

Vocational education and
training for adult prisoners and
offenders in Australia: Research
readings—Support document

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Vocational education and training for adult prisoners and offenders in Australia

It is an honour and a privilege to launch this very fine collection of research readings into vocational education and training for adult prisoners and offenders in Australia. It is, in addition, an opportunity for me to become at least to some extent familiar with a segment of the criminal justice system about which I know far too little.

I do know that those of us whose occupation it is to be involved in that system face many challenges. One of the most difficult of them is that presented by critics with loud voices, strong opinions, and little expertise.

A moment's thought ought to demonstrate that crime and punishment are extraordinarily complex issues. If there are any pathways through them, those pathways are beset by obstacles and obscurities. But for many commentators, the way is clear. The difficulties can easily be removed by the application of emotion and ignorance which is happily resistant to rationality or logic.

The book produced by Susan Dawe and her 23 fellow authors is a valuable antidote to the irrationality of which I speak. Together, the contributors examine the role of vocational education and training in the rehabilitation of adult prisoners and offenders. They demonstrate how recent changes in these forms of instruction have resulted in considerable and very valuable improvements in what was until recently almost a lost cause.

In Victoria, section 5 of the *Sentencing Act* 1991 limits to six the purposes for which sentences may be imposed. The third of these is “to establish conditions within which it is considered by the Court that the rehabilitation of the offender may be facilitated.”

This is an odd provision. There are many things judges *may* not do. There are also many things judges *cannot* do. One of the latter is to have any real input into the conditions under which convicted persons actually undergo the punishment which the Court imposes. Of course correctional authorities must, as must we all, obey the law. Putting that truism aside, judges cannot and should not tell correctional authorities how to conduct themselves in discharging their professional duties, or with what resources they should equip themselves, or what programs they should run for those in their charge.

All this is well beyond the expertise of the judiciary, although of course such bodies as parole boards acquire relevant skills of their own, and members of the judiciary are heavily involved with such bodies.

The tenuous connection between punishment and rehabilitation places sentencing judges in something of a quandary. Lacking the expertise and the physical and other tools with which to establish conditions for the effective rehabilitation of offenders, we are reduced to taking into account, in attempting to synthesise irreconcilable factors, the assumed prospects for the offender's rehabilitation. But those prospects (to adopt the phrase coined by Winston Churchill) are a riddle wrapped in a mystery inside an enigma. What until recently we knew - and it was all

we knew - was that rehabilitation, if it happened at all, occurred in spite of, rather than because of, the punishment.

Now, however, a real improvement looms. As a result of the work done on *Vocational education and training for adult prisoners and offenders in Australia* the sentencing judge may in the foreseeable future have available hard information about programs with an established capacity to make rehabilitation a realistic prospect.

In short, *Vocational education and training for adult prisoners and offenders in Australia* demonstrates that the old cynicism may, and perhaps even must, be discarded. I am proud that Victoria, alone among the Australian jurisdictions, has enacted legislation that requires our correctional authorities to provide education in prisons. I am delighted that, as Victor Callan and John Gardner demonstrate in their chapter on the role of vocational education and training in Australia, integrated programs which develop employment skills effect a reduction from 32% to 23% in the rate of recidivism. I am equally pleased that (as Susan points out in her introduction) these forms of instruction for offenders are now, for the first time in Australia, being linked to mainstream education. At the same time, and as an important element of the whole, mainstream employment, housing and health services are being linked to correctional services.

The book has many other very important points to make. Not all of them move in the same direction. One would be a little suspicious if they did. For example, Margaret Giles, Anh Tran Le, Maria Allen, Catherine Lees, Ann-Claire Larson and Lyn Dennis, in their chapter on the role of education and training in prison-to-work transitions, found that significantly more prisoners undertaking vocational education and training courses expect better labour market futures than those undertaking non-vocational education courses or prison work alone. On the other hand, as Susan and her co-author Raymond Chavez point out, there is a belief within the adult education movement and in prison education around the world that the priority is to provide students with a broad understanding of the world around them. According to this view, the emphasis for prison education should therefore be on adult literacy and the liberal arts, and not only on vocational education and training. By way of some slight contrast to each of these views, the Canadian experience suggests that reductions in recidivism can be maximised for high risk offenders if they are involved in learning programs which charter factors that are known to be directly related to the reasons for their offending.

I make this point to demonstrate the breadth and depth of the range of this book. It springs out of the desire, held alike by corrective service authorities and the vocational education and training sector, to reduce the rate of recidivism. The importance of achieving that end should be obvious. As at 30 June 2006, there were 25,800 adult prisoners in Australian adult prisons. A further 53,000 offenders, or thereabouts, were serving community corrections orders. Fifty seven percent of prisoners had served a sentence in an adult prison before commencing their current incarceration. In August 2006, Victoria's prison population exceeded 4,000 for the first time, and in April 2007 it stood at over 4,100. Over the last three decades, the number of prisoners housed in Victoria's prisons has grown by 170%; and between 1996 and 2003 it rose by an average of 180 prisoners per year. The total recurrent cost per Victorian prisoner in 2005/2006 was almost \$75,000; that is, over \$200 per day per prisoner. In other jurisdictions, apart from Tasmania, the cost was somewhat less. The total recurrent cost in Victoria in 2005/2006 was \$270 million. This represents a 59% increase since 2000/2001. Of Victorian prisoners released in 2003/2004, 45% returned to corrective services within two years and 37% returned to prison within that time. This is better than the national average, but hardly a reason for complacency.

The reasons for the increase in the prison population have been examined in Victoria by the Sentencing Advisory Council. In a report prepared by Geoff Fisher published in June this year, Victoria's prison population was examined between the years 2001 and 2006. The paper's

conclusion was that the primary factor in the increase in the size of the prison population over those years was the length of time prisoners spent in prison. The report said:

“Clear increasing trends in sentence lengths were evident using a number of measures, both from court and prison data sources. Prisoners increasingly were expected to serve longer periods in custody, and longer sentences of imprisonment were imposed. It logically follows that, particularly because there were few substantial increases in the number of prisoners received into prison, length of stay was a key contributor to the increasing prison population.”

Judges are expected to be both sensitive to public opinion about such things as options for punishment, and at the same time be immune to what is no more than popular clamour. Although the latter is very difficult to ignore, one hopes that longer sentences are imposed for entirely the right reasons. But judges must be aware of the phenomenon known as “penal populism”, the central tool of which is imprisonment, preferably for a longer period than any court has ever before imposed. As the Sentencing Advisory Council said in its paper *“Myths and Misconceptions –Public Opinion v Public Judgment about Sentencing”*:

“Penal populism provides a framework within which to understand increasing imprisonment rates around the world as well as the proliferation of punitive sentencing policies. Justification for policies such as three-strikes legislation, mandatory minimum sentences and sex offender notification laws is found in this framework of penal populism, which describes a punitive public fed up with crime and with the perceived leniency of the criminal justice system.

David Garland (2001) argues that the dominant voice of crime and justice policy is no longer that of the expert but has instead shifted to the public. He claims that we are in the midst of a ‘punitive turn’, which is responsible for promoting:

‘Harsher sentencing and increased use of imprisonment, ‘three strikes’, and mandatory minimum sentencing laws; ‘truth in sentencing’ and parole release restrictions; ‘no frills’ prison laws and ‘austere prisons’; retribution in juvenile courts and the imprisonment of children; the revival of chain gangs and corporal punishment; boot camps and supermax prisons; the multiplication of capital offences and executions; community notification laws and paedophile registers; zero tolerance policies and Anti-Social Behaviour Orders. There is now a long list of measures that appear to signify a punitive turn in contemporary penalty’ (Garland, 2001, p.142: cited in Matthews, 2005, p.176).”

It is this kind of trend that, as it seems to me, *Vocational education and training for adult prisoners and offenders in Australia* seeks not only to address, but to do so with reasoned argument based on thorough research. Part 1 examines what the research says. Part 2 is concerned with improving vocational and educational training for adult prisoners and offenders. And the results are clear. In her introduction, Susan describes the key findings. I summarise those that, as I read the impressive contributions to this fine work, seem to me to have particular significance for the operation of a humane and successful correctional system: they are, that education and employment assistance programs, supported by federal and State governments and properly integrated both with their counterpart programs in the general community and with appropriate health, housing and social structures, will have a significantly beneficial impact on recidivism - and therefore both on offenders and on the society of which they are necessarily a part.

I have great pleasure in launching *Vocational education and training for adult prisoners and offenders in Australia*. In doing so, I wish it the considerable success it deserves in improving correctional services in this country.