



RSA

The Learning Prison
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RSA

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The RSA is an enlightenment organisation devoted to finding innovative practical solutions to today's pressing social problems. Through its 27,000-strong Fellowship it pursues its mission: to help people be the people they need to be to see the change they want in the world.

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“No man is a prisoner and nothing else.”

Archbishop William Temple (1881-1944)

The RSA

The RSA has been a source of ideas, innovation and civic enterprise for over 250 years. In the light of new challenges and opportunities for the human race our purpose is to encourage the development of a principled, prosperous society and the release of human potential.

Underpinning our work are enduring beliefs in human progress, reasoned enquiry, environmental sustainability, and ethical commitment, combined now with a dedication to public participation and social inclusion.

Drawing together different disciplines and perspectives, we bring new ideas and urgent and provocative debates to a mass audience. Our way of working consists of providing a platform for critical debate, new thinking and practice: working with partners to translate knowledge and progressive thinking into practical change.

We work with partners to generate progress in our chosen project areas, and through our Fellowship of 27,000 people we are seen as a source of capacity, commitment and innovation in communities from the global to the local. Fellows are actively encouraged to engage with our work and to develop their own local and issue-based initiatives.

The rationale for our projects ranges from those which seek to push the boundaries of thought in areas fundamental to the RSA's mission, to those which develop new multi-disciplinary approaches, to those which work directly with practitioners to generate research-based innovation and change.

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Foreword

Prisons and education are difficult partners. Incarceration in itself both punishes the offender and protects others, but without education and development of skills for employment it offers no long-term social remedy. Yet education is difficult to provide under conditions in prisons, which vary hugely in their size and how they function. Relatively few prisoners – typically the most serious offenders – have the long-term tenure in a single prison that is needed to sustain learning.

I am impressed by the enormous – and impressive – efforts that are going into prison education in Britain, but depressed by the adverse conditions under which they are undertaken. Spending on prison education and training has risen in recent years to over £150 million in 2007/8. This is very welcome but is dwarfed by the staggering £11 billion that reoffending by ex-prisoners is estimated to cost us each year.

During the period of our deliberations there have been some significant changes to learning and skills provision. I am heartened by the real progress that has been made in the number of people engaging in prison education but disheartened by the fact that so little good news about prisons is championed by government or our media.

The RSA has done an excellent job in setting up the Prison Learning Network and in drawing upon so much willing assistance from across the range of those involved in current practice. It has provided an opportunity for practitioners to share experiences, and to get away from the usual polemical and divisive debate between elite groups about the role of prison.

The Learning Prison suggests key principles for reform, central to which is that of seeing prisons as a core public service that benefits us all through rehabilitation as well as incarceration. It begins to re-imagine how prison's role as educator could be placed centre stage to issues of public safety, setting out a vision of a modern service underpinned by strong evidence, community engagement and the deployment of the latest technologies.

This report tries to reflect the constructive nature of our deliberations and to highlight some of the innovations that were shared with us. At an important political moment, it argues for considerable political courage, leadership and inspiration to complement the willingness of practitioners to innovate and to secure greater public support.

Malcolm Grant, President and Provost, University College London
Chair, RSA Prison Learning Network

Acknowledgements

This paper includes examples of current initiatives that were cited by the RSA Prison Learning Network's participants. It brings together case studies and some of the evidence that was shared with us from throughout the duration of the Network, and aims to reflect the expert views and the practical experiences of the people involved. Not everyone agreed on everything: the value of the Network was to bring together people who had different perspectives and diverse experiences and roles. Ultimately, this paper is the responsibility of the author.

The RSA would like to thank those who worked with us including the 120 people who attended our working groups, the Advisory Board and authors of the commissioned papers¹. We would particularly like to thank: Malcolm Grant who chaired the Advisory Board; Fran Sainsbury who began the project; Steve Broome and Rebecca Daddow at the RSA who helped complete it; and Tez O'Lalobo, who joined us from Her Majesty's Prison Service, and Jonathan Emery for their work on case studies.

The input of Phil Emery, Mark Johnson and Clive Martin was particularly useful. We tested early ideas with prisoners including a group of adult male, adult female and young offenders and asked them about their experiences. We would like to thank all the people – staff and inmates – who engaged in this process and helped us to better understand the challenge and potential for change. We hope we have done you all justice.

Finally, this project would not have been possible without funding from the Bowland Trust, or RSA's Fellows who helped to enrich our thinking and without whom none of our work would take place.

¹ Authors of the working group papers: Isabella Boyce, Emma Disley, Lisa Englebright, Mike Hough, Gillian Hunter, Patsy Quinn, Jennifer Rubin, Anton Shelupanov and Craig Watt

Biographies

Professor Malcolm Grant CBE

Malcolm Grant has been President and Provost of UCL since 2003, and was previously Pro-Vice Chancellor of Cambridge. Born and educated in New Zealand, he is an environmental lawyer and Bencher of Middle Temple, and has researched and published extensively in environmental planning, and local government law. He was appointed CBE in 2003.

He is a member of the Higher Education Funding Council for England (HEFCE), the Economic and Social Science Research Council (ESRC) and the Hong Kong University Grants Committee. He is also a Governor of the London Business School and the Ditchley Foundation.

He was appointed by the Prime Minister in 2008 as a UK Business Ambassador. He has also served as Chairman of the Russell Group of the UK's research-intensive universities, the Local Government Commission for England, the UK Agriculture and Biotechnology Commission and the Standards Committee of the Greater London Authority.

Rachel O'Brien

Rachel O'Brien is a freelance writer and consultant. Until August 2008, she was Interim Projects Director at the RSA where she oversaw the work of the Prison Learning Network. Prior to this, Rachel was Special Advisor to Ruth Kelly, then Secretary of State for Communities and Local Government.

Before joining government she was Director of External Affairs at the Institute for Public Policy Research and prior to this, Head of Media and then Director of External Affairs at Shelter. Trained as a journalist, Rachel began her career in political publishing and then worked as Head of Media and Editor at the Children's Society.

The Challenge

I. The RSA Prison Learning Network

A quick quiz: can you name the European country that is home to each of the three prison initiatives below?

Case study 1: Organic restaurant

In spring 2009 a new restaurant opened. Its customers can expect dishes like pan-fried John Dory, paupiette of chicken with spinach mousseline, roast turbot with broad beans and pancetta, and lavender mascarpone with spun sugar. Organic ingredients are supplied directly from the restaurant garden, with the aim of making the business self-sustaining. The restaurant has attracted the food critics to share their hard-headed assessments and invited members of the public to part with their cash.

Many new businesses are currently facing tough times. This venture has additional challenges: diners have to hand over their valuables, undergo a body search and pass through several reinforced steel doors before they are seated. Unlike other restaurants, this one is inside a prison and will be staffed by prisoners who will continue to eat standard prison fare serving up food to prison staff, and invited members of the public. It offers prisoners an opportunity to gain catering qualifications, work experience within an exciting and operational business, and guidance to a full-time job upon release. The venture aims to encourage employers – through the high media profile of the restaurant and direct visits – to be more open to offering jobs to ex-offenders.

See: www.theclinkonline.com

Case study 2: Literacy scheme

Adults who cannot read or write tend to try to hide the fact. A high percentage of offenders face this obstacle: for some, prison may be the first time they have tried to learn the basic skills most of us enjoy and rely upon to make progress in the world.

In 2000 an initiative that enables external mentors and prisoners with literacy skills to work with those who do not have them was started in a single prison; there are now 128 prisons supporting it. The scheme is adjusted to each prison and prisoner. It relies on the good will, enthusiasm and commitment of the people working in prisons and the fact that neither mentors nor mentored see the scheme as a part of 'formal' education. An evaluation published in 2005 concluded that it was a highly effective initiative that had a positive impact on offenders, particularly where mentors were peers – former or serving prisoners.

See: www.toe-by-toe.co.uk

Case study 3: Radio station

Broadcasting since 2007 in a prison that had a high level of self-harm and suicide, one radio station won a prestigious national broadcasting award in 2009, even though its audience is limited to 800 prisoners. All programmes are pre-recorded and edited by civilians who run the station. Shows cover religion, poetry and music but programmes are punctuated with information and public service announcements rather than with advertisements. In the evening the station broadcasts interviews between inmates and a regular slot where the governor responds to prisoners' questions.

The aim of the station is to improve communication within the prison and build skills in broadcasting and in information and communication technology (ICT) among inmates. Volunteers undertake full-time production courses, learn how to use editing software as well as the broadcast deck and are taught to work as if they were in a normal job. Working at the radio station has become highly popular with the prisoners.

See: www.prisonradioassociation.org

These examples are not to be found in Norway, or the Netherlands, nations that have long-standing reputations for welfare-led approaches to criminal justice. They are all in the UK and are just three examples of the case studies shared with participants in the RSA's Prison Learning Network.

The Prison Learning Network was launched in March 2008 to explore and to champion the huge pool of experience of innovative and often effective work that takes place across the prison estate but is seldom shared within the profession, let alone with the public.

This is work performed behind locked doors within a prison system under intense pressure, and includes many creative and brave initiatives like those in our three case studies above. Case study 1 is of the Clink restaurant at HMP High Down in Surrey, which opened in May 2009. The second is a reading project called Toe by Toe, which in 2005 was commended by the House of Commons Education and Skills Committee; there has been a steady increase in the use of the peer-to-peer and mentoring methods pioneered in that project². And the third case study, Electric Radio at Brixton Prison, won a Sony Award in spring 2009; initiatives like these exhibit an increased focus on prisoner engagement and innovative ways of providing learning alongside the development of ICT skills.

While these projects are relatively well known within the criminal justice world, there are hundreds of other less visible examples involving governors and staff, often working with small external organisations engaging with offenders inside (and outside) prison. The Prison Learning Network was set up to provide space for sharing more of these examples and for championing the effective innovation taking place. This paper sets out our main findings.

2 Toe by Toe was evaluated by CfBT Education Trust on behalf of the Department for Education and Skills' Offenders' Learning and Skills Unit in 2005: www.shannontrust.com/olsu-executive-summary0508.pdf

RSA's work on education and public services

The Prison Learning Network speaks to the RSA's history of work on education; from our campaign for equal education for girls in the late 1800s, to our current Whole Education Campaign, a coalition of practitioners, parents and educationalists, providing a space for sharing innovation and generating public debate about schooling in the 21st century.

For over a decade the RSA has been developing the Opening Minds curriculum to focus on children's need to learn practical life skills – or 'key competencies' – alongside gaining knowledge (see case study 4). The RSA Academy in Tipton, West Midlands, is the first school to be designed around Opening Minds and we are now using our experience to pilot area-based learning in Manchester (see case study 36). In line with our increased focus on civic innovation, the RSA is now developing a new qualification aimed at rewarding and strengthening community action.

Case study 4: Opening Minds

Opening Minds is a competence-based curriculum framework, which at the end of 2009 was being used in over 200 schools. The Opening Minds 'competencies' cover five main areas: citizenship, learning, managing information, relating to people and managing situations. The curriculum provides a broad framework in which the content of the national curriculum can be delivered in a creative and flexible way so that young people are prepared for the real world.

In 2008 the RSA analysed available Ofsted data on how Opening Minds is being implemented in schools, and the impact it is having. It found that 93 per cent of comments made about Opening Minds in the reports were positive and that three quarters of the schools using it were rated as good or outstanding. Ofsted noted the impact of Opening Minds on results and attainment in some schools where Opening Minds students have taken Key Stage 3 tests or GCSEs.

A survey of schools found that nearly a fifth of schools using Opening Minds felt that they had fully achieved the improvement in behaviour that they had sought and a further 50 per cent stated that good progress had been made. All respondent schools felt that Opening Minds had helped them to make at least some progress towards creating independent learners, which was also the most important aim for most schools.

Source: www.thersa.org/__data/assets/pdf_file/0019/155125/RSA-Opening-minds-impact-update-2008-final.pdf

The Prison Learning Network also forms part of our wider work on public services. Our Connected Communities programme is developing new methods of social regeneration based on a better understanding of the role of social networks, while our drugs project is involving users in service innovation and design (see case study 25). The RSA hosts the Public Services Trust [www.2020publicservicetrust.org], which is undertaking a major commission on the future of public services.

All these initiatives are focused on the need to better engage practitioners, end-users and the public in innovation, delivery and debate. They place the issue of user empowerment centre stage in thinking about how we meet our need and desire for effective modern public services in the context of fiscal pressures and rising public expectations. We have tried to bring this emphasis to the Prison Learning Network, which has been driven by and aimed at practitioners who have to deliver in exacting circumstances.

The project

The Prison Learning Network has benefited from having an advisory board of senior prison staff and education providers, working with experts including those drawn from academia and non-governmental organisations. All participants share a commitment to rehabilitation and a belief that alongside punishment and behavioural interventions, learning and skills provision can play a critical role in enabling people to live productive, crime-free lives. The Government has recognised this work as fundamental to achieving its ambition to reduce the rate of reoffending by 10 per cent by 2010 and many of the changes that have taken place that are outlined here reflect that commitment.

More recently, the Conservative Party set out its plans to reform the prison system, based on ‘nothing less than the most fundamental shake-up of prisons for two centuries’. Promising a ‘rehabilitation revolution’ should they win the general election, the party has proposed new regional Prison and Rehabilitation Trusts which, alongside governors, would be paid by results: the reoffending rates of their population³. All three main parties in England support the use of restorative justice programmes, with the Liberal Democrats committed to their national rollout. The Liberal Democrats would introduce community justice panels, alongside more rigorous community-based punishments to replace short sentences. The party has called for a more evidence-based approach rather than policy debates based on ‘hard’ versus ‘soft’ interventions.

Prison policy is highly complex and controversial. The Network spent some time thinking about how we might try to balance depth and focus in this context. Offenders have diverse needs and the prison population has been changing rapidly over the last decade. Prisons vary substantially in size, population and culture. The functioning of the prison service is dependent on what happens to people before and after they are in custody. What happens inside may be largely invisible to many but is nonetheless shaped in particular ways by social, political and economic shifts on the outside, including often polarised media reporting, which can inhibit political leadership.

The Network did not wish to ignore these issues and, as we have tried to acknowledge throughout, complexity and public support are central challenges to reform. However, we needed to prioritise. In discussion with practitioners we chose six central themes – addressed by working groups and papers – that we felt were central to our purpose (see Table 1).

3 The Conservative Party, *Prisons With a Purpose*, Security Agenda, Policy Green Paper No. 4, October 2009

Table 1: The Prison Learning Network: core themes and working papers

1 Learning inside: from capabilities to qualifications

- * What do we mean when we talk about prison learning and do we understand the relationship between different kinds?
- * What works best in engaging hard to reach offenders and what do we know about the role of motivation?
- * How important is personalised learning?
- * Can we improve our understanding of the relationship between skills, capabilities and qualifications?

2 Online inside! Offender learning and the role of technology

- * How are education, learning and skills within prisons driving the use of technology?
- * Can technology be more widely used in providing learning opportunities and to motivate offenders?
- * What are the challenges and opportunities for technology-enabled learning?
- * Can facilities be opened up more widely to staff and prisoners' families?
- * What security and public concerns need to be addressed?
- * Can technology improve learner records and the smooth transfer of information as people pass through and out of the estate?

3 Peer-to-peer work, mentoring and user engagement

- * How is peer-to-peer work and mentoring being used within the prison service?
- * What works and is best practice in different types of approaches?
- * What are the problems and opportunities?
- * How does this link to broader questions of 'user participation' in prisons?

4 Through the gate: the first six months after release

- * What more can be done to ensure continuity of learning after release?
- * What are the best examples of services and non-governmental organisations joining up to prevent offenders falling through 'the gap'?
- * What are the roles of different agencies and do short-term sentenced offenders have particular needs?

5 Breaking down the barriers: the challenge of post release employment

- * What can be done to change public attitudes towards the supporting of ex-offenders?
- * What would encourage more employers to engage with rehabilitation programmes further?
- * How can local communities help with integrating ex-offenders?
- * What particular challenges does the current economic climate present and what are the implications of this?

6 Structure, culture and management

- * How can we build on the training, professional development and recognition of offender educators?
- * How can we support, train and motivate officers involved? Are there opportunities to open up training for officers themselves?
- * How do targets drive work and funding?
- * What can be done to share the existing innovation across the services?

Learning for whom?

What do we mean by prison learning? Structured education linked to qualifications? Skills for life focused on basic literacy, numeracy and ICT skills or activities often taking place outside the 'classroom' that help people to develop life skills such as communication, reasoning and confidence? Where do prison work and offender behaviour programmes figure? What about purpose: should the core objective of learning and skills programmes be reducing reoffending, securing qualifications or perhaps harder to measure improvements to the way prisons function, or to prisoners' wellbeing and their capacity to resettle?

These questions revealed significant differences in emphasis among Network participants around the degree of flexibility of provision and choice for offenders. They gave rise to sometimes heated discussion about what should be prioritised, the role of government targets and the impact those could have on incentivising governors, staff and providers and in driving commissioning and funding.

With some exceptions, most of the significant differences between participants were about emphasis rather than fundamentals. These disagreements were often but not exclusively linked to people's role within the system. For example, for governors the need to find ways to involve prison officers effectively in the design and delivery of learning was a particularly pressing issue, as was the balance between security and the use of technology to support learning and skills. Meanwhile, voluntary sector providers – particularly smaller agencies – were more likely to argue against the need for tougher evaluation and greater consistency in measuring outcomes. This was understandable given the resources available to most. As one provider of peer-mentoring put it: 'We know it works.'

The Network decided that we would restrict ourselves largely to in-custody and through-the-gate provision (not alternatives to custody) and attempt to take a broad view of learning and skills. We discussed whether or not prison learning (and our deliberations) should prioritise certain kinds of prisons or inmates. Should we explore particular parts of the estate? Concentrate on young offenders, shorter stay prisoners or those inside for longer periods where engagement in learning can be easier to achieve?

We discussed whether or not prison learning should prioritise certain kinds of prisons or inmates. Should we explore particular parts of the estate? Concentrate on young offenders, shorter stay prisoners or those inside for longer periods where engagement in learning can be easier to achieve?

Again, our primary objective was to look at practice across the estate and not to restrict ourselves narrowly to one section of the prison population. As such, we recognise there are particular issues facing specific groups of individuals and prisons that we have only touched on here. For example, we have not covered in any detail the specific needs of foreign nationals, female prisoners or young people.

Most participants saw engaging prisoners serving long-term sentences in learning as important, with organisations including the Open University (see case study 5) and Prisoners' Education Trust [www.prisonerseducation.org.uk] providing inspiring examples. At the other end of the scale, some argued that making effective provision for those on remand or prisoners serving sentences under six months was almost impossible and that focus here should be on resettlement, preparation for learning outside prison and maintaining family contact, all of which can make a significant contribution to reducing reoffending levels⁴.

Many participants of the Network were resistant to making a strong argument for focusing on any particular groups: or more to the point, for de-prioritising any group. However, there was a broad acknowledgement of a need to develop more effective ways of providing learning and skills interventions for those prisoners who moved around the system, were inside long enough for interventions to go beyond information, advice and guidance (IAG) but were serving short to medium-length sentences.

4 S Niven and D Stewart, 'The role of family and friends in successful resettlement', *Prison Service Journal*, 159, 21-24, 2005

Case study 5: Open University

More than 1,400 prisoners are currently taking Open University courses in prisons across the UK. The OU's latest prospectus gives details of nearly 200 courses available to prisoner students, with subjects ranging from the arts and social sciences to maths, science and law. Most OU prison students begin by taking an Openings course, which is designed to help students find out what it is like to study with the OU, get a taste of a subject area, develop learning skills, and build confidence.

Source: 'Students in prison have options too', *The OU Community Online*, 2009: www.open.ac.uk/platform/news/society/students-prison-have-options-too

Some network participants felt that preparation for continued learning was critical for this group. While the number of people serving sentences less than six months and between six and 12 months decreased by 8 per cent between March 2008 and March 2009, this group are more likely than those serving longer sentences to be young adults and be responsible for high levels of reoffending. The number serving sentences of between 12 months and four years rose 3 per cent in the same period – see Table 2.

Table 2: Numbers serving different lengths of sentence

Sentence length	March 2008	March 2009	Variation %
Remand	13,073	12,987	(1)
Under 6 months	5,706	5,243	(8)
6 months to 12 months	2,698	2,491	(8)
12 months to 4 years	23,260	23,922	3
Over 4 years	23,561	24,279	3
Indeterminate*	10,911	12,228	12

*see Chapter 2 for explanation

Source: 'Population in Custody', monthly tables March 2009, Ministry of Justice Statistical Bulletin, 30 April 2009

Of course, the Government has finite resources and has to prioritise. The new Offenders' Learning and Skills Service (OLASS) contracts regime, launched in summer 2009, aims to be much clearer about what these priorities should be (see page 30). Ofsted research published in 2009 concluded that effective work and progress with people serving short sentences of less than 12 months was possible. The fieldwork it conducted (in the second half of 2007) found good practice was patchy and dependent on high-quality early assessment and individual learning plans, which needed to be more consistent across the estate⁵. Much has been done since to try to address this issue. Participants of the Network were broadly in agreement that rather than an over-prescriptive focus on particular sentence lengths, a more personalised approach, combined with the improvements being made to assessments and individual learning plans, should enable more effective targeting of provision and improved outcomes.

⁵ Ofsted, *Learning and Skills for Offenders Serving Shorter Custodial Sentences*, January 2009

Principles for reform

During the Prison Learning Network's lifespan, there has been rapid and significant progress in the area of offender learning and skills. This has included an increased emphasis on outcome-focused funding, and innovation with a particular focus on workforce development. In the words of OLASS, 'we need transformational change in teaching practices that takes into account the individual needs of offenders'⁶.

There have also been significant changes aimed at building a more consistent approach to learning and skills provision for young offenders. This included the creation of the Joint Youth Justice Unit in 2007 and the introduction the following year of an ambitious national target for the percentage of young offenders engaged full-time in education, training and employment, against which local authorities now need to report progress⁷.

The aim of the Network was not to undermine these important steps. Indeed, one of our central objectives was to explore ways in which this rapid and quiet evolution of policy and practice could be celebrated and built upon in the context of prison overcrowding.

Any strategy aiming to further strengthen the impact of learning and skills should not underestimate the need to tackle the deep challenges facing the criminal justice system, and prisons in particular. The current levels of overcrowding and prisoner mobility are undesirable and undermine two central aims of custody: rehabilitation and crime reduction. However, addressing structural challenges in detail, significant as they are, was not a major aim of the Network as there are other organisations better placed to undertake that role.

Narrative matters. *The Learning Prison* argues that many of the significant advances that have been made have been done so without corresponding public discourse or recognition. The result, however unintended, is progress by stealth. We argue throughout for a more positive and powerful vision of prisons and the role that learning and skills provision plays within this. We have tried to give a sense of what a new 'common sense' story of rehabilitation could look like, where progress is being made, where the barriers to reform lie and to suggest some principles that should inform further change. We hope these reflect the deliberations of the Network and the particular emphasis that the RSA gives to the citizen in making change happen: the belief that public debate, community engagement and user involvement have powerful roles to play in solving our most stubborn challenges.

Leadership is needed among policymakers and practitioners in building a public conversation about *prisons as a core public service* that serves us all, not just the victims and perpetrators of crime. This requires a more open and honest debate about the fundamental purpose of prisons and the policy choices available, and much clearer and stronger evidence of what works and why.

Fair, transparent and effective public services are most likely to emerge through a process of wider community participation, not just through reasoned debate,

6 OLASS, *The Offender's Learning Journey: Learning and Skills Provision for Adult Offenders in England*, September 2008

7 *Ibid.*

but also by forging local partnerships with employers, families and others and by enabling direct public involvement wherever possible.

We argue for greater *user engagement*: we do not underestimate the difficulties such an agenda presents in relation to a service whose functioning depends on a basic disempowerment of its inhabitants. However, as has been shown in health and education, and as the RSA is now applying to the area of drugs services (see case study 25), further engagement of users in the delivery and design of prison services is likely to deliver greater efficiency and complement rehabilitation programmes aimed at building skills and increasing personal responsibility.

These are becoming bread and butter issues within most core public services, underpinned by mounting evidence of the benefits of user empowerment, and are enjoying widespread political support. Too often prisons policy has lagged behind but we believe that recent policy in this area signifies a real change. This is welcome: rehabilitation is too difficult and too important for prisons always to be left 'behind the curve'. *A brave strategy on modernisation* should ensure that the prison service is able to utilise the new tools and thinking we have at our disposal to best effect. Most notably, we argue that there are huge gains to be had in developing a technology strategy that better balances risk and benefits.

The Network set out to be ambitious, realistic and positive. Our deliberations took place against a background narrative of a system in permanent crisis. We set out to address prisons as we would other public services and to acknowledge the innovation, quality of work and leadership taking place and explore how this could be strengthened and its impact maximised. The first step, undertaken in Chapter 2, is to review the current state of the service.

2. A public service under pressure

Prisons provide a critical public service. Keeping the public safe, and running a humane regime, are the primary duties of the criminal justice system. This is an onerous challenge given the tens of thousands of people who will pass through the UK system in a year. On 15 January 2010 there were 82,761 people being held in prisons in England and Wales (78,686 men and 4,075 women) with around a further 9,000 in total held in the Scottish and Northern Irish estates⁸.

The task of running prisons, of working and living ‘inside’, will always be difficult even under favourable conditions, let alone when prisons are being run at full capacity. In January 2010, there were 86,290 places in 139 prisons in England and Wales⁹. These included high security prisons, local prisons, closed and open training prisons, young offender institutions (for sentenced prisoners under the age of 21) and remand centres. Different prisons and inmates have different levels of security (in England and Wales this ranges from Category A prisoners who are considered to be a high risk to the public or national security, to ‘Cat D’ who, subject to approval, can be given Release on Temporary Licence to work in the community or visit home). As prison governors who took part in the Network highlighted, some prisons – HMPYO1 Brinsford in Wolverhampton and HMP Birmingham being two examples – house a high percentage of inmates who are on remand.

The status of a prisoner and the length of his or her sentence will be a factor in determining what kind of learning, skills and work opportunities arise in prison and how effective these are likely to be. Indeed, as we shall see, a key challenge is how to effectively engage those inside for less than a year in rehabilitation and learning.

Overcrowding

The prison population has dramatically increased over the last decade: the number of people being held at any one time rose by more than 20,000 between 1997 and 2009. This largely reflects an increase in the severity of sentencing and in the use of custody, rather than actual levels of crime or the number of people found guilty by courts, both of which have remained relatively constant. Between 1995 and 2005 the number of custodial sentences handed out by Magistrates Courts rose from 20,000 to 33,000, while the number of people receiving sentences of over 12 months from Crown Courts rose from 32,000 to 54,000 in the same period¹⁰. In addition, since 1997 there have been 55 Criminal Justice Acts, with new offences being placed on the statute books¹¹.

It was not our intention to explore these issues in detail but it is worth noting that as well as an overall rise in the use of custody, research on sentencing patterns in England and Wales between 2003 and 2006 concluded that there were significant inconsistencies across the 43 criminal justice areas. Only a weak link was shown between recorded local crime levels and custodial sentences¹². More significant was the nature of the relationship between local courts and other

8 HM Prison Service, *Prison Population and Accommodation Briefing*, 15 January 2010; Scottish Prison Service (SPS), *Prison Population at 15 January 2010*; Northern Ireland Prison Service (NIPS), *Prison Population at 18 January 2010*. Unless otherwise stated in this report, prison population figures are based on England and Wales.

9 *Ibid.*

10 Written evidence to the Home Affairs Select Committee, 6 March 2007

11 See the Office of Public Sector Information website: www.opsi.gov.uk

12 T Mason, N de Silva, N Sharma, D Brown and G Harper, *Local Variations in Sentencing in England and Wales*, Ministry of Justice, December 2007

agencies, in particular between police and probation. The research concluded that ‘local justice’ – where courts focused on consistency in their area rather than on national guidance – was significant. Sentencing may be partly dependent on *perceptions* of local crime levels and public access to reliable evidence about the impacts of alternatives to custody¹³.

Meanwhile, a recent study by the Centre for Crime and Justice Studies concluded that Britain’s jails are full because too many offenders are being sent to prison for lesser offences. It concluded that magistrates should not be able to jail someone for a non-violent minor offence¹⁴.

Those sentenced to *indeterminate* sentences of ‘Imprisonment for Public Protection’ or IPP (which made way for the Criminal Justice Act 2003 and was implemented in 2005) have no automatic right to be released. A minimum tariff for incarceration is handed down but the defendant must satisfy the authorities he or she is fit for release and does not pose any threat to the community. In March 2009, there were 5,059 IPP prisoners in the system, with only 47 having been released since 2005¹⁵. The Conservative Party would be likely to retain indeterminate sentences, but has put forward proposals for a new system of sentencing in general where courts would determine both a minimum (which would be at least half of the full sentence) and maximum sentence.

Whatever the cause, the prison system has been overcrowded in every year since 1994 and has seen a general trend towards a more mobile population with more people on ‘short stays’ and being held at greater distances from home and family. There is currently no reason to think the prison population is likely to change in the foreseeable future (see Table 3). The increase in the prison population has at times resulted in demand for places available outstripping supply. In June 2007 the Labour government announced that in response to chronic overcrowding an estimated 25,500 prisoners would be given early release, with the aim of reducing the prison population by 1,200 at any one time.

Table 3: Projected prison population (end June figures)

Year	High	Medium	Low
2010	88,100	86,400	84,400
2011	90,500	87,900	85,100
2012	92,100	88,700	85,000
2013	93,000	88,600	84,100
2014	94,200	89,000	83,600
2015	95,800	89,700	83,400

Source: Ministry of Justice, Prison Population Projections (England and Wales) 2008–2015, September 2008

The UK is not unique in seeing a significant rise in the number of people in prison: the United States experienced a four-fold increase between 1975 and 1995. In 2008, there were 2.3 million people behind bars in the US: a nation that accounts for 5 per cent of the world’s population is home to 25 per cent of its prisoners. President Obama has asked Congress to commit a further \$100

13 See Esmee Fairbairn Foundation, *Rethinking Crime and Punishment*, Esmee Fairbairn, 2004 and Scottish Executive Social Research, *Community Sentencing: Public Perceptions and Attitudes*, 2007
 14 Centre for Crime and Justice Studies, *The Community Order and the Suspended Sentence Order: three years on*, Kings College London, March 2009
 15 Howard League, *The Commission on English Prisons*, 2009

million to programmes aimed at resettling offenders in the community, most of it dedicated to work under the Second Chance Act passed in 2008; the US currently spends \$50 billion a year on prisons¹⁶.

It is important to note the relative exceptionalism of the UK and the US: with a prison population rate of 153 per 100,000, England and Wales lock up more prisoners per head of population than any other country in Western Europe apart from Spain (160) and Luxembourg (155) and some 60 per cent more than countries such as Belgium, France, Germany, Ireland and Italy¹⁷.

In 2006, the UK government announced a prison-building programme that would create an additional 8,000 places in England and Wales by 2012. In April 2009, the Justice Secretary Jack Straw announced that plans to build three 'Titan' prisons, each holding 2,500 inmates, would be abandoned in favour of five smaller institutions. The aim now is that these will provide 1,500 places and bring the total estate capacity to 96,000 by 2014¹⁸. There are currently 12 private prisons in England and Wales managed by private companies G4S, Kalyx and Serco. Her Majesty's Chief Inspector of Prisons inspects all prisons. Ofsted inspects the adequacy of learning and skills provision in prisons and in the community.

Reducing overcrowding is a massive challenge that can only be met by a combination of creating new capacity and reducing the number of people in custody. The Howard League's Commission on English Prisons recently called for an end to custodial sentences shorter than six months, following the Scottish National Party's announcement that in Scotland it was to replace these with community service¹⁹. More recently, the Conservative Party has argued it would tackle overcrowding through a combination of measures including faster deportation of foreign nationals and building an additional 5,000 places by 2012 (over and above what is already proposed). In addition, the party aims – should it win the general election – to reduce the two-year reoffending rate by 20 per cent within five years²⁰.

At the time of writing the party was also set to announce that – should it win the general election – it would reintroduce the use of prison ships as a way of dealing with the additional capacity that would arise from scrapping the current early release programme

Complex needs

Some of the most disadvantaged groups in society are over-represented in the prison population. Over half of those under 18 in custody have a history of being in care or involvement with social services: looked-after children are three times more likely than their peers to offend²¹.

Black people are six times more likely to be in prison than white people: black and minority ethnic people accounted for 26 per cent of the male prison population and 28 per cent of the female population (including foreign nationals) in June 2006²². What is more, young black people and those of 'mixed' ethnicity are likely to receive more punitive sentences than their white contemporaries²³.

16 International Centre for Prison Studies, *World Prison Population (8th edition)*, King's College, London, January 2009

17 *Ibid.*

18 Ministry of Justice, 'Jack Straw sets out prisons and probation plans', news release, 27 April 2009: www.justice.gov.uk/news/newsrelease270409b.htm

19 Howard League, *The Commission on English Prisons*, Final Report, 2009

20 The Conservative Party, *Prisons with a Purpose*, *op cit.*

21 Prison Reform Trust, *Bromley Briefings: Prison Factfile*, May 2007

22 Ministry of Justice, *Statistics on Race and the Criminal Justice System – 2006: A Ministry of Justice Publication under Section 95 of the Criminal Justice Act 1991*, 2007: www.justice.gov.uk/docs/race-and-cjs-stats-2006.pdf

23 House of Commons Home Affairs Committee, *Young Black People and the Criminal Justice System: Second Report of Session 2006–07, Volume I*, The Stationery Office, 2007: www.publications.parliament.uk/pa/cm200607/cmselect/cmhaff/181/181i.pdf

In the last 10 years the number of foreign nationals in prison has doubled and now represents over 14 per cent of the total prison population in England and Wales. There is now a wide range of nationalities and languages among prisoners that need to be considered alongside cultural and religious diversity²⁴.

In 1995 the average female prison population was 1,998; at the time of writing this figure had more than doubled²⁵. This reflects the rise in the number of women being found guilty of more serious crimes, including common assault²⁶.

The Corston Report (*A Review of Women with Particular Vulnerabilities in the Criminal Justice System*) estimated that around 12 per cent of female prisoners have children and while the MOJ's National Offender Management Service (NOMS) does not centrally collate information on the total number of children who experience a parent being in prison each year, estimates vary at between 120,000 and 160,000²⁷.

Case study 6: The Griffins Society Women's Information Network

One example of a truly effective system for breaking down informational barriers can be seen in the Women's Information Network (WIN), an online information database set up by the Griffins Society, a voluntary organisation working for the care and resettlement of female offenders in prison and in the community. The WIN database empowers women affected by the criminal justice system to improve their circumstances and opportunities by providing easily accessible information about resources and projects in the UK that are there to support them. In particular it provides information about prison- and community-based education programmes.

WIN also provides a specialist forum for individuals and organisations wanting to research, discuss and share knowledge about what works for women caught up in the justice system. This example of innovative and wide reaching good practice is unique in that it can be accessed by both offenders and practitioners.

The Griffins Society also has a Stepping Stones programme, which supports female offenders by allowing them to attend the Society's offices for a few weeks and providing them with offender-specific training for the first four weeks in the job. Thereafter, they are placed on a 12-week community volunteering programme with an employer. The Griffins Society provides support to the employer during the same 12 weeks.

During the programme, additional training components, confidence building, job search, and so on are provided to ensure the continual development of female offenders' self efficacy and confidence. This is vital given that many have never worked before; they don't just need support into employment but also require intensive support to prepare them for their working life. Some of them have spent their entire adult life in prison, and a few have never had any kind of 'paternal' support.

Source: www.thegriffinsociety.org

Up to 48 per cent of prisoners have histories of debt: this can present problems for prisoners and their families, both during their sentences and after release²⁸.

Many struggle to pay loans, credit card repayments, household bills and fines and, as a result, face unmanageable debt on release. A Citizens Advice Bureau survey

24 HM Prison Service, 'Foreign National Prisoners': www.hmprisonservice.gov.uk/adviceandsupport/prison_life/foreignnationalprisoners/

25 HM Prison Service, *Prison Population and Accommodation Briefing*, 2 October 2009, *op. cit.*

26 Home Office, *Crime in England and Wales, 2008/9*, Volume 1, July 2009. www.homeoffice.gov.uk/rds/pdfs09/hosb1109vol1.pdf

27 J Corston, *The Corston Report: A review of women with particular vulnerabilities in the criminal justice system*, Home Office, 2007

28 NOMS/FSA, *Signposting Offenders to Financial Capability Training, Debt Advice and Financial Services*, 2007: www.noms.justice.gov.uk/news-publications-events/publications/strategy/FBD_Guidance_2007?view=Binary
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of prison outreach services suggests that debt is one of the top five issues that can cause reoffending or poor reintegration into society²⁹. A third of prisoners are estimated to lose their homes while in custody³⁰.

Figures released by the Ministry of Justice in 2008 showed that 92 prisoners took their own lives in jail in 2007, up from 67 in 2006³¹. The figures include seven inmates under 21 and one boy of 15. In 2008 there were over 2000 incidents of self-harm and 914 assaults on staff in young offenders institutes in England and Wales³².

Case study 7: Samaritans Listener Scheme

The Samaritans Listener Scheme offers prisoners peer support. Selected volunteer listeners are trained and supported by the Samaritans to listen to the problems and concerns of fellow prisoners.

Source: www.samaritans.org.uk

According to the Prison Reform Trust, almost 6,000 men, women and children with an IQ of less than 70 are in prison in the UK at any one time and a further quarter of the prison population may have a borderline learning disability or specific learning difficulties³³. Learning difficulties include a number of impairments, including autistic spectrum disorder, dyslexia and attention deficit disorder. In 1998, research by the Office for National Statistics (ONS) estimated that over 90 per cent of prisoners had one or more of the five psychiatric disorders studied (psychosis, neurosis, personality disorder, hazardous drinking and drug dependence)³⁴.

One of the tensions that Network participants discussed was that between, on the one hand, stressing the vulnerabilities of people within the system and the real barriers that many face to learning and, on the other, the risk of pathologising the prison population. Some felt that without a greater emphasis on prisoners' capacity to learn and improve their own lives we will continue to – as one Network participant put it – 'let the public off the hook': fostering fear and fatalism rather than strengthening faith in rehabilitation and learning programmes. Many felt that greater attention should be given to people's potential and that this could be done without ignoring the profound difficulties some faced.

It would not be inconsistent, for example, to argue that those experiencing serious mental health problems should be dealt with outside the prison system, and to highlight the positive journeys that some prisoners can and do make. Figures show a 30 per cent rise between 2002 and 2006 in the transfer of seriously mentally ill prisoners to specialised psychiatric facilities³⁵. More recently specific court processes have been developed to deal with those with mental health problems. This should make learning provision in prisons easier.

Some participants in the Network believed that statistics frequently cited – including those on mental health – were outdated and/or drew definitions that

- 29 F Hopwood Road, K Maynard and J Sandbach, *Locked Out: CAB evidence on prisoners and ex-offenders*, Citizens Advice Bureau, 2007: www.citizensadvice.org.uk/locked_out_full_report_text_final-2.pdf
- 30 Social Exclusion Unit, *Reducing Re-offending by Ex-prisoners*, July 2002
- 31 Ministry of Justice, 'Deaths in custody 2007', news release, 1 January 2008
- 32 Released by the Information Commissioner, February 2009
- 33 J Jacobson, *No One Knows: Police responses to suspects with learning disabilities and learning difficulties: a review of policy and practice*, Prison Reform Trust, 2007
- 34 ONS, *Substance Misuse Among Prisoners*, 1999
- 35 Prison Reform Trust, 'Mental Health – Key Facts': www.prisonreformtrust.org.uk/subsection.asp?id=282

were too wide to be meaningful. It was beyond the scope of this project to assess whether or not this is the case: we concur, however, that a greater emphasis needs to be placed on prisoners' and ex-offenders' capacity to change their lives and play a part in identifying what works.

Skills and staffing

This tension is not unique to prisons but is characteristic of the public narrative around crime and the criminal justice system: learning and skills providers tend to view prisoners in terms of their potential, whereas those running prisons have to contend more directly with public safety and security.

Throughout the Network discussions these cultural differences were palpable and it was clear from discussion that overcrowding, and the pressures this brings to bear, exacerbates differences and creates tensions. This presents a key challenge to reform, which will prove harder to meet without a clear shared narrative around the role of prisons that is both realistic about risk and puts learning and rehabilitation at its heart. There was almost universal consensus among Network participants that such a vision needs to be shared across prison staff and providers. As we shall come to, we conclude that this is contingent on strengthening the evidence base on the specific role that learning and skills can play in reducing crime.

The complex needs of the prison population raises issues that mirror those that continue to occupy policy thinking in relation to personalisation in mainstream public services. Not least of these is the fact that with so many people with significant primary needs, providers may find meeting targets on qualifications and basic skills less of a priority. Creating an environment where effective personalised learning can take place within a prison requires incentivisation, flexibility and imagination on the part of external providers and prison staff who will drive change. It requires an understanding of the important impact that the relationships prisoners develop with staff, external providers and peers can have on outcomes. In March 2007 the prison service employed around 48,000 people. This included governors, prison officers, administrative and specialist staff such as psychologists, and chaplains. The service also contracts services from the probation service, the private sector and the voluntary sector in a range of roles including behaviour courses and mentoring schemes.

Governors, prison officers and managers are critical in shaping prisoners' access to learning and the amount of emphasis it is given in any given institution. Prison officers are the largest staff group and have the most contact with prisoners. There are concerns within the prison system as a whole that there are too few prison officers to ensure the safety of prisoners and the security of institutions, let alone engage in the provision of rehabilitation and supporting/reinforcing learning provision.

Despite this, the Prison Services Pay Review Body found that in 2007, even with a staffing deficit of around 500 people or 1.9 per cent (after contracted overtime was factored in), turnover among prison officers remained low (5.1 per cent) compared with the private sector (23 per cent) or wider public services (14 per cent)³⁶.

Creating an environment where effective personalised learning can take place within a prison requires incentivisation, flexibility and imagination on the part of external providers and prison staff who will drive change

³⁶ Prison Service Pay Review Body, *Seventh Report on England and Wales, 2008*

There is also a significant amount of movement among governors within the system: this can be good for the system as well as for retention and for sharing and gaining experience. However, without an embedded culture that values learning, a change of leadership can mean that a prison that has made good headway on learning and skills loses the main driver of reform, with subsequent disillusionment among staff and inmates. These factors can disrupt relationships between staff, offenders and others working with prisoners and programmes focused on learning and skills.

Why this matters

A high level of crime – nearly one in five crimes committed (or a million crimes a year) – is perpetrated by former prisoners. Longitudinal research on offenders shows that nearly two in five of the 2007 cohort of adult offenders reoffended on release. Most startling was the fact that the majority of the most serious offences committed on release were by offenders who had never before committed an offence classified as ‘serious’³⁷.

As well as the human costs to victims of crime – and the impact on offenders and their families’ lives – there are substantial associated costs. The Prison Service’s operating costs for 2006–7 were £1.9 billion. A former prisoner who reoffends costs the criminal justice system an average of £65,000 up to the point of re-imprisonment; it then costs an average of £40,992 a year to keep them there. The overall cost of the criminal justice system has risen from 2 per cent of GDP to 2.5 per cent over the last 10 years and the cost of recidivism to the UK tax payer is an estimated £11 billion a year, a higher per capita level than in the US or any EU country³⁸.

In addition to its overall Public Service Agreement on reducing crime, the UK government has set targets on vehicle crime, domestic burglary and street robbery. The latest British Crime Survey showed a drop of 4 per cent in recorded crime for the last quarter of 2008, compared with the same period in 2007. It showed a significant increase (25 per cent) in crimes classified as theft from the person, compared with the same period in the previous year³⁹. This was mixed news: although overall crime was down, some of the categories where incidents are rising are those involving violent theft and burglary.

According to the Strategy Unit’s 2003 review of prisons by Lord Carter, the increased use of imprisonment has reduced crime in the short term: it estimated that the 22 per cent increase in the prison population since 1997 had reduced crime by around 5 per cent during a period when overall crime fell by 30 per cent. However, Carter concluded: ‘Given the current level of the prison population, there is no convincing evidence that further increases in the use of custody would significantly reduce crime.’⁴⁰

Lord Carter conducted a second review of supply and demand for prison places in 2007⁴¹. The evidence he draws on to show prisons’ impact on reoffending rates has been contested by criminologist Carol Hedderman who argues that the increased use of prison has been coupled with an increase in reconviction rates⁴². Hedderman highlights the shift in emphasis between Carter’s first and second

37 Ministry of Justice, *Re-offending of adults: results from the 2007 cohort, England and Wales*, Statistics Bulletin, May 2009

38 E Solomon, C Eades, R Garside, M Rutherford, *Ten Years of Criminal Justice under Labour: An Independent Audit*, Centre for Crime and Justice Studies, 2007: www.crimeandjustice.org.uk/opus55/ten-years-of-labour-2007.pdf

39 *British Crime Survey*, April 2009

40 P Carter, *Managing Offenders, Reducing Crime: a new approach*, Strategy Unit, 2003

41 P Carter, *Proposals for the efficient and sustainable use of custody in England and Wales*, 2007: www.justice.gov.uk/publications/docs/securing-future.pdf

42 C Hedderman, *Built on Sand*, Centre for Crime and Justice Studies, King’s College, London, July 2008: www.crimeandjustice.org.uk/opus733/Builtonsandbriefing.pdf

reviews, arguing that the latter downgraded emphasis on community alternatives for non-dangerous or serious offenders.

Carter's earlier conclusions echo those of one of the most significant pieces of research on crime prevention, to which we shall return: a 1997 review commissioned by Congress of the impacts of different interventions in the US (see Chapter 4). It concluded that in purely economic terms simply increasing the percentage of people in prison brought diminishing returns, as more 'lower rate' offenders would be incarcerated while the costs per person per year did not vary much according to offence⁴³.

The risk is a vicious circle where the number of people being imprisoned outstrips infrastructure and staffing needs, at best undermining the impact of rehabilitation interventions and, at worst, increasing the likelihood of further, more serious reoffending. What seems clear is that with prisons full and evidence that custody can increase the frequency and severity of offending, rehabilitation within custody and resettlement through the gate have central roles to play in any national strategy aimed at reducing crime.

43 L Sherman, D Gottfredson, D MacKenzie, J Eck, P Reuter and S Bushway, *Preventing Crime: What Works, What Doesn't, What's Promising, A Report To The United States Congress*, National Institute of Justice, 1997

3. The policy context

One of the prison service's critical roles is in enabling prisoners to engage in adult education, mainly through external providers. Full coverage across all publicly funded prisons in England of the new offenders' learning and skills service was introduced by the Learning and Skills Council in 2006. In the academic year 2007/8 providers worked with 115,807 people⁴⁴.

The prison service also has a long tradition of providing training for offenders in the many workshops operating within English prisons, serving a population with highly demanding and complex needs under extremely challenging circumstances. There are high levels of innumeracy and illiteracy among the prison population. Thirty per cent of prisoners were regular truants from school and nearly half of school-age offenders were excluded at the time of arrest. More than half of male and 72 per cent of female prisoners had no qualifications when sentenced and 37 per cent were at or below level 1 skills in reading⁴⁵.

Basic skills

The *Leitch Review of Skills*, published in December 2006, set out the UK's optimal skills mix for 2020 to maximise economic growth, productivity and social justice. It articulated a compelling vision for the UK and argued that there was a need to urgently raise achievements at all levels of skills if it is to become a world leader in skills by 2020. This included doubling attainment at most levels of skill. In July 2007, the Government, accepting Leitch's proposals, announced a new objective to help 95 per cent of the adult population of working age achieve functional literacy and numeracy by 2020⁴⁶. More ambitiously, it adopted the target for most of those having 'intermediate' skills to be qualified at level 3 rather than level 2 within the same period.

The Government's plan included additional emphasis on improving the skills of 'hard to reach' groups, including offenders. Prison can be the 'school of last resort'. Entry into the prison system by no means necessarily represents a disruption from education, learning or work. Indeed for many, entering a prison learning or skills programme may be the first time since early schooling that they have tried to develop their capacity to reason or learn.

Motivating prisoners is hard: many are reluctant to take part in structured education or do not see what benefits learning could bring. Others have been in and out of prison or, due to overcrowding, have been moved several times, disrupting their attempts to learn.

Employment

At the end of 2006, the Department for Work and Pensions commissioned David Freud to draft a report on how the Government's unemployment and training policies could be reformed to increase employment levels and meet the Government's aspiration to have 80 per cent of working-age adults in work by 2020.

44 Provided by LSC. See also Learning and Skills Council, *Making Skills Matter: LSC Annual Report and Accounts 2008–2009*, 2009

45 Social Exclusion Unit, *Reducing Reoffending by Ex-prisoners*, op cit.

46 HM Government, *World Class Skills: Implementing the Leitch Review of Skills in England*, DIUS, 2007

The Freud Report declared the New Deal to be highly successful, with 2.5 million more in work and 900,000 fewer people on unemployment benefit (a decrease of nearly 17 per cent) since 1998⁴⁷. Almost every group identified as vulnerable to unemployment by the Government (lone parents, minority ethnic groups, older workers and disabled persons) had recorded an increased level of employment; only low-skilled workers saw a decline. For the Government to achieve an 80 per cent employment level, it had to encourage employers to start recruiting workers from sectors of the adult population that are the hardest to employ: this includes ex-offenders.

The Government's welfare white paper published in January 2009 took up many of Freud's recommendations, including signalling new contracts with the private and voluntary sectors to provide individually tailored programmes for hard-to-employ adults.

Case study 8: HMYOI Portland, Dorset

The aim of the project based at HM Portland Young Offenders Institute and supported by the European Social Fund, was to run training courses for offenders to give them skills that will be immediately useful to employers. The chosen vocation was railway renewal. The object has been for the offenders to gain an NVQ 2 qualification along with supporting qualifications.

The course has been provided by a commercial rail training company. A training track was built within the prison walls and, during a 10-week course, offenders learned skills that will enable them to compete for jobs on more than equal terms. They were able to develop generic skills including team working and problem solving.

The course has been evaluated and its success has led to it being 'mainstreamed', with A4e staff facilitating the programme now funded from the OLASS budget. Just under a third of those released have progressed to registration with a rail agency or work with Network Rail. Many others have expressed a desire to work in the industry. All those involved were positive and saw the part played by external trainers as critical: providing role models as well as practical skills. Feedback from trainees made it clear that they valued the focus and pragmatism of the course but that more needed to be done to ensure realistic expectations and continued support for securing related work on release.

Source: supplied by A4E.

Prison Learning Network participants pointed out that the length of time it can take an individual offender and ex-offender to make progress will vary and that some contracts that carry tight timescales do not take this into account sufficiently. It is worth noting that the current round of OLASS contracts in England have the potential to be in force for a five year period, which supports the proposition that a sensible amount of time needs to be given to allow positive relationships to develop and thrive.

Sources: www.mya4e.com and Prison Learning Network

⁴⁷ DA Freud, *Reducing dependency, increasing opportunity: options for the future of welfare to work: An independent report to the Department for Work and Pensions*, March 2007

One challenge raised by individuals contracted to work with offenders is the ‘invisibility’ within DWP’s classifications of ex-offenders as a group: this is despite the fact that approximately 100,000 of the people the DWP provides employment support to have a criminal record⁴⁸. Participants suggested a single assessment approach perhaps similar to the common assessment framework (CAF) for adults being developed by the Department for Health.

Case study 9: A4E Working Start

A4E Working Start is a two-week gateway programme for ex-offenders in Newport, Wales, designed to move ex-offenders into employment or to prepare them to join mainstream provision through the DWP’s New Deal. A4E, the DWP and the probation service work in partnership with each other and with the client (the ex-offender) to decide if an individual is right for the course. The course is geared towards ex-offender needs, but receives mainstream DWP funding in the form of Deprived Area Funding (DAF). More than 80 per cent of clients moved into employment after taking the course, a strong success rate.

Source: www.mya4e.com/4-Governments/What-we-do/Reducing-Reoffending.aspx

A complex structure

A significant step was taken in 2001 with the transfer of responsibility for prison education in England from the Home Office to what was then the Department for Education and Skills. The LSC took over operational responsibility, which is delivered through OLASS and designed to integrate offender education with mainstream academic and vocational provision from 2005.

The LSC awards contracts to service providers, mainly established further education colleges and private companies as well as the probation service. OLASS provides the mechanism for delivering the Offender Skills and Employment Programme, a partnership between what is now the Department for Business, Innovation and Skills (BIS), which sets the overall policy framework and holds the budget, and the National Offender Management Service (NOMS), under the Ministry of Justice, which leads on policy to reduce reoffending, and the Department for Work and Pensions (DWP).

Offender participation in OLASS provision rose from 30 to 36 per cent in its first year of operation. However, only one in five offenders with an identified literacy or numeracy need was enrolling onto a literacy or numeracy course. In 2008, the LSC published its response to its prospectus consultation and to the challenges it had already identified to the National Audit Office (NAO), which confirmed that provision was not closely linked with people’s needs, employment skills or reducing reoffending⁴⁹. The latest figures supplied by OLASS show engagement levels up to 42 per cent in 2008/09.

The NAO recommended a number of changes including: the development of a core curriculum to be delivered in every prison; better information on learning needs within each individual prison and across the estate; a more structured Management Information System and a tougher regime for providers in relation

48 DA Freud, *Reducing dependency, increasing opportunity: options for the future of welfare to work*, op. cit.

49 OLASS, *Offender Learning and Skills: Taking the next step*, LSC, 2008

to setting and meeting targets and reporting progress in line with OLASS objectives. All of these changes are now in place.

Changes to NOMS

Following a review of NOMS, in April 2009 a new team of regional Directors of Offender Management (DOMs) was created to replace Regional Offender Managers and Prison Service Area Managers. By amalgamating these previous roles, DOMs become responsible for driving service improvements in their region and integrating services for offenders through commissioning services and by working with a wide range of organisations and contractors including health, local authorities, Learning and Skills Councils and Jobcentre Plus. With regional responsibility for reducing reoffending, commissioning, funding and policy, DOMs will have significant influence over the way in which individual prisons and probation areas engage with the voluntary and community sector.

Table 4: The seven resettlement pathways

The complex barriers that prisoners face are reflected in the 'pathways' developed by NOMS to reduce reoffending through the provision of services to offenders:

- * **Accommodation and support:** a third of prisoners do not have settled accommodation prior to custody and it is estimated that stable accommodation can reduce the likelihood of reoffending by more than a fifth. Having somewhere to live also provides a vital building block for a range of other support services and gaining employment.
- * **Education, training and employment:** having a job can reduce the risk of reoffending by between a third and a half. There is a strong correlation between offending, poor literacy, language and numeracy skills and low achievement.
- * **Health:** offenders are disproportionately more likely than the general population to suffer from mental and physical health problems and have high rates of alcohol misuse.
- * **Drugs and alcohol:** around two thirds of prisoners use illegal drugs in the year before imprisonment and intoxication from alcohol is linked to 30 per cent of sexual offences, 33 per cent of burglaries, 50 per cent of street crime and about half of all violent crimes.
- * **Finance, benefits and debt:** ensuring that ex-offenders have sufficient lawfully obtained money to live on is vital to their rehabilitation. As well as the prevalence of debt about 81 per cent of offenders claim state benefits on release.
- * **Children and families:** maintaining strong relationships with families and children can play a major role in helping prisoners to make and sustain changes that help them to avoid reoffending. Not surprisingly, the processes of arrest, conviction and custody place strains on family relationships.
- * **Attitudes, thinking and behaviour:** prisoners are more likely than the general population to have negative social attitudes and poor self-control. Successfully addressing their attitudes, thinking and behaviour during custody may reduce reoffending by up to 14 per cent.

There are two additional pathways, one aimed at understanding the needs of women who have been abused or have suffered domestic violence and another seeking ways out of prostitution for those women who are involved.

Source: www.noms.homeoffice.gov.uk/managing-offenders/reducing_re-offending/reducing_re-offending_pathways/

Case study 10: Re-Entry Continuum, Hampden County Sheriff's Department, Massachusetts, United States

In 1996, the After Incarceration Support System (AISS) was established as part of the programme to provide prisoners at the Hampden County Correctional Center with a 'continuum of services starting in the jail, continuing in the community, and available as an option for as long as individuals wish'. Ninety-one days before release, prisoners begin meeting with community service providers, including an education reintegration counsellor, mentors (some of them ex-offenders), and caseworkers. Some prisoners spend the last 30 days of their sentence in a newly created community re-entry unit, where they continue to receive services from outside agencies and undertake staff accompanied visits to look for housing and employment, and attend family reunification sessions.

The sheriff's department has developed classification matrices for violent offenders, non-violent offenders, and those serving mandatory sentences that chart out their time at each security level by sentence length. For instance, a non-violent offender serving eighteen months who complies with his re-entry plan and demonstrates excellent institutional conduct will spend 10 days at medium security, one month at minimum security, two months at secure pre-release, and the balance (or less) on day reporting (living at home and reporting regularly to the day reporting centre).

The department's matrices are adjusted regularly on the basis of population levels at the facility and prove to be an effective tool both to prevent overcrowding and to place individuals at security levels that will allow them to work and receive community-based treatment prior to release. Two other counties in Massachusetts employ similar matrices to place individuals appropriately and develop dynamic re-entry plans.

Source: www.reentrymediaoutreach.org/sp_educ

In time to inform new contracts, OLASS undertook Offender Skills Curriculum Area Reviews (OSCARs). The aim was in advance of the new OLASS contracts to both increase regional and local relevance (to employment markets and types of prison, for example) and better align learning and skills provision to the LSC's remit, particularly in relation to reducing reoffending.

Meanwhile, the Conservative Party has set out its proposals to create clusters of prisons run by a single new Prison and Rehabilitation Trust, each under a single governor and covering prison, education, work, treatment and community supervision. Rather than the 10 NOMS regions or 11 prison service areas, the proposal is to devolve power to the 43 areas currently recognised by police forces, Crown Prosecution Service areas, local criminal justice and parole boards and probation.

Aiming to bring more consistency across the prison estate, as from Autumn 2009 OLASS contracts have been renegotiated under the new arrangements

that stipulate that while all LSC-funded provision is expected to be purposeful and outcome driven, 80 per cent must relate to skills particularly appropriate to offenders. This includes literacy, numeracy and ICT skills, English Spoken as Other Language (ESOL) and vocational qualifications. The remaining 20 per cent would be given over to developmental learning.

This reflects the Government's pledge to reduce reconviction rates by making prisoners more employable with a focus on four main areas: employers leading the design and delivery of programmes; ensuring that training providers and colleges are better able to provide the skills offenders need to get a job; a new emphasis at the heart of prisons and probation services on helping offenders improve their skills for employment, and motivating and engaging offenders.

Qualifications and Credit Framework

The Qualifications and Credit Framework is a new way of recognising and accrediting qualifications in England, Wales and Northern Ireland. Through the framework, the aims of the Qualifications and Curriculum Authority (QCA) are: to offer more freedom, choice and flexibility to learners; provide accessible information about the commitment needed for different routes to achievement; allow people to build up and combine credits at their own pace; enable learners to transfer credits between qualifications and avoid having to repeat courses, and record all achievements on an electronic learner record, encouraging them and others to value their past achievements.

In 2010 all key vocational qualifications will be approved by Sector Skills Councils and be readily available to learners in small, credit-based units of learning. The development of the QCF aims to make it clearer to employers and learners what different qualifications mean, what level they are, how long they take to complete, what content they cover, and how they compare to other qualifications. The aim is to enable people to learn at their own pace and still be able to demonstrate progress. Every unit and qualification in the framework will have a credit value (of 1 to 8 reflecting the level of study) and the framework includes three different sizes of qualifications: awards (1 to 12 credits), certificates (13 to 36 credits) and diplomas (37 credits or more).

Working with six London prisons, the Open College Network London Region trialled the QCF in relation to a range of offender programmes that would not have traditionally resulted in any accreditation. With transfer during a course common, the approach enabled prisoners to have even small chunks of learning recognised⁵⁰.

Co-ordination and consistency

The LSC will contribute to this new process that has been developed by the QCA, specifically in developing the systems and technological infrastructure that will be needed, including those for recording and displaying learner achievement

⁵⁰ Qualifications and Curriculum Development Agency, 'Skillstrain QCF test and trial case study': www.qcda.gov.uk/18122.aspx

data and supporting credit accumulation and transfer. The challenge is to design systems that work in the prison context.

The prison service faces enormous challenges in relation to offenders' records as they move around the system. The most recent attempt to solve this has been the National Offender Management Information System (C-Nomis), which has been in development since 2004. The aim was to consolidate over 200 prison and probation service databases into a single offender (non-education) information system in order to be able to manage offenders more efficiently. C-Nomis was intended to encourage a clearer alignment between probation and prison while improving continuity and follow-up. However, the system has been beset with problems. By July 2007 it was two years behind schedule and lifetime costs of the project were set to triple.

Following a review of progress it became clear that the original aim of a single offender information management system would not be achieved. The plan is now that 220 databases will be reduced to three: including a separate database holding information on offenders moving within and between communities and prisons. Rollout of the new system began in 2009 with completion set for 2011. Even when this system is fully functioning in its current form, it is unlikely to be able to provide a central point for recording offender learning progress. The LSC estimates that it wasted a year pursuing solutions for an offender learning record system capable of joining up with C-NOMIS⁵¹.

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Individual learning plans

In the meantime, the Government requires accurate and consistent data management for all post-16 learners. The prison service and the LSC are working on ways to do this, using electronic systems, which they have been piloting in different regions.

Under current requirements, every prisoner should have an early assessment of their skills and knowledge and develop an individual learning plan, which identifies existing levels of skills and knowledge and sets goals and milestones. These should take place within a week of arrival. Individual learning plans can provide an important route map for prisoners as well as a way of tracking the development of soft skills, accredited and non-accredited learning. Done well they can become important live documents that are valued by prisoners, staff and employers.

Participants of the Prison Learning Network all supported the use of individual learning plans but did raise issues of poor quality and inconsistent implementation and the need to ensure proper early assessment, which involved the prisoner effectively. These concerns are echoed in evaluations and inspection findings including the Ofsted review mentioned earlier (see page 15)⁵². This found that half of the plans it examined were ineffective. They worked best when they were based on a thorough early assessment, using a standard format but with continuous and effective engagement of prisoners.

51 National Audit Office, *The National Offender Management Information System*, 2009

52 Ofsted, *Learning and Skills for Offenders Serving Shorter Custodial Sentences*, 2009

Case study 11: For A Change Resettlement Pathfinder

This programme sought to reduce offending by helping prisoners to develop 'more socially acceptable attitudes and behaviour' and by 'tackling and reducing practical problems associated with offending and resettlement'.

The main message from the Pathfinder research is that whether or not reducing reoffending is achieved may depend to a large extent on whether the new arrangements result in: (a) skilled and systematic work with offenders in relation to thinking, attitudes and motivation as well as their practical problems; and (b) genuine 'continuity' in work 'through the prison gate'. Both require the development of personal relationships with offenders, skilled and motivated staff, and a holistic approach to working with individuals⁵³.

While voluntary participants in this programme did not show lower reconviction rates than matched control groups, or than would be expected given their risk assessments, 'those participants who had post-release contact with any project staff or community links had significantly lower reconviction rates (relative to risk) than those who had no contact'. Also, those in prisons where programme participants reported the greatest attitude change showed lowest reconviction rates at one year and those participating in the voluntary sector-led programmes at two of the prisons 'who had post-release contact with mentors did significantly better than any other group of prisoners analysed'.

Source: www.homeoffice.gov.uk/rds/pdfs2/r200.pdf

Ofsted found that where individual learning plans involved prisoners and encouraged them to take greater responsibility for their content, they tended to have clearer goals. It recommended clearly staged but ambitious plans specifically designed for those on shorter sentences, informed by local knowledge of services and employment patterns. Ofsted also highlighted the need for consistency and a national system for recording prisoners' progress as they moved through the system to avoid repeated reassessment.

The Government has long recognised the need for a more efficient way of managing information on learners and organisations, and the specific challenges facing those in prison. To this end, led by BIS, it has developed MIAP (Managing Information Across Partners), which aims to streamline the collection, handling and sharing of information on learning and achievement for education and training organisations. MIAP services include the Learner Registration Service which allocates unique learning numbers to those over 14, a Registration of Learning Providers and a Personal Learning Record Service which will aim to record all qualifications and learning undertaken.

The Learning Record Service should allow education providers to access information about a prisoner's learning achievements and progress as they move through the estate. When they leave prison, ex-offenders will have access to their own learning record and can choose to share this with Information, Advice and

53 A Clancy, K Hudson, M Maguire, R Peake, P Raynor and M Vanstone, *Getting Out and Staying Out: Results of the Prisoner Resettlement Pathfinders*. The Policy Press, 2006

Guidance (IAG) and learning providers in the community. MIAP aims to ensure that on release ex-offenders' learning achievements do not reveal they have been in prison. There is as yet no data on the impact of MIAP.

'Softer' outcomes

Performance targets and records that focus solely on formal qualifications at the expense of other valuable indicators inevitably drive focus within prisons and risk demotivating prisoners if they cannot see any personal benefit from learning. For some prisoners, a small change in behaviour such as turning up on time, clean and dressed appropriately can represent a major turning point. The efforts involved for a learner who has no reading skills but who after months can read a page, can be the same as another who, at level 2 on entry gets a further qualification in a matter of weeks.

Motivation matters both ways: the expectations of teachers are shown to have an impact on learners' aspirations and educational outcomes too⁵⁴. Setting the bar too low can reduce the aspiration of pupils whether in schools or further or higher education: there is no reason to suggest that this should be any different in the prison setting. Looking at different types of attitudes to teaching and aspiration, Ipsos-MORI research identified a 'resigned' group of teachers and concluded this group were more likely to be present where they did not feel empowered to overcome the prevailing barriers to progress⁵⁵. While we need to be careful not to draw too many parallels, it is safe to assume that these issues present significant challenges for those involved in prison learning and skills. These are exacerbated where an aspiration for prisoners' potential is low and by the fact that most education providers sit outside the institution whose primary purpose is security and not offender learning⁵⁶.

Recognition and recording progress and achievement

Measuring the quality and outcomes of informal learning has long been an issue fraught with tensions. One of its advantages is the fact that it sits outside the traditional qualifications framework and of formal education. This has made proving impact – and therefore securing public funding – a challenge. It was in response to concerns about the lack of evidence on the impact of adult education that RARPA (Recognition and Recording Progress and Achievement) was developed.

RARPA seeks to measure softer outcomes and non-accredited learning without lowering aspiration and has become increasingly important in relation to post-16 learning and skills. The RARPA process is designed to be flexible and simple. The process chimes well with the personalisation agenda in education as it has been designed to be centred on the user, focusing on their needs and interests and taking into account diverse reasons for participating. The process emphasises negotiation on content and outcomes, and building confidence through participants assessing and recognising their own progress and achievement.

54 C Rubie-Davies, J Hattie and R Hamilton, 'Expecting the best for students: Teacher expectations and academic outcome', *The British Journal of Educational Psychology*, 76.3, September 2006

55 Ipsos-MORI, *Raising Young People's Higher Education Aspirations: Teachers' Perspectives*, DIUS, 2009

56 QIA, *Leadership and Management of Offender Learning*, 2007

Since autumn 2006 the use of RARPA has been mandatory for all LSC-funded non-accredited schemes. While it seems to work well at an individual level, some Network participants were concerned that understanding of the process was underdeveloped among some providers. A more structured RARPA process, linked to MIAP, could provide a way of capturing information around the value-added of prison learning activities in developing soft skills linked to resettlement, offending behaviour, employment and wellbeing.

Conclusion

The prison service is a system under huge pressure, a situation exacerbated by the particular challenges posed by overcrowding and the complex needs of its increasingly mobile population. The policy context surrounding prison and the criminal justice system is both complex and controversial and we have argued that one result of this is that good practice and innovation gets lost in the public debate.

Tackling overcrowding has to be a priority. This needs to be accompanied by louder and clearer political leadership on the rehabilitative function that prison can play in increasing public safety and the role that learning and skills can play in delivering this end.

Prison programmes have a range of objectives from building confidence to providing people with meaningful activity while inside, in order to make prison life more constructive and peaceful. While appealing to compassion has a vital role to play, the public need to see the impact that prison learning can have on public safety and security: the central objective for prison learning and skills should be to reduce reoffending. This primary objective need not be to the exclusion of the broader role learning and skills can play in building the capacity of institutions to run smoothly, the capacity of staff to develop their own skills, and the capacity of prisoners to learn, work and resettle.

Qualifications are important indicators of individual and institutional progress in this respect. However, many of those involved in the Network believed that they are not always sufficient to show a change in behaviour or a prisoner's employability. Offenders' complex needs, their circumstances on return into the community and local employment patterns make identifying direct causal links between prison learning and subsequent reductions in recidivism challenging. Alongside qualifications and skills tailored to the needs and ambitions of employers, systems like RARPA can provide clear indicators of changes to prisoners' soft skill base, focused on those most likely to result in resettlement, employment and non-offending on return to the community.

We have outlined some of the interlocking issues facing anyone thinking about how we make prisons work better for offenders, providers and the public. In the rest of this paper we attempt to explore some key challenges in more detail and suggest four principles of reform may be applied.

The question of what is measured and how we share progress with the public is central to these principles: the vast majority of Network participants concluded

that as well as a basic need for improving information sharing, there was a significant gap between apparent flourishing good practice and consistent solid evidence of what worked to reduce reoffending. This is critical. It underpins the success or failure of many of the other proposals we make.

Helping prisoners into work and enabling them to support their families and to pay tax is a major public service achievement in itself. But without compelling evidence of impact on reoffending rates, it is hard to see how we can achieve our first principle of developing a more reasoned public conversation about *prisons as a core public service*. Without public support, prisons will always remain behind the curve in relation to other public services: with little incentive for ministers to risk precious political capital in arguing for a more progressive and *brave strategy of modernisation* with all that implies. Unless we can convince the public of prisons' potential for giving people the second chance most of us believe in, and that this is consistent with public safety, it will be harder to generate the wider *community participation* and local partnerships suggested here. If we cannot demonstrate which approaches to prison learning and skills are most likely to make us all safer, it is hard to see political leadership on *user engagement*.

Principles for Reform

4. A new 'common sense': prisons as a core public service

Despite some progress on reoffending rates, there remains relatively little public discussion or recognition of the achievements of prisons as places where learning takes place or the contribution this can make to decreasing recidivism. This is not surprising but neither is it straightforward.

Public spending on schools consistently remains a public and political priority even though the percentage of the public likely to now see education as one of the biggest challenges facing the UK has declined in recent years⁵⁷. Some of us may take issue with the way in which we measure schools' success, the meaning of league tables and improvements in qualification attainment but it seems recent gains have seeped into the public consciousness. We have supported increased investment in the last decade in infrastructure and rises in teachers' pay. The vast majority of us believe intuitively that education is itself a 'good thing' with schools, colleges and universities increasingly playing an important role in the community. It has been a similar story in relation to core health services.

We know who health and education services are there to serve – all of us – and we are likely to have direct experience of using both. The prison service is different. Our fear of crime and narrow conception of the function of prison means that relatively little attention is given to recognising and boosting prisons' role in developing people's learning capacity and skills. The prison's incarceration function is seen as a public safety one, whereas its other roles, as rehabilitator and educator, are still too often perceived as a secondary service for offenders, not the wider public.

Public acceptability

In a speech at the RSA in 2008 the Secretary of State for Justice, Jack Straw reminded his audience of practitioners that: 'Punishment and reform are the very basis of the criminal justice system ... The sentences of the court are first and foremost for the punishment of those who have broken ... society's rules'⁵⁸. This speech and the introduction of the Public Acceptability Test have been seen by some as a sign of a hardening government narrative in some quarters. For example, HM Prison Service has said:

In considering whether a particular activity should be approved, Governors must consider, in the first place, how it is likely to be perceived by the public and by victims and whether it meets prison service objectives effectively regardless of whether the event was made known to the public by the media⁵⁹.

For politicians, there is precious little political capital to be gained from offender learning and huge potential losses arise from security breaches and perceptions of

57 Ipsos-MORI, *Public Spending Index – June 2009*: www.ipsos-mori.com/researchpublications/researcharchive/poll.aspx?oltemId=2374

58 Jack Straw, speech to the RSA, March 2008

59 HM Prison Service, *Prison Service Instruction: Acceptable Activities in Prison*, 2008

being soft on those who have – as the Secretary of State put it – broken society’s rules. The result is ‘progress by stealth’: despite some advances in relation to prison learning and skills in recent years, this remains largely uncelebrated.

Progress

Although causal links remain hard to substantiate, it seems that the more strategic approach to rehabilitation, resettlement and learning has had a positive impact on the basic indicator of reducing reoffending after release. According to the Government, the frequency of adult reoffending fell by over 20 per cent between 2000 and 2007. While the proportion of offenders reoffending decreased by 9.4 per cent (4 percentage points) from 43 per cent to 39 per cent, the number of offences classified as most serious (‘severe’) per 100 offenders increased by 0.8 per cent⁶⁰.

Significant progress in prison learning programmes has been made in some areas against other indicators. The prison service exceeded its 2004–5 targets for the number of prisoners achieving different skills qualifications: prisoners achieved 162,966 key work skills awards and 58,947 basic skills awards and contributed 10 per cent towards the Government’s national skills for life target⁶¹. As Home Office research has shown, there is not a clear and simple causal link between basic skills and securing employment as many other factors have a bearing, including offenders’ relationships with their family⁶².

Facts like these can increase public support but while they suggest that *something* we are doing with offenders in custody is working *sometimes*, the evidence between cause and effect remains weak. It is impossible with the information available at the moment to compare interventions with any accuracy, assess value for money or establish why some interventions work and others do not.

The MOJ commissioned a major longitudinal study, *Surveying Prisoner Crime Reduction*, which is already providing useful information about prisoners’ needs on reception, including the fact that prisoners tend to prioritise help with employment and education over health and family issues⁶³. The survey is the largest of prisoners ever undertaken in Britain with a target sample of 4,000 prisoners across England and Wales over the period 2005–9. Early work on prisoners’ own perceptions of need found that they were most likely to say they needed help with finding employment (48 per cent), getting qualifications (42 per cent) and work related skills (41 per cent). These came ahead of finding accommodation (37 per cent), tackling offending behaviour (34 per cent) and drug problems (29 per cent)⁶⁴. When published, it will provide important evidence on what kinds of interventions are likely to work best and a strong base on which to develop new ways of evaluating the myriad projects in existence (see page 44).

The consistent message from Prison Learning Network participants – evidenced by the case studies included here – was of innovation taking place. Many participants – however critical they were about particular elements of reform or desirous of more investment – believed that policy in relation to prison learning

60 Ministry of Justice, *Reoffending of adults: results from the 2007 cohort, England and Wales*, Statistical Bulletin, May 2009

61 Home Office, *An evaluation of basic skills training for prisoners*, Home Office Findings 260, February 2005

62 HM Prison Service, *Annual Report and Accounts 2004/2005*, 2005

63 D Stewart, *The Problems and Needs of Newly Sentenced Prisoners*, MOJ, 2008

64 www.justice.gov.uk/publications/docs/research-problems-needs-prisoners.pdf

had been going broadly in the right direction, even where they believed that wider criminal justice policy was not. There was a strong sense among them that the days when innovative provision and leadership was overly dependent on individual enlightened prison governors (though still important) had passed, with strategy now more embedded across the system. This is not a story we generally read in our papers. This is no small shame, given that there is evidence to show that public attitudes may be more rational, more pragmatic and less punitive than received wisdom tends to assume⁶⁵.

A comedy of errors?

As the authors of the Esmee Fairbairn Foundation's important work on rethinking criminal justice put it: 'there is something of a "comedy of errors" in which policy and practice is not based on a proper understanding of public opinion, and public opinion is not based on a proper understanding of policy and practice.'⁶⁶

People's views on education for offenders do seem to soften with access to reliable and objective information. The public support harsh punishment for serious offences but are in favour of rehabilitation. We do want offenders to pay but we know life is not that simple and we are capable of proportionality: we support *effective* prevention and believe that drug users and those with mental health problems should receive treatment, not punishment. Still, in comparison with other countries, the British tend to support the use of prison more readily⁶⁷ – but two thirds of us believe that under-18s who have offended and cannot read and write should receive compulsory education rather than custody.

Two thirds of us believe that under-18s who have offended and cannot read and write should receive compulsory education rather than custody

We are sceptical about prison: about half of the members of the public surveyed for the Esmee Fairbairn Foundation report thought that people come out of prison worse than they go in and only one in 10 thinks that having more offenders in prison would do most to reduce crime in Britain. When asked where they would invest £10 million to reduce crime, only 2 per cent chose to spend it on prison places. And when asked how to deal with prison overcrowding, building more prisons was the least popular option compared with others such as tougher community alternatives, and 'pay back' schemes garnered particular support.

For prison reformers, this is good news: the bad news is that it is in times of prosperity and optimism that attitudes to offenders are more sympathetic. During an economic crisis – where more people are struggling and when crime tends to rise – they harden⁶⁸. In addition, despite our pessimism about custody, additional investment to increase prison places tends not be resisted and is not likely to lose votes whereas a perception of being 'soft on crime' is⁶⁹.

Whatever the reasons for public misgiving about sentencing or prison interventions, our lack of direct experience must play a part and in the absence of this, a great deal of our 'knowledge' about criminal acts, policing and detection is gained from fictional television⁷⁰. The Open University found that when we do catch news stories, it is often tabloid newspapers that shape our understanding and here coverage is too often confined to

65 Esmee Fairbairn Foundation, *Rethinking Crime and Punishment*, op. cit.

66 *Ibid.*

67 *International Crime Victims Survey*: www.rechten.uvt.nl/icvs/

68 Esmee Fairbairn Foundation, *Rethinking Crime and Punishment*, op. cit.

69 *Ibid.*

70 *Ibid.*

stories of heinous villains enjoying ‘soft’ conditions, riots or violence within the system⁷¹.

We do, however, think we know about crime even if we get this wrong at times: for example, we exaggerate levels of crime and underestimate the severity of sentencing⁷². Attitudes are shaped locally, although variations in punitive attitudes seem to be less to do with levels of crime and more to do with one-off high-profile incidents, increasing disorder in public spaces and a more general lack of optimism. Comparing areas of equal crime levels, less punitive attitudes were present in areas where people had a greater sense of social control and safety⁷³.

The Conservative Party has argued that public faith is undermined by the fact that many prisoners do not serve their full sentence. Their proposals include more explicitly linking engagement in work, learning and rehabilitation programmes to length of sentence, with governors able to lengthen sentences if prisoners do not engage and participate and reduce them if they do⁷⁴.

Rehabilitation and ritual

Beliefs about crime, punishment and rehabilitation are complex and profound. The sociologist Durkheim described how the process of arrest, conviction and imprisonment serves as an important social ritual reaffirming shared community values: of what we find acceptable, normal or deviant and who is included and excluded⁷⁵. Criminologist Shad Maruna and others have argued that rehabilitation may warrant similar rituals rather than stealth (which for some is part of the attraction of restorative justice programmes; see case study 12). Maruna concludes that dismissing public views as either simply contradictory, irrational or the result of false consciousness and counter-productive misses the point: it is not inconsistent for us to believe in the need for clear punishment and deterrents *as well* as rehabilitation⁷⁶.

We would add that in the absence of evidence and public awareness of what really works to rehabilitate people, and bearing in mind that short-term answers to human beings’ immediate fears tend to trump long-term solutions, it is inevitable that the common-sense but myopic truth of ‘when they do time, they can’t commit crime’ wins out. Popular debate about prison policy and practice gets rapidly polarized around numbers, public safety and conditions. This tends to put governments on the defensive, the prison reform lobby on the attack and the prison service, staff and prisoners without a powerful voice on the effective work that is taking place: a dysfunctional public conversation too often mediated by a media that combines righteous indignation with lack of interest in the detail.

Out of sight

What happens behind prison walls remains largely invisible to most of us. While we may intuitively believe people should be given ‘a second chance’, we know little about what this means in reality. This was a source of

71 M Gellespie and E McLaughlin, ‘Consuming Crime and Avoiding Punishment: Media Influence in the Shaping of Public Perceptions of Crime and Sentencing’, in C Emsley (ed.) *The Persistent Prison: Problems, Images and Alternatives*, Francis Bootle Publications, 2005

72 Esmee Fairbairn Foundation, *Rethinking Crime and Punishment*, *op.cit.*

73 *Ibid.*

74 The Conservative Party, *Prisons with a Purpose*, *op. cit.*

75 E Durkheim, *On the Normality of Crime*, 1895

76 S Maruna, and A King, ‘Public Opinion and Community Penalties’ in T Bottoms, S Rex and G Robinson (Eds.) *Alternatives to Prison: Options for an Insecure Society*, Willan, 2004

Case study 12: Community restorative justice in New Cross Gate, London

New Cross Gate in the South London Borough of Lewisham, has piloted a restorative justice community project that aims to use practices such as bringing together offenders and victims to resolve grievances and prevent further offending. While restorative justice has previously been used in schools and with young offenders, this is the first time it has taken place across a whole community.

Ten local agencies including housing, policing and schools were involved, incorporating restorative justice into their processes. The project aims to involve local people and New Cross Gate offered free training in restorative justice to any residents who wanted it.

Restorative approaches aim to get everyone who has been directly affected by an incident together to talk about what has happened; this might be as a result of anti-social behaviour, a crime, a problem with a neighbour or another situation that has caused harm. At a restorative meeting everyone has his or her say. They are asked to listen to all the other people involved and agree a way forward together. If it's not possible for people to meet together, other ways of sharing everyone's views and finding ways forward are sought.

Normally people in a meeting make a spoken or written agreement. This spells out what everyone is going to do to put things right and help make the future better. Everyone has to agree to these actions and usually someone is asked to monitor the agreement in the future.

Source: www.restorativejustice.org.uk/?Resources:Publications:Books_3

some frustration for many Network participants. However, there was also an element of fatalism among some. This was born, we suspect, out of a disbelief that the public will shift even if the evidence is there, and out of the real difficulties that many practitioners, particularly smaller providers, face in undertaking substantive evaluations. Some Network participants were positively resistant to further emphasis being placed on evidence and evaluation, viewing these as a waste of precious time, and adding pressure to 'doing the day job'.

We acknowledge all these issues. However, like many others among the Network participants we conclude that without measures to dramatically strengthen the evidence base on what works to reduce reoffending and closely associated risks, overcrowding, security and sentencing will continue to dominate mainstream discussion.

A new common sense

Changing the terms of the debate will not come about by simply exhorting people to understand more or by deciding that the public is misguided or irrational.

Unlike health, education and transport, for most people knowledge about prisons is unlikely to arise through direct contact. Just as immediate experience of hospitals increases support for and understanding of how the National Health Service operates and sets priorities, direct and frequent contact with inmates and knowledge of the prison system changes attitudes⁷⁷. We can conclude that the more people involved in direct work with offenders the better. Given the specific nature of prisons, much depends on engaging people in the wider criminal justice system and making learning interventions more visible.

A new common sense understanding will need to build on our normative belief in rehabilitation and in education's role in making humans more resilient, employable and capable of rebuilding their lives. This needs to go beyond intuition and be based on proof of the efficacy of and balance between the different aspects of the criminal justice system in reducing the number of crimes committed.

As we have seen, there are already organisations providing information on innovation and good practice but in reality it is impossible to judge the independent effect of each programme on reoffending levels with the data currently available. We cannot then know the comparative return on investment for each programme or practice, as this would require the development of a common metric of cost and crimes prevented.

There has been progress in building the evidence base for the cost effectiveness of particular interventions. For example, work by the Smith Institute in 2007 found that restorative justice programmes were more cost effective than prison when they involved adults (as opposed to youth offenders). Another example is the work by the Matrix Knowledge Group which explored the cost effectiveness of different types of interventions against prison, concluding that residential drug treatments were more cost effective than prison⁷⁸. The MOJ-commissioned longitudinal survey mentioned above will substantially add to our knowledge and understanding in this area. Likewise important work is being done by the University of Cambridge's Prison Research Centre on what makes a good prison.

A more scientific approach

To highlight the lack of evidence available is not new, nor is it unique to the criminal justice system: this does not make that lack any more acceptable unless we have abandoned the belief that effective public policy and practice need to be based on reliable and high quality evidence. As Lawrence Sherman – the co-author of the Smith Institute's study mentioned above – concluded in his significant work comparing interventions in the US⁷⁹:

Anecdotal evidence, programme favourites of the month, and political ideology seemingly drive much of the crime policy agenda. As a result, we are left with a patchwork of programmes that are of unknown potential in preventing crime. Crime prevention programmes may or may not work or, worse yet, may produce harmful or iatrogenic results. We are not suggesting that the public is being intentionally misled by lawmakers and policymakers who are funding programmes with no scientific evidence of effectiveness, but rather that lawmakers and policymakers are shirking

77 Esmee Fairbairn Foundation, *Rethinking Crime and Punishment*, op. cit.

78 L Sherman L and H Strang, *Restorative Justice: the evidence*, The Smith Institute, 2007; Matrix Knowledge Group, *The economic case for and against prison*, 2007

79 DP Farrington, D Layton MacKenzie, LW Sherman and BC Welsh (eds) *Evidence Based Crime Prevention*, Routledge, 2002

their responsibility to the taxpaying public by not giving funding priority to those programmes with evidence of effectiveness in preventing crime.

Both the Government and the Conservative Party draw on the work by Sherman and others in the US that set out to compare the impact on crime of a wide range of interventions from school-based work and programmes working with families and communities to policing, employment and prison-based work⁸⁰. This was commissioned by the US Congress in 1996 in an attempt to assess the impact of the \$4 billion invested in crime reduction programmes on actual reductions of offences and in reducing particular related risks.

The final report, stretching over 500 pages and covering a huge amount of ground, makes impressive if depressing reading. Below, we focus on some of its broad conclusions around methods of evaluation, looking at three key issues. We have resisted the temptation to assume that the findings around particular interventions in the US – for example that intense and targeted work in areas where there are high levels of youth violent crime are effective – can be simply transplanted to the UK.

The first issue was the simple aim to measure programmes not against intention (for example whether these were ‘soft’ or ‘hard’) but against outcomes: namely how successful they were at reducing the number of crimes committed and reducing well established risk factors such as gang membership. This challenges a hierarchy of approach: assumptions that ‘hard’ approaches to crime prevention necessarily deliver better results than ‘soft’ interventions.

Next, the authors used three basic questions for evaluation: first, what is the independent effect of each programme against a specific measure of crime? Second, what is the comparative return on investment for each programme? And third, what conditions in other institutions are required for a crime prevention programme or practice to be effective, or that would increase or reduce that effectiveness? On examining 500 studies, the researchers concluded that the practice and capacity of most programmes in answering these consequences was very weak and did not: ‘allow the Department of Justice to provide effective guidance to the nation on what works to prevent crime’. We would argue that the UK government still suffers from a similar problem.

Third, the US research recommended setting a bar for evidence across interventions so that outcomes could be compared more effectively and priorities set across a range of settings of different scale. The US model was highly ambitious as it attempted to assess effectiveness beyond the criminal justice system including community, school and employer-based interventions. Indeed, in Sherman et al’s research prison was just part of one of seven strands assessed. Importantly, Sherman et al recommended using the internationally recognised Scientific Methods Scale that aims to rate quality of evidence. The scale has five levels determined by qualities such as sample size, control samples, randomisation and so on. Level 5 is the highest in terms of quality. The authors recommended that the US government require all funded programmes to evaluate work to at least level 3. Their work assessed programmes to be in one of the following categories:

⁸⁰ L Sherman et al, *Preventing Crime*, op. cit.

- * *What works*, where there was a reasonable certainty that interventions would reduce numbers of crimes committed and/or reduce agreed risk factors. Importantly these should be approaches that can be replicated to similar settings elsewhere and therefore not dependent on unique local factors alone.
- * *What does not work*: using the same criteria, these are programmes that would be deemed to have a reasonable chance of failing to reduce levels of crime and agreed risk factors.
- * *What looks promising*, where there is a level of uncertainty but an empirical basis for producing further evidence.
- * *Unknown*, where the research base is simply too small or too weak to make the case and where the evaluation levels are below level 3.

This raises the fourth key issue: the report recommended that 10 per cent of the whole criminal justice bill be allocated to scientific evaluation of this kind and that a further 10 per cent of all funding given to programmes be allocated to scientific evaluation.

Back in the UK, linking funding of providers more tightly to high-level evaluation may be controversial but it is not inconsistent with the Government's attempt to focus OLASS's priorities. Taking this route would be more outcome-focused and enable much better assessment of value for money at a time when budgets are squeezed. It would also be clearer about which outputs are the ones that matter (those that have a clear link to crime levels) and should be prioritised.

Such a move may be resisted particularly by providers who would be likely to lose out. We would argue that a more scientific approach to evaluation should be an aspiration regardless but recognise the major obstacles that this would present. Therefore we suggest that government funding is made available for programmes whose work is not currently funded by OLASS but which are prepared to have their work evaluated in this way.

We do not intend to ignore the important Surveying Prisoner Crime Reduction (SPCR) study commissioned by the MOJ or the Cambridge survey work mentioned earlier (see page 42). Likewise, initiatives like the Social Impact Bond, an investment vehicle being developed by Social Finance. This instrument raises private investment to fund preventative programmes. In the event that these programmes deliver positive social outcomes (such as a reduction in re-offending) investors are paid a proportion of government cost savings. Consequently, if successful the Social Impact Bond can deliver positive social and financial returns for investors and in the long run increase the available funding for early interventions. Social Finance has been focussing on developing a model for reducing reoffending. Both share one of the important qualities of the US research which, while funded by Congress, was independent in its findings. SPCR is already providing important evidence and its continuing work should help to frame further development of a much stronger evidence base and usher in a clear message that every project – however small – should have proportionate but robust ways of evaluating impact on offending.

The Centre for Rehabilitation, and Crime Reduction (CRCR)

There is no shortage of information in the criminal justice world. As this author can testify to, the myriad organisations and sources of facts on prison can be overwhelming and the language of ‘offender learners’, of ‘in and out of scope providers’ befuddling. Indeed, one of the challenges for those wishing to develop a new public conversation about prisons is how to communicate clearly without getting lost among the NOMS, DOMS, OSCARs and RARPAs. Here we suggest adding one more acronym: CRCR – a Centre for Rehabilitation, and Crime Reduction.

The complexity and bureaucracy – let alone the acronyms – sometimes serve to mask the amount of practical, creative and very human work taking place. So it may seem counterintuitive for us to conclude that there remains an institutional gap in the provision of a central objective space for exchanging and strengthening good practice examples and evidence. Our contention is that it is exactly the complexity and the wide range of organisations involved – and their diverse roles and approaches – that justifies bringing together practitioners more effectively in such a centre to share what they are doing and prove that it works to reduce reoffending. Transforming the evidence base requires what Geoff Mulgan has called a ‘NICE’ approach to offender interventions. Creating a body along the lines of NICE (National Institute for Clinical Excellence) to evaluate interventions based on solid evidence of best outcomes would add an important objective presence and take some of the political heat out of the prisons debate.

We recommend that this new centre would be a research and practice collaboration between a university, the QCA and one of the voluntary sector bodies working across the sector such as Clinks. With a clear focus on what works in reducing crime it would need to pilot ways of aggregating evidence locally, regionally and nationally: drawing on some of the more effective current information systems already in place – including a more structured RARPA – self-evaluation and user engagement.

The details of such an institution would need further discussion to ensure that it can usefully use data arising from existing studies with an emphasis on refining tools for evaluation suitable for the wide range of players involved. The proposal itself in its infancy was welcomed by many in the Prison Learning Network.

We believe there are four critical elements to consider. Firstly, the success criteria for programmes claiming to reduce reoffending should be the number of crimes prevented and specific reduction of risks to reoffending. A new institution focused solely on building the evidence base for offender interventions and their impact on crime could ensure that methods are flexible enough to recognise value added, innovation and user engagement. Evaluation does not need to be done in isolation to other strategic objectives. So for example, evaluation that effectively engaged both staff and prisoners could help to deliver some of the changes we have suggested here. Secondly, the new centre should adopt a sufficiently high level of evaluation and design method for aggregating evidence from the myriad of organisations involved: we would argue that the Scientific Methods Scale level 3 has the advantage of being

} The myriad organisations and sources of facts on prison can be overwhelming and the language of ‘offender learners’, of ‘in and out of scope providers’ befuddling

internationally recognised and enabling comparisons with models abroad. However, we recognise that for some, adopting a ‘realistic evaluation’ framework that asks not just ‘what works?’ but also ‘what works for whom in what circumstances?’ may help to identify not only interventions that are independently effective in reducing reoffending, but also the set of personal, environmental and institutional arrangements that support or hinder that effectiveness.

Thirdly, consideration should be given to the advantages and pitfalls of combining provision for good practice sharing and practitioner networks with research and evaluation under one roof. One of the striking characteristics of the Network deliberations was that so many of the ‘new’ ideas suggested in good faith were quickly matched by examples of practice already taking place somewhere in the system. The innovation element of any new institution could usefully provide a central objective source of good practice. This needs to go beyond case studies – however valuable these can be – to really enable practitioners to share the nuts and bolts of why certain projects came to fruition and how people overcame particular operational barriers. Crucially, it would enable innovation within the prison system and beyond to be promoted and replicated with greater confidence.

Again and again Network participants voiced their gratitude to have an occasion where they could exchange examples and discuss challenges with others working elsewhere in the system. It may be possible that an innovation or ‘what works’ coalition – whether housed by our new centre or not – could take on a broader role of enabling cross geographical and system networking as well as more

Case study 13: The RSA’s Education Charter and Whole Education Campaign

The RSA set out to create a coalition of individuals and organisations, hoping to bring together those who wanted to focus on the content of 21st century school education. The Education Charter was drafted in 2008 by a range of organisations that felt they shared many values and ideas about education, but lacked a platform for common action. The Charter now has more than 1500 signatories. Many organisations have also signed up, including voluntary sector organisations, schools, teachers unions, student organisations and many others.

The campaign is now seeking to involve a wider group of stakeholders (including parents, young people, business, local authorities and the wider public). The RSA and its partner organisations began conducting a national campaign around Whole Education in late 2009, going into early 2010, based on the initial values set out in the Charter. The campaign will promote Whole Education – that which focuses on life skills as well as knowledge – and encourage all different types of stakeholders to engage with what this might mean to them.

The campaign is gathering examples of practices relating to Whole Education, alongside stories of young people benefiting – or not – and evidence of the impact. The aim is to engage practitioners, parents, young people and communities across the country with their views, ultimately to help practitioners to identify and spread effective practices that embody the values and ideas around Whole Education.

Source: www.thersa.org/projects/education/education-campaign

effective exchange of practice. This approach is akin to that adopted by the RSA in developing the Education Alliance in relation to mainstream schooling, and may provide a model or starting point for further discussion (see case study 13).

The fourth and final issue would be around funding. Such an institution would need to be front-loaded to develop workable matrices including agreeing the key factors that reduce reoffending. In addition, government-funded programmes should be required to undertake evaluations to the same criteria and level of quality. Government would need to choose between providing additional funding for good quality evaluation and maintaining this money for delivery but without, we believe, the information it needs to know whether it is getting value for money.

Such an institution would need to establish a high profile reputation based on objectively trusted and rigorous research, not advocacy on behalf of prisoners or victims of crime.

Prisons as a service to all

Throughout our project, the Network heard evidence of impressive, inspiring and often innovative work being done with and by prisoners. The current reality is that should we have adopted Sherman's approach, we would have been likely to conclude that there is much that works and much that is promising, but far too much would have ended up in the 'unknown' category. Very often it was not possible to assess if individual projects work to reduce reoffending. Evaluation was made more difficult still by the fact that a new project will take some time to show an impact on reoffending rates.

Without powerful and clear-cut evidence of the benefit of prison learning or other rehabilitative interventions, visible and consistent political leadership on these issues is unlikely to occur and we will continue to 'let the public off the hook'. Evidence can help to balance the tendency human beings have to think of short-term impacts only and to turn away from those who have transgressed: even when this may not be in the long-term interests of public safety or social progress; even when it seems clear that building more and more prisons is no more desirable than putting our faith and resources into interventions that do not work.

The need for solid evidence of impact matters in any area of public service to ensure accountability throughout the system. It is particularly problematic in relation to crime prevention, punishment and rehabilitation given the risks involved, the timescales over which impacts have to be judged and the deeply political nature of policy interventions. The inevitable 'invisibility' of prison life, the top-down nature of the service and the sheer complexity of the structures that have evolved continue to serve as barriers to gathering evidence, shared learning and increasing public understanding.

In the absence of a strong alternative public narrative about the role that prison learning plays in making life outside more secure for us all, prisons will not be discussed as a mainstream public service. Even in a period where there has been significant changes and real progress, this remains at best a quiet evolution, not a

publicly articulated story of service transformation. The long-term ambition of government and practitioners must be to forge a new common sense that engages citizens and communities as beneficiaries of a public service that serves to keep them safe through learning and rehabilitation as well as incarceration.

Celebrating success

The prison system is too often on the defensive when it comes to communicating what it does, arguably more so than any other core public service. We have included here local examples, like the Clink Restaurant and Electric Radio (see case studies 1 and 3), which have managed to convey what they are doing effectively using the media and effective marketing. These kinds of examples are welcome and serve to engage the public and policymakers with concrete, human examples of the kinds of initiatives taking place. However, they are too near the exceptions that prove the rule that ‘good news’ and innovation are not the norm. Too often the default position on communicating innovation and success is to say nothing, for fear of positive stories of innovation resulting in ‘fire-fighting’ negative headlines.

Nationally, figures on prison numbers and capacity are published weekly and are readily accessible. However, there is no such equivalent information available on how prisons are working to meet their objectives, or accessible information on progress. This is, as we have argued, partly about a lack of availability of solid evidence as well as the complexity of collating and communicating outcomes across the system.

Compare this to schools, police and other public services that seek to engage the public – and in particular local communities – in their work and giving voice to the practitioners leading change. National school league tables as well as performance indicators for every school are widely available. Likewise, the public can easily access national NHS and local hospital performance indicators.

Giving greater priority to promoting and marketing prison services comes with its risks but should not be seen as a shallow sideshow but as a key component to fostering a more informed and positive discourse about prison services as a core public service. This needs to go beyond the ‘converted’ and reach out to local communities and the wider public using technologies available.

5. Ahead of the curve: a brave strategy for modernisation

One of the constant themes to emerge from the Prison Learning Network was the need for a more ambitious modernisation strategy for prisons that puts the service on a more level footing with other mainstream public services. We have argued that doing so requires compelling evidence of the role learning, skills and other interventions have on crime reduction and a new vision of prison's role in making communities safer. It means being more ambitious and optimistic about the capacity of prisoners to learn and of prisons to deliver evidenced change. And it means government being prepared to make the public case for the resources and innovations needed at a time where cuts in public services are inevitable.

In this chapter we focus on three themes – *the role of technology, modern workforce skills and raising aspiration* – and suggest changes that we believe would signal a sea-change in approach and serve to improve outcomes. All are in their way controversial and would require government and practitioners to show leadership by making a robust and public case for change, engaging with citizens about the costs, benefits and risks of reform.

The role of technology

Technology is rapidly changing how we live, learn and work. Its pervasiveness means that functional competence in its use now needs to be counted as an essential skill for the modern world. Ninety per cent of new jobs require ICT skills and many posts are now advertised solely online and recruitment processes are increasingly electronic⁸¹. The rapid development of new technologies means we cannot predict what the jobs of the future will look like or the skills gaps which may open up as new ways of working and living emerge. The challenge is to ensure we do what we can to ensure current inequalities are not further entrenched as some groups get left behind.

Technology use broadly increases with socio-economic status: for example, people in social classes A and B are more than twice as likely to use the Internet as those in D and E⁸². The 'three Cs' of the digital divide – connectivity, capability and content – is a useful framework for highlighting the importance of bridging the technology gap: tackling lack of access, lack of technology skills and the need for service developers to provide compelling content through electronic channels. More than six million adults are both socially and digitally excluded⁸³.

This is a major concern for government, which has recognised that using technology in teaching can improve outcomes and the experience itself. It provides a way of catering for different teaching and learning styles and can motivate pupils where previous education has failed to do so. The use of technology can provide cost savings and increased efficiency in lesson preparation and delivery.

81 Communities and Local Government, *Delivering Digital Inclusion. An Action plan for consultation*, HM Government, October 2008

82 G Gardner and A Oswald, *Internet Use: The digital divide*, Warwick University, 2001

83 Communities and Local Government, *Understanding Digital Exclusion*, HM Government, 2008

As the Government's 'digital inclusion champion' Martha Lane Fox has stressed, better digital inclusion goes beyond improving individual short-term outcomes (having a computer at home can lead to a two grade difference in one subject at GCSE, for example)⁸⁴. Stressing the wider social benefits of increasing access and digital capabilities, she has argued for the need to focus on the most excluded⁸⁵.

Offenders, whether in the community or in custody, would be a good place to start, facing as they do very particular circumstances and needs which technology can help meet. In this Chapter we give an overview of some of the current changes and argue that however welcome, a more radical strategy is needed to keep pace with the speed of technological innovation.

Beyond the Internet

Before we do, it is important to note that while we may focus here on online learning materials, there is a wide range of technology being used within the prison system to support a range of desired outcomes. As we have seen elsewhere in this report, technology can support learning and rehabilitation indirectly through making improvements to 'non-learning' functions such as the transfer of records or the maintenance of family contact. Storybook Dads (case study 14), is one such scheme – highly regarded – which enables parents in prison to maintain contact with their children, often developing their own learning at the same time.

Case study 14: Storybook Dads

Storybook Dads started with an enterprising and determined single mother and a humble CD. Six years and 3,400 CDs later the same simple idea – that parents in prison should be able to read to their children – is utilising advances in technologies.

The imprisoned parent records a story and a message which are then downloaded onto a computer. Using digital audio software, trained prisoners then edit out mistakes and background noises and add sound effects and music. The editing process is such that it means that poor readers or non-readers can still participate. A mentor simply reads each line for them to repeat and then the mentor's voice is edited out.

Finally, the CD or DVD is burned, a personalised cover created and the finished disc is sent to the child. The prisoners do not have to pay for the CD, but many choose to make a donation. At HMP Dartmoor, Storybook Dads also produces DVDs so that the child can see their father's face and watch him reading. Pages from the book are filmed so that the child can see the pictures.

Source: www.storybookdads.org.uk

Today's prison system is fascinating not least because it combines the archaic with the cutting edge. While significant proportions of the estate are still housed in Victorian buildings (with all the challenges this brings to service design,

84 Chowdry et al. *Drivers and Barriers to Educational Success - Evidence from the Longitudinal Study of Young People in England*, Institute of Fiscal Studies 2009

85 www.marthalanefox.com/digital-inclusion-task-force

technology use and communications) there are also pockets of cutting edge design and technology. The RSA's Design Directions project, which explored how prison visits could be improved, highlighted the potential for quite simple ways to improve the experience (and thereby contributing positively to family relationships) in even the most old-fashioned estates, as well as using new technologies to enable virtual visits⁸⁶ – see case study 15.

Case study 15: Social animals

In a report on engaging design students in the process of redesigning the prison visit, the RSA concluded that doing so could benefit inmates, their families and reduce reoffending. It argued that relatively simple and inexpensive changes to how family visits are designed should be considered by prison governors and government, and that the value and importance of design in shaping the new prison estate should not be ignored. The suggestions emerged from the RSA's Design Directions award competition in which students worked with prison staff, family support organisations and prisoners' families to develop new ideas for prison visits.

Prisoners' children and partners often find visits alienating and upsetting. One solution suggested was a journal, to be filled in by prisoners and their child, each taking turns between visits to document what they were up to. This would allow parents inside to play a more constant role in their child's life. Another suggestion was enabling the parent inside to recreate part of the normal parenting role by allowing the giving of a gift to their child.

One designer proposed a system of visiting 'pods' that offered enhanced privacy without compromising on security, and enabling families to interact in a more comfortable and 'home-like' environment. Another entry called for virtual visits via a secure internet connection. As well as the emotional benefits of being able to stay in touch more informally, the virtual visit eliminates the risk of items being passed between visitor and prisoner. It would also increase the chances of staying in touch where prisoners are – as is often the case – held long distances from home.

The use of prison gardens was seen as an important way of enabling prisoners and families to grow produce, learn to cook and then eat together. This would require changes in the layout, culture and routines of prison life but would again help strengthen relationships between prisoners and their families.

The RSA's report highlights a wider debate about the value of design and use of design skills in designing public services. It concludes that design educators risk failing to equip students to work in public services if the focus remains solely on product and industrial design. Since the publication of *Social Animals*, HMP Bronzefield has been looking at how it can begin to use the video technology already in place in local courts. The aim is to develop a cost effective, safe way of meeting both prisoner and staff needs.

Source: www.thersa.org/about-us/media/press-releases/design-students-redesign-prison-visits

86 S Parker, *Social Animals*, The RSA, 2009

E-learning and technology-enhanced learning includes a variety of techniques and tools: digital cameras, voice recorders, interactive whiteboards, cordless keyboards, voting systems, closed online learning platforms and courses. Radio provides a good example of the kind of innovation that when first mooted seemed controversial but is now seen as an effective way of gaining qualifications, building skills and improving communications within prisons. The success of schemes like Electric Radio in HMP Brixton has resulted in NOMS working in partnership with the Prison Radio Association to roll out prison radio nationally (see case study 3).

So technology-enabled learning is not just about the Internet, although that is the focus of debate for the 'next frontier' of advance. This is important, for while the Internet has huge potential, it tends to be the focus of most security concerns around technology in prison. Many of these technologies can be safely and appropriately used in secure settings. The potential for ICT-enabled services, within security constraints, to help people in prison to help build basic skills and to tackle reoffending rates is considerable: from the use of serious gaming technologies used to prepare offenders for release, to 'remote' cognitive behaviour therapy for those with addictions delivered via the Internet, email and text messaging.

} The potential for ICT-enabled services, within security constraints, to help people in prison to help build basic skills and to tackle reoffending rates is considerable

For technology providers, or technology experts working in the prison sector, resettlement and the reduction of offending are key overarching goals. By exposing prisoners to a range of ICT skills and experiences the aim is to equip them better to get and hold down a job. Communications technologies are notable for overcoming disadvantage. They can be a powerful leveller of the playing field for people with a range of disabilities and learning difficulties by enhancing personalised learning through 'at your own pace' programmes.

A large percentage of prisoners have special needs and do not have basic skills when it comes to technology. This will inhibit their participation in employment, education and training on release and, as more and more people access information, services and networks online, make resettlement harder. Major achievements towards the Government's Skills for Life targets have been made in the community, while offenders are still a long way behind. However, there are signs of real progress.

Recent innovation

The Network's discussions and the evidence we gathered showed that there has been significant innovation in the use of technology in prisons and in relation to learning and skills. Again, as innovations and applications of technologies were suggested, it emerged that somewhere in the system was an example to show it could be done. This does not just suggest a need for better sharing of information but a more strategic approach and more central leadership on the potential for technology to transform recording and tracking as well as learning and skills provision. While high profile innovations like the Virtual Campus (see case study 16) have helped to demonstrate the potential of technology-enabled learning, many of the examples here remain 'below the radar', preventing duplication and learning across the system.

Five years ago, the use of technology for learning in prisons was scarce and random. Security staff, senior managers and governors were not alone in not understanding the potential role of technology. Within their particular context many also had understandable – if at times over-exaggerated – concerns about the potential risks of different technology use. Now, due to a combination of innovative practice on the part of some governors and prison staff, backed by major investment (£11m) from the LSC in 2008, technology is being used much more widely and a body of good practice is emerging across the prison estate.

This is a good example of capital and revenue investment following government policy and has been a very successful two-and-half-year programme of capital investment, staff training, resource development and dissemination. Digital activities supporting rehabilitation include the Learning Journey, which incorporates basic ICT, learndirect centres in approximately 20 prisons, PICTA (Prisons ICT Academy) established in 20 prisons, and digital switchover in prisons.

Individual prisons invest in their own infrastructure and the prison service IT security provides support for internal networks and developments, both for staff and offenders. The prison service and the LSC have supported a variety of initiatives including POLARIS in London prisons (which will now be replaced by the Virtual Campus which is awaiting national rollout) and IT Refresh for OLASS providers.

The Virtual Campus and the Government's pathfinder initiative, POLARIS, did encounter some challenges. For example, our working groups raised the fact that external practitioners faced problems transferring and accessing content when inside. Work has been done to overcome these issues and one Network participant noted the potential for linking the rollout of prison radio (including live-streaming of content) with that of the Virtual Campus model.

Case study 16: Virtual Campus

The Virtual Campus provides prisoners with secure access to a range of content that supplements other teaching. It offers the opportunity for offenders and staff to undertake qualifications that have been made available through a national online learning platform. This includes basic ICT qualifications and support with literacy and numeracy. Using intuitive software it can be used to develop prisoners' CVs prior to release.

Each student is risk assessed and then given a unique login that is specific to the content that they are allowed to use and view. There are a restricted number of websites that offenders and staff can access and all activity is heavily monitored. The system is connected to a broadband connection that acts as a virtual private network. Additional websites requested are risk assessed and where possible content providers work to ensure sites are suitable.

Prisoners can contact their tutor or submit work online, search and apply for jobs and access information and advice on resettlement services including mentoring in the community.

Source: www.prisonerseducation.org.uk/index.php?id=190

There does seem to have been a genuine and significant step change in attitudes and understanding among some key staff and governors within the prison system, whose fears are often allayed by practical experience. The prison service is keen to identify good practice, replicate successful initiatives and improve public confidence in the management of risk to public safety. Without compelling examples and broader understanding, prison officers can err on the side of caution or restrict or block the use of technologies.

There have been occasions – in the UK and elsewhere – when the use of technology has not been adequately risk assessed and consequently poor practice has been identified by the popular press. This contributes to the view held by some of the public that the use of technology for offender learners is an unnecessary and uneconomical use of taxpayers' money⁸⁷. In all cases, where access is provided, this is risk assessed, security accredited and closed to external sites and communication⁸⁸. The future challenge will be to increase access to Internet-based services that can reduce the risk of reoffending while working within security and public safety limitations.

Elsewhere the criminal justice system is already using technology to modernise and improve efficiency: from virtual/prison courts with video links that reduce travel time and staff needs to the use of handheld computers by police to log crimes on the spot and reduce form filling, and courts using mobile technologies to text reminders to pay fines.

Recording learning and transfer

Currently prisons are required to transfer prisoners' learning-related documents within five days of their arrival. One survey found that when officers were asked if they receive records, none said always, 32 per cent said 'regularly' and 67 per cent 'irregularly'⁸⁹. An effective national system for passing on records has huge potential and should help to solve some of the current problems that arise.

A prisoner being transferred may have already been assessed, yet records can arrive too late or never and so another assessment is done. This can happen repeatedly. Access to courses varies across the prison estate. This means that work started in one place can fail to be completed when prisoners are moved, often without notice, to another establishment, or released back into the community. Increased regional cooperation should help but needs to be underpinned by effective record transfer, the lack of which is not just an administrative irritation, but also wastes valuable staff time and can undermine prisoner and staff motivation.

This issue has been a long-standing one and it is hoped that the development and rollout of MIAP will help to solve this problem⁹⁰ (see page 33). A similar innovation within the NHS, GP2GP – which allows the transfer of patient records electronically – has proved to be successful with some 5,000 practices now using the system. A challenge will be to ensure that take up is universal and includes private prisons who do not currently receive funding for implementing MIAP. The development of e-portfolios, where prisoners can access their online learning account on release into the community or when moved to another part of the estate could help solve remaining problems.

87 For example: www.telegraph.co.uk/scienceandtechnology/technology/facebook/4931533/Prisoners-post-messages-and-photographs-on-Facebook; www.theregister.co.uk/2008/11/08/prison_network_hacked/

88 'Closed' Internet access means a locked-down version of a website or number of websites, a locked-down learning platform or a locked-down intranet, with appropriate sites and sources of content being 'whitelisted' and controls put in place to restrict an offender from going out to the outside world

89 J Braggins, *Shared Responsibilities. Education for prisoners at a Time of Change*, NATFHE, 2001

90 DIUS, Departmental Report, 2009

We do not want to understate the progress that has been made but to raise three issues which highlight the need for a far bolder, consistent and far more ambitious approach to using technology in the context of prisons and in particular prison learning and skills.

First is the fact that prisoners are doubly digitally excluded (see below). Second are the implications for the speed of technological change: without continued innovation and investment, ongoing advances in technology could make the recent progress made in prisons quickly obsolete. The risk is that prisons will continue to play 'catch up' at best and, at worst, fall further behind. Third, the advances that have been made need to be championed by government if those developing products and new strategies are to continue to innovate and invest. It will be a brave government that argues for a strategy that can overcome these challenges.

Double digital exclusion

Prisoners are in an almost unique position. First, the prison population is already much more likely to be digitally excluded than the average population. Second, despite progress, the prison system lags behind other public services in relation to technology in many ways but in particular in relation to access and modern equipment. Third, prisoners' incarceration restricts them from a wide range of learning (formal and informal) that makes future resettlement and employment harder. The result for most prisoners is that they are doubly digitally excluded: lacking the skills on entry and not being able to access new products as they emerge.

The use of different technologies can make a critical difference, particularly in the context of overcrowding as prisoners spend increasing amounts of time in their cells or moving around the system. Technology can help prepare people for work and life back in the community, enabling distance and in-cell learning. The high prevalence of special needs among prisoners also suggests a particular role for technology. Technology opens up the opportunity for the public to become more involved in prisons (as virtual mentors, for example) and breaks down some of the barriers between communities and prisons. As we have seen it can play an important role in enabling inmates to keep in contact with their families, which seems to play an important role in reducing the chances of reoffending on release. It can also assist in creating valuable 'bridging' social capital for prisoners to draw on upon release and increase the potential for developing correctional support networks rather than returning to older criminal ones.

The conversations we have had throughout the Network and the examples that are included here, suggest that there is a great deal of willingness on the part of practitioners, technology companies and prison providers to take a more ambitious approach to technology use in prisons. The danger is that without stronger leadership from government, the cheapest contracts will win through and even positive steps (for example extending the use of in-cell laptops) will not be coupled with the development and training needed to ensure maximum benefit.

Prison is exactly the kind of environment where technologies can make a significant difference and where innovation should be encouraged to thrive.

But providing prisoners with access to cutting edge technologies is seen as controversial, in part because of worries about security but also because access to technology is seen as a luxury. It is therefore not surprising that politicians shy away from trumpeting technology use in prisons. For example, the Conservative Party's proposals place a great deal of emphasis on rehabilitation and incentivising prisoners to engage in learning and work. However, they have very little to say on the role that technology can play in rehabilitation and building basic skills. Furthermore, it is hard to see how the Party's short-term response to capacity – the return to using prison ships – can be consistent with long-term aspirations for tackling recidivism.

Case study 17: Integrated Digital TV in prisons

iDTV offers a new, alternative route for e-learning, which is particularly suitable for prisons due to concern about Internet security. The ways in which learners can interact with the service are strictly limited and do not allow open access to the Internet. The key difference between e-learning via the Internet and e-learning via iDTV is that the Internet allows access to other sites, while iDTV does not. All navigation is via on-screen menus using a standard digital TV remote control unit and users are unable to access any other services or to send messages.

Source: e-learning in the Secure Estate, http://shop.niace.org.uk/media/catalog/product/f/i/file_1_47.pdf

Case study 18: In-cell TV for learning

HMP Littlehey used in-cell television to allow learners to take part in accredited learning. It took a blended approach combining television programmes, specially designed learning materials and face-to-face sessions. Programmes were broadcast and repeated at set times for learners to watch in-cell. The areas of learning selected were parenting, preparation for employment, healthy living and financial literacy, all chosen because of their impact on resettlement. The ability to learn through television allows for flexibility of access.

Source: e-learning in the Secure Estate, http://shop.niace.org.uk/media/catalog/product/f/i/file_1_47.pdf

Advocacy for using technology to enhance prison learning needs to go beyond its role in raising educational standards within prisons to include its role in meeting diverse needs, contributing to greater employability and family stability, and in reducing reoffending. The multiple benefits of using technology in relation to prison learning justify the aim of ensuring that its use be brought up to and taken beyond the level available in mainstream learning. Doing so will take some political courage and goes against the risk-averse nature of successive governments' approaches to prison policy.

Ahead of the curve

Nonetheless, we conclude that a bolder, 'ahead of the curve' case must be made for upgrading and modernising technology-enabled learning across the prison estate. Computers and electronic white boards are not treats for inmates but sensible ways to make return to the community more manageable.

Organisations like Future Lab are exploring the impact of assisted learning technologies (including those that use avatars and games) in schools, particularly in relation to teaching those with special needs. Given the high prevalence of special needs within prison, it is likely that these kinds of approaches would translate well to the prison context. It is easy to see how such an approach within the prison context would end up on the front pages of a newspaper. But it is hard to see how this could change without courage, evidence and clear and enforced security guidelines.

We not underestimate the challenge this presents in a tough fiscal context in relation to a tough political area. But without an 'ahead of the curve' strategy on technology, the opportunities for gaining employment and continuing learning for offenders will not grow and could even decline. There is a risk that the prison education workforce will fall behind or lose the best people to mainstream education where they can continue to develop technology skills on the job.

As is already apparent from the run-up to digital switchover in 2012, there will be increased focus on technological innovation as well as digital exclusion. This seems a sensible timetable for a much bolder and louder strategy for enhancing the use of technology in prisons. This would make the case for prison technologies being ahead and not behind the curve with a clear focus on learning and skills and family contact. The message to the public needs to be that prisoners who have ICT skills will be more likely to learn inside, resettle on release and secure employment. The challenge for the prison system will be to ensure that there are consistent restrictions in place and greater clarity on where there are real security issues.

This would require additional investment but costs could be reduced by engaging the best companies and employers in testing products and building sophisticated ICT skills where possible and appropriate. This would require the development of standard protocols for equipment use across different parts of the secure estate. Most notably it would require prisoners to have access to up-to-date and industry-standard ICT equipment and software applications.

Such a strategy should include an overarching e-learning framework for offender learning and skills which incorporates all delivery settings. This should include all learning provision owned and sponsored by the MOJ, NOMS, BIS, private sector prisons and the LSC and should be charged with outlining the benefits, both of participation in learning and skills and also of the role of technology in enhancing those opportunities. A key component of this, which speaks to the proposals we make for wider community participation and area-based learning and skills (see page 79), would be the creation of local content: this should be shared across clusters to meet strategic planning outcomes and targets.

Investment and the estate

Getting staff trained, confident and positive about the use of technologies in enhancing learning will take time and investment and this will be hampered in part by the antiquated buildings, cabling and infrastructure of some of the prison estate. Even where there is enthusiasm and approval secured, it can take months for installation of new systems to take place. In some prisons, there are basic restrictions on space or a lack of electrical points. Senior managers, practitioners and government departments need to acknowledge the physical restrictions in the older prison estate, which may inhibit progress in the use of technology, and that working closely with facilities managers can help to overcome this. Meanwhile, the Government has the opportunity to ensure that the new prison estate is designed around the potential that technology brings: by adopting a 'Building Prisons for the Future' programme along similar lines to the existing 'Building Schools for the Future'⁹¹.

It is, for example technically possible for prisons to adopt wireless technology now and for this to be made safe and secure. Doing this now would not only send a powerful message about the importance of technology to rehabilitative services but would also leapfrog some of the infrastructure challenges the estate presents and help to 'future proof' the new estate.

Harnessing Technology, the Government's strategy for meeting the technology needs of learners, requires that those teaching people over 16 years old have access to high quality content and resources: this includes those working in the offender learning and skills sector⁹². It is developing new approaches to Initial Teacher Training in the lifelong learning sector: this includes new standards and 'Licence to Practice' requirements. The standards for teachers, tutors and trainers in the lifelong learning sector describe, in generic terms, the skills, knowledge and attributes required of those who perform the wide variety of teaching and training roles undertaken within the sector with learners and employers⁹³. All new and existing teachers will be required to demonstrate ICT and technology-for-learning skills.

Prison Learning Network participants stressed the need to engage prison staff in the implementation of new technologies and to provide regular, consistent and effective training for both staff and inmates⁹⁴.

Resentment

Feedback from governors involved in the Network and evidence from elsewhere shows that prison officers can resent the investments made in learning, especially non-work related and technology focused, if they have not been able to acquire the necessary skills to benefit themselves. This can be divisive: staff, already under a lot of pressure, can feel that offenders are being offered more opportunity for advancement than they or their families are.

Until recently, prison service staff were not tested on literacy, language, numeracy or basic ICT skills as other training needs have taken priority: restraint techniques,

91 For information on Building Schools for the Future see www.number10.gov.uk/Page5801

92 Department for Education and Skills, *Harnessing Technology: Transforming learning and children's services*, HM Government, 2005

93 Lifelong Learning UK, *New overarching professional standards for teachers, tutors and trainers in the lifelong learning sector*, LLUK, 2007

94 See also J Braggins and J Talbot, *Wings of Learning: The role of the prison officer in supporting prisoner education*, Esmee Fairbairn Foundation/The Centre for Crime and Justice Studies, 2006

sentence planning, searches, thorough care, and anti-bullying and suicide awareness training. Prison service staff are currently allocated six training days per year: not all of these are taken up because maintaining cover within the estate takes priority.

Research into prison officers' attitudes in Northern Ireland suggested that there is an untapped interest in learning from the prison officers who resent opportunities currently provided to the inmates⁹⁵. This echoed findings of an earlier study, *Wings of Learning*⁹⁶, published by the Esmee Fairbairn Foundation and the Centre for Crime and Justice Studies in 2006 and based on a study in English and Welsh prisons. That report focused on enhancing the role of the prison officer in wing-based learning (rather than education provided by external teachers elsewhere) and is worth examining in some detail.

Wings of Learning found that officers would like to be more involved, subject to training and time, particularly in the development of personal and social skills as well as vocational training (the areas they were already most engaged in), rather than formal qualifications⁹⁷. It concluded that prisoners agreed that more learning provision should be delivered on prison wings by staff but that making significant strides in this direction would require additional training and management support and tackling crowding and understaffing.

The prison officers saw their role as threefold – as enforcers, carers and reformers – and expressed an interest in being enabled to put more emphasis on the latter two roles. They did not see this as innately contradictory to their security role, which they felt could be made easier if they were given the time and skills to play a greater role in 'softer' learning provision and vocational training. They thought this could enhance discipline.

Skills for personalisation

Many officers in the *Wings of Learning* report showed an intuitive understanding of 'dynamic security', which has been defined as requiring good relationships, structured activity and individualised programmes, concepts that chime well with the personalisation agenda in mainstream education⁹⁸.

While the LSC's increased emphasis on personalisation in prison learning is to be welcomed, the current workforce reform agenda has yet to address many of the skills outlined above or the emphasis placed on user engagement and collaboration. Working with the Prison Officers' Association (POA), the service has identified a need for skills development within the service to enable staff to undertake their diverse roles more effectively (see page 85)⁹⁹.

Prisons can draw on the plethora of training programmes and materials focused on the 'new' skills sets that personalisation requires which have been developed in relation to schools. These tend to emphasise negotiation and reflective thinking, the ability to empathise and engage with pupils in ambitious goals while taking a flexible approach, recognising barriers and being able to work collaboratively with others to overcome these. An innovative and entrepreneurial approach is recommended with a particular emphasis on the role that technology can play in

Wings of Learning found that officers would like to be more involved, subject to training and time, particularly in the development of personal and social skills as well as vocational training, rather than formal qualifications

95 T Irwin and DA Wilson, *The 'Good Relations' Agenda and the Changing Context of the Prison Officer in Northern Ireland: The Development of a Pilot Project*, Paper presented at the fifth Pan-Commonwealth Forum on Open Learning, 15 September 2008, University of London

96 J Braggins and J Talbot, *Wings of Learning*, *op. cit.*

97 J Braggins and J Talbot, *Wings of Learning*, *op. cit.*

98 Ian Dunbar, Home Office, quoted in *Wings of Learning*, *op. cit.*

99 Prison staff engagement survey for 2008 referred to in parliamentary questions: www.parliament.the-stationery-office.co.uk/pa/cm200809/cmselect/cmjust/361/36106.htm

delivering personalised learning. At the heart of the development of mainstream personalised learning is the issue of voice and choice.

Shared learning

While training needs to be handled carefully and authority maintained, opportunities for joint training of providers and staff, or peer mentors and staff, can be successful and should be explored where possible. One example of an innovative approach to mentoring came about as a result of restrictions in budget: one prison faced with fewer training resources decided to let prisoner mentors and prison officers do their NVQ qualification together. While this was driven by costs, it worked also to raise awareness among the officers about the mentoring scheme and training involved. With careful handling there is no reason why this kind of approach could not be adopted more widely, particularly in the context where there is at the very least an equal offer to staff and a shared commitment and understanding of the benefits of learning.

There are often additional cultural divisions around learning and skills provision that are exacerbated by security issues and overcrowding. Prison officers are encouraged to engage in provision and are critical in delivering inmates to classes and inculcating a culture of aspiration. However, there can be few incentives for prison officers to behave in this way if they work in a prison where they will be judged solely on security issues. The result can be that external learning providers can be seen as a distraction, adding to work, rather than to a core part of their role.

Wing-based learning strategies are one way in which a range of key players, including external teachers and voluntary sector providers and officers, can work together as part of a multi-disciplinary team alongside health and probation workers. On a regional level, increased regional cooperation between clusters of prisons and providers in any one area provides an opportunity to provide joint training wherever possible, linked to shared engagement of providers and prison officers in designing and delivering services.

Network participants believed these kinds of changes, which gave prison staff opportunities to develop their own skills and a greater role in the design and delivery of learning and skills services, could serve to soften some of the cultural barriers that do exist and develop a culture of shared aspiration.

However, it is hard to see how a transformation in culture can take place in relation to prisons and learning without there being significant changes to the prison workforce. The police workforce modernisation programme is looking to recruit from a much wider skills base, for example those with experience in community development or working for people with advanced emotional literacy skills¹⁰⁰. Underlying this shift are very similar issues and recognition of the importance in individual and community relationships to successful policing. Of course, the prison service will always need to place issues of security and safety centre stage, but this does not mean the aspiration should not be to break down the distinction – and some of the divisions – between external learning providers and prison staff.

100 RSA, *Citizens and Institutions of the Future: Service Designing Citizen-Focused Policing*, 2010 (forthcoming)

Raising aspiration

As part of our research, the RSA undertook three consultations with different groups of prisoners – male adults, female adults and young offenders – and asked them about their views on learning and skills and what changes they would like to see. Many raised issues of consistency and coordination, particularly when they were moved around the estate: one young man had just been told he was to be moved just two weeks before he was due to take his final exam. This kind of disruption happens regularly and can crush inmates' motivation and undermine their initial aspiration to engage in learning or undertake qualifications. Governors can 'put a hold' on prisoners in these circumstances but as some conceded, this was not always possible when spaces were urgently needed.

The prisoners' groups also raised the importance of teachers' skills – fresh and innovative teaching methods were seen as the most effective – and the need to train officers to enable them to play a larger role. The prisoners were aware of the need for efficiency and of the shortage of resources and suggested that training staff better could bring more coordination across departments within a prison as well as across the estate. They also suggested better use of existing resources including computers and the skills of other prisoners. The young offenders we spoke to were particularly keen on smaller group learning and more practical skills. When asked what single thing they would want to change, many were keen for courses to go beyond level 2 and wanted to see an expansion in choice on what was available.

The prison service has adopted the 'Test The...' approach developed by Move On (a Government-commissioned campaign to promote the value of basic skills). This has proven to work across large-scale complex organisations¹⁰¹. Test the Prison will help build a skills for life strategy for staff and promote and encourage an interest in learning and skills. In addition, the service is engaged in workforce development as part of the professionalisation of the service¹⁰². Since September 2007 new prison officers must undertake an NVQ level 3 in Custodial Care, to pass their foundation year¹⁰³. It has been suggested that in the short term a minimum of level 2 literacy, numeracy and ICT qualifications should be embedded within this.

We suggest a more ambitious target of level 3 where possible and appropriate. This is in line with recommendations in the Leitch Review of Skills and would send a positive signal to employers, staff and offenders. If prisons remain behind the curve on skills, the work opportunities for ex-offenders will be even more diminished, as employers will be gearing up for basic entry-level skills to be at level 3 by 2020. An equal offer to staff and inmates should reduce resentment among prison officers and increase prisons' capacity to deliver wing-based learning. This shift in priority to attaining level 3 should be made in close partnership with regional and local employers and through-the-gate providers to ensure provision is linked to local needs, services and is 'owned' by employers.

Conclusions: A braver strategy for modernisation

The Government has outlined its vision for public service transformation. It sets out three areas for priority: services enabled by ICT must be designed around the

101 Move On: A campaign approach to improve skills for life learning: www.move-on.org.uk/testthe.asp

102 Home Office, *Reducing Reoffending National Action Plan*, Home Office, 2004: www.noms.homeoffice.gov.uk/news-publications-events/publications/strategy/reducing-reoffending-action-plan

103 M Bolger and J Bennett, 'Training and Developing Prison Staff' in J Bennett, B Crewe and A Wahidin (eds) *Understanding Prison Staff*, Willan Publishing, 2008

citizen or business, not the provider, and be provided through modern, coordinated delivery channels; government must move to a shared services culture – in the front office, in the back office, in information and in infrastructure – and release efficiencies by standardisation, simplification and sharing; and public involvement in policy development, including consultation with citizens and people that use public services, is a necessary part of a healthy democracy.

The Conservative Party has set out four central concepts for reform: public services will get smaller, be more localised, more market orientated and co-produced by users and communities. Its recent policy paper on prisons speaks to some of these concepts and to the common themes that appear to underpin its public services reform agenda¹⁰⁴. These champion autonomy and accountability with an emphasis on devolving more responsibility to local level practitioners while paying by results. The party says that should it get into government, it will introduce more contestability with a larger role for the private and voluntary sector, and will emphasise transparency by providing the public with more information about the performance of local services.

Whoever wins the next election will face difficult decisions on priorities and cuts. It is not clear yet how prisons will fare: even in hard times, when crime tends to rise and public concern increase, cutting spending on prisons could prove unpopular. Both of the main parties are committed to providing additional spaces. However, difficult decisions will still have to be made in relation to learning and skills provision: particularly where there is weak public recognition of this work and as yet a weak base of evidence on outcomes. What is clear is that efficiency and productivity will be even more important than they are now.

We have argued for a more strategic approach to unlocking the potential of technology in the context of prison learning and skills. High-tech innovations are being used within the prison system already and are beginning to bring about changes that we would once have only imagined. The UK is soon likely to see its first keyless prisons led by Core Systems working in Belfast. The aim is ultimately to be able to lock down the prison with a press of a button. These kinds of changes have substantial implications for how officers' time can be used. The temptation may be to see such high-tech applications in terms of cost savings. The braver option would be to see such innovations as an opportunity to re-imagine the prison and the way in which its workforce can better support rehabilitation, protect the public and promote the country's ability to compete more effectively in a world transformed by technology.

Likewise, we propose that key skills – in particular those pertinent to personalisation and ICT – be addressed wherever possible through current reviews. Such a strategy could, we believe, attract new recruits to the prison service, reduce the number of recruits that leave in their first weeks and months and reduce turnover. A study by the Centre for Crime and Justice Studies found that prison officers did think education was important, that they defined it very broadly and that they would like to play a bigger role in provision, particularly of vocational and soft skills¹⁰⁵. Delivering this effectively should mean better coordination through wing-based learning and improved targeting of resources for external providers.

¹⁰⁴ The Conservative Party, *Prisons with a purpose*, *op. cit.*

¹⁰⁵ J Braggins J and J Talbot, *Wings of Learning*, *op. cit.*

Raising our aspirations for the prison system and in particular its ability to utilise the new tools we have available to us, will need public investment and concerted effort. A new technology strategy should assess the potential for the private sector to use the prison population for testing new products and sharing some of the associated costs. In the long term, ensuring an equal and more ambitious offer is provided to prison staff and offenders will help to deliver a workforce with a higher level of basic skills, able to take on a more diverse range of activities and a prison population more likely to secure work and not reoffend on release.

Perhaps most importantly, these changes could serve to catalyse a change in culture, based on a shared commitment to raising people's individual and collective aspirations, and develop a modern prison system that better serves the interests of prisoners, staff and the public.

6. Shared solutions: widening community participation

This report has focused up till now on the work done in prison aimed at enabling people to learn, gain skills and build their capacity to resettle and not offend on release. In this chapter we turn briefly to the policy agenda and practice involved when people leave prison and return to the community and outline the challenges that they can face in securing employment (even in more secure economic times). We go on to explore in more detail the issue of community participation in relation to employment specifically, but suggest how this may fall within a wider agenda of civic engagement and how we may open up the prison and resettlement agenda to the wider public.

Case study 19: Allegheny County Jail Collaborative, United States

This programme is set up as a partnership between several local institutions, with the purpose of reducing duplication of government services. It offers a multi-modal approach to reintegration, focusing on various issues including family reunification and community engagement to support in ensuring logistical items post-release. Peer support and a close relationship between prisoner and case manager are essential parts of the programme (the case manager follows ex-prisoners for up to one year after their release to assist with reintegration and support continuity in learning). Re-entry planning starts immediately after incarceration and a service plan is developed 60–120 days prior to release. Evaluations show an overall 15 per cent reduction in re-incarceration compared with the rate before the Collaborative began.

Source: www.alleghenycounty.us/jail/

Through the gate

Every year around 80,000 people leave prison: many will have a range of acute needs from housing and employment issues to drug or mental health problems. Supporting offenders through the prison gate and providing continued support is widely acknowledged as good practice. Interventions in the community can be a cost-effective way of reducing recidivism and improving educational and other outcomes for offenders¹⁰⁶.

Once the offenders are in the community, the probation service screens them under its supervision and encourages them to take up learning and skills opportunities. As with in custody, providers are diverse, including third sector organisations and mainstream educational establishments.

In 2008 more than £9 million was spent on basic skills services for offenders in the community: this is less than within prison as the expectation is that this group also has access to the whole range of mainstream education. There are no official

¹⁰⁶ J Roman and A Chalfin, *The Case For and Against Prison*, The Matrix Knowledge Group, 2007

data on how many individuals participated in the courses and services funded for offenders in the community, though the probation service recorded that 10,436 qualifications were achieved by offenders in 2006–7¹⁰⁷.

Personal action plans should be provided from the time of release, and specify the ongoing support needed. The Prison Learning Network participants reported that the current use of action plans is not as effective as it could be: the aim should be for offenders to have a thorough understanding of their own sentence plan and the rationale for its various components with clear goals.

Case study 20: East of England test bed

The East of England test bed is a partnership involving the National Offender Management Service (NOMS), prison and probation services, the Learning and Skills Council, Jobcentre Plus and providers and partners. The success of the test bed hinges very much on the support of employers. A regional employer leadership group, chaired by Stephen Bourne, chief executive of Cambridge University Press, has been established as part of the test bed. This group of employers acts as a sounding board for the activities, as well as helping to promote the work.

The Blue Arrow recruitment agency has been looking at the training delivered within the region's prisons to see how it matches with the skills required for the vacancies it recruits for. To this end the test bed prison lead has provided the agency with prisoners' CVs from across the region so they can be matched with suitable employment opportunities.

Source: www.prisonerseducation.org.uk/index.php?id=284

On release some offenders are allocated a key worker who will help them to broker local services such as housing, healthcare and benefits. There was agreement among the Network that the role of key workers and floating support workers can be decisive in resettlement. The current split between interventions and offender management, and the time constraints imposed by probation officers' heavy caseloads means that the probation service struggles to provide intensive and personalised support. One suggestion put forward by Network participants was for Individual Learning Support Managers, to be funded through BIS.

Another proposal from the Network was for further development of transitional spaces. People leaving prison, particularly those who have served longer sentences, can be overwhelmed by the sudden lack of structure and absent or changing routine when their term in prison or community service ends. A 'transitional space' provides a more staged adjustment to new living conditions, easing that process. Although care is needed to make sure that such spaces do not in effect become an extension of institutionalisation, there was support for specialised centres, for accommodation and for learning and skills provision, which could help build confidence and self-esteem, enabling offenders to join mainstream life and learning.

¹⁰⁷ Controller and Auditor General, *Meeting Needs? The Offender and Learning and Skills Service*, National Audit Office, 2008

Case study 21: Dutchess County Jail Transition Programme, Dutchess County Sheriff's Office, United States

The Transition Programme at Dutchess County Jail offers an interesting approach towards short-sentence inmates. Because of the short length of stays, no specific cognitive curricula are followed. Rather, within a social learning atmosphere, programme officers and social workers use a variety of methods based on their relationships with each participant to address criminogenic risk and criminal thinking.

A key part of the transition plan is providing participants with contacts in the community while they are still incarcerated. Also, correctional programme officers make contact with graduates and family members at least once a month for one year after release from jail. Many graduates voluntarily return to the jail to meet with their transition counsellor for counselling and guidance. According to preliminary evaluations, the strategy realised a 33 per cent reduction in recidivism.

Source: www.urbaninstitute.org/UploadedPDF/411660_life_after_lockup.pdf <http://www.urbaninstitute.org/UploadedPDF/411660_life_after_lockup.pdf>

Case Study 22: Making the Change, Bristol

Making the Change, a Bristol based charity, is behind plans for a new halfway house for teenagers leaving Ashfield Young Offenders Institution. The aim is to help young people to avoid sinking back into crime and support them in becoming students, apprentices and employees.

About eight boys will be at the house at any one time, with round-the-clock supervision. During the day they will be studying or working and in the evening will be kept busy with work such as gardening, painting and decorating. Drugs and alcohol will be banned, a curfew will be in place and there will be the threat of a recall from their release licence if they fail to comply with the rules. The project aims to open in Spring 2010 but is facing some local resistance.

Source: www.redlandpeople.co.uk/news/Residents-oppose-new-halfway-house-Bristol/article-1676703-detail/article.html

Ideally, learning and skills training begun in prison should be continued in the community by slotting offenders into mainstream educational provision. But in reality many prisoners do not currently approach mainstream education and are much more likely to attend informal learning in local community settings. Aside from the discomfort some will feel with formal education, there are other practical obstacles such as term times that may act as a barrier to attendance.

The National Audit Office estimates that courses provided in prison that are started but not completed – often as a result of transfer or release – cost as much as £30 million.¹⁰⁸ Network participants felt that this incompleteness rate was

¹⁰⁸ Controller and Auditor General, *Meeting Needs? The Offender and Learning and Skills Service*, op. cit.

in part due to a lack of joined-up working in the community, manifest in the different funding streams available to different agencies. Budgets do not follow individuals, but instead are situated within institutions or programmes, preventing the flexibility in tailoring programmes and services to offenders' complex and changing needs as they leave prison.

Case study 23: Working Ventures UK (WVUK)

Working Ventures is a not-for-profit company and an executive non-departmental public body sponsored by DWP. It sits part way between the public sector and the world of business. Its primary resource is a network of 1,400 employers – particularly the employer coalitions, whose members' organisations employ one in ten of the UK workforce.

In 2005–6 WVUK carried out research in the UK and US to identify areas of best practice and lessons for improving the offer to employers who engage offenders. Based on these lessons, in collaboration with three UK government departments (DIUS, MOJ and DWP), WVUK is delivering 'exit to work' – an action research project trialling new ways of engaging and supporting employers who are willing to work with or employ ex-offenders, so that they can get a job at the end of their custodial or community sentence.

Source: www.employercoalitions.co.uk/index.php?

Case study 24: New York City Discharge Planning Collaboration, United States

The primary focus of this Collaboration is discharge planning and connection to aftercare services and resources. Services address pressing issues that arise immediately after release, such as access to benefits and services in the community. For example, a hotline has been established for inmates to call and be connected to a service provider for re-entry assistance. There is a single service provider that works with an inmate in jail, transports him or her to jail services on the day of release, and continues to work with that inmate in the community for 90 days after release, providing case management, crisis intervention, and referrals.

Source: www.nyc.gov/html/doc/downloads/pdf/discharge_planning.pdf

The RSA is currently piloting user-centred drugs services, working with a range of agencies in one geographical area – see case study 25. The aim is to engage drug users in the design and delivery of services, including the use of individual budgets. While the pilot is in its early days, consideration could be given to looking at some of the more innovative user-centred initiatives like this one, which works with people with relatively serious and complex needs, to assess whether or not they work. The pilot could provide lessons for a more locally based, user-centred approach to prison resettlement.

Case study 25: RSA User-Centred Drug Services Project

This project builds on the work of the RSA Commission on Illegal Drugs, Communities and Public Policy (2007), which argued for a more tailored and expansive approach to drug services. It concluded that drug users should be treated like any other recipients of public services: they have not forfeited their rights to effective public services and may need these more than the average person if they are to achieve their full potential. User involvement in drug service design and delivery is key and associated with higher levels of treatment satisfaction and retention, positive lifestyle outcomes such as improved family relationships, and increased user confidence, motivation and independence. It is a method to increase service uptake and engagement among traditionally 'hard to reach' groups.

The heterogeneity of drug users is problematic: current users, ex-users, different ethnicities, ages, and care responsibilities all pose different questions and make it hard to develop structures to reflect this diversity and ensure representation. A vicious circle forms with no user involvement developing for certain populations, meaning no specific services to cater to their needs and relatively few users from certain groups accessing services.

Working with West Sussex Drug and Alcohol Action Team and Addaction, former and current users (many of whom are 'service naïve') and a range of local partners, the RSA is designing a model of delivering personalised services. We have recruited and trained a team of current and former users in research techniques and involved some 200 local users in carrying out and participating in a large-scale survey and qualitative case studies. This research forms the basis of our new model and ideas for personalised services, all co-designed with our user team. We will test our new services in 2010 and place them in a wider 'recovery community', built and supported by a range of local partners and RSA Fellows in the region.

Source: www.thersa.org/projects/past-projects/drugs-commission

Many of the issues that were raised by Network participants around through-the-gate provision echo those relevant to in-custody learning: including tensions around basic skills and basic needs, targets and coordination. Two were of particular concern to participants: the importance of working to maintain family relationships (which are significant in reducing reoffending levels) and the need for more local cooperation.

Families can provide much needed support while prisoners are inside and on their release. There is growing recognition of the importance of maintaining and building links with families while offenders are in prison, through breaking down practical hurdles to visits and implementing programmes, such as homework clubs, that help families to engage in learning together. Network participants highlighted the fact that parenting classes in prisons were one of the most popular choices for inmates and increasingly recognised as critical to incentivising prisoners to learn.

Case study 26: The Family Man

The Family Man course is one example of a successful project, operating across 22 prisons in the UK, providing male offenders – alongside their partners – with a programme of rating themselves against the seven resettlement pathways developed by NOMS [see Table 4, Chapter 3]. The course offers support to male prisoners by helping them prepare and write individual action plans based on the seven pathways, in particular no. 2, skills and employment. In addition to this, careers fairs are held within the prisons, along with specific workshops delivered by external employers who provide particular components. The main outcome of the programme is the production and development of a more concise action plan.

Source: www.safeground.org.uk/courses_familyman.php

The prisoners we spoke to who had undertaken parenting classes reported positive outcomes. They believed they had developed a better understanding of family relationships and their role as a parent. They felt more committed to their families and had seen improvements in the frequency and quality of family visits. As an aside but no less important, the prisoners said the course had strengthened their understanding of team working and the need to cooperate, and had helped with their reading and writing, confidence and communications skills. They believed their ability to understand and empathise had improved and felt the course had engrained in them a more positive attitude to learning in general.

The feedback from the Network working group on through-the-gate provision suggests that support work in the community needs where possible to include the learning needs of the whole family. The working group also stressed the need for far better local information and cooperation around services and the employment market.

Case studies 27, 28 and 29: Responsiveness to labour market need

27: Kensington and Chelsea College

A number of providers offer courses for former offenders to fill industry gaps in London and other parts of the country. Kensington and Chelsea College is the OLASS provider for all eight (soon to be nine) London prisons and supports youth and adult learners in developing construction skills, for which there is high demand. The 150–200 full-time students expected to be trained in the KCC Transition Centre in the span of one year are guided by appointed mentors to find local long-term job opportunities. Those mentors are often ex-offenders, deliberately recruited for their relevant skills and experience. The college aims not only to enhance learners' employment chances, but also to improve their lives more generally.

28: Romford and Hackney

Another construction skills training provider to ex-offenders is Construction Training London (Ltd) in Romford, Essex, which delivers plumbing, electrical work, woodwork and in the future brick-laying and drainage work. Meanwhile, Hackney Community College in London organised a Construction Taster Week for ex-offenders, which resulted in a 10-week course for 10 learners, five of whom are enrolled to start a plumbing course in September 2008.

29: West Nottinghamshire College

West Nottinghamshire College provides learners with skills and certificates for entering the utilities sector. The college works in partnership with HMP Ranby and the East Midlands LSC and supports 14–19 year olds and adult offenders. The college has a policy of establishing a relationship with offenders' families, who are usually invited to the award-handing ceremonies. The programme enjoys a 95 per cent success rate. A regular newsletter ('In Touch with Prisons') is circulated to prisoners and prison staff, which shares information and acts to encourage motivation by underlining successful initiatives.

Sources: www.readingroom.lsc.gov.uk

Employment in a cold climate

Given the current international and national financial climate and the increase in unemployment, the organisations that support offenders and ex-offenders to reduce barriers to work are facing a period of turmoil. The reality is that ex-offenders – who already struggle to secure work on release – will encounter further barriers in the current environment.

The worst-case scenario would be for crime and custody to rise (as they tend to in times of recession), pushing prisons again to breaking point. This would not only undermine much of the work that has been taking place but could decrease public support for offender rehabilitation, which we know grows colder at economically difficult times. In addition, employers – themselves facing having to make redundancies and cutbacks – are less likely to have jobs available for people leaving prison or to spend time engaging, as some have done, with the prison system. Unemployment and consequent social exclusion are problematic in themselves but are also likely to increase reoffending and hence raise the crime rate.

Recent labour market figures from the Office of National Statistics included some good news: the increase in unemployment in the third quarter of 2009 was the smallest since spring 2008. The number of people claiming Jobseeker's Allowance had fallen and there was a slight increase in the number of vacancies over the last quarter.

Case study 30: Red Hook Community Justice Centre, New York City, United States

One example of a project that evolved out of the recession in the US was the Red Hook Community Justice Centre. Launched in June 2000, it is the nation's first multi-jurisdictional community court. It operates out of a refurbished Catholic school in the heart of a low-income Brooklyn neighbourhood, and seeks to solve neighbourhood problems like drugs, crime, domestic violence and landlord-tenant disputes.

At Red Hook, a single judge hears neighbourhood cases that under ordinary circumstances would go to three different courts – civil, family and criminal. The goal is to offer a coordinated rather than piecemeal approach to people's problems. The Red Hook judge has an array of sanctions and services at his disposal, including community restitution projects, on-site educational workshops and general educational development (GED) classes, drug treatment and mental health counselling – all rigorously monitored to ensure accountability and drive home notions of individual responsibility. But the Red Hook story goes far beyond what happens in the courtroom.

The courthouse is the hub for an array of unconventional programmes that engage local residents in 'doing justice'. These include mediation, community-service projects that put local volunteers to work, and a youth court where teenagers resolve actual cases involving their peers. The idea is to engage the community in aggressive crime prevention, solving local problems before they even come to court.

Source: www.courtinnovation.org/index.cfm?fuseaction=Page.viewPage&pageID=572

However, the unemployment rate for August to October 2009 was 7.9 per cent, unchanged on the quarter but still up over 2 percentage points compared with the same quarter in 2008.

The number of unemployed people increased by 21,000 over the quarter to reach 2.49 million. The number of people unemployed for more than 12 months increased by 49,000 to reach 620,000, the highest figure since the three months to November 1997. For 18 to 24 year olds the unemployment rate also increased, to reach 18.4 per cent, the highest figure since records for this series began in 1992¹⁰⁹.

While the number of vacancies in the three months to November 2009 was up slightly compared with the previous quarter, there were still 5.5 unemployed people per vacancy, compared with 2.3 in January 2008.

¹⁰⁹ Office for National Statistics, *Labour Market Statistics*, July 2009

Case study 31: Kormo Shadin/Freedom to work, East London

In June 2007, Working Links, a leading organisation that has helped 100,000 long-term unemployed people to find work, launched the Kormo Shadin – or ‘freedom to work’ – programme, which aims to guide and support jobseekers through a range of activities, enabling them to become socially and financially better off. Funded by the London Development Agency, it has been designed specifically to help Bangladeshi ex-offenders and is focused on those living in the East London boroughs of Tower Hamlets, Newham and Hackney.

The programme has already had a massive impact in the communities where it runs: more than 261 people have registered to take part and over 79 people have now been helped into a job. Earlier last year Kormo Shadin helped the Borough of Tower Hamlets to gain a Beacon award for reducing reoffending.

Source: http://www.workinglinks.co.uk/working_links/news_stories/kormo_shadin.aspx

Things can only get worse?

As we have described, even at times of economic prosperity and low unemployment, people who have been in prison are much more likely to be unemployed than those who have not, and they face huge barriers in securing work. So the fact that in 2007/8, 16,500 ex-offenders – including those who had served community sentences – were placed in employment for four weeks or longer is welcome news. This is an increase of 2,000 offenders from the previous year. In the last three years 32,640 offenders have found a job and kept it¹¹⁰. However, this is only a small proportion of the approximate 80,000 offenders being released each year and around 190,000 offenders subject to supervision by the probation service at any one time

Over 50 per cent of people under the supervision of probation and of those leaving prison are unemployed and many will go on to experience long-term unemployment. For about half of all vacancies, employers are likely to reject most people with a criminal record solely due to this factor rather than because of a lack of suitability for the job. Those with more serious convictions will be rejected for about 90 per cent of vacancies¹¹².

The main causes of such high unemployment are: poor employment characteristics (e.g. literacy, qualifications, employment record); other characteristics that can reduce employment performance (e.g. drug dependency, homelessness); being drawn disproportionately from groups with higher rates of unemployment (e.g. ethnic minorities); employer discrimination and problems over revealing a criminal record (e.g. lack of confidence). Tackling unemployment among ex-offenders needs a three-pronged approach: improve skills and qualifications (including ‘soft’ skills sought by employers); tackle problems such as housing and drug abuse, and increase the number of employers who take in ex-offenders.

While having been in prison increases the likelihood of unemployment, anyone with unspent convictions also faces difficulties in securing work. The most

110 National Probation Service, Community Sentencing – reducing reoffending, changing lives, 2008: www.justice.gov.uk/publications/community-sentencing.htm

111 National Probation Service website: www.probation.homeoffice.gov.uk/output/page7

112 Department for Work and Pensions, Barriers to employment for offenders and ex-offenders, DWP Research Report No. 155: www.dwp.gov.uk/asd/asd5/mep155.pdf

common reasons employers give for not employing offenders are disapproval and a concern that they would be held responsible for recruiting a person with a criminal record who then offended at work.

Employers' choices are exacerbated by their lack of knowledge of offending behaviour, and, particularly, by their lack of knowledge of the prevalence of offending, of the high number of people with a criminal record, of the risks of reoffending at work and of the pattern of desistance. Few employers have effective knowledge of the Rehabilitation of Offenders Act. In many cases criminal record information is sought at the written application stage. This is more likely to lead to rejection than when information is sought at interview, at which stage the recruiter can consider information on the criminal record more fully and is more likely to weigh the criminal record against other considerations.

While some work can be done in building ex-offenders' skills in making an application and confidence about how to deal with revealing their conviction, this will have a relatively small impact without measures to change employers' attitudes so that a criminal record is only taken into account in relation to job performance.

Case study 32: Way to Go

The 'Way to Go' project will be co-funded by the European Social Fund and NOMS and will progress offenders towards and into employment by mapping individual needs to existing provision and coordinating a coherent approach. This will be achieved through Enhanced IAG (information, advice and guidance), developing an action plan, mentoring individuals, developing realistic training based on need created by shortages in the local workforce, achieving appropriate qualifications, and accessing work placements, culminating in a job offer and sustained employment.

Source: <http://readingroom.lsc.gov.uk/lsc/EastofEngland/Contracts200713EoE.pdf>

However, the extent to which these changes could be engineered is also likely to be limited. Criminal record is not an important aspect of selection for many jobs (despite criminal record information being sought for over 60 per cent of vacancies) and extending equality of opportunity to people with a criminal record is not high on employers' agenda. Indeed, the more that employers are made aware of a criminal record (generally and for individual applicants), the more likely they seem to be to discriminate. The introduction of equal opportunities policies relating to offenders does not appear to be helpful (being associated with greater rejection of those with a criminal record)¹¹³.

Another approach would be to reduce the ability to discriminate by reducing access to criminal record information (or an anti-discrimination law). There appears to be some misuse of Criminal Record Bureau (CRB) checks and Network participants suggested that a step change would require a review of current practices around the Rehabilitation of Offenders Act 1974. Whether this is a widespread problem or not, withholding information from employers is

¹¹³ Metcalf, Anderson & Rolfe, *Barriers to Employment for Offenders and Ex-Offenders – Part One: Barriers to Employment for Offenders and Ex-Offenders*, DWP Research Report 155, 2001

problematic: not only would such a move likely be unpopular with employers, it does nothing to engage employers and the wider public with the potential for resettlement and places the ex-offender in a difficult position should they mention his or her past.

Some Network participants raised questions about the implications of the Government's 'Safeguarding' agenda, including the expansion of use of CRB checks. A key question was the need for clarity on the balance between people's legal right not to disclose the fact they had offended with new rules aimed at protecting children and young people under 18.

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In 2004, the Chartered Institute of Personnel and Development made a series of recommendations aimed at strengthening employer good practice and increasing their willingness to take on ex-offenders. These included ensuring that the central goals of employment programmes for offenders are providing adequately paid work with potential for career advancement, information and advice on legislation affecting the recruitment of offenders, as well as training on carrying out checks properly and fairly. The CIPD concluded that employers should be provided with promotional materials based on existing success stories and that consideration be given to long-term funding for training those employers taking on offenders, conditional on the development of fair recruitment policies, including specific provisions for offenders¹¹⁴.

A few years later the CIPD claimed that three-quarters of organisations would consider employing ex-offenders if they had the relevant skills. It urged the Government to focus on improving and raising awareness about the support available to employers and equip ex-offenders with more marketable job skills, in particular soft workplace skills like honesty, reliability and good personal behaviour¹¹⁵.

The Corporate Alliance

In 2005 the Government set up the Corporate Alliance with the aim of proactively engaging employers with the criminal justice system and prisons. This has had some success and there are now more employers from the corporate, public and voluntary sectors getting involved in training offenders during their sentences and subsequently offering them jobs. For example, Bovis Lend Lease has launched Be Onsite, an initiative to address skills shortages in the construction industry through employer-led training. This will offer job brokerage, supported employment and skills training to offenders and others. Likewise, Transco has a history of employing ex-offenders and championing their involvement as part of the company's skills and corporate social responsibility agenda.

The Corporate Alliance brings together employers of all sizes from the public, private and voluntary sectors. This mix of business skills has been successful in finding ways of increasing the numbers of offenders going into jobs and the Alliance has sought to communicate with other employers, outlining how they can get involved in skills, employment and employability programmes for offenders that will contribute to reducing reoffending.

¹¹⁴ N Flynn, *Employers and offenders: reducing crime through work and rehabilitation*, CIPD, 2004

¹¹⁵ CIPD, *Employing ex-offenders to capture talent*, 2007

Feedback on the Alliance from the Network was mixed. Most who had had direct experience of the Alliance were positive about its potential role. There was, however, a general agreement that – particularly in light of the recent recession – its communications strategy needed to be improved by identifying, approaching and showcasing new champion employers and generally increasing its profile.

NOMS also established three Alliances to develop practical partnerships to tackle reoffending with the aim of ‘making reducing reoffending everyone’s business’:

- * The Corporate Alliance aims to get more offenders into sustained work through encouraging employers from all sectors – public, private and voluntary – to pledge to employ offenders, provide training, including in the ‘softer skills’ such as CV writing and interview techniques, to support their staff to act as mentors and to encourage others to do the same. Additionally, employers are encouraged to donate resources, equipment or materials for training purposes or unpaid work.
- * The Civic Society Alliance aims to provide equality of access for offenders to mainstream local services such as accommodation and health, through improved partnership working with local authorities, local organisations and communities. It also aims to improve access to purposeful activities in the arts, leisure and sports. The hope was also that members would make links to the civil renewal agenda, informing, consulting and involving local people through methods such as seeking the views of local communities on unpaid work projects.
- * The Faith and Voluntary and Community Sector Alliance aims to build on the innovative practical and spiritual help that can be provided by VCS and faith groups working with offenders in prison, following release and with offenders subject to community orders.

Agencies who worked with employers found that they were often preaching to the converted: those employers who have a social conscience, or are even ex-offenders themselves. While this indicated commitment and positive outcomes it was felt that there was a need to expand the employer base to include skills and recruitment organisations and smaller employers.

This would complement promotion already taking place, including the Business in the Community website (www.bitc.org.uk) which is focused on information on what works. Again the Network working group was keen to see more visibility given to these kinds of initiatives as well as the work of volunteer mentoring organisation SOVA and crime reduction charity NACRO, which has sought to give both the employer’s and the ex-offender’s perspective on effective approaches. BeOnsite, Ikea and Royal Mail have all demonstrated a willingness to work with other employers to support them and it was felt further work and promotion in this area would have a positive impact on public attitudes.

The recent unemployment trends give rise to a deeper need than ever to engage employers and the public in these issues. Government figures on crime in 2007/08 show that the recession has resulted in increased levels of particular crimes, including theft and fraud. Street crimes such as bag snatches and pick pocketing have increased, with petty theft up 25 per cent, shoplifting up 10 per cent and drug offences up 6 per cent. The British Crime Survey also revealed a 313 per cent increase in fraud by company directors¹¹⁶.

Much was made of these figures when they were published, with predictions made of an impending 'credit crunch crime wave'. However, what tended to be overlooked was that total recorded crime in England and Wales was down 5 per cent over the year and people's experience of crime remained stable. While burglary from people's houses in England and Wales did go up, 10 more taking place every day, this constituted only a 1 per cent rise. However, recorded burglary from other buildings (offices, factories, shops and so on) went down by 6,050 incidents: a 2 per cent fall. But whatever the realities, the public perception remained that the crime rate was rising¹¹⁷.

We all have an interest in people who have been in prison securing jobs and living productive lives, not just because the link between unemployment and recidivism is strong but also because it is costly and bad for communities for people to be long-term unemployed, given all the knock-on effects this has for well-being.

Given the particular circumstances ex-offenders now face, we conclude that further short-term action should be explored to complement recent changes to NOMS and in particular the focus on engaging employers in the provision of education suited to local need. Simply exhorting employers to take on offenders in the current circumstances is unlikely to result in many offenders securing jobs in a weak employment market.

Case study 33: The Community Justice Centre, North Liverpool

The Community Justice Centre is a unique initiative that brings justice into the heart of the community, tackling crimes and anti-social behaviour that affect the quality of life for people living in the local authority wards of Anfield, County, Everton and Kirkdale, in North Liverpool.

The first of its kind in England and Wales, the centre aims to work closely with local people to understand and tackle the causes of anti-social behaviour and crime. It combines the powers of a courtroom, run by Judge David Fletcher, with a range of community resources, available to residents, victims and witnesses, as well as offenders. It also organises and supports activities involving local residents and, in particular, young people.

One of the key successes of the Community Justice Centre was how it positively related with the local media in Liverpool. The media were involved at a very early stage with significant efforts made to engage journalists with the restorative justice approach. However, as well as this media support, success also depended on the centre involving a number of key people and organisations within the community who were prepared to take risks.

Source: www.communityjustice.gov.uk/northliverpool/about.htm

¹¹⁶ Office for National Statistics, *British Crime Survey*, 2008

¹¹⁷ Ipsos-MORI, *Closing the Gaps: Crime and public perceptions*, January 2008

Second Chance employment campaign

We recommend the need to inject a sense of urgency into the employment needs of ex-offenders through a short-term 'Second Chance' campaign, a national and regional coalition focused on crime reduction through employment.

While this needs to focus on particular skills areas and options for ex-offenders (such as how we support enterprise and self-employment), the impact of the recent recession requires a broader call to action based on our shared responsibilities and benefits of social mobility and crime reduction.

Nationally, the Government, working with the Corporate Alliance, should consider developing and seed-funding a short-term strategy aimed at increasing the number of employers proactively engaging with prisons, probation and ex-offenders.

Case study 34: Business Link

Business Link start-up provides a service involving delivering a variety of seminars and workshops on starting up businesses. The vast majority of offenders obviously cannot start up a business while in prison. However, they still benefit from information so they can start to develop a business plan, which can be linked to qualification. On release, they can communicate with their local Business Link.

Unfortunately, this service is not available everywhere. There are some grant schemes for starting up a business but no universal scheme that covers the whole country.

Source: www.businesslink.gov.uk/bdotg/action/home?domain=www.businesslink.gov.uk&target=http://www.businesslink.gov.uk/

One of the key challenges still faced by public sector employers is that there is a perception that many do not openly promote the employment of offenders or ex-offenders with a criminal record within their respective agencies. How fair an accusation this may be is hard to know, particularly as many ex-offenders do not declare their convictions. However, the profile of the Home Office and Ministry of Justice along with several other public-sector employers is slowly changing. The Ministry of Justice has stated publicly that it will now consider employing individuals with a criminal record. This is welcome but further action and government leadership is needed.

It is also important not to lose sight of the value of volunteering as a springboard into employment, especially given the need for transferable soft skills that can be gained from positive volunteering programmes. SOVA (Supporting Others through Volunteering Action) provides specific programmes that support and engage offenders back into employment through the benefits of volunteering.

A 'Second Chance' campaign for ex-offenders should seek to put further pressure on public organisations to proactively open their recruitment to ex-offenders. It should engage those organisations involved in promoting the cause of ex-offenders

but who do not themselves employ any ex-offenders, in taking proactive steps to ensure their recruitment policies are open to these people and make direct contact with organisations (like the Vision Team, case study 38) that arrange work placements for prisoners¹¹⁸. This should include some partnership agencies, whose remit centres on assisting offenders and their rehabilitation.

As well as direct routes to employment the campaign should seek to include organisations like PRIME, Business Link and others with a focus on fostering enterprise and supporting those wanting to set up as freelance. Research published in 2000 suggested that a small percentage of micro-financing organisations target support for ex-offenders, many of whom will not have the assets or income available to set up on their own¹¹⁹. Many also lack the confidence and knowledge to know how to ask for help. There are organisations that offer information and support to people including ex-prisoners – like PRIME, which works to help people over 50 to become entrepreneurs and start up businesses, many of whom are unemployed. One suggestion from the Network working group was to try to encourage ex-offenders who were running their own businesses to be trained up to become business mentors.

The RSA has experience of developing the Environment Awards Accreditation Scheme, [www.rsaaccreditation.org] which assesses, recognises and promotes initiatives aimed at tackling environmental challenges. A similar approach could be taken to employers who are developing or wish to develop best practice towards ex-offender employment and training and reintegration. The advantage of such a model would be that it could be sensitive to the different scale of employers and sectors, which each bring their own challenges. Such an approach would also encourage civic innovation on the ground and would sit well with those employers keen to play their part in encouraging social mobility while getting advice and support on the risks and recognition for taking action. Taking the lead from those employers already engaged, such an initiative – a Second Chance Awards Accreditation Scheme – could also serve to give high local profile to best practice employers who should be already engaged in regional strategies.

Case study 35: London Diamond Initiative

The £5.5 million London Diamond Initiative has been piloted across three London boroughs since autumn 2008. It is designed to break the cycle of reoffending of convicted criminals and build on the success of the Safer Neighbourhoods Programme.

The concept is based on work from the US on justice re-investment that has demonstrated the potential to move money from the penal system into early intervention community initiatives. In particular the proposal draws from the 'Million Dollar Blocks' concept, which has used analysis to demonstrate the significant potential of targeting resources on areas with high resident offender populations.

A team of police officers and a probation officer in each borough is working with offenders when they leave prison to provide active help and support to stop them reoffending. The scheme is being funded jointly by the Metropolitan Police Service, the Government and local councils.

Source: <http://lcjb.cjsonline.gov.uk/area23/library/diamondbulletin.html>

118 M Johnson, *The User Voice of the Criminal Justice System*, Aldridge Foundation, 2008

119 H Metcalf, *From unemployment to self-employment: Developing an effective structure of micro-finance support*, Discussion Paper No 170, National Institute of Economic and Social Research and the Prince's Trust, 2000: www.niesr.ac.uk/pubs/dps/dp170.pdf

Second Chance regional strategies

Similar coalitions should be created regionally involving the Regional Development Agencies and the Corporate Alliance, working with individual clusters or prisons, bringing together Jobcentre Plus, the voluntary, public and private sector (including local chambers of commerce) to agree a shared strategy for increasing ex-offender employment and volunteering opportunities in their area. Such a model, if it were to bring providers together with business, could combine employer-led initiatives with community engagement, including the development of second chance mentors and peers to support offenders in their transition to work. This process should seek to engage current and ex-offenders and should focus on invest-to-save approaches based on the cost of local crime and unemployment.

Prisons have a long history of engaging with local employers in relation to work programmes within prisons and in trying to encourage employment of offenders. The Clink restaurant (see case study 1) is just one current example of this. Many of the recent changes we have outlined here, as well as proposals from the Conservative Party, stress the need for more locally based learning, skills and employment strategies. This includes the new OLASS contracts, which develop a closer match between offender learning and local markets. The Conservatives, meanwhile have proposed a new approach to ‘real work’ in prisons where inmates would undertake work for a higher rate than they currently earn but with a chunk of this income going towards a victims’ fund. All of this requires forging strong and multiple relationships with local employers.

Area-based learning

OLASS’s emphasis on the need for local employers to be involved in developing local priorities for prison education speaks to the RSA’s current work on area-based curricula based on the Opening Minds approach (see case studies 4 and 35). Much recent innovation in schools has been driven by the idea that in order to prepare young people adequately for their lives, they must take a greater account of the changing world around them, locally, nationally and globally. This argument is not just made within schools but by external groups, notably employers, who feel they have a particular stake in educational outcomes.

OSCARs, all of which were completed in advance of the new OLASS contract tendering process, should have provided the starting point for such an approach, delivering a much better understanding of local needs and, ideally, wider local networks. Reviews should have helped determine the needs of areas, based on: offenders and employers’ needs; prisoner movement and resettlement into the community and the need for continuity of learning/progression; physical location and capacity; the need for personal and social development programmes and those that lead to the acquisition of relevant and appropriate functional and vocational skills and qualifications; employment-focused provision that leads to employment and a contribution towards a reduction in recidivism.

Case study 36: Schools without boundaries

Piloted with four schools in Manchester, the RSA's area-based curriculum aims to ensure that schools develop content with local agencies to meet local need and increase relevance. The aim is to include but go beyond local relevance – for example, history lessons based on the way in which history has impacted on the area – and to inculcate a sense of ownership of the curriculum among key players within the community.

The area-based approach takes schools' role in their communities to another level and seeks to work in partnership with institutions and stakeholders outside the school to shape the curriculum in important ways. As well as increasing the likelihood of developing a curriculum informed by local issues and including demand for skills, the RSA's aim was wider and based on the idea that a school that is truly committed to providing a relevant, responsive experience of education for its students will take seriously the creation of a highly participative community of learning.

Source: www.thersa.org/projects/education/future-schools-network

External relationships will be fundamental to prisons and would recognise that properly preparing inmates for release is not within the remit of any one institution, but is a shared effort, with responsibility distributed across institutions in a locality. A partnership with external organisations centred on the curriculum would see a new process of curriculum co-development between prison staff (at different levels), potential students, former prisoners and external organisations. It could have the additional benefit of increasing broader engagement with prisons and breaking down some of the barriers between staff and providers.

Case study 37: Kent Employers Forum

The Kent Employers Forum invites a willing offender and ex-offender to act as champions, to present case studies (with support) to employers, which strengthens the debate and makes the case for employing ex-offenders on a more personal level. The Employers Forum is well established and involves Jobcentre Plus and the probation service. Clients need to be sufficiently work-ready – to be able to turn up on time and be trustworthy – along with having the requisite soft skills. The Forum produces a simple handout outlining the business benefits very clearly to employers, and includes responses to address employers' questions around risk management, with case study examples of good practice.

Source: for progress see
www.southkent.ac.uk/Training4Care/documents/ForumMinutes-30-04-09.pdf

We have seen a dramatic change in the role of school heads in the last decade, with more and more taking on a civic leadership and innovation role. The Apprenticeship, Skills, Children and Learning Act 2009, has changed the

relationship between young offenders' learning and local providers, placing responsibility for securing education for young people in juvenile custody with local authorities. The aim is to ensure that provision in custody is better aligned to that available in the mainstream.

As we have seen, it is often prison governors who are leading innovation in the prison system, being prepared to take brave decisions in the face of media disapproval. At present, governors are rarely seen trumpeting the work they do in public or engaged in debate about the role that employers or the wider public could play. Placing prisons at the heart of offender area-wide curricula is likely to drive their role more widely into the community.

Conclusion: Widening community participation

We have argued that we need an overall strategy that reminds the public that the prison service delivers to 'us', the public. Yet prisons and prisoners remain largely out of sight. Unlike hospitals and schools they are impermeable and – with some exceptions – struggle to engage with their broader local community. We have suggested some practical suggestions for beginning to open up prisons to their local communities and to strengthen local partnerships with a shared purpose: to reduce reoffending. There is much to be discussed in the detail but we suggest that widening community engagement in prisons – alongside a better evidence base and stronger leadership from government – can deliver changes in public attitudes based on a better understanding of the realities of prison life, the barriers that offenders face in rebuilding their lives and the impact that has on our neighbourhoods.

7. The role of offenders: user engagement and peer support

In 2010 you would be hard put to find a minister or MP in any of the main political parties who, when asked about public sector improvements, would not respond with a call for greater user involvement in the design and delivery of services.

On health, responses may focus on patient/clinician ‘contracts’ aimed at getting people to take what preventative measures they can or on patient consultation on service design. On social care they may mention individual budgets or the need to engage the ‘nearly old’ in making changes now in order to maximise the chances of independence (and cost savings) later. When it comes to schools, policymakers are likely to share a passion for parental engagement, which is shown to reap benefits in attainment.

Ask about prisons and it is far from clear what the response could be. In this chapter we explore the role of user engagement in the prison service. This is not because we believe that there is a one size fits all approach to be taken: indeed, as we shall see ‘user engagement’ covers a range of different activities, from consultation through to co-design. Our interest arises from the evidence that user engagement can deliver better outcomes in education: the Prison Learning Network’s primary aim of addressing learning and skills. The theme of user engagement was raised throughout the Network’s deliberations. However, when it came to finding a range of examples, it became clear that this enthusiasm was not matched with practice.

Case study 38: Vision Team peer support

At HMP East Sutton Park, the Vision Team within the women’s estate is run by female prisoners who offer peer support to female offenders. Vision helps ex-offenders in accessing housing (offering administrative support and landlord liaison) and provides opportunities for voluntary work for ex-offenders. Training needs are identified in volunteers.

Source: www.imb.gov.uk/annual-reports/08-annual-reports/East_Sutton_Park_2007_-_2008.pdf?view=Binary

Policy consensus

Public service reform has in recent years seen a change in focus from service providers to service users. There has been a shift from matters of service provision – such as choice among providers and performance against targets – to a more explicit concern with the needs of the people that use public services. This can be seen in moves towards personalised public services and Sir David Varney’s call for ‘service transformation’ to improve government’s responsiveness to citizens¹²⁰. For

¹²⁰ D Varney, *Service Transformation: A better service for citizens and businesses, a better deal for the taxpayer*, HM Treasury, 2006

the Conservative Party, decentralisation means in part moving towards co-design in the belief that by involving the public in the planning, design and delivery of services, frustration with public services will be overcome by ensuring they are compatible with the needs of users.

The Government has recently proposed plans to ‘unlock talent’ in local communities by giving citizens more power over local decisions and services. Since April 2009 local authorities have had a statutory duty to inform, consult and involve local people in the running of local services. NHS bodies in England are already under a recently strengthened duty to involve patients in decisions affecting the provision and operation of health services.

The greater emphasis on responsiveness to people can be seen in part as a logical extension of the public service reforms that have gone before. Increased choice (or the promise of it) has encouraged people to expect a greater say or even control over service provision. User voice is increasingly seen as equally important for public services where providing a choice in service provider is not feasible.

The Government’s strategy for public sector reform can be seen as combining four drivers. The first three are: top-down *performance targets* driven by regulation, inspection and assessment; *markets* driven by competition, commissioning and contestability, and *capacity and capability* driven by leadership, workforce reform and partnerships. The extent to which these factors have delivered more effective prisons (or have been applied) can be debated at length. However, we would conclude that the fourth driver – *the engagement of users* – has not been fully embraced by the Government or the prison system. This is not surprising given the nature of prisons themselves and the tensions that arise in terms of some of the principles underlying user engagement strategies.

Drivers of change

The case for increasing the extent of user involvement in public services rests on several different arguments. One argument is *principle-based*, and proceeds from the belief that involving citizens is the right thing to do on moral and political grounds: it increases accountability and transparency on decision-making and recognises the role that the public play in paying for and sustaining services.

This approach can be seen in the development of the Public Acceptability Test, which sees the views and attitudes of the public at large – the tax payers – as critical in framing policy and practice. For prisons this immediately raises the issue of whom prisons serve and who its users are. As we have argued throughout this report, public opinion matters: we face a challenge in assuring citizens that the prison service is there to serve them as well as offenders. At the same time, the users of the service are of course prisoners and their families, who may have very different perspectives on how prisons function and the changes that could be made. The RSA has seen this issue firsthand in the work we have done on redesigning prison visits (see case study 14).

The other argument is more *outcome-based*: that user-driven services result in better service quality, and as a result will bring about better outcomes for people using those services. They may also prove more cost-effective for the state.

While the emphasis may shift with political parties, there is now an apparent consensus that better public services require deeper engagement with their users. This is based on a belief that achieving high-quality, responsive public services requires empowering and engaging with service users as much as addressing their needs. User-driven services go beyond user consultation or user representation and actively involve the people using them in service design and delivery. They draw on the expertise, views and perspectives of service users to complement the skills and input of service professionals.

Greater user involvement implies a rebalancing of the relationship between public services practitioners and those using services. Increasing the extent of service user involvement can – as is the case in social care – mean major changes in the role of service professionals and require careful management. Having said this, greater user involvement and control can benefit practitioners and professionals: encouraging service users to help define and direct the services they receive should enable professionals to share some of the responsibility for achieving desired outcomes.

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User engagement in prisons

It is not difficult to see how some of the principles of user engagement – more choice and self-determination for example – do not sit easily within the prison context, whose very functioning removes people's autonomy and restricts their options. In a system that relies heavily on authority, user engagement can seem counterintuitive and even dangerous. In hospital and schools service professionals can be wary about any perceived threats to their autonomy and expertise, and as a consequence may resist moves to give users a bigger role in public services. This kind of response is likely to be magnified in prisons, which rely on very fixed hierarchies.

However, we conclude that involving prisoners in the design and delivery of services that affect them should not be ruled out and could improve the way prisons function and outcomes. In some ways prisoners are already involved in services, whether through kitchens, laundry or other prisoner-to-prisoner services. A study of prison healthcare uncovered inmates giving routine care to others who are elderly, vulnerable or ill²¹.

Here we focus on three areas where we believe there are real gains to be had in expanding the way users and former users are involved: learning and skills provision with a particular focus on personalisation; peer-to-peer schemes where prisoners and ex-prisoners work with inmates, and prison councils, which we argue provide a mechanism for reviewing user engagement across the estate.

Personalisation

The more focus that prison gives to improving education and employment outcomes, the more it is going to need to embrace the personalisation agenda, which places user

¹²¹ 'Prison healthcare: community spirit and honour amongst thieves', *Health Service Journal*, 18 September 2008: www.hsj.co.uk/prison-healthcare-community-spirit-and-honour-among-thieves/1838882.article

Case study 39: Citizens Advice Bureau

The CAB has been pioneering the use of prisoner-delivered advice. An analysis of one pilot partnership between Springhill Prison and CAB Oxford concluded that the involvement of prisoners benefited staff, those being advised and prisoner-advisers¹²². The CAB was aware of some concerns about, for example, advisers and access to personal information, and it put in place rigorous risk assessment, selection and monitoring. Prisoners give advice to their peers on a range of issues having undergone CAB training.

The CAB now offers advice in a range of prisons and runs a helpline. The aim is to provide practical factual advice to prisoners in preparation for their release. In some open prisons peers can undertake community work on a day-release basis.

Source: www.esmeefairbairn.org.uk/docs/OxCABsummary.pdf

voice, choice and empowerment at its heart. As was clear from our discussions with practitioners involved in the Network, this is already happening.

The frequency with which the term ‘personalised learning’ now appears in mainstream education debate underlines the wide recognition that one size does not and should not be made to fit all when it comes to learning. A more holistic and personalised approach has been adopted, where focus has been placed on individuals in schools with particular needs, disabilities or difficulties and those who might be ‘harder to reach’.

Personalisation in learning has begun to be applied in relation to prisoners, one of the most hard to reach groups. However, the nature of prisons and the structure of provision provide real challenges for the personalisation of learning provision, the importance of which is acknowledged by the LSC in its stated intention to: ‘move away from historical arrangements by prioritising the availability and range based on personalised learner and employer need.’¹²³

A dominant feature in mainstream education and health for some years, personalisation can be implemented at different levels ranging from basic improvements in assessing individual need at one end to co-production in service design at the other¹²⁴. Even at its most basic level, personalised learning is understood to include tailoring interventions to the needs and desires of the individual, enabling particular barriers to be removed which stand in the way of pupils’ capacity to achieve their full potential¹²⁵.

As the personalisation agenda in education suggests, improved outcomes derive from better understanding individuals’ capacity to learn and service providers to intervene more effectively. Effective engagement can in itself be a learning process where participants learn more about the choices providers face, the trade-offs that need to be made as well as the associated benefits that come from articulating views and taking responsibility.

As we have seen, prisoners – while they share some basic circumstances, most notably their loss of freedom – like students, have diverse needs. For example,

122 Esmee Fairbairn, *Prisoners as Citizens’ Advisers*, 2004: www.esmeefairbairn.org.uk/docs/OxCABsummary.pdf

123 Learning and Skills Council, *Developing the Offenders’ Learning and Skills Service: The Prospectus* (p.5), 2008

124 C Leadbeater, *Learning About Personalisation*, Demos and LCSL, 2004

125 Department for Children, Schools and Families, ‘Personalised learning’: www.standards.dfes.gov.uk/personalisedlearning and *Every Child Matters*: www.everychildmatters.gov.uk/ete/personalisedlearning

there has been a significant rise in the number of people in custody whose first language is not English. Young prisoners are more comfortable and engaged when using ICT than conventional modes of learning. Baroness Corston's 2007 report on women in prison emphasised the need for development of emotional literacy before other learning took place¹²⁶.

Effective personalisation means recognising people's individual needs and complexity. For prisoners, a basic challenge is their environment: the restrictions and impact this has both practically and psychologically. Many people in prison share characteristics with other hard to reach learners. People who have been avoiding, or been avoided by, formal education for most of their lives find engaging in learning difficult. Young adults, the most prolific reoffenders, can be resistant to even sitting down in a classroom. They are much more likely to learn if education is presented by a 'side-wind', as a prerequisite to doing something that appears more conducive, such as learning a trade, physical education or even arts and drama. A new social enterprise, Pictora, has taken this thinking with the aim of bringing arts activity together with learning about social enterprise and business (see case study on back cover).

Participation in learning does improve where prisoners understand how it relates to what they are trying to achieve anyway. A father who wishes to send a story to his child is more likely to learn to read and write as part of the Storybook Dads programme (see case study 14) because he wants to keep in touch with his offspring than for improving his basic skills¹²⁷.

In addition, many prisoners will have other primary needs that may need to be addressed before any effective learning can take place. Prisoners and ex-offenders often have a range of problems such as depression, drug and/or alcohol issues, family, finance and housing problems. The challenge for prison and probation staff and external providers is to identify and prioritise the needs of the offender with their collaboration. Without this, motivating prisoners to learn – as opposed to just generating footfall – proves much harder.

For many prisoners motivation for taking part in learning activity may be to have time out of their cell. This may be an important incentive but it does not necessarily result in meaningful participation: a classroom may have one or two people attending who actively want to learn while others engage at the lowest level possible to maintain their place. As well as a waste of time and resource, this can be deeply dispiriting for staff and providers and breed cynicism. This provides a dilemma for prison education providers and governors: as well as improving early assessment, focusing on outcomes would suggest a need to be more selective and could result in a reduction in the numbers of people who turn up but do not participate. Better early assessment and selection would help to redirect resources more effectively but requires a more consistent approach to security issues in relation to prisoners' use of computers and the Internet in particular (see page 49).

Unlike healthcare, housing and education, there is no pretence that user and provider are equal within the prison system. Likewise, public opinion is given more weight than user voice. The very nature of prison serves to disempower inmates and remove choice. When asked to give examples of user centred services, many Network participants mentioned peer-to-peer mentoring

¹²⁶ J Corston, *The Report by Baroness Corston of a Review of Women with Particular Vulnerabilities in the Criminal Justice System*, Home Office, 2007

¹²⁷ Storybook Dads website: www.storybookdads.co.uk/indexnext.htm

programmes in which offenders or ex-offenders worked with those in prison or attempting to resettle. These kinds of interventions are popular with the public, policymakers and practitioners, for done well they can be a cost-effective way of providing support and speak to our intuitive sense of reciprocity and altruism. But do they work?

Case study 40: Davidson County Sheriff's Office, United States

This programme offers various services including life skills training (with training in finances, stress management, establishing social identity and so on), mentoring, and referrals to community resources. Mentors work with participants to re-establish the relation with the community while they are still incarcerated. They also pick up inmates upon release and there is a partnership with the Metropolitan Transit Authority and a private taxi service to help released inmates reach various service providers in the community.

According to evaluations, there has been a significant reduction in recidivism rates. Depending on the specific programme evaluated, it was found that 57 to 78 per cent of former inmates stayed out of prison two years after release.

Source: www.urbaninstitute.org/UploadedPDF/411660_life_after_lockup.pdf

Peer-to-peer

In the 1990s, the prison service implemented a number of cognitive-behavioural programmes¹²⁸. In just over a decade cognitive skills programmes were established in over three-quarters of prisons in England and Wales¹²⁹. These interventions were based on the premise that poor self-control, reduced reasoning ability and lack of inter-personal skills were attributed to offending behaviour and that teaching woutcomes were mixed, with one US study concluding that cognitive behavioural interventions were neither more nor less effective than other interventions¹³⁰.

Another – distinctively different – approach, favoured by the then-incoming Labour government, was mentoring¹³¹. Mentoring is characterised by one-to-one support offering advice, information and encouragement at times of transition and opportunity and typically over a sustained period. A general feature is an at-risk individual working with a positive role model mentor, who is often older and more experienced than the mentee, offering guidance, support and advice.

The Government has promoted mentoring in a number of ways, including as a method to encourage volunteering and increase community participation, to combat social exclusion, to reduce barriers to learning and to steer young people away from criminal activity and gangs¹³². The New Deal encourages people to become a mentor to an unemployed young person with the aim of helping them find employment by sharing skills and experience of working life and boosting their confidence. Other schemes target behaviour and work skills with the aim of reducing reoffending. Mentoring approaches to assist at-risk groups have their origins in the US where initiatives like Big Brother/Big Sister provided the

128 C Friendship, L Blud et al, 'Cognitive-behavioural treatment for imprisoned offenders: An evaluation of HM Prison Service's cognitive skills programmes', *Legal and Criminological Psychology*, 8.1, British Psychological Society, February 2003

129 A Clarke, R Simmonds, and S Wydall, 'Understanding "What Works": A Qualitative Evaluation of Cognitive Behavior Programs for Adult Male Prisoners' Paper presented at the annual meeting of the American Society of Criminology, Royal York, Toronto, Nov 15, 2005. J Cann, L Falshaw, F Nugent, and C Friendship, 'Understanding "What Works": Accredited Cognitive Skills Programmes for Young Offenders', *Youth Justice*, Vol. 5, No. 3, 165-179, Sage 2003

130 D Hubbard et al, 'Evaluation of Cognitive-Behavioral Programs for Offenders: A Look at Outcome and Responsivity in Five Treatment Programs', *Criminal Justice*, 2004

131 H Colley, *Mentoring For Social Inclusion: A Critical Approach To Nurturing Mentoring Relationships*, Barnes and Noble 2003; D Jolliffe, and D Farrington, 'Does Mentoring Reduce Reoffending? Evidence from a Systematic Review' Paper presented at the annual meeting of the American Society of Criminology, Atlanta Marriott Marquis, Atlanta, Georgia, Nov 14, 2007

132 R Meier, *Youth Mentoring: A Good Thing?*, Centre for Policy Studies 2008

blueprint: this is a charity founded in 1904 in New York City, to help children reach their potential through professionally supported, one-to-one relationships with mentors, and its work has a measurable impact on youth¹³³.

Case study 41: Prince's Trust: working one-to-one with young offenders

Ex-offenders, who have been released for two years, support young offenders through their transition from custody to independent living. The idea for this project came directly from young people who had experience of the criminal justice sector. Mentors work as a team delivering a monthly motivational talk to a group of young adults in prison, sharing their life experiences. Once matched, mentors visit their clients monthly in prison and write letters to them. They meet their client at the gate (if required) on their release to ensure they reach their accommodation safely. The primary role of a mentor is to inspire and motivate their client. The secondary role is to support their client to access appropriate services for their resettlement needs.

Source: www.princes-trust.org.uk

Over the last decade prison mentoring schemes have become more widely available. In mentoring schemes there are often evident differences in 'age and in hierarchical levels' (for example, in work or life experience); conversely in *peer relationships* the emphasis tends to be on age, not hierarchy. Both peer helpers and mentors offer forms of support that draw on 'common sense' ideas rather than on a body of professional knowledge. The role of mentors is more didactic than that of peers, however. In 2004 a survey of 139 prisons found that peer mentoring schemes, such as Toe by Toe, which recruits volunteer literate prisoners to teach other prisoners to read (see case study 2), were being used in the majority of prisons (116 prisons, equating to 83 per cent)¹³⁴. Some Network participants stressed that while this indicator of use of mentoring was welcome, good practice and consistency remained patchy across the estate.

Evaluation and impacts

There is a lack of evaluative research undertaken about the subject of mentoring in general and in particular with regard to its use as a method to reduce reoffending and the different impacts on mentors and those being mentored. Prisoners involved in being mentors do seem to see the work of helping fellow prisoners to be more fulfilling than traditional prison jobs that serve largely to 'pass the time'¹³⁵. There is some evidence that the prison service also benefits: these schemes are cost effective (prisoners are paid less than civilian workers are); peers can be viewed as a credible source of information, and they can access hard-to-reach groups more effectively than professionals can¹³⁶.

Peer projects may increase employment prospects for prisoners post-release¹³⁷. They encourage prisoners to consolidate basic skills and to undertake vocational training, both of which may propel them onto other learning programmes or

133 www.bbbs.org/site/c.djKKYP.LjvH/b.1539751/k.BDB6/Home.htm

134 The survey was undertaken by the former Forum of Prison Education and is cited in the Education and Skills Select Committee' seventh report on prison education: [//www.publications.parliament.uk/pa/cm200405/cmselect/cmmeduski/114/114ii.pdf](http://www.publications.parliament.uk/pa/cm200405/cmselect/cmmeduski/114/114ii.pdf)

135 G Hunter and I Boyce, 'Preparing for employment: prisoners' experience of participating in a prison training programme. *The Howard Journal*, 48 (2) 117-131, 2009

136 G Turner and J Shepherd. 'A method in search of a theory: peer education and health promotion', *Health Education Research*, Vol. 14, pp. 235-47, 1999

137 Although, as stated above, some employers have raised concerns about employing staff with criminal convictions (see I Haslewood-Pocsik, S Brown and J Spencer. 'A not so well-lit path: employers' perspectives on employing ex-offenders', *Howard Journal of Criminal Justice*, Volume 47 Issue 1

jobs and help them to enter and compete in the labour market¹³⁸. Participation demonstrates evidence of social responsibility. In addition, there are ‘softer’ aspects: increasing self-esteem and building confidence¹³⁹. By sharing perceptions, values and beliefs related to their lives and work, they are able to confide in one another, then become role models and an inspiration to others¹⁴⁰. Peer mentoring seems to increase participants’ communication and interpersonal skills¹⁴¹.

Research aimed at determining what components of mentoring schemes were linked to reductions in reoffending did find some positive correlations, although most schemes compared were not in the UK¹⁴².

Case study 42: Department of Women’s Justice Services, Cook County Sheriff’s Office, United States

One of the particularities of this programme is the peer mentoring of the Women of Power Alumni Association, a group of formerly incarcerated women who have successfully transitioned out of the Department of Women’s Justice Services. Peer mentors work with women for an unlimited amount of time until they are engaged in the alumni association. Overall, the DWJS reports a 17 per cent recidivism rate for its participants.

Source: www.cookcountysheriff.org/womens_justice_services/wjs_main.html

The peer-to-peer working group within the Prison Learning Network in particular, but also participants across the Network, were convinced that mentoring (peer and otherwise) had an important part to play in improving the ‘offender journey’ and should be integrated across the prison regime as part of a wider package of interventions. They believed well-run schemes could be important in engaging prisoners not willing to engage within formal learning and that this should start as soon as they arrive in prison. Despite this support and a sense of what worked and what did not – for example, time commitments for each meeting and mentoring over an extended period were thought to be important – it seemed much of this was intuitive or driven by experience and common sense. This raises the point by Sherman et al cited earlier: of the need to provide a scientific base to back up these assumptions if we are to be confident that schemes are effective and impact on reoffending levels.

The Network’s concern about lack of evidence on outcomes was deemed to be particularly important as mentoring interventions are one of the few positive examples of user engagement and have largely been provided by charities for which funding is an ongoing issue. Buy-in from NOMS was therefore important for their development and potential expansion. Some practitioners were resistant to the idea that further evidence on outcomes was needed as, in their view, impacts on the people they worked with were palpable and obvious. These participants tended to be more concerned with removing barriers to smooth functioning and expansion.

¹³⁸ Hunter and Boyce, *op. cit.*

¹³⁹ Hunter and Boyce, *op. cit.*

¹⁴⁰ *The User Voice of the Criminal Justice System*, Aldridge Foundation 2008

¹⁴¹ Hunter and Boyce, *op. cit.*

¹⁴² Jolliffe and Farrington, *op. cit.*

One example of the impact of security measures is on schemes where peer mentors needed to be security cleared. For some organisations operating in prisons this meant having a limited pool from which to recruit. Security concerns also impact on the extent and nature of work and training that mentors can undertake in prison as well as the level of advice peers can sometimes offer. Prisoners providing housing advice to their peers are not always able to use a telephone, which means they cannot arrange appointments with hostels or benefit agencies on behalf of their clients. Where peer advisers are able to directly contact agencies on the telephone they note their increased self-confidence gained from liaising with people in authority¹⁴³.

The importance of staff support in working around some of these issues was raised by Network participants: wing officers tasked with supervising movement of prisoners within the prison are important to the functioning of most in-custody mentoring interventions. It was felt they were more likely to get involved and be supportive where the benefits of the scheme were clear and could be seen to contribute positively to their own working conditions.

Network participants tended to think volume matters. A 'culture' of mentoring can help to create a more constructive prison environment and bring associated benefits such as reducing bad behaviour. Where there are good working relationships between prison staff and providers, mentoring programmes were seen as essential among a mix of provision with security concerns being dealt with effectively.

Case study 43: St Giles Trust Peer Advice Project

The St Giles Trust Peer Advice Project in Camberwell, South London, aims to advance the skills and employability of prisoners by offering an NVQ in conjunction with work experience. Of note is the potential for those offenders involved in the project to be given employment experience by the St Giles Trust on their release from custody, whereupon they become mentors in a through-the-gate scheme to prisoners pending and upon release.

Source: www.stgilestrust.org.uk

Expanding peer mentoring

Our conclusion on peer-to-peer mentoring is that there should be a concerted attempt to expand its use as part of a wider user engagement strategy. The role of peer schemes has been recognised by the European Social Fund, which is co-funding the St Giles Trust (see case study 43). However, this needs to be coupled with further concrete evidence on outcomes (for the mentored in particular) and on variations in impact, including on offending levels, without which mainstreaming peer mentoring will be harder to achieve.

The Network focused on peer-to-peer work because it believes it has the potential to play a much larger part in-custody and through-the-gate provision and wider provision. There was an appetite among the Network for expanding

¹⁴³ Hunter and Boyce, *op. cit.*

provision including the potential for exploring the benefits of combining face-to-face mentoring with ‘virtual’ or online support. The RSA and PRIME are working on developing enterprise mentors to support people who are unemployed and over 50 years old to set up on their own. This kind of approach needs to embrace prisoners and ex-offenders, who face additional barriers to setting up on their own but often see freelance work as an option in the face of difficulties securing work because of their convictions.

More broadly, peer mentoring is one of a few examples of established user engagement within the prison service that may benefit both the mentors and mentees, improve prison wings’ capacity to function and speak to popular notions of reciprocity and pay-back. The Network concluded that this makes building the evidential case a pressing one. This is needed to underpin expansion of peer schemes that utilise technology, involve the community and serve to change public perception of the role of ex-offenders in enabling others to change their lives.

Peer mentoring is one of a few examples of established user engagement within the prison service, that may benefit both the mentors and mentees, improve prison wings’ capacity to function and speak to popular notions of reciprocity and pay-back

Prison councils

One area in which there has been visible movement in user participation (outside the remit of learning and skills) is in prison councils: broadly defined as ‘any structure that exists for consulting prisoners on a wide range of issues’¹⁴⁴. We have used the term prison (rather than prisoner) council to reflect the focus placed on engagement with both inmates and staff. Prison service guidance on councils leaves discretion with governors. A review in 2004 identified 26 councils across the estate, with more added since, but they vary significantly from one to another in their function. Not all make decisions; some are used as an opportunity for dialogue between staff and prisoners, particularly in relation to any forthcoming prison policy changes.

The 2004 review concluded that prison councils were an effective way of encouraging prisoners to take more responsibility and contribute to their own rehabilitation. The main advantage of prison councils cited by prison governors was that they provide management with an opportunity to share proposed changes with prisoners, and inmates the opportunity to bring concerns to the attention of management, bringing to light policies that fail to fulfil the expectations and needs of prisoners.

Some governors saw councils as a vital mechanism for negotiating change and avoiding resentment. The existence of a council benefited staff/prisoner relationships by breaking down barriers and enabling dialogue. It led to greater understanding between prisoners and staff, improving prisoners’ sense of wellbeing and safety¹⁴⁵.

User Voice recently commissioned a survey of prison governors. In the survey, prisoner inclusion was rated behind security and staff competency as the third most important attribute necessary for the successful running of a prison. Yet, when asked how the prison service currently delivers on this attribute, inclusion was rated last. In the need gap analysis, therefore, prisoner inclusion was rated the second priority that needed to be addressed behind staff competency, and above a range of other

¹⁴⁴ E Soloman and K Edgar, *Having Their Say: The work of prison councils*, Prison Reform Trust, 2004

¹⁴⁵ *Ibid.*

areas, such as rehabilitation and learning and skills. This shows that in the opinion of those at the sharp end of managing the prison service, prisoner inclusion is thought to be a crucial issue, yet it is largely absent in delivery priorities¹⁴⁶.

User Voice is also undertaking an evaluation of its prison council model with the aim of identifying benefits to prisoners, staff and prisons. Some prisons have made headway with prison councils. In others, tensions have arisen where governors have felt councils have begun to interfere with his or her right to govern. User Voice is now developing a good practice model (working with the three sites in HMP Isle of Wight, Albany, Camp Hill and Parkhurst) with an aim of rolling out a training and advice package¹⁴⁷. See case study 44 for more.

Case study 44: User Voice prison councils

User Voice's prison council model is based around four main 'party' groups that focus on key issues: housing and education; employment and training; resettlement, and community and environment. Candidates represent their chosen party so that it does not become about individual personalities. Prior to elections to the prison council, User Voice delivers a number of training sessions, which build up representatives' skills, such as public speaking, negotiation, conflict resolution and campaigning. These are delivered by trained professionals who have experience of being in prison.

On election day staff and prisoners vote for an issue-based party that they wish to represent them. The system works on a proportional representation list system. As a result if a council member is moved to another prison then the party has backups who can slot in – they have all the relevant knowledge and training.

Once elected, members meet regularly with a senior member of staff, preferably the governor. Each party brings one proposal for change to the council. The council then votes on one issue to be taken forward to the senior management team.

So far elections have been held in the three prisons on the Isle of Wight – Albany, Parkhurst and Camp Hill – with nearly 60 per cent of staff and prisoners voting.

Source: www.uservoice.org/

The focus groups we spoke to welcomed the idea of the prison council in principle but had some criticisms about how they operated. As one female prisoner put it, councils provided an important space to vent issues and to have direct conversations with prison officers (who were seen in this case as sympathetic). However, councils could create frustration where issues were returned to again and again and no action resulted. This risked sending out a message that councils were a tokenistic way of 'listening to prisoners' but with no sense of purpose to actually change things. We suggest that without a broader strategy and clarity of purpose, councils risk being, ultimately, counterproductive.

¹⁴⁶ User Voice, forthcoming 2010

¹⁴⁷ *Ibid.*

Conclusion – reviewing user engagement on learning

We conclude that the existence of prison councils in most institutions (even where these are not working to best effect) could provide a starting point for a national review of user engagement more broadly (involving prison staff and inmates and councils themselves). To give this a clear sense of purpose our recommendation is that such a review – which should be commissioned centrally by the LSC – should specifically explore the issue of prisoners' involvement in designing and delivering learning, skills and work programmes with a particular emphasis on peer-to-peer approaches.

We do not pretend that the issue of user engagement in prisons is unproblematic. It works differently in all public settings and different levels of engagement will be appropriate for particular settings. However, we believe that while the Government has recognised the need for personalisation in relation to prison learning and resettlement – as revealed in its seven pathways – this has been done without addressing the specific context of prison.

In short, we believe that a more strategic approach is needed to user engagement and improved shared understanding of its benefits, risks and the limitations that need to be in place within the prison context. Without this, personalised learning will inevitably be hampered by poor assessments and passivity and lack of motivation from prisoners.

Prisons are not schools. However, if they are to become centres of learning some of the changes and debates that are exercising head teachers and school governors need to seep into thinking about prison learning. This includes the recognition that as well as delivering qualifications, schools play a key role in socialising young people, building their capacity to deal with life in the future, in encouraging pro-social behaviour and – increasingly – active citizenship through schemes like Envision. If we want people to become 'good citizens' on release, there is a strong argument that the more they can engage in decision making and in positive family and external relationships while inside, the better.

The current debate about whether or not to give prisoners the right to vote speaks to this agenda. While this is not the place to go into the arguments for and against doing this, we concur with the conclusion of one commentator that allowing prisoners to vote will not magically reconnect them with society, but it will probably do more good than excluding them¹⁴⁸. Once more, it is hard to see how not allowing voting – a fundamental plank of citizenship – serves to encourage pro-social, pro-civic behaviour.

A strategy developed with staff participation in mind, that is honest about the limitations of user engagement within the prison context, and is clear with staff and inmates about the benefits of increasing participation in delivery and design, could, we believe, reap real benefits in motivating learning and delivering better outcomes.

Involving public service users in design and delivery is not just a political fad: it is based on both principle and outcomes. Its popularity in other mainstream public

¹⁴⁸ 'Let them Vote'. *Economist*, 29 October 2009; I Haslewood-Pocsik, St Brown and J Spencer, 'A not so well-lit path: employers' perspectives on employing ex-offenders', *Howard Journal of Criminal Justice*, Volume 47 Issue 1

services is because it is right to engage both the public and direct users in how their money is spent and their services designed. A focus on user engagement is unlikely to recede as it also based on evidence that shows that done well, it increases cost effectiveness and delivers positive outcomes. The challenge for governors is to get the balance between these two objectives and approaches right in a climate where user participation could well prove practically and politically stretching.

Conclusion

8. The learning prison

The RSA's Prison Learning Network set out to provide a space for practitioners to share and examine the innovation and new approaches that are taking place in prison learning and skills. Our starting point was that there had been a positive but quiet evolution in practice but that this was largely drowned out by a louder agenda around the prison system, dominated as it has been at times with crises and talk of a system bursting at the seams.

Some people we talked to thought we were naïve: that trying to be positive about prison learning and skills was a bit like doing health and safety training as waves washed over the Titanic. We believed that there was little point in the RSA undertaking another piece of research that would conclude that overcrowding and more punitive sentence policies undermined rehabilitation and justice, however significant these issues are. Of course, the current level of overcrowding and its consequences – prisoners spending more time in their cells and being moved around the system – are undesirable. Tackling this problem would probably be the single most effective way of improving rehabilitation. We do not want to be fatalists but this is unlikely to happen in the short to medium term. We wanted to find a way to protect, share and celebrate good practice and to explore ways in which this could be enhanced *within this context*.

We felt that a different approach – led by practitioners and focused on education and learning – could be valuable. The hope was that our naivety combined with cross-sector expertise would foster objectivity and some optimism in the face of overwhelming complexity and a public service under immense pressure. We wished to play to our strengths: our history of work in education (in particular with Opening Minds, which focused on giving students core competencies for life) and our belief in the role that civic innovation plays in social progress. The project also speaks to our contemporary objective of exploring how we can foster individual and community resilience in the face of today's challenges and the commitment to public engagement and user participation that this implies.

Have we stuck to our initial purpose? Well, yes and no. Yes, in that we have tried to focus on practice and the role of staff, providers and end users in bringing about positive change. The people that we met throughout this project have constantly impressed us with their continued commitment despite being faced with a system that still tends to be 'behind the curve' in government's thinking around public service transformation. Many of those involved were creating new ways of working within what is a highly complex system. By and large they continue to be positive even when their work rarely gets public recognition – or when it gets coverage but in the form of headlines about cushy conditions for criminals.

But where we have perhaps shifted from our original remit is in the extent to which we now argue that pragmatism needs to be tempered by ambition and a new vision for prisons that puts learning at its heart. We have not here suggested

a long list of policy recommendations; instead we have put forward a set of principles for reform and have begun to address some of the practical ways these could be delivered. There are, of course, spending implications attached to some of this and we do not underestimate the difficulties this presents at times like these. However, we argue that without a braver approach to enhancing prison's ability to rehabilitate, we will continue to spend more on prison places at the expense of rehabilitation.

The public debate about prisons can at times be unedifying. It takes on the characteristic of a domestic row between warring parents – the egalitarian father and the authoritarian mother – whose children have gone off the rails. As each blames the other for their offspring's transgressions, for being too harsh or too soft, the children either sneak out of the house or struggle to concentrate on their homework amidst the din.

We wanted our vision of the learning prison – and a learning system – to occupy the middle ground between those who oppose the use of prison other than for the minority of dangerous offenders and those who believe that taking away someone's liberty is not sufficient: prison conditions should in themselves be part of the punishment. Neither of these views reflects what the majority of the public seem to think and neither gives sufficient priority to the role that prison education in its broadest sense can play in rehabilitation. At the extreme, the egalitarian position at its purest believes that admitting that prisons should be the 'school of last resort' is a form of defeat; while the authoritarian believes only in punitive measures, whether they 'work' or not. And of course the real danger is the triumph of fatalism, where we become complacent and fail to strive to make prisons work.

These polemics too often get boiled down to whether or not we should have more or fewer prison places, rather than what kind of prisons we need if we are to achieve what we all want: more rehabilitation, less crime and fewer years wasted behind bars. They are often driven by those working outside the prison system, mediated by a press that likes to stoke its readers into a state of fear or righteous indignation. Unlike schools policy or debates about health reform, we very rarely get to hear from prison governors, staff, providers of learning and skills for offenders or from prisoners themselves.

Throughout this project we heard again and again about examples of what was happening on the ground and there was a significant appetite among different kinds of practitioners for sharing knowledge, approaches and discussing dilemmas. We do not wish to overstate the case or to underestimate the fragility of some of the initiatives cited here: many of the examples are small scale and succeed in engaging relatively few prisoners. Nonetheless, the positive examples given and the nuanced discussion we had are not often reflected in the press, which relies too much on the ideologues on both sides of the prison debate for its balance.

Sitting at the heart of this debate are different conceptions of the prisoner. On the one hand we have a human being who is a victim of bad luck and circumstance, whose crimes would have been prevented with early intervention and who has



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the potential for change, given the right community interventions and resources to turn her or his life around. On the other hand is the criminal who has transgressed society's rules and needs simply to be punished and contained. In the second version of events long sentences serve as an individual and social deterrent at best but at their most basic level reduce crime simply by removing people from society.

Of course there is truth on both sides: yes, prevention is better and cheaper than crime and punishment. The prison population does not conveniently represent a cross section of society: it is largely made up of the most disadvantaged. Of course people who have committed crimes are prevented from doing so temporarily when inside (even though the evidence tells us that prison can increase the severity of crimes committed on release).

Most people in the UK sit somewhere in the middle although we tend to be more punitive in attitude than many of our European contemporaries. We believe prison has a role but do not seem to think it 'works'. We tend to support the interventions that current evidence suggests deliver more cost-effective reductions in crime: drug treatment and intense intervention in young people's lives when things go wrong.

We support pay-back schemes and community alternatives for some misdemeanours and groups of offenders but do not really know what works.

None of this would matter as much as it does if the relationship between prison policy and political capital were not so fragile. In this mix, public opinion matters. A lot. We argue that without improved access to what takes place inside prisons and evidence to show whether or not those schemes work to reduce crime, we are left 'off the hook', without the knowledge and confidence to support particular policy choices. And in this context we will grab the short-term fix, not the longer-term solutions. We care deeply about crime and want our communities to be safer and our property secure. Without a more balanced and informed public conversation about the role that prison plays in serving us in this respect, there can be no transformative shift in policy or in the politics of prison.

It seems clear that with prisons overcrowded and evidence that custody can increase the severity of offending, greater emphasis and political leadership is needed on the effective alternatives to custody and – for those in prison – on in-custody interventions that reduce reoffending. It is tempting for government to take a 'just say nothing' approach to prisons. We argue there needs to be much more noise about prison learning and that noise should be more confident and assertive about the specific link between interventions and their impact on crime reduction.

If public support for reform is to deepen, policymakers will need to try to change the terms of the public conversation about prison. This means being clear with the public that without significant changes to sentencing or to rehabilitation, there will continue to be an exponential demand for prison places. It means emphasising that public safety and value for money depends on knowing and

doing what works, not getting stuck in debates about the relative harshness of interventions. It means engaging people in the realities of what needs to be done if prisoners are to secure work and maintain family contact, and the costs of not doing so.

We have set out a vision for what we call ‘a learning prison’, which we hope suggests a far broader and dynamic system and an approach based on proving, expanding and sharing what works among practitioners and with the public. We are not the first to call for a new vision for prisons and we hope we will not be the last. This report takes the role of narrative seriously: that the story we are able to tell about prisons matters and the language and tools we deploy will make a difference to the policy space we inherit. We have made some concrete suggestions about how some of these changes could take place and are aware that these are not costed and that public services are facing hard times. Gaining the public’s support for a shift in investment towards prison learning will require political and practitioner leadership around shared principles for reform.

We have here suggested what these may be:

- * Leadership is needed among policymakers and practitioners in building a public conversation *about prisons as a core public service* that serves us all, not just the victims and perpetrators of crime. This requires a more open and honest debate about the fundamental purpose of prisons and the policy choices available, and much clearer and stronger evidence of what works and why.
- * Fair, transparent and effective public services are most likely to emerge through a process of *wider community participation*, not just through reasoned debate, but also by forging local partnerships with employers and others, and by enabling direct public involvement wherever possible.
- * We argue for greater *user engagement*: we do not underestimate the difficulties such an agenda presents in relation to a service whose functioning depends on a basic disempowerment of its inhabitants. We believe that effective and appropriate engagement of users in the delivery and design of prison services will deliver greater efficiency and complement rehabilitation programmes aimed at building skills and increasing personal responsibility.
- * We believe that rehabilitation is too difficult and too important to leave prisons always ‘behind the curve’. *A brave strategy on modernisation* should ensure that the prison service is able to utilise the new tools and thinking we have at our disposal to best effect. Most notably, we argue that there are huge gains to be had in developing a technology strategy that better balances risk and benefits.

There are some who argue that the principle that really matters is compassion and understanding: that changing public attitudes should emphasise the causes of crime, the hardships that people have suffered before, after and in prison. We disagree about the emphasis but not the substance of this. A new vision needs to

position prisons as core public services and reach far beyond an informed elite to the broader public, whose tolerance for interventions alongside prison or as an alternative will depend on seeing the evidence of what works to keep their children, streets and communities safer.

'**The Learning Prison** suggests key principles for reform, central to which is that of seeing prisons as a core public service that benefits us all through rehabilitation as well as incarceration. It begins to re-imagine how prisons' role as educator could be placed centre stage to issues of public safety, setting out a vision of a modern service underpinned by strong evidence, community engagement and the deployment of the latest technologies. At an important political moment, **The Learning Prison** argues for considerable political courage, leadership and inspiration to complement the willingness of practitioners to innovate and to secure greater public support.'

MALCOLM GRANT
President and Provost, UCL
Chair, RSA Prison Learning Network

Cover picture: supplied to the RSA via Pictora, an social enterprise created by a partnership of staff from Kalyx, Koestler Trust, Leaf Systems and Cementaprise. Pictora brings the therapeutic value of offender art together with the practical creativity of entrepreneurship and business enterprise skills in order to support offenders in prison and back into society. Pictora uses the money raised from sales of art by offenders for a range of work including Victim Support, The Koester Trust and training in prisons aimed at supporting social enterprise. In prison offenders receive support from Pictora, learning a range of business enterprise skill, developing practical entrepreneurship and working towards a range of accredited NCFE Enterprise qualifications at both a level 1 and level 2.

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