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# Impact of Pandemic of COVID-19 on Prison Education

With special thanks to  
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## Introduction

In every society, we observe people that are involved in crime for which they are punished in a form of isolation in prison. The purpose of isolation is not only to isolate but most of all to rehabilitate one in a way that settles the negatives, and embeds the positive values, existing and obeyed by the society. It is a very demanding and difficult task, as many prisoners do not participate fully with the rehabilitation offer, which can be supported by the fact that recidivism is on the rise.

The most common methods of rehabilitation are work, education, wellbeing and cultural events. Education is at the centre of rehabilitation activities not just on the passing on of relevant knowledge and personal development resulting in better employability chances, but because of its ability to change one's perception and understanding of the world.

In English prisons, education is the most important method of rehabilitation. It has 180 years of tradition, which allowed establishing and developing an education system, which is generally robust and effective. Unfortunately, as a result of the global pandemic experienced in 2020, resulted in radical changes to the education system in English prisons.

Familiarisation with the history and development of the education system in English prisons and the changes forced by the pandemic are the focus for this consideration. The source came not only from the topic literature but (predominantly) form an analysis of existing documents (reports, communication orders, as well as acts of law)<sup>1</sup>. This article's inquiry provides new concepts and knowledge (refers to 2020/2021) of how the HMP services responded to the pandemic and how the pandemic itself affected rehabilitation activities such as education.

## Offenders' Learning and Skills Service (OLASS)

Education and training are not only a means of supporting offenders in their transition from prison to the outside world but are "an imperative in its own right" and prisoners should not forfeit this right to access education while in prison. The need and benefits of educating prisoners was recognised by the prison reform activist and campaigner Elizabeth Fry. She influenced the Gaols Act introduced by Robert Peel in 1823. The Act initiated religion education, with a particular focus on basic skills of reading and writing. The impact of this Act on education in prison is unclear as there were no inspections or standardisation. It changed in 1835 when the Prison Act was introduced and since then the inspection are a regular occurrence in all prisons across England and Wales. Michel Foucault in his famous book *Discipline and Punish* wrote that "Is it surprising that prisons resemble factories, schools, barracks, hospitals, which all resemble prisons?"<sup>2</sup> He later concluded that "The power to punish is not essentially different from that of curing or educating". This his was a catalysis to focus the attention of a local authorities on prison education to success defined by the number of reoffending<sup>3</sup>.

In the 1980s, overseeing the prison education was assigned to local authorities and the workers of HM Prison Service. From 1993 the idea of collaboration between outside the prison contractors (to deliver education), colleges of Further Education (FE), Local Authorities in relevant administration unit. In 2003 two agencies, Learning Skills Council (LSC) and National Probation Service, were partly responsible for defining the education contract named Offenders' Learning and Skills Service (OLASS)<sup>4</sup>.

<sup>1</sup> M. Cieślarczyk, *Teoretyczne i metodologiczne podstawy badania problemów bezpieczeństwa i obronności państwa*, Wyd. Akademii Podlaskiej, Siedlce 2009, s. 220.

<sup>2</sup> M. Foucault, *Discipline and punish. The birth of the prison*, New York: Vintage books 1977.

<sup>3</sup> S. Coates, *Unlocking Potential: A review of education in prison*, Ministry of Justice, May 2016, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/524013/education-review-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf) [accessed: May 2021].

<sup>4</sup> House of Commons, Justice Committee, *The role of the Probation Service*, Eighth Report of Session 2010–12, 27 July 2011, <https://publications.parliament.uk/pa/cm201012/cmselect/cm-just/519/519i.pdf> [accessed: May 2021].

Nowadays, prison education in England is recognised as a branch of the rehabilitation process, next to therapy and employability. Martin Narey, Chief Executive of the National Offender Management Service said

I believe passionately that, in the right circumstances, we can reduce criminality and change people's lives, and the major way we do that is through education. I think if we educate people, we can change their lives, we can make them employable, we can get them into jobs and we can reduce criminality.<sup>5</sup>

It has been suggested by many researchers that education and its link to employability can be used as a strategy to reduce the level of recidivism.

Until 2018, prison education in England was dictated by OLASS. The rules of participation and function of prison education is stated in "Prison Rules", however if the offender is not school age the participation is regulated by Education Act, 1996. OLASS changed the rules of how education in prison is financed by changing from Home Office to Department of Education (DfE)<sup>6</sup>. Dame Sally Coates stated that "Let there be no doubt. Education should be at the heart of the prison system. My career has been about offering excellent education to the most disadvantaged in society to give them a decent chance in life. Prisoners are in prison because they have done wrong. But once they have served their time, it is just to them and in the interests of their communities that they have the same decent chance. The chance to re-enter society successfully, to find work, to live fulfilling lives. If education is the engine of social mobility, it is also the engine of prisoner rehabilitation".

This report was important as it acted as catalyst for further changes. The author criticised the education system in prison highlighting poor quality, structure, and the way it is financed. She started by asking basic questions like:

- How do we measure success in prison education?
- What is the standard of delivery (and what steps are taken to improve it)?

The author starts her report by asking who is responsible for prison education? She highlighted that the response she received for the above questions (after publishing them for a period of six months) were not satisfactory. In further analysis she stated that one third of prisoners participating in education (in prison) is a subject to Learning disabilities and difficulties (LDD)<sup>7</sup>.

Responses associated with the success in education were based on the numbers of participates, attendance and the numbers of achievers. The contractors used their definition of success based on the sum they were able to draw and so 80% of the contract delivery was paid on the retention and success rate and 20 % on achievement, contractors indicated on the beginning of the academic year.

New phase of OLASS was a subject of the debate in 2014 on the conference organised by the Ministry of Justice and Prison Trust:

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<sup>5</sup> G. Czerniawski G. „A Race to the bottom – Prison Education and the English and Welsh Policy Context”, <https://repository.uel.ac.uk/download/2492fcc6ff9de7a95dcfd9300312c64d-827f1962793bbc0cf618345f67e27959/325735/Gerry%20Czerniawski.pdf> [accessed: June 2021].

<sup>6</sup> S. Coates, *op. cit.*

<sup>7</sup> *Ibidem.*

- Governors should have greater influence and control over the delivery and chose of curriculum.
- Limited access to technology presented as an obstacle in prison environment that place residents in disadvantage position in employment.
- There is a need to share data about prisoners' education and further tracking system (for employment).
- Better quality of educational delivery.
- Wider choice of qualification on level 3 and above.
- The new phase of OLASS introduced following changes:
- Student's maths and English skills (prior for them starting education) were diagnosed using entry test like BKSB.
- Creating employment friendly environment and emending employability into the curriculum with focus on prisoners with 12 months or less remaining sentences
- Engaging local employers to collaborate with the Ministry of Justice.

Four main contractors were involved in OLASS delivery: The Manchester College, Weston College, Milton Keynes College and People Plus. First institution, The Manchester College, function on the education marked since 1993 with previous experience in non-prison education.

In 1995 The Manchester College joined the group known as G4S. In 2000 The Manchester College had 22 contracts in areas Northwest, Yorkshire, and Midlands. In 2016, The Manchester College was part of the LTE Group, in collaboration with NOVUS, UCEN Manchester, MOL and Total People<sup>8</sup>. Milton Keynes College was responsible for delivering education in 19 prisons around England focusing on areas like Aylesbury Vale, part of Northamptonshire and in selected areas in Bedfordshire and Oxfordshire. Weston College, an organisation with 150 years long history, won a contract to deliver prison education in areas of the south of England<sup>9</sup>. The last-mentioned contractor was People Plus. This company is responsible for delivering a prison education in East Anglia (as well as part of Wales, Ireland and Scotland). People Plus engaged is educating and supporting students since 2011 and so far, they have announced that they are supporting over 450,000 students<sup>10</sup>

Each year in prison in England we in count approximately 85,000 (numbers vary in different years) prisoners and around 200,000 prisoners remain on probation period (Ministry of Justice 2016 report). Statistics shows that 46% of prisoners possess skills for maths and English similar to that of an 11-years old. In comparison to 15 % of outside population possess skills at this level<sup>11</sup>. Institutions like Her Majesty's Young Offender Institutions used diagnostic tools such as *basic key skills builder* for all the inmates as a requirement form OLASS 2014. In prison, the diagnostics takes place in the first two weeks of arrival, and it is the same for both private and state prisons. This

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<sup>8</sup> Novus History, <https://www.novus.ac.uk/about/our-story> [accessed: May 2021].

<sup>9</sup> Weston College, <https://www.weston.ac.uk/news/college-wins-ps17m-prison-learning-contract> [accessed: May 2021].

<sup>10</sup> People Plus, <https://peopleplus.co.uk/who-we-are> [accessed June 2021].

<sup>11</sup> Inside Time, The National Newspaper for Prisoners and detainees, <https://insidetime.org/vital-statistics-english-and-maths-skills-of-prisoners> [accessed: May 2021].

initial diagnosis is often used to demonstrate students' progression (and can be used as an evidence to draw 20% of the finances).

The author of the discussed report "Unlocking the Potential" suggested that it would be beneficial to build a database where the diagnostic results can be shared between these prisons, so that in the event of a transfer it is clear what level of education is appropriate for the individual as well as having awareness of any additional needs (LDDs). OLASS (phase 4) offered to pay contractors for achievement by stating that "A revision of funding to bring allocations for each prison in line with new priorities including funding based on outcomes (enrolments, achievements, success rates and progression)"<sup>12</sup>.

The finance for level 3 qualification and Higher Education were subject to changes. From 1 August 2013, any learner who is aged 24 or over at the start of learning and is studying any of the learning aims or Apprenticeship frameworks listed below will not be eligible for funding through OLASS, but may apply for a loan:

- Qualifications and Credit Framework (QCF) Certificates and Diplomas at levels 3 and 4,
- Programme of A-levels (including AS, A2 and full A-levels),
- Quality Assurance Agency (QAA) Access to HE Diplomas,
- Advanced-level Apprenticeship framework Higher Apprenticeship framework"<sup>13</sup>.

Summary of the OLASS contract came from Andy Woodley Regional Lead for Quality Learning, Skills and Employment who explained that:

- There are prisoners studying at every level from basic primary education to advanced degrees.
- 47% of prisoners report having no qualifications prior to custody.
- 42% of adult prisoners report having been permanently excluded from school.
- 33% of offenders self-identified on initial assessment as having a learning difficulty or disability.
- There are over 167 different nationalities represented in our prisons.
- Learner numbers increased from 89,000 in 2010/11 to 102,000 in 2014/15, before falling back to 89,000 in 2016/17.
- 62% and 54% respectively of the 56,000 prisoners assessed upon reception to prison have maths or English abilities at or below the level of an 11-year-old.
- Of the 89,000 learners in 16/17, 32,000 studied maths and/or English<sup>14</sup>.

OLASS came to an end in March 2019 and was replaced by Prison Education Framework (PEF). At this point it is worth to mention that English prison system is known as one of the most privatised in Europe.

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<sup>12</sup> The Skills Funding Agency's annual report and accounts for 2013 to 2014, <https://www.gov.uk/government/publications/skills-funding-agency-annual-report-and-accounts-2013-to-2014> [accessed: May 2021].

<sup>13</sup> *Ibidem*.

<sup>14</sup> Prison Education Framework, Sheffield & London, February 2018, <https://www.prisonerse-ducation.org.uk/wp-content/uploads/2019/04/Prison-Education-Launch-Events-Presentation-slides-February-2018-.pdf> [accessed: May 2021].

## Prison Education Framework (PEF)

New contract also known as PEF started on 1<sup>st</sup> of April 2019. Ministry of Justice divided the prison in England in to 17 geographical regions, where the new contract will be delivered for the next four years with the possibility to extend it for another two years. It is important to highlight that the delivery of prison education is different for Wales and Scotland. With the PEF introduction, the Ministry of Justice announces a scheme called Dynamic Purchasing System (DPS)<sup>15</sup>. The idea was to allow local employers to deliver the work or training which the main contractors were not able to satisfy in terms of didactic. The idea is to satisfy the local employment niche<sup>16</sup>.

By October 2018 DPS scheme had 101 companies/institution collaborating with local prisons. PEF placed the emphasis on employability skills and the highlights of this was the change of the job title from Heads of Learning and Skills (HOLs) to Heads of Learning, Skills and Employment (HOLSEs), as well as some of the job requirements. The person appointed is responsible for overseeing the quality of educational delivery, achievement and build links with local employers. From OFSTED (Office for Standards in Education, Children's Services and Skills) inspection reports, we read that based on the observation of 45 prisons between the period of September 2018 and August 2019, we see that 38% of prisons were able to achieve "good" outcome, 44% achieved required improvement 16% were judged as inadequate<sup>17</sup>.

The description of once aims for education are part of the sentencing plan. The prisoner will have the clear learning objectives to maximize the effect of their education. Different educational aims and objectives, individually created for each prisoner, are based on the BKSB initial assessment tool as well as individual inspiration and interests and taken under consideration future employment.

The majority of educators will create a document called Individual Learning Plan (ILP), where the aim and objectives as well as the progression is described, and it is a subject to constant review (can be weekly or monthly). The prisoner will participate in these reviews by providing feedback and reflect on their own experience.

Unfortunately, OFSTED highlighted that this is mostly a theory or a "wish" as most of the places (they inspected) either didn't created or properly completed ILPs with the consequences that prisoners/students are based on the wrong courses in terms of the level of deliver or area of interest. This report also highlights that the number of students participating in education on level 2 is the lowest since 2012 and the number of students participating on level 3 was alarmingly low. It needs to

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<sup>15</sup> Crown Commercial Service, "The Public Contracts Regulations 2015 and The Utilities Contracts Regulation 2016, Dynamic Purchasing System", [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/560265/Guidance\\_on\\_Dynamic\\_Purchasing\\_System\\_-\\_Oct\\_16.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/560265/Guidance_on_Dynamic_Purchasing_System_-_Oct_16.pdf) [accessed: May 2021].

<sup>16</sup> Procurement for prison education dynamic purchasing system, A framework for prison education and provision of a dynamic purchasing system, January 2019, [https://www.gov.uk/government/case-studies/procurement-for-prison-education-dynamic-purchasing-system#:~:text=A%20Dynamic%20Purchasing%20System%20\(%20DPS,any%20time%20during%20its%20term](https://www.gov.uk/government/case-studies/procurement-for-prison-education-dynamic-purchasing-system#:~:text=A%20Dynamic%20Purchasing%20System%20(%20DPS,any%20time%20during%20its%20term) [accessed: May 2021].

<sup>17</sup> P.A. Langan, D.J. Levin, "Recidivism of prisoners released in 1994", Bureau of Justice Statistics Special Report 2002.

be explained that this report covered the period of transition between contracts and was performed in the last seven months of OLASS and the first five months of PEF, however in the report there is no indication of division between the outcomes, and it is written as a whole, and it does not allow to draw a conclusion nor summary of any of the contract<sup>18</sup>.

The significant difference that PEF introduced was the collaboration between local or national companies and charities and allocating it within the budget, to allow prisoners to undertake qualifications and training while serving the sentence and in case of open prisons. Thus, students were able to work for the employers in the community. It also means that Governors can divide the budget where they see suited. It is worth to mention that at European Convention for the Protection of Human Rights and Fundamental Freedoms states that “No person shall be denied the right to education” (Art. 2) yet only less than one quarter of prisoners decides to undertake education while serving a sentence<sup>19</sup>.

## The impact of the pandemic of COVID-19 on prison education

At the beginning of the pandemic the Council of Europe’s European Committee for the Prevention of Torture, (CPT) stated that prison population is qualified as a high-risk group. Professor Marcelo Aebi from University of Lausanne in Switzerland assigned this fact in to two main factors. Firstly 15% of the prison population reached the age over 50 and further 2,4% is in the age over 65<sup>20</sup>. Secondly, the prisons are subject to overcrowding. Professor Aebi concluded that overcrowding can be calculate in two ways: either comparing the number of beds available with the numbers of prisoners or calculating the number of square meters of a cell floor assigned to one prisoner. It is necessary to explain that each administration team will calculate own capacity, however the second method is widely used in England. In December 2019, the prisons were performing at 98% of their capacity with little capacity to accept new admissions as some of the prisons were overcrowded<sup>21</sup>. The University College of London (UCL) reported that by the June 2020 there were 44 deaths (prisoners)

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<sup>18</sup> Prison Education Trust, <https://www.prisonerseducation.org.uk/2020/01/ofsted-annual-report-a-concerning-picture-of-prison-education/#:~:text=Ofsted%2C%20the%20government%20department%20responsible,improvement%20and%2016%25%20deemed%20inadequate> [accessed: May 2021].

<sup>19</sup> J. Hawley, I. Murphy, M. Souto-Otero, “Prison Education and Training in Europe, Current State of Play and Challenges”, <https://www.epea.org/wp-content/uploads/Hawley-Jo-et-al-for-EU-Prison-Education-and-Training-in-Europe-Summary-Report-2013.pdf> [accessed: May 2021].

<sup>20</sup> Her Majesty’s Inspectorate of Probation, “A thematic review of the Exceptional Delivery Model arrangements in probation services in response to the COVID-19 pandemic”, <https://www.justiceinspectores.gov.uk/hmiprobation/wp-content/uploads/sites/5/2020/11/A-thematic-review-of-the-EDM-arrangements-in-probation-services-in-response-to-the-COVID-19-pandemic.pdf> [accessed: May 2021].

<sup>21</sup> P. Simpson, M. Simpson, A. Adily, L. Grant, T. Butler, “Prison cell spatial density and infectious and communicable diseases: a systematic review”, *BMJ Open* 2019;9:e026806, doi:10.1136/bmjopen-2018-026806, pmid:31340959.

associated with Covid 19 and 510 prisoners were tested positive, which leads to conclusion that inmates are three times more likely to be affected by the pandemic in comparison to the normative data outside the prison population<sup>22</sup>.

When asked about the approach of how to control the transition of the virus among prison population, Professor Abei concluded that it can be done by testing and it is with line with the recommendation provided by the World Health Organisation (WHO), released prisoners (subject to terms) and isolating the new admitted prisoners as well as the once who were tested positive. WHO encourage all organisation associated with prison and public health to create and work on general risk assessment as well as a prompt information and data sharing scheme<sup>23</sup>.

The PEF contract was put in place a year before the pandemic. One day after the Prime Minister, Boris Johnson, announced the restrictions placed on society, the Ministry of Justice announced the lockdown regime in prisons in England. It meant that there was a need to control the movement and activities (classified as non-essential). On average a prisoner will spend around 10h daily outside the cell, whereas the lockdown regime means that a prisoner will spend 23h inside the cell. Most activities like participation in education, time in library were suspended until further notice. This program was named Exceptional Delivery Model (EDM)<sup>24</sup>.

One of the first steps to ease the risk of infection in prison was End of Custody Temporary Release (ECTR) and was introduced on the 7<sup>th</sup> of April 2020<sup>25</sup>. It gives the opportunity for some of the prisoners to be released before they served the whole sentence.

At the same time, a range of conditions and rules were presented and each individual had to meet all of the described:

- Be a subject to determinate sentences.  
Additional conditions that prisoner must meet to be able to apply for ECTR:
- Be assessed as having a low or medium Risk of Serious Harm level.
- Not be subject to MAPPA management on release.
- Not be serving a sentence of any length for a violent or sexual crime.
- Not be serving a sentence of four or more years in prison for possession of a weapon.
- Be within 61 days of their conditional release date.
- Have already served at least half of the prison term they were sentenced to.
- Not be serving a fixed term or standard recall.
- Not be identified as posing a risk of domestic abuse or a concern related to child safeguarding.

<sup>22</sup> G.G.Gaes, "The effects of overcrowding in prison", *Crime Justice* 1985;6:95-146doi:10.1086/449105.

<sup>23</sup> World Health Organization, "Preparedness, prevention and control of COVID-19 in prisons and places of detention" 2020, <https://www.euro.who.int/en/health-topics/health-determinants/prisons-and-health/publications/2020/9preparedness,-prevention-and-control-of-covid-19-in-prisons-and-other-places-of-detention,-15-march-2020-produced-by-whoeurope> [accessed: June 2021].

<sup>24</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-) [accessed: June 2021].

<sup>25</sup> European Prisons, "Annual Penal Statistics" 2019, <https://www.coe.int/en/web/portal/covid-19-prisons> [accessed: June 2021].



- Not be assessed as posing a risk to national security if released.

It is worth to mention that these conditions did not reflect on rehabilitation activities in terms of education or readiness to enter the employability market outside. In the discussed document, the term 'prisoner' was used to simplify the interpretation of, and reference, to a person in prison in age 16 and above. The term does not apply to individuals below 16 years. It was understood that the ECTR will allow to decrease the prison population and be a useful strategy to create a safer environment for the rest of the remaining prison population by creating additional space in prison to assure space for self-isolating inmates if they were positively tested for the presents of COVID-19 or the new admitted prisoners. The ECTR scheme functioned based on the 9A Prison Rules 1999 and form Young Offender Institutions Act. Both acts were adopted to the changing circumstances. Out of 4000 potential prisoners who qualified to use the ETC scheme only 200 were released in the first three months.

The next step was to plan the modification of the movement around prison to prevent associating residents from different wings from mixing with each other and (potentially) spreading the virus. This affected the face-to-face delivery of education and led to remote delivery. This was done by using booklets, tutorials over the phone as well as mentioned earlier, managed internally, Way Out TV. A special channel was created, called 'Way to Learn' for the purpose of delivering remote education and training. Prisoners were able to participate in subjects like business, fitness, creative arts as well as maths and English<sup>26</sup>.

Way Out TV was introduced by one of the contractors under PEF. The arial time was divided into subject specific blocks:

- Every hour (and more specifically 25 minutes before every hour) tv broadcasted local news as well as employability offers form selected region.
- At 7 am and 1 pm – entertainment
- At 9,10 am and 3,4 pm – educational tutorials
- At 8,11 am and 2, 5 pm – global news
- At 12 pm – fitness and stretching exercises
- During the weekend form 9–12 and from 3–5 sport
- Religions programme where a matter of a choice and so on Sunday at 9 am there was a transmission form mass for Christians. Salat transmission took place from 12 – 2 pm. Other religion had their allocated time on Fridays at 6 pm.

As we know from human history, the outbreak of illnesses caused by viruses are indeed a threat to prison population as well as the outside society. In March 2020 the Lord Chancellor and Secretary of State for Justice, Rt Hon, Robert Buckland QC MP said: "I am not going to make any bones about it: it is a huge challenge. I have quite a proportion of the estate where there is crowding and more than one person in a cell (...) and in fact people that build a prison population often come from a disadvantaged areas with poorer health with living conditions on the boarder of poverty"<sup>27</sup>. Often released prisoners are at risks of becoming homeless or ending up in

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<sup>26</sup> Wayout TV, Your In-Cell Learning Channel For UK Prisons, <http://www.wayout.tv/#five%20great%20reasons> [accessed: June 2021].

<sup>27</sup> House of Commons Justice Committee "Coronavirus (COVID-19): The impact on prisons", Fourth Report of Session 2019–21, <https://committees.parliament.uk/publications/2154/documents/20016/default> [accessed: June 2021].

hostel or are residents in deprived areas which (as it has been suggested) does not contribute to better outcomes in terms of the virus migration monitoring purpose. Of course, this conclusion leads to the debate that if the prison population health is part of the “society”, there should be concern and/or debate on these conditions.

## Conclusions

It is impossible at present to analyse the impact of the pandemic on prison education; however, it is possible to conclude upon introduced solutions and strategies. One of the positive changes has been the increased access to technology, which although limited, has helped to widen access to education and has created an opportunity for the inmates to potentially increase their chances of finding employment. It has been suggested that Way Out TV was one of the most innovative changes and contributed to wider benefits – it has been introduced by at least one of the PEF contractors. Way To Learn was a response to the demands of remote learning and as statistics shows 97% of prisoners were using it for educational purposes (97% of the population in HMP Hulk). Another positive change was the introduction of virtual visits, which allowed prisoners to stay in touch with their family as face-to-face visits were suspended under the lockdown regime. These “visits” were subject to security restrictions and were taking place on a chosen and secured platform. This was also used to enable students to contact subject specific tutors in order to gain feedback and guidance on submitted work. Unfortunately, in March 2020 a report “What happens to prisoners in a pandemic?” clearly highlighted (using real case studies) that the remote learning stripped the prisoners from the ability to socialise and mostly influenced in a negative way prisoners’ mental health. This report also mentioned that the participation in education allowed prisoners to gain a sense of control over their lives and often is a catalyst for more positive changes. The lack of student-teacher interaction often leads to lack of motivation to do good in education which in consequences can be translate as a failure to achieve qualifications<sup>28</sup>. It is now June 2021, and the lockdown regime is slowly being lifted. Ministry of Justice publishes a document which acts like a “map to normality”. It is divided into four stages, where the come back to education is possible in the third stage<sup>29</sup>. It has been agreed that the classrooms will have limited capacity (depends on the size of the room) but it is not clear if students will enrol on new qualifications, pick up from the point before pandemic or will be able to continue including any evidence gather during remote delivery.

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<sup>28</sup> Her Majesty’s Inspectorate of Prisons, “What happens to prisoners in a pandemic?”, <https://www.justiceinspectrates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2021/02/What-happens-to-prisoners-in-a-pandemic.pdf> [accessed: June 2021].

<sup>29</sup> *Ibidem*.

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## *Impact of Pandemic of COVID-19 on Prison Education Abstract*

Prison education is one of the most important strategies in the rehabilitation process as well as prevention of recidivism. The concept of education in prison, in England, was introduced in 1823. However, it was impossible to conduct effective of prison education on outcomes for offenders due to the lack of inspection or standardisation policy. From the 1980s century the responsibility for educating prisoners rested upon local education authorities. Ten years later in 1990s century the contracts to deliver and prison education awarded to external / non-governmental contractors up to year 2003, when a new contract known as Offenders' Learning and Skills Service (OLASS) was introduced, its main purpose was to fulfil activities associated with education in England, assuring the delivery of maths, English as well as the vocational curriculum. OLASS finished in 31<sup>st</sup> of March 2018 and was immediately replaced with the Prison Education Framework (PEF). As with mainstream education, the delivery of PEF was interrupted by the COVID-19 pandemic. The need for isolating prisoners and preventing any gathering to prevent the spreading of the virus forced drastic changes to the routine of everyday life as well as re define the way education can be delivered under the lockdown regime. Face to face delivery was replaced by methods like Way Out TV, booklets, and video/phone consultations, which allowed the continuance of a form of education (outside the agreed curriculum). However, the concern is that these methods cannot have beneficial impact on rehabilitation

process, which can be measured in way the prisoner is engaged in the activities stated in sentence plan, and did not translate in taking ownership of changing own life choices in order to prevent future reoffending.

**Key words:** prison education, contract, reoffending, prisoner, prison

## *Wpływ pandemii COVID-19 na edukację więzienną* *Streszczenie*

Edukacja więzienna uznana została za jeden z ważnych sposobów resocjalizacji więźniów i przeciwdziałania aktywnej recydywie. W Anglii wprowadzono ją po raz pierwszy w 1823 r., ale jej skutki nie były możliwe do oszacowania z powodu braku jakiegokolwiek inspekcji więzień. Od lat 80. XX w. jej realizacja stała się powinnością władz lokalnych w danej jurysdykcji. W latach 90. XX w. kontrakty dotyczące realizacji edukacji w więzieniach były oddawane różnym „podwykonawcom”, natomiast w 2003 r. zaczął funkcjonować kontrakt Offenders' Learning and Skills Service (OLASS), w ramach którego do 2018 r. realizowane były zadania związane z edukacją osadzonych w angielskich więzieniach, zapewniające prowadzenie określonych kursów z języka angielskiego, z matematyki i kształcenia zawodowego. Kontrakt ten został zastąpiony nowym: PEF, czyli Prison Education Framework, który wszedł w życie 1 kwietnia 2018 r. Jego realizacja została zakłócona pandemią wywołaną wirusem SARS-Cov-2. Obowiązek izolowania więźniów oraz inne zasady wprowadzone w ramach lockdownu, spowodowały istotne zmiany w organizacji kształcenia więźniów. Nauczanie w bezpośrednim kontakcie z edukatorem (nauczycielem) zostało zastąpione formami pośrednimi (telewizja wewnętrzna, zeszyty ćwiczeń, wideokonferencje), które pozwoliły na kontynuację kształcenia więźniów, nie przełożyły się natomiast na pozytywne skutki resocjalizacji – mierzone zaangażowaniem w kształcenie, chęcią kontrolowania swojego życia czy chęcią jego zmiany po odbyciu kary więzienia.

**Słowa kluczowe:** więzienie, więzień, edukacja więzienna, kontrakt edukacyjny, recydywa

## *Auswirkungen der COVID-19-Pandemie auf die Ausbildung im Gefängnis* *Zusammenfassung*

Eine Ausbildung im Gefängnis ist eine der wichtigsten Strategien im Rehabilitationsprozess und bei der Rückfallprävention. Das Konzept der Ausbildung im Gefängnis wurde im 1823 in England eingeführt. Aufgrund des Fehlens von Kontrollinstrumenten und Standardisierungsmaßnahmen war es jedoch nicht möglich, eine wirksame und für die Insassen ergebniswirksame Gefängnisausbildung durchzuführen. Seit den 1980er Jahren sind die lokalen Bildungsbehörden für die Bildung von Strafgefangenen zuständig. Zehn Jahre später, in den 1990er Jahren, wurden Verträge mit externen/nichtstaatlichen Einrichtungen über die Erbringung von Bildungsdienstleistungen in Gefängnissen geschlossen. Im Jahr 2003 wurde dann ein neuer Vertrag mit der Bezeichnung "Offenders' Learning and Skills Service" (OLASS – Dienstleistungen einschließlich Unterricht und Kompetenzentwicklung für Gefangene) eingeführt, dessen Hauptzweck die Erbringung von Bildungsdienstleistungen in England war, mit der Bereitstellung von Mathematik- und Englischunterricht sowie eines Berufsbildungsprogramms. OLASS endete am 31. März 2018 und wurde durch das Prison Education Framework (PEF) ersetzt. Wie die allgemeinen Bildungsaufgaben wurde auch die Umsetzung des PEF-Rahmens durch den Ausbruch der COVID-19-Pandemie unterbrochen. Die Notwendigkeit, die Insassen zu isolieren und Versammlungen zu verhindern, um die Ausbreitung des Virus zu stoppen,

hat zu drastischen Änderungen im Tagesablauf geführt und auch die Art und Weise, wie pädagogische Leistungen unter dem neuen Lockdown-Regime erbracht werden, neu definiert. An die Stelle der persönlichen Treffen sind Methoden wie Wayout TV (ein Bildungskanal für Häftlinge), Broschüren, Telefon- und Videokonsultationen getreten, die es ermöglichen, diese Form der Bildung (außerhalb des etablierten Programms) fortzusetzen. Es wurden jedoch Bedenken geäußert, dass sich diese Methoden möglicherweise nicht positiv auf den Rehabilitationsprozess auswirken. Dies zeigt sich daran, dass die Beteiligung der Gefangenen an den im Rehabilitationsplan festgelegten Aufgaben nur unzureichend dazu führt, dass sie Verantwortung für die Änderung ihrer Lebensentscheidungen übernehmen, um eine erneute Straffälligkeit zu verhindern.

**Schlüsselwörter:** Gefängnis, Häftling, Gefängnisausbildung, Ausbildungsvertrag, Rückfälligkeit

## *Влияние пандемии COVID-19 на тюремное образование*

### *Резюме*

Тюремное образование является одной из наиболее важных стратегий в процессе реабилитации, а также в профилактике рецидивизма. Концепция пенитенциарного образования впервые была введена в Англии в 1823 году. Однако эффективно проводить обучение в тюрьмах, с видимыми результатами для заключенных, было невозможно из-за отсутствия инструментов контроля и политики стандартизации. Начиная с 1980-х годов, ответственность за образование заключенных перешла к местным органам образования. В 1990-х годах были заключены договоры с внешними, неправительственными организациями на предоставление образовательных услуг в тюрьмах, после чего в 2003 году в Англии был заключен новый договор, известный как «Служба обучения и навыков правонарушителей» (OLASS – Offenders' Learning and Skills Service), основной целью которого было обучение математике, английскому языку, а также проведение курсов профессионального обучения. Срок действия OLASS истек 31 марта 2018 года, и на смену ему пришла «Рамочная программа тюремного образования» (PEF – Prison Education Framework). Его реализация была сорвана пандемией, вызванной вирусом SARS-Cov-2. Необходимость изолирования заключенных и предотвращения скопления людей, привели к существенным изменениям в организации обучения заключенных. Обучение в непосредственном контакте с преподавателем было заменено на обучение с использованием образовательных телеканалов, выполнение самостоятельных упражнений, видеоконсультации. Однако эти методы не оказали положительного влияния на процесс социальной реабилитации, о чем свидетельствует недостаточная степень участия заключенных в выполнении заданий, влияющих на повышение их желания изменить свою жизнь, после отбытия тюремного заключения.

**Ключевые слова:** тюрьма, заключенный, тюремное образование, образовательный договор, рецидивизм