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### **What is the purpose of education in prisons?**

The purpose of education in prison should be a social reality of helping prepare someone to be able to participate in day- to- day activities within the prison and after in society when the person leaves prison. The education provision should not only be about supporting the person in gaining qualifications that can be used to secure employment, but to also support them in developing softer skills that they may not have been taught throughout their lives. It should not be about attendance in a classroom. We need to think of education beyond classrooms and across all spaces in the prison including cells, workshops the gym and on the wing. It should educate the person in the skills required to function such as understanding their mental and physical health wellbeing and provide teaching relating to 21st Century skills .It should be, where possible, to develop a set of transferable skills that can be used to gain employment. It should not be reductive and only about literacy and numeracy, but encourage engagement, grow self-esteem and include skills such as teaching independent living skills, financial, digital and emotional literacy, critical thinking, and communication skills.

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

There remains a tension between medical and bio-psycho- social models of practices and the words and conditions we are using relating to neurodiversity, ALN, SEND and language and communication needs. This relates to the different professionals involved and a lack of transdisciplinary working. We use the term 'additional' when nearly half of the prison population has specific learning challenges. A second consideration is the inconsistency in the terms used and their definitions. These are changing over time and are different between different parts of services such as health, justice, and education. This causes confusion for the individual, staff and also to create a set of processes which flow across the justice system within and out of prison.

Terms such as SEND, additional learning needs, and Learning Difficulties and Disabilities (LDD) are used alongside neurodiversity. There are inconsistencies and inaccuracies with some of these definitions. Some of the terms include some conditions and others are being excluded. Gaining a common language across health and education would be of great help.

Some conditions are cited in health and others in education despite the person remaining at the centre and can thus be lost in the process. This wastes time and resources. An example of the reality of this is that Dyslexia which is generally seen within 'educational' domains, and ADHD a 'health condition' are often not considered together despite 25-40% of people having an overlap of both. Dyspraxia (also internationally known as Developmental Coordination Disorder) resides often in education despite the fact that a differential

diagnosis is needed in order not to miss out on someone potentially having a brain tumour or multiple sclerosis causing their coordination difficulties.

The approach is not always person-centered, but has become a tick-box exercise to get through, is often related to payments and not to gaining an understanding about the person better as a whole and how to provide education that meets their needs.

There are some excellent educators who are passionate about making a difference at the heart of much of the delivery, and some know this is not the right approach and want something different.

Some approaches often consider single conditions- taking an 'either you have it /or not' status. This dichotomous approach means only those meeting a diagnostic threshold (which is also not standardised across the UK) get identified, but those below a specific line (or score) are declared as not having the condition and then do not receive support. This results in a significant 'missing middle' that move around the prison system neither gaining educational success or targeted support. The tick- box approach results in a score defining someone in a categorical manner and may miss out on crucial information to understand that person as a whole. Many people will have moved around education, been excluded from school, become homeless and have mental health challenges and substance misuse. This information is also important to consider when supporting someone who is neurodivergent.

A siloed approach results in information then being used by education to plan provision and may be inaccurate and not actually helpful as it only represents part of that person. It doesn't describe where the challenges may lie to aid planning. In addition, a diagnosis of dyslexia or autism per se does not allow an understanding of the profile of the person. Two people with Autism Spectrum Disorder may be very different in relation to literacy, communication and intellectual ability for example.

Academic underperformance has a multitude of causes including non- attendance for varying reasons. Seeing someone as having 'misbehaviour' (from not being diagnosed with ADHD or having had language and communication challenges) can lead to school exclusion which is commonly noted among the prison population. This misinterpretation leads on to the education focus remaining on behaviours and not the reasons for the behaviours. In one Category C male prison, where Do-IT Profiler had been used, 2/3 people had been excluded more than once.

As has been cited in this call for evidence, we see high levels of previous exclusion alongside low levels of literacy while in school. There is extensive evidence in children in alternative provision having high rates of language and communication delay, also known as Developmental Language Disorder(DLD) with co-occurring ADHD traits, alongside literacy challenges (Dyslexia and/ or functional illiteracy),and ASD along with other important social factors such as risk of homelessness and the presence of adverse childhood events (ACEs').

I have recently been undertaking work in alternative provision settings which is showing high rates of traumatic brain injury in children (in more than 50% of young people), and is

presenting in some learners as attention and concentrating difficulties. This information had not been considered at all previously, as it had not been asked. In prison, we see similar, high levels of previous head injury which may be contributing, importantly, to difficulties with educational engagement.

There is a need for a cohesive and person-centered approach to assessment of educational needs which should include asking about past head injury as well as a social and educational past history. This is not usually done as standard. We see quick checklists for specific conditions leading to single scores that do not provide a picture of the person and they also do not deliver any guidance for educational staff or for those on the wing on how to support the person. They have to be administered by staff, scored, are not accessible in design or delivery.

Many people in prison do not fit into one neat diagnostic box. I have recently published two papers with colleagues providing evidence relating to this in both female and male offenders. We showed the wide variability of presentation of challenges which add up to cumulative adversity, but if were seen or screened in silos, this would have been totally missed. We saw huge variability and every combination of challenges being seen. It is this variability that is the reality and that needs to be considered so that we meet the needs of each individual.

The repeated evidence that nearly 50% of the prison population having low literacy skills, high levels of undiagnosed Developmental Language Disorder (DLD) and the international and UK studies also demonstrate at least 30% of the prison having ADHD traits. This evidence should be a clear indicator that screening in silos hasn't worked so far as a means of guiding support.

Reference:

Young and Cocallis, 2019, <https://pubmed.ncbi.nlm.nih.gov/31037396/>

This approach missed many and has failed the individuals when in education in schools and will continue to do so in prison if we try to push this. Recognising a cumulative adversity pathway is essential to understand a whole person view and target support.

Difficulties with language and communication is a barrier to educational activity and there is evidence that the presence of DLD presents a considerable barrier for young adults to engage in further education and training. There is evidence that the language and communication difficulties are likely to continue into adulthood<sup>1</sup> and there is evidence of emotional and psychological impact.<sup>2</sup>

References:

1. Law, J., Rush, R., Schoon, I. and Parsons, S., 2009, Modeling developmental language difficulties from school entry into adulthood: Literacy, mental health, and employment outcomes. *Journal of Speech, Language, and Hearing Research*, 52(6), 1401–1416.

2. St Clair, M. C., Pickles, A., Durkin, K. and Conti-Ramsden, G., 2011, A longitudinal study of behavioral, emotional and social difficulties in individuals with a history of specific language impairment (SLI). *Journal of Communication Disorders*, 44(2), 186–199

Both reading and writing are also areas of difficulty for adolescents with DLD so we cannot consider Dyslexia for example without considering the DLD.

#### References:

1. Ref: Bishop, D. V. M. and Snowling, M. J. , 2004, Developmental dyslexia and specific language impairment: same or different? Psychological Bulletin, 130, 858–886.
2. St Clair, M. C. , Durkin, K. , Conti-Ramsden, G and Pickles, A. , 2010, Growth of reading skills in children with a history of specific language impairment: the role of autistic symptomatology and language-related abilities. British Journal of Developmental Psychology, 28, 109–131

Screening to gain a picture of an overall profile rather than determining a narrower process also allows also for the rapid capture of other factors that may be limiting engagement in education such as concerns relating to homelessness, and past and/or current mental health challenges/substance misuse. Someone won't be able to engage in education if these needs have not been addressed.

Education needs to be delivered as part of a whole prison-approach and we have seen this successfully implemented in prisons such as HMP Cardiff and HMP YOI Parc in Bridgend in South Wales where information follows the person in prison not only to education, but onto the wing and Healthcare as well. This approach can also support safer custody as the evidence shows the link between neurodivergent traits and mental health including risk of suicide and self-harm.

The successful implementation of this approach has been achieved by delivering training for staff in education and officers in relation to learning difficulties and disabilities/neurodiversity so that some 'universal strategies' can also be put in place and taking a consistent approach.

In the Welsh prisons and also in Scottish Prison Services a train the trainer programme was put in place to create a sustainable model of practice and delivered by myself and a colleague Helen Arnold-Richardson.

The prisons taking a more holistic approach ensure information on the wing is relayed to education and vice versa so there is consistency and, if appropriate, a referral to healthcare is made so the person is appropriately supported. Education should not reside separately and in isolation to other activities within the prison system otherwise it represents and feels for many like the failings of education they have previously experienced. Consistency across education in establishments is important and the information should travel with the person with their own passport/ILP, saving time and money so that the information can inform sentence plans. This allows for a more professional focus and time to be targeted on interventions.

Feedback from peer mentors where Do-IT Profiler is used on induction stated:

*'The men like the Profiler as they would never have gone to get help before. The Profiler has helped them with this'.*

*'The Profiler is a good thing- it highlights the problems that people have. When doing the interviews, men have said that they know that they have had problems, but no one has ever listened to them before. The report [from the Profiler] provides a starting point for the person to open up in the interview with us.'*

The person-centred screening tools are also being used in youth offending, alternative provision and a secure training centre, and a trial is just starting in 2021 in two probation settings.

We have seen, in all Criminal Justice settings, a complex picture of variability in the presentation which can negatively impact on the persons educational attainment if not supported.

#### **Examples of published work include:**

- Kirby, A., Williams, W.H., Clasby, B., Hughes, N. and Cleaton, M.A.M. (2020), "Understanding the complexity of neurodevelopmental profiles of females in prison", International Journal of Prisoner Health, <https://www.emerald.com/insight/content/doi/10.1108/IJPH-12-2019-0067/full/html?skipTracking=true>
- Kirby, A., Williams, W.H., Clasby, B., and Cleaton, M.A.M. (2020), " Young men in prison with Neurodevelopmental Disorders: Missed, misdiagnosed and misinterpreted", Prison Service Journal no 257, 46-58
- Cleaton MAM, Kirby A (2018) Why Do We Find it so Hard to Calculate the Burden of Neurodevelopmental Disorders? J Child Dev Disord. 4:10.
- Kirby, A and Saunders, L (2015), "A Case Study of an Embedded System in Prison to Support Individuals with Learning Difficulties and Disabilities in the Criminal Justice System," Journal of Intellectual Disabilities and Offending Behavior 6, no. 2: 122–124.
- Smith, J and Kirby,A(2006), "Identification and Implication of Specific Learning Difficulties in a Prison Population," Forensic Update, 84, (2006): 15–19.
- Arnold-Richardson, H (2019) Tech for good - unlocking a 'needs led' approach to Learning Difficulties and Disabilities in prisoners. EPAL accessed 4/01/21  
<https://epale.ec.europa.eu/en/blog/tech-good-unlocking-needs-led-approach-learning-difficulties-and-disabilities-prisoners-0>
- Kirby,A (2020) <https://doitprofiler.com/neurodiversity-embracing-inclusivity-in-the-magistrates-courts/>

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

One provider delivering all services produces a more cohesive programme and information is relayed from education to the wing and vice versa. This can be seen where this is being delivered in both private and public sector prisons.

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