

Education in Correctional Settings Policy

as adopted at the 2007 Annual Federal Conference

1. Introduction

- 1.1 The Australian Education Union covers members who provide education and training in a range of correctional settings in all states and territories. These settings include Correctional Centres, Juvenile Justice Centres, Detention Centres, and institutions for people on probation or parole.
- 1.2 United Nations General Assembly Resolution 45/111 on Basic Principles for the Treatment of Prisoners at Article 6 states: “All prisoners shall have the right to take part in cultural activities and education aimed at the full development of the human personality.”
- 1.3 This policy is situated in the context of acknowledging the increased benefits which accrue to individual inmates and also to society broadly as a result of the provision of education in correctional settings. To this end, the policy promotes the notion of education as a right, within the context of improvements in individual’s lives, including vocational outcomes, and overall societal cohesion. It is also situated within the context of the rights of teachers who work within correctional settings to a safe and healthy working environment.
- 1.4 Conditions of AEU members working in correctional settings are included in a range of industrial agreements which differ from state to state, and from territory to territory. The overall funding of vocational education and training is a shared responsibility between the States and Territories, and the Commonwealth Government. The implementation of vocational education and training in correctional settings is the responsibility of States and Territories. In the States and Territories, arrangements for vocational education and training may be the responsibility of either one or a combination of the states training authority and the corrections administration. Further variations exist in respect of Juvenile Justice and Detention Centres.
- 1.5 In the June quarter, 2006, there were 76,974 people under the authority of corrective services (excluding those in periodic detention). The total comprised 24,762 people in full-time custody and 52,212 in community-based corrections. The June quarter 2006 average daily imprisonment rate was 158 prisoners per 100,000 adult population. Of these, 93% were male, and 7% were female. The average national daily Indigenous imprisonment rate in the June quarter 2006 was 2110 per 100,000 of the adult Indigenous population.¹

¹ ABS Corrective Services, Australia, June 2006

The 2002 ANTA *National Strategy for vocational education and training for adult prisoners and offenders in Australia*² indicated that less than a quarter of prison inmates had completed secondary school, a large number had limited literacy and numeracy, more than 75% were likely to have been unemployed prior to their sentencing, and more than 75% were likely to have substance abuse problems.

- 1.6 This policy recognizes that being imprisoned is a transitional situation. From a lifelong education perspective (particularly for the young) this transitional situation must be taken into account, and the focus of education whilst incarcerated must be part of a lifelong education continuum.
- 1.7 The AEU is concerned at the overuse of custodial sentencing evident in the massive growth of inmate numbers. Imprisonment should be a punishment of last resort.

2. Definitions

- 2.1 In this policy, “correctional settings” or “correctional facilities” include:
 - Correctional Centres
 - Juvenile Justice Centres
 - Detention Centres
 - Settings for those on probation and parole

3. Overarching principles

- 3.1 Provision of education in correctional settings should be guaranteed in legislation. Access to education should include classroom subjects, adult basic and general education, accredited vocational education sensitive to trends in the labour market, distance education, creative and cultural activities, physical education and sports, social education, pre- and post-release programs.
- 3.2 The provision of educational programmes in correctional settings should be adequately resourced, publicly funded, and not subject to outsourcing to private, for profit organizations.
- 3.3 The development of educational programmes in correctional settings should recognize the diverse backgrounds and needs of inmates, with respect to education, vocational education and personal development.
- 3.4 The development and resourcing of programmes should be set within the context of, and underpinned by an understanding of the over-representation of Indigenous people in the criminal justice system, and their specific needs.

² ANTA 2002

- 3.5 Educational programmes should be integrated with the educational and vocational education and training system in each state and territory so that after release, inmates can continue with their education and vocational training with less difficulty.
- 3.6 Teachers teaching in correctional settings should be teacher qualified, with their professional status recognized and linked to teachers teaching in schools, TAFE or other appropriate sectors
- 3.7 Within correctional facilities:
- all inmates should be provided with access to educational programmes which are comprehensive and which meet individual needs and aspirations, no matter what their legal status.
 - education should have no lesser status than work and no inmate should be disadvantaged financially or otherwise for taking part in education.
 - appropriately resourced teaching facilities including a library or similar facility with a range of appropriate resources and technology should be available for all inmates.
 - all inmates need to have access to information on sexuality and HIV/AIDS.
- 3.8 Students in correctional settings have the right to access an accredited programme of education, including vocational skills training, for the purpose of improving their overall level of education and their life chances after release. Specifically:
- Young inmates and those with special needs should be given priority
 - Young inmates subject to compulsory education should have access to such education
 - Inmates from indigenous backgrounds should have access to programmes which are culturally appropriate and relevant to their needs
 - Inmates from traditionally marginalized groups including women, NESB, GLBTI and inmates with disabilities should have access to appropriate education programmes
 - Inmates with literacy and numeracy needs, and those without basic or vocational education should also be given priority
 - Inmates in correctional facilities have the right to educational programs which deliver recognized qualifications.
- 3.9 Teachers working in correctional facilities have the right to:
- be protected by industrial awards and agreements which ensure their conditions of work.
 - a safe and healthy working environment protected by OH&S legislation which covers blood borne communicable diseases.
 - be represented by their union, especially within their working environment

- approved courses of teacher training, and access to well resourced, ongoing professional development.
- secure employment, with appropriate additional financial compensation for the particular circumstances of their working environment.

4. The AEU will:

- 4.1 Actively campaign for the legislative guarantee of education for all inmates
- 4.2 Promote the establishment of communication networks between teachers working in correctional settings across all jurisdictions
- 4.3 Promote the role of teachers working in correctional settings, and recognize their unique position in the lifelong learning continuum
- 4.4 Campaign for the right of all inmates to take part in cultural activities and education aimed at the full development of the person
- 4.5 Contribute to the visibility and development of education for inmates to facilitate their return to society as active citizens.