



Higher Education Policy Institute

Student loans for those on long prison sentences

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Policy Proposal

The Student Support Regulations for England and Wales should be amended to extend student loan eligibility to include people in prison who have more than six years to run on their sentence.

Summary

Participating in higher-level study offers recognised benefits both for the student and the prison and has been proven to reduce reoffending. However, prisoners are restricted from applying for student loans until they are within six years of release. Allowing prisoners to commence their studies earlier in a long sentence could increase student numbers by about 200 per year. This would cost an additional £2 million in upfront student loans, but could also save between £3 million and £6 million as a result of reduced reoffending rates.

Current higher education provision in prisons

In the UK, there are approximately 2,000 prisoners in higher education. Most of them (1,750) are completing a part-time distance learning degree with The Open University (OU). Others participate in Prison University Partnerships in Learning (PUPiL), such as the Inside Out programmes led by the University of Greenwich at HMP Downview and Durham University at HMP Frankland and

Low Newton. Most of the PUPiL programmes are not accredited but can act as a stepping stone to more formal degree pathways.

The PUPiL route often takes the form of a term-time module led by university academics, with other university students brought in to study alongside prison students – a route that is very popular with all participants. The Partnerships are usually funded by the university as part of their corporate social responsibility policy. They can also be of benefit to mainstream university students, usually those studying Criminology who might want a career in the justice sector.

Fees and funding

There is a common misconception that all education in prisons is funded by government. This is true for lower-level study, which is contracted out through the Prison Education Framework to four large education providers, but further and higher education courses are not government-funded in England and Wales. Many distance learning courses are funded by the Prisoners' Education Trust, via a government grant

as well as philanthropic funding, but most of the upfront cost of higher education in prisons is borne by the students themselves.

OU students in prison pay the same tuition fees as other students. OU fees in England are currently £3,012 for a 60-credit undergraduate module. At today's prices, the total cost is £18,072 for a full honours degree. In Wales, Northern Ireland and Scotland, OU fees are £1,008 per module with a total cost of £6,048 for an honours degree. However, many students in Scotland qualify for a part-time fee grant which funds 100 per cent of their course fees. In Scotland, publicly-funded student places in prison are capped and self-funding is not currently permitted.

There is some scholarship funding available to students in prison. For example, at the OU all students on an introductory (non-credit bearing) Access module receive grant funding from the Prisoners' Education Trust. Thanks to generous donations from the Garfield Weston Foundation and the OU Students' Educational Trust, about 100 students a year receive grant funding for their first full undergraduate module too. Beyond that, students in England and Wales must apply for a tuition fee loan via the usual routes. This student funding model has been in place since 2012 when higher tuition fees were introduced in England. Prior to that, higher education study in prison was largely funded by government.

The impact of higher education on reoffending rates

Recent analysis by the Justice Data Lab for the OU shows that one year after release the reoffending rate for those who had studied for an OU award was four percentage points lower than an equivalent group who had not participated in higher education study. This shows a 20-40 per cent reduction in the

rate of reoffending, when the fact that some offenders are in prison for multiple offences is taken into account.¹

The current six-year rule on loan eligibility

A 2016 report commissioned by the Ministry of Justice and led by Dame Sally Coates, *Unlocking Potential: A review of education in prison*, noted that:

Currently prisoners are prevented from taking out a student loan until the last six years of their sentence due to a requirement in the Education (Student Support) Regulations. This means that prisoners on longer sentences potentially face years of wasted time when, through HE study, they could have been developing skills and attitudes to become valuable members of the prison community.

All part-time students are expected to start repaying their tuition fee loan six years after starting their course, and when their salary meets the current £25,000 per annum threshold. If a student remains in prison after six years, they will not be able to make any loan repayments.

The benefits of ending the ruling, in terms of improved prospects for those on longer sentences, are identified by Ian Bickers, Deputy Director of Education, Employment and Industries at Her Majesty's Prison and Probation Service (HMPPS), who told us:

Removing the 6-year rule would allow students to start their study earlier in their prison sentence. Studying in the complex environment of a prison may require a student to take longer than expected to complete a degree, but it would also allow those who want to progress their studies beyond undergraduate degree level to do so whilst still in custody, with the potential to open wider opportunities to those studying.

Impact of ending the rule on student numbers

To explore the potential impact of the proposed policy change on OU student numbers, we carried out some statistical modelling. We estimate that removing the 'six-year rule' could potentially create a 30 per cent uplift in demand for higher-level study with the OU. This could yield an additional 9,770 eligible prisoners in England and Wales who would have access to higher education funding. With approximately 2 per cent of the prison population in higher education, we estimate this would equate to an additional 200 OU students per year.

Savings to the public purse

With the total expenditure on the prison system taken into account, the Ministry of Justice reported that the annual cost per prisoner in England and Wales was £37,543 in 2017/18.²

If the six-year ruling came to an end, our estimate of the upfront cost of student loans for the extra 200 OU entrants is £2.3 million, but that is set against potential savings to the public purse that could be nearly three times that even if the loans were never repaid.

Where the savings come from ...

For the 200 OU student entrants gained, the estimated decrease in reoffending equates to between eight and twelve fewer reoffenders. Based on the annual cost per prisoner in England and Wales, and assuming that people who reoffend commit a crime that merits a 10-year sentence, this could mean savings to the public purse of between £3 million and £6 million, even if the student loans were never repaid.³

Wider benefits of ending the six-year rule

The financial savings are not the only factor here. There are many benefits of higher-level study for those on longer sentences.

Below are two case studies of real students – one who was lucky enough to begin their study before the six-year rule began and another who was not.

Student A started his degree in 2007 when there was no requirement to take out a student loan. Over a period of 19 years he went from no educational qualifications to a Master's degree and now, during the final stages of his sentence, is engaging in a professional role during his day release. He has excellent prospects ahead and has also contributed widely to education in many prisons during his sentence. This has also produced a change in his core beliefs, from identifying as a criminal to recognising the capacity that he has to influence others to live a law-abiding lifestyle both during their sentence and after release.

Student B wished to study but was not eligible for a student loan. Instead he completed Functional Skills qualifications and a range of non-accredited courses, but with his educational ambitions hindered he began working in the prison workshop. This led to a level of frustration which contributed to a deterioration in both his custodial record and behaviour. By the time he was eligible for a student loan, he no longer had the motivation or educational routine required for higher-level study.

Prisoners who study a higher education course often take on a wide range of additional support roles within the prison relating to education, violence reduction,

equalities, tackling drug misuse, counselling and listening.

They often become trusted prisoners who contribute to a settled environment and are able to use their study experiences to guide others of a lower academic ability into educational pathways. They act as role models and take on formal mentoring within educational departments and vocational skills workshops.

Prisoners that study at a higher-level are also better placed to participate – constructively and proactively – in the committees and prisoner / student councils that tackle issues relating to the running of prisons. For example, HMP Coldingley and HMP The Mount both use student councils in this way. Many of their students have benefited from starting their studies before the six-year rule was in force and would not otherwise have been able to take up degree-level study. A violence reduction and mediation scheme initiated at HMP The Mount helped to address the high number of violent incidents against staff and between prisoners. This joint initiative between the Governor and OU students proved to be very successful.

Endnotes

- 1 Justice Data Lab Re-offending Analysis: The Open University, published in July 2019 and based on prison release data from 2002 to 2017.
- 2 Ministry of Justice 'Costs per place and costs per prisoner by individual prison': HM Prison & Probation Service Annual Report and Accounts 2017/18 Management Information Addendum, published 25 October 2018. Table 2a.
- 3 These figures are based on the calculated cost per prisoner in England and Wales when total expenditure on the prison system is taken into account. Reported costs per prisoner are greater for those in Scotland and Northern Ireland prisons. Secondary cost savings are not considered.

The opportunity to study for a degree also contributes to a sense of wellbeing that cannot otherwise be easily met within the confines of a prison regime. It brings a sense of purpose and hope as well as offering a realistic pathway towards living a different life on release. Studying for a degree is a long-term commitment that not only helps the person while they are in prison, but also encourages positive behaviour that can over-ride many years of an ingrained criminal lifestyle.

The solution

What is needed is an amendment to the Student Support Regulations for both England and Wales.⁴ The current policies state that:

to be eligible for student support the prisoner is someone whose earliest release date is within 6 years of the first day of the first academic year of the current course or current part-time course.

We believe the simple change of excluding this clause from the regulations would have a significant positive impact on the life chances of many prisoners and bring social benefits to wider society, as well as cost savings to the prison system.

Cost savings to the public purse are based on a total year's cost per prisoner per full year. Since the future sentence of a reoffender is unknown, the model assumes that a reoffender's sentence length is likely to be similar to their original sentence length. Study costs for potential new OU students are modelled based on study patterns of current OU students studying in secure environments and so as not to underestimate the cost of study, it has been assumed that all would complete their study, i.e. the full tuition fee is charged.

- 4 For England – The Education (Student Support) Regulations 2011 (as amended); for Wales – The Education (Student Support) (Wales) Regulations 2018.



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