits, the major benefit would be the connection between the local community and the prison(s) in the area.

How can successful participation in education be incentivised in prisons?

Although this has been addressed and rectified in a small number of prisons one of the main reasons why education is not at the top of a prisoner’s list is down purely and simply to the low rates of pay for attending education. In a lot of prisons in England and Wales you are paid more for sitting in a chair, or standing to get some variety in the job, every session putting tea-bags, sugar sachets and sachets of whitener into a clear plastic bag. This is where some prisoners are caught up in a catch 22 situation. In my experience those who need education the most are individuals who come from deprived areas and whose families/loved ones may not be able to financially support them through their sentence. You do not need a lot of money to survive for a week in prison, but it is more than what education

usually pay a week. Therefore, in several cases, it is not the fact an individual does not want to attend education, it is because they cannot afford to. Having an education, regardless of the level attained, will add value to an individual learner's life. It is way past time for the prison system to add value to the education it facilitates. If the prison does not value education, how can we expect our prisoners to do so.

How might apprenticeships work for those in custody?

Apprenticeships for those in custody has a number of benefits attached to it alongside the employability benefits. It would provide the individual with not only purposeful activity but also something other than a release date to work towards. I believe that rehabilitation is an attitude, I am also of the opinion that prisons have not and never will rehabilitate an individual. It is within the activities a prison provides where the changes of attitude occur. You do have a lightbulb moment, but change does not happen overnight. The lightbulb moment usually takes place on a course, or in a classroom, or a workshop, maybe even the gym. However, very rarely does it happen while your laying in your cell watching EastEnders. One huge benefit that apprenticeships would provide is hope and sometimes, hope is all you need to influence change.

Are current resources for prison learning meeting need?

A simple answer, no. During writing this submission an article was published in the press regarding HMP Pentonville⁵. The overall theme of the article is how the lack of digital technology has affected education provision in our prisons since the lockdown began in March. I can draw on my own experiences here as to how the lack of digital technology affected my own learning. An experience that also highlights the disparity of being an Open University student in prison as compared to a student in the community, and yet, my student loan is still the same amount.

In October 2017, whilst serving a prison sentence, I began studying a degree in criminology and psychological studies with The Open University. The only resources available to me were the text books I received along with the transcripts on the online videos and audio playbacks. Technically, I had a tutor who I could contact via telephone (or email, however, that was unavailable to me) but the time it took to arrange the call and for me to speak to them, any issues or concerns I had were handled by the education staff, because at the time I was employed as an education mentor so was fortunate to have that support around me. I'm pleased to say that it didn't have a detrimental effect on my work I produced, however, upon my release, in June 2108 which was mid-term for The OU, and then re-starting my degree in the October due to the information and resources that were now available to me I became overwhelmed by it all and subsequently deferred my degree for a year. This move still cost me 50% of the course fee.

During that year I was able to access the Open Learn website where you can study online in a variety of different subjects free of charge, similar to a taster session. This enabled me, not only access to free education and improve my knowledge base, but to also become familiar with studying online. Open Learn and other online education platforms would be a wonderful resource to complement the education department if it were available to access from prison. Especially from an individual's cell.

What should happen when prison education is assessed as not meeting standards?

The governing governor of any prison establishment is where the buck should always stop when it comes to standards not being met in their respective prison. They are the ones ultimately responsible for what goes on in their prison. However, with that buck should also come a range of powers and sanctions available to the governor. It would be a political disaster to allow a headmaster to fine his

teachers within mainstream school, but education in our prisons is outsourced and provided by companies for-profit. These companies receive a lot of the criminal justice system's budget, so if they are not maintaining the standards set then the governor should have the power to either fine or withhold part of the payment.

Being a for-profit business is a major concern of mine regarding education in our prisons. For one I struggle to swallow anyone making a profit from prison, it does not sit right with me. With a little reframing prisons could become environments that produce their own income and therefore, cover its own running costs.

I have experience from having worked as an education mentor in prison to be aware that not everyone in education needs to be there and are only there to fill up empty chairs. The figures relating to education in prisons makes for sad reading and yet I suggest even as bad as they are, they do not provide the full picture as education providers look to tick boxes rather than provide education for those that need it most.

How does the variability in the prison estate and infrastructure impact on learning?

Again, speaking from my personal experience as both a reception orderly in a local category B prison and as an education mentor learning can be and does get impacted upon. You can find it, through no fault of the individual, difficult to settle in prison, especially for someone serving a short-term sentence and, in my experience, it is among the short-sentences where the majority of re-offending takes place. It is also this group where levels of education are the lowest. It is my suggestion that those on short-term sentences are individuals who need education the most.

If short-term sentences are to remain then those serving short-term sentences need to be separated from those serving longer-sentences.

Prisoner's in Cat A and Cat B and those serving long-term sentences in a Cat C are able to invest their time in a 28-week course, those serving 6 months clearly not so.

You can also find yourself studying for a course for a length of time, be transferred to another prison where the education is facilitated by a different provider and they do not provide the same course. Or may have a waiting list that the individual cannot access.

How does provision compare in public sector and privately run prisons?

Better and more resources, however, and no doubt a reason for this inquiry, the same disappointing outcomes.

How effective and flexible is prison education and training in dealing with different lengths of sentences and the movement of prisoners across the estate?

I have somewhat answered this question in the 'How does the variability in the prison estate and infrastructure impact on learning?' question.

It is not rare for a prisoner to sit waiting for a course, begin the course and then transferred. Prison regime will always trump any individual's rehabilitation journey.

It is regularly said that lessons will be learnt. I say let us hope it is one day soon. It is in your power to make that day today.

References

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