

## Access to Education for Prisoners in Europe: An Agenda of Structural Indicators for System Change

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### Introduction

The key purpose of this book is to develop a system level scrutiny to promote access to higher education and lifelong learning for socio-economically excluded groups in Europe, including prisoners. The scope of the research findings presented in this book is based on national reports, completed in 2010, from Austria, Belgium, Bulgaria, England, Estonia, Hungary, Ireland, Lithuania, Norway, Russia, Scotland and Slovenia, as part of the European Commission Sixth Framework Project, *Towards a lifelong learning society*. Across the 12 national reports, 196 in-depth, semi-structured, interviews took place in total with members of senior management from 83 education institutions, as well as from senior officials in government departments relevant to lifelong learning in each country. The access to education in prison section of the book is based on 28 interviews with senior prison officials and with prison tutors or education organisers in each of the 14 prison institutions across the participating countries.

This research is qualitative in focus. Caution must be taken in generalising the responses from the interviewed institutional representatives to other institutions in the same country and beyond. The findings across the participating countries are intended to be illustrative of relevant issues and practices regarding access to education for prisoners rather than being exhaustive. A particular focus in this book is on Central and Eastern European contexts.

An encouraging and significant step forward that has taken place at European Union level occurs in the EU *Council Resolution on a renewed European agenda for adult learning* (2011) document—under the ‘Promoting equity, social cohesion and active citizenship through adult learning’ heading, in its Annex. This is the invitation for Member States to focus on:

‘Addressing the learning needs of...people in specific situations of exclusion from learning, such as those in...prisons, and providing them with adequate guidance support’ (C 372/6).

This is the first EU Council Resolution in the area of lifelong learning to explicitly embrace prisoners within its scope of relevant target groups, via a social cohesion and active citizenship lens.

Particular focus for current purposes is on structural indicators for system level scrutiny of access to education and lifelong learning in prison by analogy with the UN right to health framework but not contingent upon it. These structural indicators are factual and verifiable in a given setting. They offer a kind of X-ray into key features of a system. Structural indicators can operate at different system levels such as individual institution, local, regional, national, EU and UN levels. A number of such structural indicators have been developed in a systems approach for early school leaving prevention (Downes 2013). Structural indicators can offer transparency not only for comparative purposes but also with regard to self-assessment on progress over time.



The focus with structural indicators is on relatively enduring features (structures/ mechanisms/guiding principles) of a system, features that are, however, potentially malleable. For a State to assert the presence of any given structural indicator, generally framed as a yes/no question, evidence may need to be furnished to validate this assertion. The detail of such evidence may depend on the kind of specific structural indicator and may require different levels of detail for different structural indicators.

The level of detail may also depend on the form of the reporting process. Structural indicators can operate at different system levels such as individual institution, local, regional, national, EU and UN levels. A key feature of the questioning for structural indicators is that it leads to at least potentially verifiable factual statements (as yes/no responses). Any suspicion that a state or education institution is window dressing through giving a positive response to a key structural indicator when in fact it is not in a position to do so can be followed up on, if necessary, with further questions to require proof of claims being made. This incorporation of a focus on structural indicators goes beyond a traditional qualitative/quantitative distinction in assessing system level progress in an area.

A key theoretical framework adopted in the book is Bronfenbrenner's (1979) well-recognised ecological theory of systems used in developmental, educational and community psychology, where he distinguishes a range of different system level interactions. A major limitation to Bronfenbrenner's (1979) framework of concentric nested systems of interrelation is that it tended to omit a dynamic focus not only on time but on system *change*. This gap in understanding system change means that Bronfenbrenner's accounts offer little understanding of system blockage and displacement. It is arguable that these deficiencies were only partially addressed with Bronfenbrenner's later concept of chronosystem to express temporal dimensions. The structural indicators focus for system change seeks to address this gap in Bronfenbrenner through identifying areas of system blockage for prison education that needs to be overcome.

### **A National Strategy of Education for Prisoners (Structural Indicator)**

A comprehensive lifelong learning strategy at national level must embrace access to lifelong learning not only for socially excluded groups in general, but also the significant group of those in prison, many of whom experience social marginalisation. It is evident from a number of national reports that prison education is outside the Pale of strategic focus and intervention at national level in some countries. For example, the Slovenian national report recognises that:

There are no special national policy papers on adult education in prisons while there are separate (national) strategies defining goals and measures related to specific target groups, e.g. Roma (Ivančič et al. 2010).

It is only in recent years, according to the Belgian (Flanders) national report, that a focus has occurred at national level on prison education:

Up to a few years ago, policy makers in Belgium paid little attention to adult education in prison. The national policy documents from before the turn of the millennium were focused on issues like labour in prison, release on parole, etc. In case norms did regulate aspects of the regime in prison (including education) they did not do so in a directive way. Sometimes adult education was referred to in official letters from ministers or their administration or in the rules and regulations made by the prisons themselves (Vermeersch and Vandenbroucke 2010).

This report continues:

One of the most important policy documents on access to adult education in prisons in the Flemish Community of Belgium is, at this moment, the 'Strategic Plan on social help and services to inmates' (*Het strategisch plan hulp- en dienstverlening aan gedetineerden*) (2000). Its main objective is to improve close cooperation between different services funded by the Flemish Government in order to offer detainees quality social aid, education, vocational training, sports and leisure activities. At this moment, the plan has been implemented in eight prisons. In the near future this will be the case in all Flemish prisons. The plan has been evaluated for the first time in 2008 (Vermeersch and Vandenbroucke 2010).

Reforms in relation to prison education also appear to be taking place in Lithuania. As a Lithuanian Education Ministry official states:

*Government decision on convicts' education development is being arranged right now. There is a concrete decision being arranged to expand opportunities for them, so that they could learn in prison (Taljunaite et al. 2010).*

Significantly, there is some legislative basis for prison education in Lithuania, according to the Lithuanian national report source:

According to the interviewee, the time of participation of prisoners in the education is regulated by law and funding is provided with regard to the number of teaching hours. The law allows not more than one teaching (advice) hour per week on all subjects that a particular prisoner chooses to study (Taljunaite et al. 2010).

However, making prison education a funding priority appears to be a difficulty in Lithuania, thereby illustrating that it is not adopting a rights-based approach to education in prison:

*Again, the participation in the prison workshops is very clearly defined in the plan of education, and is it ... in practice, I can say... it depends on how much financial resources we have to pay the teachers ... Prisoners receive only a limited, very limited, number of teacher consultations... the funding is limited and inadequate... (Taljunaite et al. 2010).*

Prison education in Hungary 'belongs to competence of Ministry of Affairs and Labour' (Balogh et al. 2010). This would *prima facie* appear to narrow its scope.

The Estonian national report locates funding and national policy, by way of contrast with Hungary, in its Education Ministry (Tamm and Saar 2010).

A corollary of an adequate national strategy is that sufficient funding is allocated for the implementation of that strategy, so that it is not solely existing on paper:

*Both [Hungarian prison institution] interviewees assume that the number of educational programmes and funding sources have declined in the last two years. Senior manager: There has not been significant development on this field in the last years. The education can't be successful without available funding sources. I think, we fulfil the elemental education, but I don't think that the overall education would be a great success in this prison. We have worked out a lot of useful programmes, there are clubs and trainings, but I miss a structured and expedient system. We can work out personal developmental plan for every prisoner involved, but there are not available educational programmes for realisation. Thus, we can't provide adequate programmes for the prisoners; we just try to insert them into the existing educational programmes and we try to motivate them (Balogh et al. 2010).*

A concern emerging from the Austrian report is that in contrast to the impetus for recent reforms to prison education, for example, in Belgium and Lithuania, there appears to be little appetite for further engagement with prison education at a national level in Austria. For example, the Education Ministry official in Austria gave the following response:

Are there specific plans to improve access to education for adults in prisons in your country? Please specify. *No.*

What, in your opinion, are the obstacles to developing prison education? *In terms of cooperation with the different authorities concerned with this issue, like mentioned in other questions about obstacles, the problems are similar (Rammel and Gottwald 2010)*

This situation in Austria contrasts also with that of Denmark. The Discussion Document for the Conference *Pathways to Inclusion* observes, 'Most prison schools in Denmark have been granted the status of 'local adult education centres'' (DG, EAC 2010, p. 40).

In stark contrast to Austria, a strategic approach to prison education is evident in the Bulgarian national report:

An organised process of general and vocational training of prisoners is carried out in the Bulgarian

prisons. Most of the prisoners are illiterate, with low educational level and lack of professional qualification. Schools in prison are opened and closed by the Ministry of Education and Science (MES) upon the proposal of the Ministry of Justice (Boyadjieva et al. 2010).

The Bulgarian national report provides evidence not only of availability of prison education but also successful graduation by prisoner students from education courses across a range of prisons.

It is notable that more than one interviewee working in an Irish prison highlights a distinct lack of political will and dearth of interest in prison education at national level:

*The tutor asserts, to be honest with you, I think the primary obstacle is that the prison service doesn't really value education. They just think, oh, it's a good activity, keeps them quiet, takes them off the landing (Dooley et al. 2010).*

The Senior Official in the Prison explained that there are political obstacles to improving education for prisoners:

*Well my experience, I can only tell you what my experience is...I have never met any Minister or opposition person that was interested in the welfare of the prisoner, absolutely none, they have far and only interest in exploiting any weaknesses in the system like giving out about the high recidivist rate or the lack of this or that or the victims or sentencing or whatever it would be (Dooley et al. 2010).*

This latter interviewee suggests that neither international pressure nor economic arguments for the benefits of lifelong learning in prison would shift the system level inertia and disinterest in relation to education in Irish prisons.

Despite the pessimism in relation to national level interest in prison education, this interviewee does acknowledge system level progress in the related area of prison health care in an Irish context:

*What I would be saying or conceding or acknowledging would be that over the last five, six, seven years in particular of all the areas that we have made the most progress would be in health care... Far more progress in health care than in any other area from recruitment of nurse managers, complex managers, recruitment of more doctors and more doctor hours.*

*Psychiatric services would be greater resourced now... the recruitment of addiction counsellors, the recruitment of additional nurses, all that sort of stuff. Now the tendering out of pharmacy services to a pharmacy service that is brought in to distribute the drugs, methadone and all drugs. We would have made quite significant progress in relation to, our policy of treating people who need hospital treatment and specialised treatment in the community and it has worked very well (Dooley et al. 2010).*

This gives some grounds for hope for the future regarding system level reform in relation to prioritisation of lifelong learning in Irish prisons.

The English national report provides an example of a national strategy for prison education:

In 2005 the Government published a Green Paper titled *Reducing Re-Offending through Skills and Employment* where the national strategy was outlined: "Key proposals [of this strategy] include a stronger focus on jobs, with more relevant skills training, led by employer needs; a new 'employability contract' for offenders, with incentives for participation; and a 'campus' model for learning to ensure continuity of education from prisons into the community" (HM Government, 2005:5) (Engel et al. 2010).

Goals of prison education are defined as to:

- develop a learning and skills service as an integral part of the offender management process, to provide offenders with skills for life and improves their employability,
- use sentences to improve employment opportunities—i.e., arrange Fresh start interviews and job searches, and set Education, Training and Employment Activity

Requirements as part of the new sentencing framework,

- develop strategies nationally, regionally and locally for engaging employers in providing jobs for ex-offenders,

– put employability and employment at the heart of supervision in the community for every unemployed offender (Engel et al. 2010).

While a national strategic approach to access to lifelong learning in prison is to be welcomed in this English example, it nevertheless remains a concern that the goal of employment subordinates other legitimate goals of lifelong learning—such as active citizenship, social cohesion and personal fulfilment. An EU Commission conception of access to lifelong learning operates with a broader lens and includes all citizens and therefore encompasses prisoners and prison education within its ambit of relevance.

### **Opportunities for Distance Education and Web-Based Learning in Prison (Structural Indicator)**

According to the Russian national report, distance education is a feature of some Russian prisons:

Some prisons provide higher correspondent and distant education for prisoners willing to obtain higher education degree. In the Russian Penitentiary system there are 8 institutions of higher education that has 7 branches through the country, including the Academy of Law, 74 educational centres, and an institute for advanced training. In recent years, this tendency has become quite widespread and adopted by a number of prisons across the territory of the Russian Federation. It can be partially explained with the fact that the government has started to promote the policy of transforming penitentiary institutions into centres of social rehabilitation. Therefore, the system of flexible educational training for prisoners is being elaborated and maintained, including distant and correspondent modes of learning (Kozlovskiy et al. 2010).

An example of an extensive distance education network is described in the Russian national report, with availability to prisoners who can pay a reduced rate to participate in such distance education:

Modern Humanitarian Academy (MHA) is a private licensed and accredited educational institution providing distant education of all levels, starting from primary and secondary professional education to higher professional education (BA, MA, specialist degree) and postgraduate programmes. The Academy is listed in the Guinness Book of Records as the biggest educational network embracing 14 % of the planet. The Academy students number 13 % of all Russian students today.

Education at MHA is paid but the prisoners pay a reduced fee, which can be decreased to 70% of the standard price. The educational programmes can be paid either by the families of prisoners or by prisoners themselves (in that case tuition fee is extracted from the prisoners' salaries). Since MHA is not a state educational institution, the state does not provide any financial support for prisoners in terms of scholarships, student loans, free re-education or free education (Kozlovskiy et al. 2010).

The Russian national report highlights that this distance education approach in prison has received European awards. The Russian national report however adds a cautionary note about the pervasiveness of distance education across prisons in Russia:

However, the listed examples embrace a very small amount of prisoners in Russia so far. Most prisons are still either poorly or entirely not equipped for supporting distant education (Kozlovskiy et al. 2010).

Youth prisons are described in the Hungarian national report as receiving distance education, though with a recognition that high turnover limits the opportunities for learning:

Another disadvantaged group supported by the [digital] institute is prisoners: Education in a youth-prison was launched immediately after the foundation of the school, with the contribution of *Földes Ferenc* Secondary School teachers who went to the prison to give lessons. This cooperation between the institute and the prison has been successful since the beginning, even if providing education to prisoners is quite difficult. Young prisoners might spend only a short time in the same prison and thus class headcount often falls down from 15 at the beginning to 2 at the end of the year, which then causes financial problems. Prisoners' motivation and performance varies from rather poor to very high: some of them are almost illiterate, but others continue their studies in the institute even after their release, and continue to enter third level education (Balogh et al. 2010).

The Estonian national report observes that security reasons are the biggest obstacle to distance learning and

web-based learning in prison:

Computers and the Internet are not permitted for security reasons. Materials and assignments are sent by mail (Tamm and Saar 2010).

*Distance learning opportunities are still not offered. Prisoners should be able to attend distance courses but how to organise this?* (Tamm and Saar 2010).

Security concerns were also raised regarding the Internet in prison, in the Hungarian national report.

According to interviewees in the Lithuanian national report, there is recognition that there is a need for change to a system which prevents use of the Internet for educational purposes:

The [prison management] interviewees think that the procedures should be changed. One of the possible solutions would be allowing to use the internet for educational purposes in this prison *perhaps it could be some way that the prisoners would be able to access filtered Internet, which could provide educational material ... Yes, at least to filtered Internet and the material for reading ...* (Taljunaite et al. 2010).

However, computer facilities in prison described in the Belgian national report also refer to the excision of Internet access from such facilities.

The Irish national report also highlights security concerns with access to the Internet:

The main obstacle to distance education is security in the prison, the tutor expresses views on this issue, *I personally think there shouldn't be any obstacles because...it's a literacy...digitally literacy...it's essential...I think it's just a psychological thing in the Irish Prison Service's head...It's up and running in other countries...security overrides everything but personally I don't think it should* (Dooley et al. 2010).

When asked about the obstacles to distance education, the Senior Manager explained that there are:

*Huge difficulties in Ireland, in Irish prisons and I am sure in other prisons, huge difficulties have surfaced. Up to very short time ago prisoners had access to computers and some had access in their own cells for learning purposes, Open University, that sort of stuff. The recent trends as you saw coming in the gate where there is a huge emphasis put students, where they can come along and access a pc, there is a member of staff there if...and if they can't help them with the subject, perhaps some of the technicalities or often they upon, to a degree, almost an obsession, put on security has meant that a lot of technology the prisoners had, including computers, have been withdrawn* (Dooley et al. 2010).

The senior manager elaborates on this:

*You can push security, you can justify withdrawing everything, including fresh air almost on the basis of security. So in terms of technology to facilitate distance learning, by and large that's not on anymore. We do have some facilities in classrooms now under supervision and we do have facilities in the library, under supervision where they can access, but in their cells, very, very limited* (Dooley et al. 2010).

It appears that security reasons are a pervasive barrier to distance education and web-based learning in at least a number of European countries. While reasons for limiting prisoners' communication with the world outside prison are obvious, it must be technologically possible to devise programmes to allow for limited external communication and access to key aspects of the Web for prisoners' distance education.

This technological development needs to be instantiated as a matter of priority across prisons in the EU—what is being presented as a technological problem is *de facto* more a lack of political will to access the appropriate technology for this limited external communication. The European Commission has a role to play here in encouraging tenders to develop appropriate technology to facilitate lifelong learning in prison through distance education and web-based learning. It requires an evaluative framework of indicators to ensure that good practice in implementing access to technology in prison for educational purposes can not only be shared but *required* of Member States. Supposed technological difficulties in providing restricted access simply must not be used as a veil to hide behind the implementation of the right to access to education in prison.

### **An Education Strategy for High-Security Prisons (Structural Indicator)**

A coherent strategic approach to lifelong learning in prison at national and prison institutional level must also encompass high-security prisons. A significant and notable contrast between policies for high-security prisons in relation to lifelong learning is evident between the Lithuanian, Irish and Bulgarian national reports on the one hand and the English national report on the other hand. The Lithuanian national report provides the example of how high-security prison is a barrier to lifelong learning:

In theory, life-long learning and rehabilitation goals are provisioned in Lukiskes Prison strategic action plan for 2008–2010, but the possibilities and conditions for prisoners' education are restricted by other regulations, i.e., the highest level of prison security restricts education possibilities (Taljunaite et al. 2010).

Despite a progressive approach to prison education in other kinds of prisons in Bulgaria, there is a similar barrier to education, as in Lithuania, for those in high-security prisons:

Those who have life sentences cannot participate in the educational process, as well as those who are under strict confinement until their status is changed (Boyadjieva et al. 2010).

Yet the English national report provides the following account of a high-security prison with a proportion of prisoners with long or lifetime sentences:

The education provided helps to break down the sentence for the individual, *education helps to keep people focused, so you might have somebody who has got a very long sentence who might be able to work on their education in small bites, so instead of saying I'm going to do a minimum of 14 years, they could be looking at completing a literacy courses now and they might aim to do a GCSE [Graduate Certificate of Secondary Education] and then possibly an OU [Open University] course, it helps to break down the sentence into more manageable chunks and so it gives somebody some sort of hope really* (Senior manager) (Engel et al. 2010).

It is the very longevity of the prison sentence in the English high-security prison that is interpreted as being a particular opportunity to engage in lifelong learning.

Across national reports, there would appear to be a general policy vacuum at national level in relation to lifelong learning for high-security prisons in particular. The English prison example provided here offers a progressive way forward for the engagement of high-security prisoners with lifelong learning. This English approach is clearly in contrast with the security-dominated approach in the following Irish prison example:

The tutor on obstacles to implementation and expansion of education in prison stated, *so much segregation...almost 100 guys on 23 hour lock up, which means they're only let out of their cell for 1 hour a day...for exercise, because legally they have to do that ...all to do with the gangland stuff that happening, so it's for their own protection, or for somebody else's protection. They can't come to school. In the last year or two... this is a new problem. They can't get up to school cause they can't mix so we do go down to where they are...very limited...what we're doing is kind of skeletal and it's just a presence really... no real learning going on as such.* Protection prisoners are locked up for 23 hours each day (Dooley et al. 2010).

### **Establishment and Implementation of a Principle of Normality in Prisons (Structural Indicator)**

An important principle is established in Norwegian prisons according to its national report; this is the principle of normality:

Prisoners in Norway maintain the same rights to education as citizens outside the prison. This is called the principle of normality. As a consequence, the municipality has established a division for public adult education within the prison. The division is therefore autonomous with regard to the prison system. This autonomy is among many things reflected in the way the employees dress (which is casual clothes and not prison officer uniforms), the way they interact with the prisoners and their responsibility with regard to security (Stensen and Ure 2010).

A related issue is that in Norway a rights-based approach to education exists, including for prisoners. The national report observes however that there are barriers to implementation of this right to education in a prison context:

Despite the fact that prisoners have the same rights to education as every other Norwegian citizen, one of our informants said that for the time being the school only had space for 85 students. The reason for this was lack of economic resources, but our informant said that they were applying for more money so that they could make way for 100 new students. We do not know why they lack the economic resources to offer education to all 392 prisoners, but as the quotation from the Norwegian Correctional Services above demonstrates, it is 'in principle' that the prisoners have the same rights, and perhaps not always in reality (Stensen and Ure 2010).

The Estonian national report provides an account of what appear *de facto* to be an application of a comparable principle of normality to the particular prison, though without the rights-based dimension offered to citizens in Norway:

Teaching methods are those used in adult education. Prisoners sit state examinations equally to students in ordinary schools. This is real learning not a pastime activity. It provides an opportunity to continue education after release (Tamm and Saar 2010).

It is important that any key principle of normality would recognise that positive discrimination is also a possibility given the frequent backgrounds of social marginalisation in the prison population. A life normalisation principle is not different from recognition of distinct needs and vulnerabilities in much of the prison population; it requires and implies the need for positive discrimination in the area of prison education.

The benefits of such a systemic change informed by a basic principle of normality (and EU funds to provide supports) appear evident from the Estonian national report:

Five years ago it seemed that prison education was stuck in a stagnant state. Now things are changing constantly—learning culture, etc. The system has improved significantly. The changes have had a great impact on both the quality of education and the learning environment (Tamm and Saar 2010).

The changes in the learning environment, teachers' attitudes and teaching methods have had a noticeable impact on the prisoners' attitudes to learning:

*The first year was a breaking point—we came with new ideas and practices; we were enthusiastic and that was catching. The prison psychologist said at the graduation ceremony: 'The people who sit here are not convicts; they are students'* (Tamm and Saar 2010).

The need for supports regarding the psycho-social and emotional problems of some prisoners is another dimension to a positive discrimination principle to operate within a broader principle of normalisation. As the Norwegian report highlights:

The prison has a section for sick prisoners and a health section, and one informant added that: *Many of the inmates have mental problems, and many become mentally ill from serving their sentence* (Stensen and Ure 2010).

In the Irish context, Seymour and Costello (2005) have also highlighted the extreme number of people in Irish prisons with backgrounds of psychiatric disorders and homelessness. This wider issue of mental health supports for prisoners also needs to be addressed.

Severe scepticism is evident from the following Irish prison management interviewee regarding any kind of prison mission statement, whether committing to a principle of normality or otherwise; when questioned about the prison mission statement and whether it refers to lifelong learning or rehabilitation goals, the Senior Manager stated,

*well now it doesn't mention lifelong learning at all and went on to give his views on it: the vision statement for the prison service is something like it would help people to prepare people for their release to live law abiding life styles, but I wouldn't pay any attention to vision statements [or strategic plans] because they are rubbish, in terms of meaningfulness. They don't mean nothing. Our numbers here in the last six months just simply highlight the lunacy and the cosmetic foundation and the shallowness*

*of that mission statement. I suppose I would argue very strongly that unless you show basic human respect for the individual first by providing civil and humane facilities like toilets, beds, clothing, food, very basic stuff. Unless you do that first there is no use pretending to the prisoner who was lying on the floor for the last month that we have your welfare at heart when he knows physically that I am fucking in bits down here. So I would argue that the Irish prison service vision statement is just a cosmetic exercise in having a vision or a statement or whatever (Dooley et al. 2010).*

This highlights the need for stronger processes of scrutiny of prison education and prison conditions at EU level, in addition to Council of Europe monitoring procedures.

### **Individual Education Plans for Prisoners (Structural Indicator)**

According to this Scottish national report example, once a learner in prison started on a course, an individual learning plan is produced:

*They have a learning plan which is drawn up when they first enrol. Contractually there is a review of that plan every six months, providing they are still there. In addition to that, as a college, we are actually introducing a three monthly progress report, that the member of staff teaching that individual will do on things like motivation, attendance, progression, achievement and things like that ... The learning plans will vary quite dramatically with the prisoner. Often the prisoner actually doesn't know what he is coming in to do. We will advise and sometimes actually for the poorer ones attending for two months... two months is... an achievement (Prison education college manager) (Weedon et al. 2010).*

An individual education plan for a prisoner is also adopted in Hungary, according to this account of a prison from the Hungarian national report:

There is not any procedure for identifying specific learning difficulties, however individual developmental educational programmes are provided by mentors for every participant (Balogh et al. 2010).

However, it is not clear the extent to which this is a pervasive feature of the Hungarian prison system. It is important to emphasise that an individual education plan needs to be a democratic process operating against a backdrop of good relations between the prisoner and the tutor:

*...opinion sharing with the participant, shared learning goals built upon the participant's life experiences. The most important principles are as follows: Manager: *Personality-focused attitude is the most important. Our educational method is built upon the client's personality, knowledge and learning tempo. At the beginning we offer them methods, and they choose the best liked one. The partnership is a base feature: we learn a lot from the clients, because they have widespread life-experience, thus we respect them (Balogh et al. 2010).**

A perceived barrier to implementation of individual education plans for prisoners that is noted in the Hungarian national report is the lack of accurate information on a prisoner's previous educational background:

There is no correct information available on the educational levels of the prisoners in most cases, because the prisoners have no grade card (they have lost it or they have never got it). Often the prisoners give false information concerning their educational level, because they are not motivated in participating in educational programmes provided by the prison (Balogh et al. 2010).

It is evident that an individual education plan is not yet a systemic feature of the prison system in Belgium (Flanders), though this prison management interviewee is strongly of the opinion of the need for such a plan:

*My dream is an individual 'detention plan' for every detainee in Flanders. In this plan the detainee, the prison governor, the Flemish Community and the court of law specify what the prisoner will do during his time of sentence. This plan includes adult education. If all prisoners have such a plan, a more coherent provision of educational opportunities spread over all prisons will follow logically (Vermeersch and Vandenbroucke 2010).*

A collaborative approach does however exist across the prison in Belgium, when engaging with the individual prisoner's educational needs; this is a key prerequisite for a process of developing an individual education

plan:

Adult education in the *Oudenaarde* penitentiary is supported in many ways. The education coordinator, the prison governor and prison staff, the psycho-social aid team, etc. all work together to help the detainees in their educational process (Vermeersch and Vandenbroucke 2010).

An optimal development would be to follow this psychosocial needs logic to furnish an integrated individual health and education plan for each prisoner.

It is important to emphasise that the learner in prison needs to be actively involved in the design of the plan and to take ownership over the plan's goals. Any individual plan which renders the prisoner passive in this planning process—through a plan which is prepared for the individual and not in conjunction with him or her—is highly unlikely to succeed. The very logic of an individual education plan approach in educational psychology is that it is based on a constructivist approach where the individual is an active learner. Application of individual education plans to the prison context is a logical corollary of commitment to a principle of normality in prisons, as applied to lifelong learning in prison.

### Initial Assessment Approaches for Prisoners (Structural Indicator)

It is important to recognise that any approach to initial assessment of prisoners in relation to their literacy skills upon entry to prison must be part of a wider relational strategy to engage prisoners in education. This dialogical approach rather than a social control approach to referral and initial assessment is highlighted in the Scottish national report:

*From the outset there's a first night in custody. And there are peer support workers who are prisoners who have been trained. And they go and speak to the guys, see they are settled in. They go with referral forms and they can refer to a lot of different things. They can just make them aware of what's available. Help for various things, bereavement. They can just say 'these are available do you want any referrals'. And I get a lot of referrals from them. Because if there's anything comes up, if there's a form to be filled out and maybe one prisoner will say to the other 'I've difficulty with this' they could then say 'you could have a chat with K, you could, you know, it's confidential, it's one to one'. When men are convicted there's a week induction at the prison. And that week gives all the agencies, housing, Job centre plus, various employment, the Samaritans that runs within the prison, somebody from [the] College goes in and they talk about again what services are available... [the] College also do an assessment (Prison education literacy tutor) (Weedon et al. 2010).*

It is notable that prison staff, in this Scottish example, receive training in raising awareness about literacy needs in a sensitive fashion:

*If the issue of reading or writing comes up, they will say 'do you want a chat with K, it's just a, you don't have to sign up for anything, do you want a chat'. And quite a few of the staff in the prison have taken part in Clan training, awareness-raising training (Prison education literacy tutor) (Weedon et al. 2010).*

A concern is raised by interviewees in the Scottish national report regarding imposition of initial assessments on incoming prisoners:

The main concern of the literacy tutor was that prisoners were not targeted by prison officers as requiring literacy tuition and told that they had to do it. She felt this was likely to be counterproductive. One final source of referrals she identified was other prisoners—word of mouth (Weedon et al. 2010).

This emphasis is on dialogue, invitation and explanation rather than an imposed test. The need for such an initial assessment process regarding literacy, given the background educational profile of prisoners, is a strong theme in the Scottish national report:

A report for the Prison Reform Trust suggested that around 20–30 % of the prison population have learning difficulties or disabilities (Talbot 2008). According to one of the prison interviewees there was a *concentration of people in prison with the same sort of needs*. There were a range of mechanisms for identifying those that may benefit from participation in learning which started on entry and continued

after a prisoner had been convicted. During this period other agencies were also involved.

College staff could offer assessment of learning needs and, if a prisoner was considered in need of literacy tuition (Weedon et al. 2010).

A prison manager similarly emphasised the high amount of early school leavers in prison in Scotland:

*She supported this view by giving an account of a typical prisoner: I would suggest that the average prisoner will come to us having stopped schooling round about first or second year [aged 12–13]. Will perhaps either not have worked or worked in very casual jobs with a raft of sort of social issues between them. But in terms of their education, I don't know how many times I have filled in learning plans, left school first year, second year, that is so, so common (Prison education college manager) (Weedon et al. 2010).*

The Irish national report highlights a reluctance to engage in compulsory initial assessment:

*Literacy is a strong element of the prison education service curriculum since the early 1980s. In relation to identifying prisoners with literacy problems, the tutor firstly explained that they don't have initial assessment, until they come to the school because they are against... blanket testing...I think it goes against the ethos of adult education... but when they do present themselves, there is (Dooley et al. 2010).*

A wider process of formal induction is sought by the Prison Senior Manager, though highlighting that it is currently not in place in any systemic fashion in Irish prisons:

In relation to initial assessment of prisoners, the Senior Manager explained that

*... in any of the prisons in Ireland at the moment there is no such thing as any type of formal structured induction at all so prisoners come in the gate and they could be here for one month or twenty months or forty months and they are interviewed alright when they come in and they, in relation to a sort of induction interview but there's no such thing as people going through a sort of a process of induction where their health, their education, their interests are monitored (Dooley et al. 2010).*

The Lithuanian national report illustrates a number of obstacles to initial assessment of prisoners, including sheer numbers of prisoners (though this is decreasing somewhat), overcrowded prisons and public attitudes towards prisoners. Yet it is noted that literacy is a real problem among prisoners in Lithuania and needs to be addressed as part of a holistic strategy (Taljunaite et al. 2010 ).

It is important that any system of initial assessment be carried out in a climate of dialogue, invitation and explanation rather than one of social control which would be counterproductive for those with low levels of basic education. Carrigan and Downes' (2009) international review of initial assessment instruments and research observed the following key dimensions:

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#### ***Four dimensions to a high-quality initial needs and skills check***

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1. An initial semi-structured interview involving self-assessment

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2. A piece of writing on a theme of relevance and interest chosen by the learner to be examined according to simple and transparent standardised criteria

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3. A short tool with a menu of options for examining literacy with thematic content which can be chosen by the learner from a range of possibilities and which have been proofed for cultural sensitivity and social class bias

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4. Development of an individual education plan in dialogue with the learner, where the learner retains ownership over all of the needs and skills check information and is assured from the outset that the results are not being used in an exclusionary way on their use pertained to the context of adult learners with low literacy skills (Carrigan & Downes 2009).

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This has direct application to the prison context. The following issues were also highlighted in this report:

Any process of devising and employing appropriate tools for learning needs to include scope for the learner to construct meaning rather than simply process decontextualised information. The language being used needs to be meaningful to the life and culture of the learner and the process requires one where the learner is in control of and has scope for choice within the features of the needs and skills

identification process. Adult education is traditionally committed to principles of active learning and these also need to be applied to the learner's active learning regarding their own learning needs. These issues rule out the use of multiple-choice testing in any form of this needs and skills identification process. (Carrigan and Downes 2009, p. 63)

Sticht (1999) advocates avoiding using a standardised test with learners when they first begin a programme as adult learners may be nervous and frightened and therefore their abilities may be underestimated. Ecclestone (2005) highlights the view in the international literature that norm referenced assessment in general has negative educational and social effects.

### **Sufficient Space in Prison for Education (Structural Indicator)**

A pervasive theme in national reports is prison overcrowding as a barrier to education. This is especially emphasised in the Irish national report, where overcrowding has in effect severely limited availability of space and motivation for education (Dooley et al. 2010). The Belgian (Flanders) national report recognises this problem but also illustrates how it has been partly overcome in a particular prison:

Due to the early 20th century infrastructure and the overcrowding, there is not much place...to organise education and create a classroom environment...still, over the years, several (smaller) classrooms and one (bigger) polyvalent room were built and renovated in the prison building. Because of the success of the Education Project...an extra classroom was built in the chapel last year (Vermeersch and Vandenbroucke 2010).

The Hungarian national report emphasises not only prison overcrowding, despite recent improvements, but also observes that prison classes are in a separate space of the prison:

Senior manager: *The number of the prisoners has decreased from 18000 to 14900 in our country in the last few years, and new prisons have been established, but the prisons are still overcrowded* (Balogh et al. 2010).

The prison classes take place in the separate site of the building. The library and the office of the organisers are in this site too. There are about 10,000 books in the library (mainly old books...). The librarian is a prisoner, too. The formal education programmes take place in the 3 class-rooms (calm environment, benches for 30–35 persons, board, projector). The non-formal education programmes take place mainly in the library (personal trainings and small group trainings), and sometimes in the class-rooms (Balogh et al. 2010).

An innovative approach to educational delivery is highlighted for more than one prison in the English national report. This approach is of using the prison wings themselves as sites for education and not simply to have a separate education section. This may help in relation not only to working within limitations of space in prison but also may have a range of positive knock-on consequences regarding the pervasiveness of education in the prison institutional culture:

The wing-based delivery of education... has been successful in expanding access to educational opportunities. Wing-based education intends to allow for greater flexibility in providing adult education in prison. Wing-based education allows for the provision of education to extend beyond the physical structure of the education department into the residential units at the prison in order to better integrate education into the organisation of the prison... The senior management representative explained, *education was always something that went on in that building over there or in those rooms, by delivering on the wings, people see it now as part and parcel of every day activity* (Engel et al. 2010).

According to the prison management, wing-based delivery of education:

*Engages more prisoners because they feel...more comfortable in their own surroundings that they're moving across [and] it also raises the profile of learning and skills with the officers on the wings because they're involved in making sure men attend...certainly in Ofsted reports, that's been looked on very favorably* (Engel et al. 2010).

This issue is further explored in the English national report:

The wing-based delivery of education in and of itself has a number of perceived strengths and weaknesses. Among the strengths is the flexibility it allows individuals in terms of their access to education. It has been successful in allowing vulnerable prisoners access to education. The wing-based education *is flexible and adaptable...most of our tutors on the wing will teach literacy and numeracy and drug awareness and alcohol awareness up to level 2* (Manager of the education department). It has also promoted education within the prison and officers on each of the wings, and increased engagement of prisoners, due to prisoners' likelihood to feel comfortable. The manager of the education department stated, *the acceptance of the lads that education is part and parcel of life is facilitated by wing education*.

It is important to emphasise that wing-based delivery is *not* replacing a separate educational site in prison but is complementary to it (Engel et al. 2010).

The Hungarian national report recognises the central importance of a separate educational site:

According to the organiser, this prison has an advantage over the other prisons by having a separate site for culture and classrooms. However, according to the senior manager, more rooms would be necessary for providing sufficient educational programmes (Balogh et al. 2010).

Yet a wing-based delivery approach in the English prisons is a *both/and* model with a separate additional educational site in the prison. It must be additional rather than a device to improve education statistics on behalf of the prison or as a window-dressing gesture to prevent prisoners taking court cases for access to education.

It is evident that this approach offers much potential for replication and amplification elsewhere. It deserves investigation at a systemic level nationally and at EU level to explore the feasibility of implementing such wing-based education across a wide range of prisons. A related avenue here, which is ripe for development, is for integration of the arts into the wings of the prison, as part of an educational focus, to bring the arts away from the periphery and to ensure that its motivational opportunities are activated for learners in prison.

The Irish national report does acknowledge, however, some difficulties to such prison wing-based learning, namely, security-related issues:

When asked if there are practices of peer mentoring in education in prison, the tutor said, *yes, the Toe by Toe...literacy programme...some guys are trained up to do teaching with some of the other guys... The idea is that it would happen down in the landing and in the cell...very small scale. Sometimes officers not very happy to have two prisoners in the cell together, suspicious of their motives, doesn't happen in the school, as it's our attempt to bring education down the landing...it's big in the UK as well, up and running in the UK for a long time* (Dooley et al. 2010).

An Irish Report on an Inspection of Mountjoy Prison by the Inspector of Prisons Judge Reilly (2009) expands on this security point:

The gangs in the prison must be kept apart to prevent violence and this causes great logistical difficulties for management (2009, p.12).

However, this is not an insurmountable barrier to prison wing learning, but rather a *caveat* as to its implementation due to interpersonal and intergroup factors in a given prison.

Whereas Downes (2003) highlighted a range of concerns with prison conditions in Estonia, especially for Russian-speaking prisoners, the Estonian national report argues that there has been significant improvement in facilities, space and also attitudes and ethos regarding prisons in Estonia:

The new prison which is under construction will have a separate educational centre. This gives the prison an opportunity to offer more hobby activities. Currently extracurricular activities are organised by prison officers. Schools (both general educational institutions and vocational educational institutions) should cooperate more with prison workers in this field. Compared with four years ago, the prison system has evolved significantly: attitudes have changed towards learning, organisation of learning, cooperation of prison officers and teachers (Tamm and Saar 2010).

EU funds clearly seem to have been an engine for reform of prisons, including prison education, in Estonia:

The prison has classrooms. *First we got some start-up money from EU to furnish classrooms—desks, teaching materials. Everything is nice and clean. Nothing has been vandalised* (Tamm and Saar 2010).

### **Professional Development Support and Resource Materials for Teachers in Prisons (Structural Indicator)**

It is notable that there is little evidence of professional development and support for teachers working in prisons across the national reports. One partial exception to this general trend is the Russian national report, where a significant enthusiasm was found among teachers in prison for extra professional development opportunities and resources:

Most teachers said they would like to use some professional sources and materials that are particularly aimed at work with prisoners. They asked whether the [research] outcome... somehow presupposed any recommendations for teachers working in prisons with adult learners who have gaps and education and whose motivation is quite low. One of the teachers said she would really love to use some colleagues' experience in work with her students because many of them are depressed, closed, passive and sometimes aggressive and she doesn't always know how to encourage them to study (Kozlovskiy et al. 2010).

The interviews with the teachers revealed:

They would really like to improve their work but they don't know how since they use quite old ways of teaching and no teacher-training courses are available for them. They are ordinary secondary school teachers who have never had any tutoring related to teaching in prison. They elaborated their ways of working with prisoners solely based on their own experience. *Well, I first came here 8 years ago. I didn't understand anything. Well, I knew it was compensatory education and I was working with these kids the same way I would work with any kids in any city school. In two years I would learn something, in three years, I would learn even more about working in prison. And now we actually make our own textbooks... this knowledge, it only comes with time* (Kozlovskiy et al. 2010).

This feature of the teachers developing their own specifically tailored resource materials for working with prisoners is an innovative example to be built upon elsewhere.

The career development of those teaching staff in prisons needs to be addressed in national prison strategies for lifelong learning, as is highlighted in the following extract from the Russian national report:

Among obstacles that prevent development of prison education, the informants list lack of human resources. For teachers, work in prison is not very rewarding; attracting good and qualified teachers to prisons is quite difficult since they are not offered any benefits for working in more difficult conditions than ordinary school teachers (Kozlovskiy et al. 2010).

Veits and Khokhlova (2011, personal communication) add that *'Even though a proclaimed governmental policy with regard to prison education is aimed at transformation of prisons into rehabilitation centres, in practice little is done in order to attract qualified staff into prisons. On the contrary, the new reforms brought to removal any bonuses for teachers working in prisons'*. They suggest that *'those who teach there do that because they cannot find any better teaching positions either due to their age or qualification'*. If this is the case, it is thus imperative to develop more proactive incentives for teaching in prison.

It is notable that a principle of whole school collaboration is extended in an important fashion in Estonia to teachers working in prison:

Teachers are instructed before starting working in prison. The school has organised meetings and exchanges of practices and experience. Teachers from different prisons are in contact with each other; they attend seminars and information days organised by different ministries. *Each institution is different. We can learn from each other. We have visited Viru, Tartu and Murru prisons. The Ministry of Justice is planning a seminar for teachers. The Ministry of Education and Research organised an information day. We have also attended international conferences* (Tamm and Saar 2010).

This key movement away from an individualist focus approach of the isolated teacher or tutor in prison to a collaborative approach is particularly important in a prison education context which may bring its own specific

requirements. Development of good practice in the prison education sector requires such collaboration across tutors, as in the Estonian example.

### **Prisoner Exchange Based on Educational Reasons, Including Bridges to External Education Institutions (Structural Indicator)**

A systemic focus implies the need to examine scope for improving communication and connections between prisons in a given country. This cross-prison institutional interaction is important in order to facilitate prisoner exchange based on educational reasons. Such an exchange takes place in the following example from the Belgian (Flanders) national report:

First of all, if the inmate that wants to enrol for a course is imprisoned in some other prison, there has to be an agreement between that prison and the *Oudenaarde* penitentiary to exchange prisoners. Secondly, the candidate must write a letter with his motivation for wanting to take the course. This letter is screened by the education coordinator. By means of this screening procedure, the prison verifies if no other motives play a role in the request for transfer. Besides that, data is gathered on what might be described as the educational history of the prisoner and his mother tongue. Finally, if the prisoner is given access to the Education Project in the *Oudenaarde* penal institution he enters into a study agreement (Vermeersch and Vandenbroucke 2010).

An example from Hungary is not so much one of prisoners changing prisons but rather of prisoners changing environment to engage with the outside world through exam contexts:

The second school leaving exams are taken at an external educational institution ( *Belvárosi Tanoda Alapítvány Gimnázium és Szakközépiskola*— Downtown School Foundation Secondary School and Technical College). The prisoners are transported into that external institution by the staff of the prison, and they take part in the exam wearing prisoners' clothing and under police supervision. However the manager emphasises: *According to our experience the exam at an external institution is a very important step of the re-socialisation. These young people got into a special subculture of the prison. The rules of this world differ from the conventions of the normal society, and usually these people sink into this world. However when they get to a civil institution, they meet peer-groups, and they communicate with civil young people and teachers* (Balogh et al. 2010).

This is a logical application of the principle of normality and is a step forward that needs to be taken at systemic levels across countries. Across national reports there is little evidence of a system level practice of prisoner exchange for educational reasons, either with or without consideration of a bridge to external institutions. If lifelong learning is mainstreamed into the prison management strategic goals and into prison institutional culture, then this practice of prisoner exchange for educational reasons, already occurring in Belgium, could have much wider application.

### **Conclusion**

A number of issues raised are basically matters of good educational practice, such as individual educational plans (IEPs) for prisoners, holistic initial assessment, professional development of prison teachers and availability of relevant resource materials for prison education, as well as recognition of respect for prisoners as learners through a principle of normality in prisons. Other emerging themes, discussed as structural indicators for prison institutions, include a pervasive concern with practical barriers blocking access to education in prison. These include sufficient space in prison for education, facility for prisoner exchange based on educational reasons, including bridges to external education institutions, as well as other systemic obstacles observed in specific contexts. Renewal of strategic commitment to the importance of prison education, at EU Commission, national and local prison institutional levels would involve serious addressing of these practical barriers to prisoners' rights to access education.

In the conclusion of *Access to Education in Europe: A Framework and Agenda for System Change*, it is recommended that the EU Commission consider leading a process, in dialogue with EU Member States, for

the development of agreed structural indicators for access to lifelong learning and social inclusion—for prison education (as well as higher education and non-formal education). These proposed European level indicators would also require a country-specific review process to examine their implementation and development across European countries. Such indicators would include as follows:

<b>Prison Education: Illustrative Structural Indicators</b>	
<input type="checkbox"/>	A national strategy of access to education for prisoners YES OR NO
<input type="checkbox"/>	Opportunities for distance education and web-based learning in prison available to all prisoners (including appropriate technology to limit web access where appropriate) YES OR NO
<input type="checkbox"/>	An education strategy for high-security prisons YES OR NO
<input type="checkbox"/>	National strategic commitment to a principle of normality in prisons with regard to education (i.e., prisoners maintain the same rights to education as individuals outside the prison) YES OR NO
<input type="checkbox"/>	Implementation of a principle of normality in a prison institution YES OR NO
<input type="checkbox"/>	Learner-centred education in prison YES OR NO
<input type="checkbox"/>	Individual education plans for prisoners in a specific prison institution YES OR NO
<input type="checkbox"/>	Holistic initial assessment approaches for prisoners available in a specific prison institution (with the consent of the prisoner) YES OR NO
<input type="checkbox"/>	Sufficient space in a specific prison institution for education YES OR NO
<input type="checkbox"/>	Professional development support for teachers in a specific prison institution YES OR NO
<input type="checkbox"/>	Resource materials available for teachers in a specific prison institution YES OR NO
<input type="checkbox"/>	Prisoner movement across prisons based on educational reasons (including for bridges to external education institutions) YES OR NO

It is important to emphasise that structural indicators are much less expensive to observe than quantitative outcome and process indicators, and thus, there can be more of them employed to scrutinise change in a system. If used judiciously, as part of a focused review process, they can provide a key lens for system transparency to examine State and institutional activity for reform.

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