EDUCATION, LIFELONG LEARNING AND CULTURE COMMITTEE

Wednesday 25 February 2009

Session 3

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EDUCATION, LIFELONG LEARNING AND CULTURE COMMITTEE
6th Meeting 2009, 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)
Bill Kidd (Glasgow) (SNP)
Hugh O'Donnell (Central Scotland) (LD)
Cathy Peattie (Falkirk East) (Lab)

*attended

THE FOLLOWING GAVE EVIDENCE:

Dr Jim McCormick
Esther Roberton
Gary Waddell (Scottish Prison Service)
Melanie Weldon (Scottish Government Lifelong Learning Directorate)
Rosemary Winter-Scott (Scottish Government Lifelong Learning Directorate)

CLERK TO THE COMMITTEE

Eugene Windsor

SENIOR ASSISTANT CLERK

Nick Hawthorne

LOCATION

Committee Room 4

Scottish Parliament

Education, Lifelong Learning and Culture Committee

Wednesday 25 February 2009

[THE CONVENER *opened the meeting at 10:00*]

Offender Learning

The Convener (Karen Whitefield): Good morning. I open the sixth meeting of the Education, Lifelong Learning and Culture Committee in 2009. We have received apologies from Margaret Smith, who is unable to join us until 10.30 am.

I remind all those present that mobile phones and BlackBerrys should be switched off for the duration of the committee meeting.

The first item on the committee's agenda concerns offender learning. I am pleased that the committee has been joined by representatives of the Scottish Government's offender learning project. I welcome Rosemary Winter-Scott, who is the chair of the offender learning advisory group; Jim McCormick, who is the chair of the project's offenders in custody work stream; Esther Roberton, who is the chair of its adult offenders and ex-offenders in the community work stream; Melanie Weldon, who is the leader of the more choices, more chances team and lead official of the youth offending work stream; and Gary Waddell, who is the head of offender and community outcomes with the Scottish Prison Service. I understand that Rosemary Winter-Scott intends to make an opening statement on behalf of all the witnesses.

Rosemary Winter-Scott (Scottish Government Lifelong Learning Directorate): Good morning. I welcome the opportunity that the committee has provided to discuss the offender learning project. I currently chair the offender learning advisory group as part of my portfolio as head of the employability and skills division in the Scottish Government's lifelong learning directorate. I am pleased to be invited to tell the committee about the process that the Government is undertaking to build on the existing services that are provided by a range of stakeholders, including the Scottish Prison Service, to ensure that all offenders in Scotland have the opportunity to succeed. This session also gives us an opportunity to hear committee members' views about issues that we should cover in our work.

The offender learning project started as a commitment in "Skills for Scotland: A Lifelong Skills Strategy"—the Scottish Government's skills strategy. I understand that a comprehensive review of offender learning has never before been undertaken in Scotland. Our stated intention was to bring together a representative group that could consider how best to deliver effective and integrated learning, skills and employability provision for people who are in or leaving the justice system. We have now established clear mechanisms for taking the work forward and aim to produce, by the summer, a report with clear recommendations for improvements to strategic planning for and delivery of offender learning and skills in Scotland.

Given the complexity of the work that is involved in the project, we decided to use a work stream approach and, recognising that it is a large and complex area, split the work into three work streams that consider youth offending, offenders in custody, and adult offenders and ex-offenders in the community. The membership of each work stream comprises internal experts and external experts from the range of stakeholder organisations, and each work stream is led by an independent chair.

The focus of the youth offending work stream is on young offenders aged 16 to 18, both in custody and in the community. That work stream is chaired by Eddy Adams of Eddy Adams Consultants. He cannot be here today, but Melanie Weldon from the Scottish Government is here to represent the youth justice work.

The client focus of the offenders in custody work stream is adult offenders over 18 years old who are held in Scotland's prisons. That work stream is chaired by Jim McCormick.

The adult offenders and ex-offenders in the community work stream is considering offenders who are serving sentences in the community and those who have recently been released from prison. It is chaired by Esther Roberton.

The work streams work in a co-ordinated manner to synthesise relevant research, establish baseline information about the client groups and analyse information. They also seek to develop options for providing a more integrated service that will cover not only the education provided in prisons but ways of improving throughcare for those who are involved with and leaving the justice system, especially with regard to access to mainstream employability services.

After initial research and literature reviews, the work streams will undertake the bulk of their field work in March and April. The work stream representatives here today can give you more details on their progress.

The chairs will work closely together and share information with the intention that any final

recommendations should be coherent and aligned. Part of that process will include a joint visioning session for the three work streams and the advisory group, which will take place towards the end of April, after the completion of the field work.

We established a senior-level advisory group to oversee the project, ensure coherence across the three work streams and provide leadership, strategic direction and support. As I said earlier, I currently chair that group. Its membership comprises the Minister for Schools and Skills, senior civil servants from the justice division and the Scottish Prison Service, and representatives from each of the work streams, Skills Development Scotland, the Convention of Scottish Local Authorities and the Scottish Further and Higher Education Funding Council.

Each work stream will produce a report with recommendations on its specific area. Those reports will be brought together and used to produce a final report that will be submitted to ministers by summer 2009.

Learning and skills are at the heart of a more successful Scotland because they support self-confident individuals and stronger communities. The offender learning report will set out recommendations for everyone who is involved in offender learning in Scotland in order that offenders can improve their prospects, obtain fulfilling and sustainable employment and develop a strong appetite for lifelong learning. It will aim to give new priorities for offender learning provision in Scotland, with the intention of providing offenders with a more streamlined and improved learning service.

The Convener: You have covered a lot of ground, and I am sure that our questions will delve into some of the issues that you have raised.

Will all the work streams consider the issue of resources? Will you consider how much money is being spent on offender education, what that resource actually delivers, and how much we would ideally like to spend on offender learning, to see whether there is a need for further investment?

Rosemary Winter-Scott: The main focus of the work is on the strategic planning and delivery of learning and skills. We recognise that resources are an issue and expect that the review will cover that issue, to a degree. However, we also recognise that we are working within the budgets that are currently available.

The Convener: Would you say that the driver for change is a desire to ensure that, when offenders leave prison or complete a sentence in the community, they have skills that will guarantee employment, or is it about encouraging them to participate in education for education's sake?

I have a prison in my constituency in which prisoners are serving life sentences and sentences in excess of 10 to 12 years. If you were to ask them what skills they might need to help them rejoin the workforce when they leave prison, you would be asking about a far-off, distant point in their future that they do not want to think about. Education seems to have little relevance to them, particularly education that will give them skills that will increase their employability. Given that that is the case, it might be more useful to engage them in exploring their feelings and behaviour through culture and the arts. Will you consider ways of getting that balance right?

Rosemary Winter-Scott: The work streams will consider the whole range of learning and skills provision in prisons, which serves a variety of purposes. There is a focus on employability, which is a key way of helping prisoners to rejoin society, but there is also a focus on reducing reoffending and improving the prisoners' life chances.

Kenneth Gibson (Cunninghame North) (SNP): Good morning, everyone. We are talking about a complex area—people who enter the system have different experiences of educational attainment, are different ages and have different abilities, so the issue is all encompassing.

What encouragement to learn is given to offenders? As far as you know—I realise that your work is continuing—does encouragement vary across the different institutions? Even if evidence is only anecdotal at this stage, what impact does education in prison have on employability and reoffending?

Rosemary Winter-Scott: The best person to answer some of those questions is probably Gary Waddell from the Scottish Prison Service. He can talk about the variance. I am not sure how much Jim McCormick can tell you about that at this early stage in his work.

Gary Waddell (Scottish Prison Service): Mr Gibson is absolutely right to pinpoint that there is every extreme in the prison system, from short-term to longer-term prisoners and from prisoners who have significant learning difficulties to those who are extremely intelligent and bright.

As regards encouragement to learn in the Prison Service, we operate on exactly the same principle as would someone dealing with an adult learner in the community. Learning in prison is a voluntary engagement; the opportunities are made available, and prisoners are encouraged to take them up. As far as possible, however, we attempt to identify whether somebody has a literacy or numeracy limitation. We then try to encourage that individual to engage. In such situations, we try to engage on different levels. It is clear that if someone has not engaged with formal education

and training previously in their life, we have to find different ways of encouraging them to engage while they are in prison. That is why we try to offer a range of different opportunities to encourage people to take part.

Kenneth Gibson: I asked about the evidence that you have on the subsequent employability of prisoners. What is the differential between the offenders who leave and go into employment without having undertaken any education and those who have undertaken education? Is there any evidence at this stage that shows a significant difference between the two groups? Also, what is the impact of education in prison on recidivism?

Gary Waddell: It is difficult to say because, by and large, a prisoner who is liberated is free to carry on with their life, unless they remain in contact with criminal justice social work because of a statutory supervision requirement. That makes it difficult to follow through the effectiveness of interventions that are undertaken while they are in prison.

Where possible, we try to follow through with our partner, Jobcentre Plus—with which we work closely—potential outcomes for prisoners who are carried through the system. However, the data around that are fairly limited and it is clear that they do not capture everybody who is liberated from prison. There is limited information about whether education, training or employability is the sole factor that has led to an individual not committing further crime. I stress at this point that working with people in custody is a big picture—we are not looking simply at education and training, but at interventions to address a range of different but interrelated needs that contribute to whether somebody desists from crime when they get back out into the community.

Kenneth Gibson: We are all aware of mental health and addiction issues and the various other problems that prisoners have. I am just interested to know if you are looking at whether there are any differences between a cohort of people who received education in prison and a cohort who did not—even if the information you have is only anecdotal, as I said earlier.

I know that there will be a wide variation across prisons, but what proportion of prisoners take up the offer of education in prison?

10:15

Gary Waddell: The proportion can be calculated in different ways. As you will appreciate, the prison population changes daily. It is probably fair to say that, in an average month, about 30 to 35 per cent of the population is engaged in education throughout the estate. The percentage varies between prisons because of factors such as the opportunities and facilities that are available and the number of prisoners who are in custody.

Kenneth Gibson: Is the trend upwards or is the percentage stable?

Gary Waddell: The percentage is relatively stable.

Kenneth Gibson: I know that lots of other members have questions, but I have one last question, which is not just for Gary Waddell but for the other panel members.

How do you attract people to teach in prisons? Is that difficult for you? Is attracting teachers difficult in all parts of the country or only in some? Is obtaining specialists difficult? That is a big issue. It is one thing to talk about improving education, but first you must have people who want to go into prisons to do the work.

Gary Waddell: Through a commercial procurement process, the Scottish Prison Service has given a contract to two further education colleges—Motherwell College and Carnegie College. They are responsible for providing the service to prisons and are therefore responsible for recruiting and providing staff accordingly.

The quality of staff in prisons is pretty good. Many staff who have been with the Prison Service and the colleges for many years provide a tremendous service and support. I continually receive e-mails from people who would like to provide education to prisoners and I refer most of them to our two colleges, so the demand to work in prisons seems to exist. We have a pretty good retention rate of people who work in prisons, which is a good indicator of their job satisfaction.

Dr Jim McCormick: Kenneth Gibson asked what we know about the links between engagement and outcomes. One frustration is that, when we scratch the surface, we learn how much we in this country do not know about the effectiveness of what we are doing. From the evidence that has been gathered—mainly in North America—about offenders as a whole and not just prisoners, it appears that what makes the biggest difference to being able to live a safe and sustainable life is not just engagement, but attainment, in learning. Wherever an offender starts from, if they stick at and make progress at some learning, that has a bigger impact on future life chances than merely participation.

Kenneth Gibson: I said that I was asking my last question, but I am sorry—I have another. Are many of the people who go into prisons to teach volunteers rather than paid educationists? Do some people give their time to work with offenders?

Gary Waddell: We do not have an enormous number of volunteers. A charity called the

Shannon Trust operates the toe by toe prison project, which is a reading programme based on peer tutoring. That charity involves volunteers who provide assistance. We also have good links with local adult literacy and numeracy partnerships around the country.

I imagine that most people are paid to teach in prisons, but we obtain support from volunteers and I dare say that the odd person works for limited remuneration. To be honest, I do not know the position, but my view is that most people who teach in prisons are paid and that the number of volunteers is limited. Security is another consideration in the use of voluntary staff.

The Convener: When Kenny Gibson asked about the number of people who participate in education while in prison, you said that the figure had remained relatively stable at about 35 per cent. Will the work streams do any work on incentives for people to engage in education, or on any disincentives that might exist in prison that prevent people from participating in education? Is the workshop a more attractive option because the pay is higher? That issue is often raised with me when I visit prisons. Will you consider that? How will you consult and involve people who have an interest in the issue? In particular, do you intend to ask them about their experiences?

Dr McCormick: The in-custody work stream will focus on four case study prisons. The bulk of that work will involve meeting groups of prisoners of different kinds, who are serving different lengths of sentence, although most of them will have had more than one period in custody. We will talk about and try to understand how learning in its broadest sense, from vocational training through to education in classrooms, fits in the culture of the prison. We will consider how education is viewed by different types of prisoners and how the incentives that you mention impact on willingness to take part in various activities.

An important issue that we want to explore is that, given that many prisoners had a bad experience of schooling the first time round, it really matters how we define and present learning in the prison context. Prison ought to be a golden opportunity to offer a second or third chance at learning for people who did not have a positive experience the first or second time round. We want to explore, in a non-partisan way, how well we are doing in offering second and third chances and whether we understand the barriers that people bring with them as a result of what happened before they came into prison. We will also consider whether the learner voice is heard in the design and development of the curriculum and, to return to a previous point, we will consider what we know about effectiveness. We are committed to working with prisoners, the educators and the SPS staff who lead on vocational training in prisons to understand the full set of experiences.

Elizabeth Smith (Mid Scotland and Fife) (Con): I want to pursue that point, as it raises interesting issues about incentives. You talked about attainment. When you engage with prisoners, how do you get feedback from them on what works and does not work? Do you use interviews or questionnaires and surveys?

Dr McCormick: We have agreement from the Scottish Prison Service to undertake focus groups with prisoners. They will be small groups of between eight and 12 prisoners in their pre-release period—they will be looking at liberation in the following six weeks or so. We will ask them to reflect on their experiences, which may involve more than one time inside. We will try to get under the surface to find out not just what is on offer, but what works to make education attractive, or at least as well incentivised as other activities. We will consider what makes a good learning environment, taking account of issues such as staffing and the reputation that the activities have with prisoners' peers, which is probably important. By meeting the groups on two or three occasions, we hope to build up an in-depth picture.

In Cornton Vale, we will meet a small number of under-18 women offenders, with whom it is more appropriate to undertake paired interviews, rather than to work in groups. We will use different methods, but our work will be largely face to face.

Elizabeth Smith: Will you reflect on best practice in Scottish prisons? Are you building a bank of examples of good work that has been done and, if so, do you have a process for sharing that information and ensuring that people who operate in prisons know about successful projects?

Dr McCormick: We are fortunate in the sense that last year both HM prisons inspectorate for Scotland and HM Inspectorate of Education published a thematic review of good practice in Scotland's prisons, which provides us with a good snapshot of how we are doing. Our work stream will be keen to cast the net more widely and to look at practice that we see as relevant both in the rest of the United Kingdom and abroad, where there are appropriate comparisons to be drawn. Rosemary Winter-Scott made a point about our visioning session. In a sense, we do not know what the position could be, so we want to stand in the future and to try, with our stakeholders, to identify where we could make significant improvements, even beyond current best practice. We want to work our way back and to think about how such activities could be introduced to the Scottish prison estate.

Elizabeth Smith: I would like to address specifically the issue of best practice in literacy and numeracy. When it comes to improving literacy and numeracy, what is working best?

Dr McCormick: I will give you one interesting example. The inspectorates' report gives others, about which Gary Waddell may be able to say more. Very promising—rather than proven to be effective across the board—are activities that are based on the concept of family learning and parent education, as a high proportion of offenders in some parts of our prisons are young parents. The important point is that such activities engage prisoners in a part of their lives where there is the chance of a high degree of motivation, in the hope that they will be able to repair or maintain family relationships; we know that that is important for cutting reoffending. The activities also provide prisoners with an on-going, tangible link to their families while they are inside and a chance to practise in a relevant context the literacy skills that they may be developing, so that they can see immediately the practical benefit of improving those skills. There is a lot to do on the outside—we must work and engage with families at the same time—but such activities are grounded and contextualised. If they are done well, the benefits can be seen quickly.

Elizabeth Smith: Is the incentive to improve literacy and numeracy skills the same for very young offenders who are not married and do not have children? Does the approach work for people of 18 or 19 who have got themselves into trouble and have not yet done much in life?

Dr McCormick: We do not know. One of the other work streams is specifically looking at Polmont young offenders institution, to try to understand what works in that context. My colleagues may be able to say more about young offenders.

Gary Waddell: As you can imagine, we are particularly focused on the area of literacy and numeracy, as we know that literacy and numeracy levels are lower in the prison population. I stress that, clearly, one size does not fit all. We are trying to find a range of ways of engaging people who may be reluctant learners, so that we can address their particular needs.

Jim McCormick has given you an excellent example of good practice, but we also provide one-to-one support. Another option is peer tutoring—we get prisoners who are more competent to work with others. We also use group activities, do project work and, in some prisons, use the work and support of experts from the adult literacy and numeracy partnerships. Readers in residence are working in a number of prisons to find alternative ways of encouraging engagement in literacy. At the moment there is a reader at Polmont, who is working with the young offender population.

The best way for me to describe what we are doing is to say that we try to use as many opportunities as possible to engage as many people as we can and to make a difference. Sometimes it may appear that we are not addressing head on the issue of literacy and numeracy, but we are addressing it almost as a secondary output from the activities in which we are encouraging prisoners to engage.

Elizabeth Smith: I have a final, unrelated question. In your opinion, would more voluntary sector work in prisons be helpful? If more people volunteered to work in prisons, would that help to tackle some of the problems that you face?

10:30

Gary Waddell: From my point of view, many of the issues are to do with co-ordination, as the SPS already has access to a range of organisations that can provide support. The SPS recognises that partnership is crucial in moving forward and that in respect of transition it is essential that we have effective links with a range of organisations. We have to ensure that what is done fits into a bigger picture and a clear strategy for engagement. The SPS is delighted that work is being done on offender learning and skills, because it gives us the opportunity to have a broader look and see whether we can make more effective the linkage between voluntary organisations and other organisations that have been set up specifically to work with people in the community on a range of issues—literacy, numeracy, employability, further education and even higher education.

Esther Roberton: Three points strike me from the discussion so far. First, although time is obviously tight, we are keen to work with the focus groups that Jim McCormick is planning once the members of the groups come out of prison. It will be interesting to see what happens to those prisoners in the very early stages after release. We can work with them, if time allows, once we have identified the groups—it depends on whether the prisoners are willing to participate, because, as Gary Waddell says, if they are serving sentences of less than four years, they are under no obligation once they are released to be involved in anything, so tracking them might present a challenge. If they are serving sentences of longer than four years and will be subject to statutory supervision, it may be easier to track them.

Another important point for me—I am at the early stages of my learning on this, because learning is my subject rather than justice—is that many more people are serving sentences in the community than are serving sentences in prison.

Not all community sentences have a learning component, although some of them do. Some community sentences, such as supervised attendance orders, are delivered differently in different parts of the country and some of them have a learning element. Incentives are not an issue in that context, because participation is compulsory. If someone has to serve a supervised attendance order and it has a learning component, they have to do it. I suspect that that will flag up a different set of issues.

The final point that I will pick up on is that we need to be very careful when we talk about voluntary organisations. As Gary Waddell said, much of the provision both in prison and in the community is provided by voluntary organisations, but that is not the same as saying that it is delivered by volunteers. Much more work is being done with the voluntary sector, but it is with paid paraprofessional staff rather than volunteers.

Aileen Campbell (South of Scotland) (SNP): Good morning. I will raise a couple of points that were in the report from Her Majesty's Inspectorate of Education and will pick up on the point that Jim McCormick made about the learner's voice. In more than a few establishments, there seems to be no recording of achievement on the individual learning plans of prisoners and there is insufficient systematic monitoring of attainment and achievement. That makes it difficult for prisoners and staff to reflect on the progress that has been made. Could you say more about that? Will efforts be made to improve on that?

Dr McCormick: I will comment on one or two of the issues that we want to pursue as part of our work and will leave it to colleagues to talk about the current position. One issue is that the prison system is in a state of flux. People are moving all the time—in and out of remand, in and out of short sentences and between prisons within the estate. That poses quite a challenge in respect of continuity of learning. At the very least, we need to find a way of ensuring that there is consistent recording of participation and attainment and that there is consistent transfer of records, both within the SPS and between prisons and outside agencies. As I understand it, there is now the technological know-how and wherewithal to move much further in that direction than was possible in the past. I am optimistic that we can take a step forward in Scotland in addressing the issues that HMIE has identified. Our work stream will ask questions about the practicalities of doing better on those fronts.

Aileen Campbell: The HMIE report says:

"education staff in prisons do not engage in joint work with staff from other prisons."

Is that something that you will be working on? Will the technical know-how be available to improve the situation? I guess that if some prisons are doing good stuff, you would like it to be shared elsewhere.

Dr McCormick: One of the questions to consider is what the consequences are of having a contractual position in which staff are brought in from two of Scotland's colleges to deliver learning, skills and employability provision for prisoners, while prison officers take the lead for the bulk of vocational training. There are employability activities run by different people peppered across different parts of the estate. Different things are being delivered by different people in different contractual positions with the Scottish Prison Service. That poses questions and challenges that we want to consider. We do not come at the issue with any prior view of the right answers, but consequences arise from the way in which we currently do things. However, other people will be better placed to say more about that.

Gary Waddell: I will pick up on a couple of points that have been made about the recording of progress. I am delighted that HMIE is now working with Her Majesty's inspectorate of prisons for Scotland to evaluate work in offender learning and skills in prisons. That has been a huge step forward, and it has been extremely beneficial. HMIE will have noted step changes in a number of prisons. The inspectorate report to which Aileen Campbell has referred covers a three-year period.

We now have a prisoner records system called PR2—the second generation of prisoner records—and we are in the process of evolving to a third-generation system. That tool allows us to co-ordinate our integrated case management process, which is our principal vehicle for recording the work that is done with individual prisoners. The offender learning and skills work that is done by our education contractors is now included in the information that is recorded in the PR2 system. That provides us with a record, which in effect acts as a learning plan.

You spoke about joint working across prisons. I would say that it is a matter of working both within and across prisons. We are very much aware that the Prison Service is a complex place to work. Prisoners do not have the freedom to go from A to B without officially being taken from A to B. It is quite difficult to co-ordinate everything. When we try to get different parts of a prison to work together, there is a significant co-ordination and timetabling element. We are getting more evidence and examples of good work on integrated learning, and we have tried to address the points that HMIE has picked up on. I suggest that there is more work to do on that, and we will certainly welcome the recommendations and views that come out of the review in that regard.

We are well aware of the issues, and we are trying to develop that area and adopt good practice. The question is how we can more effectively develop projects involving different parts of the Prison Service, rather than simply assuming that different bits of prisons do different things. We also seek better ways of co-ordinating the work.

Aileen Campbell: Families Outside, whose conference I attended a fortnight ago, has produced new information for kids, so that they can understand a wee bit more about what is going on. I heard that there might be an opportunity in prisons to do more work on how to be a better parent. Will you focus on parenting and on improving links with families? Prison can be a scary place for a child to visit, and links are important for families as well as for prisoners.

Gary Waddell: I manage a team in the Prison Service and a colleague is responsible for all the work that we do on families and relationships. We are actively involved with Families Outside and its work. In the context of the provision of educational opportunities, Jim McCormick talked about a project that tries to build on links with families. There is potential in the area, but it is challenging, because many prisoners do not have strong family ties and some have very poor links with their families. Work must be done with prisoners who want to develop opportunities with their families. We are well aware of the issue.

Education is one dynamic of the work that we do with families; we must consider other dynamics, such as parenting and relationships. My colleague is considering the range of parenting programmes that are on offer. As often happens with programmes, three or four versions of a parenting programme have been developed to try to cater for different groups. We are considering whether we can condense the programmes into a more uniform programme, which would fall into the suite of educational opportunities as well as fitting into the wider families agenda. I envisage that such work will come under the education heading.

Rosemary Winter-Scott: The project that we are talking about today is very much focused on offender learning. It is a huge project, which is why we broke it down into three more manageable work streams—it remains difficult to define the edges of the work streams. Of course, where family links can aid learning, they will be covered in the project.

Christina McKelvie (Central Scotland) (SNP): As part of the project, there will be an attempt to identify gaps and overlaps in activity. Are there early indications of such problems? If so, are they being addressed as you go along?

Rosemary Winter-Scott: We are at far too early a stage to be able to identify what will come out of the project. As I explained, the majority of the fieldwork will be undertaken in March and April. It would be inappropriate to comment on the findings that might emerge from the fieldwork.

Christina McKelvie: How do you strike a balance between academic and vocational studies? I am interested in how qualifications are recorded. Do you use the Scottish Qualifications Authority? Are you considering the impact of vocational learning on employment outcomes? Sector skills agreements have set out minimum qualifications for entry to some professions. How do you balance academic and vocational study to try to address such matters?

Gary Waddell: I hope that I have understood your question correctly. We try to provide a balance in prisons. There are academic opportunities, which might better be described as pure education, in that we try to address basic skill needs, although some prisoners have the opportunity to do an Open University qualification. We also recognise that many prisoners have never achieved a vocational qualification, or any qualification for that matter, and we try to encourage the achievement of qualifications where we can. The SQA tends to be the main awarding body.

10:45

Our vocational training work is also based on SQA programmes. In some cases, we are able to offer industry-specific qualifications that have clear links to employment opportunities on the outside. I am thinking of such things as the industrial cleaning work that goes on in the prisons, the quality and level of which definitely take people to a high standard that is sought after in the community.

We are limited in the qualifications that we can offer in some vocational areas because of their evidence requirements. If a Scottish vocational qualification requires someone to demonstrate competence in a workplace, you will understand that, in some cases, that is difficult for us to achieve, particularly in areas such as construction where a number of our ex-prisoners will go on to work. That is frustrating, but we accept the limitations and where they come from. However, we are working closely with the SQA to try to develop a pathway qualification, while recognising that we might not be able to deliver a qualification that meets industry requirements. We are working towards a point where ex-prisoners are better qualified and can take that on when they are liberated.

Dr McCormick: The bulk of the research evidence is very much weighted towards the supply side and working on the individual offender's skills, learning and vocational experience. We are keen to look across the work streams at the demand side and understand more about employer experiences of employing ex-offenders. How do employers distinguish between ex-offenders? Is it done by type of offence and whether someone has been in prison or not? What do we know about successful practice in challenging some of the barriers that exist in the labour market?

It probably goes without saying that all that is in the context of exceptionally low employment rates for people who are leaving prison, even when the labour market is functioning well. Of course, we presume that the group that we are talking about will be even less favourably viewed by many employers in the recession. That said, our approach is to look ahead into the next five years, across the economic cycle, and try to identify the supply and demand changes that will be needed to move us forward in that time period.

Christina McKelvie: Something that has been of particular interest to me, especially in a previous job, is the incidence of dyslexia and other learning challenges among those who are unemployed or involved in criminal activity. Is any specialist input given to recognising and diagnosing people with conditions such as dyslexia that pose a particular challenge?

Gary Waddell: We are well aware that the prison population has a higher than average proportion of people with learning difficulties and disabilities. We were heavily engaged with the Prison Reform Trust's no one knows project, which ran for three years until October last year. It identified an almost hidden group of prisoners with a learning disability. We are working closely with other partners to develop our support for that group.

Next week, we will have what we are calling a summit with the Prison Reform Trust and other organisations from the criminal justice sector to look at the whole area of learning difficulties, not purely in the context of prisoners' educational needs and what can be done to boost their educational capability, but in the recognition that that group has its special issues and needs in being able to work through the criminal justice system and understanding what is going on. We are certainly aware of the needs of that group and we are seeking with partners to develop support to help them as far as we can within the Prison Service and beyond.

Christina McKelvie: Might one of those partners be the Dyslexia Institute, which would make the diagnosis?

Gary Waddell: Cathy Magee, the chief executive of Dyslexia Scotland, is on the working group that we have pulled together in the Prison Service and I attend the cross-party group in the Scottish Parliament on dyslexia. We are aware that dyslexia is one of the learning difficulties that prisoners might have. It is on a learning difficulty spectrum that goes from extreme issues right through to minor learning difficulties, which limit people's ability to take advantage of some of the opportunities. We recognise that spectrum and the difficulty that it poses for us.

Christina McKelvie: That is very positive.

Ken Macintosh (Eastwood) (Lab): It is clear that you cannot answer questions on provisional findings, but can you outline whether any trends have developed in prison education in recent years that cause you concern or which you wish to address? In other words, are the concerns that were flagged up by HMIE, which were outlined this morning, the same problems that you found 10 years ago and which you expect to find 10 years hence, or have there been movements in prison education that have changed the issues with which you deal?

Gary Waddell: Literacy and numeracy remain the issues that they were 10 years ago. I suppose that we have to be aware that people in prison come to us having been through services in the community prior to custody. We are identifying that there are still literacy and numeracy issues for a large percentage of people who come into prison. Low skills achievement is still an issue for people coming into prison. I suspect that many of the issues among the population 10 years ago are the same issues today.

Ken Macintosh: You mentioned earlier that the percentage of people engaged in prison education has remained relatively static, but I imagine that many other factors have changed. Maybe they have not, but I am thinking about the size of the prison population, gender, age and perhaps the educational profile of those who enter prison. Are prisoners more qualified in general now than they were 20 years ago? As a society we are more qualified, but are prisoners more qualified?

Gary Waddell: I am not sure that I can back that up with any evidence. I am not sure that prisoners are any more qualified than they were 10 years ago, but a baseline of such information might come out of the research by the work streams.

The profile of our prisoner population has probably changed in relation to the nature of their offences and some of the underlying contributory factors in why people commit crime, but that is a wider discussion than one that is simply about education and training for offenders. It is a wider issue to do with the offender dynamic in Scotland.

Rosemary Winter-Scott: As part of the project, the initial research and literature reviews have not tended to come across evidence that goes that far back—we are looking at more recent documents. The focus of the work is on what is happening now and what should happen in the future. If we had the time and resources, it might also be useful to consider trends, but that is not the main focus of the work at the moment.

Dr McCormick: We can say something about the current trends, which will, if they continue, tell us something about tomorrow's prisoner population. For example, the lowest-attaining 20 per cent of young people in our schools—or not in our schools, as the case may be—have not really moved forward for a decade. That is true throughout the United Kingdom. It has been said that everyone else has been getting better qualified, and average attainment and attainment at the top end have gone up, but a not insubstantial number of young people are making little progress, at least on that measure. The families of those people are disproportionately involved in the criminal justice system. Unless we change course and try to break the links—or break the cycle, as some would say—one assumes that, based on the evidence from the education system, the casualties will keep coming into our criminal justice system. Perhaps that is a pessimistic view, but we should, armed with that evidence, be doing something about the situation. We know the scale of the issue.

I have a specific point to add about the learning challenge. We know much more now than we did 10 years ago about addiction problems and the impacts on cognitive and brain development and the capability to learn of people who have long-term drug and alcohol addictions. That is a substantial issue among prisoners.

Ken Macintosh: I want to follow up on a point that Dr McCormick has made. Obviously, it is important for policy development purposes that we identify whether any trends exist. Earlier, it was said that it is difficult to measure the effectiveness of education programmes in prisons because it is difficult to follow what happens afterwards. However, it is clear that a key issue for policy makers is knowing whether those who do worst at school and in society generally—those who are most deprived and disadvantaged—are more likely to end up in prison. Dr McCormick has spoken about that. If things are changing, but not for them, and their profile is staying the same, there will obviously be a big lesson for other policies. Therefore, it is important for us to know whether any of the trends in society generally that affect education and employability are having an impact on the prison population and whether the prison population is being left behind entirely as a reflection of that. Will we get information on that from your surveys, or am I being too ambitious?

My second question is on resources. I do not yet have a feeling for how the education service is resourced. Is it resourced through the Scottish Prison Service or the Scottish Further and Higher Education Funding Council? What sort of sums are we talking about? Have they been static or have they changed? Rosemary Winter-Scott may want to answer that question first.

Rosemary Winter-Scott: The service is currently funded through the Scottish Prison Service, which has the main delivery contracts with Motherwell College and Carnegie College.

Ken Macintosh: The funding therefore goes from the Government to the Scottish Prison Service, which pays the colleges directly. It does not go through the Scottish funding council at all. What sort of sums are we talking about? Have they changed over recent years? Is there a funding trend?

Rosemary Winter-Scott: That is a good question. During 2007-08, the Scottish Prison Service spent just over £3.5 million on its college contracts. The figure for 2008-09 is nearly £3.6 million.

Ken Macintosh: I was thinking more about the long term—around 10 to 15 years, say. Perhaps Mr Waddell can talk about that. Have you historically been short of money, Mr Waddell?

Esther Roberton: The other point to make, of course, is that the money that the Prison Service spends on prisoner education is only a small part of the wider budget that is spent. We know that many colleges are involved in offender learning.

Ken Macintosh: I would like to get a feel for that as well, if I can. Can you describe what happens?

Esther Roberton: We will be engaging with the colleges, but the colleges treat individual learners as learners. Some of them will be offenders, but the colleges will not know it. It is very difficult to quantify.

11:00

Ken Macintosh: Has that changed, or is it the same as it has always been? That might also have been the case 10 years ago. What matters is what difference we are making, rather than just what the picture is.

Gary Waddell: I will say a wee bit about the current funding arrangements. We put our education provision out to competitive tender and we are now on our third generation of publicly procured education provision. The sum of money that we are paying has increased since the contract started—it is now coming to the end of its

fourth year—and the contract value has increased by the agreed amount under our contractual arrangement with the two colleges. There have been small increases in the amounts of money that we have paid the colleges over the period. Because it is a commercially procured contract, the organisations that bid for it did so on the basis of what they thought it would cost to run the service that we were looking for, and that is what we are paying them.

We should not forget that, in addition to our college contracts, we also have a sizeable number of SPS staff who are officer instructors; they are vocational training instructors. We obviously cover the costs of their salaries and we pay for the materials and resources that are used in vocational training, so we have that sum of money to add to the pot of what we spend on vocational training and education, although that is just a component of the overall activity spend that we undertake in the SPS for the benefit of prisoners.

Ken Macintosh: Is there a statutory obligation on the Prison Service to provide educational opportunities? If so, does education have a ring-fenced budget or is the budget entirely at the discretion of the Prison Service? How do you decide how much to allocate to education? For example, how much training do you decide to give your officers? Are you incentivised to encourage educational opportunities and to offer education to offenders?

Gary Waddell: The Prisons and Young Offenders Institutions (Scotland) Rules clearly state that prisoners are eligible for and entitled to access educational opportunities while in custody. The Prison Service provides those opportunities through our own vocational training and through the contracts that we have with colleges. In some prisons, education is provided through links with local organisations that can support our work.

Ken Macintosh: Will you be considering what incentives there might be for the SPS in how that provision is funded? I am not saying that there is anything wrong with the way in which it is funded, but I am trying to work out whether this is just a minimum service that is provided as of right for prisoners and, because there is little to be gained from investing in it from the Prison Service's or from society's point of view, nobody does. I imagine that it is often the case that it is always at the bottom of everybody's priority list.

Rosemary Winter-Scott: That depends on the findings of the work streams. If they find that learning is a low priority in prisons, as you suggest, I expect that recommendations will be made about how to address that.

Ken Macintosh: Are you considering examples of what is happening in other places—in the rest of the UK or abroad?

Dr McCormick: We are. Fortunately, there is an on-going independent inquiry on prison learning in England and Wales that is being led by the RSA. We hope that that will give us a rich set of data about good practice.

Ken Macintosh: What is the RSA?

Dr McCormick: The Royal Society for the encouragement of Arts, Manufactures and Commerce. It has independent funding, so it is separate from Government, but it hopes to influence Government policy in this area in England and Wales.

In addition, we are aware of a number of interesting policies and practices in parts of Europe—Finland and the Netherlands constantly come up as interesting areas—and of Canada. Although we would not want to import very much—if anything—of what happens in the United States of America, the country has a long tradition of research in that particular field. That can give us more clues about things that work, which we can factor in to our deliberations. We are keen to look outwards.

The Convener: I will follow up on Ken Macintosh's questions about resources. When I asked about resources, Rosemary Winter-Scott said that you would not necessarily consider that there was a need to spend more money on prisoner education. When you make comparisons with other countries, do you consider, for example, how much money is spent on prisoner education—not only in other parts of the United Kingdom, but in other countries around the world—to establish whether those countries get a better or a worse return if they spend more or less money?

I have the sense that more money is currently spent per prisoner on prisoner education in England and Wales than is the case in Scotland. Perhaps Gary Waddell can say something about that. I know that the SPS can tell us how much it costs to keep a prisoner in prison, in terms of providing them with accommodation and food every day and with an education, and how that compares with other parts of the UK.

Dr McCormick: I will start off on that. We are most interested in the return on the investment. We can gather information on how much is invested, but it is harder to get a handle on what we get for that investment. In so far as we can source good quality information on countries whose position is comparable to ours, we are interested in understanding which jurisdictions are performing best in terms of getting a good return on the investment that they make in offender learning, in prison and in the community, and understanding the course of the trends over time. However, I would give a health warning in relation to the ability to get consistent data that is of high enough quality to enable comparisons to be made.

You are right that, within the UK, significantly more is spent in England through the offender learning and skills contract than is spent in Scotland, but we know much less about what that investment is achieving than we need to know to be able to work out how much more value is being delivered in England.

Claire Baker (Mid Scotland and Fife) (Lab): I will pick up on the youth offenders work stream, as we have not discussed that very much this morning. We know that if an effective educational intervention is made with young people in the 16 to 18 age group, it can be a life-changing opportunity. What are the challenges in that work stream, and how different is it from dealing with other prisoners or offenders in the community? What areas will the work stream concentrate on?

Melanie Weldon (Scottish Government Lifelong Learning Directorate): The issue of transitions is enormously challenging and, in that age group, people are making transitions from all sorts of places. Some young people have been lost to the system, in that they have fallen out of the education system. Some people are making the transition from mainstream schools, and others are coming from secure settings or alternative kinds of educational provision.

One of the big challenges is to manage those transitions from school to other opportunities, and from youth justice to adult justice services. There are many issues around the tracking and sharing of data. The point has been made about recording attainment and achievement, how we share that among the agencies when there is so much churn, and how we focus on continuity and progression. Those are the main challenges in re-engaging with those young people who are lost to the system.

Claire Baker: Will there be focus groups and a peer-led approach, as you mentioned earlier?

Melanie Weldon: Absolutely—it is the same approach that has been described for the other work streams. We want to talk to young people, and that has already started with some work that we did in Polmont last week. We are talking to front-line practitioners and a range of other agencies. It is pretty comprehensive—around 50 key consultations are planned during March and April.

The Convener: That concludes the committee's questions. Thank you for coming along and answering them—I hope that it is the beginning of a dialogue. As I am sure that you are aware, we are committed to doing some work in this area. It is important that we work together and add value, rather than duplicating one another's work, so that we achieve the best outcomes for prisoner education and improve it. I hope that you will return to us when you have completed your work.

I suspend the meeting briefly to allow the witnesses to leave.

11:11

Meeting suspended.

11:18

On resuming—

The Convener: I reconvene this meeting of the Education, Lifelong Learning and Culture Committee. We move to the second item on our agenda, which is to consider how we will develop our work on offender learning, having had an opportunity to hear from members of the Scottish Government offender learning project. I am keen to hear members' views on how we should take the matter forward and any particular issues that they might want us to consider.

Elizabeth Smith: It would be helpful to have a bit more factual background on offender learning. Although some really interesting issues were raised this morning, Kenny Gibson was probing at areas about which it was difficult to get answers. We do not have enough facts about what improvements have been made, for example. I would like more factual input, if possible.

Kenneth Gibson: We need more detail on the structure of what is happening, such as the timetable, what the team hopes to achieve and how it will measure the outcomes and the data. It all seems a little too woolly at the moment.

Ken Macintosh: I agree with both comments and add that I am pleased that we heard from the witnesses today. It would be foolish of us to rush off and have an inquiry now that the offender learning project is under way—its timetable is very tight; the team will report this summer.

We could follow up Liz Smith's suggestion that we should gather more facts by asking the Scottish Parliament information centre—although we are always laying burdens on SPICe—or the clerks to prepare a paper to pick up on the work that the project team can make available to us and outline some of the statistics and figures. I suggest that there would then be no need for us to pursue the matter further until we hear back from the project team, because there is every chance that we would duplicate its work and very little chance that we would add much. If the team is going to beaver away doing focus groups in March and April, we should wait until after Easter before doing more.

Christina McKelvie: I echo all the comments—we would be acting prematurely if we jumped in and tried to do something now. The impression that I got from the panel was that they will do

some really detailed work and that there are lots of layers to the situation, which will be really interesting.

In answer to one of my questions, the witnesses said that it would be March or April before they presented initial findings. I echo what Ken Macintosh said and suggest that we wait for more information. Info from SPICe would also be helpful, so that we understand what the timetable is, what they are looking at and how they will develop the themes about which they spoke. The subject is an interesting one for the committee to learn about; it will be good fun.

Margaret Smith (Edinburgh West) (LD): I agree with Ken Macintosh that there is not much point in our taking the work forward at this stage. However, given the breadth of what the witnesses were talking about, it is likely that elements will come out of the project that could do with more work. It might be that to add value, the best thing that the committee can do is to pick up and develop some of those elements.

I agree that we probably need more of a basic factual background about what is happening in the prison community to find out how many people are taking up education and getting qualifications. The offender learning project work, on the other hand, seems to be more qualitative and based on the team's impressions and input from focus groups. Once we have that research plus more hard information, we will probably be in a position to say, "Here's a couple of things that we think we can focus on."

The committee would find it impossible to look at the whole area of offender education—you can tell that from what the panel said—whereas we might look at an area such as youth offender education, which might fall off the end of the project and not get the same focus as what is happening in prison establishments. I think that it is best for us to see what the project team comes up with and then see where we can add value by taking on specific areas.

Aileen Campbell: On the back of Ken Macintosh's questions and in anticipation of what we might get from SPICe, it would be interesting to know what other countries are doing, as a rough guide to what we want to achieve. If a country is providing education in prisons very well, it might be worth while having that information to hand. I do not know whether others agree, but I am keen to have such a rough guide. It need not necessarily be incredibly detailed.

Kenneth Gibson: We can always learn from what happens in other societies, regardless of the issue in many instances. I do not want to overanalyse things, but I think that we need to look not just at bald statistics, but variations within the figures. For example, we heard that 35 per cent of prisoners take up education, but it is clear that there are big differences between types of prisoner and that there might be geographic differences. We might want to know why 60 per cent of prisoners in facility A take up education whereas only 20 per cent of them do so in facility B.

That goes back to the questions that Liz Smith asked, and which I asked about encouragement. Liz also discussed best practice. We must consider how such practice is being shared and establish where there are gaps. Christina McKelvie touched on the gaps, but we need to see the situation in numerical terms so that we can find out which groups are not benefiting from education and examine why that is the case.

The Convener: Thank you for those comments. There seems to be consensus that we request SPICe to prepare a paper that provides an overview of prisoner education in Scotland and looks at the experience in other parts of the world. We must reflect upon the ability of SPICe to do a great deal of work on the matter—we must not overburden it.

It would also be useful if, as part of that work, SPICe could highlight where the Government's task force, the offender learning project, will focus its considerations and perhaps highlight areas that fall outwith the scope of the Government's current considerations. That would give us a clearer indication of where we might be able to do some work that would add value to the on-going discussions on prisoner education. It is right that we do not reach any firm conclusions before the offender learning project publishes its findings; several members have made the point that it might prove useful to pick up on the project's findings and follow them up.

Depending on what is in the SPICe paper, the committee might want to commission its own research, particularly on the detailed questions that were asked about statistics in relation to which prisoners take up education, what kind of education is taken up and what it delivers in respect of recidivism. The committee can come back to that once it has considered the SPICe paper. I think that that is a reasonable summary of our discussion and I hope that it is sufficient to give the clerks something to work on.

Decision on Taking Business in Private

11:27

The Convener: The third and final item on our agenda is a decision on whether to take business at next week's committee meeting in private. The committee will be asked to consider its approach to the proposed schools (consultation) (Scotland) bill. It is hoped that we can have those discussions in private. Is that agreed?

Members *indicated agreement*.

The Convener: The next meeting of the committee will be on Wednesday 4 March. I point out that the meeting will not start until 10.45, to allow witnesses to attend.

Elizabeth Smith: Can I raise one issue? Margaret Smith and I quite regularly get each other's mail. Can we ensure that it comes to the right address? That has happened four or five times.

The Convener: That will be duly noted.

Margaret Smith: Unfortunately, Liz Smith never gets my bills.

The Convener: Action will be taken to address the issue.

Meeting closed at 11:29.

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