Can ensuring that people with Special Educational Needs and Disability (SEND) have effective education reduce the risk of incarceration?

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A R T I C L E I N F O

A B S T R A C T

Either through the media or various reports on the issue, it is widely understood that people with any form of disability are at a higher risk of getting involved with the Criminal Justice System (CJS) as both victims and offenders more often than non-disabled people. Existing studies suggest that most people with Special Educational Needs (SEN) that do commit crime, whether they are aware of it or not, do so based on first-hand experiences of discrimination and other environmental factors that further intensify their vulnerability.

This research examined what is known about the effects of inadequate support in the education sector for SEN children and young people and the effects of inadequate support combined with imprisonment on SEN prisoners through the perspective of professionals that work in education and the prison system. There is compelling evidence, within the literature, which shows a link between individuals with learning disabilities (LD) and trouble with the law and law enforcement. Moreover, key reasons identified and said to increase an individual's likelihood of and vulnerability to committing crime and/or reoffend, were lack of support networks; lack of knowledge within the police about SEN and the behaviours these can trigger; lack of a sense of belonging and discrimination; and gang grooming. For this qualitative study, seven professionals were interviewed: four from education and three working in the prison system. The study aimed to explore the impact of inadequate support in education on young SEN individuals and the impact of inadequate support strategies in prison on a SEN prisoner's progress.

The current research acknowledged that deficient support systems can impact an SEN individual's life decisions. Specifically, this study found that inadequate support for youngsters can result in extreme exposure to gang grooming, as for prisoners the lack of support translates into poor living skills when released and high reoffending reasons. The interviewees pointed out a few of the reasons for the former: lack of funding, outdated resources and poor staff training. However, questions are raised as to why this is still the case given that, as most participants stated, there is a much higher awareness nowadays about these issues and about disability and SEN.

Introduction

There is a growing conversation in both academia and policy communities about the disproportionate presence of Special Educational Needs (SEN) individuals in the Criminal Justice System (CJS). Current statistics illustrate that nine out of ten (92%) young people in custody have some form of SEN, namely emotional and behavioural needs and dyslexia (Office for National Statistics, 2022). In adult prisons, around 50% of prisoners have a learning disability (Prison Reform Trust, 2022), a very high number, especially when compared to the 15%–20% of adults with SEN in the general population (Criminal Justice Joint Inspection, 2021).

Moreover, it has been suggested that engaging in criminal activity can be a response to discrimination and the impossibility to reach certain goals due to specific characteristics (Agnew, 1992; Merton, 1938). These goals can be anything from successful academic attainment to finding a job later in life. For the purpose of this study, the characteristic is disability, which can co-exist with other factors that may exacerbate the situation such as poverty, drug use and incarceration. It is also noted that prisoners with learning disabilities (LD) who are released from a custodial sentence have a much higher chance of reoffending than those without. This may be associated with leaving prison without the appropriate skills needed to navigate the 'outside world' (Klimecki et al., 2009).

This research analysed two different perspectives: the impact of inadequate support on the life of young SEN individuals and the impact of inadequate support on SEN prisoners. For this, seven interviews were carried out with four professionals belonging to the education system and three to the prison system, all working closely with SEN individuals.

Research aims/objectives

The main aim of this research is to understand the social phenomenon 'SEN and crime' through the perspective of professionals with privileged access to knowledge on specific groups that cannot be interviewed. In this case, the study focuses on people considered to be part of vulnerable groups: people with LD, young people (under 18) and prisoners.

For the purposes of the study two different areas were explored. These areas are an examination of the impact of inadequate support on the life of young SEN individuals and the impact of inadequate support on the progress of SEN prisoners.

Literature review

The theory behind: Anomie and General Strain Theories

There are several theories that offer an explanation as to why someone would commit a crime. For instance, the main ideas present in Merton's Anomie Theory (1938) help explain this phenomenon. Merton (1938) claims that 'some social structures exert a definite pressure upon certain persons in the society to engage in nonconformist rather than conformist conduct'. The main ideas underpinning Merton's theory is that most members of society strive to reach culturally desirable goals and if the means to reach these goals are not accessible to a group, due to one or more of their characteristics, it can result in deviant behaviour characterised by rebellion (Merton, 1938). The focus of this theory, which is

similar to the focus of the present research, is not to understand the deviation of individuals (micro level) but to understand the context and the reasons that lead to this deviation (macro level) (Brown et al., 2010; Merton, 1938).

Merton's explanation of criminal behaviour served as the basis for several similar theories, one of them being the General Strain Theory (Agnew, 1992). According to Agnew (1992) 'strain theory focuses explicitly on negative relationships with others: relationships in which the individual is not treated how he or she wants to be treated'. The former asserts that strain is based on different factors such as: failing to achieve a goal, the presence of harmful impulses and the removal of positive impulses. These may lead to negative emotions such as anger and sadness, which in turn, if not paired with adequate coping skills might lead to delinquent behaviour (Wickert, 2022). Agnew also explains that social inequalities such as poverty, race, gender or disability lead to more pressure on disadvantaged people, which may increase the likelihood of committing crimes (Agnew, 1985).

SEN in the education system: prevalence, available support and drawbacks

According to a 2022 report by the Department for Education, the number of children with some form of SEN increased to 1.49 million in 2022, representing 16.5% of all children. Around 355,600 of those children had a statement of SEN and an Education, Health and Care Plan (EHCP) (Department for Education, 2022). Currently, all types of SEN associated with a learning disability are more commonly diagnosed in boys (4.4%) than in girls (2.9%) (Public Health England, 2023).

To support these students, there are some very important measures, such as the EHCP, which describe the needs of the pupil and what support and type of school is appropriate for them to attend or if the help of teaching assistants is needed (National Audit Office, 2019). Throughout the years, other measures have also proven to be quite effective on the inclusion of SEN students in the classroom, for example, the use of visual aids or a 'quiet room'

where students can unwind when feeling overwhelmed (Eredics, 2014).

On the other hand, it would be expected that with the increasing numbers of pupils with LD, resources and support would be readily available for these children in school. Nevertheless, the reality is quite different. A study conducted for the UK Government (Schuelka, 2018) points to a need for more specialised staff in the education system. Additionally, the study proposes including ways of modifying or personalising the curriculum to support additional needs, as the current one offers no accommodation for SEN students.

Similarly, different research suggests that the screening process to identify children with LD in schools is ineffective (World Policy Analysis Center, 2016). The former may lead to undiagnosed or misdiagnosed children and later to indirect discrimination. As an example, many autistic children express themselves and their desires by screaming, it is something they cannot control. Screaming or scolding them in front of their peers (being unaware of their disability) will only exacerbate the situation (Slyter, 2019).

SEN in the prison system: prevalence, available support and drawbacks

In the UK, a similar situation to that in education is occurring in the prison system. There is evidence of good practice in some prisons across the country, including HMPs Preston, Garth and Exeter, which adopted the 'Buddy System Measure' (BSM) (BCHA, 2023; Lancashire County Council, 2022). The BSM approach encourages members of the general prison population to help prisoners with disabilities with their day-to-day activities (Devon County Council, 2015). The assistance provided includes different activities such as reading, showering, mobility or keeping them company to combat loneliness.

Although there is evidence of good practice, studies show that prison staff are not always prepared to work with SEN prisoners (Chiu et al., 2020). Furthermore, conventional offender programmes

available in most prisons are not developed with these prisoners in mind. Consequently, some prison inmates will be excluded from important programmes that are deemed necessary for their rehabilitation (Langdon et al., 2010).

According to the Prison Reform Trust report (2022), in the summer of 2022, 80,360 people were incarcerated across the UK, of whom 4% were women. Around half of those prisoners had some form of LD, mostly undiagnosed. Again, this percentage is extremely high when compared to the percentage of people with LDs in the general population at 15%-20% (Criminal Justice Joint Inspection, 2021). For someone that cannot quite comprehend the rules in prison, they may be deemed unruly and defiant, when in reality their behaviour may be a result of their LD.

Eisner (2020) explains how, when Drew Harrison from Virginia, US, was diagnosed with autism, in prison, a simple thing like sitting in his cell proved to be very difficult. Specifically, the fluorescent lights were too bright, so he covered them with toothpaste, and to mask overwhelming smells he would wrap his uniform around his head (Eisner, 2020). Crucially, if the prison staff are not aware of his condition, a prisoner like Drew could be automatically labelled as defiant and insubordinate, and in many cases may be sent to solitary. It is worth noting here that there is a paucity of research available that discussed the experience of prisoners and ex-prisoners with LDs in the UK (Chiu et al., 2020). Therefore, although not being able to have direct contact with prisoners and ex-prisoners, this research aimed to shed light on the reality of SEN prisoners through the testimony of prison staff.

Further, it is crucial to note that 'prisons are designed primarily for younger and able-bodied prisoners' (Howse, 2003). Consequently, prisons are not designed to house inmates with additional needs, so if things do not change, it may be practically impossible for people with diagnosed LDs to get the appropriate support. A lack of appropriate support may exacerbate mental health difficulties, heighten vulnerability, and may increase

the risk of self-harm and suicide (Bradley, 2009).

Methodology

This research utilised a qualitative approach, a methodology that is concerned with producing knowledge through analysing the social world of the participants such as their experiences, motivations and beliefs (Holloway & Wheeler, 2010). The former is done in order to make sense of and transform the world. Qualitative research puts special emphasis on words and seeks to understand why people do what they do (Bryman & Bell, 2007; Denzin & Lincoln, 2011). As this study was designed to examine a specific social phenomenon through real-life experiences and opinions on the topic, qualitative methodology was the adequate approach.

Sampling

A purposive sampling approach was used as this approach enables the researcher to invite potential participants based on the key characteristics that the research has been designed to explore (Bryman, 2022; Creswell, 2004;). This research recruited professionals working in education and the prison system with access to SEN individuals, as they have privileged knowledge and access to the vulnerable groups being studied.

Seven participants, four working in education and three in the prison system, were recruited through the circulation of one invitation email containing all information on the study. The email also contained details on how to contact the researcher in case of further questions. Participants' ages ranged from 23 to 55; some participants had worked in their sector for only three years while others had more than 30 years' experience. It was deemed beneficial to the study to explore the opinions and recommendations of younger and more experienced staff to examine whether there was variance in opinions based on length of service.

Data collection

Semi-structured interviews were conducted to

collect data for this project. Semi-structured interviews were utilised as this approach helps to focus on professionals' expertise and knowledge about a topic (Meuser & Nagel, 2009). Further, they allow participants the freedom to express their thoughts in their own terms (Rahman, 2016).

Due to the instabilities around the Covid-19 pandemic at the time the research was conducted, some participants did not feel comfortable with a face-to-face interview and for that reason it was decided to conduct all interviews on Microsoft Teams. This type of interview allows for flexibility, and is also cost-effective as there is no need for a travel budget since the interviews are conducted online. They also offer an opportunity to interview individuals who may be widely geographically distributed (O'Connor & Madge, 2004). In this study, the latter reason was useful, as it was possible to recruit and interview participants who were located across the country, which provided a range of perspectives that differed according to the participants' location.

Each interview lasted around 45 minutes and was recorded via Microsoft Teams. Prior to interviews commencing both the interviewer and the interviewee ensured they were in a private space where they would not be interrupted for the duration of the interview, in order to protect confidentiality.

Data analysis

Reflexive thematic analysis (TA) was used to analyse data collected in this study. TA is an analysis approach that is used for 'identifying, analysing and reporting patterns within data' (Braun & Clarke, 2006, p. 79). While Howitt (2010) suggests that when using TA the data gathered from interviews is broken into codes that will later generate themes (Howitt, 2010). This research adopted the procedure set out by Howitt and Cramer (2008) that has three central processes: transcription, analytic effort and identification of themes and sub-themes.

Although some researchers argue that this type of

analysis can be very time-consuming (Braun & Clarke, 2006), TA is considered an accessible technique for new researchers. The interpretation of themes is supported by data previously found, which provided the research with extra reliability (Guest et al., 2012).

As interviews were recorded on MS Teams, a software that provides a transcript of the calls, each available transcript was downloaded and checked for accuracy before the analysis. The transcripts reproduced all spoken words including hesitations, strong emphasis and expletives (indicated by asterisks e.g., 'f***ing'). The analysis process was done manually, through highlighting and note-making with no use of analysis software, following Howitt and Cramer's process mentioned previously.

Ethical considerations

Prior to data collection commencing, this research received ethical approval from the Department Ethics Committee. It also followed the ethical guidelines in the Statement of Ethical Practice (2017a) and the Ethics Guidelines and Collated Resources for Digital Research (2017b) by the British Sociological Association (BSA).

Potential participants were sent the project documents: information sheet and consent form. Participants were asked to give their consent prior to the interview (in written form) and before the interview started (verbally). They were also informed about the right to withdraw from the study at any time. At the end of each interview participants were provided with information about support services that may be of use to them if they needed support post-interview.

No person belonging to a vulnerable group (SEN, young person under 18 years of age, or prisoners) were interviewed. All potentially identifying information was anonymised using pseudonyms.

Findings

Four themes were developed from the research undertaken. These include: the potential push-

factors for SEN youngsters to commit crime; good practice around SEN in both education and prison; organisational issues in schools and prisons which impact the lives of SEN individuals. Finally, the fourth theme stresses the changes that need to be made and further recommendations, given by the professionals' interviewed. Verbatim participant quotes are utilised in each theme discussed.

Why SEN individuals are more likely to commit a crime

Participants were asked for their opinions on why young people with LD may be most likely to become criminals than youngsters without LD. All participants pointed out that this happens because a lot of the times people with disabilities are 'misunderstood':

> '[…] they can be seen as defying and rude and abrupt but actually it is to do with their needs […] they've got needs. Of course, they're gonna present in a way which isn't how all other kids present'. - Participant C (Social Worker)

> '[…] some youngsters with learning difficulties when they are interviewed by the police, they basically just tell them as it is so, they will not filter what they're saying so quite often the police officers will think they are being belligerent which sort of exacerbates the situation'. -Participant G (Teacher, SEN Team)

Further, the inherent vulnerability that is associated with having a LD was discussed with Participants B and D:

> 'The bigger guys in prison will prey on the people who look vulnerable […] so they'll cover up absolutely anything necessary, whether that would be a learning disability'.- Participant B (Prison Officer)

> 'I also think there are a lot of "clever people" [sarcasm] who can work out on how to prey on these children […]'- Participant D (Teacher, SENCO)

All four participants working in education highlighted that schools are failing to meet the needs of SEN children. As an example, interviewees mentioned that situations such as a pupil becoming overwhelmed due to their LD are not being dealt with in an appropriate manner. Two reasons given for that were lack of staff and the lack of knowledge around SEN. Consequently, education is not maximising the potential of children with LD, which may be why they abandon education, experience unemployment, desperation and ultimately commit crime:

> 'Think about it, literacy isn't any good so no disrespect, how the bloody hell are you going to survive? The bottom line is if you can't read and I'm not labelling people, if you're frustrated, what are you going to do? Your behaviour will be deemed socially unacceptable by society or misconstrued by society which means the law will deem you like that too.' Participant A (Disability NGO)

Asserting further that:

> 'And the only safety net that there is, the only social security network, the only state provided net is f***ing prisons!' Participant A (Disability NGO)

While Participant D said:

> '[…] them turning away from education is really hard then to get them back on track, really hard'.- Participant D (Teacher, SENCO)

Good practices and the impact of support in schools and prisons

In schools

In terms of the education system, participants noted that, in general, there is a better understanding and awareness of SEN nowadays. However, there is still not enough. It was also suggested that one of the strengths of education is the sharing of knowledge between older and younger staff, as both have something to offer each other in terms of knowledge and expertise. It was noted that younger staff may

be more enthusiastic or have fresh ideas about topics like SEN while older staff have multiple years of knowledge and expertise.

One participant talked about the importance of events such as the Paralympics and the case of Rose Ayling-Ellis, a deaf actor who won *Strictly Come Dancing* 2021 as examples that highlight to everyone that people with disabilities can do amazing things. Examples like these may also give people with disabilities more confidence (Vinter, 2021). As a result of the latter, the uptake of British Sign Language (BSL) online free classes went up by 2,000% (Lawton, 2021). Participant D said:

> 'I do think more of awareness especially, and I know it sounds daft, that kid in *Strictly Come Dancing*, which is deaf, automatically opened up a world of communication that people want to learn about, what a brilliant thing to do!' – Participant D (Teacher, SENCO)

Stating further that:

> '[…] even wider understanding for a lot more professionals as well, at one point you would be talking and other professionals wouldn't know what you were talking about, now most of us, no matter which sort of school you're from, you still understand each other so I think that's very good'.– Participant D (Teacher, SENCO)

Similarly, Participant G said:

> 'I like to think that in-school staff can support each other and check with each other, if you have though, a young staff which some schools do, there isn't anyone with that experience to turn to; if you only have older staff, you tend to fall into old habits, it's not great either so I think it's very important that you have a mixture of staff.'– Participant G (Teacher, SEN Team)

One participant shared their experience of a successful school in the south of the country: this school, a secondary SEN school, is on a mainstream site. There, SEN children are separate from the other students, but they have the choice to join other children and even classes on the mainstream premises if they wish to. Such schools should be the example to follow as they particularly promote inclusion, while also taking into consideration the needs and wishes of children with special needs.

> 'This school has a phenomenal reputation, it's the bees' f***ing knees, I wouldn't say it is brilliant but it's better than the rest. So, what they do is they work the kids' strengths […] The school itself provides a safe haven to some extent for these kids because these kids know they are different.'– Participant A (Disability NGO)

In prisons

In the interviews with participants from the prison system, it was clear that there is now a real emphasis on the inclusion of people with disabilities in prisons. Thus, programmes such as the 'Buddy System', created by mentors and listeners, are an important asset for both prisoners who are helped and those who provide help:

> 'They have a lot of opportunities within the prison now, the help of mentors to address learning disabilities is one of them. We also have listeners, prisoners who were trained to, if someone's feeling down or someone's self-harmed, they would go into the cells and just literally sit with them, have a cup of tea, spend time with them and talk to them… It's a really good opportunity for prisoners to take that job to be fair, it looks really good when they get out.' – Participant B (Prison Officer)

> 'Other prisoners that are quite well educated will sort of teach people to read, write etc., which I think it's pretty good.'– Participant F (Prison Officer)

Within the prison system, all three participants talked about the successful impact of the education department on the prisoners. One explained how it is the centre of a prisoner's life; two claimed that the

standard of teaching in prison is now just as high as the standard found in any other school.

In high security prisons, courses included access to Open University (OU), Business Studies, Information Technology (IT) skills and health and safety. While, in lower security prisons, where there a higher number of prisoners are released, classes are more focused on IT and life skills and helping prisoners write their CVs and prepare for job interviews. Participant B said:

> '[…] they've got some good tutors in the classes. Really really good tutors, people that have been lecturers at universities and things like that, so the experience that they can give to the prisoners is extremely beneficial'.- Participant B (Prison Officer)

> 'Prison teaching now is as high standard as you would get in any college or university or school, it has to be. It is Ofsteded and the professional standards are at the forefront, there's an expectation now.'- Participant E (Prison Education)

> 'The Education facility is actually really really good.'- Participant F (Prison Officer)

For all the courses, including both academic and practical subjects, all participants said that although there is not a course specifically for people with LD, support for SEN prisoners is embedded into all courses. One participant stated that Special Educational Needs Coordinators (SENCOS) are now being introduced into the prison system. Nevertheless, in some prisons, it can be quite difficult to make available this kind of support. Participant B said:

> 'If someone came up to me and said, "would you help me with this?" I would sit down and do that with them, definitely.' – Participant B (Prison Officer)

> 'No, it's (SEN support) imbedded in those courses, we are expected to imbed them in all our lessons, they're not excluded at all.'- Participant E

(Prison Education)

Organisational issues in schools and prisons

In education: provision cuts, lack of qualified staff and limited resources

In all interviews, when discussing where the education and prison sectors could improve, the same three problems surfaced: lack of staff, lack of training and lack of funding.

All participants pointed out that budgetary constraints were the number one reason for the aforementioned issues, with Participant A stating that:

> *'[…] what you do have is you have government departments fighting over f***ing budgets so, you have people arguing over money. So, you know if the NHS is not gonna spend it, if the education system isn't gonna spend it and if people aren't meeting these capabilities, you're gonna f***ing end up in the prisons'.- Participant A (Disability NGO)*

Whereas participants C and G said:

> '[…] it comes down to money. Assessments is time and money […]'- Participant C (Social Worker)

> 'Budgetary constraints are definitely top of the agenda […]'- Participant G (Teacher, SEN Team)

What these findings illustrate is that there appears to be infighting for budgets between government departments and in education. A similar situation is evident in schools which may inevitably lead to restrictions. In turn, these restrictions lead to poor assessments in schools and in some cases schools being shut down because they cannot function due to budgetary constraints (Ofsted, 2020).

The lack of qualified staff was another issue identified by participants:

> 'the problem with mainstream schools is that the kids can get lost very very easily because that skill set isn't there,

you don't have the staff ratios and the appropriate resources, that's the problem'.- Participant A (Disability NGO)

'we can't actually get anyone; we've advertised the job twice now, but we can't get the staff. The staff that have applied are not suitable, but the money is not very good and there is a ratio between pay and job expectation. Generally, the lower the pay, the lower the quality is the person you're going to get'. Participant D (Teacher, SENCO)

Three out of four participants in education also pointed out that the training and the resources are not the best. There is no consistency in the knowledge about special needs that professionals in mainstream schools should have. As for resources, fragmented policies and the lack of a consistent curriculum approach for SEN children were a big issue:

'There's a disconnect between systems: there's not the training in place, there's not a unified government policy' - Participant A (Disability NGO)

'it seems that there are fragmented policies and different thresholds for SEN' - Participant C (Social Worker)

'I think most schools I know have to do more and more training, recognising that we have more and more of these children.'- Participant D (Teacher, SENCO)

Finally, although these findings focused on mainstream schools, it is also important to mention SEN schools. In the interviews, it was found that these schools are finding it increasingly difficult to accommodate children with SEN, once again, due to budget cuts. This shows how pertinent it is to reformulate the system and provide support, money and resources not only in SEN schools but also in mainstream schools. Schools are overwhelmed by too much demand and too little supply:

'the places in specialist institutions are few and far between now; the schools have fewer and fewer places with more and more demand so, generally, only the extreme cases get places'.- Participant D (Teacher, SENCO)

In prisons: staff shortage, low-quality training and lack of resources

According to two participants working in the prison system, the numbers of professionals in some prisons are, as they put it, 'abysmal'. One participant pointed that at their workplace there were only two prison officers overlooking 60 prisoners. They also mentioned that it was nearly impossible to pay attention to what prisoners were doing and that support for prisoners with SEN was needed.

Another participant admitted that their day-to-day experiences are extremely stressful, not because they are dealing with criminals as one would expect, but instead because the low number of workers means they have to do twice as much work.

'the prison service is actually quite short with staff, it is quite bad, so it is very quick paced; there's a lot of stuff the staff don't see'. Participant F (Prison Officer)

'I know it sounds bad, but you don't have much time to notice certain people's behaviours or how they act.'- Participant B (Prison Officer)

The participants also mentioned that it is common for most prison staff to be quite young and inexperienced. Consequently, ensuring that staff have the appropriate knowledge and training should be a priority for the prison system. However, it was found during the interviews that lack of knowledge around SEN is also one of the biggest issues in the sector. All participants that worked closely with prisoners admitted that their training did not include special needs at all. One participant explained:

'The prison officer training is completely rubbish; it's a ten-week course and they don't touch on anything about learning disabilities or disabled prisoners or anything like that, no.'- Participant B (Prison Officer)

While another participant said:

> 'we do have a lot of officers that are kind of young, they're coming in and don't have a lot of life experience […] you can't recognise all the things that should be recognised because you're so fresh out of school'. - Participant F (Prison Officer)

Additionally, one participant working in the education department in prisons, noted that a lot of teachers lack the appropriate technological knowledge to support prisoners. This can be very damaging for the prisoners as most of them may not have the opportunity to develop IT skills which would be of use to them upon release:

> 'teachers aren't used to use technology in prison, they have quite backwards knowledge as well'. - Participant E (Prison Education)

The lack of resources was a common theme throughout the interviews. One participant said that although the prisoners get a lot of support in the education department, most software is outdated. It was also mentioned that the education department is a 'safety net' for prisoners, but that safety net ceases to exist outside the department in most prisons.

> 'don't expect you're gonna have all singing and dancing technologies because you won't. But they're finally recognising that the funding is needed for it'. - Participant E (Prison Education)

> 'The workshops and lessons and everything like that are very beneficial but it needs changing, some are really outdated.'- Participant B (Prison Officer)

> 'In terms of prison, in other parts of prison, the prisoners may not get the support they need compared in education […] I can guarantee you, they don't care and that support isn't happening. All partners in the prison need to be better trained.'- Participant E (Prison Education)

The professional's point of view: changes needed and other recommendations

In education

In education, participants pointed out the need for more places in special schools especially for children with significant additional needs. The main reason given was that mainstream schools are simply unable to adequately support these pupils. It was also suggested that better and more rigorous forms of assessment are needed in order to prevent misdiagnosis or some children being left undiagnosed.

The importance of creating spaces for children and young people with learning disabilities was also mentioned by all four participants from education during the interviews. As discussed, all children, especially those with SEN, need to have a place where they feel like they belong and where they are able to socialise with other children. Some participants suggested a need for better provision:

> 'Specifically, we need more resourced provision for children with challenging behaviour.' - Participant G (Teacher, SEN Team)

While Participant A used examples such as Youth Club provision:

> 'It's the HR argument, Youth Clubs, Youth Training, all these bits and pieces. You know, build something where the Youth feel where they have a space and that space is monitored and supported, so you have community support officers so it's not a drug area and people are drunk. It's a safe space, a neutral space.'- Participant A (Disability NGO)

Further, all participants believed there should be a national baseline of knowledge. One participant advocated for training to be provided to everyone (job role dependent) who may come into contact with children in their role, such as canteen staff, caretakers or secretaries. Additionally, some participants suggested that training should be renewed annually, or at least every two years, as

special needs and knowledge thereof are constantly changing:

> '[talking about their school] I think most TAs and teacher and staff, including people like our Breakfast Club staff, our kitchen staff and diner time staff, they deal with these children too and they're really good. This needs to be the norm everywhere!'- Participant D (Teacher, SENCO)

> 'Every year or every two years they should have a refresher just so that if you have a kid coming along and they've got these things, they should go "right, okay, at least I have some form of inkling of a knowledge".' - Participant A (Disability NGO)

Moreover, every participant suggested that there is a need to review and update policies and frameworks pertaining to SEN. Additionally, one participant affirmed that SEN individuals and especially students must be consulted (when possible, and if their disabilities permit it) as they are the ones who will directly benefit or be negatively impacted by them. Finally, it is important to make these children and young people feel heard and empowered and maximise their potential so they can have access to the same opportunities in life as everybody else:

> 'I think reviewing legal frameworks and policies, that's definitely number one.'- Participant C (Social Worker)

> 'It comes down to listening [to] what the kids want, for crying out loud, listen to what the f***ing individual kids want, where do they feel it's the best place for them, realistically?'- Participant A (Disability NGO)

In prison

One participant emphasised that support for prisoners with learning disabilities or difficulties needs to be holistic rather than only focused on the education department. The lack of resources and having outdated resources was also discussed. Participants indicated the need for better quality materials and updated software to better equip

prisoners with the best skills possible ready for their release:

> 'Specific training in specific areas would be really, really good because the life experience for most staff just isn't there.'- Participant F (Prison Officer)

> 'In terms of materials, it absolutely needs changing. We're trying to get modern digital technology into prisons now.'- Participant E (Prison Education)

All participants also said that it is important to remember that it is up to the individual prisoner as to whether they benefit from the support and opportunities offered or not. However, it is equally important that they feel confident to access support. For that, it is up to the prison to provide them with a safe space to seek the help they need. Participant B said:

> 'The prison needs to do more. Prisoners need to have the confidence to actually help themselves but if they don't have enough confidence to do that, then that's up to the prison to put that confidence into them.'- Participant B (Prison Officer)

Discussion

Three key topics drawn from the findings in the current study were discussed. These topics are the impact of the lack of support on SEN individuals, good practice in prisons and organisational issues in both schools and prisons.

'The sweeping system is the prison system': evidence supporting theory

This study has found misunderstandings and the lack of knowledge surrounding SEN individuals and their behaviour to be the main push-factors for criminal activity. Additionally, another very prevalent reason was the lack of support and discrimination that these people suffer due to their disability. Merton's Anomie Theory defends deviant behaviour by arguing that it is the result of an individual not being able to reach socially desired

goals due to their characteristics (Merton, 1938). It is human nature to respond to discrimination with frustration and anger; studies show that experiencing rejection and discrimination increases risk-taking (Association for Psychological Science, 2012). As the findings show, there is a lack of appropriate support networks for SEN youngsters. This can lead to them being put in a position of vulnerability (e.g., groomed by gangs) which may in turn lead to criminal activity.

For prisoners, it is a similar situation: as the present research shows that SEN prisoners are not appropriately supported in prison. In turn, it has been suggested that this may mean they will leave prison without the skills needed for the 'outside world'. Further, with no support, no skills and the stigma of being both a person with SEN and an ex-prisoner, some may, inevitably, turn to crime again (McCarthy et al., 2016). Both situations are in accordance with Agnew's General Strain Theory (1992) that explains that relationships and the way the individual is treated by others, if negative, paired with the lack of coping skills may lead to delinquent behaviour.

SEN prisoners and access to activities and programmes

As noted, participants working in the prison system affirmed that most prisoners with learning disabilities can and are encouraged to access all the educational programmes and activities, either on their own or with the help of staff or a mentor. This appears to contradict earlier research that found that prisoners with learning disabilities are unable to access most offender programmes in prison due to a lack of accessibility and lack of staff available to help them (Bradley, 2009; Loucks, 2007).
This may in part be due to some of the research being outdated (more than ten years old). Additionally, studies about prison populations, especially prisoners with learning disabilities, appears to be scarce (Chiu et. al., 2020).

Organisational issues

The findings of this small-scale research project are in line with some of the existing literature (Chiu et al., 2020; Schuelka, 2018; World Policy Analysis Center, 2016). Specifically, work needs to be done to ensure appropriate support is available for both SEN students and prisoners with SEN. As the data shows, there is a lack of support for both groups, and staff awareness and training provision appear to be the main issues in both sectors.

Another key issue highlighted was a lack of resources and support for SEN children in mainstream schools. A few participants explained that it is important to adapt the curriculum to meet the SEN child's needs and interests. Having appropriate resources available may help to make learning more interesting which may also motivate the child to continue their studies.

These findings align with Abhiyan's (2016) on curriculum adaptation in that 'it involves differentiation to meet the needs of all students. The content, the teaching process, assessment and evaluation, and the physical environment may be modified to help students to achieve success in the classroom'.

Conclusion

Despite the restrictions on staff, training, funding, limited resources and all the other reasons presented in this paper, there is evidence of good practice to support both children with SEN in education and prisoners with SEN.

The findings illustrate that there may be room for improvement; however, there is possibly only so much these institutions can do, themselves, at a local level. Therefore, it is essential that government departments commit to making these necessary changes and provide appropriate levels of support, more specifically, in terms of funding. If schools and prisons are to progress beyond the current situation of limited resources, limited access to specialised training and insufficient staffing, they cannot continue having to 'make do'.

Finally, and as discussed, there is a paucity of literature on this specific topic. Where research is

available it may be somewhat outdated. Therefore, small-scale projects such as this one are important because they can help to highlight an issue that affects millions of people. Future research should aim to look at things from the staff's point of view, but it should also consider the perspectives of people with SEN (children and prisoners) as it may help to develop a deeper understanding of the challenges that may be faced in education or in prison. Speaking to individuals with SEN may provide additional insights into how educational provision could be tailored to better meet their needs rather than them, perhaps, struggling in a world that appears to neglect them.

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