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Submission to the Education Committee Inquiry - *Education: Are Prisoners being left behind?*

The Traveller Movement¹

The Traveller Movement (TM) is a national community charity promoting inclusion and community engagement with Gypsy, Roma, Irish and other Traveller (GRT) people. We have particular expertise in tackling local issues and shaping national policies. TM's mission is to develop a platform and voice for GRT people to achieve equality and justice through self-determination and proactive participation in influencing and shaping policy and practice.

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¹ <https://travellermovement.org.uk/>

Introduction

Gypsies, Roma and Travellers tend to have worse experiences in prisons compared to non-Travellers. They are more likely to report feeling unsafe, more likely to report having mental ill health or mental illness and are kept in isolation more frequently than non-Travellers. In terms of relationships with staff and services, they are also more likely to record feeling unsafe and are more likely to have negative interactions and experiences of discrimination from staff.²

Understanding this trend of discrimination and poor outcomes in prisons, their interactions with educational programmes in prison are unlikely to be any different. There are intersecting needs of Gypsy and Traveller prisoners at present that have gone unaddressed in prison educational programmes. These needs include understanding that education levels among Gypsy and Traveller prisoners are also low.

Research by Thames Valley Probation Service found that

- 59% of Traveller offenders in that area had problems with numeracy, compared to 9% of other offenders according to OASys data.
- 65% had problems with reading and writing compared to 14% of other offenders.
- Only 12% of Traveller offenders possessed any such qualifications, compared to 57% that had some form of educational or professional qualification.³

Further, the HMIP annual report found that 53% of Travellers in prison recorded having a disability, compared to 35% of non-Travellers. Something that will need to be addressed for Gypsy and Traveller prisoners to effectively interact with prison education programmes.

A report from the Irish Chaplaincy proposed actions for change which included providing entry-level literacy and numeracy, embedding literacy and numeracy in vocational courses, facilitating Traveller prison forums, appointing a Traveller Prisoner Representative to foster interest in courses and disseminate information, and encouraging Travellers to participate in educational and vocational initiatives more generally.⁴ These should be considered and enacted alongside the broader recommendations found in the enquiry.

Gypsy Roma and Traveller (GRT) ethnic groups

Gypsies and some Traveller ethnicities have been recognised in law as being ethnic groups protected against discrimination by the Equality Act 2010. The term 'Travellers' can incorporate several different groups, and it is common to see the acronym 'GRT' used when referring to Gypsy, Roma or Irish Traveller people. In 2011 Gypsies and Travellers were

²HM Inspectorate for Prisons for England and Wales, Annual report 2019-2020

<https://www.justiceinspectores.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/10/HMI-Prison Annual-Report-and-Accounts-2019-20-WEB.pdf>

³https://www.irishchaplaincy.org.uk/wpcontent/uploads/2017/09/Working_With_Gypsy_and_Traveller_Offenders_Final_15_7_14_x.pdf

⁴ <https://www.irishchaplaincy.org.uk/wp-content/uploads/2019/05/Traveller-Ed-Report-Nov-2015.pdf>

recognised for the first time as distinct ethnic groups in the national census.⁵ Migrant Roma from Central and Eastern Europe are also included in this acronym, and the category 'Roma' will be added to the next census in March 2021.

Migrant Roma are protected both by virtue of their ethnicities and their national identities. It is important to remember that similar to the acronym BAME, (used to refer to Black Asian and Minority Ethnic people), the acronym GRT refers to different ethnic groups and cultures. The background for each of these three ethnic groups should be considered on an individual basis, as people within this defined category will have different experiences of discrimination based on their specific cultural, ethnic and religious background.

Public Sector Equality Duty

Public sector organisations are subject to the requirements of the Public sector Equality Duty to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act 2010;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.⁶

However, the lives of Gypsies, Roma and Travellers are blighted by discrimination and social exclusion. A Traveller Movement report from 2017 showed that 91% of GRT surveyed had experienced discrimination due to their ethnicity.⁷

In 2019 an inquiry by the Women and Equalities Committee found that successive governments had comprehensively failed Gypsy, Roma and Traveller communities.⁸ The committee's inquiry found that Gypsy, Roma and Traveller people have the worst outcomes of any ethnic group across a range of areas, including education, health, and employment. This, along with evidence of systemic discrimination and over-policing are all causal factors that have led to GRT people being overrepresented in the criminal justice system.

Travellers in the Criminal Justice System

The [2017 Lammy review](#) helped bring GRT people into the broader discourse around the disproportionality, treatment, and outcomes BAME experiences of prison and the criminal

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<https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/articles/whatdoesthe2011censusstellusaboutthecharacteristicsofgypsyoririshtravellersinenglandandwales/2014-01-21>

⁶ Public Sector Equality Duty (PSED) Equality Act 2010

⁷The last acceptable form of racism? The pervasive discrimination and prejudice experienced by Gypsy, Roma and Traveller communities A report by The Traveller Movement (September 2017)

<https://travellermovement.org.uk/reports?download=88:sep-2017-the-last-acceptable-form-of-racism-the-pervasive-discrimination-and-prejudice-experienced-by-gypsy-roma-and-traveller-communities>

⁸House of Commons, Women and Equalities Committee, Tackling inequalities faced by Gypsy, Roma and Traveller communities (Seventh Report of Session 2017–19)

<https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/360/360.pdf>

justice system. Although none of the 35 recommendations were aimed at Gypsies, Roma or Travellers, it did highlight that these groups experience some of the worst outcomes.

Due to weak ethnic monitoring across the criminal justice system, it is difficult to know the exact number of Gypsies, Roma and Travellers (GRT) in prison, or on probation. According to Her Majesty's Inspectorate of Prisons' (HMIP) prisoner survey, in 2018/19 5% of men and 6% of women of the prison population in England and Wales identified as Gypsy, Roma or Irish Traveller.⁹

However, levels of self-reporting are low. In prisons, it has only been possible to record ethnicity as "Gypsy or Irish Traveller" since the introduction of the P-NOMIS prison record system in 2011 (which included this as an ethnicity for the first time). Therefore, Travellers in prison prior to 2011 will not have their ethnicity correctly recorded. At the last census only 58,000 people identified as Gypsy or Traveller in England and Wales, representing just 0.1% of the general population, and the smallest ethnic minority in the UK. While this is widely considered to be an undercount, with more estimates being far closer to 0.7-0.8% of the UK population identifying with Gypsy, Roma or Traveller identities, it nonetheless indicates that Gypsies and Travellers are over-represented in the criminal justice system.¹⁰

Further, what data we do have is not without barriers. The recent HMIP Minority Ethnic Prisoners experiences of rehabilitation and release planning report highlighted that GRT prisoners were routinely misidentified, across the system.¹¹ There are several causes for this. Firstly, a lack of confidence in disclosing ethnicity for fear of discrimination from staff or insecurities around what the data is used for. Additionally, preliminary findings from the Zahid Mubarak Trust and the Traveller Movement's [A Record of Our Own](#) campaign shows there is confusion and misunderstanding surrounding the white ethnic category, especially for Roma who are not included in W3 Gypsy/Irish Traveller (Research forthcoming, 2021).

This desperately needs improving. To do so, trust needs to be built around data collection. There needs to be greater education around what, when, and how the data will be used. Further, measures should be taken to ensure that there are protections in place for those that disclose.

Education for Gypsies, Roma and Irish Travellers

Early life experiences and educational attainment play a considerable role in adult life experiences; those who do not attain educational qualifications and those who are excluded from school are more likely to end up in the criminal justice system.¹² Given the

⁹ House of Commons, Women and Equalities Committee, Tackling inequalities faced by Gypsy, Roma and Traveller communities (Seventh Report of Session 2017–19)

<https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/360/360.pdf>

¹⁰ Irish Chaplaincy, Voices Unheard: A Story of Irish Travellers in Prison, (2011)

https://www.irishchaplaincy.org.uk/wp-content/uploads/2017/11/Voices-Unheard-June-2011_SMALL.pdf

¹¹ HM Inspectorate for Prisons, *Minority Ethnic Prisoners experiences of rehabilitation and release planning: A thematic review*, (2020) Section 7. Gypsy, Roma and Traveller prisoners: identification, relationships with key staff and rehabilitative work at <https://www.justiceinspectors.gov.uk/hmiprisoners/inspections/minority-ethnic-prisoners-experiences-of-rehabilitation-and-release-planning/>

¹² http://www.aqeny.org/wp-content/uploads/2019/06/School-to-prison-pipeline-report_final.pdf

overrepresentation of Gypsy, Roma and Traveller people in the Criminal Justice System it is important to understand the educational landscape for these pupils.

Pupils from Gypsy, Roma and Irish Traveller backgrounds had the lowest attainment of all ethnic groups throughout their school years. At Early Years only 36% of Gypsy and Roma pupils achieved a good level of development, and 39% for Traveller of Irish Heritage pupils. At Key Stage 4 the disparity is greater; the Attainment 8 score which is the average points scored for attainment in 8 GCSEs including English and Math's, was only 18.2 points for Gypsy and Roma pupils and 21.9 for Traveller of Irish Heritage pupils compared to the average of 46.5 points. These figures have been taken from the latest government data made available.¹³

Government figures show that year on year, Gypsy and Irish Traveller pupils have the highest rates of school exclusion, permanent and fixed period, among all ethnic groups. In the 2017/18 school year, the highest permanent exclusion rates were among Gypsy and Roma pupils (0.36%, or 36 exclusions per 10,000 pupils) and Traveller of Irish Heritage pupils (0.29%).¹⁴ Whilst the temporary exclusion rates were 17.42%, or 1,742 exclusions per 10,000 pupils for Traveller of Irish Heritage pupils and 16.52%, or 1,652 per 10,000 pupils for Gypsy and Roma pupils.¹⁵ A report by the Children's Commissioner in 2012 highlighted the fact the Gypsy, Roma and Traveller children are four times more likely to be excluded from school than the whole school population.¹⁶

Economic Inactivity

Gypsies and Irish Travellers have the highest percentage of people with no formal qualifications at 60% compared with 23% for the general population, whilst youth unemployment and economic inactivity was the highest of any ethnic group.¹⁷ Only 30% of Gypsy, Roma and Traveller young people are pupils, the lowest proportion for any ethnic group¹⁸. Gypsies and Travellers also have the lowest rate of economic activity, at 47%.¹⁹ The Office for National Statistics states: *'The most common reason for Gypsy or Irish Travellers being economically inactive was looking after the home or family at 27 per cent. This is higher than for all usual residents aged 16 and over in England and Wales at 11 per cent'*.²⁰ Furthermore, Gypsies and Irish Travellers were the ethnic groups with the lowest

¹³ <https://www.ethnicity-facts-figures.service.gov.uk/education-skills-and-training/11-to-16-years-old/gcse-results-attainment-8-for-children-aged-14-to-16-key-stage-4/latest#by-ethnicity>

¹⁴ <https://www.ethnicity-facts-figures.service.gov.uk/education-skills-and-training/absence-and-exclusions/pupil-exclusions/latest>

¹⁵ <https://www.ethnicity-facts-figures.service.gov.uk/education-skills-and-training/absence-and-exclusions/pupil-exclusions/latest>

¹⁶ <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2017/07/They-never-give-up-on-you-final-report.pdf>

¹⁷ <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/articles/whatdoesthe2011censusstellusaboutthecharacteristicsofgypsyoririshtravellersinenglandandwales/2014-01-21#qualifications>

¹⁸ <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/articles/whatdoesthe2011censusstellusaboutthecharacteristicsofgypsyoririshtravellersinenglandandwales/2014-01-21#qualifications>

¹⁹ <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/articles/whatdoesthe2011censusstellusaboutthecharacteristicsofgypsyoririshtravellersinenglandandwales/2014-01-21#qualifications>

²⁰ https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/360/report-files/36005.htm#_idTextAnchor012

proportions who described their general health as good or very good, 70% compared to 81% of the general population.²¹

School to Prison Pipeline

Gypsy, Roma and Traveller youth are more likely to engage with the youth justice system. Evidence from the Traveller Movement found that young Gypsies and Irish Travellers are over-represented in the youth justice estate:

- In the three Secure Training Centre's (STCs) surveyed during 2015-16, (12%) identify as Gypsy, Roma and Traveller (GRT).
- 15% of girls in STCs considered themselves to be GRT, the figure for boys was slightly lower at 12%.
- The percentage of Gypsy, Roma and Traveller children under 16 was 12% and the percentage of those aged 16-18 (13%).²²

Lower attainment rates and higher exclusion rates could go some way in explaining the overrepresentation of Gypsy, Roma and Traveller people in prisons. Especially when considering that 42% of adult prisoners report having been permanently excluded from school.²³ Lower educational attainment rates are also reflected more broadly in the adult prison population with a larger proportion of prisoners being assessed on reception as having Maths and English at Entry Level 1-3 (equivalent to primary school levels of attainment) than Level 1 and 2 combined (GCSE level).²⁴ These statistics strongly indicate that there is a correlation between not attaining at school and being excluded from school, and an increased likelihood of ending up in the criminal justice system. These factors cannot be looked at in isolation.

Inquiry Questions

What is the purpose of education in prisons?

Fundamentally, education is a human right and should not be seen as a privilege within the Criminal Justice System as it is currently.²⁵ There are multiple benefits to placing greater emphasis on good quality education, including a positive impact on mental health, development of key functional skills, reducing the likelihood of reoffending, and increasing prisoners' release prospects.²⁶ Education undertaken should be meaningful and continuable on release so that it forms a valuable part of the resettlement process, especially if offenders are given the support that they need. A factor of imprisonment is that it is meant to prepare individuals to re-enter the workforce and help aid resettlement on release. This should include equipping them with new skills that will be useful when navigating the job market with

²¹<https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/articles/whatdoesthe2011censusustellusaboutthecharacteristicsofgypsyoririshtravellersinenglandandwales/2014-01-21#qualifications>

²²<https://travellermovement.org.uk/phocadownload/userupload/criminal-justice/Overlooked-and-Overrepresented-Gypsy-Traveller-and-Roma-children-in-the-youth-justice-system.pdf>

²³https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf

²⁴https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf

²⁵<https://www.ohchr.org/EN/NewsEvents/Pages/Prisonersrighttoeducation.aspx>

²⁶<https://www.gov.uk/guidance/education-in-prison>

a criminal record, which may make them unsuitable for work in their previous industry – for example, if an advanced DBS is required.

What data exists to demonstrate the effectiveness of education and training in prisons and on prisoner attainment, and what international comparisons are available?

Across the board the standards of education and training in prisons are poor - three fifths of prisoners leaving without having an identified employment, education or training outcome.²⁷ Furthermore, prison education was not identified as being key to the employment rates of offenders after being released whilst prior educational qualifications and attendance was a key factor.²⁸ Inspections by Ofsted showed that far too often, prison education did not meet the expected standard.²⁹ The Unlocking Potential report of 2016 found that under the Offenders' Learning and Skills Service (OLASS) contracts for prison education, only 100 prisoners out of 101,600 participated in a full Level 3 course in 2014/15, with none participating at Level 4 or above.³⁰

Despite this, a large-scale national study reported that there was a 7.5% reduction in one year offending rates for prisoners who partook in education during their sentence.³¹ This was also evidenced by the Prison Education Trust (PET) who found that reoffending rates reduced for prisoners who took part in education compared to prisoners with similar sentences who did not partake in education provided by PET.³² Another study found that the likelihood of obtaining employment post-release was thirteen percent higher for those that participated in education than those who did not participate in education.³³

How well are additional learning needs met by the prison education and youth custody systems, including SEND and language and communication needs?

The percentage of prisoners' self-identifying as having a learning difficulty and/or disability is much higher than the general population at nearly a third.³⁴ This suggests that there could be a culmination of failures that contributes to them ending up in prison. Furthermore, not all prisoners will disclose that they have a learning difficulty and/or disability, and many may have an undiagnosed Special Educational Need or Disability (SEND). However, research has shown that not all needs are being included; in a joint inspection of the treatment of offenders with learning disabilities within the criminal justice system³⁵, it was revealed that they did not include prisoners with a sole assessment of dyslexia as having a learning

²⁷https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf

²⁸https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/296320/impact-of-experience-in-prison-on-employment-status-of-longer-sentenced-prisoners.pdf

²⁹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf

³⁰https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf

³¹ <https://www.gov.uk/government/publications/evaluation-of-prisoner-learning-initial-impacts-and-delivery>

³² <https://www.prisonerseducation.org.uk/wp-content/uploads/2020/07/Assessing-the-economic-benefits-from-improved-employment-outcomes-for-Prisoners%E2%80%99-Education-Trust-beneficiaries.pdf> -

³³ https://www.rand.org/pubs/research_reports/RR266.html

³⁴https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf

³⁵ <https://www.justiceinspectors.gov.uk/cjji/wp-content/uploads/sites/2/2015/03/Learning-Disabilities-phase-two-report.pdf>

difficulty or disability which suggests that the true figure may be much higher. Additionally, including prisoners with a dyslexia diagnosis in research could be crucial to meeting the learning needs of prisoners who have dyslexia.

Does education in prisons deliver the skills needed by employers, and what more can be done to better align these?

To begin, learning needs to be centred around the individual. Depending on the offence we are dealing with, navigating skills needed for employers may not be the best approach - will they gain employment on the outside is a difficult question to guarantee if you are not centering the question around the needs of the individual. For example, if the training was not of their choice, or it is no longer viable for them to work in a certain industry due to their offense they may not be able to give the skills to employers, even though they have them.

Depending on offenses and individual needs (and what the individual actually wants) there have been high success rates in providing individuals the skills to become self-employed in essential services such as plumbing, building, and carpentry.³⁶

How can successful participation in education be incentivised in prisons?

The challenge here is short term sentences and engagement with education. When people are serving longer sentences engagement is very high. Therefore, education as an out-of-court alternative to custody is key. There needs to be service-user-led research to ask what the incentives are for passing qualifications. For example, *if you pass a level 2 qualification, do you still have access to education? Is the education high quality? How many hours of education a week?* These are necessary questions to ask, as there is little incentive for individuals to start a course they know they cannot complete during a short sentence. There need to be options to transfer credits to external education institutions on release so they can continue their courses with continued support.

How might apprenticeships work for those in custody?

Training for GRT individuals may need to start at Entry Level or Level 1 Maths and English so they can then access apprenticeships. There needs to be a removal of the assumption that prisoners have entry-level functional skills qualifications, and these base level qualifications should be offered.

To help apprenticeships serve prisoners there needs to be an assurance that apprenticeship training agencies open to taking on offenders and support should be given to ensure apprenticeships are of good quality. Prisons should have contacts with businesses that are confident in employing people coming from prison to make sure they are not interacting with employers who will not take them on for reasons outside their control, effectively undermining their confidence and ambition for the job market.

Apprenticeships should be given with an understanding of people's financial commitments on the outside. Pay is low and it may not be enough to support dependents making them

³⁶ <https://felonyfriendlyjobs.org/can-sex-offenders-get-jobs/>

functionally not suitable.³⁷ Often, poor financial situations and poverty is why they have ended up in prison in the first place.

Are current resources for prison learning meeting need?

Educational programmes are not reaching enough prisoners. Only around 0.125% of prisoners participated in Level 3 courses which shows a shocking lack of prisoners progressing beyond a secondary school level of education.³⁸ Needs are clearly not being met to support people in obtaining the foundations needed to take on higher levels of education. This statistic also reveals the number of prisoners who may not have the Level 1 or 2 requirements needed for Level 3 or 4 education, showing how current provisions for further education are not engaging with the foundational needs for education in prisons, that are more likely at a functional literacy and maths.

Ensuring literacy and building confidence and passion for education that was perhaps lost through discrimination in school (whether on the grounds of ethnicity or disability) is key for engaging Gypsy, Roma and Traveller prisoners who are more likely than their majority peers to suffer from these barriers and have historical trauma around education.³⁹

What should happen when prison education is assessed as not meeting standards?

The *Unlocking Potential: A review of education in prison* report revealed that Ofsted rated too much of the education provision in prisons as being of a poor standard.⁴⁰ With only two prisons rated as outstanding, nine prisons as good, 27 prisons requiring improvement and seven prisons as inadequate, it is clear that the vast majority of prisons are not providing good quality education.

If prison education is assessed as not meeting standards then there needs to be an intervention to uphold the quality of education to a pre-set standard. These standards should ensure uniformity to allow prisoners to continue educational programmes even if they are moved to another prison or released. There also needs to be an understanding and acknowledgement of individual background to help make accommodations for minorities such as Gypsy and Travellers who may have had poor educational experiences and attainment prior to receiving a custodial sentence.

How does the variability in the prison estate and infrastructure impact on learning?

The quality of learning does often depend on the prison.⁴¹ There should be a standard that is enforced across prisons to offer accountability and guidance, as well as ensuring that education is meeting the needs of prisoners. There are issues around how effective and flexible prison education and training is in dealing with different lengths of sentences and the movement of prisoners across the estate. We have struggled to find data on the support

³⁷ <https://www.gov.uk/become-apprentice/pay-and-conditions>

³⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf

³⁹ https://travellermovement.org.uk/phocadownload/TTM%20Barriers%20in%20education_web.pdf

⁴⁰ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf

⁴¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf

prisoners are given to maintain their studies on release or whether there is a guarantee they will finish the diplomas and qualifications they started if they are doing a short sentence. The national skills forum called for improvements in supporting the continuity in skills provision for prisoners, as they are unreliable.⁴²

How does provision compare in public sector and privately run prisons?

An OLASS report held that with some 10% of prisoners held in private prisons, and with regular movement of offenders between public and private prisons, it is important to ensure a smooth transfer of information between establishments, and a consistent learning service across institutions. A regulatory body should be established to push for provisions to ensure uniformity across prisons, whether public or private.⁴³

Conclusion

Research on the outcomes and quality of education in prisons is urgently required. There is little to refer to when seeking to understand the difference in outcomes between prisoners who have received education and those who have not. The government guidance on prison education says more good quality research is needed to understand the impacts of prison education. Disaggregated, user-based research is key to understanding the experiences of minority groups, such as Gypsy, Roma and Traveller persons. Accounting for GRT voices aids both in understanding how good education in prison can help resettlement, and evaluating the impacts of poor education. Current research in the UK is often not disaggregated so it is hard to provide evidence for the success of different programmes, and understand what provisions worked best for different minority groups and what gaps still remain in prison education for the most marginalised.

For further information, please visit our website

<https://travellermovement.org.uk/>

⁴² National Skills Forum Factsheet

<http://www.skillsandinclusion.org.uk/downloads/Offenders%20&%20ExOffenders.pdf>

⁴³ <https://equalityanddiversity.net/docs/factsheet-education-in-prisons.pdf>