EUROPEAN PRISON EDUCATION ASSOCIATION
Steering Committee

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European Committee on Crime Problems (CDPC) - Recommendation CM/Rec(2026)5 of the Committee of Ministers to member States on Education in Prison - Explanatory Memorandum

Introduction

In 1989, the Council of Europe adopted Recommendation No. Rec(89)12 of the Committee of Ministers to member States on education in prison. This forward looking and educationally grounded Recommendation coupled with its Explanatory Memorandum set the benchmark for the development and provision of quality education in European prisons. Since then, growing prison populations and shifting policy priorities, together with advances in digital learning and educational research, have necessitated a fundamental review of the original Recommendation. The Council for Penological Co-operation (PC-CP) in accordance with its mandate for 2024-2027 was entrusted by the Committee of Ministers (CM) with the review. The work started during the second half of 2023 and the Recommendation was adopted by the Committee of Ministers on April, 8th, 2026. The European Organisation of Prison and Correctional Services (Europris) and the Confederation of European Probation (CEP), as well as representatives of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) Secretariat and of the Registry of the European Court of Human Rights, also took part in the work. The scientific experts tasked with guiding the PC-CP were Dr Anne Costelloe, Former Head Teacher, Mountjoy Prison, (Ireland); James King, Former Head of Education, Arts and Libraries, Scottish Prison Service, (United Kingdom) and Harvey Slade, Consultant Drafting Expert, (United Kingdom). The PC-CP Working Group members were Carla Ciavarella (Italy), Frédéric Hankus (France), Dominik Lehner (Switzerland), Maria Lindström (Sweden), Jorge Monteiro (Portugal), Danijela Mrhar Prelić (Slovenia), Laura Negredo López (Spain), Paulina Tallroth (Finland), Kim Thornden-Edwards (United Kingdom) and the PC-CP Secretaries were Ilina Taneva and Louise Riondel.

Throughout the drafting of the Recommendation and its Explanatory Memorandum, extensive efforts were made to garner feedback and commentary. Drafts were disseminated to policy makers, researchers, prison educators, current and former prisoners. In addition, the lead authors delivered presentations at numerous events, including the European Prison Education Association (EPEA) Redrafting the Council of Europe Recommendation on Education in Prison webinar; the Electronic Platform for Adult Learning in Europe (EPALE) Theme Week on Prison Education webinar, Education in Prison seminar, National University of Ireland Maynooth, and ICPA International Correctional Research Symposium. The contributions of the following individuals were particularly significant: Dr. Kevin Warner, National Co-ordinator of Prison Education in Ireland (1979-2009) and Chair of the select Committee responsible for Recommendation

No. Rec(89)12; Alan Smith, Former Coordinator of the EU programme for Adult Learning; and Dr Cormac Behan, National University of Ireland Maynooth and author of Education in prison: a literature review (2021, UNESCO). The experts and Working Group express their appreciation to all those who provided input.

While it was deemed necessary to update the 1989 Recommendation, it must be acknowledged that the underlying standards and values inherent to the original remain relevant and valid, in particular its principles of inclusion, diversity, and equality. Building on these values the revised Recommendation is embedded in the principles of respect for human rights, the transformative power of education, and a commitment to the rehabilitative aspects of imprisonment. In revising the Recommendation, several factors currently influencing the provision of education in prisons were taken into consideration. Some of the more notable factors include increasingly lengthy or restrictive prison sentences; the continuous evolution of digital learning and artificial intelligence; a growing population of foreign prisoners needing language support; and increasing numbers of prisoners who are neurodiverse or have experienced trauma, adverse childhood experiences, or mental health challenges.

In light of these considerations, this Recommendation and its accompanying Explanatory Memorandum provide a thorough and measured framework of standards which member States should adopt to ensure the quality and efficacy of the education provided in their prisons. The Recommendation is grounded in international human rights standards, pertinent case law from the European Court of Human Rights, and findings from the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment; and pays special attention to the importance of adult education practices and principles in delivering a meaningful and up to date prison education service. While the primary objective is to safeguard human rights, it aims also to ensure that prisoners have access to educational opportunities that foster their development as responsible citizens. Such educational opportunities will enhance the capacity of prisoners to meet their own needs and those of their family's whist recognising and valuing the needs of others. This will in turn contribute to the creation of a safer society in which all can thrive.

While the Recommendation is concerned with the provision of both education and training in prison, it is crucial to distinguish between the two. Training is learning how to do something and is focused on employability, education, on the other hand, is concerned with understanding, and with the values generated from that understanding. Education is measured by 'what you know' and your capacity to use and analyse that information while training is usually measured by 'what you can do'. This distinction is important since much of what is deemed education in prisons is training, for example bicycle repair and maintenance, or work-training, for example working in the prison kitchen or laundry, and not education in its true sense. Thus, member States should be aware of the distinction between education and training in prison; appreciate that they are not interchangeable, and ensure that they are providing prisoners with the opportunity to avail of both. Caution must be exercised also when measuring the effectiveness of investments in education and training in prison. Member States should acknowledge that complex educational outcomes sometimes fall beyond the scope of simple economic analysis. Consequently, when assessing the efficiency of prison education and training, cognisance must be taken of the

many 'hidden benefits', notably, increases in prisoners' capacity to contribute positively to their families and society as a whole.

Nonetheless, research to date has indicated the cost-effectiveness of education and training in prison[1], with a recent finding suggesting that the benefits outweigh the costs by a ratio of approximately 5:1.[2] Further research indicates that who had participated in education in prison were significantly less likely to reoffend within 12 months of release than those who had not by 7.5% points;[3] with research conducted in the US finding that prisoners who participated in education were 32% less likely to reoffend than those that had not.[4] Even before release, the development of "more responsible, mature individuals who have a calming influence on other prisoners and on prison officers"[5] is a hidden benefit that has the potential to create safer prison for all.[6] To ensure that the wide range of benefits of prison education are realised, prison staff, as well as other relevant stakeholders, should actively encourage prisoners to access educational opportunities.

The Explanatory Memorandum is laid out in a manner consistent with the Recommendation, with each section elaborating on the implementation and rationale behind the associated Rule. It is important to recognise that although Rules 1 to 7 are referred to as basic principles and establish a foundation for the subsequent rules, they should not be interpreted as superseding other rules. Instead, they play a crucial role in guiding the interpretation and implementation of the rules in their entirety. Nonetheless, certain principles and values underpin the Recommendation as a whole. These underscore the emphasis that all prisoners should have access to education; that education should be valued equally with other prison activities; and that a broad and varied curriculum is required. The focus on the practices and principles of adult education serves to motive reluctant prisoners and allows them to recognise how reengagement with education can transform their lives by widening their life chances and their life choices. Furthermore, it emphasises that the objectives of education to enhance the employability of prisoners must always be linked with the broader purposes of education, such as personal growth and transformation, social cohesion, the exercise of active citizenship as well as the pursuit of academic and technical qualifications. Additionally, the basic principles establish a framework that underscores the responsibility of public authorities to promote and ensure quality provision, regardless of the authority or entity delivering the provision.

A note on terminology:

- Rule 1 remains unchanged from the opening text of Rule 1 as originally adopted in 1989. It thus retains the usage of 'shall' rather than 'should' which is now the default terminology in the drafting of Council of Europe Recommendations; and which is applied to subsequent Rules in the revised 2025 Recommendation. The retention of "shall" was deemed important as the iconic statement that 'all prisoners shall have access to education" remains the bedrock of the Recommendation and has been referenced by the European Court of Human Rights and repeated internationally over the last 35 years. Therefore, as this central principle is unchanged, the text should also remain unchanged, as altering the Rule by replacing "shall" with "should" could be misinterpreted as weakening or downgrading this key standard.
- This approach was applied also to Rule 25, which is unchanged from the original 1989 text in stating that "Prisoners should have direct access to a well-stocked library at least once a week", and is consistent also with the approach of the 1989 Recommendation

which used "should" for all Rules except 1 and 3 - the latter of which has been amended in this revision.

- The term “prisoner” is used throughout the Recommendation as it refers specifically to those held in prison, including those held on remand, and is consistent with Recommendation Rec(2006)2-rev on the European Prison Rules. However, it is acknowledged that labelling individuals as prisoners or former prisoners limits their identity, ignores their full humanity, and may contribute to stigmatisation and marginalisation instead of facilitating their reintegration into society. Additionally, it can conflict with their identity as an adult learner while enrolled in education in prison.
- For clarity and convenience of translation, the term "curriculum" has been used throughout the Recommendation. Nonetheless, it is important to acknowledge that the term ‘learning opportunity’ is favoured in the field of adult education, as it emphasises a more learner-centred approach and encompasses formal, informal and non-formal learning experience.
- Efforts were made during the drafting of the text to the greatest possible extent to ensure it was accessible to prisoners in terms of the language used.

RULES

BASIC PRINCIPLES

1. All prisoners shall have access to education.

The central principle of this Rule is that access to education should be provided to all prisoners. The right to education has been firmly established in a variety of European and international human rights instruments, including Article 2 of Protocol No. 1 to the European Convention on Human Rights (ECHR).[7] The European Court of Human Rights (ECtHR) has been clear that prisoners do not lose this right by virtue of their imprisonment, and any restrictions to the right must be justified.[8] The European Social Charter also establishes that all persons have a right to appropriate facilities for vocational training, and that member States should encourage “full utilisation” of these facilities.[9]

The ECtHR has repeatedly recognised the importance of education in its case law within a prison context. The ECtHR has said that “in a democratic society, the right to education, which is indispensable to the furtherance of human rights, plays…a fundamental role”.[10] It has acknowledged that education is a type of public service that “not only directly benefits those using it but also serves broader societal functions”.[11] Similarly, the Council of Europe's Committee for the Prevention of Torture (CPT) has also recognised the value of education as not only preserving prisoners' “dignity” but also ensuring a regime of meaningful activities while facilitating a dynamic security approach[12] and preparing them for release.[13] While Article 2 of Protocol No. 1 ECHR does not directly oblige member States to “provide education in prison in all circumstances, where such a possibility is available it should not be subject to arbitrary and unreasonable restrictions”.[14] In practice this means that an “inherent part” of prisoners' right to education under Article 2 of Protocol No. 1 is access to educational programmes or opportunities that are in existence within the prison at that particular time.[15] The ECtHR has acknowledged in its case law that both the 1989 version of the current Recommendation and the European Prison Rules go further

than this, by recommending that “educational facilities” should be made available to all prisoners. In keeping with both of these Recommendations of the Committee of Ministers, this Rule similarly requires that educational facilities be made available to all prisoners. Additionally, Priority 3 in the Annex to the European Union’s “European Agenda for Adult Learning” sets out “Priority areas” for adult learning policies in member States which includes addressing the learning needs of people in specific situations of exclusion from learning, including prisons.[16]

The principle that education in prison is "an imperative in its own right"[17] is reinforced by a number of international instruments that specifically address the right to education in prison including the European Prison Rules and the United Nations Standard Minimum Rules for the Treatment of Prisoners (‘Nelson Mandela Rules’). Additionally, the right to education is increasingly acknowledged as encompassing education, training, and lifelong learning, with adult learning and education being recognised as a fundamental component of this right.[18]

2. *Education in prison should include a broad and balanced curriculum commensurate in level, breadth, quality, and qualifications to the education provided for adult learners in the community.*

The central principle of this Rule is that a wide ranging and comprehensive set of learning opportunities is necessary to meet the diverse educational needs and aspirations of adult prisoners. The Rule should be read alongside Rule 28.1 of the European Prison Rules, which requires not just that prisons seek to provide access to educational programmes, but that these are “as comprehensive as possible” and meet prisoners’ “individual needs while taking into account their aspirations”. Access to a broad and balanced curriculum should not be dependent on the prison in which a prisoner is detained; it should be available in all prisons. For sentenced prisoners, this Rule should be read in combination with Rule 106.3 of the European Prison Rules, meaning that a broad and balanced curriculum should be tailored to the projected length of their stay in prison.

To establish a comprehensive prison curriculum, efforts should be made to benchmark it against international standards including the European Union’s Recommendation on Key Competences for Lifelong Learning.[19] This Recommendation identifies eight core competencies required for personal fulfilment and growth, active citizenship, social inclusion, and employability. Each of which apply equally to prisoners. The key competencies are: 1) Literacy competence, 2) Multilingual competence, 3) Mathematical competence and competence in science, technology and engineering, 4) Digital competence, 5) Personal, social and learning to learn competence, 6) Citizenship competence, 7) Entrepreneurship competence, and 8) Cultural awareness and expression competence. Developing these core competencies will not only address the unmet educational and personal development needs of prisoners but can help break the cycle of reoffending by equipping them with the skills, competencies and qualifications to live better while in prison and after release.

3. *Education in prison should be grounded in the principles and practices of adult education and should be as close as possible to all aspects of adult education provision in the community.*

The central principle of this Rule is that the education provided in prison should mirror the optimal qualities of education provided to adults in the community. It is linked to Rule 5 of the European Prison Rules, which sets out that life in prison shall approximate as closely as possible the positive aspects of life in the community. The present Rule emphasises that, when interpreting Rule 5 of the European Prison Rules for the purposes of delivering education to adults in prison, prison authorities should compare against adult education provision in the community. The education of adults is different from the education of children and, as this Recommendation relates to adult prisoners, it follows that the learning opportunities with which they are provided should be based on the principles of adult education.

To guarantee that prisoners receive learning opportunities equivalent to those available to adults in the community, it is crucial that provision does not replicate a traditional school-based curriculum, and that teaching methods and materials are tailored to the needs of adult learners. Research has indicated that, unlike children, adults are self-directed and experiential learners[20] who need autonomy to direct their own learning and who draw on life experiences to make learning meaningful. Adults are thus motivated to learn when the learning is relevant to their current situation or personal life; and problem-solving and real-world learning are key motivating factors. Therefore, adopting a flexible and tailored approach by customising teaching methods, materials and assessment to meet the individual's needs and preferences is recommended for prisoners. While implementing a flexible and learner-centred approach can be restricted within some prison environments, the adoption of Differentiation and Universal Design for Learning approaches[21] will help to provide wide-ranging activities, methodologies and assessment practices that enhance engagement and facilitate more effective learning experiences for a diverse range of prisoners.

To further mirror the optimal provision available in the community, and to provide a relaxed and welcoming atmosphere for learning, purpose-built education centres with up-to-date facilities and resources similar to those in the community should be the norm rather than the repurposing of older buildings built for different purposes. Similarly, for prison provision to truly reflect the standards and norms available in the community, digital learning (such as blended, online, distance and hybrid) and resources (information technology infrastructure and equipment) should be available to prisoners to address the digital divide experienced on entering prison as outlined in Rule 19. Rules 24 to 27 elaborate further on the importance of aligning education inside and outside the prison setting.

4. *Sentence planning should address each individual's educational needs and strengths while taking into account their interests and aspirations.*

The central principle of this Rule is that sentence plans should account for access to education and be individualised to ensure relevant programmes are considered. This can be facilitated through a personalised individual learning plan either directly part of, or linked to, the overarching sentence plan. This should be developed in consultation with each prisoner at the start of their sentence; and reviewed and updated regularly until their release. This Rule should be read alongside Rule 28.1 of the European Prison Rules, which

requires that educational programmes offered to prisoners are "as comprehensive as possible and which meet their individual needs while taking into account their aspirations". It should also be read alongside Rule 103 of the European Prison Rules, which calls for prisoners to be involved in the development of their own sentence plans, and for these to include consideration of work, education, other activities, and preparation for release.

As a collaboratively drafted document which prisoners are actively involved in developing, an individual learning plan enables prisoners to take responsibility for their learning, provides clarity over their goals, and makes the overall learning experience seem more achievable. All of these factors are crucial for maintaining motivation and fostering self-directed learning. Individual learning plans not only facilitate the delivery of tailored and flexible education but inform prisoners of the options available to them and can be used to track and measure educational attainment and progression throughout the sentence.

Each individual learning plan should specify the prisoner's educational, personal and employment goals and aspirations while in prison and after release. The individual learning plan should include details of prior learning and qualifications and any requirements for additional learning support. It should highlight the prisoner's existing strengths as a starting point on which to build; and long-term goals should be broken into manageable learning objectives that can be readily achieved. Individual learning plans should be in a consistent format and readily accessible if the prisoner is transferred. Developing a standardized digital template may be useful in this regard. For sentenced prisoners, as well as supporting their goals and aspirations individual learning plans should be tailored to the prisoner's projected length of stay in prison, in line with Rule 106.3 of the European Prison Rules. Equally, up to date and practical educational and career guidance should be provided to enable prisoners to build on skills and qualifications achieved.

5. The education of prisoners is a public responsibility irrespective of the provider of education in prison.

The central principle of this Rule is that, regardless of how prison education and training is organised, public authorities remain responsible for ensuring it is provided, and that effective national, regional and local coordination is in place that links policy, provision and legal frameworks.

This Rule addresses the reality that the organisation and provision of education in prison varies between member States. In some member States, education authorities bear direct responsibility for the content, organisation and funding, and mainstream education legislation applies equally to prisoners, while in others, responsibility and funding lies with the prison and probation service and provision is regulated in both prison and educational legalisation. In other member States, the provision is contracted out to local education providers although the prison and probation service retains overall and financial responsibility. Alternatively, some member States draw on a combination of the above. Whether responsibility rests with those who normally deal with mainstream education, or between the prison and probation services and educational authorities, education remains a public responsibility and member States should direct cross-sectoral oversight to ensure policy and strategy objectives are evidence-based and grounded in up-to-date research and data. Additionally, provision, preferably and where appropriate, and in line with the principle of subsidiarity, should rely on continuous and regular funding rather than once off or intermittent subsidies.

6. *Education should be offered as soon as possible after admission to prison and be available throughout detention.*

The central principle of this Rule is that prison authorities should facilitate early access to education and training, and access should continue to be available until release. This will make it possible for prisoners to access meaningful progression routes and educational pathways throughout their time in prison. The Rule applies equally to both sentenced prisoners and those remanded in custody.

For those enrolled in education before coming to prison, the continuation of their studies should be facilitated in a way that minimises disruptions and delays as much as possible. In a similar vein, when planning a prisoner's relocation within a prison or transfer to another prison, careful consideration must be given to the detrimental effects this may pose to the continuation of his or her educational journey (see also Rule 10). Additionally, prison authorities should develop measures and collaborate with relevant stakeholders to ensure a seamless transition into educational programmes following release, as elaborated upon further in Rule 9.

7. *Education certificates and qualifications acquired by prisoners should not specify that they were delivered in a prison.*

The central principle of this Rule is that qualifications obtained while in prison should hold the same value as those offered in the community. To ensure that this is the case, certificates and qualifications should not indicate that they were awarded within a prison setting.

Providing qualifications with credible currency and recognised value in the labour market and society is crucial for motivating prisoners and guarantees the quality of the teaching and learning. Accordingly, accreditation gained in prison should not only align with national qualifications frameworks but with relevant international frameworks such as the European Union's European Qualifications Framework, European Credit System for Vocational Education and Training, and the European Quality Assurance Reference Framework for Vocational Education and Training.[22]Furthermore, it is essential to provide a genuine opportunity for prisoners to progress and raise their level of qualifications throughout their sentences. This will facilitate improved credit transfer across programmes while in prison and enhance the transferability of qualifications after release. As the European Qualifications Framework is designed to help learners and employers to recognise and compare qualification levels across EU member States it may be of particular relevance to EU citizens imprisoned in other EU member States.

The European Qualifications Framework meta framework may be useful for prisoners who have acquired skills and competencies that are not recognised by formal qualifications and efforts should be made to implement some form of validation of informal and non-formal learning where possible. It should also be recognised that education which extends beyond the limited scope of accreditation or employability also provides substantial personal growth and therapeutic advantages. Thus, learning opportunities for prisoners who may not want or require accreditation but are keen to bolster their learning should also be promoted and facilitated. Such opportunities can serve as a substantial motivating factor for the reluctant prisoner and helps fulfil the responsibility to provide access for all prisoners.

8. Education should have no less a status than work and other activities within the prison regime and prisoners should not lose out financially or otherwise by taking part in education.

The central principle of this Rule is that education should be treated equally to work or other regime activities. The Rule echoes and reinforces Rule 28.4 of the European Prison Rules, which sets out the same principle. It augments Rule 25.1 of the European Prison Rules, which calls for prison regimes to "offer a balanced programme of activities".

It is crucial that prisoners do not lose out financially or otherwise by taking part in education, either on a full-time or part-time basis, as they will not be motivated to participate if they are disadvantaged in any way by doing so. It follows that education should have the same remuneration range as work, and the focus for prison authorities should be on evaluating the relative usefulness of education and work for the prisoner. Prison authorities should also ensure that similar practical support arrangements are in place to ensure that education remains fully accessible.

Further consideration should be given to what incentives, including financial, could encourage prisoners to engage with education (as outlined under Rule 13). Moreover, prison authorities should officially recognise and promote education as a legitimate regime activity on par with, and equally valid, as work. Equal opportunities for work and education should be available during normal working hours to ensure education is not sidelined as an evening or leisure activity or seen simply as "a utilitarian add-on should resources allow it".[23]

ACCESS TO EDUCATION

The central principle of Rules 9 and 10 is that access to education should be provided to prisoners without discrimination. While several categories of potential discrimination are listed in Rules 9 and 10, these should not be seen as an exhaustive list. As all prisoners should be provided with access to education, it follows that insufficient resources should not serve as a rationale to permit prison conditions to deteriorate to a level where access to education is unattainable or severely curtailed.

The ECtHR has found that any limitations to the right to education in a prison context must be foreseeable for those concerned, pursue a legitimate aim, and be proportionate to that aim.[24] There is no exhaustive list of legitimate aims, but these may include preventing disorder and crime, and ensuring safety, security and good order.[25] When considering whether restrictions are proportionate, member States should bear in mind the wide array of benefits that education can provide to prisoners, as explained throughout this Explanatory Memorandum. In particular, as outlined under Rule 1, the CPT has recognised the value of education in preserving prisoners' dignity, while the ECtHR has recognised that education not only benefits those taking part but also has wider benefits to society. In its reports, the CPT has also linked the lack of access to out-of-cell opportunities including education as negatively impacting day-to-day lives of prisoners and, alongside other compounding factors related to prison overcrowding, increasing the risk of inhuman and degrading treatment.[26]

9. *Access to education should be provided to all prisoners regardless of ethnic origin, nationality, gender, age, disability, sexual orientation, language, religion, political or other opinion, economic, social or other status or physical or mental condition.*

Ensuring that all prisoners have equal access to education, irrespective of age, ethnicity, political beliefs, and other such factors, not only adheres to relevant legal standards but serves to exemplify, model and foster the values of inclusivity, diversity, and equality. While this rule should be applied impartially, without discrimination on any ground, it does not mean that it must be applied uniformly and without due regard to the specific educational needs of particular groups of prisoners as per Rule 23. For example, individuals from minority ethnic backgrounds, such as Travellers, Roma or Sámi, encounter a range of unique educational challenges due to their significantly lower participation, retention, and completion rates in all levels of mainstream education. Therefore, they require targeted and culturally sensitive educational support when availing of education in prison. Similarly, women prisoners can have different educational needs compared to men, as they too face particular challenges such as lower levels of prior education, shorter sentences, and specific trauma-related issues.[27] The CPT has been clear that women should enjoy equal access to education as men and has stated that denying equal access could qualify in some circumstances as degrading treatment.[28]

In light of this, efforts should be directed to ensuring equity of access to meaningful and relevant learning opportunities that is sensitive to and values all types of prisoners.

10. *Access to education should be provided to all prisoners regardless of length of sentence, remand status, security regime, or individual categorisation.*

Considerations such as remand status, sentence duration, security issues or restricted regimes should not serve as de facto obstacles to the practical realisation of the right to access education. The removal or reduction of access to education should not be used as a punishment or disciplinary sanction. Additionally, it is essential that operational constraints, such as inter-prison transfers (see also Rule 6), staff redeployment or shortages, or limited out-of-cell time, do not adversely affect a prisoner's right to access education and training.

As acknowledged by the CPT, providing a regime of activities, including education, in remand prisons, where there is likely to be a high turnover of prisoners, poses specific challenges. However, the CPT has underlined that it is not acceptable to detain remand prisoners in their cells for up to 23 hours per day and "to leave them to their own devices for months or even years on end".[29] Consequently, the CPT has called for more out-of-cell educational opportunities to be provided to remand prisoners, as part of a comprehensive and purposeful regime of activities, which should become "more varied" in nature as the duration of imprisonment increases.[30] The ECtHR has similarly found that the uncertain length of pre-trial detention, and seeking to avoid mixing convicted and remand prisoners, are not appropriate justifications for denying remand prisoners access to existing educational programmes under Article 2 of Protocol No. 1 ECHR.[31]

Access to education can be of particular value to life-sentenced prisoners. The CPT has recognised this value, stating that educational activities are "crucial in promoting social and mental health well-being and imparting transferable skills that will be useful during and after the custodial part of the sentence".[32] The CPT has also emphasised the value of

maintaining access to education for individuals in high security units; stating that education can have an important role in countering the "deleterious effects" of high security units.[33] While facilitating access to education to those in high security units may come with additional challenges, these do not alter the overarching duty for administrations to ensure that all prisoners have access to education, as outlined in Rule 1. This is also consistent with Rule 53A of the European Prison Rules, which requires that prisoners who are separated from others as a special high security or safety measure "shall be offered at least two hours of meaningful human contact a day". As outlined in the Commentary to the European Prison Rules, adopting the position outlined in the Essex Paper and also supported by the CPT, meaningful human contact "requires the human contact to be face-to-face and direct (without physical barriers) and more than fleeting or incidental, enabling empathetic interpersonal communication".[34] Access to education can continue to form part of this meaningful human contact for prisoners in high security regimes or who are separated from other prisoners. Thus, as outlined above, prison administrations should allocate sufficient resources and staff to ensure that access to education for all prisoners, including those under restricted regimes,[35] is not compromised due to understaffing, security concerns or regime restrictions. And as far as possible this should be in association with other prisoners.

Although there exists a strong history of distance learning within prisons, and some countries have implemented strategies to provide secure online learning, it must be recognised that remote and virtual interactions cannot replace human interactions in education. Where technology is used to deliver education to high security prisoners, those on restricted regimes or foreign prisoners, is should be provided in a targeted way, ideally in a classroom setting, using appropriate software with teachers sufficiently trained in digital skills.

RESPONSIBILITY FOR EDUCATION

11. Public authorities are responsible for developing, implementing and resourcing policies and practices that aim to ensure quality education in prison.

The central principle of this Rule is that public authorities must take a broad range of meaningful steps to ensure that the education provided in prison is of a high quality. It supports Rule 5, which establishes that irrespective of the provider of education in prison, public authorities retain overall responsibility, as well as Rule 2 which outlines the broad curriculum of education in prison that should be the overall aim. To ensure compliance with this rule, member States should monitor the quality of provision and practice as addressed further under Rule 28.

The provision of comprehensive, meaningful and high-quality education and training in prison can support criminal justice aims as well as forming an integral part of a country's overall system of adult education provision. Therefore, responsible bodies should develop, implement and resource policies and practices that ensure educational provision adequately and efficiently addresses the educational and personal development needs of the prisoners and equips them for employment or further learning opportunities after release. Achieving this requires strong coordination and co-operation among education providers, prison authorities, and relevant public bodies.

One of the crucial policies and practices that is necessary to ensure quality education in prison is providing the initial and further training of teachers and trainers capable of

delivering high quality education and training in the prison context. Another example may be that any plans for the construction of new prisons or the refurbishment of the existing establishments should take into account the need for adequate premises to provide education, vocational training and out-of-cell activities, including classrooms, activity rooms, workshops and libraries. Taking such steps will also support the implementation of Rule 3, which seeks to ensure provision is in line with optimal provision in the community.

12. *Public authorities are responsible for developing measures and for supporting relevant stakeholders to facilitate post-release learning.*

The central principle of this Rule is that public authorities have a role to play in supporting prisoners to continue with, or indeed commence, education on release. This Rule is within the spirit of Rule 28.7 of the European Prison Rules, which calls for prison education to be integrated with wider educational and vocational training systems "so that after their release [prisoners]... may continue their education and vocational training without difficulty".

Providing a variety of progression routes in prison that merge seamlessly with external provision is key to supporting the transition from prison to formal education on release and support more general reintegration into society. Developing collaborative partnerships with further and third level education institutions to integrate prison provision with college provision, or to at least facilitate smooth credit transfer, is a positive start in this area (See Rule 16). Relevant authorities should look to develop and align pre and post release 'prisoner-specific' support hubs that provide information on disclosing criminal convictions, funding opportunities and more general student support measures.

As it is well-evidenced that people who have been imprisoned are under-represented in higher education[36], efforts should also be made to dismantle the real and perceived barriers that prevent former prisoners from continuing their studies after release. Accordingly, national policy should target former prisoners as a priority group for widening access and participation in further and higher education. Educational institutions should review admissions policies related to convicted persons as they have been found to deter prospective prison students. Instead, greater co-operation with prison authorities regarding assessment of risk will prevent disproportionate duplication of the same. Furthermore, such consultation with prison authorities is essential to ensure the safeguarding and management of any post-release licence conditions.

13. *Every effort should be made to encourage prisoners to participate actively in a range of educational opportunities.*

The central principle of this Rule is that prisoners will benefit from a variety of different educational opportunities to different degrees, and should therefore be encouraged to access a broad range of opportunities. This Rule complements Rule 106.2 of the European Prison Rules, which states that "all sentenced prisoners shall be encouraged to take part in educational and training programmes". However, Rule 13 goes further and applies to remand prisoners, too.

It is essential that prison management and staff understand the benefits to be had from prisoners' engagement with education. Without this understanding, they will fail to endorse education or encourage participation. To support this, prison authorities should bear in mind that encouraging wider uptake in education will lead to wider benefits for prisons and

prison administrations as a whole. Studies have shown that prisoners being engaged in education can impact positively on the overall culture within a prison and play a significant role in fostering effective dynamic security.[37] Staff induction and in-service training should therefore explore the multiple benefits of prison education, not just for prisoners, but for prison regimes, prison staff, and wider society. This will help foster a prison-wide culture and attitude that regards education as the norm, and which supports and promotes it as a legitimate and worthwhile activity on par with work and other activities. Nurturing a pro-education culture among prison staff and other agencies will greatly enhance prisoner, and indeed staff, participation in education.

It is also important to recognise that prisoners themselves are a significant and potentially impactful resource for motivating their peers. Cultivating 'education ambassadors' from within the student body, who are respected and trusted figures in their prison community, is a powerful means of encouraging and supporting reluctant learners. Undoubtedly, such role models exemplify a positive representation of the value of education for prisoners and staff alike.

Factors impeding participation have been classified into four main categories: firstly, institutional barriers, which may include restricted access to classes or the Internet; secondly, informational barriers, characterised by a lack of awareness or knowledge regarding available opportunities; thirdly, situational barriers, which encompass uncertainties about the programme's effectiveness or relevance; and fourthly, dispositional barriers, often stemming from previous negative educational experiences.[38]

Addressing institutional barriers requires a comprehensive approach that goes beyond mere access. It entails the development of innovative solutions and the provision of practical support, such as facilitating individuals with pre-existing employment skills to maintain and augment those skills, or enabling those in full-time education prior to imprisonment to complete their credits or finish their courses. To effectively overcome informational barriers, it is essential to engage prisoners in the process of creating individual learning plans)[39] that integrate seamlessly with their overall sentence management plan (see Rule 4).

Situational barriers can be overcome by developing policy and practice that takes into account prisoners' beliefs and cultures thereby offering courses and certificates that prisoners find relevant and useful. Furthermore, it involves the promotion of non-traditional forms of teaching and learning along with alternative methods of assessment and accreditation. Importantly, this will also go a long way towards addressing dispositional barriers by providing prisoners with the assurance that the education received in prison is tailored for adults and markedly different from that of their formative years.

PROVISION OF EDUCATION

This section deals with the provision of education and outlines what should be available to prisoners in order to ensure that educational programmes are broad and balanced in line with Rule 2.

Rules 14 to 16 deal with the levels of education which should be available to prisoners: secondary, vocational and higher education. In each case the central principle is spelled out in the Rule itself.

Rules 17 to 22 specify the additional subject areas[40] that should constitute the core components of education provision. The central principle of Rules 17 to 22 is to support the development of a broad and balanced curriculum that addresses the social, physical and cultural needs of prisoners. Further detail on each component, including the benefits and examples of how these could be applied in practice, is discussed under each rule, below.

14. Prisoners should have access to secondary education in order to attain the relevant national certificate.

The central principle of this Rule is that prisoners who may have left compulsory education early, or who are otherwise entitled to it, should be facilitated to attain secondary education qualifications or equivalent if they so wish. The European Court of Human Rights has been clear that the right to education applies to primary, secondary and higher levels of education.[41] In many member States, the attainment of a national educational certificate or qualification is essential for accessing specific employment opportunities and for pursuing further education. Consequently, facilitating prisoners in achieving such certification holds significant importance in preparing them for release or further education. Moreover, it reflects the fundamental right to free compulsory education[42] while also feeding into national and international policy initiatives that tackle early school leaving.

Traditional classroom-based teaching and learning approaches most likely proved ineffective for such prisoners in the past, and may have reinforced their negative experiences of education and compulsory learning. Consequently, it is largely unproductive to replicate this approach with early school leavers within the prison context. Adopting an adult and learner-centred approach that supports second chance education[43] will likely prove more effective. Adapting content and curriculum for adults, building on existing skills and experiences, facilitating collaborative and self-directed learning are all highly successful in motivating prisoners who have previously struggled in mainstream education.

15. Prisoners should have access to vocational education and training, and training in employability skills, in order to enhance their employment prospects after release.

The central principle of this Rule is that educational opportunities in prison should support prisoners to be ready for life after prison, which necessitates providing access to Vocational Education and Training opportunities and also training in key employability skills. The importance of Vocational Education and Training is emphasised throughout Rules 25 and 28 of the European Prison Rules, underscoring the significance of Vocational Education and Training in enabling prisoners obtain and retain rewarding employment on release which is in turn a key factor in desistance from crime. To help prisoners compete effectively in the job market, training should provide the same skills and qualifications as available and sought in the community (see Rule 28.7a of the European Prison Rules). Equally, training and workshop facilities and equipment should be of industry standards and overseen by qualified personnel. Where there are institutional barriers to the quality and availability of Vocational Education and Training, partnering with local businesses and employers to provide training within the prison is advised. Any such collaboration and relationship-building are also vital in increasing companies' willingness to hire somebody with a criminal record.

Prison work should be seen as an opportunity to practice, develop and master employability skills and should be linked to employment opportunities and relevant qualifications where

possible (see Rule 26.5 of the European Prison Rules). There should be a clear link between work and education to allow prison workers to supplement their practical skills, transferable skills and improve their literacy, numeracy and digital skills. Traditionally, Vocational Education and Training has provided ample opportunities to embed adult literacies in a vocational context. It similarly offers opportunities in a real-life setting to build soft skills such as time-management, self-organisation, adaptability and other employability-related interpersonal and communication skills. As many prisoners may have never been part of the work force, continuous development and recording of essential pre-employment skills, including CV writing and interview preparation, is important as these skills are transferable and adaptable to evolving work environments and technologies. All training opportunities should be aligned with career guidance and sentence management plans to ensure the training or qualification is delivered at the appropriate stage in the prison sentence so that the skills and qualifications obtained do not become obsolete.

16. Prisoners should have access to higher education where appropriate in order to meet their educational needs and future aspirations.

The central principle of this Rule is that prisoners may have the aspirations and abilities to pursue higher education, and where this is the case, they should be encouraged and supported to do so. Considering Rule 2, which emphasises the necessity for a broad curriculum to enable prisoners to reach their full potential, providing access to higher education is essential in this regard. Moreover, it adheres also to the principle of minimum restrictions. Providing a continuum of programmes from basic education through to higher education supports the delivery of a wide and varied curriculum and provides a valid and clear progression route for those serving longer sentences.

The growing numbers of life-sentenced and other long-term prisoners has led to significant shifts in the age profile of prisoners with many unlikely to be released until they are elderly and no longer seeking employment. Short term employability courses are not valid for this cohort; and access to higher-level courses should be available to those who have progressed beyond basic options. For these groups, a clearly defined educational progression route throughout their sentence is “crucial in promoting social and mental health well-being”[44] and can counteract “the deleterious effects of their long-term imprisonment”.[45] Thus, for those serving lengthy sentences who have demonstrated ability and motivation, the opportunity to pursue higher education allows for progression in their learning journey along with the acquisition of professional skills while also proving highly beneficial in maintaining positive mental health.

Additionally, it should be noted that prisoners are not a homogeneous population, and that for some forms of crime, the level of prior educational achievement is frequently higher than the general prison population. Educational provision should reflect this diversity in educational attainment. In many countries, this has led to the burgeoning of university-prison partnerships. While these university outreach programmes may not focus exclusively on providing higher education, they should be harnessed to promote and support higher level provision, enrich curricula choices and provide opportunities for continuity of learning following release.

Opportunities to pursue higher education should be considered on individual merit; including prospective benefits, appropriateness in relation to the offence committed by the prisoner or their reason for detention, and the availability of resources to facilitate course

completion. Nonetheless, research has shown that prisoners who have undertaken higher studies courses are less likely to reoffend and reoffend less frequently than those who did not.[46] Active measures should thus be implemented to guarantee that access to higher education is a feasible option, especially for long-term prisoners.

17. Prisoners should have access to creative arts and other cultural activities in order to develop transferrable skills and enhance their cultural capital.

This Rule reiterates Rule 105 of the Nelson Mandela Rules which states that "recreational and cultural activities shall be provided in all prisons for the benefit of the mental and physical health of prisoners." Research indicates that engagement in cultural activities as part of lifelong learning and education "contributes strongly to the development of a variety of important competences such as social, civic and cultural awareness, and learning to learn".[47] Furthermore, participation in the creative arts and other cultural activities is a credible and effective means to reduce recidivism and increase employability while fostering personal development and critical reflection. Additionally, the arts can be effective in cultivating dynamic security by occupying prisoners in activities that absorb and interest them, thereby, alleviating the boredom and stresses of prison life. The arts can also be significant in building positive relationships among prisoners and between prisoners and staff.

Moreover, the arts in prisons have been well documented in terms of their role in developing literacies skills[48], nurturing positive social identities, and improving employability prospects for ex-prisoners.[49][50] Participation in creative activity can help overcome previously perceived personal failures and encourage a natural self-discipline and autonomy, thereby, instilling a radical shift towards learning.[51] Research evidence has demonstrated how participating in the arts can promote desistance from crime through fostering empathy, promoting family relationships and assisting restorative justice.[52] In summary, participation in the creative arts and other cultural activities is an effective means to reduce recidivism and increase employability while fostering personal development and critical reflection.

18. Prisoners should have access to physical education and sports in order to maintain and improve their mental and physical health.

When setting out the "benchmarks" that it uses to monitor the "basic requirements to enable prisoners to live decently in a prison", the CPT has emphasised that "a satisfactory programme of purposeful activities" including work, education, sport and training, is "of crucial importance for the well-being of prisoners".[53] The CPT has repeatedly called for the development of a wide range of out-of-cell activities for prisoners including education and sport.[54] This Rule underscores the value of physical exercise and healthy lifestyles and while the benefits of regular physical activity for psychological and physical health are well established, the role of sport in the development of social and cultural capital should not be overlooked. When organised effectively, sport can develop various soft skills such as personal responsibility, team work, communication and leadership. All of which are transferable skills essential for employment.

Additionally, like the arts, physical education and sports serve as accessible gateways to formal education and provide numerous opportunities to integrate and embed key literacy and numeracy skills. It should be noted also, that sport-based accredited qualifications,

which should also incorporate basic first aid and Cardiopulmonary Resuscitation (CPR) training, provide a significant and popular route into employment. In short, properly organised and professionally delivered physical education and sport programmes motivate reluctant learners, address literacy and numeracy needs, and equip prisoners with transferable skills and valuable qualifications.

19. *Prisoners should have access to digital literacy learning within a secure technical infrastructure in order to reduce the digital divide experienced by prisoners.*

Digital technologies and the Internet are essential components of contemporary educational practices and modern life and prisoners should not be excluded from benefiting from them. The ECtHR has found that Article 10 of the European Convention on Human Rights, relating to the right to receive information, "cannot be interpreted as imposing a general obligation to provide access to the Internet, or to specific Internet sites, for prisoners".[55] However, restrictions must still be justified and it has found a breach of Article 10 when a prisoner was denied access to the internet to read a website providing information on options for university degrees.[56]

The lack of access to digital resources and technologies is a significant barrier to learning and the primary cause of the digital inequality experienced by prisoners. Bridging this digital divide by providing up-to-date and secure technologies will enhance prisoners' digital literacy[57] and equip them with the competencies necessary for employment, further education and life in a digital age.

Secure Internet services or alternative Intranet systems[58] that replicate the digital experiences of modern life are increasingly available in some prison systems to both mitigate security issues and improve learning. To further enhance security and to promote responsible use, prison authorities and education providers should implement contract agreements with prisoners which outline personal accountability and security protocols for Internet access and digital technology use.

Providing some form of Blended Learning[59] which combines traditional face to face classroom practices with online learning elements is recommended for all prisoners as it offers flexible access and enables prisoners to utilise and improve their digital skills. Furthermore, it is advantageous when compared with eLearning[60], which is conducted entirely online without any in-person interaction and relies heavily on digital resources. However, when physical access is not possible or severely curtailed, eLearning serves as an alternative for those prisoners capable of benefiting from it while bearing in mind the limitations and disadvantages as outlined previously under Rule 10. Nonetheless, digital technology and artificial intelligence offer a significant opportunity to increase participation in education, particularly for prisoners under restricted regimes and for foreign prisoners. However, it is essential to recognise that these advancements should complement, rather than replace, face-to-face teaching and physical classrooms.

20. *Prisoners should have access to courses in practical life skills in order to better manage life in prison and after release.*

Education should not solely focus on traditional learning but also provide prisoners with practical life skills. This Rule underscores the basic principle in Rule 6 of the European Prison Rules, that "all detention shall be managed so as to facilitate [prisoners'] ... reintegration into free society". It also echoes Rule 106.1 of the European Prison Rules

which calls for "a systematic programme of education, including skills training" for sentenced prisoners "with the objective of improving prisoners' overall level of education as well as their prospects of leading a responsible and crime-free life".

Life skills programmes should include the teaching of practical skills to prepare individuals for resettlement and independent living. Such programmes could provide guidance on how to successfully manage a home — such as how to operate household appliances, perform simple home maintenance, plan and prepare nutritious meals, shop for genuine discounts, and so on. Awareness of personal hygiene and self-care, financial literacy and budgeting, and basic parenting skills are all examples of life skills that prisoners will benefit from once released. Therefore, life skills programmes should sit alongside, or be incorporated into, pre-release programmes that help prisoners identify and address their post-release needs, including access to housing, legal assistance, social security benefits and similar key elements of resettlement.

Additionally, if not already embedded elsewhere in the curriculum, life skills and pre-release programmes present an ideal opportunity to incorporate a range of interpersonal and transversal skills essential for effective resettlement. Therefore, opportunities to acquire and maintain essential life skills should be made available to all prisoners, particularly those serving long sentences. For those serving short sentences, life skills programmes provide an opportunity to develop and practise skills and abilities not gained previously.

21. Prisoners should have access to health and wellbeing education in order to better manage life in prison and maintain a healthy lifestyle.

Just as in adult education in the community, health-related issues should be regarded as an important element of prison education. The World Health Organization has deemed prisons a significant setting for health improvement, given the potential to improve the well-being of a vulnerable population and tackle the substantial health disparities between prisoners and the general population[61]. Undoubtedly a whole prison approach is most effective in meeting this challenge and such an approach considers health service delivery in terms of different layers from the individual prisoner to the overarching prison culture. The potential of education to support this layered objective cannot be overstated, particularly in terms of its role in health promotion and health resilience.

While there is a clear role for education in the provision of health information and resources in a way that is accessible to prisoners, the potential to help change unhealthy behaviour through capacity building and understanding is also significant. A cross-curricular approach involving all subject areas, particularly physical education and life skills courses (see Rules 18 and 20) may be more efficacious than offering standalone courses in achieving this. Furthermore, promoting peer-to-peer learning and mentorship can be a powerful and positive factor in this domain.

Health and wellbeing education should also be designed and delivered with a view to augmenting and complementing the efforts of the health care team. For instance, teaching wellbeing and resilience strategies in a safe and supportive environment where prisoners feel comfortable discussing their mental health and learn how to ask for and accept help from others will set a solid foundation, through increased motivation and readiness for more in-depth or clinical work with specialist services such as psychologists or drug counsellors.

It is significant to note that the United Nations Bangkok Rules recognise the importance that education can play for women prisoners in particular, requiring that they "receive education and information about preventive health-care measures, including on HIV, sexually transmitted diseases and other blood-borne diseases, as well as gender-specific health conditions" as well as encouraging peer-based education and requiring further education on women's health care.[62] However, as with more general health education, access to sexual health and relationships education that is comprehensive, inclusive and culturally relevant should be available to all prisoners regardless of gender.

22. Prisoners should have access to learning opportunities that promote active citizenship in order to understand and fulfil their rights and responsibilities as citizens.

Active citizenship plays a crucial role in adult education as it can enable prisoners to become engaged and responsible members of society who make positive contributions to their communities. Such learning opportunities will allow prisoners a unique platform to cultivate these essential values, and develop the knowledge, skills, and attitudes that promote positive personal and social change. Active citizenship programmes should therefore include components that align with civic education, critical thinking, environmental stewardship, human rights, and media literacy. They should be focused on developing the three core elements of civic competency — civic knowledge, analytical skills, and participatory and involvement skills.[63] Developing civic competency skills can support with reducing prisoners' educational, social and political marginalisation. In addition, it should be noted that citizenship competency is one of the key competencies for lifelong learning as identified by the European Union and outlined previously under Rule 2.[64]

Prisoners can develop and enhance their civic competency through involvement in activities and forums that promote a culture of dialogue, debate and critical reflection such as student councils or prisoner representative groups, debating clubs, or philosophical inquiry and media literacy workshops. Such activities can enhance learning through reflective dialogue, conceptual analysis, and reasoned argument which in turn can enable prisoners to question fundamental assumptions; better understand the world, empathise with others, and act to change their behaviour for the better. Moreover, by fostering such dialectic and democratic spaces and creating initiatives centred on social responsibility, education can raise prisoners' levels of trust and civic engagement and go some way towards countering the spread of radicalisation and extremism in prisons.

Similarly, by incorporating peer mentoring, volunteerism, charity work and activities that build leadership and advocacy skills into the curriculum, prisoners can connect their citizenship learning directly with community service and action and gain practical experience in community problem-solving. Such initiatives build confidence, encourages civic responsibility, and enables prisoners to empower themselves to create positive change and work towards the common good. This allows the long-term prisoner, in particular, to commit to the betterment of the prison community and improve the lives of others in the prison.[65] Crucially, research has shown that when prisoners become positive role models and agents of change, they develop a deeper understanding of their own circumstances and choices; make sense of their lives and plan for a future as a valued and trustworthy citizen thereby moving beyond a criminal lifestyle. Selecting the most suitable candidates and providing them with ongoing support and accredited training is of the

utmost importance. Culturally prisons should utilise the skills of these trained and motivated role models and the criticality of support and buy-in from management and non-education staff cannot be overestimated in this regard.

EDUCATIONAL SUPPORT FOR SPECIFIC GROUPS

23. Particular attention should be directed to addressing the specific educational needs of prisoners requiring support for their learning, including:

The central principle of this Rule is that certain prisoners will have specific educational needs that necessitate supplementary support. Education providers are responsible for identifying these needs and tailoring their support accordingly. Parts (a) to (c) of this section identifies examples of such groups of prisoners, indicates the specific needs they may have, and suggests how educational provision can be adapted to provide the support they need.

However, the groups of prisoners outlined below should not be interpreted exhaustively, as other groups of prisoners, such as women or older prisoners, may have other specific educational needs. The role of prison authorities and education providers is to address the specific educational needs of any prisoner that requires support for their learning.

a) prisoners requiring support in adult literacies, to enable them to better manage life in prison, to enhance their employability, and to prepare for release.

This Rule complements Rules 28.2 and 28.3 of the European Prison Rules, which emphasise the importance of prioritising the education of “prisoners with literacy and numeracy needs and those who lack basic or vocational education”, and call upon prison authorities to pay “particular attention” to the education of prisoners with special educational needs.

Traditionally, literacy skills are often defined by the learner's ability to demonstrate the functional skills of encoding or decoding text, i.e., reading or writing. However, this is now considered a limited perspective as "literacies" (plural) include the ability to demonstrate wider skills of communication, evaluation and problem solving. Consequently, education providers should be encouraged to adopt a broad definition of literacy,

which goes beyond the functional ability to read and write and includes the skills of speaking, listening and comprehension.[66] Moreover, it should be noted that most literacy learners will require some numeracy support alongside any literacy programme.

In order to prioritise prisoners with literacy and numeracy needs, prison education centres should develop a literacy-specific action plan that sits alongside and augments an overarching action plan. The literacy action plan should:

- be based on the scale of need for literacy learning among the prison population,
- detail the resources to be devoted to the action plan (including teaching hours, continuous professional development for teaching staff, equipment and materials),
- indicate how the action plan is to monitored and evaluated,
- indicate the measures to be taken to improve literacy provision, (e.g., an individual learning plan for literacy learners, access to nationally recognised accreditation, teaching staff trained to nationally recognised standards and the use of literacy-specific methodologies, learning materials, digital resources).

b) prisoners identified as being neurodiverse or as experiencing mental health issues, to enable them to better manage life in prison, to enhance their employability, and to prepare for release.

Research has demonstrated that neurodivergent traits[67] are significantly more prevalent among prisoners than in the general population and it has been suggested that up to 50% of prisoners have some form of learning difficulty or neurodiverse condition which impacts their ability to engage.[68] However, neurodiverse conditions often go unrecognised in prison[69] and this lack of identification may increase the likelihood that neurodiverse prisoners are less likely to cope with prison routines; are more likely to be victimised, and are at a greater risk of reoffending.[70] For example, research indicates that autistic prisoners have qualitatively unique experiences of imprisonment and these differences not only affect their mental health but their ability to engage with rehabilitative programmes.[71]

One of the challenges for prison educators is the disparity between the various terms and definitions used to describe such conditions. Up to date professional development can help prison teachers to draw on relevant educational research and adapt programmes and programme delivery to be more responsive to the needs of neurodivergent prisoners. Another challenge has been an overemphasis on dyslexia and dyscalculia, despite the fact that such conditions almost always co-occur with others. All such traits should be considered in terms of a continuum or complexity of co-occurring conditions rather than presented in isolation or as "neat boxes separate and discrete from each other".[72] It is not unusual for multiple learning difficulties to be present and it may not be possible to capture these in a single assessment owing to the complexity and range of difficulties experienced by each individual.

Accordingly, a person-centred and holistic approach should be taken with each individual to determine their specific needs and abilities. To help address these complex areas of educational intervention, prison authorities should ensure that learners should have an opportunity to undertake initial screening or assessment processes. This will help establish a baseline of educational ability to inform individual plans detailing appropriate schedules for learning and highlighting both short-term and long-term goals.

Where such conditions are suspected or identified, intervention, referrals and collaboration with appropriate professionals e.g., health services or NGOs to develop care pathways should be put in place. The planning of educational programmes and interventions should take account of each learners' previous history including experiences of adverse childhood experiences), trauma, head injury and mental health issues. Whenever appropriate, prison authorities and education services should collaborate with other relevant agencies and health services to promote therapeutic interventions to assist those with additional support needs or mental health issues.

c) foreign prisoners, to enable them to improve their communication and comprehension skills, to enable them to better manage life in prison, to enhance their employability and to prepare for them release.

Foreign prisoners may have particular needs that can be addressed through education provision, in particular communication, comprehension or language skills. This Rule makes clear the need to ensure appropriate educational opportunities for all foreign prisoners.

Language and cultural barriers can present a challenge to providing effective education to foreign prisoners. To help overcome this, Rule 29.1 of the Committee of Ministers' Recommendation concerning foreign prisoners[73] recommends that foreign prisoners should be given the opportunity to learn a language that allows them to communicate, and to study local culture and traditions, with a view to supporting foreign prisoners' engagement with other prisoners and staff. Rule 29.2 of the Recommendation concerning foreign prisoners also recommends that prison authorities take account of foreign prisoners' individual needs and aspirations, which is also important to ensure that education is effective.

Increased international co-operation and the utilisation of digital technology and artificial intelligence can help provide or supplement suitable programmes for foreign prisoners. Such technologies can also be effective in facilitating access to educational opportunities in prisoners' home countries. As outlined previously, peer mentors are an important and impactful resource in prison education, and given the correct training and support they can be especially useful in this context. Similarly, as indicated in Rule 25 below, local partnerships with libraries and cultural organisations can often provide assistance in meeting the educational and information needs of foreign language prisoners.

Member States should also ensure appropriate training for education staff to meet the distinctive needs of foreign prisoners, in line with Rules 7.2 and 7.3 of the Council of Europe's Guidelines Regarding Recruitment, Selection, Education, Training and Professional Development of Prison and Probation Staff.[74] Accordingly, education staff should be trained to respect cultural diversity and to understand the specific educational problems faced by foreign prisoners.

CO-OPERATION AND COLLABORATION

24. Education in prison should be delivered by specifically trained and qualified professionals adopting adult education methodologies and practices.

The central principle of this Rule is that individuals delivering education in prisons should be appropriately trained and qualified to educate adults in a prison setting. Additionally, this Rule underlines the critical role of teaching and training staff as a key determinant of quality. For example, research points to a greater impact on achievement from adult literacies tuition by qualified literacy specialists and the qualification levels of such have an impact on the learning outcomes of adult learners.[75] For the prison teacher, there are specific prison-related competencies that should be developed alongside the more generic adult educator competencies. Thus, targeted training should equip teachers for the specific challenges – social, psychological and pedagogical – of working in this field. Prison specific competencies should be embedded within induction and continuous professional development training. Likewise, priority should be given to developing strategies for overcoming prison specific issues that impact negatively on learning and teaching. These include restricted access to information and digital technologies, restrictions on the use of other teaching resources, and the impact of the unplanned transfer of learners to other prisons.

Moreover, continuous professional development should be seen as both a right and an obligation in order to ensure the professionalisation and capacity-building of prison teachers and trainers. A variety of continuous professional development should be

available to include prison-specific training as well as developments in educational research, relevant discipline studies, progressive pedagogical studies and so on. Continuous professional development should take place during working hours to facilitate the participation of all teachers and should be organised in co-operation with universities or other appropriate institutions. Efforts should be made to support and co-ordinate in service training at an international level, so that teachers can make study visits to other countries to learn from their 'prison peers' and to share their experiences and expertise. (See Rules 29 and 30).

Dedicated places of education can directly support the principle of normalisation as expressed in Rule 5 of the European Prison Rules. To further this aim, it is essential that individuals delivering education in prisons remain uninvolved in the discipline of prisoners. In a similar vein, it is essential for prison educators to maintain a focus on education, viewing prisoners primarily as adults in need of education. In this way, the education centre becomes a supportive environment or "emotional zone"[76] where the prisoner can embrace their identity as a learner, providing them with the necessary space and time to distance themselves from the more difficult and often detrimental aspects of prison life.

25. Prisoners should have direct access to a well-stocked library at least once a week, which should include digitally stocked reading, audio, and video materials. Access should be provided to community-based libraries where possible.

The central principle of this Rule is that access to library facilities can form an important part of a prisoner's education. It complements Rule 28.5 of the European Prison Rules, which requires that all institutions "have a library for the use of all prisoners" which is "adequately stocked with a wide range of both recreational and educational resources, books and other media". Every prisoner, (regardless of location or risk category) should have access to adequate browsing time, ideally daily, including evenings and weekends, and at least once a week.[77] Establishing library standards[78] will help prison libraries align with those in the community, and thereby address prisoners' informational, educational, cultural, and recreational needs. This should encompass access to digital services and online libraries where suitable.

It is advisable that prison libraries be structured in accordance with the public library model. The significance of public libraries in fostering lifelong learning and, supporting the cultural development of individuals[79] is well established. Moreover, Rule 28.6 of the European Prison Rules further calls for, where possible prison libraries to be organised in co-operation with community library services. Such collaboration can significantly widen access to a broader range of information and resources and allows for engagement with guest lecturers, book clubs, creative writing groups, national and local writing competitions, and other community initiatives.

Library access is important for the promotion of reading for both leisure and educational purposes, and libraries have a significant role to play in augmenting and complementing educational provision. Libraries can be particularly helpful for prisoners requiring educational support, such as those outlined in Rule 23, and should be organised to facilitate this support. For example, they should provide large print format for those with visual impairment and assistive software and hardware for those with literacy needs. In addition, libraries should provide foreign language books and resources for foreign prisoners. Hence, Rule 25 should be read alongside Rule 29.3 of the Council of Europe's Recommendation on

foreign offenders, which calls for prison libraries to "be stocked as far as possible with reading materials and other resources that reflect the linguistic needs and cultural preferences of the foreign prisoners in that prison and are easily accessible."

26. Prisoners should be allowed to participate in education outside prison wherever possible.

The central principle of this Rule is that prisoners will benefit from participating in education in the community, and this should be facilitated where possible. The Rule mirrors Rule 88 of the Nelson Mandela Rules, which states that "The treatment of prisoners should emphasize not their exclusion from the community but their continuing part in it". Prisoner participation in education in the community is consistent with 28.7a of the European Prison Rules, which calls for prisoners' education to be integrated with the wider educational and vocational training system in that country, "so that after their release they may continue their education and vocational training without difficulty". Rule 28.7b of the European Prison Rules further states that, as far as practicable, the education of prisoners shall "take place under the auspices of external educational institutions". Taken together and alongside Rule 27 of the present Recommendation, all these Rules underscore the basic principles in Rule 5 and 7 of the European Prison Rules, that prisons shall "approximate as closely as possible the positive aspects of life in the community" and that co-operation with both outside social services and civil society "shall be encouraged".

Additionally, Rule 3 of this Recommendation states that education in prison, in all its aspects, should mirror best provision in the community. Attending education in the community will facilitate these efforts. Rule 13 further states that every effort should be made to encourage prisoners to participate in a range of educational opportunities. In building on these other Rules, this Rule bolsters that notion in Rule 88 of the Nelson Mandela Rules that "the treatment of prisoners should emphasise not their exclusion from the community but their continuing part in it". As is the case with much of this Recommendation, it is rooted in the principle of minimum restrictions. While educational engagement in the community is clear cut for those in open or semi-open prisons, it pertains also to those in closed prisons and can be achieved through structured forms of temporary or pre-release.

In addition, day release to education on the outside widens the educational opportunities available to prisoners, particularly those in smaller prisons, and prisoners who attend education in the community are more likely to complete courses or continue their studies after release. More generally, community access is a key aspect of preparation for release allowing prisoners to identify their resettlement needs and to acclimatise to societal changes. Thus, regular and sustained participation in education outside of the prison directly contributes to effective resettlement.

27. Where education takes place within the prison, the outside community should be involved as fully as possible.

The central principle of this Rule is that participation in educational activity can help normalise co-operation and collaboration with relevant external agencies, thereby helping prisoners prepare for release. Consequently, these agencies will be informed as to the specific needs of learners within prison and be able to advise on post release opportunities and continuity of educational engagement.

This Rule is consistent with Rule 88 of the Nelson Mandela Rules, which states that "Community agencies should…be enlisted wherever possible to assist the prison staff" in rehabilitative activities, of which education is a core component. The Rule further builds on Rule 3, which indicates that prison education is most effective when it incorporates the highest standards and practices found in the community. Where prisoners cannot participate in education in the community, involving the outside community in prison education can contribute significantly to the implementation of Rule 5 of the European Prison Rules, which requires that "Life in prison…approximate[s] as closely as possible the positive aspects of life in the community".

There are a range of potential external partners that prison authorities might consider working alongside to support educational provision. For instance, university partnerships can often be mutually beneficial providing teaching experience for postgraduate students while helping supplement the number of teaching staff available to support learners. Universities can also assist in introducing wider programmes of learning including preparation for higher education study in the post release period. These programmes should effectively complement existing education provision and not be undertaken in isolation to ensure all educational development can be better coordinated and integrated to maximise educational benefits.

28. Regular review and inspection of provision and quality of prison education should be undertaken using the same review criteria as for adult and further education provision in the community.

The central principle of this Rule is that the quality of education provision can be best evaluated and maintained when measured against optimal provision of adult education in the community. This Rule works alongside Rules 9, 92 and 93 of the European Prison Rules, which read together establish that prisons should be subject to regular inspection and independent monitoring, and that such inspections and independent monitoring should assess whether prisons are administered in accordance with national and international law, and with the requirements of the European Prison Rules. Administration in accordance with the European Prison Rules includes meeting its requirements on education, outlined in Rule 28, which sets out among other things that educational programmes should be as comprehensive as possible and meet individual needs while taking into account individual aspirations. Rule 28 of this Recommendation builds on the European Prison Rules in making clear that monitoring and inspection of education in prisons should use the same review criteria for adult and further education in the community.

In some member States it is commonplace for school inspectors to evaluate prison education using the same methodology as applied to schools. However, such practices often do not take account of the specific needs of adult learners and the principles underpinning the effective delivery of adult education. Accordingly, inspections of prison education should consider the overall effectiveness and teaching methodologies employed within an adult education framework. They should consider compliance with these rules as a framework for assessment and should involve:

- direct observation of teachers in their teaching role;
- examine the breadth and quality of curricula in line with Rule 3, and elements of provision in line with Rules 14-22;

- examine the relevance of the curricula to specific prisoner groups, including those requiring educational support, in line with Rule 23;
- have access to lesson plans/preparation and timetables;
- interview teachers, managers, prison staff and prisoners;
- have access to a wide-range of prisoners' work e.g. artworks, poetry, written work and submissions to competitions;
- examine documents relevant to a learner's progress e.g. initial assessment; special needs; learning plans and evidence of achievement, in line with Rules 4 and 6;
- examine registers relating to attendance, lock-downs and equity of access for distinct groups of prisoners, in line with Rules 9, 10 and 23;
- examine data on qualifications achieved and measures detailing learner progress including audio-visual evidence where available, in line with Rule 7;
- examine records of internal and external verification processes, in line with Rule 7;
- examine data detailing overall trends for learning hours, qualifications gained and learner progress;
- consider the range of subjects available as well as specific projects, exhibitions and publications of prisoners' work;
- consider the qualifications and subject specialism of education staff, in line with Rule 24.

29. Research should be sufficiently funded and undertaken regularly to update the curriculum, methodology, and infrastructure in line with contemporary educational research and international developments in this area.

The central principle of this Rule is that systematic educational research is essential to optimise the quality and effectiveness of prison education. Professionally conducted evidence-based research will support curriculum development, improve teaching and learning, identify educational trends relevant to the prison context as well as providing new insights and solutions to educational issues specific to learning in prisons.

As an example, recent research in mental health and neurodiversity[80] has provided insights that allow educational providers to address the specific learning needs of neurodiverse prisoners and individuals experiencing mental health issues. Further research can extend that understanding beyond the classroom and into wider prison life. There is also a pressing need for further research into suitable information and digital technologies that offer safe and secure solutions for accessing Internet sites. The utilisation and accessibility of appropriate digitally based learning packages also need more investigation. Perfecting methods to formally recognise or valorise cognitive and other learning outcomes obtained through non-formal and informal learning, is a further field of research with particular potential for the prison context.

The focus of much research to date has been on the cost-effectiveness of education in prison. However, more research is needed to explore not only the direct costs but also the comparative cost of inadequate provision in terms of higher reoffending and increased marginalisation. To enable this, effective research methodologies must be identified to

capture the 'hidden' benefits, such as enhanced cognition and interpersonal skills, or civic engagement. Thereby capturing not only benefits in individual growth but in the collective wellbeing and safety of our prisons and wider communities.

30. *Innovation and best practice should be shared through national and transnational projects, partnerships and networks.*

The central principle of this Rule is that the structured sharing of best practice and innovation is essential to optimise the quality and effectiveness of prison education. As evidenced by previous research and analysis[81], the quality and breadth of provision of education and training opportunities in prison, and the levels of participation by prisoners, vary enormously across member States. Consequently, there is a special need in this area to promote a more intensive transnational exchange of good practice and policy strategies. A number of formats are available for this purpose. For example, the opportunities for mobility of teaching staff and policy-makers and for collaborative partnerships within the framework of the European Union's "Erasmus+" programme. During the first decade of that programme (2014-2023) over 200 projects were supported which focus on educational issues related to prisons and the justice system.[82] The network or forum of researchers called for in Rule 29 could play a key role in this process. Accordingly, previous bilateral initiatives have demonstrated the high value of international co-operation through the sharing of good practices and educational innovation.

Either way, greater efforts should be undertaken to analyse and exploit the results of mobility and co-operation partnerships such as those referred to above. The sharing of innovation, effective practices and research findings, nationally and transnationally, would undoubtedly improve the quality and provision of education in prisons. It can do so by filling knowledge gaps, nurturing a learning culture, bolstering the professionalism and reducing the isolation of many prison teachers and trainers, as well as a number of other practical and policy benefits.

A network or forum of researchers and institutes specialising in research on education and training in the prison context should be established and funded at European level, thereby encouraging not only the sharing of research findings and methodologies but also strengthening the basis for research through regular meetings and personal contacts between researchers and research teams. Such a network can be readily established by drawing on preexisting links with organisations such as European Organisation of Prison and Correctional Services (Europris), Confederation of European Probation (CEP), European Penitentiary Training Academies Network (EPTA), European Prison Education Association (EPEA) and similar organisations.

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[3] House of Commons Education Committee, *Not just another brick in the wall: why prisoners need an education to climb the ladder of opportunity*, (HC 86 incorporating HC 56, 2022)
https://committees.parliament.uk/publications/22218/documents/164715/default/

[4] Rachel Cordle and Eleanor Gale, Reducing Reoffending: *A Synthesis of Evidence on Effectiveness of Interventions* (Ministry of Justice 2025), p31
https://assets.publishing.service.gov.uk/media/680101e3da5bb2fc4a681fcb/Final_PDF_Reducing_Reoffending_-_Evidence_Synthesis.pdf

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[6] Violeta Tadić, 'Inmates education as a function of developing socio-emotional competences' (2024) 62(1) 63-88 Journal of Criminology and Criminal Law https://www.researchgate.net/publication/381692255_Inmates_education_as_a_function_of_developing_socio-emotional_competences;
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https://www.researchgate.net/publication/295142054_Engaging_prisoners_in_education_Reducing_risk_and_recidivism

[7] Article 2 of Protocol No. 1 to the European Convention on Human Rights (Council of Europe), Article 26 of the Universal Declaration of Human Rights (United Nations, 1948), Article 13 of the International Covenant on Economic, Social and Cultural Rights (United Nations, 1966), Article 14 of the Charter of Fundamental Rights of the European Union (European Union, 2009)

[8] Velyo Velev v. Bulgaria, No. 16032/07, 27 May 2024, paragraph 30

[9] European Social Charter (Revised, 1996) (Council of Europe, CETS 163), Article 10

[10] Velyo Velev v. Bulgaria, No. 16032/07, 27 May 2024, paragraph 33; Ponomaryovi v. Bulgaria, No. 5335/05, 28 November 2011, paragraph 55, citing Leyla Şahin v. Turkey, No. 44774/98, 10 November 2005, paragraph 137.

[11] Velyo Velev v. Bulgaria, No. 16032/07, 27 May 2024, paragraph 33; Mehmet Reşit Arslan and Orhan Bingöl v. Turkey, nos. 47121/06, 13988/07 and 34750/07, 18 June 2019, paragraphs 56-57.

[12] As defined by the Working Group of the Directorate for Execution of Sanctions, *Trainers' manual on dynamic security* (Council of Europe, 2018)
https://rm.coe.int/final-training-manual-on-dynamic-security-june-2018-koregirana-4-/16808ccae2
"Dynamic Security is a concept and a working method by which staff prioritise the creation and maintenance of everyday communication and interaction with prisoners based on high professional ethics, and ensure that there is sufficient purposeful and meaning activity to occupy prisoners, bounded by effective security" (page 9).
https://rm.coe.int/final-training-manual-on-dynamic-security-june-2018-koregirana-4-/16808ccae2

[13] European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), 25th General Report CPT/Inf(2016)10, page 35

[14] Velyo Velev v. Bulgaria, No. 16032/07, 27 May 2024, paragraph 34

[15] Mehmet Reşit Arslan and Orhan Bingöl v. Turkey, nos. 47121/06, 13988/07 and 34750/07, 18 June 2019, paragraph 51; Velyo Velev v. Bulgaria, No. 16032/07, 27 May 2024, paragraph 31

[16] Council of the European Union, 'Council Resolution on a renewed European agenda for adult learning', (2011) Official Journal of the European Union (2011/C 372/01) https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011G1220(01)

[17] United Nations General Assembly, 'The right to education of persons in detention: Report of the Special Rapporteur on the right to education' (A/HRC/11/8, Human Rights Council, 11th Session, 2 April 2009).

[18] Recommendation on Adult Learning and Education (UNESCO, 2015); Council Resolution on a new European agenda for adult learning 2021-2030 (European Union, 2021/C 504/02); Education 2030: Incheon Declaration and Framework for Action for the implementation of Sustainable Development Goal 4 (UNESCO, ED-2016/WS/28); UN Committee on Economic, Social and Cultural Rights, General Comment No. 13, (21st session, E/C. 12/1999/10, 8 December 1999) referring to Article 13 of the International Covenant on Economic, Social and Cultural Rights.

[19] Council of the European Union, 'Council Recommendation of 22 May 2018 on key competences for lifelong learning' (2018) 61(4) Official Journal of the European Union (2018/C 189/01) https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AC%3A2018%3A189%3ATOC

[20] Svein Loeng, 'Self-directed Learning: A Core Concept in Adult Education' (2020) 1 Education Research International https://onlinelibrary.wiley.com/doi/10.1155/2020/3816132

[21] Differentiation and Universal Design for Learning are educational approaches aimed at meeting diverse learner needs; however, they differ in their methods. With Universal Design for Learning, when planning a class or topic, teachers plan multiple options to meet the variety of learning needs and preferences of their learners. Differentiation also addresses multiple needs in a classroom. But instead of providing everyone with multiple options, teachers prescribe certain content or tasks to certain learners based on the learners' readiness, interests, and learning profiles.

[22] European Parliament and Council of the European Union, 'Recommendation of the European Parliament and of the Council of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning' (2008) Official Journal of the European Union (2008/C 111/01) https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32008H0506%2801%29

[23] United Nations General Assembly, 'Report of the Special Rapporteur on the right to education' (A/HRC/11/8, Human Rights Council, 11th Session, 2 April 2009).

[24] Mehmet Reşit Arslan and Orhan Bingöl v. Turkey, nos. 47121/06, 13988/07 and 34750/07, 18 June 2019, paragraph 56; Velyo Velev v. Bulgaria, No. 16032/07, 27 May 2024, paragraph 32.

[25] Leyla Şahin v. Turkey, No. 44774/98, 10 November 2005, paragraph 154; Mehmet Reşit Arslan and Orhan Bingöl v. Turkey, nos. 47121/06, 13988/07 and 34750/07, 18 June 2019, paragraphs 56, 60; Uzun v. Turkey, No. 37866/18, 10 November 2020, paragraph 32.

[26] CPT, 31st General Report, CPT/Inf(2021)5, page 5.

[27] Francesca Cooney, 'Should prison education be different for women' (Prisoners' Education Trust, 2018) https://prisonerseducation.org.uk/2018/11/should-prison-education-be-different-for-women/

[28] CPT, 10th General Report, CPT/Inf(2000)13, page 14.

[29] CPT, 26th General Report, CPT/Inf(2017)5, page 34

[30] CPT, 26th General Report, CPT/Inf(2017)5, page 34

[31] Velyo Velev v. Bulgaria, No. 16032/07, 27 May 2024, paragraph 39.

[32] CPT, 25th General Report, CPT/Inf(2016)10, page 40

[33] CPT, 11th General Report, CPT/Inf(2001)16, page 17

[34] Commentary to the European Prison Rules (Council of Europe, CM(2020)17-add2), Rule 53; Essex paper 3: Initial guidance on the interpretation and implementation of the Nelson Mandela Rules, Penal Reform International and the Essex Human Rights Centre at the University of Essex, 2017, pages 88-89; Report to the Government of the United Kingdom on the visit to the United Kingdom carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 17 to 25 October 2018 [CPT/Inf (2019) 29], paragraph 74; Report to the Norwegian Government on the visit to Norway carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 28 May to 5 June 2018 [CPT/Inf (2019) 1], paragraph 82.

[35] Restricted regime "means the imposition of additional limitations to a detainee's freedom beyond those experienced generally within a prison system by the detained population". For a more detailed explanation of this definition see: International Committee of the Red Cross, *Restrictive Regimes in Places of Detention* (ICRC, 2020), page 5 https://www.icrc.org/en/publication/4499-restrictive-regimes-places-detention

[36] Prison University Partnerships in Learning and Prisoners' Education Trust, *Prison-University Partnerships: A Toolkit* https://prisonerseducation.org.uk/wp-content/uploads/2019/04/Prison-University-Partnerships-A-Toolkit.pdf

[37] Dr Erin Condirston, 'Prison education and wellbeing: what's the impact?' (*Prisoners' Education Trust*, 2024)

https://prisonerseducation.org.uk/2024/09/prison-education-and-wellbeing-whats-the-impact/

[38] Manger, T., Eikeland, OJ. & Asbjørnsen, A., 'Effects of Educational Motives on Prisoners' Participation in Education and Educational Desires'. (2013) Eur J Crim Policy Res 19, 245–257 https://doi.org/10.1007/s10610-012-9187-x;
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Brosens, D., Croux, F., & De Donder, L. 'Barriers to prisoner participation in educational courses: Insights from a remand prison in Belgium' (2019) International Review of Education, 65(5), 735-754.

[39] Individual learning plans, sometimes known as personal learning plan or negotiated learning plan, are a tailored or individualised educational roadmap that takes into consideration the learner's unique needs, interests, strengths and weaknesses. An individual learning plan customises the learning journey to accommodate individual circumstances and aspirations.

[40] A subject area in education refers to a specific domain of knowledge and skills within an academic programme or curriculum, such as mathematics or history.

[41] See: Velyo Velev v. Bulgaria, No.16032/07, 27 May 2024, paragraph 31

[42] See: Article 14 of the Charter of Fundamental Rights of the European Union (European Union, 2009)

[43] Second chance education (sometimes referred to as 'bridging programmes' or 're-integration to education programmes') is education specifically targeted at individuals who, for a variety of reasons, never attended school or left school either before completion of the level of education in which they were enrolled or completed the level but wish to enter an education programme or occupation for which they are not yet qualified.

[44] CPT, 25th General Report, CPT/Inf(2016)10, page 40.

[45] Ibid., page 33.

[46] Jon Collins, 'Prison education works: a review of the evidence' (*Prisoners' Education Trust*, 2024) https://prisonerseducation.org.uk/2024/02/prison-education-works-a-review-of-the-evidence/;
Pike, A., & Hopkins, S. , 'Transformative learning: Positive identity through prison-based higher education in England and Wales' (2019) *International Journal of Bias Identity and Diversities in Education (IJBIDE)*, *4*(1), 48–65.

[47] Regina A. List, Olga Kononykhina, Jessica Leong Cohen et al, *Cultural Participation and Inclusive Societies: A thematic report based on the Indicator Framework on Culture and Democracy* (Council of Europe, 2017) https://edoc.coe.int/en/culture-and-democracy/7285-pdf-cultural-participation-and-inclusive-societies-a-thematic-report-based-on-the-indicator-framework-on-culture-and-democracy.html

[48] Literacy skills have been defined as "the ability to read, write and use numeracy, to handle information, to express ideas and opinions, to make decisions and solve problems, as family members, workers, citizens and lifelong learners" (Young, S., *Adult Literacy and Numeracy in Scotland*, 2001). UNESCO states that "literacy is a continuum of learning and proficiency in reading, writing and using numbers throughout life and is part of a larger set of skills, which include digital skills, media literacy, education for sustainable development and global citizenship as well as job-specific skills. Literacy skills themselves are expanding and evolving as people engage more and more with information and learning through digital technology": UNESCO, *What you need to know about literacy* https://www.unesco.org/en

[49] Inspiring Futures: how creativity and culture benefits people in the criminal justice system (Arts Council of England) https://www.artscouncil.org.uk/blog/inspiring-futures-how-creativity-and-culture-benefits-people-criminal-justice-system; Mitra Dahesh, "Art is effective means of employment after release: a literature review of effectiveness art and entrepreneurship programs in employability and reduce recidivism after prison" in Carolina Lorenzo Álvarez and Carmen Cutillas (Eds) *Retos e innovación en Educación* (Universidad de Alicante / Universitat d'Alacant, 2024), pages 34-45 https://produccioncientifica.usal.es/documentos/671a89a628ea1306f7c73675

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[51] *Arts, Culture and Innovation in Criminal Justice Settings: A Guide for Commissioners* (National Criminal Justice Arts Alliance, 2016) https://artsincriminaljustice.org.uk/wp-content/uploads/2016/07/CommissioningGuide_FINAL.pdf#:~:text=Whether%20it%E2%80%99s%20a%20prisoner%20taking%20part%20in%20a,lead%20to%20a%20more%20positive%20and%20aspirational%20outlook

[52] Restorative Justice For All, *Restorative Justice Art: Strengthening Communities, Healing Trauma, and Building Resilience* https://rj4all.org/restorative-justice-art/

[53] CPT, 30th General Report, CPT/Information(2021)5, page 36, 39.

[54] CPT, 32nd General Report, CPT/Inf(2023)7, page 15; CPT, 21st General Report, CPT/Inf(2011)28, page 32.

[55] Mehmet Reşit Arslan and Orhan Bingöl v. Turkey, nos. 47121/06, 13988/07 and 34750/07, 18 June 2019, paragraph 59.

[56] Jankovskis v. Lithuania, No. 21575/08, 17 April 2017.

[57] Digital literacy refers to an individual's understanding and ability to confidently use digital skills required for work and everyday living.

[58] Intranet is an internal system that mirrors the Internet but without any link to external sites. It is a system whereby learners can practice IT and Internet skills without being connected to the internet.

[59] Blended Learning, also known as hybrid learning, combines traditional face-to-face instruction with online learning components.

[60] eLearning is the delivery of education and training through digital means, involving technologies such as computers, the internet, and multimedia tools to facilitate flexible, self-paced, and accessible learning experiences.

[61] World Health Organization, 'Fact sheet - Health in Prisons' *(WHO*, 2020) https://www.who.int/europe/publications/m/item/fact-sheet---health-in-prisons-(2020)

[62] United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (A/RES/65/229), Rules 14, 17 and 38.

[63] Judith Torney-Purta et al, 'Assessing Civic Competency and Engagement in Higher Education: Research Background, Frameworks, and Directions for Next-Generation Assessment' (2015) 2(1) ETS Research Report Series https://onlinelibrary.wiley.com/doi/full/10.1002/ets2.12081

[64] Council of the European Union, 'Council Recommendation of 22 May 2018 on key competences for lifelong learning' (2018) 61(4) Official Journal of the European Union (2018/C 189/01) https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2018.189.01.0001.01.ENG&toc=OJ:C:2018:189:TOC

[65] HM Inspectorate of Prisoners, *Life in prison: Peer* support (HM Inspectorate of Prisons, 2016) https://hmiprisons.justiceinspectorates.gov.uk/hmipris_reports/life-in-prison-peer-support/

[66] UNESCO, 'What you need to know about literacy' (*UNESCO*, 2025) https://www.unesco.org/en/literacy/need-know

[67] Neurodivergent traits are generally associated with the following conditions: ADHD, Autism Spectrum Disorders, Dyslexia, Dyscalculia, Developmental Coordination Disorder (DCD, aka Dyspraxia), Developmental Language Disorders, Tic Disorders (including Tourette's syndrome) and Intellectual Disability (ID, known as Learning Disability in the UK).

[68] Open Justice, 'From 'difficult' to 'different': recognising and addressing neurodiversity in prisons' (*Open Justice*, 2022) https://www.openjusticeinitiative.com/post/from-difficult-to-different-recognising-and-addressing-neurodiversity-in-prisons

[69] Ángel Romero-Martínez et al, 'The Interaction between Attention Deficit Hyperactivity Disorder and Neuropsychological Deficits for Explaining Dropout and Recidivism of Intimate Partner Violence Perpetrators' (2023) 15(1) The European Journal of Psychology Applied to Legal Context, 33-42 https://journals.copmadrid.org/ejpalc/art/ejpalc2023a4

[70] Kirby et al, 'Young men in prison with Neurodevelopmental Disorders: Missed, misdiagnosed and misinterpreted' (2020) Prison Service Journal. https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/PSJ%20251%2C%20Neurodevelopmental%20disorders.pdf

[71] Luke P. Vinter et al, 'Mental wellbeing, but not prison climate, mediates the association between autistic traits and treatment readiness among men with sexual convictions' (2024) Journal of Sexual Aggression https://www.tandfonline.com/doi/full/10.1080/13552600.2024.2378022

[72] British Dyslexia Association, 'Neurodiversity and Co-occuring difficulties' https://www.bdadyslexia.org.uk/dyslexia/neurodiversity-and-co-occurring-differences

[73] Recommendation CM/Rec(2012)12 of the Committee of Ministers to member States concerning foreign prisoners (Council of Europe, 2012).

[74] CM(2019)111-add, Guidelines regarding recruitment, selection, education, training and professional development of prison and probation staff (Council of Europe, 2019); See also: European Prison Rules Rule 81.3; Committee of Ministers Recommendation CM/Rec(2012)12 of 10 October 2012 to member States concerning foreign prisoners, Rules 12 and 39.2.

[75] Education Scotland, *A professional development framework for Scotland's adult literacies workforce*, https://education.gov.scot/media/wirouwa4/adultliteraciescpdframework.pdf; Ofsted, *Independent review of teachers' professional development in schools: phase 1 findings* (Ofsted, 2024) https://www.gov.uk/government/publications/teachers-professional-development-in-schools/independent-review-of-teachers-professional-development-in-schools-phase-1-findings

[76] Crewe, B., Warr, J., Bennett P, et al., 'The emotional geography of prison life' (2014) *Theoretical Criminology* 18(1) 56–74.

[77] See: Garner J. And Krolak L. (Eds), IFLA Guidelines for Library Services to Prisoners (4th ed), (International Federation of Library Associations and Institutions,, February 2023) https://repository.ifla.org/server/api/core/bitstreams/683cb004-4748-4899-83a4-ab73acbce9ff/content
which recommends on p.9 that "Library services should be available for use based on the facility and prisoner schedules - ideally daily, including evenings and weekends."

[78] CILIP Prison Libraries Group, *Making the difference: An excellence framework for prison libraries* (CILIP Prison Libraries Group, 2023) https://cdn.ymaws.com/www.cilip.org.uk/resource/group/853bf809-d9aa-4165-8789-1cacd728e4ad/excellence_framework/excellence_framework.pdf

[79] See: IFLA/UNESCO, *IFLA/UNESCO Public Library Manifesto 1994* (IFLA, 1994) https://www.ifla.org/wp-content/uploads/2019/05/assets/public-libraries/publications/PL-manifesto/pl-manifesto-en.pdf

[80] Criminal Justice Joint Inspection, *Neurodiversity in the criminal justice system: A review of evidence (*Criminal Justice Joint Inspection, 2021) https://hmicfrs.justiceinspectorates.gov.uk/publications/neurodiversity-in-the-criminal-justice-system/;
Bradley, K., 'The Bradley Report: Review of People with Mental Health Problems or Learning Disabilities in the Criminal Justice System', (2009) available at: https://doi.org/10.1080/17449200903115847

[81] Hawley, J., Souto-Otero, M. (GHK), *Survey on Prison Education and Training in Europe – Final Report [for the European Commission] Birmingham, July 2012*. Available at https://eur-lex.europa.eu/resource.html?uri=cellar:6480d344-75e7-4573-b860-1f62f1edc6c3.0001.02/DOC_1&format=PDF

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