EDUCATION BEATS CRIME EVERY DAY -
CHANGING THE DEBATE IN THE LAW AND ORDER AUCTION

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Recent Federal and State elections over the last 15 years have seen a significant
debate over law and order issues, often with negative and misleading rhetoric that
the crime rate is rising and the public is at risk. This has resulted in tough new
measures in sentencing and an increase in imprisonment rates. In New South Wales
alone, a ‘tough on crime’ stance throughout the 1990s and early 2000-9 from both
sides of politics, saw the percentage of NSW citizens incarcerated rise significantly,
culminating with changes to the NSW Bail Laws overturning the presumption of
innocence to a presumption of guilt. This alone resulted in an increase in the
population of the state’s prisons by up to 20%. At the same time, budgetary
restrictions, static numbers of education staff post 2001/2 and industrial unrest with
the privatisation of Parklea and attempted privatisation of Cessnock correctional
centres has impacted on the provision of educational programs in New South Wales
correctional centres.

Building on papers given in previous ACEA Conferences, in particular, Doris
McKenzie from the US and her meta-analysis of research into education’s effect on
recidivism, we report on how well the Education Beats Crime Every Day political
campaign, based on research and the experience of current practitioners, succeeded
in short circuiting the usual Law and Order auction seen prior to previous elections to
a debate on the impact of meaningful educational programs on recidivism, and a
much more positive auction on the enhancement of funding and access to
educational programs for inmates.
Introduction

Over a period of eight months, from July 3 to the NSW State election in March 27, the NSW Teachers Federation conducted a strategic campaign aimed at gaining improvements in support and access to education in NSW Correctional Centres. As a consequence of the law and order auctions held in previous elections, more citizens were being incarcerated for longer periods. Simultaneously, budgetary restrictions targeting custodial overtime and tighter budgetary restraints on education delivery were having a negative impact on inmate access to education. With a tired Labor Government facing electoral annihilation and an incoming Liberal, National Coalition that was traditionally conservative, on the verge of winning government, it was feared that another law and order debate was looming that would have deleterious effect on the provision of education in correctional centres. It should be noted at the outset, that the NSW Teachers Federation was not alone in its concern for the effects of another law and order debate. The Community Justice Coalition, a collection of various groups pushing for reform of the criminal justice system in NSW, would play a pivotal part in the campaign for the better provision of education in Correctional Centres. Various studies, including Doris Mackenzie’s paper, a ‘meta-analysis of research into education’s effect on recidivism,’ presented to the ACEA conference in Perth, 2009, and a skills assessment on literacy and numeracy conducted by the Australian Education, Training and Vocational Institute (AEVTI) in all NSW Correctional Centres over a period of three years, were instrumental in the formation of a positive position that could be put to both the community and candidates in the lead up to the election. Due, in part, to the materials prepared for the campaign and the lobbying of Correctional teachers throughout the State, there was no law and order debate as seen during previous election campaigns. In contrast, the debate centred on the impact of meaningful educational programs on recidivism, and a much more positive auction occurred on enhanced funding and access to educational programs for inmates.

The Law and Order Auction

There is no doubt that the ‘tough on crime’ debates during the last decade resulted in more citizens being incarcerated and serving longer sentences in NSW gaols. According to Gibson in his report in the SMH, 2010, NSW prisoner “numbers grew by
almost 5 percent last year (2009) and have increased by more than 4 percent each year since ‘the truth-in-sentencing’.” Changes to bail laws 2003-2010, added further pressures to the housing of prisoners. These included a stringent test for granting bail for murder and ‘repeat serious personal violence offences and a presumption against bail for ‘repeat property offenders’, certain firearm and drug offences., as well as terrorism and riot offences. In 2007, new limits on the number of bail applications were added to prevent ‘magistrate shopping’. In Bail law: developments, debate and statistics, a parliamentary briefing paper prepared by Lenny Roth ion 2010, “Corrective Services managed 2,608 prisoners who were on remand,”... representing “23 percent of the total 11,160 prisoners. Between 1993 and 2009, the number of prisoners on remand has more than tripled and the proportion of all prisoners who are on remand has more than doubled. It should be noted that, apart from a resurgence of appointments of permanent full time and permanent part time education staff in Correction Centres in 2001/2, teacher numbers had remained static at 120 positions while pressures on funding and inmate access to education continued to be reported as by education staff as problematic.

Additionally, during this same period, a cash strapped NSW Labor Government intent on creating savings hoped to recoup $63 million each year by selling the prison operation at Parklea, western Sydney, and Cessnock in the Hunter Valley. Further savings were to be made by “wide-ranging reform to the state’s prison system, after payments for offices reached $43 million a year – more than double the budgeted $20 million” (Nick Ralson – Aug 18, 2008 9 News). The flow-on effect of budgetary restrictions and the resultant industrial unrest in custodial ranks had a further negative impact on the provision of educational programs in NSW correctional centres.

Research underpinning the Campaign

Facing an incoming liberal national coalition set to win government with a sweeping majority, a positive campaign was seen as vital to short circuit any potential for a negative law and order debate in the lead up to the 2011 state election. To engage political parties, candidates and the general public amidst all the noise during an election, the campaign needed to do two things: highlight the issue and offer solutions.
If the issue was largely the importance and necessity of supporting education in NSW Correctional Centres then it needed to be supported by facts and academic argument. With no shortage of academic study into effect of education on both the number of prisoners in correctional centres and recidivism, three academic papers were used as the basis for argument in the campaign. The Australian Bureau of Statistics paper *Dynamics in Repeat Imprisonment: Utilising Prison Census Data* (2003) by Terry Rawnsley gave a snap shot of incarceration rates throughout Australia with a useful break down of those who are repeatedly imprisoned. *The Effect of Education on Crime: Evidence from Prison Inmates, Arrests, and Self-Reports* (2004) by Lochner and Moretti provided useful data on education as a restorative measure to reduce crime through their estimation of ‘the effect of education on participation in criminal activity’ (p.1). Finally, in her presentation of a research paper *A Meta-Analysis of Corrections-Based Education, Vocation, and Work Programs for Adult Offenders* (Wilson, Gallagher and MacKenzie) to the 2009 Conference of the Australasian Corrections Education Association in Perth, Doris MacKenzie demonstrated the importance of education in reducing recidivism.

In line with previous research, Doris McKenzie told an audience of correctional educators, including NSWTF members, that “the provision of adult education in prisons has a modest yet significant effect on reducing recidivism”. She also noted that “the teacher has an important role as an agent of transformation in offender involvement in education while in gaol” and that “teaching life skills as opposed to education did not show any effect on reducing re-offending.” The meta-analysis reports that the “evidence from this collection of 33 comparison group evaluations of corrections-based education, vocation, and work programs is that participants recidivate, on average, at a rate of 39 percent” (p.361) Lochner & Moretti found offenders who find themselves in Correctional Centres are disproportionately under-educated, with lower skills in the basics of reading, writing, maths and oral communication. “If education reduces crime, then schooling will have social benefits…. the social return to education may exceed the private return.” (p.1) A higher level of schooling meant a lower probability of arrest, incarceration and recidivism, clearly establish a strong case for basic literacy and adult education in Correctional Centres, including vocational training focusing on employability skills and vocational skills and qualifications. Rawnsley confirmed that “[a] quarter of prisoners aged 30-34 with 5 or more prison spells have only a primary education.
Virtually no prisoners with 5 or more spells have completed any post secondary school education” (p.17)

Supporting such research, the results of 12,000 literacy and numeracy skills assessments conducted by the Australian Education and Vocational Training Institute (AEVTI) on inmates in NSW Correctional Centres since September 2007, confirmed that high numbers of inmates come from poor educational backgrounds and have a low skills base in reading, writing and numeracy. 60% of inmates have not completed a Year 10. It should also be noted that indigenous prisoners represent 26% of the prison population in Australia and a further disproportionate rate of incarceration occurs for those of South East Asian, Middle Eastern and Pacific Island ethnic backgrounds.

However, in spite of the overwhelming evidence demonstrating the restorative nature of education in the correctional centres in hand with findings that the majority of inmates in Correctional Centres in NSW come from poor educational backgrounds, funding and access to educational programs for inmates had not kept pace with the massive increases to the NSW prison population. Analysis of the 2010 State Budget indicated a disturbing trend of a continuing fall in funding for offender programs, including education, in a time when the recent law and order debates had seen a significant growth in incarceration in NSW. A cut of $8.9m for programs occurred from 2009/10 to 2010/11 with a fall of $10.5m in net cost of services.

The Campaign

Recognising the concerns raised by members in Corrective Services over staffing numbers and recruitment, genuine professional development opportunities, parity with teachers in other sectors and the need to improve access to education and training for inmates, a strategic campaign was developed that initially sought support from associated bodies such as the Bail Reform Alliance and the Community Justice Coalition, and culminated in an election campaign in the lead up to the State Election in March 2011.
In the initial stage, alliances with associated bodies were sort through invitations to Max Taylor (Bail Reform Alliance) and Brett Collins (Justice Action) to Federation forums such as Federation council and the Correctional Services Teachers Association (CSTA). Federation delegates were also authorised to attend various forums at Parliament House, initiated by the newly formed Community Justice Coalition. The forums culminated with a forum at the Sydney Mechanics School of Arts on February 19, 2011 with political parties, represented by the Attorney General Hon. John Hatzistergos, Mr Greg Smith for the Liberals, and David Shoebridge for the Greens, responding to the Community Justice Coalition 33 page questionnaire around issues of prison reform, including the provision of education programs.

In parallel to these alliances, the Federation developed a campaign package and website to support the campaign for the election. These included:

- Skills document for a delegation to a member of Parliament
- A list of strategies that could be adopted in a meeting with a local member
- A list of questions that might be useful when speaking with a local member
- Pamphlet for public distribution
- Pro-forma letter to local members for the use of members. This will be available on the NSW Teachers Federation Web page with a list of local member address.
- Posters with a specific logo – “Education Beats crime a*y every day”
- T-shirts, white on black t-shirt: – “Education Beats crime a*y every day”

Federation, through its members in correctional centres, sought from all parties and candidates standing for the 2011 State election an acknowledgement of the urgency for enhanced funding and access for educational and training courses for inmates across all Correctional Centres, including the need to increase teacher numbers and thus the level of delivery. A public commitment to the following platform was called for:

- Legislative guarantees to improve access and funding of educational programs for inmates
- Greater teacher numbers to increase the level of provision
- Resolving the current impediments to inmates participating in educational programs in Correctional Centres
- Ensuring the appointment of an Aboriginal teacher in each centre, and support for existing experienced Aboriginal teachers to access professional development and networking opportunities
- Parity in income for correctional education practitioners to bring them into line with their colleagues from other education sectors
- The provision of genuine professional development for all Correctional Services’ teachers
- Public recognition of the cost savings achieved by the provision of education and vocational training programs through the reduction in re-offending

Campaign material it made clear to the public and to candidates that the majority of inmates return to their families and communities after serving 1-5 years. In keeping with the academic research already discussed, education and vocational training programs were essential in reducing crime and the associated costs borne by communities and taxpayers. The associated cost of $75,000 per inmate for every year of imprisonment was emphasised with further associated costs as calculated by Lochner and Moretti (2004) also part of the discussion with both candidates and the general public. “These estimates suggest that the social benefits of a one percent increase in male U.S. high school graduation rates (from reduced crime alone) would have amounted to $US1.4 billion. And, these calculations leave out many of the costs associated with crime and only include a partial list of all crimes” (p.25). If this majority was to gain the skills and pathways to employment for a brighter future, and not re-offend, then allocating a greater share of the taxpayer dollar spent on prisons to education and training was not only an essential investment but of better value to the public.

Conclusion

As a result of Federation's campaign and Federation's collaboration with the Community Justice Coalition, we believe a number of changes occurred, both in Party policy and in the dialogue of law and order issues. Significantly, there was no law and order auction where the electoral debate focused on who was toughest on crime as had occurred in previous elections. In contrast, the debate on law and order
issues focused on the impact of meaningful educational programs on recidivism, and a much more positive auction on the enhancement of funding and access to educational programs for inmates. A culmination of this debate was that the incoming Liberal/National Coalition government publically recognised the need for more literacy and numeracy programs for inmates prior to the election and committed an additional $20 million over four years for education and training programs in prison.

We do not claim that the NSW Federation campaign was solely responsible for these changes but, rather, acknowledge the work of the Community Justice Coalition and other mitigating circumstances, such as a fall in prisoner numbers over the last year, a tired Labor Government facing electoral annihilation and an incoming Liberal National Coalition that all pundits agreed would win government with an overwhelming majority.

Neither do we claim that we achieved everything we set out to achieve or that the campaigning is over. It should be noted that the Federation is still seeking discussion with the Minister on how the $20 million is to be allocated. We also note with concern that immediately upon winning office, the O’Farrell Coalition Government announced a budgetary black hole estimated at $4.5 billion requiring substantial cuts in all Government departments. This has brought about the closure of 3 correctional centres and the cutting of approximately 500 correctional position. However, largely due to the campaign, education staff has been quarantined from any cuts in positions. Finally, it should also be acknowledged that the law and order auction of previous years still percolates with reports that Victorian Government is currently conducting a survey of its constituents through a leading newspaper on whether current sentencing by judges is adequate.
References


