

## **WHO NEEDS STANDARDS?**

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Dr Bob Semmens  
BA, Dip Ed, Dip Crim, Dip Soc Studs, MEd, PhD  
Senior Lecturer, Youth Research Centre  
University of Melbourne

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## ABSTRACT

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This paper begins with the 1996 Senate Committee Recommendation Four which refers to the need for a set of National Standards for Education and Training for People in Custody. It questions the adequacy of the American Correctional Association Standards and then proposes a model based on the sort of society envisioned by democratic education theory. It is claimed that standards on their own are insufficient to guarantee a significant impact on correctional administrators, the learning environment or the post-release life situation and offending rates of students. To achieve such outcomes it is claimed that standards for education and vocational training need to be evaluated against an educational model rather than a corporate management model.

Bob Semmens  
BA, Dip Ed, Dip Crim, Dip Soc Studs, MEd, PhD  
Senior Lecturer, Youth Research Centre  
University of Melbourne

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Senior Lecturer, Youth Research Centre, Faculty of Education

The Macquarie dictionary defines 'standard' as: anything taken by general consent as a basis for comparison; an approved model; a grade or level of excellence, achievement or advancement; a level of quality which is regarded as normal, adequate or acceptable. Relating these concepts of 'standard' to correctional education, I will define standards in correctional education as a set of agreed minimal levels of quality in the range, content, mode of delivery, and expected outcomes for education and training provision in correctional facilities. The formalisation of such standards will facilitate comparisons with current program provision within and between the various jurisdictions in Australia, and the establishment of goals for further development. Much of this paper is devoted to pointing out possible limitations of establishing standards, not because such a development is not positive in itself, but to warn that standards are minimal, rather than maximal, requirements for education provision in corrections.

The first problem with standards is: who is going to take any notice of them? A few years ago, I visited an American prison and was rather concerned at the lack of programs for inmates. There were 1400 prisoners, most of whom were standing around in groups in the compound or playing cards in the dining areas of the seven living units. Eventually, I asked a guard whether the prison met the United Nations minimum standards. He responded: What standards? Who needs standards? Some time later I thought that this would make a good title for a paper and now the opportunity has arrived. If United Nations standards can be ignored by correctional administrators, then what value might one expect to be placed on a set of voluntary standards developed by the Correctional Education Association, an organisation based in the USA, and cited as a reference by the Australian Senate Inquiry (1996) for the establishment of a set of standards for correctional education and training provision in Australia?

In April 1996, the Senate Inquiry Into Education And Training In Correctional Facilities recommended (p 21):

that the Australian Institute of Criminology develop a draft set of National Standards for Education and Training for People in Custody for consideration, in 1996, by

State and Territory Ministers of Corrections. The American 'Standards for Adult and Juvenile Correctional Education Programs' could provide a basis for such a development, which should give proper consideration to the Australian context, including the requirements of the National Vocational Education and Training System.

Assuming that everyone concerned with correctional education in Australia agrees to take the proposed set of standards seriously, we can learn from some of the apparent limitations of the American standards. The American standards are grouped into four areas - administration, staff, students, and programs. In 1988 there were 31 recommended standards, 15 of which were seen as mandatory by the Correctional Education Standards Development Board which was established to develop the standards and consisted of representatives of the Federal Directors of Correctional Education and the Correctional Education Association. The Board consulted widely in developing the standards. The Board anticipated that the publication of the standards would promote 'strong, system-wide co-ordination and direction'; encourage correctional institutions to provide 'access to quality education'; be used by correctional educators 'as a tool for self-evaluation and goal-setting'; be used by 'legislators and others in charge of allocating monies for correctional education programs'; 'raise the priority of correctional education within correctional agencies'; and, 'make a positive change in many individuals' lives'.

It appears from the above stated aims and purposes, that the 1988 standards were seen as voluntary benchmarks against which educators, administrators, legislators and clients could measure value for money and value for effort within a common framework of education provision. If we look a little more closely at the recommended mandatory standards, in the administration area we find strong emphasis on having a written statement of philosophy and goals, a written set of policies and procedures, having a budget line and a system for regular program evaluation. In the area of staffing, it was recommended mandatory that each correctional education system have a chief executive officer, that there be written personnel policies for staff selection, retention, evaluation etc, that there be a stated formula for staff/student ratios, and that salaries of teachers be comparable with teachers in public schools. In the student area, it was recommended mandatory that there be an on-going student orientation program, that individual programs be developed according to the educational needs of each student, and that programs for women be equivalent to those for men. Finally, in the programs area, it was recommended mandatory that a comprehensive range of programs be available, that there be curriculum statements and expected outcomes for each subject, that equipment and facilities be of the same standard as those provided in public schools, and that special education programs be available for students with disabilities.

More recently (1997), the CEA circulated a draft document which added the words 'and performance objectives' to the title of the Standards for Adult and Juvenile Correctional Education Programs. The introduction of the 1997 draft document mentions 86 standards whereas the 1988 version contained 31 standards. The 1997 introduction states that program audits conducted so far suggest that 'more definitive standards would be beneficial', and that:

to pass an audit the system/institution must demonstrate compliance with all of the 24 required standards and 90 per cent (56) of the non-required standards.

The 1997 draft document then sets out the types of evidence and written documentation that are seen as appropriate for measuring each of the standards. This pursuit of standards is in some ways admirable and possibly necessary, although one wonders why a special set of standards is necessary for correctional settings - suggesting that standards which apply to mainstream education provision are inadequate or inappropriate for correctional settings. In the same vein, one wonders why the proliferation of special standards between 1988 and 1997? Why the need for increasing precision in what constitutes evidence of meeting standards? The managerial tone of the American standards suggests at least a partial answer to these questions - that correctional education is now marketing itself to the corporatist world of accountability, auditing, efficiency and effectiveness, and value-added product. This language is becoming quite familiar in Australia too ( Grubb, 1995; Marginson, 1997). However, the idea of developing a 'product' that correctional administrators will 'buy' and then apply voluntary standards to the delivery of the 'product' is not so familiar. I think we would want some government agency to take on the monitoring role on behalf of the community, although the 'commercial in confidence' arrangements for private prisons make it difficult for the general public to know how responsibly the government is acting on their behalf. Under these conditions, it is not possible for us to know what criteria are used by correctional administrators in determining the best available product or whether 'world's best practice' means anything at all. While it may sound sensible to us that we require correctional agencies to provide community accredited courses, we have no way of knowing that this requirement is being met, and even if we did, there is no easy way of responding to a correctional administrator who claims that he would willingly conform to community standards if only his budget would allow it.

Further, I want to claim that by accepting the narrow confines of the product marketing ethos and the spirit of voluntary application of standards, the CEA standards document is forced to ignore the issue of the quality of the learning environment, which is essential for

learning to take place - such aspects as the motivational role of teacher-student relationships and the general classroom climate, the quality of relationships between the education centre and the management of the correctional facility, the expected contribution of education to post-release destinations of students, and the role of education in preparation for citizenship. If the CEA had included key aspects of the learning environment in its standards document, this would have placed some responsibility, even if voluntary, on the correctional administrators for ensuring that standards of program delivery are met. The opportunity to develop a sense of partnership between correctional educators and administrators has been missed.

So, it appears that the CEA standards fall far short of delivering a quality educational product by omitting the more difficult to measure human qualities that most teachers know intuitively are important for motivating students to engage with new learning experiences, to develop autonomy as learners, and to use their learning constructively in their interaction with others in the community. If these personal and interpersonal qualities are important, then they need to be mentioned in the standards and an attempt to measure them proposed.

Performance indicators may help to measure identified qualities of personal and interpersonal behaviour. Further, collection of recidivism data before and after the establishment of standards for education and vocational training programs, would demonstrate that the pursuit of standards is expected to have some impact for the common good as well as for the student. Perhaps standards document could also include a statement about its informing educational philosophy and this may help the reader to understand its strengths and limitations.

On face value the CEA draft document does not appear to have an educational philosophy at all and one wonders whether it is designed largely to gain some validation by correctional management personnel for the delivery of education and training within their correctional facility. Such an explanation would lead to the conclusion that the omission of learning environment issues is for political reasons such as not wanting to confront correctional managers with the reality that the typical correctional environment is not conducive to teaching and learning. While this is conjectural, there is some supporting anecdotal evidence from my years of contact with the field and the repeated claims of teachers that correctional management and custodial staff are hostile to education. For example, one Chief Executive of Corrections in an Australian State told me a few years ago that his priorities were: to keep them in; to keep them busy; to make some money out of them; and, to provide opportunities for education and training if there was any time left after attending to the first three of his priorities. There is not much room for rehabilitation

with those priorities but if the Chief Executive wants to keep his job, he may have to keep his corporate priorities. He may be amenable to an argument which shows how education and training contribute to his three top priorities. Avoiding the issue of learning environment does nothing that will cause him to think about how his fourth priority might be integrated into his first three priorities, making his job easier and the life of prisoners more productive (Gerber and Fritsch, 1995).

From another, wider, societal perspective, the lack of a statement of educational philosophy in the CEA standards document is a severe limitation because the reader is left to guess why it is important to have education in correctional facilities at all. What do we expect will be the outcomes for the students and society from education and training programs in correctional facilities? Correctional administrators may take a greater interest in program outcomes if the costs of recidivism were made clear and contracts were written accordingly. Currently, the contents of a program package, however attractively delivered, are not designed to impact on the post-release world of the student, except that it may claim to make the student potentially more employable. But the student is not taught how to put these new skills into the context of his/her post-release situation. Indeed, this is not part of the program-designers' brief and as they are only members of a corporate team or unit, they do not see post-release factors as their area of responsibility. Their understanding of cost-effectiveness is in terms of the delivery of a quality product. According to this definition, customer satisfaction is assumed by the strength of demand for the product. But the student is not the only customer to consider and demand is not the only criterion for customer satisfaction. The community is the other customer, because the community pays for most of program delivery costs and the community pays a high price for recidivism rates. So, as it is largely our money that is paying for the programs as well as recidivism rates, the government has an overall co-ordination responsibility on our behalf to ensure that the roles and tasks of the various agents or contractors employed, fit together into an overall rehabilitation strategy.

This includes transition from correctional facility to community living situation for there is research evidence (Wiley, 1988; Downes et al, 1989; Stevenson, 1995) indicating that, while possession of a certificate in vocational competence is a great achievement by student and teacher, it cannot be assumed that vocational competence transfers to on-the-job competence or other areas of the student's post-correctional experience life in the community. Further, if participation in education and training does not translate into lower recidivism rates, there may be an argument for keeping correctional clients busy in less expensive ways. This is the danger of accepting a context-free approach to program provision. An educationist's approach to program provision would carefully structure the

present learning context, and be directed at making a difference to the student's future application of new learning.

Because the correctional environment is very different from the community at large, a period of community acclimatisation is also necessary, especially for those people who have been in prison for more than a few months. There are relationships to renew and rebuild, accommodation to be found, work to be found, and development of routines like getting out of bed and catching a tram without supervision, even though you believe that the whole world is watching you, perhaps staring at you, and waiting for you to make a slip - which of course you do when you do not know the price of a tram ticket and then fumble your money onto the floor of the tram rather than into the hand of the conductor. This initial post-release period of anxiety can cause former inmates to lose confidence in their ability to apply new knowledge and skills learnt in a correctional facility even if they have a certificate that says they are competent.

We need more data on the post-release impact of education and training and the life experience of correctional clients. Such evaluative data will assist in the improvement and relevance of correctional programs to the rehabilitation goal. Stephen Duguid's ( 1996 ) experience in Canada provides an illustration of this point. Duguid had been running a liberal arts program for prisoners in Vancouver for twenty years. He believed that it was a great program because it challenged prisoners, their ideas, values, attitudes and beliefs. It also gained them credits towards a university degree. Then suddenly the prison authorities stopped the program and introduced a new program based on the inadequately researched assumption that all prisoners have cognitive deficits that must be remediated if they are to be rehabilitated. Duguid believed that his program had been very effective in reducing recidivism rates but he had no research evidence to back up his belief. He then gained a research grant to investigate retrospectively which types of student did best, and worst, after release. The research is not yet published but Duguid's research method can be likened to a value-added approach to program evaluation in that he has identified those prisoners who did better after release than could be predicted according to the set of success indicators that his research team had developed. The outcome of the research will be a report to the prison authorities that certain prisoner 'types' should be allowed to participate in a liberal arts program because they will benefit most from participation and yield greatest value for money.

In carrying out this research, Duguid appears to accept the argument of the market, that some products suit some consumers more than others. Other products need to be developed for those who are less likely to benefit from his liberal arts product. I think there are some dangers in this approach because it leaves open the possibility that prison authorities will

decide that some prisoners will not benefit from any rehabilitative program product, and once that decision is made, then it is logical to argue that most prisoners will not benefit from any program and the cost of imprisonment can be cut by denying access to education for most, if not all prisoners. In this scenario, standards are only relevant to those prisoners who have access to education and training, suggesting that there needs to be an underlying principle of access which informs the proposed set of standards for education and training in corrections. Other principles, even 'rights', may be necessary thus providing a strong and consistent foundation for standards of program delivery in a correctional system where the correctional managers have responsibility for including a range of quality programs that include the education and training needs and abilities of all types of client. Without such guarantees, it is possible that correctional administrators, or governments, can change their priorities, rendering standards ineffectual.

This point has been reached in California where more money is now being spent on the correctional system, especially on building new prisons, than is being spent on education in schools in the community, and the costs of imprisonment are reduced a little by reducing education provision in prisons ( CNN Interactive, 1996 ). This is in stark contrast to the traditional position of education in the community where ten years of schooling has been deemed to be of such value to all young people and the common good of society, that it has been compulsory for well over 100 years. The Californian situation suggests that public education is being de-valued and this could lead to community acceptance of an argument that as most prisoners did not take advantage of the opportunity in their early years, they are therefore not entitled to expect the generosity of a second chance whilst in prison, especially when resources are being withdrawn from non-offending children in public schools. Currently, the American public seems to be more interested in getting unemployment rates down, and, as one Australian economist (Davidson, 1997) points out, the building of prisons provides employment for some and puts the unemployable inside the prisons, thus getting them off the streets and the unemployment statistics. Just to complete this gloomy picture, there is an economic rationalist argument ( Wilson, 1980 ) which claims that it is cheaper to put offenders in prison than it is to leave them on the streets.

The problem in the current economic context is that politicians are so focussed on the magic of the triple A rating for investment, believing that once that is secure there will be a trickle-down effect to all sections of the community. All we have to do is wait and the magic will work. Some of us are not convinced but feel powerless to do much. The danger is that while we are waiting we will lose our direction as well. So, by all means, let us get together and develop a set of standards for education and training in corrections, but let us also be clear on where those standards are coming from and where we expect them to lead.

There is strong evidence that education does make a difference, even in correctional settings (Harer, 1993; Stevens and Ward, 1997). The authors are not sure how such outcomes were achieved but assume that education is a social 'good' and will therefore have positive social effects. It would be helpful if we could be more specific about what combination of factors is more likely to produce positive outcomes and I guess this is what Duguid's research is attempting to do retrospectively. I have a preference for taking a more proactive approach and I want to outline such an approach in the remainder of this paper. This final section of my paper is in support of my claim that standards for delivery of education and training in corrections must be sensitive to, and be reflective of, of the context in which the programs are delivered.

### **Proposal for Correctional Education**

It seems to me that the particular emphasis that your standards take, will depend on your preferred educational theory. In this regard, the CEA's 1997 draft standards are disappointing because the closest they come to education 'theory' is the mention of 'philosophy' under the heading of 'premise' (p1) and the premise is that:

education programs in correctional institutions can be of high quality despite significant differences.

According to the CEA standards document (1997) these significant differences can be in philosophy and goals, the community served by the program, and action taken to meet the needs of staff and students participating. The term 'philosophy' is not defined. However, 'philosophy' is mentioned in Standards 1 to 4 in association with the term 'mission statement' which has to do with describing the goals of the organisation. So, 'philosophy' for the authors of the CEA Standards, has no stated link to education theory. It is rather, an organisational concept. This is where I part company with the CEA document because in my imagination of how things work, the organisation is established to implement the philosophy, it does not determine the philosophy. This is an important distinction because, for as long as I can remember, one of the persistent complaints of Australian teachers in corrections is that they have had to work within a custodial organisation which is based on an authoritarian philosophy, whereas their preferred educational philosophy has something to do with developing each individual's capacity for critical thinking (Rabak, 1988; Wiley, 1988) and that this requires an organisation which encourages curiosity, experimentation and co-operative problem-solving, with the teacher as a resource person. Nowhere does the CEA draft document tackle this basic philosophical conflict for teachers in corrections.

To begin the process of establishing a framework for standards in correctional education and training, we need to be clear about our education theory and goals. Then we need to think about how these goals might be reflected in a correctional setting and what are the implications for how the total correctional setting is managed. I will start with a very wide-angle lens and gradually zero-in on the correctional setting. The broadest question to settle is:

What sort of society do you want? If your answer includes references to democracy, social cohesion, respect for human rights, equal and fair encouragement for all students, then we have a basis to proceed to the next issue, that is, the aims of education and how they contribute to a vision of society.

In his book, *The Aims of Education Restated*, White(1982) defines education as "up-bringing". For White, education is not just the province of schools but is intimately connected with industrial, political, economic, and social institutions, and is therefore a lifelong process. Thus, the "up-bringing" of the individual involves reconciling two sets of aims - personal and societal. White identifies person-centered aims with the "good" of the individual, and societal aims with the "good" of society. The two sets of aims are not always in conflict, although person-centered aims increase understanding of personal temperament, desires and abilities, while the economic aims of society tend to favour the academically successful. In a school which is preparing students for participation in the democratic society, the school curriculum will give higher priority to teaching social criticism than it will to skills for non-existent jobs. This is not to teach students how to be rebellious but how to balance personal aims with the aims of society, through interaction with the major social institutions and application of their knowledge and understanding in acting responsibly towards others while protecting self-interest. Student participation in the decision-making processes of the school is therefore essential preparation for participation in the wider arenas of community life. Diagram 1 demonstrates how this has been achieved in the past.

### **Diagram 1 - Aim of Education**

#### **To prepare for citizenship**

Individual

School

## Work

## Citizenship

The problem with this traditional pathway to citizenship is that the current high unemployment rate means that many young people are ineligible for full citizenship status and feel marginalised, possibly leading to anti-social behaviour because they have little hope and little to lose by engaging in such behaviour. An alternative model was proposed by Dewey (1916) a long time ago. In his book, *Democracy and Education* (1916), Dewey presents the school as a mini-community which teaches students through experiential and co-operative solving of real problems. So, instead of 'preparing' students for a future role of citizen, Dewey advocates 'practising' citizenship through involvement in decision-making in school governance and in relation to solving curriculum problems. Dewey's model is presented in Diagram 2 and is more consistent with White's notion of education as socialisation or up-bringing than the sequential model presented in Diagram 1. The interactive nature of education is captured in Diagram 2 which recognises that for understanding and independent action to flow from curriculum content, there needs to be recognition of the affective, as well as the cognitive, component of learning.

**Diagram 2 - Aim of Education**

**To Practice Citizenship**

Individual

Society

Curriculum

Focus on interaction to promote  
sense of belonging, usefulness and competence  
in key areas of vocational, political, cultural and interpersonal life  
in the community.

Curriculum aims for education programs in a correctional system are no different from those in the mainstream schooling system, that is, equal access to participation in the economic, intellectual, political, cultural and social life of the community. In the economic area, this means not only literacy and numeracy preparation for vocational opportunities, but understanding how the market economy works, what might be called economic literacy, so that students may become active participants in the economic arena. Curriculum content would include basic skills such as reading, writing and arithmetic and how these might be applied to career aspirations, accommodation, nutrition, clothing, budgeting, hire purchase and other aspects of the banking and finance system. So literacy would be taught in the context of market forces which determine employment rates, availability of accommodation, and prices of food and clothing. Achievement of the aim of economic literacy, if taught experientially, would enable the student to understand his/her options and facilitate choice of the most advantageous course of action.

Additional skills and understandings derive from the interaction between the economic literacy aim with another curriculum aim, that is the aim of political literacy, which includes content on how decisions are made in democratic societies. At the personal level this would involve participation in prison decisions in relation to oneself, and at the broader level, the meaning of government of the people by the people, and the implications for individual rights and action.

Connected to the political literacy and economic literacy aims is another aim, which might be called cultural literacy, and contains essential understandings for participatory membership of societies which are both democratic and pluralist. Students may unravel the heavy emphasis on white, middle class, male values in textbooks and the media, or they might study the values and traditions of various groups in society, and reflect upon the influence that these perspectives have on their own attitudes and behaviour. A prison classroom which could demonstrate that the constructive contributions of all members were valued equally, would be a good setting for the development of cultural literacy.

Achievement of all the above aims is interdependent with achievement in the area of social competence. While these other aims contribute to the social competence aim, a particular focus on inter and intrapersonal relationships would assist development of skills and understandings about the causes and effects of competition and co-operation in personal and societal arenas. The social competence strand of curriculum presents an opportunity to emphasise the importance of learning through interaction with others. Role-plays and simulations relating to the experiences of the students with a view to seeking alternative and responsible solutions to personal scenes and situations, should increase motivation to explore other curriculum areas relevant to their future living situation.

Having established the aims of curriculum, the actual content of some existing programs and course modules may need adaptation, but the main changes will be in the interactive problem-solving style of teaching and learning, and in the style of correctional management becoming less authoritarian and more negotiated.

What is suggested here is that a correctional management that has citizenship practice as its primary goal, will organise itself differently than a correctional management that is pre-occupied with conformity of inmates to a set of rules and procedures that make little sense in the world outside the institution. The institution geared towards responsible citizenship will establish a code of behaviour that reflects the rights and responsibilities in the wider community. It will state clearly the limitations placed on those rights and responsibilities by the security rating of the prison but the areas of free speech, protection of property and person, and freedom of movement will be addressed. Procedures for appeal will also be clearly stated and communicated to all staff and inmates. Ideally, there will be provision for prisoner participation in the development of rules and the consequences for breaches as well as recognition for achievements in various aspects of the prison program. Overall, it is expected that this style of management will decrease the need to resort to imposition of external power and increase the opportunities for inmates to develop internal controls and take personal responsibility for their decisions.

The interest in unit management in some correctional institutions in Australia could be a positive step towards greater inmate responsibility for managing domestic arrangements of their living units, and increased access to personal files and a supervisory staffmember. If this management style can be connected to a set of institutional goals for responsible citizenship, then there will be negotiation and co-ordination of educational and custodial priorities that could lead to an agreed set of strategies for making full citizenship status possible upon release. The Malmsbury Juvenile Justice Centre in Victoria appears to be attempting this type of management model and the integration of education and training into this model provides a consistent set of formal and informal learning experiences for the young men. The definition of curriculum at Malmsbury would be more consistent with 'everything that the student learns from his interaction with the institution' - not just what is contained in the TAFE accredited modules of study. There is a partnership between management and educators and there is an expectation that youths will take individual and small group responsibility in aspects of the daily management and programming of the institution.

Some may claim that Malmsbury has some special features that cannot be replicated elsewhere. Firstly, the youths are selected for participation because the presiding judge or magistrate believes that they are trainable and that the institution expects them to learn. In my opinion this is not a criticism but provides support for my earlier argument that standards for correctional education need to include a section on the importance of the learning environment. Institutions

with higher security and inmates with perceived lower motivation for learning will not solve the problem by claiming that the task is too hard. It is easier if we have a clear idea of where we want to go. Once we are agreed on a rehabilitation goal, we are set on establishing redemptive pathways to full citizenship status for all students. Standards for design and delivery of education and training programs which are consistent with our educative goals, will assist us to evaluate what we are doing.

## **Conclusion**

This paper has advocated that correctional education and vocational training be derived from education theory which emphasises the civilising role of education in society, and that there are consequential implications for correctional management, teaching style, and program evaluation as well as standards for program content and delivery. It is suggested that standards which apply to education and vocational training in the community also apply to correctional education and training, in preference to developing a special set of standards for corrections because the vast majority of correctional clients are destined for the community. Finally, by placing the development of correctional education standards into the context of education theory and current community education practice, notice is served that the quality of education and vocational training in corrections is expected to improve following their implementation.

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