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EDUCATION, LIFELONG LEARNING AND CULTURE COMMITTEE

Wednesday 24 February 2010

Session 3

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EDUCATION, LIFELONG LEARNING AND CULTURE COMMITTEE
5th Meeting 2010, Session 3

CONVENER

*Karen Whitefield (Airdrie and Shotts) (Lab)

DEPUTY CONVENER

*Kenneth Gibson (Cunninghame North) (SNP)

COMMITTEE MEMBERS

*Claire Baker (Mid Scotland and Fife) (Lab)
*Aileen Campbell (South of Scotland) (SNP)
*Ken Macintosh (Eastwood) (Lab)
*Christina McKelvie (Central Scotland) (SNP)
*Elizabeth Smith (Mid Scotland and Fife) (Con)
*Margaret Smith (Edinburgh West) (LD)

COMMITTEE SUBSTITUTES

Ted Brocklebank (Mid Scotland and Fife) (Con)
Hugh O'Donnell (Central Scotland) (LD)
Cathy Peattie (Falkirk East) (Lab)
Dave Thompson (Highlands and Islands) (SNP)

*attended

THE FOLLOWING GAVE EVIDENCE:

Julie Bilotti (Scottish Government Lifelong Learning Directorate)
Sharon Grant (Scottish Government Justice Directorate)
Hugh McAloon (Scottish Government Lifelong Learning Directorate)
Gary Waddell (Scottish Prison Service)
Melanie Weldon (Scottish Government Lifelong Learning Directorate)

CLERK TO THE COMMITTEE

Eugene Windsor

LOCATION

Committee Room 6

Scottish Parliament

Education, Lifelong Learning and Culture Committee

Wednesday 24 February 2010

[The Convener *opened the meeting at 10:04*]

Decision on Taking Business in Private

The Convener (Karen Whitefield): Good morning. I open the fifth meeting of the Education, Lifelong Learning and Culture Committee in 2010. I remind all those who are present that mobile phones and BlackBerrys should be switched off for the duration of the meeting.

I start by giving some apologies. Elizabeth Smith will be late; she is trying to get here, but due to a major road traffic accident in the Dunblane area she is experiencing difficulties. Margaret Smith is unwell. I understand that Claire Baker will join us when her late train arrives.

Our first agenda item is a decision on whether to consider in private our approach paper to the Children's Hearings (Scotland) Bill and to conduct in private our future deliberations on the committee's work programme. Is that agreed?

Members *indicated agreement.*

Offender Learning

The Convener: The second and most substantive item of the committee's deliberations today relates to offender learning. I am glad that the committee has been joined by representatives of the Scottish Government. I am pleased to welcome Hugh McAloon, the head of the employability and skills division and the chair of the offender learning advisory group; Melanie Weldon, the deputy director and head of the enterprise and employability for young people division and the lead official in the youth offending workstream; Sharon Grant, who is the head of branch 2 community justice services and a member of the in community workstream; and Julie Bilotti, the policy manager in the employability team branch and a member of the in custody workstream. We also have Gary Waddell, who is the head of offender and community outcomes. Mr Waddell is not from the Scottish Government; he is an employee of the Scottish Prison Service.

Mr McAloon, I understand that you wish to make an opening statement.

Hugh McAloon (Scottish Government Lifelong Learning Directorate): First, I thank the committee for inviting us along today and giving us the opportunity to update you on the progress of the offender learning project. As the convener said, I am the head of the employability and skills division in the lifelong learning directorate, and the project is being supported by my division and the community justice services division.

I chaired the offender learning advisory group, which supported the three independent workstreams, and several members of that group met the committee last year when the project had only been going for a couple of months. At that stage, it was suggested that we come back and update the committee when the project was completed, so perhaps towards the end of today's meeting we might discuss whether it is worth us coming back again to share the Government's response.

Before I bring the committee up to date on where we are now, I will quickly remind you of the project's history. The Scottish Government's skills strategy committed us to begin work on looking at offender learning in Scotland with the aim of providing a more streamlined and improved offender learning service. The offender learning project was established to take that work forward and, due to the complexity of it, three workstreams were identified. Those workstreams, which looked at youth offending, offenders in custody and adult ex-offenders in the community, comprised external stakeholders with an independent chair. Each workstream was supported by Government

officials from the relevant policy areas, but the workstreams were very much viewed as independent. They were supported by officials so that when we consider our response, if we decide to implement some of the recommendations, we will be in a good position to get started.

The advisory group involving the chairs, Scottish Government officials and representatives from key stakeholders provided strategic support throughout the project. The project has now completed its deliberations. The report "Offender Learning: Options for Improvement" collates the findings of the three workstreams, and all of those reports were published on the Scottish Government's website on 14 January.

The officials who are here today were heavily involved throughout the project and they will be able to talk in detail about how the workstreams came to their conclusions. Melanie Weldon, who attended the committee last year, was a lead official on the youth offending workstream, Julie Bilotti worked on the in custody workstream, and Sharon Grant was on the in community workstream. Gary Waddell was also involved in the advisory groups.

The current status of the reports is that they are independently produced reports to Government and the Government will respond to them. The next stage of the process is for ministers and officials to consider the reports' findings and recommendations and to produce a response on behalf of the Scottish Government. We are already moving on that.

A feature of our approach has been collaboration with key partners. That was demonstrated by the workstreams' adoption of a consultative approach in writing the reports and by their seeking to include all relevant stakeholders. That was at the heart of the process. Each stakeholder brought a wealth of knowledge, experience and expertise. We plan to continue to draw on that expertise over the next couple of months, so as well as discussing the recommendations internally with colleagues and bodies such as the Scottish Prison Service, we will be communicating with key stakeholders to get their views on them as we move forward, before we draw together the Government's response.

At this stage, as we draw that response together, it will not be possible to give firm commitments on specific recommendations. However, we welcome this opportunity to discuss the report with the committee and are keen to take account of your views as we move forward.

The Convener: Thank you. I am sure that the committee has a number of questions for you. I will start by asking you a general question about the work that you have done, and whether it identified any issues to do with encouraging offenders to have a positive view of education. People in prison have often had quite a negative experience of education. Are there barriers that prevent them from engaging in education and employability and skills training while in prison? Did you identify anything that could be done to make education a more positive choice for them?

Hugh McAloon: That theme probably ran across the three workstreams. You are spot on about that. In all three workstreams—in community, in prison and young offenders—motivation to learn and engagement with learning were key themes in considering approaches to engaging with and sustaining learning, especially in the prison setting. The issue is not just the initial engagement; it is sustaining learning when people hit setbacks. There is quite a lot of that kind of thinking in the reports, which we will consider going forward. My colleagues may want to say more on that.

Gary Waddell (Scottish Prison Service): I will add a wee bit more in relation to the Prison Service. It is fair to say that we would not positively discourage anyone from engaging with education in a prison setting; in fact, we positively encourage it. A lot of it is about finding opportunities that float individuals' boats—finding projects and activities that they can engage with and take an interest in. We are continually being asked to consider how to improve literacy and numeracy. For a number of individuals, that is not a particularly interesting area, which is quite a challenge, but the staff who work in that area are very creative at finding ways of integrating literacy and numeracy within activities in order to encourage people to engage.

The Convener: Continuing that theme, I understand that, especially in a prison setting, there are disincentives to engaging in education, one of which is that if prisoners go to the workshops they get paid, but they do not get payment for engaging in education. Did you consider that?

Gary Waddell: I think that the workstreams considered and took a view on that. The Prison Service wages policy is designed not to make education less attractive than going to work; it is designed to put education on an equal footing with work. To some extent, it still comes down to what individuals choose to engage in. At the end of the day, they will get their wage if they work in a different party from an education party. We review continually the equity of engagement with education in the prison system; our current wages policy was designed with that in mind. We need to investigate further to ensure that the policy is being applied as we intended.

10:15

Hugh McAloon: In the workstreams, especially the group that I chaired, we considered ways of embedding learning in work, to attract people in and engage with them. As Gary Waddell said, we should look at ways of engaging people. The chairs felt that if, for whatever reason, people are more attracted to work in prison, we should go with the flow and seek to embed learning in work. That has different aspects, such as soft skills related to employability. Having people engage in work in prison when they have not done so outside prison can embed such skills.

We discussed ways of bringing literacy and numeracy into the work that people do and using what people do in the work setting to spark interest, so that they go beyond that. That is not an uncommon approach in other parts of education, especially adult education. The chairs sought to transpose to the prison setting thinking from other areas, such as the work that we do under the more choices, more chances strategy, in vocational education, in schools and in colleges. Those issues were discussed, but it was not seen as an either/or situation. If people are in work in prison, the best approach may be to embed learning in that work.

Sharon Grant (Scottish Government Justice Directorate): I was part of the in community workstream. We heard that in Edinburgh prison, people are doing the City and Guilds painting and decorating course. The literacy co-ordinator attends that course and embeds literacy and numeracy teaching in it. The prisoners do not feel that they are being stigmatised in front of the class; rather, they are taught how to measure rooms, to make up bills and so on. That is an innovative way of tackling the issue. The results look quite positive.

Hugh McAloon: The same approach has been taken in other settings, such as the college setting. When people are on a construction course and staff identify literacy and numeracy deficits, literacy and numeracy teaching is not provided separately but built into the course. It is fairly obvious that if someone is going to work on a building site, measurement and numeracy will be part of what they do—if only to count up their wages. That will spark their interest, as they will want to ensure that they are not short changed at the end of the week. That approach has been taken in the college setting, and some of the same thinking is already happening in prisons. There is a range of good practice that can be spread further around the system. Workstreams are looking at such initiatives.

Julie Bilotti (Scottish Government Lifelong Learning Directorate): One of the in custody workstream's recommendations concerned flexibility when learning is available. As Hugh McAloon said, it should not be an either/or situation. It is recommended that we look at whether learning can be made available in the evening or at weekends. Many problems and challenges are associated with that, but many people in prison want to do the work that is available, and that should not mean that they cannot engage in learning.

Kenneth Gibson (Cunninghame North) (SNP): Throughout the summary document, there seems to be a focus on leadership. For example, towards the end it states that you have identified

"a range of practical solutions"

and that the principal challenge

"is the need for clear leadership."

At the beginning of the summary, you identify a number of issues that must be addressed, including education, social work, criminal justice, training and employment. Tellingly, the report states:

"offender learning is 'everyone's problem' but ultimately no-one's main responsibility."

If we are to move forward, someone must have responsibility for offender learning. How can we ensure that someone, or some department, takes responsibility for it? What level of co-ordination is required between devolved and reserved powers?

Hugh McAloon: In commissioning the report, we put our hands up and said that we need to do some work to pull the partners together. As in other settings in the employability system, the skills system and probably the justice system—although I am not as au fait with it—a range of partners have to come together to drive towards better outcomes. We certainly try to take that approach across the board.

On the reserved and devolved challenges, we should consider, for example, Jobcentre Plus and its responsibilities. We could get too hung up on the constitutional arrangements around that and ignore the good practice that exists on the ground. When we work with Jobcentre Plus in Scotland, we tend to find that it is keen to work with partners such as the Scottish Prison Service, Skills Development Scotland and others. Each partner has to show leadership within their organisation and say that offender learning is a serious issue. Collaboration is also important. Everybody can keep doing their thing and we can get a suboptimal outcome, or people can decide to stand up and say that there will be better outcomes through collaboration.

On leadership in response to the agenda and the reports, the Scottish Government has a clear role in bringing people together and brokering better solutions, and also a role in understanding

and responding to the different roles of people in the system. There are no bad guys in the system. Everyone is trying to do the best that they can in the situation that they are in. Our role is to use some of the evidence from the reports to show that a much more collaborative approach can lead to better outcomes and so draw people in. Whether it is national bodies, local bodies, individuals in the Prison Service or individuals in reserved areas such as Jobcentre Plus, everybody has a contribution to make. Our leadership role is very much about bringing people together and driving that forward.

Kenneth Gibson: So ultimately the Scottish Government—you, in effect—should co-ordinate the work.

The report states:

"Services are often poorly integrated"

and that "good practice is patchy."

Do you have a strategy in the short, medium or long term to ensure that leadership is in place, that services are not patchy, that there is full integration and that all the organisations from Jobcentre Plus to the Scottish Prison Service know what their roles are?

Melanie Weldon (Scottish Government Lifelong Learning Directorate): If we turn the clock back to when we published "More Choices, More Chances: A Strategy to Reduce the Proportion of Young People not in Education, Employment or Training in Scotland" and "Workforce Plus: an Employability Framework for Scotland", the Government had a really important role in developing the right framework for action, creating the right environment and making clear its expectations of the various delivery partners. The area is complicated, because it involves a lot of people.

In the past three years, we have done a lot of work to support the development of local partnerships. The MCMC agenda in its narrowest sense covers youth unemployment, but it also covers preventive action and what happens much earlier down the line, and local authorities have stepped forward and are taking the lead on that. That is absolutely in keeping with their responsibilities for delivering the curriculum for excellence through to 18. We have already established a precedent, and there are some well-established partnership arrangements around the agenda.

We have discovered through the youth workstream that the employability services do not necessarily join up terribly well with the justice services. We know that that is a weak link in the chain. There are already well-established partnerships, good relationships and a good focus on delivering better employability skills for vulnerable groups, but some of the key relationships are not there yet. That is where we have to push.

Sharon Grant: From the justice perspective, our cabinet secretary established a reducing reoffending programme last year that aims to deliver what we call immediate, visible, effective, high-quality, flexible and relevant justice. It is designed to develop a cohesive framework for the management of offenders whether in prison, the community, before they get to prison or when they are subject to a community disposal.

The programme has five key elements, or projects, that cover young people who offend, by which we mean young people in the children's hearings system. We aim to bring together services to offer a more co-ordinated approach to children who have to go through the children's hearings system, mainly in an effort to divert them from the adult system. There is also a pre-disposal workstream that looks at diversion from prosecution where it is necessary and access to other services, such as health education services. We run a project on effective community disposals, which is mainly about establishing the new community payback order as part of the Criminal Justice and Licensing (Scotland) Bill. We also have the custodial sentences management workstream, which looks at prisons and throughcare—prison and preparation for release into the community.

One of the most important elements is probably community reintegration, which focuses on equal access to services for offenders, who are probably one of the hardest to reach groups. Community reintegration has three main work strands—health, accommodation services for offenders, and education, skills, learning and employability. We are looking to join up with education department colleagues, colleagues from other departments across the directorate and colleagues in other agencies to look at what recommendations can be taken into the reducing reoffending programme. We will work with partner agencies to develop that framework, such that we can give offenders opportunities to address health and accommodation issues and, importantly, learning, skills and employability issues. We are not saying that it will be easy, but we have a framework in justice that allows the programme to make those links. With the help of colleagues and other stakeholders we will be able to do that. I add that the Convention of Scottish Local Authorities is a key partner in the reducing reoffending programme and is fully committed to helping us develop that framework.

Kenneth Gibson: Although a lot of key relationships and partnerships are involved, will

the leadership come from the Cabinet Secretary for Justice to pull together all the different strands, including reserved powers and strands from other departments in the Scottish Government, so that everyone knows the line of accountability?

Sharon Grant: The line of accountability for the justice elements is from the Cabinet Secretary for Justice, but there is a commitment from the Cabinet to work together to provide offenders, as one of the hard-to-reach groups, with access to services under the equally well banner. That takes in the skills strategy, the poverty strategy and—

Kenneth Gibson: So it is cross cutting. The first line of the section on targeting in the report's summary says:

"Not all offenders will be ready to respond positively to offers of learning."

I am sure that everyone is well aware of that, but what steps are being taken to try to motivate people? In response to the convener's question, embedding learning in work was touched on, but will you expand on how you encourage more offenders to participate in the learning process?

10:30

Hugh McAloon: There is a key strand of thinking, particularly on the prison side, that involves considering not only targeting, but timing. Gary Waddell will know more about this than I do, but when someone goes into the system for the first time—or even if they have been through it before—a lot of processing is involved at the start. Given the amount of things that are going on, and the related stress, that initial stage is perhaps not the best time to engage an individual and get them to respond. The issue of timing has been discussed, and we are considering it.

With regard to targeting, we have discussed different approaches such as embedding learning in work and making learning available at different times and in different settings.

There was much discussion about positive peer group pressure: rather than always accepting that peer pressure is always negative, we should recognise that if some people make progress, they can be champions among other offenders in prison. Some of that work involves formal initiatives, and some of it is less formal, but it is about capturing what will work and make a difference within the constraints of the system, which has to do a lot of other things too.

Gary Waddell might want to add to that.

Gary Waddell: I will just say a couple of things. We cannot escape the fact that issues such as volume and short sentences have a significant impact on engagement. We also cannot lose sight of the fact that we have only a certain amount of resource capacity with regard to our capability to respond to needs and requirements. Taking all those factors into account, it is important that we focus on where we can make the most impact.

The report mentions, and we are well aware, that literacy and numeracy are key areas of focus, so we must try to tackle those issues. We recognise that not every single individual in the prison system will be ready to go into employment, and that some individuals are better placed than others to move into employment, as they have the abilities that an employer might be seeking.

There might be an opportunity, in conjunction with our partners—Hugh McAloon has talked about our links with other organisations—to try to identify more effectively those who we think might have a better opportunity to move into employment, so that we can target our resources effectively.

Kenneth Gibson: You talked about using peer pressure to achieve education outcomes. Can you explain to prisoners the difference in terms of their likely employability? Is education significant in relation to recidivism? I know that this is a difficult area, because people are in prison for different lengths of time. Can you make comparisons in order to say that folk who have gone through a particular course are more likely to get jobs? You said in your initial remarks that you were measuring outcomes—I take it that employability and dealing with recidivism are two of the key outcomes that you seek.

Gary Waddell: The rate of recidivism is certainly a key outcome in relation to the objectives of the Prison Service and the Government. We are, of course, keen for fewer prisoners to come back in.

It is difficult to determine whether input and education necessarily guarantee a positive outcome. The report hinted at some research that seemed to suggest that people who engaged effectively in education may have had a better chance of not reoffending when they went back out. However, the lack of evidence and research is also mentioned.

That whole area is complex, with regard to how we judge the impact of an educational input in comparison with that of a health-related input around addictions or another form of input that might have been the trigger that made an individual desist from offending when they left prison. That is a challenging question not only for us in Scotland, but for anyone who works in the criminal justice sector in any country.

Aileen Campbell (South of Scotland) (SNP): How are offenders or prisoners engaged and given a voice in education programmes. How might that situation develop, and what

recommendations might be made to improve it? It has been suggested that a missing element is that things are too programme-led, with not enough focus on the individual. Can you say a wee bit more about what improvements, or recommendations for improvement, have been made?

Melanie Weldon: Certainly, a strong message from the youth offending workstream was that giving young people a much bigger say in the design and development of the curriculum is absolutely key. An underpinning principle of the curriculum for excellence is the ability to design packages that will meet individual need: personalisation and choice are the two buzz words.

We still have a long way to go to get it right—that is for sure—but I can give one positive example of how that is playing out. In 10 local authority areas, we are piloting what are called activity agreements, which are targeted at 16 and 17-year-olds who are unemployed when they leave school. Essentially, the agreements are bespoke packages of learning and support for young people. As we heard from colleagues in Glasgow yesterday, those programmes are led by young people saying what they would like to do and what they need. There is an element of negotiation of course, but the programme is very much designed to encourage people's engagement, progression and achievement in learning. If we can get that right, it will make a huge impact. For the moment, the pilot is limited to 10 local authority areas, but those principles could be applied more widely.

Aileen Campbell: Do you have any more information about that? Which 10 local authorities are involved, and what are the timescales for the pilot?

Melanie Weldon: I can certainly provide that information to the committee afterwards.

Aileen Campbell: Another point that has been mentioned is about trying to engage the rest of the family in the prisoner's learning. How effective has that approach been? Have there been any moves to take it further forward?

Gary Waddell: We recognise the importance of the family in supporting offenders while they are in custody. Equally, for whatever reason, some offenders in custody do not have a family or are not particularly keen to retain an interest in their family. Therefore, we need to be clear about who should benefit.

We have had examples of such engagement in HMP Edinburgh, where we have had family learning days in the prison library. Those appear to have been reasonably successful, so we are keen to try to encourage more of them. In Shotts prison, family members have on occasions had the opportunity to come into the learning centre to engage with prisoners in the activities that they have been working on in the education unit.

However, there is no one answer to the question. What individual prisons can do depends on their environment and the population that they work with. We are very aware that we need to seek to be effective on such issues, but I do not think that I can say what family engagement might look like as a global service. The answer is often that it depends on what is available within a local establishment.

Aileen Campbell: We have spoken about trying to engage prisoners in the education packages that are available in prison. I appreciate that we might lack data or figures to back this up, but can we spy any trends about the type of prisoner who is more likely to engage with education programmes? Can we use that information to try to target packages a bit more effectively?

Hugh McAloon: Certainly, the information that has come out from the workstream discussions—particularly from the in custody workstream—suggests that length of sentence is an issue. Clearly, we have more time to work and engage with those who are on longer sentences and to sustain progress. Beyond that, I think that the report concludes that we need more evidence on targeting, as there are definitely gaps in our knowledge.

There is quite a lot of opportunity to think about what works well in a non-prison setting. Mel Weldon talked about the work that is going on around "More Choices, More Chances". In terms of how we can engage with them, some of the young people in those groups are not terribly different from some of those who are in custody or serving community sentences. There are some lessons that can be drawn from the wider population, and we should seek to do that as we take the work forward.

Melanie Weldon: It is easy to make big assumptions about who might be easier to engage than others. Mr Gibson asked what encourages people to participate, and I wrote down three things. The first is giving young people a voice—giving them a say in what happens to them. The second is personalisation of choice, which I have already mentioned. The third is relationships. The relationship does not have to be with a teacher—the youth worker approach is incredibly powerful in engaging young people, and the key worker or social worker approach probably works for adults. If we get the relationship right, we are halfway towards motivating people to learn and progress.

Hugh McAloon: That is the point. It is about focusing on that sort of relationship and not making too many assumptions.

The lesson that we can learn from the MCMC group, especially about how we might engage younger learners, is that a more individualised approach that is based on the faint signals that we get as we develop those relationships can spark progress much better than a one-size-fits-all approach. There are real challenges in coming up with three things that we can do to target more effectively, as we are dealing with individuals from incredibly complex and disrupted backgrounds in a lot of cases, and what works for the individual can vary. As we said earlier, work in the prison setting can spark an interest.

The challenge for the SPS and others is in providing that level of individual tailoring within the constraints that they face both financially and within the system. There will always be that tension. However, Mel Weldon is dead right. Whether we are talking about young people, adults or those who are serving community sentences, the one-to-one relationship, not necessarily with an educator, can sometimes make the difference.

Aileen Campbell: Forgive me if this is widely known, but I would like to hear about the support that people receive after they have served a custodial sentence to equip them with the tools to get jobs so that they are more likely to find employment. Is any attempt made to build relationships with potential employers and develop the links a wee bit further so that there is a clear place for people to find employment or at least gain work experience outside the custodial setting?

Hugh McAloon: The relationship with Jobcentre Plus, which I mentioned earlier, is critical. It is the agency that provides that employment support as well as advice on the benefits side. There are good examples of Jobcentre Plus working in prisons pre-release. When people come out of prison, they have a range of needs that they will want to address pretty quickly. Not the least of those is the need for a place to stay, in a lot of cases, and they will need help to sort out their income and benefits. Often, the evidence shows that the provision of the learning that helps people to find employment or the provision of employability support can drop away quite quickly. There is a need to engage with the agencies and bodies that can support people moving forward, and the key partners include Jobcentre Plus and Skills Development Scotland, among others. I guess that it is about ensuring that the agencies that are responsible for supporting people during that transition are encouraged to work together. Each has a level of responsibility and they all focus on their responsibilities, but we must ensure that there is more cohesive engagement.

10:45

Gary Waddell: For some time now, we have been working with Jobcentre Plus, which, over the past couple of years, has very actively sought to carry out more effective work with offenders both in custody and in the community. In particular, it has been looking at the role of its advisers in prisons. Our work has very much centred on identifying the people who have skills or offer other attributes in which an employer might be interested, on trying to develop those skills and on supporting people as they go back into the community, and Jobcentre Plus is considering how it might make use of certain things in its repertoire, including work trials and the future jobs fund, to get ex-prisoners into employment. Its small pilots on work trials have, in fact, had very positive results; it managed to secure a number of work trials that led to jobs and wants to develop the approach. I am very keen about our work with Jobcentre Plus and delighted that it has come on board with us as much as it has.

Julie Bilotti: The report also highlights a number of issues around pre-release, including how, for example, to get individuals in prison to attend pre-release support—which, after all, is not mandatory—and what such support should offer. As the work carried out in prisons has demonstrated, there are some really positive programmes that help people think about what they are going to do when they are released. However, the issue is not just about support for employment or training. Getting a job might come fairly far down a person's list if their housing or income is not sorted, and it is the package of support that is available for prisoners on release that makes a difference.

Ken Macintosh (Eastwood) (Lab): Your report makes a number of worthwhile points, especially on leadership. I have to say that I find the lack of evidence and research in this area quite striking.

There has been comment about the sentences that the offenders in question have. I know that one workstream report looks at young offenders, but is the age of offenders also important with regard to whether they can access education, or is the sentence—the length of time that they have to stay in prison—or something else more important?

Gary Waddell: I do not think that we want to discriminate in relation to age. Although the Prison Service has recently opened a 16 and 17-year-old hall at Polmont—Blair house—and although we are looking at the specific work that we do with that age group, our approach to that group is no

different from the support that we are trying to provide to young offenders up to the age of 21 who are also in Polmont, female young offenders and the adult estate. At the end of the day, age is not an issue. Many people would say that if the issues can be addressed when the person is very young they might well become less of a problem as they get older. At the same time, there will still be opportunities for older offenders who might be reassessing their lives and deciding whether going into education at an older age might be worth their while.

Ken Macintosh: You say that age is not a factor, but surely it is a factor in behaviour. I do not know the age profile of the prison population, but—and tell me if I am wrong—I would imagine that people's behaviour changes after 25 or 30 as they mature. Is that not a factor in prisons?

Gary Waddell: There is no doubt that that is a factor. The point at which an individual chooses to desist from crime is very specific to them. I am sure that you are right: some people probably need to get certain stages of their life out of their system before they actually decide that they want to turn their back on such behaviour.

That might happen later on, but working effectively with 16 and 17-year-olds—with support from agencies such as Skills Development Scotland—might provide an opportunity to put a package of services together, which, when combined, could make the difference and stop them coming back into the system and posing a greater problem at a later stage.

Ken Macintosh: The whole paper on young offenders is useful and full of suggestions. We have also been talking about adult offenders—those in the community and in the prison population. The paper says that many offenders express a willingness to change their behaviour. How are those offenders identified, and how is their wish to change addressed? Are they the ones who are most willing to take up educational opportunities? If so, do they use those opportunities to change their behaviour?

A lot of good suggestions have been made, but I am struck by how little evidence there is that follow-up work has been done to ascertain what courses of action will work. For instance, is there any evidence to suggest that directing our resources at and targeting people in the adult offender population who express a willingness to change their behaviour will in fact change their behaviour?

Melanie Weldon: The report suggests that there are key trigger points, and some research has been done around that. There is an issue around maturity, and we know that, when we work with young people, it is sometimes difficult to get them to think through the consequences of their actions. You will be familiar with that. It is often not until the age of 22, 23 or 24, say, when things start to change. On trigger points, there is reference in the workstream reports to instances when people have had life-changing events, such as starting a family, experiencing a bereavement or suffering some terrible experience themselves. Such events often trigger a change. Some of those will be evident to those who work with the young people, and they might allow us to target people.

Ken Macintosh: There is currently no mechanism for that. We know anecdotally that people who work with prisoners are sometimes aware of such events and react, but there is no general mechanism to identify or target prisoners at a certain stage and allow people to decide that that is the time to help.

Gary Waddell: There is an enormous challenge in that question. I was struck by the work that Fergus McNeill and Bill Whyte did around the whole area of desistance. They started by identifying a range of factors that might influence an individual to desist from crime. Those are significant, major factors, and Mel Weldon has touched on some of them. It is difficult to be scientific in identifying them; in many cases, it is a matter of ensuring that a package of opportunity and support is available. Some of that might involve encouraging somebody to recognise and address their offending behaviour, as much as addressing issues to do with education and other factors. There are multiple reasons why people commit crime and find themselves in the justice system, unfortunately, and trying to identify a key factor at any one time is a hugely complex exercise, as the research by Fergus McNeill and Bill Whyte identified.

Ken Macintosh: I appreciate that point. If we knew the answer, we would have applied it hundreds of years ago.

I am intrigued. There are two themes here. One is that education should be provided for everybody. The other is to do with education as a way of reducing offending, about which we need far more information. If education is a tool to help reduce offending, we have to know how it reduces offending and why.

The paper says that giving someone a job after they leave custody is the single most important factor in reducing offending, but only 10 per cent of people in those circumstances get a job. How many people move on to a supportive educational environment after offending? Do we have figures for that?

Gary Waddell: No. That is an interesting point, and we must look to our partners in the Scottish Prison Service, which has responsibility for the

individual until the point of release. Once someone has been released and is back in the community, we need support to be available to them through various mechanisms if we are to start to identify where they can go. That is quite a challenging exercise. We are working with Jobcentre Plus to identify where certain individuals might go for employment or training after they are released. However, someone who has not engaged with Jobcentre Plus when they were in prison is simply free to go once they are liberated from custody, unless they have a longer sentence and are under statutory supervision. If they go down the education route, we do not as yet have a way of tracking what they have done once they have been released—that information does not come back into the Prison Service.

The workstream reports have picked up on a challenge that all of us will have to consider. However, I do not think that there is necessarily a straightforward or easy answer to the question how we track people once they are back in the community.

Ken Macintosh: There never is, is there?

Gary Waddell: No.

Ken Macintosh: I want to ask about the other end of the spectrum, as it were, with particular regard to the young offenders workstream. There was talk of predictive indicators—for example, a child's father's having been locked up hugely increases the likelihood that the child will start offending. You talked about trying to do more to identify such children at school. Does that happen? I can see all sorts of difficulties in singling out children because of their parents' behaviour, but I can also see that it might be helpful.

Melanie Weldon: I do not know whether people are systematically doing that. I suspect that they are not and I think that doing so would be fraught with difficulty.

The issue is to do with effective early and on-going intervention. Through the getting it right for every child policy framework, we are encouraging partners to have in place systems and processes to identify need and to work holistically with children and their families to put in place the right package of support to help them. The finding that Ken Macintosh mentioned is really interesting. It is probably obvious, but I certainly did not know it. I suspect that simply raising awareness of the issue will, in itself, be helpful.

Ken Macintosh: I know that voluntary organisations are active in this, but is there an agency that is responsible for maintaining family links for people who are in custody? Such an agency could take responsibility for this key area and could liaise with offenders' children's schools and so on.

Melanie Weldon: I think that only voluntary organisations are involved in such work.

Gary Waddell: Yes—a number of voluntary agencies are active in such work. The SPS has close links with Families Outside, which does a tremendous job in trying to keep family relationships going and supporting the families of people who are in custody. I dare say that organisations such as Barnardo's have a specific interest in the children of people who are in custody. As Melanie Weldon said, most such bodies will be voluntary rather than statutory.

Ken Macintosh: We are all familiar with Families Outside. I wonder, however, whether criminal justice social work departments have any input.

Sharon Grant: They do not have direct input, but if there were criminal justice social work involvement with the offender, there would be an issue around referral with regard to matters that might arise in relation to the family. That would happen as the norm.

From a previous incarnation, I recollect that teachers were given guidance on what to do if they thought that a change in a child's behaviour or performance in school might be the result of issues such as abuse, parental separation or the imprisonment of a parent. They were told that they should bring that to the attention of the headmaster and of social work professionals so that appropriate steps could be taken to give the child added support. I am sure that such guidance was in place, and I suspect that it has continued as part of the GIRFEC model.

11:00

Ken Macintosh: It comes back to leadership. Many people with different responsibilities are involved, which complicates matters.

Christina McKelvie (Central Scotland) (SNP): I want to ask about a couple of specific topics. I am interested in the challenges around transition from youth services to adult services or out into the community. What progress have you made—or what steps have you identified in order to make progress—on addressing those challenges, which were highlighted in evidence last year?

Sharon Grant: One of the key issues for the reducing reoffending programme is to ensure that there transitions for people coming out of prison and people in the community. If a person who has done a prison sentence has started a programme in prison or has on-going needs after release, we would like those needs to be met by a community partner or agencies, so that the person can access services.

The same applies to people who are the subject of community disposals. At an appropriate time—as early as possible within the lifespan of a community disposal—we want contact and links to be made with agencies that can continue work with the person beyond the end of the order so that, if there is a learning need and the person is properly motivated and willing to engage while being the subject of the community disposal, learning can be maintained in the community beyond the end of the order. That would allow the person to get something out of the order, instead of its being seen as a punishment, as is often the case. The challenge is to identify opportunities in the prisoner or offender pathway to make such links. We do not have vast amounts of money—it is about doing things better with what we have.

Christina McKelvie: The summary states:

"Two thirds of individuals currently sentenced to prison go on to re-offend within two years of release. This figure rises to three quarters of those given short sentences of under six months. By comparison, re-offending rates amongst those serving community sentences are considerably lower with two out of five (39%) re-offending within two years."

That statement interests me. Are there individual plans for community-based learning? If so, how are those plans formulated? Is there evidence that the approach gives a better outcome?

Sharon Grant: We do not have evidence that it gives a better outcome. Often we tend to do things to offenders—to say that something will work—instead of motivating and working with them. The ethos of what we propose is not to tell offenders what they will do but to take them with us, to work on their motivation and to make disposals person-centred, so that offenders come out at the end of community orders with something with that they can identify. That is one of the challenges of integrating learning and skills acquisition into prison sentences and community orders.

Christina McKelvie: You say that you support a person-centred approach, which takes me on nicely to the specific challenges that people face. Dyslexia is one of the key issues for people in the justice system who have learning disabilities, as was identified in previous evidence. What progress have you made in relation to people with learning disabilities—specifically, those who have dyslexia? Cathy Magee was to be involved in your research into dyslexia. Can you provide me with an update on that work? Will the Dyslexia Institute be involved?

Gary Waddell: Cathy Magee is involved with the Scottish Prison Service and in some of our work on learning disabilities and learning difficulties. She has also been involved in work in Edinburgh prison, following on from the interest that Sir Jackie Stewart has taken in supporting dyslexia in that prison.

Where have we moved on to? To some extent, we are in similar territory to where we were before. One difficulty that we have with learning difficulties, specifically dyslexia, is in their identification: that is a huge challenge not just for the Prison Service, but for the community as a whole. The expectation that the Prison Service can tackle dyslexia when it has not been identified and tackled before is sometimes a problem.

Jackie Stewart got involved in Edinburgh prison because a couple of prisoners wrote to him to say that they had received some of the best support in tackling their dyslexia while they were in custody, and they demonstrated how they had not received any support in the community. In particular, they sung the praises of the individual tutor in Edinburgh prison. I would love to be able to say that that example is replicated in every prison, but that is not the case. It is specific, and it has been down in particular to the fact that we have had tremendous support from the local city literacy and numeracy partnership. We receive tremendous support from a number of the other local literacy and numeracy partnerships around the country, but it is not universal.

One thing that I was pleased to see in the offender learning project report was that it acknowledged clearly that the Scottish Prison Service cannot do everything itself and that, in tackling a number of different topics, the work can be done most effectively only in partnership with other organisations. We agree with that, and the Edinburgh example that I have just described is in partnership with a council-driven initiative. However, even that particular initiative is under question due to pressures on council funding for that work—I suspect that that is consistent with the situation for support for the Prison Service and others in a range of different areas.

Melanie Weldon: Considering what happens in the community and for young people, there are huge challenges in building the capacity of a range of front-line practitioners.

One area of work that we have been developing is post-school psychological services. The committee will probably know that, in the past, education psychological services were targeted at the school-age population, which for us did not make sense because people have on-going needs. We have done a lot of work to build on local authority services so that work continues in the post-school environment.

The service does not do case-to-case work because that would not be the best use of a very limited resource. Instead, we have extended the services so that they work with Skills Development

Scotland, front-line careers advisers, colleges and the providers that deliver our national training programmes to ensure that they are much better equipped to work with people who have a range of needs, including people with learning disabilities. As part of the development of post-school psychological services—which we have built up over the past seven years or so—they have developed a common assessment framework that is slowly but surely being embedded in the system. That could have wider application. A common assessment framework is identified in the workstream reports.

Hugh McAloon: The example of dyslexia highlights some of the points that I made earlier. Gary Waddell has given us a good example of how the solution results from different services coming together rather than trying to embed a service within the Prison Service, where there is neither the resource nor the expertise. Similarly, it is very much in our thinking to draw good practice from outwith the prison and justice system to see whether that can be applied.

Christina McKelvie: It is important to draw on good practice and pull it together. I hope that, in the process of your report and the work that we are doing in committee, some of that will come out and we will be able to use it. One challenge is the lack of research and evidence, so it will be important if we can pull good practice together.

I will be a bit more specific. I am interested in the balance between academic and vocational course content. Someone with dyslexia is probably going to be able to function and achieve more on a vocational course than they would on an academic course. Do you have that balance right yet, or should the course be targeted at the individual? Is that tied into the Scottish qualifications framework?

Gary Waddell: The interesting thing for me is that we have an education service within the Prison Service and, to some extent, we also provide separate vocational opportunities. Hugh McAloon or Sharon Grant mentioned earlier the example of evidence of the two sides coming together to work collaboratively. That is an area in which we are making some progress, but we would like to keep developing good practice around it.

The vocational training qualifications that we deliver are by necessity of a lower level than we would ideally want. We can train people to a higher level, but the evidence requirements of the vocational qualifications limit what we can deliver within a closed custodial setting. In other words, we cannot replicate actual work opportunities.

The vocational qualifications are tied into the qualifications framework and are recognised by City and Guilds and the Scottish Qualifications Authority. However, because of the nature of the environment, they are sometimes at a lower level than we could deliver. That is not of our making, but is because the awards requirements do not allow us to assess people in a custodial setting.

Christina McKelvie: Some Scottish vocational qualification units can take 40 hours, and it is difficult to get those 40 hours, plus the practical element for observation.

Gary Waddell: Also, some of the requirements are very clear that evidence has to be gathered on the job: if that cannot be provided because the person is in a custodial setting, the award cannot be evidenced, which puts a limit on the qualification. I have been discussing this with the SQA since I came into post, but we have to recognise that it has to offer a suite of qualifications that is most appropriate to the wider general population of Scotland. We are a relatively small population in the overall scheme of things.

Christina McKelvie: Yes—but it is important for people to achieve something. The SQA's saying that they have passed a unit would be a huge achievement for someone who might never have achieved something like that.

The Equal Opportunities Committee has just published a report and taken evidence on female offenders. Have you taken cognisance of that and learned any lessons from issues that were raised in that report, particularly around women's access to training and how that follows on into jobs and support mechanisms? Do you know that the report exists?

Sharon Grant: I have policy responsibility for women offenders so, yes—we have taken cognisance of that report. The Cabinet Secretary for Justice's response to the Equal Opportunities Committee was that we are taking the report's recommendations very seriously. He is grateful for the report because it builds on some of the issues we had already identified around women offenders. We are looking at that and it is being built into the reducing reoffending programme.

Claire Baker (Mid Scotland and Fife) (Lab): I was going to ask about women offenders. Is there anything else that you would like to say about particular challenges for women offenders? I was thinking about tools for learning and the discussion about core skills, and whether you face different issues in that respect when you are dealing with women offenders. Are there gender issues?

My case work has shown the importance of disclosure checks when people are applying for employment. I do not know whether that is more important to women offenders because they might look for careers that involve care of, and responsibility for, old and young people. What

support or advice do you give, in particular to people who were sentenced when they were quite young so that when they engage with employers they feel confident in explaining what is in their disclosure check?

11:15

Gary Waddell: The report picked up on the fact that there is a clear need to target specific support at women offenders. In the context of learning and skills, we must be aware that education and training are universal; they are not targeted specifically at women or men. We look at what the curriculum might be within a female prison and, as we develop it, we try to ensure that it reflects women's needs and requirements. However, I am aware that in targeting literacy and numeracy, the issues are equally applicable to male and female prisoners because the skills and techniques to develop literacy and numeracy in men and women are similar. We have to look at the issue in the round, although we will look at the report's findings on women offenders to ensure that their needs are considered.

Hugh McAloon: In response to the question about support and advice for ex-offenders engaging with employers, particularly for those who have not done it before, I expect that much of that would be picked up through the work that Jobcentre Plus does in prisons through the employment service pre-release and post-release. Julie Bilotti is much more expert than I am on the nuts and bolts of that. I expect that support and advice issues would come up at various stages with the advisers on the Jobcentre Plus customer journey, which is tailored to individuals as much as it can be. If there is an individual issue about the disclosure check, I would expect that it would come up then. The difficulty might be post-release if the ex-offender, as the person would be by that stage, does not want to disclose even to their personal adviser. Such difficulties are not easy to overcome, but in that employment support process, Jobcentre Plus plays a key role.

Julie Bilotti: Absolutely. Hugh McAloon is right that an awful lot of ex-offenders do not present themselves to Jobcentre Plus as ex-offenders. They do not have to engage with advisers in prison, although it is good if they do. If they do, they can get advice about moving on and the support that is available to them.

There is an initiative called progress 2 work/linkup, which Jobcentre Plus contracts for in parts of Scotland, and it provides specific support to ex-offenders. For the people who take it up, disclosure is among the things with which they will be helped—how to deal with disclosure, what to disclose and how to work with the employer if the employer wants to know more. However, it relies 100 per cent on the person presenting as an ex-offender: a lot do not for obvious reasons, I guess.

The work that SPS has been doing with Jobcentre Plus is great and we are seeing progress in Scotland. Last week we had a meeting with colleagues from the Department for Work and Pensions who came to Scotland to hear about some of the things that we are doing because they fit well with recommendations that they are about to put in place in England through the Learning and Skills Council for England and the Ministry of Justice. That is useful for us and the Prison Service because there is about to be a strong focus from the Department for Work and Pensions on how Jobcentre Plus works with offenders. We will see more rather than less support being offered as policy is developed. Although we do not know what will happen if there is a change of Administration, a drive appears to be coming through at UK level on how Jobcentre Plus works with offenders.

Claire Baker: My other question is about resources. The report summary says:

"Progress in the short-term doesn't require new structures or more money."

You said that if you just delivered things differently, improvements could be made without additional resources. In the longer term, how do you see the resource issue? Gary Waddell spoke about pressures on the Prison Service in relation to accommodation and other issues. On improving offender learning, are there longer-term resource implications?

Hugh McAloon: Following what you quoted, the report says that an important direction of travel in the medium to longer term will be to focus resources on what is effective. You can guess what I am going to say about resources: we do not know where we are going with them at the moment. We can all make predictions, and all the predictions are fairly gloomy. The theme of making the most of what we have and ensuring that what we have works as effectively as possible through better collaboration will apply not only in the setting that we are discussing, but in many settings. All of us always have a duty to think about where resources can be most effective and to target them in that direction. That will become a theme for all of us over the next few years.

The Convener: I have a final question. The report refers to tools for learning. Obviously, you have concentrated this morning on literacy and numeracy, core soft skills and practical skills that make people more employable when they leave prison or end a community justice period. However, the report summary says that

"Learning for offenders needs to be about more than numeracy and literacy."

It strikes me that there must be greater use of the arts and culture in prisons, but I did not see any reference to that. In response to an earlier question, Gary Waddell mentioned work at HMP Shotts. I know about some of the things that are being done in that prison because it is in my constituency. Art is a great vehicle there for helping prisoners to come to terms with how they manage their anger and to deal better with rejection and disappointment. If we do not allow prisoners the use of such vehicles to help them to cope with those emotions, they might not be ready to embark on education or to train for work. What consideration was given in the workstream groups to arts and culture being a vehicle for engaging with prisoners?

Hugh McAloon: I think that the people who worked on the projects focused on learning. As you have highlighted, engagement in learning can be through things such as the arts. The people involved talked about core life skills—dealing with anger, rejection and disappointment, for example—as opposed to just core employability skills, and went on to deal with practical and vocational skills, and looking-after-yourself skills, such as dealing with money and basic cookery. A range of issues were discussed. We can come at those issues from different angles.

The work in Shotts prison is a good example of something that goes beyond learning but is linked to engaging people in learning. The reports might not have referred much to such work because the parameters within which the chairs of the workstream groups worked were to do with engagement in learning, what happens to keep that going, and how to drive towards outcomes. No one would say that we should walk away from other approaches to helping offenders, particularly in prison settings, to deal with issues that we have talked about.

I invite Gary Waddell to talk a bit more about arts in general.

Gary Waddell: There are interesting parallels with the curriculum for excellence. I cannot escape from the fact that I am continually asked about literacy and numeracy. In particular, people ask me how many prisoners have issues with literacy and numeracy. The issue is continually raised. I acknowledge that it is clearly not appropriate simply to sit prisoners down in a classroom and try to teach them how to read and write. In many cases, that will simply not work, so we have to find more interesting and attractive ways to encourage them to become involved in learning that may ultimately lead them to taking specific opportunities to develop their literacy and numeracy. Arts opportunities are without a doubt a very good vehicle for developing literacy and numeracy. That sits comfortably with the principles of curriculum for excellence, which is about weaving literacy and numeracy into the curriculum. The Prison Service will certainly want to try to do that as far as is feasible and possible within the opportunities that are available in prison.

It is also fair to say that the Prison Service has never not encouraged art; indeed, it has used such activities very effectively in the past. The committee might be aware of our fairly major Scottish Arts Council funded project called inspiring change, which is being led by one of our education contractors, Motherwell College, and is looking to work with five of Scotland's national arts agencies, including National Galleries of Scotland, the Scottish Chamber Orchestra and Scottish Opera. Aside from the fact that we will be using the resources and opportunities that come with those major organisations, what I find really interesting about the project is that an absolutely critical element will be the fairly major investment in evaluating the effectiveness of these interventions to determine whether such engagement has any value and to give us an evidence base for whether it should be encouraged. This particularly exciting project, which, as I say, involves other arts organisation partners, will be in five prisons over the year, and it will provide some strong and powerful evidence not just for Scotland but for the rest of the United Kingdom about arts organisations' effectiveness in supporting the work of prisons.

Hugh McAloon: As I said earlier, these are independent reports to the Government, which will have to consider how the things that they highlight fit in with what goes on in prison and communities, what we do with young people and all the rest of it. The fact that the reports have not picked up on arts, for example, should not be read as a sign that the Scottish Government or the Scottish Prison Service are changing direction in that respect. Part of our job now is to ensure that the work, which is fairly narrowly focused on learning, fits in and meshes effectively with the wider range of activity.

The convener is right to suggest that what turns people on to education might not necessarily be educational stuff. Work, for example, was mentioned earlier and the arts is a classic example of how people can build their confidence, express themselves in a host of other areas and deal with issues that might be stopping them from engaging effectively in learning. It is definitely worth bearing in mind that we will take the issue forward when we think about the Government's response to the reports and how the recommendations can fit in with the wider range of activity in the justice system.

The Convener: I think that the committee would be quite interested in hearing about the evaluation

of the project that is being run by Motherwell College. As we have heard this morning, the evaluation of what works in education has not been carried out all that successfully up to now. If, when it is properly evaluated, this model proves to have some lessons for us, we will be interested in seeing that evaluation.

Finally, what happens next? What is the timescale for the Government's consideration of the report and what are the mechanisms for its response?

Hugh McAloon: At the moment, we are working through the recommendations and how they fit in with other areas. That work will also involve key stakeholders, including certain agencies, and the SPS will be a central partner in it. The plan is to address some of this in the refresh of the skills strategy and also to publish a response and bring it for debate to Parliament. Once we have put together our response, I will be happy to come back to the committee and discuss it.

The Convener: That is very useful.

That concludes our questions. Thank you for attending this morning. We now move into private session.

11:29

Meeting continued in private until 11:39.

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