EDUCATION FOR JUVENILE OFFENDERS

– PROCESS AND EXPERIENCE IN AN IRISH DETENTION SCHOOL

By

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Doctor of Philosophy

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Declaration

I hereby certify that this material, which I now submit for assessment on the programme of study leading to the award of Doctor of Philosophy, is entirely my own work and has not been taken from the work of others save and to the extent that such work has been cited and acknowledged within the text of my work.

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Table of Contents

VII

List of Tables

List of Figures

Abstract

Education for Juvenile Offenders – Process and Experience in an Irish Detention School

Anne Marie Byrne

One of the little known areas relating to education in Ireland is the area of young offenders who are held in detention schools as a result of a criminal conviction. The rationale for this research is to bring focus onto a closed system of education, thereby giving representation to a marginalised sector of educationally disadvantaged children in Ireland. The issues that arise from the intersecting systems of criminalisation and of education are explored and discussed in terms of inequality, education, and confinement and with reference to the international experience of best practice.

The theoretical framework for this thesis draws upon the theories of Michel Foucault and Pierre Bourdieu, particularly in relation to power, discipline, capitals and habitus. Their theorisation of these concepts provide useful lenses through which to examine the history of detention and schooling, the educational processes involved in detention schools, the educational experiences and the classed identities of the children incarcerated in them.

Using mixed methods, which include classroom observations and semi-structured interviews, the research takes a phenomenological approach, giving voice to the boys who are held in detention schools. It examines how the educational process in a detention school operates in terms of curriculum, teaching methodologies and forms of assessment, to establish the ways in which the educational engagement of boys in detention schools shapes their future outlooks and life chances. Tensions between criminalisation of young people, confinement, education rights and provision are made explicit. The phenomenon that most of the children in detention come from communities that are socio-economically under-resourced is explored.

The findings reveal that the children in detention schools had low levels of educational engagement prior to detention mainly due to absenteeism and failing to make the transition from primary to second-level school. They shared low socio-economic backgrounds, showed a capacity to reflect on their educational experiences and faced uncertain futures due to stigmatisation and labelling as criminals. Conclusions are drawn that show that due to small class numbers and intense classroom work with teachers the boys do make educational progress while in the detention schools. Teachers were found to be dedicated and aware of the needs of the children but somewhat stymied by lack of ongoing professional development and tensions with care staff in respect of the differences and sometimes crossovers between care and teaching. In conclusion it is proposed that a radically different approach both to confining and to educating children within the criminal justice system is taken.

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Introduction

One of the areas relating to education in Ireland that is often forgotten or ignored is the plight of young offenders who are held in detention as a result of a criminal conviction. While a myriad of factors may have had an impact on how and why they have been committed to a Children Detention School (CDS), the fact remains that while they are deprived of their liberty these young people are still entitled to the same rights to education as every other child in the country.

The objectives of this thesis are to explore the current provision of education in detention schools in Ireland, both from the points of view of the children involved and to provide a description and an analysis of the educational process, based on empirical research in the schools. My aims in carrying out the research for this thesis are to: 1) investigate the unique learning environment of a detention school in Ireland as there is currently no documented account of life within a detention school. 2) I am interested in discovering the levels of educational engagement that had been attained by young offenders prior to their committal to a Children Detention School in order to explore their level of engagement with school while in detention. 3) I also examine how the education process in a detention school operates in terms of curriculum, teaching methodologies and forms of assessment employed to establish the ways in which the educational engagement of children in CDS shapes their future outlooks and life chances.

Rationale

Little or no research had been carried out into the Children Detention School system in Ireland, and little information has been available about the outcomes of the system. The rationale for this research was to bring a focus onto a closed system of education thereby giving representation to a marginalised sector of educationally disadvantaged children in Ireland. According to its 'statement of purpose and function', the stated aim of the detention school system is to deliver individualised programmes of care, education and re-integration which uphold the best interests of young people. In view of this statement this research sets out to examine the provision of education, to assess the experience of education and to evaluate the impact of education on the lives of the children committed to detention schools by the justice system.

1

Developments in legislation such as the implementation of the Children Act 2001 and the handover of responsibility for CDS from the then Department of Education to the Irish Youth Justice Service (IYJS) an agency of the then Department of Justice, Equality and Law Reform in 2007, have seen many changes in the operation of youth justice in Ireland in recent years. With the subsequent transfer of the IYJS to the Department of Children and Youth Affairs (DCYA) in 2011, continuing processes of development are having an impact on the way detention schools are managed. These developments provide a framework for consideration in terms of the impact they are having on the lived experience of children in the CDS. In the context of the ongoing changes that will see an expansion and consolidation of child detention facilities on one 'super campus' it is timely to carry out this research now. The commitment to the notion of detention as a last resort and the investment in the expansion of Garda Diversion programmes and restorative justice programmes belies the need for an augmented detention system and raises issues of children's rights, social justice issues and equality issues. While focusing on the educational process in detention schools, a concern for these issues underpins this thesis.

Structure

Chapter One of this thesis will contextualise the phenomenon of committing children to detention for criminal activity by discussing key factors such as the policy developments in this area of justice and education, the legislation and political elements of the complex labyrinth of bureaucracy and departmental politics that support the continued existence of Children Detention Schools in Ireland. The intricate issues involved in the relationship between criminalisation and education will be explored and discussed in terms of rights to education versus confinement. Tensions between criminalisation of young people, confinement and education rights and provision will be made explicit. In addition, the detention of children will be considered in relation to the international experience and some comparisons to regimes in other countries will be made.

Chapter Two presents an historical background that traces the evolution of today's detention schools. Drawing on some of the discourses of Michel Foucault I examine confinement and surveillance, the development of penal systems for young offenders, the use and abuse of power within these, and how discipline, and knowledge

2

function to control the moral and physical lives of those in detention. In the nineteenth century, the 'child-savers' who were instrumental in the setting up of reformatories and industrial schools for children were mainly concerned with concentrating on the moral upbringing of law-abiding citizens through programmes of vocational and religious training. In Ireland, the influence of the Catholic Church through the religious orders who ran most of the industrial schools and reformatories consolidated the emphasis on virtue and physical labour. While the nineteenth and twentieth century industrial schools and reformatories did ostensibly offer vocational training, this was very often nothing more than enforced labour which contributed to the domestic upkeep of the institutions themselves, where cleaning, laundry, catering and maintenance duties were performed by the children without any financial recompense or certification of skills attained.

Today educational provision in detention schools is mainly focused on the development of literacy and numeracy skills and on exam preparation just as it is in mainstream schools. However, the nature and duration of sentencing, the disruption to the continuity of their schooling, and the interference with family life can all have a negative impact on progress through the education system, in addition to the usual challenges posed by adolescence for the young people who are in detention schools.

Chapter Three then draws on the work of Pierre Bourdieu to examine the concepts of cultural and social capital, habitus and hexis to provide a conceptual landscape which explains why and how the children who are detained in CDSs frequently come from lower socio-economic backgrounds that leave them disadvantaged within the educational system. Taking into account the concerns of Bourdieu and other theorists with inequality, social status and educational engagement, there is a focus on the phenomenon of educational inequality in Ireland in order to understand why multiple factors of social disadvantage continue to impinge on the lives of some children more than others.

In Chapter Four the methodological approach used in the research is presented. Using mixed methods, the research takes a phenomenological approach based on emancipatory methods to give voice to the children who are held in detention schools. Observations carried out in classrooms at the CDS are used to give an insight into the process of education experienced by the children, and to the teaching styles of the

teachers, as well as providing first hand description and insights into the range of the curriculum on offer. Bearing the theories of Bourdieu and other writers in mind, the question of the hidden curriculum in detention schools will be considered. Semi-structured interviews with the individual children give insights into their own experiences of the educational process prior to and during their incarceration. Further, semi-structured interviews with teachers help to deepen and enhance the understanding of the educational process in the CDS. Triangulation is also achieved through a range of interviews with staff members and other key agents in the juvenile justice system. Ethical issues are discussed and the particular issue of access for this research is described and considered.

Chapter Five provides rich descriptions of the background and settings for the empirical research. Visiting the detention schools, observing the classes and conducting the interviews gave me a unique opportunity that has rarely been afforded researchers in Ireland. In this chapter I describe the physical settings and daily interactions in two detention schools with an emphasis on the lived experience of the participants and with reference to Foucault's theories on incarceration, discipline and control of the body.

Chapter Six presents the findings of the interviews with the child participants and observations carried out in the detention school. Providing a view of the educational process in a detention school, this chapter allows a rare view into a branch of education that is rarely discussed. These findings also provide unique views into how the children have experienced schooling prior to being committed to detention and while in detention school from their own points of view.

Chapter Seven presents the viewpoints of the teachers in the detention schools, drawing on interviews where they elaborate on the particular pedagogical approach taken, the specific skills required to teach in a detention setting and their opinion of the impact that time in a detention school has on their students.

A discussion of the sets of findings and the conclusions that may be drawn from these are presented in Chapter Eight.

Chapter One: Policy and Legislative Framework

Introduction

In this chapter the current model of incarceration of children in secure detention in Ireland will be discussed, with a particular emphasis on education. This will necessitate a delineation of the relevant legislation, policies and agencies that relate to the detention of children in Ireland. Definitions of the terms that relate to the unique existence of children within both the criminal justice and the educational systems in Ireland will be provided. To give these definitions a broader contextual basis, comparisons will be drawn where possible with international models. The theme of educational disadvantage will be introduced and discussed; this is relevant to the fact that many children who are in detention schools come from socio-economically disadvantaged areas and are often subject to multiple disadvantages which may prevent them from attending school for the requisite periods and shape the kind of engagement they have with school. Issues of children's rights to education both at national and international levels are discussed, and consideration is given to whether the current system is addressing the educational needs of children in schools that are effectively prisons.

Education is an integral part of life for all Irish children, so much so that it is generally taken as a given that all children will attend school and that all will benefit from the experience. Despite this widely held opinion, not all children enjoy an equally smooth progression through their school days. For some children, particularly those from economically disadvantaged areas, ethnic minorities and families that are struggling with poverty, the school experience can be an aspect of life that causes certain difficulties. Factors such as family attitudes to education and work, lack of childcare and early childhood schooling, social class, lack of cultural capital, the economic costs of education, and poverty all contribute to a child's in/ability to participate fully in education.

To date, there is very limited research available in Ireland on the detention school experience and it is intended that this thesis will make a significant contribution to addressing that gap.

While there are copious amounts of research data and statistics available about education in general, one of the areas relating to education in Ireland that is often forgotten or ignored is the plight of children who are convicted of crimes and who are held in detention as a result of a criminal conviction. Not only is there a dearth of empirical data about life in detention schools but little is known about how children in detention feel about being incarcerated because few have ever asked them before now. ·

In fact the only time the public is made aware of the existence of child offenders is when a crime or court case is highlighted in the media, usually in a sensationalist way. The same media that make such lurid headlines out of child criminal accusations consistently fail to do any serious investigations into the backgrounds of these stories or to follow up on the outcomes. (This can also be true in relation to children who are not convicted of any crime but who are placed in the care of the state 'for their own good'. Several high-profile cases revealing the lack of support and care for children who were not living with their families have been highlighted in the media in recent years but there is little follow up or monitoring of their circumstances on an on-going basis). Very often these children will have experienced family circumstances that are not only economically deprived but are also low in dominant forms of social and cultural capital, factors which may in turn have had a negative impact on their education and development. Whatever their circumstances and background, the fact remains that while they are deprived of their liberty, the children in CDS remain entitled to the same rights to care and education as every other child in the country. In the naming of detention centres for children, the nexus of 'detention' and 'school' is of particular interest giving a dual focus on the concepts of detention and education.

In the past and up to the last decades of the twentieth century, education for children in detention was minimal, often involving appalling treatment, including corporal punishment and adverse living conditions. If the objectives to provide care, education and rehabilitation as espoused by today's CDS is about developing choices for the children in their care, and offering them a means to grow as citizens, then given the current recidivism rates, it appears that the current youth justice system is still not meeting the needs both of the child and society as a whole. Fr Peter McVerry, a social activist who has dedicated his life to caring for homeless young people, claims that many of the young people who visit his centres (which provide educational courses for

unemployed youths), have suffered from the negative implications of having spent periods of time in detention and have little or no hope of getting a job. O'Mahony (1993) supports this observation in relation to those with prison records saying that insofar as they have experience of work, it is predominantly in the less well paid jobs and is often of a casual nature, characterised by instability. Although O'Mahony's work focuses on adult prisoners he links the factors that have an adverse effect on childhood with the outcomes in adulthood. In his 1997 work, *Mountjoy Prisoners – A Psychological and Criminological Profile*, O'Mahony, states that the authors of a report entitled '*Punishment and Imprisonment*' observed that 'those who suffer to a greater than average degree from unemployment, low income, deficient education, bad housing, and family breakdown are also those more likely than average to commit a crime and go to prison' (O'Mahony, 1997, 51), showing that there is a strong correlational aspect to the disadvantages experienced by prisoners.

Concerns about these factors are also taken up by Morgan and Kett in their 2003 survey of literacy levels in Irish prisons, *The Prison Adult Literacy Survey*. While also focusing on adult prisoners, their findings confirm the poor literacy and numeracy levels among adult offenders and explore the fact that the experiences of education for many of these prisoners was inadequate and often seemed irrelevant to their circumstances. The survey also makes links between low educational attainment, disadvantaged family circumstances and involvement in crime. However, the authors admit that none of these factors separately, nor in combination necessarily lead to a life in crime but they are certainly factors which are repeatedly referred to by authors who investigate the common factors that recur in the lives of Irish prisoners. The connections between poverty, educational disadvantage and criminal behaviour have been a constant theme in literature that examines the associative factors in criminality in Ireland. As far back as 1983, the Whitaker Report noted that 'most crime at present originates amongst unemployed youths in disadvantaged areas'. In 2002, Goldson was still making the same observation when he remarked that children in custody were: 'invariably those who have been scarred by multiple and inter-locking forms of disadvantage and misery' (2002, 127). Writing in 2009, Emily Logan, The Ombudsman for Children, also remarks that children who come into conflict with the law 'come from poor socio-economic backgrounds, many of them have lived-out-of home or have been in care; they have a weak attachment to family and invariably have problems with drugs and/or

alcohol' (Logan, in IPRT (2009), Intro. page 1). It is encouraging to note that the Ombudsman is cognisant of the multiplicity of factors that affect the lives of children who come into conflict with the law, and it is hoped that she will be able to influence the development of policy and legislation that will improve the life experience and prospects for those children.

The National Children's Strategy

The National Children's Strategy, Our Children – Their Lives was published in November 2000, following wide consultation with children, parents, and those working with and for children – from both statutory and voluntary organisations. The fact that children were being consulted as participants and being acknowledged as a specific group who could contribute to the policy making process was innovative and indeed marked a change in attitude to children's opinions and children's rights in Ireland.

Given that Objective K of the *National Children's Strategy* (*Our Children-Their Lives*, 2000, 70) states that: 'Children will be educated and supported to value social and cultural diversity so that all children including Travellers and other marginalised groups achieve their full potential,' it is intended in this thesis to explore the processes in a CDS to determine whether this objective is being met in terms of the needs of the children involved, and to assess whether the children are afforded the opportunity to achieve their full potential.

The important role of the family is foregrounded in the *Strategy*, where an emphasis is placed on family relationships, Objective L stating that 'children will have the opportunity to experience the qualities of family life' and that this principle is to be supported by local provision of quality parenting programmes 'with special emphasis on the needs of fathers, lone parents, ethnic minority groups, including Travellers and marginalised groups' (72). However, this aspiration is somewhat at odds with the constitutional principle of subsidiarity (explored in greater detail later in this chapter), which implies minimal interference in family autonomy. Questions also arise regarding the rights of the child (as an individual) as currently guaranteed in the Constitution, following the Children's Rights Referendum in 2012, and the level of official intervention that is brought to bear on the child. The high level of recidivism, (estimated

at 68%)[1], among young offenders suggests a system failure in terms of reintegration into both the family and society.

Agenda for Children's Services

The Agenda for Children's Services was published in 2007 by the Office of the Minister for Children and Youth Affairs. Its stated aim was 'to assist policy-makers, managers and front-line practitioners to engage in reflective practice and effective delivery, to be informed by best Irish and international evidence, and to identify their own role within the national policy framework' (p2).

It set out the strategic direction and key goals of public policy in relation to children's health and social services, drawing together the various types of outcomes found in contemporary children's policy and presenting them as a single list of seven National Service Outcomes for Children in Ireland. The goals are that children should be:

- Healthy, both physically and mentally

- Supported in active learning

- Safe from accidental and intentional harm

- Economically secure

- Secure in the immediate and wider physical environment

- Part of positive networks of family, friends, neighbours and the community

- Included and participating in society

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[1] Specific figures for re-offending by children in the two schools visited for this research are not available. However, a 2007 study of the Children's Court by Carroll and Meehan for the Association for Criminal Justice Research and Development found that three months after leaving XXX CDS, 65% of the young people were in St Patrick's Institution, after six months 75% were back in detention and after a year nearly 80% were back in detention.
A study published jointly by the Central Statistics Office and the Irish Prison Service in 2013 gives a recidivism figure of 68% for offenders aged less than 21 years of age.

This single framework was formulated to provide a template for the relevant government departments and agencies in all policy considerations and services related to children and families.

Working Together for Children initiative

The Minister for Children and Youth Affairs, the National Children's Strategy Implementation Group and the Children's Services Committees have jointly been leading an initiative to develop a planning model for national and local interagency working to improve outcomes for children. This is collectively known as the Working Together for Children initiative. The objective of the initiative is to secure better developmental outcomes for children through more effective integration of policies and services. In April 2011 a Governance Framework for the Working Together for Children Initiative was published.

The Department of Children and Youth Affairs provides leadership for this initiative at national level and the Child and Family Agency provides leadership at local level.

Children and Young People's Policy Framework

In April 2014 the Department of Children and Youth Affairs published *Better Outcomes, Brighter Futures: the National Policy Framework for Children and Young People 2014 -2020*. It is the first national policy framework for children and young people aged from birth to 24 years. It establishes a shared set of outcomes for children and young people towards which all government departments, agencies, statutory services and the voluntary and community sectors should work. The intended outcomes for children are that they should be:

- Active and healthy, with positive physical and mental wellbeing

- Achieving their full potential in all areas of learning and development

- Safe and protected from harm

- Economic security and opportunity

- Connected, respected and contributing to their world

This document provides the framework for the development and implementation of policy and services for children and young people.

Incarceration in Ireland

When this research project began in 2007, the profile of child detainees nationally, across the then existent four children detention schools was as follows: There were on average 54 children detained, 66% were committals, 34% were remands, the age range was 13 – 18 years while the majority (49%) were aged 15, followed by 29% at 16 years of age. The principal offences were: Theft (28%), Criminal Damage (20%), Assault (17%). (Source: Garda Síochana, Juvenile Diversion Programme Report 2007)

The population of Irish prisons has grown dramatically over the past two decades as there has been a distinct lack of policy aimed at controlling the numbers in prison and of providing comprehensive alternatives to custodial sentences. The adult prison population in the Republic of Ireland has been rising steadily over several decades, and has more than doubled since 1990, from around 2,100 in 1990 to around 4,400 today.

This dramatic increase raises questions about the use of imprisonment, and the principle of it being used as a sanction of last resort reserved for the most serious of crimes. It is the harshest punishment the Irish State can impose on an individual and comes with an obligation on the State to provide safe and humane conditions.

One of the most criticised penal practices in Ireland has been the incarceration of 16 – 18 year-olds in St Patrick's Institution (formerly Borstal, see Ch.2) within the Mountjoy Prison complex where they are in fact incarcerated along with other adult prisoners up to 21 years of age. Despite the fact that Section 156 of the Children Act 2001 prohibits the imprisonment of children with adults, this practice has been continuing for decades as there is no alternative accommodation available. It is also in conflict with the *UN Convention on the Rights of the Child* which requires that nobody under the age of eighteen should be detained alongside adults.

Glendenning remarks that the 'practice has been criticised for more than a quarter of a century by domestic and international bodies as being inappropriate for the detention and rehabilitation of children and addressing their complex needs, including educational rights.' (Glendenning, 2012, 215-216). Although the population of children being held in detention schools as a result of a criminal conviction is relatively low in Ireland, with an average daily count of 45, questions continue to be raised about the number of children have to transfer to complete their sentence in St Patrick's Institution if they have not completed it in the Children Detention Schools (CDS) by the time they reach the age of 16.

As previously referred to, the incarceration of 16 and 17 year old boys in St Patrick's Institution is one of the concerns that are being addressed on an ongoing basis by the Ombudsman for Children, Emily Logan. In a report produced by her office in 2011, Logan highlighted the need for change in procedures in St Patrick's Institution, particularly the need for the closure of the institution to under 18s. The report is based on interviews with the boys in St Patrick's Institution, allowing them to air their views on a wide variety of aspects of their incarceration in the institution. Emphasizing the need for those in authority to heed the concerns expressed, Logan states: 'We know historically what has happened when children and young people in the care of the State have not been listened to. Much of what the young people have to say is of serious concern. Their voices tell us that change is not just merited: it is vital' (in OCO Report, 2011,8).

In April 2012, Minister for Children and Youth Affairs, Frances Fitzgerald, T.D., had announced that the practice of detaining 16 and 17 year old boys in St Patrick's Institution would cease within two years. Making the announcement the Minister remarked:

> This is a key investment in addressing the serious problems of Ireland's most troubled teens. The path from St. Patrick's Institution to Mountjoy Prison has been too well worn over the years. We must interrupt the predictable path of violence and crime and repeat offending progressing to further serious offending and committals in adult prisons. This development will allow us to place these young people in a secure environment that will offer them a second chance to be productive people who contribute to society. Minister Fitzgerald to End Detention of 16 and 17 Year Olds in St. Patrick's Institution www.dcya.gov.ie

Although projected plans to close St Patrick's to 16 and 17 year olds by early 2014 have not been fully realised, some steps have been taken to improve the situation. Since May 2012 newly remanded and sentenced 16 year old boys are being sent to CDS rather than St Patrick's Institution as part of the ongoing plan to improve the youth justice service.

Children in the Care of the State in Ireland

Whilst the number of children held in custody for criminal activity in Ireland is relatively low, the situation with regard to children who are taken into care of the State (for a variety of reasons including neglect, abuse, homelessness and problems associated with immigration), shows that in fact there has been a long-standing increase in the numbers being admitted into care in Ireland. While the child population has been growing for much of that time, the proportion of children being admitted into care has also grown sharply, doubling from 26 children per 10,000 in 1989, to 51 per 10,000 by 2007. In 1989 there were a total of 2,756 children in State care, rising to 4,216 in 1999 and reaching 5,790 in 2010 (*Children's Rights Alliance Annual Report Card* January, 2011). In the first six months of that year the number of children in the care of the State increased by 385, about three times the number admitted into the system during all of the previous year. The vast majority were in foster care, while 465 were in residential care, and another 162 were in other forms of care placements, according to figures compiled by the Health Service Executive. It is felt by some social work groups and children's charities that the upward trend may be linked to greater awareness of abuse and neglect, following high-profile abuse cases. However, some practitioners fear the increase may also be linked to the economic downturn, with cutbacks to support services and increasing numbers of parents unable to cope economically. The most recent figure (from 2011), indicates that in Ireland, the number of children in the care of the State has risen to 6,160, the highest level since records began, (figures shown in above CRA report). In the same report it was stated that the HSE officials have downplayed the increase and said it is not necessarily very significant. The Department of Children and Youth Affairs is also inclined to downplay the significance of the figures, noting that compared to neighbouring jurisdictions Ireland had the lowest rate

(per 1,000) of children in care in 2011 - 5.4 per 1,000 compared to Northern Ireland (5.8 per 1,000), Wales (8.7 per 1,000) and Scotland (10.2 per 1,000). However, groups such as the Children's Rights Alliance, a coalition of about 80 children's groups, have expressed concern at the rising numbers and have called for a study to determine why children are coming into care. Although the remit of this thesis does not extend to an investigation of the circumstances of all children in the care of the State, it is worth bearing in mind that historically, many children were incarcerated in Industrial schools and Reformatories because their families were judged to be incapable of caring for them and providing for them, so there is an implicit connection in terms of rights and care provision. According to the children's charity, Barnardos, the predominant reasons children were admitted to care in 2012 were:

- Parent unable to cope/family difficulty re housing/finance,
- Neglect of child,
- Family member abusing drugs/alcohol,
- Child with emotional/behavioural problems,
  - Physical abuse of child.

(http://www.barnardos.ie/what-we-do/campaign-and-lobby/the-issues/child-welfare-and-protection.html)

Notwithstanding the child's rights as an individual and the family's rights to autonomy, it would seem that there is a need for greater provision for measures to address a range of issues such as adequate provision of early childhood education, eradication of substance abuse at community level, greater support for early school-leaving interventions and better welfare provision and support for children when they are discharged from CDS. The expressed intention of the current government to reform children's rights, having introduced an amendment to the constitution on the topic, might be a useful way to address the conflict that exists between administration of justice and provision of welfare for children who have been in conflict with the law.

International Developments in the Area of Child Incarceration

It would appear that this approach to the reform of children's rights has worked well in Finland, where in 1995 there was constitutional reform on the rights of the child.

Child protection legislation was introduced in the early 1900s and since then Finland has two models running side by side: the child welfare system and the criminal justice system. The former concerns the best interests of the child, the rights of the child, intervention, support, open care and residential care. The majority of child welfare interventions are based on targeted family support and open-care options, an option that would appear to be inadequately resourced in Ireland. The primary objective of the care options in Finland is to educate the young people, and in addition issues relating to substance abuse and mental health are addressed where necessary.

Those who find themselves in the criminal justice system in Finland are subject to the principle of proportionality, although in Finland there is an avoidance of custody where possible. Most convicted children in Finland are subject to the imposition of a fine or a sentence of conditional imprisonment. In cases of serious crime, the maximum sentence for a child under 18 years of age is 12 years. Children cannot be given life sentences in Finland. Although the Finnish model is often held up as an example of best practice, there is however, some question about the lack of separate places for children who are sentenced to terms of imprisonment longer than four years. While it is often praised for taking a 'welfare' approach, Lappi-Seppala has been critical of the fact that while the Finnish juvenile justice is low on sentencing children for criminal activities, it is high on placing children in 'care'; this often means in psychiatric care. The Howard League survey of European juvenile justice systems, found in relation to Finland that:

> While at the end of 2003, there were only 62 children in juvenile prison, it is notable that in any given year some 8000 children are in public care, 20% of whom are placed there against their will. On average some 350 children between the ages of 14 and 17 are placed in mental care institutions each year (The Howard League, 2008, 11).

Notwithstanding these questions about the placement of children in care, it must be admitted that from the 1960s onwards in Finland, there has been a general movement against incarceration at all levels of the criminal justice system. Over the last 50 years the Finnish system has continued to undergo a total transformation so that the prison population in general was reduced to almost a third of the 1950 figure (200 per 100,000 inhabitants) by the early 1990s, and has been stable at around 70 per 100,000 since then. (Lappi-Seppala, 2006, 179). The trend away from incarceration applies to both adult and child detention. In 1975 there were 761 15-17 year olds in detention compared to 65

in 2006. There were 1000 15-17 year olds in reform schools in 1965 and in 2007 there were 200 (Lappi-Seppala, 2006).

Another regime that has been historically praised for its model of tolerance is the Dutch youth justice system. In The Netherlands, sentencing was largely focused on education and intended to be corrective in nature. The youth justice system there was once lauded as being 'the beacon of tolerance and humanity' (Muncie & Goldson 2009), and although there is still a strong commitment to a welfare approach, in recent years there has been a tightening of the legislation relating to children in conflict with the law. Nevertheless, priority is still being given to prevention in Dutch policy, with school and family initiatives focused on identifying problems at an early stage so that they can be addressed as soon as possible. Since 2010 several juvenile detention centres have been earmarked for closure as numbers in detention have been dropping. This is mainly due to the augmentation of the Halt programme which was originally aimed at giving first time offenders an opportunity to partake in community service programmes and restorative justice programmes. The reformed Halt programme has been extended to include second time offenders and also to focus on truancy as well as criminal offences.

Youths who have been picked up by the police for committing minor criminal offences are given the opportunity to avoid a criminal record by referring them to a Halt Bureau. The Halt arrangement makes youths aware of their behaviour and offers them the opportunity to make good the harm they may have inflicted. This is achieved by talks, community service or learning assignments and – if relevant – by apologising to the victim and repairing any damage done. The intention is that by confronting juveniles with the consequences of their behaviour and by offering alternatives for their behaviour they can be prevented from re-offending.

Furthermore, reforms which include the separation of criminal and civil offences from 1 January 2010 mean that juvenile offenders with a civil-law claim are no longer placed in Youth Detention Centres. According to the Dutch Ministry of Justice the occupancy rate of juvenile detention centres had dropped to about 52% on average in October 2010. According to the forecasts of the Dutch Research and Documentation Centre (WODC) the occupancy rate will further decrease in the years to come to about 850 places in 2013, (if the policy remains unchanged). This has led to a decision to close down six juvenile detention centres. It is difficult to make numerical comparisons

with the Dutch system because the Halt programme is aimed at 12 to 18 year-olds while the overall youth justice system deals with 15 to 25 year-olds. In 2011 the male youth incarceration rate was 2.13% of (18 − 25 year-olds) while the participation rate in the Halt programme was 1.3% of 12 to 18 year-olds.

The Italian juvenile justice system is one that is often credited with being particularly tolerant in that the emphasis is more focused on diverting children from custodial sentences than on detention. The rates of incarceration of children are particularly low, attracting comments describing the system there as 'model of tolerance and non-punitiveness from which England and Wales has much to learn' (Nelken 2006, 161, quoted in the Howard League Report *Punishing Children* 2008). Judges in Italy favour a system that shows a preference for pardoning children, often deeming the offence to be irrelevant and providing the accused child with alternatives such as pre-trial probationary periods, even in cases of serious crime. In fact there is no such thing in Italy as a life-sentence for children, and Italian courts have ruled the imposition of a life sentence on a child to constitute *'cruel and unusual'* treatment.

According to the Howard League (2008), report, at any given time only around 500 under eighteens are in custody in Italy. Of the 500 young people imprisoned at any one time, it is worth noting that only a very small proportion is Italian born. It has been suggested that this may be due to the difficulties in administering pre-trial probationary measures to immigrant detainees. This situation mirrors concerns about the proportion of children from minority or foreign backgrounds in prison across Europe and has been the subject of much criticism. Nelken (2006) suggests that:

There may be a range of social and cultural issues to explain the low rates of imprisonment in Italy, including the strength of the family and the absence of a heavy drinking culture among the youth. (Howard League Report *Punishing Children* 2008, 10)

Nelken also places a heavy emphasis on the lack of media hype or obsession with youth justice issues in Italy compared to other states where it is as seen as part of the *'moral panic'* which is often cited as the cause for tougher policies in other European countries.

Initiatives to Provide Educational Support in Marginalised Communities in Ireland

From the late 1990's onwards a number of strategies were devised to improve the provision of, and accessibility to, education. These included the enactment of the Education Act (1998), and in due course this led to the enactment of the Education (Welfare) Act (2000), which established the National Educational Welfare Board (NEWB)[2] as the key national body with responsibility for school attendance. It was also tasked with providing education, training and work experience for young early school leavers, in conjunction with the expansion of second-chance education and adult literacy programmes. At the same time the commitment to giving a voice to children, allowing them to define their own realities continued with the launch of the *National Children's Strategy*, in 2000.

In March 2002 The Statutory Committee on Educational Disadvantage was established and continued working through 2003 meeting on numerous occasions to discuss the potential ways to better coordinate the initiatives that were already in place to tackle educational disadvantage within the school system. Two papers were submitted to the Minister in March 2003, one entitled *Identifying Disadvantage for the Purpose of Targeting Resources* and *Other Supports and the other on Teaching Supply and Staffing in Disadvantaged Settings*.

As a result of its continuing work in examining the wide range of programmes in place to tackle educational disadvantage that were already in existence, the Committee made a submission to the Minister in December, 2003, entitled: *A More Integrated and Effective Delivery of School-Based Educational Inclusion Measures*. The DES recognised the multi-dimensional aspects of educational disadvantage that required a collaborative response and set up several initiatives including the 8 to 15 Early School Leaver Initiative (ESLI), (Ryan, 2004). The initiatives included setting out to improve

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[2] Since the enactment of the Child and Family Agency Act 2013, the functions of the former National Educational Welfare Board, and the services previously provided by it, are now part of the Child and Family Agency, which was established by law on 1 January 2014. As a result, the Child and Family Agency became an independent legal entity, comprising HSE Children & Family Services, Family Support Agency and the National Educational Welfare Board as well as incorporating some psychological services and a range of services responding to domestic, sexual and gender based violence. It is now the dedicated State agency responsible for improving wellbeing and outcomes for children.

the schools, to provide care-workers within the school, and to reform the system into one of collaboration between pupil, teacher, care-worker and parents.

The DEIS scheme, (Delivering Equality of Opportunity in Schools), is another such initiative, which began in 2006/7. DEIS is a system for identifying and reviewing levels of disadvantage in schools and providing a package of supports relevant to the level of disadvantage among pupils, building on the schemes and programmes that already existed in the integrated School Support Programme (SSP).

Both strengths and weaknesses can be identified in the DEIS initiative, the positive aspects are that progress has been made in overall terms through the implementation of a wide range of measures to address educational disadvantage and include the fact that outcomes have significantly improved for many children within the initiatives.

In terms of implementation at school level, evaluation data collected from a variety of sources, indicate that levels of engagement with aspects of the programme such as school planning and uptake of literacy and numeracy initiatives appear to be very high. Furthermore, feedback from teachers and others involved in implementing the programme suggests that the programme has been positively received. However, on the downside it is a fact that not all children benefit and rates of educational underachievement and early school leaving remain much higher for pupils from disadvantaged communities than for other pupils. For example, research conducted by Weir and Denner for the Educational Research Centre shows that:

> In 2010, 2nd class pupils achieved an average of 24.3 out of 40 reading items correct, an increase on the 2007 average of 22.8. By 2013, the average number of items correct had increased further to 26 items. While this represents a significant increase, it should be noted that it is still below that of the norm group average for 2nd class of 29 items correct. (Weir & Denner, 2013, 8)

Despite its apparent, (though not total) success in inner-city and economically deprived areas, the DEIS programme was one of those that was targeted by the Minister of Education, Ruairi Quinn, in his attempts to limit spending on education in 2011/12. Some 428 teaching posts were to be cut under measures announced in the December 2011 Budget. However, following widespread protests and appeals, the Minister agreed

that he would review each case on its own merit but that any restoration of funding to the DEIS programme would mean cuts elsewhere in the education budget.

Equality Legislation and Educationally Disadvantaged Children

Although there is legislation in place that affords minority groups rights to access and participate in education, Deegan (2004), remarks that 'it is much more difficult to challenge people's often unquestioned assumptions about the nature of society, the purpose of education and expectations regarding the status or rights of different groups.' Research has shown that both *personal* problems such as drug-taking, poor health, emotional and relationship difficulties and *social* problems such as anti-social behaviour have all been linked with low literacy levels (WHO, 1992; Weir, 2001.) In terms of offenders, studies have found that the Irish prison population has a lower level of literacy and numeracy attainment than the general population (Morgan & Kett, 2003; O'Mahony, 1997). Children in detention in Ireland generally are found to have low educational attainment; many have left school early, often failing to make the transition from primary school to secondary school. In their study of mental health issues among child offenders, Hayes and O'Reilly (2007, 7) remark that 'Truancy, school suspension and expulsion are characteristics associated with young people residing in detention schools'.

As well as having a negative impact on their mental health, there can be long-term implications for well-being and general quality of life for those who have not completed their education. The relationship between poor educational attainment and well-being in later life has been well documented, (O'Brien, 2004, 2008; Lynch & Lodge, 2002). There is evidence to suggest that children from disadvantaged backgrounds have lower levels of educational engagement and attainment (DES/DEIS 2005) and subsequently poorer employment prospects than their peers in better-off areas. The '*social context effect*' is another relevant factor and was identified by the Educational Research Centre (ERC) during a research project for the Educational Disadvantage Committee of the DES in 2005 when it was found that there was 'strong evidence for the proposition that the disadvantage associated with poverty and social exclusion assumes a multiplier effect when large numbers of pupils in a school are from a similar disadvantaged background'. (DES/DEIS 2005)

Terms Used and Concepts Referred to in the Forthcoming Chapters

Construction of *'child offender'* in the criminal justice system

According to Muncie, the very definition of a child, the classification of crime or penal custody for children and the extent to which aspects of youth justice are recorded, vary enormously throughout Europe (Muncie 2004, 295). For the most part the term 'children in conflict with the law' refers to those who are aged below 18 years of age and who have been accused of committing an offence.

Until the introduction of the Children Act 2001 in Ireland, many terminologies were used to identify someone within the scope of the youth justice system. Expressions such as minor, child, child offender, youth, juvenile and young person were commonplace. However, the word child is now defined by Section 3 of the 2001 Act to mean a person under the age of 18 years. Under the 2001 Act there is no distinction between a child and a young person. Any provisions in earlier Acts distinguishing different classes of children (young person, minor, child) no longer exist.

Nevertheless, in some countries the *'youth justice system'* extends to those who are into their twenties, making it impossible to compare like with like. In the Netherlands for instance, the term youth is applied to children and young people up to 25 years of age. Dutch juvenile criminal law can be applied to 18 to 21 year olds if the Court decides that this is appropriate for the particular offender, or if there were special circumstances relating to the crime. By the same rationale, 16 to 17 year olds may be subject to adult law. In Ireland children who are sentenced to CDS can only remain there until they are sixteen years of age. In practical terms this means that a 15 year-old who receives a two year sentence would have to leave a CDS when they reach the age of sixteen, to serve the remainder of their sentence in St Patrick's Institution within the Mountjoy Prison complex. In this situation they would be mixed in with prisoners ranging from 16 to twenty-one years of age. This practise is not only a disruption of stability but can also have a detrimental effect on the child's education as they have to re-enter a new school process. Any educational progress that that may have been achieved in the CDS is likely to be interrupted and indeed lost in the transition.

Age of criminal responsibility

Interestingly, it is not only the definition of a child within the criminal justice system but the age of criminal responsibility which has continued to vex many states internationally. As well as having different minimum ages, the age of criminal responsibility appears to have different meanings across Europe. Even the definition of the age of responsibility can be misleading and interpreted differently, as the official age of criminal responsibility may not necessarily be the earliest age at which a child can be involved with the justice system as a consequence of coming into conflict with the law (UNICEF 1998).

In Ireland, the age of criminal responsibility is covered by Section 52 of the Children Act 2001 as amended by Section 129 of the Criminal Justice Act 2006. This came into effect in October 2006, raising the age of criminal responsibility from 7 years of age to twelve years of age. This means that children who have not reached the age of 12 years cannot be charged with an offence. An exception remains however, for children aged 10 or 11 who can be charged with murder, manslaughter, rape or aggravated sexual assault. In addition, where a child under 14 years of age is charged with an offence, no further proceedings can be taken without the consent of the Director of Public Prosecutions. Nevertheless, although the 2001 Act in general prohibits children less than 12 years of age from being charged and convicted of a criminal offence, they do not enjoy total immunity from action being taken against them. Section 53 of the Act as amended by Section 130 of the Criminal Justice Act 2006 places an onus on the Gardaí to take a child under 12 years of age to his/her parents or guardian, where they have reasonable grounds for believing that the child has committed an offence with which the child cannot be charged due to the child's age. Where this is not possible the Gardai will arrange for the child to be taken into the custody of the Health Service Executive (HSE) for the area in which the child normally resides. There still remains the possibility that children under 12 years of age who commit criminal offences will be dealt with by the HSE and not the criminal justice system.

The following table gives an indication of the range of minimum ages of criminal responsibility that are set across European countries.

Table 1.1 Age of criminal responsibility

Country	Minimum Age of Criminal Responsibility
Austria	14
Belgium	18 (16 for serious offences)
Bulgaria	14
Czech Republic	15
Denmark	15
England & Wales	10
Estonia	14
Finland	15
France	13 (educational measures can be imposed from the age of 10)
Germany	14
Greece	13 (educational measures can be imposed from the age of 8)
Hungary	14
Iceland	15
Ireland	12
Italy	15
Latvia	14
Lithuania	14
Luxembourg	18
Netherlands	12
Northern Ireland	12
Norway	15
Poland	13
Portugal	16
Romania	14
Russian Federation	14
Scotland	8
Slovakia	14/15
Spain	16 (14 in Catalonia)
Sweden	15
Turkey	12

Sources: The Howard League, UK, 2011 + Dept of Justice and Defence 2012

Although most countries in Europe have distinct youth justice systems which deal with young people under the age of 21 in conflict with the law, there is no uniformity of approach and it is difficult to compare youth justice systems across such a broad range of states. In particular, it is difficult to compare data on rates of detention of children up to 18 years of age, mostly due to differing definitions of a 'juvenile offender'. In his 2009 report on juvenile justice, Thomas Hammarberg, the Council of Europe Commissioner for Human Rights, remarked that: 'Comparative study of

juvenile justice is a difficult exercise, complicated by the use of different definitions, the lack of data and differences in the way in which data are collected.' (Commissioner for Human Rights (2009) *Children and Juvenile Justice: Proposals for Improvements*, Strasbourg: Council of Europe, 3)

Furthermore, in some countries data are only available on numbers of arrests, but this can lead to a misleading interpretation of the detention figures because the same individual could be arrested several times in one year. There is no doubt that in Ireland's case, the dictum that detention of children should be a measure of last resort is having a somewhat positive effect on numbers incarcerated, mainly due to a number of Garda initiatives to divert children into more rehabilitative programmes such as those involving restorative justice, family case conferences and collaboration with the Probation Service. Our nearest neighbours, Wales and England on the other hand, have very high incarceration rates for children, with around 3,000 detained at any one time and with some 10,000 children passing through the detention system on average each year (The Howard League 2011). This figure amounts to a higher number of children in detention in the UK and Wales than in any other Western European country at the present time. In Ireland, when a child commits an offence and is charged, s/he appears before the Children Court where the principle of 'detention as a last resort' is taken seriously. Before sending a child to detention, the Court will try to make sure that there is no other option available that would address the offences which the child has committed. The Court can choose from a number of community sentences (see appendix B) to deal with the offence. Sometimes because of the type of offence committed, the Court will have no other option but to send a child to a Children Detention School (CDS). While the majority of children who are committed to detention have been convicted of a crime, some who are awaiting trial or conviction can also be held in CDS on remand.

Children Detention Schools

Detention centres for children in Ireland are officially called Children Detention Schools (CDS). The system as it operates today has evolved from the former system of industrial schools and reformatories. The current system was developed in the wake of the Kennedy Report (1970), which found grave discrepancies in the levels of both care and education that were provided for the young residents. Evidence suggests that the

emphasis on education was not paramount in industrial schools and reformatories during the 19th and early 20th centuries, whereas today the issue of educational provision is foregrounded, partly due to the legal requirement that all children attend school (or receive education) up until the age of sixteen years or until they have completed three years of second-level education, whichever is the later.

Detention centres for children are called schools; this implies an emphasis on education, however, transferring responsibility for the schools from the Dept. of Education to the IYJS, then an agency of the Dept. of Justice, Equality and Law Reform in 2007 would seem to have implied a greater emphasis on criminal justice and a lessening of emphasis on education, which at the time seemed paradoxical to the stated aims of the Children Act 2001. The subsequent transfer (in 2011) of the IYJS and its responsibility for children in detention to the newly established Dept. of Children and Youth Affairs could be seen as a positive move in focusing on the needs of the children. However, the fact that services for children in detention are managed by a system that is in a constant state of flux raises questions about the State's commitment to the youth justice system. It brings into consideration the question of whether children are incarcerated and educated for the benefit of the child, (i.e. in order to give them the means to develop fully as human beings), or for the benefit of society, (i.e. simply to keep child offenders out of the public domain). Questions could also be raised as to whether education is provided in the spirit of improving the life outcomes for the children or merely as an activity to fill the time, or indeed simply because of the legal requirement. This would seem to imply that any benefit in terms of development for the child is a secondary consideration. It also raises questions about the commitment to Objective K of the National Children's Strategy which states that: 'Children will be educated and supported to value social and cultural diversity so that all children including Travellers and other marginalised groups achieve their full potential,' (*Our Children-Their Lives*, 2000, 70).

When research for this thesis began there were four CDSs in Ireland, all of them located in the Dublin area, subsequently one of those has closed down, concentrating all CDS in one campus in north Co Dublin. Combining the three CDS that currently operate, the maximum capacity at any one time is approximately forty-five children. The capacity in total is difficult to define because e.g. it can depend on factors such as

staffing levels. The children can range in age from 12 to 16 with the average age being 15 years. At present, some child offenders (16 -18yrs) are sent to St Patrick's Institution in Mountjoy Prison which is designated as 'Place of Detention' and is managed by the Irish Prison Service (*not* the Irish Youth Justice Service). St Patrick's Institution is a closed institution for male offenders aged 16 to 21 years and is widely thought to be unsuitable for children. Plans have been drawn up for separate accommodation for the majority of 16 and 17 year-old boys, pending the proposed further development of the Children Detention Schools at the campus in north county Dublin, and recent changes to legislation have resulted in a cessation of the practice of sending newly-convicted 16 year-olds to St Patricks Institution, instead they are forthwith to be accommodated in Children Detention Schools (see pages 10-11).

Future Plans for Expansion of the CDS System

In Ireland, plans to expand the building of higher-capacity adult prisons and detention facilities for children have been foregrounded by criminal justice authorities in recent years although these have been somewhat curtailed due the economic downturn.

In terms of the future of Children Detention Schools, the announced proposal to combine the three existing schools into one super-campus near Lusk in Co. Dublin might be positive in terms of improved facilities but it raises worrying questions about the direction Irish youth justice services may be heading in. Evidence across Europe suggests that there is a move away from the welfare model of care towards a more punitive approach, with rising numbers of juveniles being held both in remand and on committal. Further evidence suggests that the *National Youth Justice Strategy* is low on references to developing education for children in CDS in its High Level Goals, preferring to leave matters in this regard to the Department of Education and Skills (DES), who despite having handed over responsibility for the management of CDS to the Department of Justice in 2007, produced a working document entitled *Education Strategy for the Children Detention School Service, Sept 2010 – 2013*, which:

> ...constitutes the Department of Education and Skills' (DES) overarching strategy on educational services for children placed in children detention schools and provides an outline of the Department's role in this sector and provides the

broad parameters which inform educational provision in the education facilities attached to these detention schools (2).

The document sets out a number of goals and how they are to be achieved over the subsequent 3 years, having regard to the role of the DES, Co. Dublin VEC and the various other Government Departments and agencies in delivering these goals.

Children's Rights to Education

In examining the provision of education for children in detention in Ireland it is necessary to consider the rights of children from several perspectives; these include Irish Constitutional law and the international rights as laid out in the United Nations Convention on the Rights of the Child. In addition the aspirations of the National Children's Strategy (2000) which purport to uphold the principles of the UNCRC must be considered.

Constitutional rights and education

The Free State Constitution of 1922 stated quite simply in Article 10 that 'All citizens of the Irish Free State have the right to free elementary education.' A more complex view of education rights, family responsibilities and school provision emerges in the 1937 Constitution of Ireland. A number of articles of that Constitution reflect Roman Catholic social thinking and teaching of the time. These are underpinned by the notion of subsidiarity, stressing minimal state interference in the life of the family and emphasising the domestic role of women as mothers (Deegan *et al*, 2004).

An examination of the 1937 Constitution draws us to Article 42, which is concerned with the education of members of the family, (the family in this case based on the marital unit and education includes the "religious and moral, intellectual, physical and social" education of children); and Article 44, which deals with State aid for schools and safeguards against discrimination on religious grounds in the provision of aid and use of school property.

Article 42.1 acknowledges that parents are the 'primary and natural educator' of their child / children and acknowledges their rights to provide for their child's religious

and moral education. Parents have the right to educate their children outside of school as long as they can present evidence that they are able provide it satisfactorily. Article 42.2 states that 'Parents shall be free to provide this education in their homes, or in private schools or in schools recognised or established by the State.' If the inspectors of the DES decide that the provision of education is not satisfactory the parents can be prosecuted under the Education (Welfare) Act 2000. Furthermore, under the Act, parents who wish to educate their children in a place other than a recognised school must register with the TUSLA, the Child and Family Agency which has taken over the functions of the National Education Welfare Board (NEWB) and they must be satisfied that the child is receiving 'a certain minimum education'. Furthermore, Article 42.3.2 requires the State itself to provide this certain minimum education 'moral, intellectual and social'. What exactly is meant by a certain minimum education has never been defined. Various cases in law have disputed the definitions of education, and Fergus W. Ryan outlines some of these challenges in his book *Constitutional Law*, where most of the cases upheld the view that education refers to formal or scholastic aspects of education, while fewer leaned towards the view that education included 'the practical process of rearing a child' (Ryan, 2001, 201). While it is beyond the remit of this thesis to examine the history of legal challenges to the constitutionality of educational provision it can be deduced that if the State is acting in '*loco parentis*' for children in detention then it is clearly obliged on the above counts to take responsibility for education that encompasses the scholastic and social aspects as well as the personal development of the education of children in its care.

Changing contexts in relation to children's rights

In Ireland, the concept of children's rights continues to be a divisive political issue; at the time of writing and in recent years several government departments have taken issues relating to the status of children and their constitutional rights more seriously, highlighting a new respect for issues relating to children. Despite the appointment of both an Ombudsman for Children and a Minister for Children and Youth Affairs, which highlight the growing awareness of children's equal rights to representation, there is still no firm commitment to reform. Both of these agencies have taken a strong and positive approach to giving a voice to children and to implementing the United Nations Convention on the Rights of the Child. However, in spite of these

28

developments, the public consciousness has been less than enlightened when it comes to awareness of children's rights, evidenced by the low turnout of voters in the referendum for Constitutional reform in relation to children's rights, (the Thirty-first Amendment of the Constitution (Children) Bill 2012).

Particularly with regard to the rights of child offenders it would appear that there is little or no general interest and only limited specialist interest. Ursula Kilkelly, Senior Lecturer in the Faculty of Law at University College Cork, and one of Ireland's leading experts on children's rights, was commissioned by the Ombudsman for Children in 2007 to contribute to a report entitled *Obstacles to the Realization of Children's Rights in Ireland*. In a 178 page review of the literature pertaining to children's rights, less than two of those pages refer to 'Children in the Criminal Justice System', giving an indication of how little debate has been focused on the subject. Indeed several of her citations refer to her own books, *Child Justice in Ireland Tough Lives Rough Justice* (2006), and *The Children's Court: A Children's Rights Audit*, (2005), as well as to Criminal Psychologist, Paul O'Mahony and to authors Jennifer Hayes and Gary O'Reilly, who published research into the mental health of child offenders in Ireland, in 2007. This limited group of spokespersons indicates the lack of empirical research and published data available and indeed the limited cluster of researchers who are interested in pursuing dialogue into the current plight of children in detention. It also highlights the low level of political will, lack of policy development and poor provision of funding for ongoing research in the field of youth justice.

International rights

In considering the rights to education of children in detention, one must not only bear in mind their constitutional rights but also consider their wider rights under international law. The United Nations Convention on the Rights of Children 1989 (UNCRC), which was ratified by the Irish Government in 1992, sets international standards for children's rights across a broad spectrum, including civil, political, economic, social and cultural rights. Having ratified the UN Convention on the Rights of the Child, the Irish Government is obliged under article 42 of the Convention to make the Convention's principles and provisions widely known to children, young people and adults in Ireland. The United Nations Convention on the Rights of the Child (UNCRC 28), emphasizes the rights of all children, including those in detention, to

education 'suited to his or her needs and abilities and designed to prepare him or her for return to society' (UN Rules for Protection of Children Deprived of their Liberty, 38), and it is this aspiration that forms the basis for considering the educational rights of children in detention schools in Ireland.

The United Nations Convention on the Rights of the Child (UNCRC 1989), has established that all children have the right to protection, to participation and to personal development. As well as dealing with the rights of children in general, the UN has specific guidelines that deal with the rights of children who are in trouble with the law and who are held in detention, such as: United Nations Standard Minimum Rules for the Administration of Child Justice (known as the Beijing Rules) 1985, and the United Nations Guidelines for the Prevention of Child Delinquency 1990 (known as the Riyadh Guidelines).

In addition to Article 28 (Education), mentioned above, there are also other articles of particular relevance to this thesis. Article 37 (Capital Punishment, Deprivation of Liberty), provides for minimum standards in treatment and punishment of juvenile offenders, to ensure that 'no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment.' It also provides that 'neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age.' In addition, Article 37b provides that

> no child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time.

Article 40 (Child Justice) provides for recognition of the welfare, dignity and privacy of the child by ensuring that children are treated

> in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

The UN Committee on the Rights of the Child – the body charged with administering the UNCRC – has stated that the Convention and the Beijing Rules together: 'call for the adoption of a child-orientated system, that recognises the child as a subject of fundamental rights, and stresses the need for all actions concerning children to be guided by the best interests of the child as a primary consideration.'

It also emphasizes the rights of all children, including those in detention, to education 'suited to his or her needs and abilities and designed to prepare him or her for return to society' (UN Rules for Protection of Juveniles Deprived of their Liberty, 38).

In January 1998, the UN Committee on the Rights of the Child made a series of recommendations for Ireland on how implementation of the Convention in Ireland should be progressed. One of the recommendations made by the UN Committee spoke directly to Ireland's obligations under article 42 of the Convention. In making this recommendation, the UN Committee encouraged the Irish Government to promote understanding of the Convention through education and training initiatives:

> The Committee recommends that . . . children's rights should be incorporated in the curricula of all educational and pedagogical institutions and comprehensive training programmes on the Convention should be conducted for professional groups working with and for children such as judges, lawyers, law enforcement personnel, including police officers, immigration officers, health professionals, teachers, social and community workers, and personnel working in child-care institutions.

Consideration must be given to whether the current system of child detention provides an education that fulfils not only the minimum legal requirements of the children but their human rights according to the UNCRC, or whether their rights would be better served by alternative systems. The very fact that children in detention in Ireland are educated 'in situ' would appear to contravene UN recommendations that: 'Detention centres should utilize educational resources from the community, and children should be permitted to leave detention centres for educational and vocational reasons, to ensure adequate communication with the outside world' (UN Rules for the Protection of Children Deprived of their Liberty, 81).

The announcement (March 2008) of the intention to build a new integrated campus for all child offenders at Lusk in Co. Dublin implies a further alienation of an

31

already marginalised section of society. Due to its rural location and the lack of public transport, opportunities for visits from family members are problematic, in addition necessary visits away from the detention schools to courts or hospitals can be costly, time-consuming and tedious. Furthermore, any opportunity for detainees to attend schools in the local community (as suggested above) would be difficult to implement.

Conclusion

The reality in Ireland is that child offenders continue to pose a challenge both to society and to legislators, in terms of their care, education and rehabilitation. The legacy of industrial schools and reformatories still resonates in terms of the need for greater care and education, yet attitudes to young offenders continue for the most part to be unsympathetic and the emphasis is on a penitential approach.

The establishment of the IYJS and the Department of Children and Youth Affairs could be expected to augur well for the provision of all children who are placed in the care of the State. However, the continuing tension between the Justice, Education and Health Departments in relation to responsibilities for these children and the multiplicity of agencies combined with the seemingly insufficient numbers of social workers to manage caseloads continues to be a worrying aspect of child-care provision in Ireland. In addition, the on-going need to incarcerate children from the age of sixteen alongside adult offenders in St Patrick's Institution has continued to draw into question the lack of resources being made available the slow pace of progress in expediting reforms in the youth justice system. Since May 1st 2012 the decision has been taken to *begin* to rectify the situation in that newly committed sixteen-year olds are no longer to be accommodated in St Patrick's Institution. Nevertheless, on July 1st 2012 there was still one sixteen-year old there, along with 21 boys aged 17 (IPRT, 2013). As the Children Act 2001 defines a child as anyone aged below 18 years of age there is clearly an ongoing breach of the law in detaining children in St Patrick's Institution. In addition, the detention of children in St Patrick's Institution does not comply with international human rights standards, in his report on an inspection of St. Patrick's Institution, Judge Michael Reilly found that contrary to European prison rules, some children and young adults were subject to a disciplinary procedure which resulted in the prohibition of contact with family by way of visit. He also remarks that:

However, when the number of instances, found by me and outlined in this Chapter, are taken together the cumulative effect can only lead to the conclusion that there is a culture in St. Patricks which results in the human rights of some prisoners (children and young adults) being either ignored or violated (58).

Judge Reilly also found (among other discrepancies) that many officers working in St. Patrick's Institution had not been adequately trained to deal with young people, nor did they receive sufficient on-going training to deal with young prisoners.

Budgetary cuts to spending on education which include a reduction in the employment of resource teachers and special needs assistants, higher pupil-teacher ratios and changes to teachers' working practices will all have a negative impact on mainstream education in the immediate future. As a result, vulnerable children, particularly those from disadvantaged socio-economic groups, are likely to suffer most, adding further to the risk factors of early school-leaving which will be shown in Chapter Three to be a significant contributor to offending behaviour that can subsequently lead to involvement in the youth justice system and detention.

Internationally, there is a marked trend away from a 'welfare' approach with increasing numbers of children coming into custody, particularly in the UK and Wales where attitudes have hardened considerably to child offenders, driven to some extent by media coverage which fuels fears and moral panic among the public. Even in states that traditionally had a more lenient or tolerant approach, the welfare model is being replaced by the 'justice' system. This is evidenced by a toughening of regimes within detention centres in the Netherlands, increasing numbers of children in the psychiatric care system in Finland and growing numbers of immigrant children being incarcerated in Italy.

The full implementation of the Children Act 2001, the implementation of constitutional children's rights and the development of a comprehensive juvenile justice system that can embrace the needs of children up to the age of eighteen remain aspirational in Ireland today. Indeed whether measures to address the needs of all children and the political will to provide the means to divert vulnerable children away from involvement in offending behaviour will ever be a reality remains questionable in the current political climate. The 'best interests of the child' should be the motivation in all decisions involving the care of children. Whether taken at national or institutional level and whether it is in terms of budgetary management, changes to systems,

structural changes to buildings or recruitment of staff, those making the decisions must consider how the decisions will impact on the lives of children. It is essential that children are allowed to voice their opinions on all matters concerning their rights and that those opinions are listened to and respected.

Chapter Two: A Foucauldian Perspective on the Development of Children Detention Schools in Ireland

Introduction

By examining the historical emergence of Children Detention Schools in Ireland using a critical lens adapted from the work of Michel Foucault, this chapter presents a critique of institutions of power and discipline. Exploring the background and development of CDS is pertinent to this thesis as the present-day Children Detention Schools are directly descended from institutions which were variously designated as industrial schools, reformatories and borstal and that had their origins in the mid-nineteenth century. In some cases children were incarcerated in these institutions following criminal conviction, but in many cases they were incarcerated simply because they were deemed by those in positions of authority to be living in morally suspect circumstances. The overall focus of this thesis is on education; however, in this chapter I am presenting a broader perspective to put the development of the children detention system in context. While maintaining a focus on education I will also place a strong emphasis in this chapter on the mechanics of incarceration and the uses and abuses of both societal and institutional power. The *process* of incarceration as it is administered by institutions of education, of detention, of government, and of the church will be examined, as will the *experiences* of incarceration by those who were subjected to its administration.

Adopting a Foucauldian lens facilitates a 'genealogical' exploration of the institutions and the practices that were used in Ireland to confine and discipline children, particularly children who were removed from their families and deprived of their liberty in large residential institutions over the course of a century and a half. Like history and archaeology, genealogy deals with a substratum of knowledge and culture, but Foucault describes genealogy as a level where the grounds of the true and the false come to be distinguished via mechanisms of power (O'Farrell 2005, 69). According to Gutting (2010), the point of a genealogical analysis is to show that a given system of thought was the result of contingent turns of history, not the outcome of rationally inevitable trends.

This chapter is an attempt to write what might be referred to in Foucauldian terms as a '*history of the present*' (Foucault, 1977, 31), at least in terms of how and why it is seen to be necessary in today's society to incarcerate children. Rather than simply explaining the historical development of carceral educational institutions, in this chapter I am more concerned with how their meaning came about; how their historical construction has its roots in specific social and political agendas. In examining the historical development of CDS, I am seeking to understand the uses of power in history, especially where power has been exerted by society on young and vulnerable members of the society who had very little voice or power of their own.

It is apposite to take this approach to identifying the emergence of systems of control because Foucault has referred to both incarceration and education in *Discipline and Punish, the birth of the prison* (1977), where he draws on his extensive research into institutions of control, particularly prisons, and where he theorises the similarities between educational and penitential practices. While drawing on Foucault's extensive body of work including the series of Collége de France lectures, particularly the 1977-78 collection entitled *Security, Territory and Population*, (published in 2009), the focus of this thesis is primarily on *Discipline and Punish* (1977), because it was in this opus that Foucault presented a theoretical framework of the operation of power in society (Sovereign and disciplinary). This was formulated as a result of his visits to prisons in France and the U.S., as well as elaborating his historical research, which included the examination of prison manuals and documents relating to military discipline. Foucault suggests that there is a strong resemblance across all the institutions of society and asks: 'is it surprising that prisons resemble factories, schools, barracks, hospitals, which all resemble prisons?' (1977, 228); suggesting that the internal disciplines are similar in all these institutions. Indeed this idea is at the core of Foucault's work; his studies of the similarities of these disciplinary institutions are the basis of his understanding of the modern disciplinary societies in which we live, and of the power relations that exist between people.

Discipline and Punish (1977) is a genealogical study of the development of the modern way of imprisoning criminals as a form of punishment rather than torturing or killing them. While recognizing the element of genuinely enlightened reform, Foucault

particularly emphasizes how such reform also becomes a vehicle of more effective control: *'to punish less, perhaps; but certainly to punish better'* (Foucault, 1977, 82).

As Deacon (2006, 179) points out, with societal changes from the 17th century onwards it had become clear to the authorities that confinement alone was not sufficient to cope with the changing socio-economic climate. This realisation together with a combination of factors such as the decline of the guild system, a waning of the power and influence of the established churches (a result of the Enlightenment) and the difficulties associated with maintaining the houses of correction led to the perceived need for more effective forms of discipline.

Penal policy and the treatment of prisoners in general was a very public affair prior to and during the eighteenth century. Not only were executions public affairs as described graphically by Foucault, but prisons themselves were more public places, more part of the community, where traders and visitors came and went quite freely, unhindered by the high walls or tight security that we associate with prisons today (Jewkes & Johnson, 2006). Before the reforms of the eighteenth century there were two main types of prison: the local gaol and the bridewell. The gaol was simply a place of detention where prisoners were held while awaiting trial, execution, deportation or committal to a debtor's prison. There was not necessarily an atmosphere of punishment about these gaols, more a loss of freedom and general deprivation, especially for poverty stricken inmates. Prisoners who were financially well-off or who were well supported by family members were able to improve their circumstances by paying for better food and lodgings, although the majority of prisoners came from impoverished circumstances; 'starvation, intimidation, disease, and desperation were the lot of the poor prisoner certainly until the late eighteenth century' (McConville, 1998, 275, in Jewkes & Johnson, 2006, 13). Bridewells, on the other hand were also known as 'houses of correction' and had been in existence since the mid-sixteenth century to provide punishment and reformation through hard work and discipline (Jewkes & Johnson, 2006, 13).

It was not only penal practices that began to alter during the late eighteenth century, but society in general was becoming more organised and structured. With the growth of organised systems, citizens were subject to more observation and regulation and to greater knowledge of what constituted a transgression against society. Systems of

37

policing and judiciary also developed to enforce rules and deliver appropriate punishments. Formerly, public torture and capital punishment were essentially aimed at the individual, mainly as a form of revenge on behalf of the sovereign ruler. The new forms of punishments were more concerned with the negative impacts of transgressions on society and subsequently the imposition of authority on behalf of society and with the control of society.

Foucault saw the 18th century development of bureaucracy and its institutions of control as replacements for the medieval control of the supreme ruler, or king, over his subjects. For Foucault, the development of modern democratic government has resulted in the creation of systems of invasive, disciplinary surveillance such as anthropology, sociology, social welfare and medicine, which operate to control the bodies and minds of human beings through systems of education, health and the rule of law. In developing the theoretical framework for this thesis I draw on key Foucauldian concepts such as observation; containment; power; control and training of the body; the use of timetables and schedules to produce subjects who are organised and disciplined within systems.

Like many recent Irish spokespersons on imprisonment in Ireland, such as O'Mahony, O' Donnell, Lonergan, Kilkelly, Foucault too has claimed that prisons do not achieve their stated aim of reforming prisoners, in fact he claims that historically prisons indirectly created delinquents by reducing the prisoner's family to destitution (1977, 265-268). He also claims that there must be another aim in the continuing existence of such institutions, and so in considering the stated aims of Irish Detention Schools to provide care, education and reintegration it is important to consider whether those aims are being met, and secondly, whether there is another agenda in detaining children which is aimed at creating a deterrent to future involvement in the criminal justice system. However, given the recidivism rate in Ireland, which is consistent at 68% (see footnote page 9) for children in the youth justice system, it would appear that CDS do not provide any noticeable factor of deterrence to involvement in offending behaviour to those who have spent time in them. The fact that places of detention for juveniles in Ireland are called 'Detention Schools' provokes a question as to the duality of their nature as both educational institutions and closed institutions (or prisons), which are part of what Foucault describes as the carceral continuum.

Surveillance/Panopticon

In typically genealogical fashion, Foucault's analysis shows how techniques and institutions, developed for different and often quite innocuous purposes, converged to create the modern system of disciplinary power. Ancient prisons had been replaced by clear and visible ones, but Foucault cautions that 'visibility is a trap', (1977, 200). For Foucault, it is through this visibility that modern society exercises its controlling systems of power and knowledge. Increasing visibility leads to power located on an increasingly individualised level, shown by the possibility for modern institutions to track individuals throughout their lives. It is this emergence of surveillance of the body and the control of the soul that grew up around the development of the modern prison system that Foucault sees as being pervasive in modern society, 'the soul is the prison of the body' (1977, 30).

A dichotomy had emerged in the 18th century between the creation of modern liberty (following the American and French Revolutions), and the modern disciplinary practices which were imbued with notions of control and surveillance. These notions were promoted by reformers such as Jeremy Bentham whose Utilitarian philosophies endorsed the perception that the end justified the means and that 'the greater good' should be paramount in the development of systems of incarceration. It was these beliefs that led Bentham to design his famous and rather fantastical model of social control; the prison known as the 'Panopticon'. In this, all prisoners would be held in solitary confinement but would be visible at all times to a prison guard in a central position. Deacon further suggests that:

> In this regard, worthy of further investigation are, first, Foucault's brief and often overlooked comment that, whether or not the prison or the Panopticon became the model for disciplinary institutions, it was a school, the 'pedagogical machine' of the École Militaire, which may have provided the inspiration for the Panopticon (Foucault, 1986:173; Bentham,1995:87); and, second, the links between early modern prisons, armies and religious orders such as the Rasphuis of Amsterdam, the militant Society of Jesus, and the pious professional army of Maurice of Nassau (Deacon, 2006, 181).

The religious and military connotations alluded to here would appear to have direct connections to the style of management in Irish reformatories and industrial schools with their austere regimes of discipline and stringent provision of welfare.

There is much evidence in the personal accounts of survivors of industrial schools and reformatories (see Appendix E), and in reports such as the Ryan Report (2009), that the penitential aspects of incarceration for children were frequently justified on the grounds of 'moral formation' but in fact were administered by powerful adults with cruel vigour and a total lack of care for the educational development of the children.

Foucault believed that there was no escape from this omnipresent disciplinary form of social control which pervaded all elements of life. Its power harnessed itself in regulating the behaviour of individuals, the systems of knowledge, the institutions of society, and all interactions between members of society at all levels. Foucault's work focuses mainly on notions of power which he sees not as a fixed quantity of physical force, but instead as a stream of energy flowing through all aspects of society, for him the birth of the prison also marks the birth of a 'disciplinary society' (1977, 216). Although it could ostensibly be seen as a history of penology, Foucault uses *Discipline and Punish* not only to trace the development of the prison system and other institutions such as monasteries, barracks, asylums, etc., but to examine the growth of social control in society. He exposes how seemingly benign or even reformist institutions such as the modern prison system (versus the pillories, stocks and scaffolds) are technologies that are typical of the modern, painless, and impersonal coercive tools of modern society. The success of these technologies stems from their ability to appear unobtrusive and humane, which in fact gives them legitimacy.

Disciplinary Society

Foucault further suggested that a '*carceral continuum*' runs through modern society, from the maximum security prison, through secure accommodation, probation, social workers, police, hospitals and teachers, to our everyday working and domestic lives. All members of society are connected (knowingly or unknowingly) by the supervision (surveillance, application of norms of acceptable behaviour) of some humans by others. In fact he argued that the new mode of punishment (incarceration) became the model for control of an entire society, with factories, hospitals, and schools modelled on the modern prison (1977, 393). Gutting (2005) explains that at the core of Foucault's picture of modern 'disciplinary' society are three primary techniques of control: hierarchical observation, normalising judgment, and the examination.

Hierarchical observation

To a great extent, control over people (power) can be achieved merely by observing them. A perfect system of observation would allow one 'guard' to see everything, based on Bentham's model of the Panopticon. But since this is not usually possible, and indeed the original plan for the Panopticon was never fully realised, there is a need for 'relays' of observers, hierarchically ordered, through whom observed data passes from lower to higher levels. The extensive use of computer technology by systems of administration within contemporary government departments and financial institutions is a prime example of how the Panopticon principle has permeated our daily lives, whether we are aware of the observation or not.

Normalising judgement

The idea of normalisation is pervasive in our society: e.g., national standards for educational programs, for medical practice, for industrial processes and production of commodities. All of these standards are geared towards creating expectations of conformity in society.

For Foucault a distinctive feature of modern power (disciplinary control) is its concern with what people have not done (non-observance), with, that is, a person's failure to reach required standards. '...each individual, wherever he may find himself, subjects to it his body, his gestures, his behaviour, his aptitudes, his achievements' (1977, 304). This concern illustrates the primary function of modern disciplinary systems: to correct deviant behaviour. The goal is not revenge (as in the earlier case of the torture and capital punishment) but *reform*, where reform means coming to live by society's standards or norms. Discipline through imposing precise norms, 'normalisation', is quite different from the older system of judicial punishment, which merely judged each action as allowed by the law or not allowed by the law and does not say that those judged are 'normal' or 'abnormal'. For Foucault 'disciplinary society' is a *normalising society*. Those who have been assessed as different from the norm become the objects of a range of penalties and interventions designed to remedy such deficiencies, in other words, the punishment should fit the crime. In focusing on the historical development of socially constructed institutions, Foucault observed that power operates at an institutional level to classify behaviours into binaries such as

normal/abnormal, healthy/unhealthy, acceptable/unacceptable and is used to create the compliant citizen or 'docile' body. The aims of these socially constructed institutions that are relevant to this thesis (such as education and the law) have included to define, repress, or manage those behaviours and activities classified as deviant. According to Sawicki (1991, 39), Foucault claims that deviance is controlled and norms are established through the very process of identifying the deviant, then observing the deviance, further classifying it, monitoring and treating it. According to Foucault, the origin of this dichotomy between 'normal' and 'abnormal' and the disciplinary technologies designed to remedy this dichotomy emerged during the social transition that accompanied the shift from pre-capitalist to capitalist society when a change in the political concern with the body came about.

The examination

The examination, (for example, of students in schools, of patients in hospitals) is a method of control that combines hierarchical observation with normalizing judgment. It is a prime example of what Foucault calls *power/knowledge*, since it combines into a unified whole 'the deployment of force and the establishment of truth' (Foucault, 1977, 184). It both elicits the truth about those who undergo the examination (i.e. tells the examiner what they know or what is the state of their health) and controls their behaviour (by forcing them to study or directing them to a course of treatment). The examination also situates individuals in what Foucault calls a *'field of documentation'*. The results of examinations are recorded in documents that provide detailed information about the individuals examined and allow power systems to control them (e.g., absentee records for schools, patients' charts in hospitals). On the basis of these records, those in control can formulate categories, averages, and norms that are in turn a basis for knowledge. The examination turns the individual into a 'case' —in both senses of the term: a scientific example and an object of care; (caring is always also an opportunity for control).

> Hitherto the role of political ceremony had been to give rise to the excessive, yet regulated manifestation of power; it was a spectacular expression of potency, an 'expenditure', exaggerated and coded, in which power renewed its vigour. It was always more or less related to the triumph.... Discipline, however, had its own type of ceremony. It was not the triumph, but the review, the 'parade', an ostentatious form of the examination. In it the 'subjects' were presented as 'objects' to the

observation of a power that was manifested only by its gaze.' (Foucault, 1977, 187-188).

A manifestation of the examination that is very familiar in modern society is the level of bureaucracy that invades daily life. The invasive and tiresome processes of administration within local government, healthcare and social welfare systems subject people to constant questioning, form-filling and invasive examination. In the case of young people within the justice system there is a constant investigation by police, social workers, care agencies, psychologists and educators. Despite the high level of examination of their circumstances the return in terms of positive outcomes is not always justifiable or productive but rather bureaucracy for bureaucracy's sake. This was evidenced during the course of this research by gatekeepers who had a high level of resistance to sharing knowledge or allowing themselves to be examined – a clear example that knowledge is power.

Disciplinary Control of Children in Ireland

It is important to note that at the time when institutions focusing on the incarceration of children in Ireland were first established, Ireland was subject to direct rule from the British parliament in London (following the Acts of Union 1800/1). This was a time when due to the Industrial Revolution in the UK, society was becoming more and more regimented with a shift from the rural to the urban, the growth of factories, the development of local authorities, the expansion of the school system all resulting in greater disciplinary control of citizens. The concept of a contract between the citizen and the state also became prevalent then too, where productive citizens would be taken care of or rewarded by the state. This was an important factor in creating cohesion in society and the trust between citizen and state was important in maintaining law and order. Techniques of control such as those described above were used by the so-called 'child savers' or social reformers to observe, judge and examine the rapidly growing population of destitute children in urban areas. All three of the primary techniques of control discussed above are relevant to the incarceration of children in Ireland. Historically, children were frequently removed from their homes and families because of systems of observations that were operating in society, often at the instigation of the Roman Catholic Church, which had a pervasive control on Irish society. The appointment of Paul Cullen (1803 – 1878) as Archbishop of Armagh in

1849 and his subsequent appointment as Ireland's first cardinal in 1866 saw the beginning of a period of strong development and expansion of power in the Catholic Church in Ireland. From the mid nineteenth century onwards the development of a strong systematic Roman Catholic Church under the leadership of Cardinal Cullen with his Ultramontanist views led to the development of a society that was highly devotional and developed a stronger allegiance to the Papal leadership for direction than to the British Government which ruled Ireland at the time. During his twenty-eight year reign as Cardinal, Cullen took a strongly conservative leadership in matters concerning the place of religion in Irish society. Coming as it did only two decades after the establishment of Catholic Emancipation, Cullen's leadership exerted influence over a wide range of philanthropic activities, as well as areas such as education, discipline, health, and child-care, all of which impinged on the treatment of children in the custody of industrial schools and reformatories, influences which continued well into the 20th century (Raftery & O'Sullivan, 1999). The burgeoning religious orders that were in evidence at this time sought roles for themselves in the care of children, especially those who were orphaned or destitute. Orphanages that had previously been run by lay charity workers were absorbed by the new religious orders and a previous system of 'boarding out' (or fostering) that had been practiced by these orphanages was phased out. Raftery and O'Sullivan see this as the birth of the Catholic Church's preference for the institutional model of care in Ireland. (1999, 57) They continue:

> Thus, by the mid-1850s, the majority of the parish-based orphanages, which followed the boarding-out or 'outdoor orphanage' method of rescuing orphan and deserted children had been largely phased out. Virtually all orphanages were operated by religious congregations, primarily nuns, and used an institutional model of child welfare (1999, 57).

At this time the growing influence of the Roman Catholic Church was extending its reach into the regulation of 'moral' behaviour. Neighbours could report on families that were unconventional or unacceptable, Parish Priests could intervene and local authorities could act to remove children from unmarried women, widowed parents or poverty-stricken families. The children could then be incarcerated in institutions that would control every aspect of their lives, but most especially their religious and moral upbringing.

Disciplinary Power and the Creation of *Docile Bodies*

Foucault describes this new mechanism of 'disciplinary power' as coinciding with the birth of 'an art of the human body.' (Foucault, 1977, 138).

> What was then being formed was a policy of coercions that act upon the body, a calculated manipulation of its elements, its gestures, its behaviour. The human body was entering a machinery of power that explores it, breaks it down and rearranges it. A 'political anatomy', which was also a 'mechanics of power', was being born; it defined how one may have a hold over others' bodies, not only so that they may do what one wishes, but so that they may operate as one wishes, with the techniques, the speed and the efficiency that one determines. Thus discipline produces subjected and practiced bodies, 'docile' bodies' (Foucault, 1977, 138).

In *Discipline and Punish* (1977), Foucault described the movement away from public physical punishment as being the beginning of the age of sobriety in punishment, although the change did not come about all at once or indeed not entirely, as he remarked that hard labour and imprisonment still involved an element of physical pain (Foucault, 1977). Furthermore, he claimed that the move away from the physical punishment of the body gave way to punishment of the soul, quoting Mably's declaration in 1789: 'Punishment, if I may so put it, should strike the soul rather than the body' (Foucault, 1977, 16). Foucault traced the shift from the punishment of the offender's body to the ostensible cure of their soul via the prognosis of practitioners in the new human sciences of psychiatry and welfare who could determine the duration and form of imprisonment based on criteria such as severity of crime, previous convictions, behaviour while in prison, mental capability, etc. Prisoners were kept on a strict timetable and forced to participate in a variety of activities ranging from religious readings to demanding exercises, including ten-hour workdays. This idea reiterated the belief that 'work on the prisoner's soul must be carried out as often as possible' (Foucault, 1977, 125).

Child Savers and the Construction of Delinquency in the Nineteenth Century

A combination of factors described above, such as the influence of Enlightenment thinkers, the rapid growth in urbanization and the need to contain offenders in institutions, led to the emergence of well-off, apparently well-meaning

social reformers who turned their attention to the case for developing a specific juvenile justice system and to separating juvenile offenders from adult prisoners. This gathered impetus in many jurisdictions around the middle of the nineteenth century, when urban growth saw many children being abandoned to the streets to fend for themselves. The idea of social control becomes evident from the attitudes of the social reformers of the time as they extended their research (hierarchical observation) into criminal behaviour and defined the deviant behaviour of children as juvenile delinquency (the examination and normalizing judgement). As Margaret May remarks, 'crime was apparently increasing out of all proportion to the rise in population, and this increase was greatest among the young' (quoted by O'Sullivan, E. in Bacik and O'Connell, 1998, 76). It was the children of the poor and the working classes that were the main object of the social reformers (agents of social control), of the 19th century. Middle-class children were seen as models of refinement and purity while working class children were seen as wild and animalistic and in need of taming. 'Margaret Aylward labelled the children of the poor as 'the wild, the dirty, the tattered, the untamed'' (O'Sullivan, 1998, 77). Aylward went on to become the founder of the Sisters of the Holy Faith, and to set up St Brigid's Orphanage in Dublin in 1857. This orphanage declined to follow the prevailing institutional system favoured by the Catholic Church and continued to operate the policy of fostering until the 1970s (Raftery & O'Sullivan, 1999, 56).

Initially, it was religious or charitable individuals and organisations rather than the state who took the lead in establishing institutions to take in children that were seen as delinquent and juvenile offenders. In England in 1837 an attempt to set up a training prison for young prisoners aged 9 to 19 years prior to their deportation was instigated by the Parkhurst Act 1837. This was subject to ongoing protests by pioneer of prison reform, Mary Carpenter, who highlighted the levels of corruption and brutality that existed there and the Parkhurst Experiment was finally abandoned in 1863. (Harris & Webb, 1987) Many commentators on the formation of a juvenile justice system cite Mary Carpenter's 1851 publication, *Reformatory Schools for the Children of the Perishing and Dangerous Classes*, and *Juvenile Delinquents: Their Condition and Treatment*, (1853), as being major forces that galvanised supporters of reformatories into a social movement. (Burke, Carney & Cook, 1981, 51; O'Sullivan, 1998, 72)

While Carpenter may be credited with a seemingly genuine commitment to reform for the sake of the children's welfare, many reformers were more interested in reform for society's protection and safety; in Foucauldian terms in developing a disciplinary society. At a conference organised in Birmingham by Matthew Davenport Hill, in 1851, Hill described juvenile delinquency as: 'the head-spring of that ever-flowing river of crime, which spreads its corrupt and corrupting waters through the land' (Magarey, in Muncie, Hughes & McLaughlin, 2002, 115).

Not only were delinquents a new object of concern, but 'pre-delinquents' were also seen as a problem that needed to be addressed. Platt is scathing in his attitude to the social reformers, who he deems as 'child-savers' when he remarks: 'It was through the reformatory system that the child savers hoped to demonstrate that delinquents were capable of being converted into law-abiding citizens.' (Platt, 1969, 46) Platt is particularly derisory in his interpretation of the role of women reformers, challenging the benevolent intent of their work. He argues that while they were responsible for minor reforms in jails and reformatories, they were 'most active and successful in extending governmental control over a whole range of youthful activities that had been previously ignored or dealt with informally.' (Platt, 1969, 99) Inevitably, Platt sees the rise in incarceration leading to a rise in crime, giving as evidence the rise in the rate of incarceration of children that followed the opening of the first juvenile court in Chicago in 1899. Foucault supports this theory, claiming that the courtyards, workshops and other meeting places in prisons provide the ideal 'anti-social clubs' where convicts can associate and 'it is in these clubs that the education of the young first offender takes place. The first desire that is born within him will be to learn from his cleverer seniors how to escape the rigours of the law, the first lesson will be derived from the strict logic of thieves who regard society as an enemy...' (Foucault, 1977, 267). It is noteworthy that this viewpoint is still valid today in that St Patrick's Institution, a place of detention for young men in Mountjoy Prison which is known colloquially as St Patrick's Institution for Further Criminal Education. This lends weight to the argument that the current practice of incarcerating children aged between 16 and 18 years of age with adults (over 18s) should not be allowed to continue and has been the subject of much debate and promises of reform or closure.

Establishment of Carceral Systems for Children

The interest that was generated by these various pioneers of penal reform and the level of pressure they exerted on the British government resulted in a number of innovations taking place simultaneously both in England and Ireland between 1852 and 1857 that were to have a lasting impact on the lives of children from impoverished backgrounds whether they were convicted of a criminal act or not. The societal changes that were taking place during this period are evidence of an increasing focus on morality and how a perceived lack of morality could reduce cohesion in society. With the development of social morality not only were crimes and appropriate punishments categorised but behaviour was also scrutinised.

Increasing apprehension over the growing numbers of destitute, pre-delinquent and delinquent children both in England and Ireland led to the setting up of committees to investigate the problem of juvenile delinquents, pre-delinquents and children whose impoverished circumstances (it was considered) left them open to abuse and neglect. In tandem with the increasing fear that society was under threat from uncontrollable youth, the developing science of psychology reflected the trend at that time to try to understand the nature of human beings. Psychology was seen as useful in terms of trying to understand particularly those who were regarded as malfunctioning medically, mentally and in terms of criminality. For Foucault, these developments were all part of a panoptic society wherein '*disciplinary careers*' (1977, 300), could be created for those who were operating the new carceral system.

During the 19th century, the principles that criminals should be separated from society in large imposing institutions, that prisoners should be contained separately from one-another, and that child offenders should be incarcerated separately from adults continued to motivate reformers both in Europe and the U.S. Inspired by Quaker beliefs that criminals who were given the opportunity to reflect in solitude on the malice of their crimes and exposed to silent contemplation on their behaviour would become penitent gave rise to the new form of incarceration known as the *penitentiary*. Central to this new system was the idea that prisoners should be kept apart from one another at all times. They were each to occupy a single cell where they would eat, sleep and work. They would have to wear hoods when being taken to the chapel or exercise yard, where they would still be kept isolated; in the chapel in individual booths and to exercise in

small separate yards (Jewkes & Johnson, 2006, 14). This system became known as the 'separate system', and apart from the aim of affording the offender the opportunity to reform themselves through reflection, it was also important in that it aimed to protect from them from 'contamination' by association. This aspect of the *newly developing* system was particularly important in relation to children. It was felt that keeping young offenders and those on their first conviction away from hardened criminals was particularly key to saving them from further corruption, (an idea which I have already mentioned still holds today in the case of St Patrick's Institution in Mountjoy Prison).

Foucault was scathing in his view of the reforming capabilities of the new system in that he claimed that it operated according to scientific principles laid down by medicine, psychology and criminology that ensure that it 'cannot fail to produce delinquents'(1977, 266). For Foucault, the institutions of society function as a mechanism to bring about the technologies of social control discussed above. The institutions of modern disciplinary society are not just the obvious architectural manifestations such as schools, prisons, hospitals, etc., but the systems that operate them such as education departments, health services, courts, and so on. They are all part of the general disciplinary apparatus which is focused on non-conformity and deviation from the norms of society. The people who operate these apparatuses on a continuous basis are termed *'technicians of behaviour'* (1977, 294) by Foucault. It is these technicians who exercise disciplinary power not just over the body of the person but over the conduct of the person.

In Ireland, pressure to instigate change in the penal system was motivated more by the need to allay public fears at the imminent cessation of the transportation of prisoners than the need to reform for the sake of prisoner welfare. Administration of prisons in Ireland was put in the hands of the Board of Directors of Irish Convict Prisons in 1854 (Osborough, 1975, 2). In fact the 'reformatory' idea of having different phases in a prison term, with progress from one phase to another based on assessment and reward for good behaviour, had been developing in Ireland on an ongoing basis during the phasing out of the transportation of convicts in the 1850s. The invention of this system constituted one of the major Irish contributions to penal reform (Osborough, 1975, 1-2). The demise of transportation prompted penal administrators to devise reforms under the direction of William Crofton, the chairman of the Board of Directors

of Irish Convict Prisons in 1854. The developments they recommended were known as 'the progressive stage system' and included four stages of prison discipline prior to final release: solitary confinement at Mountjoy prison in Dublin, employment on public works at Spike Island in Cork Harbour, trade training at Smithfield and Lusk in Co Dublin and finally conditional release (Osborough, 1975).

In the Second Annual Report of the Directors of Convict Prisons in Ireland 1855, p 14, the directors wrote that:

> These establishments will act as filterers between the prisons and the community; but to enable them to be *really* such, the system pursued in them must be of such character as to test the reformation of the prisoner, and throw him more on himself; hard work and coarse fare must be the rule... We consider that the community will have greater faith in such a test than they would in a character earned merely under prison discipline (Osborough, 1975, 2).

The Particular Problem of Confining Children in Ireland

While the measures to deal with adult prisoners in Ireland had taken their lead from the US and subsequent English models in terms of prison building and management, the situation with regard to confinement of children was to take a different turn.

In 1856, a bill to deal specifically with the situation in Ireland was defeated in the House of Commons as Catholic members feared that Catholic children would be subject to the proselytising of Protestant societies who might run the institutions (O'Sullivan 1998, 81). Eventually, a bill that satisfied their wishes that Catholic children should be sent to Catholic-run reformatory schools was passed in 1858 and was known as the *Bill to Promote and Regulate Reformatory Schools for Juvenile Offenders in Ireland*. As a result, reformatory schools opened in Dublin and Glencree in 1859, with 159 children being admitted between them. Within ten years the Bill was repealed and substituted by the *Irish Reformatory Schools Act 1868*. Five reformatories for boys and five for girls had been opened by 1870, by which time the population of the schools had risen to 740. Further amendments to the 1868 Act resulted in the *Reformatory Schools Act 1893*. This Act gave discretionary power to commit a child over 12 years of age, or less than 12 years of age if previously convicted, to a reformatory (O'Sullivan, 1998, 81-82). The crimes committed by the children were relatively minor and

according to Raftery and O'Sullivan, 'the children could not by any stretch of the imagination be described as criminals' (1999, 27). According to Fr Louis Foley, OMI, manager of the Glencree Reformatory, the purpose of reformatory training was:

> To correct evil habits acquired and supply the defects in the upbringing of the boys committed. Its work is to make up for the want of influences of school- and home-life to train the boy, if possible to earn his living. The boy then should leave the institution with, at least, an elementary education, trained to habits of regularity and work, and determined to keep straight. (quoted in Raftery & O'Sullivan, 1999,62)

Boys formed the greater proportion of children committed to reformatories; between 1858 and 1969, 13,428 committals were male, while only 2,471 were female. Reformatory schools were never as prolific in Ireland as Industrial schools and after 1940 only one school for boys remained open in Daingean, Co Offaly. However, even as late as 1944 a new reformatory for girls was opened in Kilmacud in Co. Dublin, against the national trend. Originally it was the Sisters of the Good Shepherd who had requested backing from the Department of Education to establish this new institution, but the wishes of John Charles McQuaid, Archbishop of Dublin, were granted by the Department when he intervened with the suggestion that the Sisters of Our Lady of Charity of Refuge would be more suited to the management of the school. What distinguished this reformatory from others that dealt with 'ordinary' juvenile offenders was that it was set up specifically to 'receive girls under seventeen who either (1) are convicted of legal sexual offences or (2) are placed in dangerous surroundings and have marked tendencies towards sexual immorality.' (Raftery & O'Sullivan, 1999, 27) This marked a move towards criminalisation (and demonization) of girls that were deemed to be sexually aware, by both the Church and the State. Previously, the Sisters of the Good Shepherd had a history of dealing with such girls by putting them to work in Magdalen Laundries.

The Origins of Industrial Schools

The *Select Committee on Criminal and Destitute Juveniles* which had come up with the plans for reformatory schools in 1853 also investigated children who were deemed to be pre-delinquent and /or neglected, and children at risk of neglect or exposure to criminal circumstances, and as a result a Bill was introduced in Parliament and the *Youthful Offenders Act* became law in 1854. (O'Sullivan 1998) This legitimised

51

the existing industrial schools that were being run by religious and charitable organisations. (Originally in the UK, industrial schools had been set up for the children of workhouse inmates and for orphans who had been taken in by workhouses. They were separate to the 'certified' industrial schools set up after the 1857 Industrial Schools Act, (Higginbotham, 2007)). Under the new system, industrial schools were established independently of workhouses. The new institutions were legitimated by being granted financial support from public funds; were to be subject to inspection; and thereafter young offenders could be sent to these institutions by the courts.

Industrial Schools in Ireland

In Ireland, children who were vagrant or destitute but not convicted of criminal activity but who nevertheless aroused concern in society posed a separate challenge to legislators and a solution was sought to deal with them separately to the English system and it took more than a decade longer to instigate an official Industrial School system. The first Industrial School was certified in Ireland in 1869 and opened in 1870, catering for children less than 14 years of age who were found begging or who had no apparent means of support, or who had a parent in prison or who were in the company of prostitutes or drunks (O'Sullivan, 1998, 84), Harris & Webb, 1987). Children less than 12 years of age who were convicted of their first offence could also be sent to an industrial school. O'Sullivan gives the example of the Bishop of Ossory, the Right Reverend Patrick Francis Moran, D.D, who in giving evidence to the Commission of Enquiry into the Reformatory and Industrial System of Ireland in 1884, expressed his concerns for:

> Children who would otherwise be exposed to great danger of contracting habits of idleness, and habits of vice, but in the Industrial schools they are preserved from these dangers, and are trained to habits of cleanliness and industry, and they grow up in a healthy moral and religious atmosphere. (O'Sullivan 1998, 85) and (Raftery & O'Sullivan, 1999, 64)

With the benefit of hindsight, the wealth of evidence shows that children who were subjected to 'the hierarchical observation, the normalising judgement and the examination', and who were subsequently committed to incarceration in industrial schools did not benefit from the experience and were generally ill fed, poorly educated

and frequently treated in a cruel and demeaning manner by the child-savers who claimed to be preserving them from dangers.

The Use of Regimes of Disciplinary Control in Educational Institutions

It is important to remember that the sweeping societal reforms that were taking place as a result of the Enlightenment were not just focused on penal institutions but on all the developing institutions that Foucault saw as part of the disciplinary society. The education system was one of those institutions and reforms were taking place there too. Even as far back as the 16th century the lack of regulation in educational institutions, the often ineffective nature of their management, the fact that shortages in the labour market were not being met and that families were losing out on income were all criticisms that were being levelled against schools. (Deacon 2006) Montaigne had expressed strong opinions about the abusive regimes in schooling when he wrote in his essay 'Education of Children' (1580): 'Instead of being invited to letters, children are shown in truth nothing but horror and cruelty. Away with violence and cruelty!' and 'But among other things, I have always disliked the discipline of most of our schools...They are the real jail of captive youth.' (Frame, 1958.)

As Deacon (2006,178) remarks: 'Less evident was condemnation of the curricula and pedagogical approach but paramount in reproaches of the time was the use of corporal punishment'.

While children were subject to cruelty and violence in schools that were unregulated and inefficiently managed the treatment of children who were held in custody was to become highly regulated and controlled. In *Discipline and Punish*, Foucault graphically illustrates the movement away from the public nature of punishment to the enclosed prison and the emphasis on regimentation when in his opening chapter, he describes how eighty years after the execution of Damiens, Leon Faucher drew up his rules *'for the House of young prisoners in Paris'* (1977,7). This was a timetable of a highly structured regime which embodies the new ideas for reform that had begun to be developed during the nineteenth century. Through a series of articles, Faucher describes in minute detail the movements of the prisoners throughout the day and includes prayers, work and school, with every action being signalled by a

drum-roll. Faucher describes how the young men were trained to perform certain tasks in response to a drum-roll:

> Art. 22. School. At twenty minutes to eleven, at the drum-roll, the prisoners form into ranks, and proceed in divisions to the school. The class lasts two hours and consists alternately of reading, writing, drawing and arithmetic.

And

> Art. 28. At half past seven in summer, half past eight in winter, the prisoners must be back in their cells after the washing of the hands and the inspection of clothes in the courtyard; at the first drum-roll, they must undress, and at the second get into bed. The cell doors are closed and the supervisors go the rounds in the corridors, to ensure order and silence (Faucher, 1838, 274-82 in Foucault, 1977, 6-7)

For the modern day reader descriptions like these bring to mind the images of certain military training camps or 'boot camps' – a term that has been used to describe juvenile correctional facilities particularly in the US and the UK. Deacon (2006) remarks that '…from a rationalized twenty-first century perspective, the overlaps and interconnections between early modern pedagogical, spiritual, military, and penal techniques appear strangely, even uncomfortably, intimate.'

Accounts of life in Irish carceral institutions – Industrial schools, reformatories and Borstal abound with descriptions of regimentation and control. (see examples in appendices).

Knowledge/Education

From a Foucauldian point of view, the concept of power can be examined through an analysis of the way knowledge is created and how this then makes a foundation for the construction and implementation of power relationships. Institutions and those who operate within them develop areas of expertise through the continual recreation of knowledge. For Foucault, education represents a microcosm of the principles of normalisation that permeate society as a whole. As new curricula and modes of internal organisation were developed in the nineteenth century, it became obvious to Foucault that education was about more than just academic subjects; its broader concerns included classification, hierarchy and moral instruction. Thus for

Foucault the education system was the ideal mode for transmitting disciplinary techniques and for the creation of docile bodies.

Roger Deacon has written extensively on what he sees as Foucault's key educational themes which might be described as the past, present and future of schooling or its development, its functions and its prospects. Using some of Foucault's terminology, Deacon (2006, 177) has described three key educational themes that emerge as follows:

- An historical or 'technico-political' account of the rise of the school, from its negatively oriented seventeenth century origins to its more positively conceived nineteenth century entrenchment and expansion;
- An explication of the everyday mechanics of schooling as a disciplinary technology or 'moral orthopedics'; and
- The implications for contemporary educational institutions and practices of a model of education as a 'block of capacity-communication-power'.

In *Discipline and Punish*, Foucault outlines the paradigm shift in disciplinary technologies from the sovereign power of the 17th century to the penitential reforms of the 19th century through to what he sees as the carceral society, where everyone is constantly under surveillance by other members of society and by those in power. He sees the reforms as being part of a system that places power firmly in the hands of the state. Because of the all-pervasive nature of control Foucault sees no option to escape from judgements of what is normal and abnormal, acceptable and unacceptable. Not only is he criticising the ideals of the Enlightenment itself, but the ideals of modern society which has hijacked and modified those ideals and which by his implication is in need of social reform.

For this thesis the implications of his theories of power and knowledge and of disciplining and surveillance are directly relevant to the both the education system and the criminal justice system and to CDS which are the nexus of both systems. Within the education system there are clear deployments of social control, especially in the areas of education that fall outside of the 'mainstream'. Education for children who are physically disabled, those who have behavioural or emotional difficulties or who have learning difficulties in this country are the subjects of much debate and controversy.

They are subjected to the examination of experts within the medical and educational systems. Children within the criminal justice system are further scrutinised by psychologists, doctors, teachers, the police and the judiciary. The goal of these examinations is to identify the factors involved in their behaviour that are perceived to be criminal and to decide on the necessary corrective action so that ultimately the child can be returned to the mainstream as a docile body who will perform according to the expected norms. Knowledge linked to power, not only assumes the authority of 'the truth' but has the power to make itself true. All knowledge, once applied in the real world, has effects, and in that sense at least, 'becomes true' (Foucault, 1972-77 in Gordon 1980).

Education in Industrial Schools and Reformatories

The provision of even basic schooling for adult or juvenile offenders was not high on the agendas of the social reformers of the 19th century. What concerned them most was moral reform and productive labour that would either produce saleable commodities or contribute to the running costs of the institution. In setting up the regime in Mountjoy, Inspector of Irish Government prisons, Henry Martin Hitchins, had emphasised the role of hard labour in bringing about a purging of criminal tendencies, and limited the value of scholastic endeavour. The 'child-savers' who were instrumental in the setting up of reformatories and industrial schools for children were equally concerned with concentrating on the moral upbringing of law-abiding citizens through programmes of vocational and religious training. In Ireland, the influence of the Catholic Church through the religious orders who ran the schools and orphanages consolidated the emphasis on virtue and physical labour. While the industrial schools and reformatories did ostensibly offer vocational training, this was very often nothing more than enforced labour which contributed to the domestic upkeep of the institutions themselves, where cleaning, laundry, catering and maintenance duties were performed by the children without any financial recompense or certification of skills attained. In Appendix 1, personal memoirs of residents of industrial schools in Ireland will attest to the fact that school lessons were traumatic and unfulfilling episodes. Classrooms were poorly (if at all), heated, furniture was minimal, numbers were large, teachers were impatient, unkind and often belligerent. The use of corporal punishment was rampant and while not illegal at the time, was seemingly used excessively and out of all

proportion to the misdemeanours and mistakes of the children. An interesting view of the educational provision in industrial schools in the 20th century can be gleaned from the report of Fr. Henry Moore, who was chaplain to Artane Industrial School during the 1960s. Fr. Moore was commissioned in 1962 by the then Archbishop of Dublin, Dr. John Charles McQuaid to investigate claims and allegations that all was not well with the largest industrial school in Ireland. The report was comprehensive, intelligently prepared and damning. It set off an extraordinary response in the Department of Education which resulted in the dispatching of three inspectors at a pre-arranged time which resulted in their report refuting the claims of Fr Moore, whose report was subsequently suppressed for 45 years. After much controversy, the report was finally released by Archbishop of Dublin, Dr Diarmuid Martin in 2007. While the report deals with all aspects of the institution, it is the section on education that is of most interest to this review. The findings of Fr Moore with regard to education are short but succinct. With regard to Primary education he found the standard of the boys was very low. He remarked that he often received letters from ex-pupils and that he was amazed at the 'illegible form and unintelligible content'. A survey of 22 boys aged 10 to 14 years of age revealed that only 7 could write and these had to be assisted. He felt that there was a need to have boys psychologically assessed before grading them in classes and that 'some of the boys were mentally handicapped and required psychiatric treatment'. In the area of technical training he saw 'the most glaring defect.' He further remarked that: 'There seems to be no effort to train the boys satisfactorily in their trades. They might be described as juvenile labourer, uneducated and unskilled'. His comments on the standard of teaching was equally damning: 'An analysis of their function reveals the shortage of specialised teachers who are kind and dedicated....To me this is a startling revelation of the incompetency of the Brothers to conduct the school without the assistance of trained lay personnel.' While Fr Moore's comments relate specifically to Artane, it is not unlikely that similar conditions pertained elsewhere, given the findings of the Kennedy Report (1970), and the Ryan Report (2009), and the personal memoirs of many residents of other industrial schools at that time.

Borstal

While industrial schools and reformatories were designed to cater for children below the age of fifteen, another system was developed to cater for the needs of older

'young offenders'. In his book *Borstal in Ireland*, Nial Osborough relates that a proposed system of 'borstals' for young offenders was introduced in Ireland in 1906 when the first such institution was opened in Clonmel, Co Tipperary. This was modelled on an innovation that had been introduced in the village of Borstal in Kent in England a few years earlier (Osborough, 1975, 6).

When the first Irish borstal opened in Clonmel, it was designed to cater for young offenders aged sixteen to twenty-one years of age, with the object of *'bringing special reformatory influences to bear'* (Osborough, 1975, 6). It is interesting to note that the problems that beset the system from the outset are similar to those that still pertain to the detention of young offenders today. As Osborough remarks they were: *'Unpredictability of judicial sentencing practice, inadequacy of training facilities and difficulties in aftercare...'* (Osborough, 1975, 7)

The period from 1906 to 1921 was a tumultuous one both in terms of Irish and world history given that during that period there was the 1916 Easter Rebellion, the War of Independence 1919-21, the Irish Civil War 1922-3, and the 1st world war 1914-18. Originally the borstal at Clonmel accepted young offenders from all of the thirty-two counties of Ireland who were to serve sentences of nine months and upwards. For various political and judicial reasons this systems became untenable quite quickly. Until 1909 selection of young prisoners for Clonmel was made from various local prisons by the Irish Prisons Board. When the Prevention of Crime Act 1908 came into force in 1909, the selection procedure was transferred to the courts, who had to make their decision based on the suitability of the young persons to benefit from the borstal system. Changes to the sentencing procedure occurred again with the introduction of the Criminal Justice Administration Act 1914. These Acts were still common to both Ireland and England , but in Ireland there was much disquiet during this period from various interested parties such as the Prisons Board and the Borstal Association of Ireland about the shortness of sentences, which at as little as nine months in duration were considered to be too short (Osborough, 1975). The complaints were based on the idea that it was felt that a minimum period of three years was the optimum period in which the benefits of the borstal system could have effect.

The choice of the former prison at Clonmel as the location for Ireland's first borstal was a dubious one according to Osborough (1975, 10) and he relates that Dublin

barrister Edward Fahy who later made a survey of Irish prisons and commented that Clonmel, which was the oldest prison in Ireland, was: 'built at a time when the prevailing idea was to make jails as poky, uncomfortable and forbidding as possible' (Osborough, 1975, 10).

Before the arrival of the first young offenders at Clonmel, which was named *St Patrick's Institution*, accommodation was made for fifty-four boys although it was not expected that the daily average would exceed twenty, as reported in the Nationalist newspaper, Clonmel 11th August 1906 (Osborough, 1975, 10).

Education and training in Borstal

In the Prisons Board report 1906-7, the Governor of Clonmel Prison states that: 'A schoolroom, recreation room and a large and commodious carpenter's shop' were fitted (Osborough, 1975, 10). Boys who came in with poor educational standards were to be given classes and there was to be instruction in a trade for all. Daily physical exercises formed part of the routine. The question of training was the subject of some criticism as the short duration of sentences did not afford the chance to learn a trade. Both the Prisons Board and the Borstal Association of Ireland recommended that a minimum period of three years was the optimum period in which the benefits of the borstal system could have a beneficial effect. The standard and duration of training that was provided in shoemaking and tailoring were seen as insufficient to equip the boys with the means to earn a living when they left the institution (Osborough, 1975, 15). The main focus of the training was intended to be in producing skilled farm labourers as there was a shortage in this sector due to emigration and the losses of young men in the 1st World War. The *Prisons Board* considered the lack of a farm with stock was a major drawback as there was no opportunity for the boys to learn animal husbandry or dairying, as these were the skills most sought after by farmers who might recruit boys from the borstal on discharge (Osborough, 1975, 15).

When the Gladstone Committee had investigated and reported on the idea of setting up a borstal system in 1895, they had recommended that rural locations would be the ideal location for such institutions but this had not become the practice in either England or Ireland. In both countries borstals were established in or near urban centres, usually in large pre-existing buildings that were adapted for the purpose of housing

young offenders. Rural locations were seen as ideal for the provision of training in horticulture and agriculture and for the opportunity to provide hard labour for the boys. In 1917 and 1918 the solution was to hire boys out as labourers to local farmers but this was not ideal and there were still no improvements by 1922. The ongoing crises in Irish political life up to 1922 had a detrimental effect on the development of the borstal at Clonmel, particularly in relation to recruiting staff. Osborough comments that 'there were some signs that improvements would have been effected, had the British administration continued' (Osborough, 1975, 11). Although training for employment of the boys posed many problems, the amenities for recreation fared somewhat better. There was a library which was well stocked with biographies, histories, travel books and 'suitable…books…most calculated to assist in the moral improvement of young prisoners.' (R.R.Cherry in Osborough, 1975, 16) The chaplain's choir of the early years went on to develop into a band by 1918, so band practice was a regular activity, as were games such as chess, draughts and dominoes. A cinema machine was presented as a gift to the borstal in 1914 and this was greatly appreciated by the boys (Osborough 1975).

During the troubled era of the foundation of the state, Clonmel continued to operate as a borstal, even though consideration was giving to abandoning the system altogether. A slew of reports generated by the Irish Prisons Board between 1922 and 1927 argued over the various merits of providing agricultural and industrial training. Osborough remarks that the debates were all 'peculiarly sterile' due to the prevailing economic circumstances of the country during that period (Osborough, 1975, 67). The 1920s also saw the implementation of a modified borstal system at Mountjoy Prison (Osborough, 1975). This involved segregation of certain juvenile prisoners who partook in physical exercise routines, school instruction and where time permitted, training in trade skills. This regime there continued to operate until 1956, when the borstal system was abandoned.

The Department of Justice took over the administration of Clonmel in 1928 and the borstal system continued to operate there until 1956. During its existence the institution had moved in and out of Clonmel for various reasons such as being commandeered by the army in 1922-24 and again from 1940 to 1947, when premises elsewhere were used (Osborough, 1975, 59). A combination of factors, including the lower number of committals, the brevity of sentences, the lack of suitable training

regimes, and even the high cost of travelling expenses for parents travelling from Dublin contributed to the decision in November 1956 to end the borstal in Clonmel. Thereafter it was decided to open a new St Patrick's Institution attached to Mountjoy Prison in Dublin where all young offenders over 16, and under 21 years of age would be accommodated (Osborough, 1975, 78-80). At this point the borstal system from Clonmel and the modified borstal system in Mountjoy converge and one might expect to see the emergence of a new, central borstal system. However, this was not the case. With the abandonment of the borstal system, juveniles over 16 and under the age of 21 could be sentenced to the new St Patrick's Institution, but many (including those on remand) were also incarcerated in Mountjoy Prison.

During the 1960s, the visiting committee at St Patrick's found that conditions were poor and '...makes a depressing situation for young people committed there' (Burke, et al, 1981, 120). They deplored the lack of outside recreation space, and made several requests for more space to be made available to accommodate young prisoners and also to segregate the more serious offenders (Burke, et al, 1981). In 1968, an annexe to St Patrick's Institution was opened at Shanganagh Castle, in Shankill, Co Dublin. The location of Shanganagh, in 21 acres of land on an estate in south-east Co. Dublin made a pleasant change from the confinement of St Patrick's Institution. It was unique in that it was the only institution run by the Dept. of Justice that attempted to rehabilitate young offenders in an open setting, and where 'attempts are made to resocialise offenders in a relaxed and relatively homely atmosphere' (Burke et al 1981, 122).

Accommodation at St Patrick's Institution was never ideal, particularly with regard to light and space, and overcrowding was a problem from the outset. The *Kennedy Report* (1970, 44) remarked that:

> St Patrick's is an old style penitentiary building with rows of cells, iron gates and iron spiral staircases. Offenders in the main occupy single cells. These are small and gloomy and each one has a small barred window almost at ceiling level (in Osborough, 1975, 86).

With the passing of the Prison Act in 1970, the aim of rehabilitation of the prisoner came to the fore. It also legalised the detention of prisoners in places 'other than prisons', and lead to the opening of Loughan House, Blacklion, Co Cavan in 1972

61

as a penal institute for male juvenile offenders, aged between 16 and 21 years (Carey, 2000). This was a further extension of St Patrick's Institution in a building that had been built on 45 acres in 1953 as a noviciate for the White Fathers Missionary Congregation. It was purchased by the Department of Justice to be converted to an open detention centre for male juvenile offenders and was to be run along the same lines as Shanganagh Castle. However, after five years, proposals were made to change it to a closed institution and in 1977 it closed down. Re-opening again in 1978, the Minister for Justice announced that 'purely as a temporary arrangement' (Burke, et al 1981, 125), the centre should be run for the following two years as a secure detention facility for boys aged 12 to 16 years. The new centre was to be staffed by Prison Officers, (Shanganagh was staffed by Prison Officers who wore plain clothes and were designated 'House Fathers'). The tough measures were the subject of much debate and controversy. The prison population of Loughan House now consists of male offenders aged 18 years and over (Irish Prison Service).

The closure of Shanganagh Castle in 2002 was seen as a retrograde step by many. Commenting on the closure, Raymond Dooley, then Chief Executive of; and Maria Corbett, Policy Officer with the Children's Rights Alliance, expressed their views in the Jesuit periodical, *Working Notes*: 'With nearly one in five prisoners under 21 years of age, the closure of Shanganagh with no replacement is a regressive step, leaving a gap in the options available for young offenders' (Dooley & Corbett, 2003). The sale of the Shanagagh lands to Dun Laoghaire Rathdown County Council was seen by many commentators at the time as a cynical move on the part of the then Minister for Justice, Michael Mc Dowell, to gain profit from the lucrative sale at the expensive of a humane and viable institution for young offenders.

Enquiries and Questions into Carceral Institutions for Children

While little or no research was carried out into juvenile criminality in Ireland, there were two major investigations into the institutions themselves, both commissioned by the government, and from time to time questions were raised in the Dail about the management of the institutions. 'There has never been an official enquiry into crime or the juvenile justice system generally in Ireland' (Walsh, 2005, 468). Kilkelly points out that what enquiries do exist, focus on the industrial and reformatory school systems,

although recommendations such as those in the *Kennedy* report do question the causal factors involved in the issue of juvenile delinquency (Kilkelly 2006,2 5).

The Cussen Report

In 1934, the first commission was set up to look into the reformatory and industrial school system in Ireland. *The Report of the Commission into the Reformatory and Industrial School System 1934-1936,* (also known as the *Cussen Report*) gives some important insights into how the schools were run and how they were perceived. The Commission had some reservations about the system, commenting that: 'the Free State is behind most European Countries in its arrangements for dealing with this important social question.' (McCullagh, in O'Connor & Murphy, 2006, 161) Nevertheless, they recommended that the system should continue and that the religious orders who ran the schools should continue in their management role. However, the Commission did express the view that the religious orders were going beyond their remit and taking on the responsibilities that were really those of the local authorities. They placed the blame for this on the local authorities rather than the religious orders though, stating that they thought the local authorities did not fully appreciate their responsibilities to the children in their care (Burke, et al, 1981). Education and training were areas that drew much comment from the Commission. They felt that the children needed better training to equip them for getting a job when they left the schools and that teachers should be better trained and adequately paid. Furthermore, they say that children who have been committed to Reformatories seldom appear before the courts again and that: 'It follows, we suggest, that such young persons cannot in any sense fairly be looked upon as criminals' (Burke et al 1981, 28).

Occasionally questions arose in the Dail about the operation of the schools, often focusing on the cost of administration rather than on the welfare of the children. In 1965 a question about the educational provision in institutions by George Colley, the Minister for Education revealed that of the 42 industrial schools in existence at the time, 17 of them provided primary school instruction and from the remainder, children attended local national schools. It was also noted that a number of children detained in industrial schools attended Secondary or Vocational schools but no figures were provided in relation to this. (Dáil Debates, 1965)

Despite the reservations of the Cussen Commission and occasional Dáil questions, the reformatory and industrial schools continued to operate and while there were annual inspections, they were not subjected to any further major investigation or review until the late 1960s, when the next *Committee on Reformatory and Industrial Schools* began its work under the direction of District Justice Eileen Kennedy.

The Kennedy Report

In 1967, a new *Committee on Reformatory and Industrial Schools,* under the direction of District Justice Eileen Kennedy, was established by the government. Although their original remit was to 'survey the Reformatory and Industrial Schools system and to make a report and recommendations to the Minister for Education', it was further extended by that minister to include all children in residential care (Burke et al, 1981, 34). The report of the committee, popularly known as the 'Kennedy Report', was published in 1970. It made a comprehensive examination of the provision of residential care in all its forms, the process of admission and committal, the service and administration of care, and made recommendations regarding the jurisdiction over children and young persons within the care system. Important elements of the report relevant to this thesis included the following:

- The committal or admission of children should be considered only when there is no satisfactory alternative.
- The institutional system should be replaced by group homes.
- Aftercare should be an integral part of the Child Care system.
- All children in residential care should be educated to the ultimate of their capabilities.
- All laws relating to Child Care should be consolidated into a composite Children Act.
- They also noted the lack of research in the field of Child Care and recommended continuous research (Kennedy Report, 1970).

The Ryan Report

The Commission to Inquire into Child Abuse (CICA) was set up by the Irish government in 1999 to investigate claims of child abuse in Irish residential institutions

for children; the majority of allegations it investigated related to the system of sixty residential reformatory and industrial schools which were operated by Catholic religious orders, funded and supervised by the Department of Education. The commission was originally headed by Ms Justice Mary Laffoy, who resigned from the position in September 2003, following a departmental review on costs and resources. She felt that: '...the cumulative effect of those factors effectively negated the guarantee of independence conferred on the Commission and militated against it being able to perform its statutory functions.' Mr Justice Sean Ryan took over in January 2004 and headed the commission up to the publishing of the report in 2009, giving rise to its popular name in Ireland, The Ryan Report.

The relevant period of investigation was from 1936 to the setting up of the inquiry, however the majority of submissions received related to the period between the Cussen Report and the Kennedy Report. The Commission's report said testimony had demonstrated beyond a doubt that the entire system treated children more like prison inmates and slaves than people with legal rights and human potential, that some religious officials encouraged ritual beatings and consistently shielded their orders amid a 'culture of self-serving secrecy', and that government inspectors failed to stop the abuses. In the institutions that dealt with boys the abuses were said to be endemic and included sexual, physical and psychological abuse. The Guardian newspaper, (21 May 2009), described the abuse as 'the stuff of nightmares', citing the adjectives used in the report as being particularly chilling: 'systemic, pervasive, chronic, excessive, arbitrary, endemic.'

The Executive Summary of the The Commission to Inquire into Child Abuse includes the following extracts from among a long list of conclusions:

- Physical and emotional abuse and neglect were features of the institutions. Sexual abuse occurred in many of them, particularly boys' institutions. Schools were run in a severe, regimented manner that imposed unreasonable and oppressive discipline on children and even on staff.

- The system of large-scale institutionalisation was a response to a nineteenth century social problem, which was outdated and incapable of meeting the needs of individual children. The defects of the system were exacerbated by the way it was operated by the Congregations that owned and managed the

schools. This failure led to the institutional abuse of children where their developmental, emotional and educational needs were not met.

- The deferential and submissive attitude of the Department of Education towards the Congregations compromised its ability to carry out its statutory duty of inspection and monitoring of the schools. The Reformatory and Industrial Schools Section of the Department was accorded a low status within the Department and generally saw itself as facilitating the Congregations and the Resident Managers.

- The capital and financial commitment made by the religious Congregations was a major factor in prolonging the system of institutional care of children in the State. From the mid-1920s in England, smaller more family-like settings were established and they were seen as providing a better standard of care for children in need. In Ireland, however, the Industrial School system thrived.

- The system of funding through capitation grants led to demands by Managers for children to be committed to Industrial Schools for reasons of economic viability of the institutions.

- The system of inspection by the Department of Education was fundamentally flawed and incapable of being effective.

The conclusions chapter of the report unreservedly supports the claims of abuse, and uses language that is similar to that of Foucault in relation to the practices which were carried out in a 'regimented manner' and imposed 'oppressive discipline' However, due to restrictions in the scope of the Commission imposed by the Irish government, its recommendations do not include calls for the prosecution or sanction of any of the parties involved. Although large-scale residential institutions for children have been phased out, children are still committed to custodial institutions when convicted of a crime and others are housed in residential 'care' units when they cannot live with their families for a variety of reasons. The debate and reflection generated by the Ryan Report has contemporary relevance and application for the care and protection of vulnerable children in Irish society today.

Conclusion

By taking a 'genealogical' approach to the development of the carceral culture, in his work *Discipline and Punish*, Foucault attempts to make sense of how the reforms of the Enlightenment, which set out to correct the barbaric practices of public punishment, resulted in an equally punitive society which in fact became a vehicle for more effective control of the individual in society. He explores the ways in which governmental power exerts ever increasing control over the individual and how this process has become inherent in modern, post-Enlightenment society. He claims that in the transition from the 'culture of the spectacle', where the body of the offender was tortured publicly to the 'carceral culture', where the punishment and discipline became internalised by the individual who effectively became a 'docile body', genuinely enlightened attempts to reform society were sacrificed and new technologies were used by governments to enforce greater control over every aspect of the individual's life.

For Foucault, the conjunction of societal reform and prison reform was embodied in Bentham's vision of the perfect prison, known as the *Panopticon*, which provided Foucault with an example of how the threat of surveillance could be internalised to produce a society of self-regulation that would police itself. Foucault argued that the growth of technological developments such as institutions that included banking, social welfare systems, health systems, etc., not only increased opportunities for surveillance but for control over citizens in modern, capitalist societies through the use of account numbers, transactions, social welfare numbers, testing and medical records. As he put it: 'The panoptic schema, without disappearing as such or losing any of its properties, was destined to spread throughout the social body... its vocation was to become a generalized function' (1977, 207). As a result Foucault concluded that we now live the panoptic machine: 'We are neither in the amphitheatre, nor on the stage, but in the panoptic machine, invested by its effects of power, which we bring to ourselves since we are part of its mechanism' (1977, 217). Were he alive and commenting today there is no doubt that Foucault would also include on-going developments in contemporary society such as computers, ATMs, the internet, mobile telephones , and CCTV in the mechanisms that can disempower the individual in society. In relation to how the principle of the panopticon provides a model of control in society he also remarks that:

It is polyvalent in its applications; it serves to reform prisoner, but also to treat patients, to instruct schoolchildren, to confine the insane, to supervise workers, to put beggars and idlers to work. (1977, 205).

I became aware during the course of carrying out the research for this thesis that the panoptican principle applied not only to the children who were incarcerated but also to the management and staff in the CDSs and indeed to me. The difficulties in gaining access to the research sites, the delays and interruptions that were experienced, the necessity to transfer from one site to another, the perseverance that was required to complete the work (points which will be discussed in subsequent chapters), were all evidence of the powerful implications of institutional power and control that were at play in a Foucauldian sense during the course of this research. The control of gatekeepers was evident from the outset, making initial access difficult and restricting access to certain areas and strictly designated times. Added to this was the fact that the interviews with the children were supervised by an unseen teacher outside the room and by a CCTV camera inside the room. All these elements were manifestations of the panoptic schema in operation, limiting my freedom as a researcher and the children's freedom to express themselves as they might wish.

By examining the development of institutions of detention for children in Ireland it is clear that many of the concerns identified by Foucault in relation to the development of a carceral continuum are indeed pertinent. As discussed in this chapter we can see that Foucauldian elements of surveillance, knowledge and bureaucracy all played a part in the incarceration of children, while discipline and the enforcement of rules and regulations were used to create docile bodies that would be reformed to conform to the societal norms of the time. Bureaucratic models of efficiency were used by the mainly religious orders who ran the institutions to accommodate more children at lower costs by providing sub-standard food and little in the way of clothing and comforts. The religious orders were known to override or ignore the authority of local authorities who should rightfully have had a much greater say in the running of the institutions. This approach was undoubtedly influenced by the ultramontanism that was prevalent under the leadership of Cardinal Paul Cullen and became deeply rooted in Irish societal values during the nineteenth century.

Since 2007, with the formation of the Irish Youth Justice System (IYJS) and certainly following the publication of the Ryan Report in 2009, the latest reforms have attempted to renew and reform the juvenile justice system into a new model for the 21st century. It is also notable that during the 21st century the hold of the Roman Catholic Church has loosened on Irish society and Ireland is now seen as in increasingly secular state. Since its formation the (IYJS) has shown a commitment to adhere to the principle of detention as 'a measure of last resort', with numbers of incarcerated children dropping and the closure of two detention schools over a short period of time. The development of a school curriculum that is child centred and focused on the specific needs of each child is a positive step in terms of developing the skills, knowledge and prospects of the young people in detention, compared to the paucity of educational provision in the past. However, questions remain about the manner in which individual education plans are devised, focusing as they do on the mainstream curriculum and exam system when in many cases the children in detention schools cannot be expected to make up for lost time during their time in detention. Another positive step is the increasing trend towards the recognition of children's rights as evidenced by the constitutional referendum concerning children's rights in Ireland which was held in November 2012. Nevertheless, the very continuance of the practice of incarcerating children in detention schools rather than adequately addressing the needs of economically disadvantaged families and greater investment in early childhood education remains problematic.

Chapter Three: Education and Social Reproduction in Ireland

Introduction

This chapter explores the nature of class-based inequalities that create barriers to educational engagement and participation and that persist in certain marginalised sections of Irish society. It examines those barriers in order to place the educational experiences of children in detention schools in context in relation to their socioeconomic and sociocultural circumstances and identities. The concept of class and classed identity is important in the analysis of any community as it focuses attention on the lived experience and social relations of those groups. Community resources, unemployment, family relationships, educational resources are all important elements of class identity which will be explored in this chapter. In addition to considering the economic factors involved in social reproduction, this chapter also focuses on the development of cultural and moral values in Ireland, particularly in relation to the historic influence of the Catholic Church on the education system.

In order to address the assumption that children who become involved in crime at an early age have lower levels of educational participation than their peers the chapter will explore the multiple factors of disadvantage that have negatively impacted on their lives and how this relates to education. Poverty, social exclusion, educational disadvantage, the economic costs of education all contribute to the in/ability to participate in education, and weigh more heavily on some children than others, hindering their progress through a system that is compulsory, but that is often inflexible or at least unable to meet the needs of all participants (Baker, Lynch, Cantillon and Walsh, 2004).

White and Cunneen (2002), pose the question: 'Why is it that the social profiles of 'young offenders' tend to look basically the same throughout youth justice systems in 'advanced' industrial countries?' In examining why children come into the criminal justice system, it is important to understand the structural impact of social inequality on their lives. The approach taken here to explore how these structures affect the young people involves critically examining the concepts of *cultural capital, habitus* and *field* which have been developed by French sociologist, Pierre Bourdieu. In examining these concepts in relation to children in detention schools, I also discuss the work of Bowles

and Gintis, Willis and Reay in order to examine how social class based attitudes and identities conflict with participation in education.

Cultural Differences and Social Exclusion

In *Learning to Labour* (1977), Paul Willis drew on the concept of cultural capital when he used the idea of working-class cultural histories, experiences, customs and traditions to explain 'Why working-class kids get working-class jobs'. He found that there was a mismatch between the formal aims of the educational system and how the working class 'lads' (12 working class, non-examination pupils in a UK Midlands Secondary Modern school) perceived their own views of their futures. In their counter-culture the lads were relying on the resources of everyday life and the manual, practical culture that they had grown up with, while resisting the institution of school and the middle-class culture that was being thrust upon them, a way of being and identification that they found irrelevant to their circumstances and plans and sense of themselves. In rebelling against the culture of school, Willis claims that there was a 'partial penetration' in that the lads recognised the school's prejudice towards middle class culture but this in turn made them more enthusiastic about validating their own culture, thus contributing to the reproduction of their own subordination. As a critic of capitalist cultural domination, Willis proposed that ideally schools should be created where teachers would validate working class culture. However, it could be claimed that this view offers little opportunity for social mobility, and while his view may serve to validate working class culture and recognise the social/cultural aspect of education it fails to acknowledge the practical function of validating skills and providing credentials that will prepare young people for advancement in the workplace.

Willis maintained that many students had disrespect for school rules and for the authority of the teacher. The lads in his experience learned to behave in ways that did not necessarily fit in with capitalism's need for a passive workforce. The theories of Willis (along with other researchers such as Hargreaves, (1967), Lacey (1970)) became known in the 1960s and 1970s as the Symbolic Interactionist Approach. This approach explores education as an interactive social process experienced by young people and examines how pro- and anti- school cultures develop. Given that this thesis is concerned with a group of young people who tend to have negative attitudes to schooling and participation in education, Willis's theories of counter cultural resistance may have

71

some explanatory power for the research in this thesis. In the late 1970s Willis was emphasising that working class culture was a key factor in explaining lack of educational success. 'The Lads' in his study actively hoped to find physically demanding manual employment because of their patriarchal beliefs that this was the kind of work which, rather than skilled professional non-manual work, would confirm their masculinity. In this respect Willis was arguing that these working class boys were *culturally different rather than culturally deprived.* With their outlook on life, school had little to offer them and in response they showed a minimal interest in staying in school, an attitude more or less supported by their parents. The participants in the research for this thesis mainly came from working class (or *non*-working class/unemployed) communities, which are often materially impoverished, lacking in resources and facilities. In many ways there are connections between them and 'the lads' in Willis' study particularly in relation to their perception of, and engagement with mainstream school. Although they are all individuals, taken as a group they have enough common traits such as low educational engagement and involvement in the criminal justice system to consider them as group that are not only *disadvantaged* in Irish society but in fact *excluded.*

At around the same time as Willis was formulating his theory on why working-class kids get working-class jobs, in the US, Marxist theorists such as Bowles and Gintis were critical of the legitimating role of socialisation in the educational process. They claimed that education helps those who are already advantaged to maintain and transmit that advantage. Socialisation, according to Bowles and Gintis, accepts the status quo and therefore facilitates social reproduction. They argued that education socialises young people into their future roles in society and their workplace expectations. Writing in *Schooling in Capitalist America*, in 1976, they suggested that the social relations which were prevalent in classrooms in American schools mirrored those in the workplace, claiming that education provides knowledge of how to interact in the workplace and gives direct preparation for entry into the labour market.

They further argued that the internal organisation of schools corresponds to the internal organisation of the capitalist workforce in its structures, norms, and values and called this the 'correspondence principle'. For example, they claimed that the hierarchical system in schools reflects the structure of the labour market, with the head

teacher as the managing director, pupils fall lower down in the hierarchy. Wearing uniforms and discipline is promoted as it would be in the workplace. They also believe work casts a 'long shadow' in education – education is used by the bourgeoisie to control the workforce. From their point of view schools reproduce existing inequalities and these authors reject the notion that there are equal opportunities for all. In this way they argue that education justifies and explains social inequality.

Bowles and Gintis claimed that each level of education had a corresponding emphasis that related to the preparation for the workplace and that this could be described as a 'hidden curriculum'. At primary level they claimed there was an emphasis on learning to follow rules and obey authority, which suited those who would pursue manual labour and factory work. In secondary school the educational system developed literacy and numeracy levels as well as a certain level of individual responsibility, turning out suitable candidates for white-collar work. Third level education encouraged students to develop a greater degree of autonomy, which would facilitate the internalisation of organisational norms and objectives.

Critics of the Marxist approach claim that Bowles and Gintis over-stated the importance of the 'hidden curriculum', making assumptions about its influence on students and claiming that they did not carry out sufficiently detailed research into life in schools. Nevertheless, the concept of the hidden curriculum is a useful one to bear in mind in relation to the educational process in detention schools especially with regard to personal development and preparation for the workplace. The Marxist approach of Bowles and Gintis raises a number of issues which are relevant to this thesis, such the issue of equality and the reproduction of socio-economic inequality within the educational system; the extent to which education serves the dominant, ruling class; the existence of the 'hidden curriculum'; and how educational achievement is class related.

Bourdieu's Theories of Cultural Capital and Habitus – Understanding the Relation between Schooling and Social Class

French sociologist, Pierre Bourdieu, argued that the lack of engagement and success that working class students experience is the fault of the education system and not the failure of those individuals themselves. Working in collaboration with Jean-Claude Passeron, Bourdieu set out to explain the differences in educational and

73

economic outcomes for children in France in the 1960's. Bourdieu and Passeron developed an analysis of education and elaborated their theories on cultural reproduction in *Reproduction in Education, Society and Culture* (1973, translated 1977, revised 1990) in which they explain how education carries an essentially arbitrary cultural scheme which is actually, though not explicitly, based on power and dominance of certain groups. The original ideas have been further developed and elaborated on by Bourdieu in works such as *The Forms of Capital* (1986) and subsequently taken up by many authors concerned with educational inequalities.

As well as highlighting the significance of cultural capital within the educational system, Bourdieu further claims that while the education system is systematically biased towards the culture of dominant social classes (the middle classes); it also devalues the knowledge and skills of the working class (Haralambos & Holborn (2008) 743, also 65-7). He has stated that he had been influenced in various ways by Marx, Weber and Durkheim but his analysis of education systems could be said to be grounded in a Marxist framework of analysis of society as a whole.

By observing underlying patterns of class domination in the areas of education, art and 'culture' in general Bourdieu argued that, above and beyond economic factors, 'cultural habits and...dispositions inherited from the family' are fundamentally important to school success (Bourdieu & Passeron 1979, 14). As Weininger and Lareau point out, in making such claims, he moved away from the traditional sociological concept of culture, which had tended to view it primarily as a source of shared norms and values, or as a vehicle of collective expression (Weininger & Lareau, 2003, 1). Instead, Bourdieu maintained that culture shares many of the properties that are characteristic of economic capital. In particular, he asserted that cultural 'habits and dispositions' comprise a resource capable of generating 'profits'; they are potentially subject to monopolization by individuals and groups; and, under appropriate conditions, they can be transmitted from one generation to the next. The central concept in Bourdieu's theory is not cultural deprivation but differential possession of cultural capital. According to Weininger and Lareau (2003), Bourdieu was notoriously disinclined to elaborate the meaning and significance of concepts outside of the concrete context offered by empirical research. During the 1960s Bourdieu developed the concept of cultural capital in order to help address a particular empirical problem that

'economic obstacles are not sufficient to explain' disparities in the educational attainment of children from different social classes (Bourdieu & Passeron 1979, 8), he does not, however, under-emphasise the value of economic capital. Bourdieu sees the concept of cultural capital as breaking with the received wisdom that attributes academic success or failure to natural aptitudes, such as intelligence and talent. Bourdieu explains school success by the amount and type of cultural capital inherited from the family milieu rather than by measures of individual talent or achievement. For him, ability is socially constructed and is the result of individuals having access to large amounts of legitimated cultural capital; it is itself the product of an investment of both time and cultural capital. As will be shown in later chapters of this thesis, the children in Detention Schools in Ireland and their families have not accrued sufficient levels of dominant cultural capital to identify with or progress within the mainstream school system.

Bourdieu's Key Theories

Cultural capital

The term capital is most often associated with a narrowly defined economic category of monetary exchange for profit. However, Bourdieu's concept of cultural capital is an attempt to expand the category of capital to something more than just the economic and to identify culture as a form of capital. Cultural capital encompasses a broad array of linguistic competencies, manners, preferences, and orientations, which Bourdieu terms 'subtle modalities in the relationship to culture and language' (1977, 82).

Bourdieu argued that, above and beyond economic factors, 'cultural habits and...dispositions inherited from the family' are fundamentally important to school success (Bourdieu & Passeron 1979, 14). In doing so, he broke sharply with traditional sociological conceptions of culture, which tended to view it primarily as a source of shared norms and values, or as a vehicle of collective expression. In particular, he asserted that cultural 'habits and dispositions' comprise a resource capable of generating 'profits'; they are potentially subject to monopolization by individuals and groups; and, under appropriate conditions, they can be transmitted from one generation to the next (Lareau and Weininger, 2003).

Three variants of cultural capital

In *The Forms of Capital* Bourdieu (1986) identified three distinct variants of cultural capital: *embodied, objectified* and *institutionalised.* Each of these has relevance to this thesis because of how important they are in determining one's opportunities in life. In the case of the children in detention schools it will become clear in later chapters how limited their embodied cultural capital is; how their lack of access to objectified capital has hindered their educational progress and how their inability to acquire institutionalized cultural capital leaves them disadvanged in terms of employment and career choices.

In its *embodied* state, cultural capital is a competence or skill that is incorporated in mind and body; it cannot be separated from the person who holds it. As such, the acquisition of cultural capital necessarily presupposes the investment of time devoted to learning and/or training, it cannot be passed on instantaneously. Linguistic competence, (or incompetence), is a good example of embodied cultural capital; it is acquired in childhood through daily interactions with family, peers, and at school. For children this acquisition predisposes them to think and act in particular ways relevant to their embodied cultural background

In the *objectified* state, Bourdieu (1986), suggests that the objects themselves (books, artefacts, paintings, etc) may function as a form of cultural capital, insofar as their use or consumption presupposes a certain amount of embodied cultural capital. For example, certain academic texts are an objectified form of cultural capital since prior education or training is required to understand them. Similarly, certain paintings may need an understanding of form, colour, symbolism, etc, in order to interpret the artist's meaning. Children who grow up in impoverished economic circumstances often lack objectified capital such as access to books and libraries, rendering them at a disadvantage in the school setting. Not only are they excluded from the discourse but they are doubly vulnerable due to the fact that they are subject to judgement by teachers. Richness and style of expression are continually taken into account, whether implicitly or explicitly and to different degrees, from the earliest days of schooling. (Bourdieu, Passeron & de saint Martin, 1994, 40).

Thirdly, in societies characterized by a highly differentiated social structure and with a system of formal education, cultural capital exists in an *institutionalised* form. This is when the school certifies individuals' competencies and skills by issuing credentials, their embodied cultural capital takes on an objective value. Thus, for example, since persons with the same credentials have a roughly equivalent worth on the employment market, educational degrees can be seen to be a distinct form of cultural capital. Because they render individuals interchangeable in this fashion, Bourdieu suggests that institutionalization performs a function for cultural capital analogous to that performed by money in the case of economic capital (Weininger and Lareau 2003). Bourdieu further asserted, these advantages largely stem from the institutionalization of the criteria of evaluation in schools—that is, standards of assessment—which are favourable to children from a particular class or classes (Bourdieu 1977).

Habitus

Habitus is important to the concept of cultural capital, as much of cultural capital can be derived from an individual's habitus. It is often defined as being dispositions that are inculcated in the family but manifest themselves in different ways in each individual. (Harker,1990, Webb,2002, 37, Gorder,1980, 226). The development of a person's outlook and character (their disposition) is fundamentally connected to their habitus and results in what has been described earlier as one of the fundamental aspects of cultural capital, *the embodied state*, meaning that cultural capital is embodied in the individual through socialisation (usually within the family setting) over time. This internalisation takes place during early childhood and is primarily an unconscious process. Habitus influences the choices and actions that one takes. By internalising the social structure and one's place in it, one comes to determine what is possible and what is not possible for one's life, and aspirations and practices are developed accordingly. On the basis of their class position and associated cultural norms, people may develop ideas about their individual potential; for example, those in the working class tend to believe that they will remain or should remain working class. The consequences of the development of habitus are extensive: Bourdieu argued that the reproduction of the social structure results from the habitus of individuals. These beliefs are then externalised into actions that lead to the reproduction of the class structure. Overall,

77

then, one's practices or actions are the result of one's habitus and capital within a given field (a *field* can be any structure of social relations (King, 2005, 223).

Although the family is mainly responsible for the reproduction of habitus in the individual, the school can also play an important role in the inculcation of certain characteristics and outlooks. Webb *et al* (2003), claim that in terms of education, 'The habitus is thus the means through which the values and relations of the school are inculcated and reproduced within the child' (Webb, Schirato & Danaher, 2002, 116). The child will take to school the habitus they have acquired in their early years within the home and that habitus will be acted on by their experiences at school. The degree to which the family habitus fits with the school habitus has consequences for the success of the child in acquiring the values, dispositions and cultural capital that characterise school.

As well as its significance in the acquisition of disposition, habitus also plays an important role in students' educational success. Students from lower socio-economic backgrounds can sometimes find the school environment different from their home environment and lack the capital necessary to fit in as well as the students from more affluent families. Bourdieu argued that one's habitus develops in relation to how much cultural capital one has; a person from a lower socio-economic class can be aware that people from that class tend to have less cultural capital and that without cultural capital, they are less likely to succeed educationally. Therefore, some students who lack cultural capital tend to self-select themselves out of the college-going track on the basis of their views of what is possible and what is not. While Bourdieu argues that better-off families can afford to locate themselves in neighbourhoods that have the best schools or can afford to send their children to better schools or pay for them to receive extra tuition, the reality for poorer families is that they cannot afford to position themselves to benefit from this apparent privilege (Reay, 2007, 8; O'Brien, 2008). In Bourdieuean terms their *habitus* is limited. Nevertheless, some students from a lower socio-economic class may see the accumulation of cultural capital as a way to overcome the obstacles that are typical for those in their economic position. The consequences of the development of habitus are extensive: Bourdieu argued that the reproduction of the social structure results from the habitus of individuals. These beliefs are then externalised into actions that lead to the reproduction of the class structure. Overall, then, one's practices or

actions are the result of one's habitus and capital within a given *field*. In considering the circumstances of children in detention schools, it is significant to bear in mind that in order to succeed in school, students must build on the capital they have acquired from their families and experiences to build positive relationships with teachers, thereby altering and enhancing their habitus. Children from low socio-economic backgrounds are unlikely to have sufficient capital to make the necessary impression that would improve their chances of success.

Economic capital, social capital and symbolic capital

Bourdieu also identified other forms of capital such as economic capital, social capital, and symbolic capital. Economic capital is the financial advantage that allows those who possess it to purchase advantage. In relation to education this can afford families the means to pay for grinds and private tuition as well as to send their children to the best schools. Social capital is defined by Bourdieu as 'the aggregate of the actual or potential resources which are linked to possession of a durable network of more or less institutionalised relationships of mutual acquaintance and recognition' (Bourdieu, 1986, 248), or in other words resources developed by an individual on the basis of memberships, networks, group support and influential relationships.

Bourdieu describes power in terms of 'symbolic capital', which comes with social position and affords prestige and leads to others paying attention to those who have the capital (or power). The transfer of power is relational and symbolic capital engenders a sense of duty and inferiority in others who look up to those who have that power. In relation to symbolic capital, education is a key method of transferring this power in social reproduction and leads to transfer of specific beliefs and behaviours. The hierarchy that exists in prisons and detention schools is a system of social positions based on structure in power relations, and a good case in point for the study of symbolic capital and symbolic violence. The concept of symbolic violence is used to account for the tacit almost unconscious modes of cultural/social domination occurring within the every-day social habits maintained over conscious subjects. Also referred to as 'soft' violence, symbolic violence includes actions that have discriminatory or injurious meaning or implications, such as gender dominance and racism. Symbolic violence maintains its effect through the mis-recognition of power relations situated in the social matrix of a given field.

Bourdieu saw a process in which one form of capital could readily be transformed into another. For example, economic capital can be converted into cultural capital, while cultural capital can be readily translated into social capital. However, what all Bourdieu's capitals shared is that each requires, and is the product of, an investment of an appropriate kind and just like economic capital each can secure a return on that investment. Education is a resource that requires investment and can yield returns for the individual in terms of knowledge, financial prospects and sometimes status/prestige. Many studies have shown that education is a valuable resource within a community and those with little or no educational qualifications (or cultural capital) are likely to earn less when they are working and, more significantly, they are likely to experience prolonged periods of unemployment. Barrett, Fitzgerald and Nolan (2000) found that in Ireland, those holding a Leaving Certificate are likely to earn around 40% more than those who don't and the even more striking fact that persons with a degree tend to earn over 80% more than those without one. Webb, Schirato and Danaher remark that: 'The increasing tendency of western governments to view education as a principal means for alleviating social disadvantage, however, has meant that formal educational qualifications tend to be highly valued within more and more fields' (Webb, et al 2002, 110), so that those without those educational qualifications are at an even greater disadvantage.

Education as a Social Field

Bourdieu and Wacquant (1992) describe the school system as a *field*. Wacquant elaborates that field is 'a set of objective, historical relations between positions anchored in certain forms of power (or capital)' (Wacquant in Bourdieu and Wacquant, 1992, 16). Within the educational field, the most valuable form of capital is cultural capital: 'academic success is directly dependent upon cultural capital and on the inclination to invest in the academic market' (Bourdieu 1973:96). So there is a dynamic relationship between *field* and *habitus*, Bourdieu describes this relationship as one in which: 'Habitus contributes to constituting the field as a meaningful world, a world endowed with sense and value, in which it is worth investing one's energy. (Bourdieu and Wacquant, 1992, 127). Doing schoolwork and attempting to get good exam results are kinds of practices in this field which can lead to enhanced cultural capital for those who are able to invest time and work in the system.

Both Bourdieu (1984), and DiMaggio and Useem (1978), found that within the dominant classes, teachers have the most cultural capital, value it, and tend to reward students who possess it. In *Keeping In With Teacher* (1972), Nash has argued that teachers and pupils interact in the classroom in ways that draw implicitly on concepts of cultural capital, where the teacher's perceptions of family background can have a significant influence on how pupils are perceived and treated by the teacher. Children who have more cultural capital (having been exposed to it from birth via their economically better-off families) feel more comfortable in school, communicate easily with teachers, and are therefore more likely to do well in school (De Graaf, De Graaf, and Kraaykamp, 2000).

The Embodiment of Cultural Capital through Linguistic Competence

Issues relating to vocabulary acquisition and linguistic competence are important in relation to the embodiment of cultural capital. In terms of social reproduction and the school experience, the question of language is one of the most important instruments for accomplishing this process of embodiment, according to Bourdieu. In relating linguistic skill to academic achievement Bourdieu suggests that there is differential access to the language and discursive practices of school and college. As students, those whose linguistic habitus is compatible with that of the discursive practices represented in classrooms are more likely to have greater access to the knowledge represented in and through such practices. This is why mastering each academic subject depends on coming to terms with its language. Given the relatively low educational attainment of offenders in custody in Ireland (O'Mahony,1993, Morgan & Kett, 2003), it is useful to examine the levels of cultural capital that the participants in the research have access to from within their family backgrounds.

Bourdieu claims that access to legitimate language is not equal and that linguistic competence is monopolised by some classes in society (Bourdieu & Wacquant, 1992). Of all the barriers to accruing cultural capital, those which arise from the language spoken within the family setting are some of the most subtle as the influence of a child's original language setting can be very difficult to overcome. To this end, the linguistic habitus of the student will have substantial impact on his/her capacity to make sense of the discursive practices of the classroom and their subsequent capacity to gain access to legitimate knowledge along with the power and status associated with

81

that knowledge. Students who have a broad vocabulary and a linguistic competency at an early age are already starting school with an advantage. Furthermore, they are likely to be constructed as competent pupils/students by the teacher who judges them to have good academic abilities. Therefore, linguistic ability is a form of capital which can be converted to academic reward. Working in the UK, Linguist Basil Bernstein found that middle and working class families tended to have very different vocabularies and ways of phrasing and expressing their ideas through what he described as 'elaborated and restricted codes' (Bernstein, 1970). In addition he claimed that relationships established within social groups affect the type of speech that is used and the way that group uses language. Bourdieu argues that:

> ...what goes in verbal communication, even the content of the message itself, remains unintelligible as long as one does not take into account the totality of the structure of the power positions that is present, yet invisible, in the exchange. (Bourdieu & Wacquant, 1992,146)

Students who have a broad vocabulary and a linguistic competency at an early age are already starting school with an advantage because they can form a more advantageous relationship with the teacher. They are likely to be constructed as competent pupils/students by the teacher who judges them to have good academic abilities. Therefore, linguistic ability is a form of capital which can be converted to academic reward. Furthermore, classroom interactions are imbued with cultural components which facilitate or inhibit access to the content in each subject. To gain access to knowledge, students must be able to comprehend the cultural and political aspects of the interactions and dialogues inherent in the academic realm.

Children who grow up in impoverished economic circumstances often lack linguistic stimulus in their early years in the form of books and access to libraries, which in Bourdieuean terms renders them at a disadvantage in the cultural habitus of the school setting. Not only are they excluded from the discourse but they are doubly vulnerable due to the fact that they are subject to judgement by teachers. Richness and style of expression are continually taken into account, whether implicitly or explicitly and to different degrees, from the earliest days of schooling. (Bourdieu, Passeron, & de saint Martin, 1994a, 40). Of all the barriers to accruing cultural capital, those which arise from the language spoken within the family setting are some of the most subtle as the influences of a child's original language setting never cease to operate. To this end,

the linguistic habitus of the student will have substantial impact on his/her capacity to make sense of the discursive practices of the classroom and their subsequent capacity to gain access to legitimate knowledge along with the power and status associated with that knowledge. In the CDS setting this factor is recognised and the linguistic abilities of children are assessed on entry and thereafter addressed by strategies to increase their vocabularies.

Giving contemporary credence to Bourdieu's cultural capital theories, research carried out by the Joseph Rowntree Foundation (JRF) in the U.K. in 2007 found that low income can be a strong predictor of low educational performance. A summary based on the findings of the first eight projects in the Joseph Rowntree Foundation's Education and Poverty[3] programme (which looks at the experiences of children from different backgrounds and their attitudes to education) made the following points, among others: Socio-economic circumstances in childhood which result in low qualifications in adulthood help transmit poverty across generations. A primary cause of child poverty is a lack of opportunities among parents with low skills and low qualifications. Such parents are less likely to get employment, and if they do work they are more likely to have low earnings. The task of balancing the economic demands of raising a family and the need to find time to devote to children is much harder for people in low-paid jobs with limited power to negotiate working arrangements. Where parents have to make a choice between low income and long hours, it is difficult to give children good life chances. Children from different backgrounds have contrasting experiences at school. Less economically-advantaged children are more likely to feel a lack of control over their learning, and to become reluctant recipients of the taught curriculum. This influences the development of different attitudes to education at primary school that help shape their future.

Theorising Education and Social and Cultural Reproduction Post Bourdieu

In Bourdieu's view, educational institutions tend to reproduce existing social relations and inequalities, a view which is held many other commentators. Webb, Schirato and Danaher (2002, 116) suggest several theories that are in accord with this

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[3] *Experiences of poverty and educational disadvantage,* September 2007 - Ref 2123 www.jrf.org.uk

view. One theory is the traditional Marxist view that members of the ruling class have a vested interest in maintaining their domination, and they do this by limiting opportunities for members of less powerful groups to have access to educational resources. According to this theory, it is access to economic capital that directly determines how much value the school experience will be. A second theory which these authors identify as the 'hegemonic' view of schooling, this suggests that the role of schools is to make students believe that the existing social relations are just and natural and in their interests. This theory can encourage low achieving students to believe that they are just not cut out for school and may pursue other areas of achievement such as sport. A third theory is that because teachers and educational bureaucrats tend to come from fairly privileged backgrounds they are more disposed to favour students from similar backgrounds. Children who share the teachers' socio economic backgrounds would most likely have shared values and attitudes as teachers and not find the adjustment to school difficult. In this case the children are more likely to feel secure and confident in attending school. Another view suggested by Webb *et al.* proposes that the type of language (discourse) that schools use to educate students tend to favour those who are already exposed to this type of language at home. Whereas a child from a less privileged family is likely to find the more formal language used in class very different from that used in the home and may struggle to follow the lessons.

While Bourdieu would recognise that economic capital is a major contributor to access to educational resources, and would not fundamentally disagree with any of the perspectives expressed above, what would distinguish his view is that for him *habitus,* the way of life and culture of individuals and groups is the key to social and cultural reproduction.

While some children from disadvantaged socio-economic classes are undoubtedly deprived of opportunities due to their circumstances, some may see the accumulation of cultural capital as a way to overcome the obstacles that are typical for those in their class position. As already noted, for Bourdieu it is the amount and type of cultural capital inherited from the family that is most significant in achieving success in education. Since the 1990s, a number of (feminist) sociologists (eg, Reay, Skeggs, Devine, Lareau) have also noted the significance of family life as an important factor in social reproduction and social mobility. According to Reay, family is the 'primary site

of social reproduction' (Reay 1998). Reay argues that, in class terms, there is little evidence to suggest that different social classes view the importance of education differently. On the contrary, she argues, educational success tends to be seen by all classes as one of the keys to social mobility and success. Nevertheless, even though education may be valued in all strata of society, it is the inequality of access to and capacity to progress through the educational system that poses a hindrance and leaves some children at a distinct disadvantage.

In using the concept of 'emotional capital' Reay (2000, 2004) describes what she sees as the crucial role played by mothers in the educational life chances of their children. She argues that middle class mothers, for example, are 'better-placed' (that is, they have greater reserves of cultural capital) than their working class peers to provide the support required by children throughout their school career.

This 'emotional investment' works on a number of levels, from being better-placed to provide their children with 'compensatory education' (help with school work, for example), having more time to spend on their children's education (e.g. middle class women, are less-likely to spend large parts of their working day in paid employment) to having the status (and confidence) to confront teachers when they feel their children are not being pushed hard enough or taught well enough. Reay notes that middle class parents, for example, are better-placed to exert pressure on schools to dismiss/discipline teachers who do not, in the view of such parents, come up with the desired educational outcomes for their children. There is also a downside to the concept of emotional capital, as Reay notes that in her research, some middle class children's academic success was at the cost of their emotional well-being because 'having to focus so intensely on academic achievement depreciated emotional capital while simultaneously augmenting cultural capital' (Reay, 2004, 16)

Educational Disadvantage

Educational disadvantage is a term used in educational and social policy to account for the gap in participation between some social groups and others in education. Although he did not speak directly about the concept of 'educational disadvantage', it is clear that Bourdieu took a pessimistic view of the role of education in social transformation, seeing it as a vehicle for reproducing the privilege and power of the

dominant classes. The purpose of education is a much debated topic among educationalists, sociologists and philosophers but there is a broad consensus of agreement that education is aimed at enhancing the full development of the person, creating effective citizenship, as well as providing a basis for participation in the labour market. However, there is also a recognition that while the cumulative effect of these aspirations would generally lead to upward social mobility in society, this is not the case for all children, some of whom are subject to a multiplicity of factors that place them in a position of educational disadvantage. Research has shown (National Economic and Social Forum 2002) that low levels of achievement in reading and mathematics at primary level has a cumulative negative effect on learning across the wider curriculum and puts children at a serious disadvantage in terms of progressing through the second level system (McGough, 2002)

In Ireland educational disadvantage is a term used in policy to refer to the situation where some groups derive less benefit from the education system than their peers. The Education Act 1998 refers to educational disadvantage as 'the impediments to education arising from social or economic disadvantage which prevent students from deriving appropriate benefit from education in schools' (Pt. VI S. 32, 9). Educational disadvantage is manifested in many ways, most often in poor levels of participation and attainment in the formal education system. Those deemed disadvantaged are characterised by a lack of certification due to quitting the education system at the earliest possible juncture, usually at the age of 16 when attendance at school is no longer compulsory. Although second level retention rates in Ireland have seen an increase in recent years, there remains a 10% dropout rate. Figures released by the DES in 2012 reveal that in 2006, there were 54,917 first time enrolments to the first year of the junior cycle programme in second level schools. Of this initial cohort, 96.37% sat the Junior Certificate Exams in 2009 or 2010 and 90.22% sat the Leaving Certificate Exams in 2011 or 2012. The average retention rate for DEIS second level schools continues to increase and is at a rate of 80.1% for the 2006 cohorts, this is up from 68.2% for the 2001 cohorts (DES 2012)

Connections Between Early School-Leaving, Youth Offending and Identity Formation

It is well documented that one of the most marginalised social groups is made up of those who leave school without qualifications. In defining the correlations between early school-leaving and other difficulties in the development of young people, Stokes (2003) lists the link with offending behaviour as being a significant one. He cites O'Mahony's findings (1993) that 57% of a sample of prisoners had left school by 14 years of age, also that only 11% had stayed on after 16 years of age, and that only 17% had obtained educational certificates at public exams.

McKeown (2006) points out that early school leavers, especially those who are not 'attached' to services, are more likely to lack support networks, lack hopefulness, suffer poor physical and emotional well-being and, in addition, are more likely to smoke, drink and take illegal drugs. The implications of this are that early school leavers are likely to endure a broad range of adverse effects in their lives which are all interconnected. Substance abuse has been shown to be significantly higher among early school leavers than those who remain in education. The significance of substance abuse cannot be underestimated in relation to children in detention schools – it is a factor that is frequently cited by the children themselves, as will be seen in the findings from the interviews with the participants in the later chapters.

An Irish report by Haase & Pratscke (2010), entitled *Risk and Protection Factors for Substance Use among Young People,* commissioned by the National Advisory Committee on Drugs (NACD), 2010), found that 41% of early school leavers had taken hard drugs (psychedelics, cocaine, heroin) during their lifetime compared to only 11% of school-goers. In addition, 57% had used cannabis compared to 24% of school-goers, and they were more likely to smoke (82%). Several reports in the UK have also found that early school leaving is a significant factor in offending behaviour and particularly in substance abuse. Evidence from a longitudinal study of youth in Scotland which began in 1998 with 4,469 children, suggests that the use of alcohol and illicit drugs at the age of 12 was a factor linked to offending behaviour (Smith and McVie, 2003). Hayden (2007, 47) also links substance abuse with a range of problematic behaviours in young people, citing the *Offending, Crime and Justice Survey,* (OCJS, UK Home Office, 2003) where 22% of all young people surveyed

(aged 10 -25) reported taking a drug in the previous year, with 8% having taken a Class A drug. Also in the UK, a MORI survey in 2004 found that young people who were excluded from school were much more likely to use a range of drugs, including cannabis, ecstasy and amphetamines compared with young people who remained in school (Hayden, 2007, 47).

Confirming what McKeown (2006) had found with regard to being 'attached to services', the NACD (2010) report on substance abuse states that:

> At school level, by far the most important factor is for the young person to feel supported by their teachers and to have a positive experience of school and learning. These are the strongest potential effects detected in this study and cannot be emphasised enough (NACD Report, 2010, 16).

This clearly indicates the importance of a positive connection with teachers and schools for children who are at risk of dropping out and/or becoming involved with substance abuse and possible further anti-social activities. During periods of absence from school children sometimes become involved in anti-social behaviour which even at a low-level can bring them into contact with the police, leading them into a negative spiral which can begin with an Anti-Social Behaviour Order (ASBO), but lead to more serious situations including court appearances and incarceration. In his 1997 work, *Mountjoy Prisoners – A Psychological and Criminological Profile*, criminologist Paul O'Mahony, states that the authors of a report entitled *'Punishment and Imprisonment'* observed that:

> Those who suffer to a greater than average degree from unemployment, low income, deficient education, bad housing, and family breakdown are also those more likely than average to commit a crime and go to prison (O'Mahony, 1997, 51).

As well as support at school, the NACD report also found that the involvement of parents was an important factor in deterring substance abuse. The immediate consequences of being apprehended for drug offences is a court appearance, this can be a traumatic event for anyone but especially for a child. If a child is found to lack parental support at critical times like court appearances, they subsequently may find themselves committed to CDS on remand until the courts can make a decision on their future care, or being committed for criminal activity. Even a period of remand can impact negatively on a child's school attendance both in terms of continuity and in

terms of stigmatisation. While the connection is often made between low educational engagement and criminality, it is not the low educational engagement itself that leads to involvement in crime, but the lifestyle (habitus) that has compromised the child's attendance at and participation in school that can sometimes lead them on a negative trajectory.

Although it would appear that early school leaving, low educational qualifications, under-representation at third level and poor employment prospects are predictably synonymous with poverty and social disadvantage in Ireland, Cunneen and White (2002, 18), remark that internationally similar factors apply:

> Predominantly young men with an over-representation of youth drawn from minority ethnic communities, low income, low educational achievement, poorly paid and/or casualised employment (if any) and strained familial relations, are the standard defining characteristics of children and young people most frequently found in juvenile detention centres and custodial institutions, whether this be in Australia (Cunneen and White, 2002), England and Wales (Goldson,2002; Muncie, 2004), Canada (Schissel, 2002) or the USA (Krisberg, 2005).

Furthermore, a pan-European study of adolescent alcohol use and family structure found that 'frequent and heavy adolescent alcohol use is associated with personal problems with family, friends, employers, school authorities and the police' (Hemmingsson *et al.*, 1999, Pedersen, 1996) in Bjarnason *et al.*, 2003, 200). The study also found that there was a strong connection between adolescent drinking and nonintact families and concluded that the adverse effect of living in nonintact families is greater in societies where alcohol availability is greater and where adolescents drink more heavily (2003, 200).

Initiatives to Tackle Disadvantage in the Irish Education System

Since the 1960s in Ireland, policies have aimed at expanding participation in education. This approach was spearheaded by the introduction of free secondary education and followed up in the succeeding decades with a surfeit of schemes aimed at increasing participation in education. As participation in education expanded across societies, some critics have claimed that the return on educational achievement was not equal but instead the returns were being eroded in a process that Collins (1979), refers to as 'educational inflation'. In an Irish context this means that although greater access

to secondary education became available after the abolition of fees and the provision of school transport schemes in the 1960s for instance, the value of the Leaving Certificate has diminished over time and that entry level to many occupations nowadays requires a university degree. It is well documented that one of the most marginalised groups of children are those who leave school without qualifications. Even more disadvantaged is the sub-group within this cohort who have failed to make the transition from primary school to secondary school (especially among Traveller families), (NCCA,1999). Education is compulsory in Ireland between the ages of 6 and 16 but children from families living in impoverished circumstances often miss school, as indicated by the findings of the NEWB, drawing themselves into contention with the inspectors and perhaps inevitably with the courts. Despite the fact that attendance at primary school is compulsory it became apparent in 2007 that in certain areas there were not sufficient places for children because school building programmes had not kept pace with urban development. Others barriers to attendance included the requisite by Catholic school managers that children attending their schools should be baptised Catholics, an issue that stirred some public debate at the start of the new school year in September 2007. Furthermore, the children of some immigrants often lack sufficient competency in the English language giving rise to the need for specialist resource teachers to give language instruction. While schools in towns, (especially in the rapidly developing commuter belts around cities), suffer overcrowding and lack of resources there is an imbalance with rural schools which cater to very small numbers of children, implying that standards of educational provision vary greatly depending on demographics (Clancy (1995), Daly & Leonard (2002), Lynch & O'Riordan (1998)).

Focusing on changes that took place throughout the 1980s, 1990s, and into the 2000s (see Chapter One, pp18-19), it could be argued that efforts were made to reduce educational disadvantage but that such efforts were based on a 'deficit model of disadvantage'. This model located the problem in under performance rather than addressing wider structural inequalities and the widening gap between rich and poor. This view is echoed by Gilligan (2002) in the action plan produced by the Forum on Primary Education Primary Education: *Ending Disadvantage*. The action plan addresses a number of concerns with the 'deficit model of disadvantage', its negative implications, and its failure to consider the complex levels of disadvantage and inequalities experienced by marginalised communities. These issues continued to be of

concern and were highlighted by Downes, Gilligan, and several others in the 2007 work, *Beyond Educational Disadvantage* where a variety of perspectives on educational disadvantage are presented.

The Neighbourhood Effect in an Irish Context

The lower levels of educational attainment in areas of socio-economic deprivation are not a reflection on the ability or aptitudes of the people who live there but more a reflection on how areas that endure educational disadvantage tend to be subject to what is known as the 'neighbourhood effect'.

In Ireland, the phenomenon known as the 'neighbourhood effect' can be a significant factor in a child's progress within the education system. Social exclusion as a phenomenon can be closely related to geographic factors, where a collection of influences come to bear on a group of people living in the same area. Geographic location can foster social exclusion through a concentration of difficult socio-economic environments in a particular neighbourhood, and physical and social distance to mainstream society. Many aspects of participation in society are dependent on proximity to childcare services, schools and employment, mobility and availability of transport, and networking opportunities. Location can not only limit access to resources for participation, but can also generate exclusion through social discrimination. For example, if residents of certain neighbourhoods are discriminated against in terms of obtaining employment, mortgages, support from police, access to health services, as has been the case in some instances in Ireland, this form of discrimination worsens the exclusionary effects of geography.

There is evidence that many neighbourhoods in Irish towns and cities experience a disproportionate number of adverse socio-economic factors that place children living in them at a distinct disadvantage. Mc Keown (2006, 64) describes a number of variables such as: (i) low level of owner occupation, (ii) high level of lone parenting, (iii) low level of school retention, (iv) high prevalence of opiate use. These factors have all been identified as contributing to a lack of well-being in a neighbourhood.

Furthermore, neighbourhoods can suffer collectively from an aggregate of negative influences that can be self-perpetuating. Raising educational engagement can

have a positive outcome for the entire community but where children are not motivated to stay in school and progress through the various stages of the system the opposite can result. Results from the 2011 and 2012 Leaving Certificate support the notion that economically deprived city neighbourhoods tend to show the lowest outcomes in terms of educational attainment: in the 2006 cohort the highest Leaving Certificate retention rate was in Kilkenny, with a rate of 94.17%, followed by Roscommon with a rate of 93.96%. Dublin City and Limerick City were again amongst those with the lowest Leaving Certificate retention rates in the 2006 entry cohort, with rates of 85.72% and 86.63% respectively when an adjustment for emigration is taken into account (DES Report, 2012).

In relation to location and inequality, Bourdieu argued that upper and middle class parents have access to economic and social capital as well as cultural capital which can be used to advance their children's educational prospects. In the Irish context this means that they can afford to buy houses in the catchment areas of the most effective schools: they can afford private education if they are dissatisfied with the state system, they can use grind schools or afford to let their children repeat the Leaving Certificate exam to gain the necessary points for college entry and they can use their social contacts for example to arrange appropriate work experience placements for their children which will advance their future career prospects. If parents attended a school with a reputation for good results and creating good social connections, their children may automatically be entitled to a place in that school. Few working class parents and even fewer unemployed parents possess these kinds of cultural, economic and social capital. For the working population in Ireland, pressure to work longer hours, commute longer distances and meet increasing childcare costs has continued to grow (Fine-Davis et al, 2004). In the communities that are increasingly becoming economically and socially marginalised, education is an area that suffers for a variety of reasons. Education in Ireland is ostensibly 'free' at primary, secondary and third level; however, although fees are not charged there are hidden costs at all levels (Lynch, 1999). Uniforms, books and materials add to the cost for families and the increasing costs of registration at third level have risen to such an extent that they can be prohibitive. It is these pressures that often put a strain on family finances even though there is some assistance for low-income families (O'Brien, 2004). While better-off families can afford to locate themselves in neighbourhoods that have the best schools or can afford to send their

children to better schools or pay for them to receive extra tuition, the reality for poorer families in Ireland is that they cannot afford such privilege. In Bourdieuean terms their *habitus* is limited.

Conclusion

The key theories and concepts of capitals and habitus developed by Bourdieu explored in this chapter have provided useful lenses with which to examine the educational processes involved in detention schools and the experiences of the children incarcerated in them. In addition the contributions of other theorists such as Bowles and Gintis, Willis, and Reay have provided both historic and contemporary viewpoints on the concepts of education and social reproduction.

Education is a vital component in the transfer of privilege in social reproduction; habitus and cultural capital play important roles in students' educational experiences and outcomes. Bourdieu (1977) argued that one's habitus develops in relation to how much cultural capital one has; a person from a lower socio-economic class is aware that people from that class tend to have less cultural capital and that without cultural capital, they are unlikely to succeed educationally. Classroom interactions are imbued with cultural components which facilitate or inhibit access to the content in each subject. To gain access to knowledge, students must be able to comprehend the cultural and political aspects of the interactions and dialogues inherent in the academic realm. Through the process of socialisation within schooling, attitudes to school develop; these attitudes are in turn reflected in attitudes to the social world and to the future. In some cases students self-select themselves out of the education system if they develop negative attitudes to school because they feel it has nothing worthwhile to offer them. The relationships between teachers and students are key in terms of passing on attitudes, beliefs and behaviours that constitute symbolic capital. The assessment of a child's symbolic capital by a teacher can greatly influence some children's chances of participation in education. Because teachers generally come from middle class backgrounds and habitus they perpetuate a system of middle-class values, norms and attitudes, expecting students to conform to the culture of the school.

The family is also a significant factor in the socialisation of young people and how this relates to educational attainment. Students from lower socio-economic

backgrounds often find the school environment different from their home environment and lack the capitals necessary to fit in as well as the students from more affluent families. While it cannot be claimed that working class parents are unaware of the benefits of educational attainment or that they fail to encourage their children to pursue education, it may be true that in some cases they do not have access to sufficient resources, including both economic and cultural capital to enable their children to progress through the educational system. The role of middle-class mothers has been seen as particularly important in encouraging their children in educational attainment. This is because they are likely to have more time to supervise their children's homework and extra-curricular activities, because they are likely to have attained a higher level of education themselves and to understand the system and the benefits of education. In addition they are more likely to exert their power and influence in decisions relating to schooling. The support of parents, their investment of emotional capital in the activation of other capitals is vitally important in relation to challenges faced by teenagers in their development.

The failure of the educational system to provide equal conditions and opportunities for all children is a critical factor in educational attainment and in social reproduction. Despite numerous schemes and initiatives to improve participation and school completion rates, the Irish education system has failed to adequately address the failure to offer solutions that benefit children in all strata of society. During the boom years of the 'Celtic Tiger' the state managed to create a strong economy but a weak society that did not look after the well-being of all citizens equally. While participation in education expanded the return on educational achievement was not equal but instead the returns were being eroded in a process that Collins (1979), refers to as 'educational inflation'. In an Irish context this means that although greater access to secondary education became available after the abolishing of fees and the provision of school transport schemes in the 1960s for instance, the value of the Leaving Certificate has diminished over time and the entry level to many occupations nowadays requires a university degree, a goal which remains beyond the reach of many marginalised children. With the economic downturn of recent years in Ireland, the gap between the rich and the poor has continued to widen with increasing financial pressure on families and increasing inability for many children to progress through the education system because of prohibitive registration fees at third level and rising costs of living. Even at

second level many children but particularly working class children (Morgan) feel the need to work in part-time jobs, jeopardising their chances of keeping up with school work and thereby diminishing their educational attainment. Unemployment, lowering social welfare rates and the curtailment of grants is resulting in an underclass who may never have the opportunity to avail of third-level education.

As will be evident in later chapters of this thesis, children who are incarcerated in Irish detention schools are doubly disadvantaged by their socio-economic and socio-cultural circumstances, and by previous low levels of school engagement. Although they are offered individually tailored educational plans within the detention system they are often unable to fully engage with the overall educational system that expects them to perform in standardised exams. Their identities, behaviour and attitudes do not necessarily conform with the norms of the middle-class institution of school or with the cultural and moral values of Irish society, leaving them ill-prepared to re-engage with the mainstream education system and unable to re-adjust into society on release.

Chapter Four: Methodology

Introduction

This chapter explains the research methodologies used in gathering and analysing data in this thesis. In the first section the rationale for choosing the particular research paradigm is explained as well as the selection of the site and participants. The phenomenological underpinning of the thesis is elaborated in this section, discussing the emancipatory nature of the research which aims to give voice to a marginalised section of society, in this case the boys who are detained in two Children Detention Schools (CDS).

The second part of this chapter provides a general discussion of the various research methods employed. The terms qualitative, quantitative and mixed methods are discussed, explaining their uses as research methods and highlighting the particular merits of using qualitative methods in this study.

In the third section the particular research instruments used in this study, observations, interviews and records analysis are elaborated, as are the processes of data collection and analysis, focusing in particular on the use of Interpretative Phenomenological Analysis (IPA).

In part four, the ethical considerations are discussed. Due to the particularly sensitive issues associated with conducting research with children, and especially with those who have been convicted of criminal activity, ethical matters have been particularly sensitive and of critical importance in terms of obtaining access to the research sites and participants.

The Research Paradigm

The research paradigm for this study is an interpretative one, based on the principles of phenomenology and which seeks to explore the lived experience of the boys who attend school in detention. The interpretative paradigm, according to Cohen and Manion (1980), is characterised by a concern for the individual (39). So, as they point out 'the central endeavour in the context of the interpretative paradigm is to understand the subjective world of human experience' (Cohen and Manion, 1980, 39).

In taking an interpretative approach, it is essential to retain the integrity of the phenomena being investigated by making an effort to understand the person from within. Philosophically, this concern with the individual's perspective is said to be a 'phenomenological' approach to research. The phenomenological approach seeks to identify phenomena as they are perceived and interpreted by the person (or 'actor') in a given situation. Phenomenological research developed from the philosophical works of Edmund Husserl (1859 – 1938) and Martin Heidegger (1889 – 1976); and further developed by Maurice Merlau-Ponty (1906 -1961). It focuses on the specific, and aims to study experience from the perspectives of the individuals, attempting to put aside assumptions and preconceptions, although it is unlikely that any researcher will completely divest themselves of all of their preconceptions, or be completely devoid of assumptions in relation to the research. Access to the participant's life world, to their view of their personal world, will always be complicated by the researcher's own preconceptions. In fact these are what are required to make sense of the participants' personal world through the process of interpretation. It is the two-stage interpretation process of the participants trying to make sense of their world, and the researcher trying to make sense of the participants trying to make sense of their world, that results in what is known as a double hermeneutic.

In this study the connection with hermeneutics is of particular interest; combining phenomenology with a hermeneutical approach makes for a powerful instrument for understanding subjective experience, gaining insights not only into people's actions but their motivations from their own perspectives. In taking a hermeneutical approach, the focus is on *how* the understanding is achieved rather than *what* is understood. While the term 'hermeneutics' was originally used in the context of translation and interpretation of sacred texts such as the Bible, it has been extended to include the seeking of understanding of any human action, with an emphasis on the importance of language in seeking that understanding, and on the context in which it occurs (Robson, 2011). Combining the hermeneutical dimension with phenomenological research enables the researcher to develop a basis for practical theory, enabling them to inform, support or challenge policy and action. In this study the gathering of data through observations and particularly through allowing the boys to speak for themselves about their experiences combined with reflection and analysis to make sense of the findings can be defined as a hermeneutical approach.

Data Analysis

To maintain consistency with the phenomenological underpinnings of this research, the method chosen to analyse the data collected for this research is Interpretative Phenomenological Analysis (IPA). As Smith & Osborn (2008) remark: 'IPA combines an empathic hermeneutics with a questioning hermeneutics... IPA is concerned with trying to understand what it is like, from the point of view of the participants, to take their side.' At the same time, 'a detailed IPA analysis can also involve asking critical questions of the texts from participants'. (53) Using the twin aspects of interpretation/understanding is the essence of IPA; keeping both aspects in focus allows for a richer analysis, and, according to Smith & Osborn, 'does greater justice to the totality of the person, "warts and all"' (54).

Emancipatory Research and Voice

Giving children in marginalised circumstances a voice in a social research context is an example of emancipatory research, an emergent research paradigm which developed out of feminist and racial equality research.

The emancipatory research approach is one which has developed in response to criticisms that there is a power imbalance in traditional research approaches; it came into being as a response to traditional research methods which tended to objectify participants. The emancipatory approach recognises the imbalance and aims to empower participants through giving them an opportunity to have their voices heard.

Building on the work of feminists such as Lather (1987) and Ribbens (1990), Mike Oliver suggested that the emancipatory research project might be seen as an emerging new paradigm for undertaking research which would empower the participants. Oliver spearheaded the use of emancipatory research in projects that involved disabled participants, as he recognised that the participants should be given a voice in the research process rather than simply be the subjects of it. Having spent years working on 'disability research', Oliver realised that in most cases it was only the researcher and not the researched that gained from research. This new paradigm was based on three fundamental principles: reciprocity, gain and empowerment and was

aimed at placing control in the hands of the researched, thus changing the social relations of research production.

According to Letherby 'it is now commonly recognised that power is a fundamental aspect of all research relationships', (2006, 88). As the researcher I was aware that there were a multitude of binaries involved in my relationships with the boys – female/male, old/young, outsider/insider, adult/child and that there was a delicate balance of power in all aspects of our interactions. Because of the unique circumstances of the interview setting there is no doubt that the balance of power lay with me. It was essential that as the interviewer, I impressed upon the boys that participation in the research would not negatively impact on their time in detention and that I was not working on behalf of the school's management. Once the interviewees took the step of trusting me they were empowering themselves to a certain extent by speaking freely about themselves, their schooling, and their intentions for the future. All the boys in both schools willingly agreed to partake in the research although a change in circumstances resulted in some changes to the original cohort. Interviewing the boys in the CDS gave a unique opportunity for their individual voices to be heard in relation to a collective experience – attending school in detention. Indeed it is not sufficient for the participants to have their voices heard by me but it is hoped that bringing some of this work into the public domain will create possibilities for transformation of current policies and practices that affect the lives of young people in relation to schooling, the law and detention.

Research Design/Case Study

The case study is an ideal choice of research design for the study of the educational experience and process in a CDS as, according to Creswell (2003), a case study is one in which the 'researcher explores in depth a program, an event, and activity, a process, or one or more individuals' (15), and further, in that he notes that the structure of the case study should be the problem, the context, the issues, and the lessons learned (1998). Williams (2007) remarks that the data collection for a case study must draw on multiple sources, such as direct or participant observations, interviews, archival records or documents, physical artefacts, and audio-visual materials and that the researcher must spend time on the site interacting with the people studied. The research methods adopted in this case study fit this brief in that there is a combination

of documents, observations and interviews with a variety of participants. Denscombe (2007) sees the use of multiple sources and multiple methods as one the strengths of the case study approach, remarking that 'Indeed, a strength of the case study approach is that it allows for the use of a variety of methods depending on the circumstances and the specific needs of the situation' (37).

Drawing on the work of Leedy and Ormrod (2001), Williams also notes their assertion that case studies attempt to learn 'more about a little known or poorly understood situation' (2007, 68). There is no doubt that the CDS is a poorly understood situation, with very limited information available to the public and very limited access available to researchers. Popular media only focus briefly on the CDS as an adjunct to reporting on adult prisons, usually in terms of the running costs or when a youth is convicted of a high-profile crime. Using a case study approach in the CDS setting is ideal because as Denscombe points out it offers the chance of 'going into sufficient detail to unravel the complexities of a given situation' (2007, 36). Yin (1994) stresses, 'the case' is a naturally occurring phenomenon and although in this instance the CDS is a constructed rather than 'naturally occurring phenomenon', Denscombe elaborates that 'the case' is something that normally exists rather than being artificially generated specifically for the purposes of the research. It exists prior to the research and will continue to exist afterwards (Denscombe, 2007, 37).

Selection of the Sites and Participants

Originally it was intended to base the research for this thesis in one CDS. However, for reasons which will be explained in due course, the research took place in two separate CDS. Neither of the specific schools can be named as the research draws on a small population and it was important to protect the identities of the participants. The institutions will hereafter be simply referred to as Avondale Detention School and Roundwood Detention School. The selection of participants in this research is by its nature purposive (rather than random or representative), based as it is on a homogenous group of boys in a CDS. The participants are of a similar age and from similar socio-economic backgrounds; they also have criminal convictions in common, and are attending school in a detention setting. This closely defined group of participants are a relevant sample for this research because the topic and circumstances of the research are

unique, and because both the case study method and IPA analysis depends on depth rather than breadth.

Avondale Detention School which was originally chosen as the main site of this research, has, since 1991, provided specialist residential care and education for boys aged 12-16 years in conflict with the law. It accepts young people on detention orders (i.e. convicted of a crime and sentenced to a period of detention), and on remand (i.e. under arrest but awaiting trial or committal). It also accepts High Court referrals. This CDS can accommodate up to thirty boys; 10 Remand, 20 Committal. During the period of observation there was on average 17 boys living there. Data collection at school included observations of classwork, formal meetings with management, and informal discussions with management and teaching staff. Teaching staff at this school were helpful and co-operative with the research process in the initial stage of the investigation. Valuable insights into the detention school process were gained at this school during the fieldwork and observations that were carried out there.

Initially six children in Avondale Detention School had agreed to participate as interviewees following face-to-face meetings where I explained my intentions and asked for voluntary participants in the research. Shortly after the commencement of the interviews in School this part of the project was curtailed following objections raised by the parent of one child who had previously consented.

The other CDS, Roundwood Detention School, also accepted boys on detention orders and on remand and on High Court referrals. All documented interviews with children and teachers were carried out at School. The average age of the boys who were interviewed in Roundwood Detention School was 15 years. There was capacity for 17 children at this school but as this school was scheduled for closure within six months of the research being completed, the number of children being held there was low. During the time span of the data collection there were six in detention, and a further three on remand, and this number was not likely to increase. All six detainees initially signed up to be interviewed for this research although one subsequently withdrew.

When using IPA to analyse data small sample sizes are ideal because the verbatim transcribing and subsequent analysing of the data takes a long time due to depth of analysis. The aim with IPA is to elicit in depth details about the perceptions

and understandings of a particular group rather than making general claims (Smith & Osborn, 2008 56). 'This is described as an idiographic mode of inquiry as opposed to the nomothetic approach which dominates in psychology' (Smith et al.,1995 in Smith & Osborn 2008 56).

Negotiating Access

Before beginning any work in the CDS it was first necessary to obtain clearance from the Garda Siochana[4]. This is a necessary prerequisite for anyone working with children in Ireland, especially where the child and the adult are likely to be alone and unsupervised. Having secured this it was then required that a detailed proposal be submitted to the Board of Management of the school, including approval of the REC at SPD and copies of all documentation associated with the research. Access to school records was agreed with the school principals of both schools. Participants were selected following consultations, informed consent and voluntary agreement.

While the classroom observations could proceed in a general sense with the cooperation of the teachers and the students, neither the interviews nor perusal of the records could take place without the specific consent of the individual boys and their parents. This was always flagged by management at Avondale Detention School as potentially the most problematic stage of the process. Given the voluntary nature of the participation it was likely that while a particular boy might agree to take part in the interview in advance, he could easily withdraw consent at any time. Furthermore, I had been forewarned that obtaining parental consent could be difficult as it had proved to be challenging and time consuming for researchers in the past. In both schools, parental consent was obtained by giving sealed letters addressed to 'parent or guardian of X' to the school principals, who in turn passed these on to the relevant care workers for delivery to the parents or guardians at the next possible meeting.

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[4] All organisations that recruit and elect persons who would have substantial unsupervised access to children and vulnerable adults should avail – and should be entitled to avail - of the vetting services of the Garda Central Vetting Unit. In practice, this would mean that all prospective full-time employees, all prospective part-time employees, all prospective volunteers and all prospective students on placement who would have substantial unsupervised access to children and/or vulnerable adults should be vetted prior to taking up their posts (Section 3.2). *Working Group on Garda Vetting* 2004
http://www.justice.ie/en/JELR/GardaVetting.pdf/Files/GardaVetting.pdf

In addition to the criteria for negotiating access set out above, following the guidelines of Cohen, Manion and Morrison (2000), another important aspect of negotiating access to the CDS is the theory of 'gatekeepers'. This, as Hill (2005, 70), remarks, is because 'Often an adult is the first point of contact to gain access to ask children's consent'. In this case an adult was the first point of contact in the institution that was housing the children, so in practical terms there would have been no possibility of proceeding without the consent of a gatekeeper. A significant body of work has developed around this theory that relates specifically to research carried out in institutions (cf. Harrington (2003), Heath, Charles, Crow, and Wiles (2007), Homan (2001), Maginn (2007), Sixsmith *et al.*, 2003). In fact it is highly unlikely that any significant research involving children could be conducted without the authorisation of parents, schools, local authorities, hospitals (Borland *et al.*,1998; Heptinstall, 2000; Hill 2005). However, it is the degree of power that is exerted by some authorities that can thwart a research plan before it even gets off the ground. It became apparent during the course of visits to Roundwood Detention School that many requests from researchers were received and many were rejected.

The experience of gaining access to the CDS and the difficulties associated with getting past the initial barriers have been one of the most interesting aspects of pursuing this research. While it is fully appreciated that the reasons for protecting the privacy of those who work in and are incarcerated in the CDS are perfectly understandable, there is also the issue that being overly protective can raise suspicions about the necessity to remain hidden from public gaze. While maintaining a cloak of secrecy, institutions such as Industrial Schools and Reformatories had, in the past been severely remiss in their treatment of children who were supposed to be in their care. Nowadays, we have come to expect a greater level of transparency, especially in relation to State-funded bodies. In fact the Department of Health and Children in 2000 claimed that; 'Research with, and for, children is necessary because knowing about children and their lives and understanding the child's perspective are key to protecting, promoting, and supporting their health and well-being.' (see *Guidance for developing ethical research projects involving children*, 2012, Dept. of Children and Youth Affairs).

The interactions with the CDS began with a series of phone calls to the manager of the centre that encompassed School. A distinction must be made here that each

'school' is housed within a Children Detention School, which is the designated terminology for what might more logically be referred to as a 'detention centre'. The 'centre' is comprised of administration offices, catering facilities, accommodation for detainees and care workers, recreation facilities as well as a school. There is a separate management structure for both the overall centre and the school that operates within that centre. In order to gain access to the school, the manager of the centre had to be consulted first. With the eventual approval of the manager a meeting took place between the manager, the school principal and myself. Thereafter it was agreed that following the submission of a letter to the Board of Management of the centre, the research could take place, starting with a series of observation days and followed by visits to recruit participants and set up interviews. Subsequently all visits to the school were arranged via telephone calls to the vice-principal of the school, who also agreed to make school records available for analysis.

In Avondale Detention School the interactions were arranged following personal discussions and phone calls with the manager of the centre. Subsequently a letter requesting permission to select and interview the participants was sent to the Board of Management of the school. Although there was no formal response to this request, a further series of telephone conversations (both from myself and my supervisor), eventually resulted in permission being granted to meet the school Principal with whom all subsequent arrangements were made. It seemed that once the initial barriers had been breached there was an outstanding level of cooperation and willingness to participate on the part of the school staff.

Research Methodologies

The three common approaches to conducting research are quantitative, qualitative and mixed methods. Creswell (2002) notes that quantitative research is the process of collecting, analysing, interpreting, and writing the results of a study, while qualitative research is the approach to data collection, analysis, and report writing differing from the traditional, quantitative approaches. Robson (2011) notes that mixed methods (or what he terms 'multi-strategy research') where qualitative and quantitative approaches are combined in the same project is becoming increasingly popular. Researchers typically select the quantitative approach to respond to research questions requiring numerical data, the qualitative approach for research questions requiring

textural data. They select the mixed methods approach for research questions requiring both numerical and textural data (Williams, 2007, 65). For this research a mixed methods approach is the preferred option as observation, interviews and some data analysis are used.

Data collection methods and methods of analysis

In this section the actual research instruments that were used in this research study are presented. Firstly the pilot study is introduced as it was a valuable instrument in finalising the research design. This is followed by an exploration of the qualitative methods which make up the bulk of the study and include observations and semi-structured interviews.

In both the pilot study and the research in the detention schools semi-structured interviews were the main research instrument. In the semi-structured interviews, sub-themes will emerge which will elaborate the role of education in the lives of the participants. In the detention school interviews these emerging sub-themes will focus on matters such as the children's feelings of engagement or disengagement with school; whether they were supported by their families during their schooling; whether they had any opinions regarding the teaching methods of the teachers; whether they saw any benefits to educational attainment. Similarly, interviews with the teachers will focus on certain themes but the semi-structured nature of the interview process will allow sub-themes to develop which will give expression to the participants' own interpretation of their roles as teachers within the detention system. The necessity of keeping an open mind during phenomenological research is described by Kvale as being characterised by a 'deliberate naiveté' (Kvale, 1996, 33). Woods remarks that in all forms of qualitative research, writing is particularly important because unlike quantitative research which relies on statistics and technical instruments, the reliability of qualitative research rests on description, narrative, argument and persuasion (Woods, 2005, 2).

Pilot study

The pilot study is a research tool which is used to determine the possibilities and pitfalls of a research project. It is invaluable in testing the interview schedule, consent permissions, time constraints and overall feasibility of the research design. Mauch and

Park (2003, 21), suggest that 'only the foolhardy begin without a pilot study that suggests how the full-blown study should be constructed'. In essence a pilot study is a miniature version of the main research project and it involves exactly the same procedures of data collection.

In this case, given the small number of available children in detention it would not be possible to test the interview procedures on other children in detention. Therefore, it was decided to aim the pilot study at boys of a similar age who came from similar socio-economic circumstances and who may have had problematic educational backgrounds (given that they had left school early). A Community Training and Education Scheme in a north Dublin suburb that provided 'second chance' education for early school leavers was approached with a proposal, and on acceptance a cohort of 6 boys were recruited to partake in the pilot study.

As in the main research, this involved explaining the scheme to the possible volunteers, sending letters to their parents to request informed consent, obtaining informed consent from the participants themselves and then proceeding through the interview process. Unlike the main research, the pilot scheme did not involve an observation process other than a visit to the classes and a general explanatory talk to introduce myself and my project. Garda clearance and approval from the Research Ethics Committee in St Patrick's College were an integral part of the pilot study research.

While the pilot study could not be said to test precisely the same research questions as the main project as it was limited to children with educational disadvantages rather than education in detention, it served a useful purpose in the planning for, and execution of, the main research project. It gave insights into the educational backgrounds of the participants, their attitudes to education and their experiences of the educational process. The participants came from social and familial circumstances that reflected the disadvantages experienced by many of the children who end up in detention as a result of getting into trouble with the law. Working with these children afforded me a valuable prospect for reflexivity and the opportunity to test my own work practices and to confront my own preconceptions. As a result of carrying out the Pilot Study, I was able to fine-tune the wording of the interview schedule in order to get the best possible results.

Data collection methods for qualitative research

Observations

In order to understand the operation of the educational process at a CDS it was decided that a series of *semi-structured* observations should take place during school days at the CDS. In referring to *semi-structured* observation I draw on the work of Cohen, Manion and Morrison (2000) who suggest that there are three forms of observation:

The *highly structured* observation, the *semi-structured* and the *unstructured observation*. While the highly structured observation is one that will already have decided on its hypotheses and will use the observational data to confirm or refute this, semi- and unstructured observations are hypothesis-generating rather than hypothesis-testing; they review observational data before suggesting an explanation for the phenomena being observed. In choosing to use a semi-structured observation method I did not have pre-determined hypotheses but I did have a clear agenda of phenomena which formed a framework for the observations, as suggested by Morrison (1993), these included *the physical setting, the human setting, the interactional setting, the programme setting.*

The physical setting (e.g. the physical environment and its organization) (Morrison, 1993, 80). The physical setting for the data collection was the CDS.

The human setting (e.g. the organisation of people, the characteristics and the make-up of the groups or individuals being observed, for instance gender, class) (Morrison, 1993, 80). Both schools cater for young male offenders who are between the ages of 12 and 16. The average of the boys who were under observation in School was 16 years. The human setting also included teachers at both schools, both male and female and with a range of ages and experience in teaching. Members of management, administration staff and care workers also contribute to the human setting.

The interactional setting (e.g. the interactions that are taking place, formal, informal, planned, unplanned, verbal, non-verbal etc.) (Morrison, 1993, 80).

In Avondale Detention School the classroom observations took place on April 29th, May 13th and May 29th 2008, and involved my attendance at 5 school classroom

sessions on each day, and also included my attendance at an 'Awards Day' on June 19th. The classroom sessions were between 45 and 55 minutes each.

The programme setting (e.g. the resources and their organisation, pedagogic styles, curricula and their organisation). (Morrison, 1993, 80). These include the timetables and curricula on offer, the organisation of classrooms, the teaching methods used as well as merit or awards systems in place.

Interviews

Interviewing is a frequently used method in social research and its suitability in the CDS setting is that it gives a unique *opportunity to participants whose voice is seldom heard.* Semi structured interviewing can facilitate evocative descriptions of the participants' identities through their experiences, emotions, activities and expectations, unlike structured interviews or questionnaires and surveys which seek to produce highly structured data. Qualitative interviews are often used in an exploratory manner which seeks to investigate the subjective interpretations of social phenomena. They do not necessarily presume that most of the topics of interest are known in advance. In the case of researching the educational provision in the CDS, the observations allowed an objective view of the setting and interactions, while interviews gave the subjective view of the participants. Semi-structured interviews allowed them to tell it as they saw it. The aim of qualitative interviewing is often interpretation and understanding of how and why, not 'fact-finding' or getting answers to questions of how much or how many (Warren, 1988). Rossman and Rallis (2003, 4) suggest that whatever form it takes, research should *'have the goal of improving some social circumstance'* and in this case the research is focused on the educational process as experienced by children in detention with the goal of improving the social circumstances of educational provision and outcomes for other children who may find themselves in detention schools.

Michler (1986,) (in Maykut and Morehouse, 1994, 80) states that an interview is a joint product of what interviewees and interviewers talk about together and how they talk with each other; it is a discourse shaped and organized by asking and answering questions. Kvale (1996) puts it even more metaphorically by claiming that *'research conversations'* form the location or the *'construction sites'* for research data, and puts

the methodological emphasis on the interview as a specific form of conversational technique.

Because semi-structured interviews are conducted with a fairly open framework which allow for focused, conversational, two-way communication this method was chosen as the preferred option for interviewing the participants in this research. Furthermore, semi-structured interviews are the preferred method for studies that use IPA as an analysis tool.

The interview schedules were designed to include questions that would generate knowledge while allowing the respondents to include personal reflections that would add richness beyond mere factual answers. The semi-structured interview as a method permits the researcher to use their own judgement regarding the length of time spent on each question and to 'go with the flow' if a particular line of conversation seems to be worth pursuing. However, having a set of prepared questions ensures that all respondents are encouraged to answer the same questions thereby resulting in consistency in the overall data. Kvale (1996, 27), further suggests that the semi-structured interview is most suited to qualitative research as it is 'neither an open conversation nor a highly structured questionnaire'. He also remarks that the main task in interviewing is to understand the meaning of what the interviewees say (31). Smith and Osborn (2008, 58) point to the following as important elements of the semi-structured interview:

- There is an attempt to establish rapport with the respondent.
- The ordering of questions is less important.
- The interviewer is freer to probe interesting areas that arise.
- The interview can follow the respondent's interests or concerns.

The interview is guided by the schedule rather than dictated by it and the participant shares closely in the direction the interview takes. Contributing to the shape of the interview in this way is emancipatory – it is possible that the participant can introduce an issue that was not included in the original schedule.

Rossman and Rallis support the idea that 'phenomenologic [sic] studies are open-ended, searching for the themes of meaning in participants' lives, and typically

rely on interview data (Rossman and Rallis, 2003, 276). The generation of themes is likened to an art by Rossman and Rallis (2003) who cite Van Manen (1990,) in defining the concept of themes as follows:

> Theme is the experience of focus, of meaning, of point. As I read over and anecdote I ask, what is its meaning, its point?

> Theme formulation is at best simplification. We come up with a theme formulation but immediately feel that it somehow falls short, that it is an inadequate summary of the notion.

> Themes are not objects one encounters at certain points or moments in a text. A theme is not a thing; themes are intransitive.

> Theme is the form of capturing the phenomenon one tries to understand. Theme depicts an aspect of the structure of lived experience. (Van Manen, 1990, 87).

Selecting the participants, locations, etc, for the study should be open to development and change. New avenues of investigation can develop during the research process and the researcher should be open to following these new discoveries. 'Qualitative researchers seek lived experience in real situations' (Woods, 2006, 3). It is not necessary in phenomenological research for the researcher to make definitive decisions prior to the start as to exactly who or what will be included in the sample.

Qualitative data analysis

Presentation of the data collected during the fieldwork observations is presented in a narrative/descriptive form, it is used to give context to the analysis of the interviews that follows.

Analysis of the data collected from the interviews is made using a system known as Interpretative Phenomenological Analysis (IPA). This type of analysis is suited to analysis of qualitative data as it has its theoretical origins in phenomenology and hermeneutics. Based on key ideas from Husserl, Heidegger, and Merleau-Ponty, it is an approach that concerns itself with the nuances of participants' own described experiences. Smith et al (1997, 68) remark that 'a central premise of the method is allowing participants to tell their own story, in their own words, about the topic under investigation'. It is an approach that also accepts that each researcher brings particular

concepts to the process of analysis. Hence, Smith et al (1997, 68) acknowledged that 'the resultant analytic account can therefore be said to be the joint product of the reflection by both participant and researcher'. This interpretative approach to analysis encourages openness to the participants' voices and perspectives.

According to Reynolds (2003), the IPA system has been found to: 'provide a workable set of guidelines to follow and the analytical approach encourages creative responsiveness to the data, a more holistic understanding of individual experiences of identity construction and a greater sensitivity to participants' linguistic and narrative strategies' (Reynolds, 2003, 557).

In practical terms, the fact that IPA is ideally suited to studies where the number of participants is small made it an ideal choice for analysing the interview transcripts in this case. Usually, participants in an IPA study are expected to have certain experiences in common with one another (in this case either learning or teaching in a detention school). According to Reid, Flowers and Larkin (2005), sometimes IPA studies involve a close examination of the experiences and meaning-making activities of only one participant, but sometimes they may draw on the accounts of a small number of people (not usually more than 15). Whether an individual or a small group, the participants in either case are chosen to take part precisely because they can offer the researcher some meaningful insight into the topic of the study; this is called purposive sampling (rather than randomised sampling). The small-scale nature of a basic IPA study shows how something is understood in a given context, and from a shared perspective, a method sometimes called homogeneous sampling.

The hermeneutical stance of IPA is one of inquiry and meaning-making, (Larkin, Watts, Clifton, 2006) and so the researcher attempts to make sense of the participant's attempts to make sense of their own experiences. Therefore, IPA is ideally suited to this study where the research is aimed at understanding the school experience of the boys and teachers (phenomenology) and how they themselves made sense of it (interpretation). In IPA, analysis is 'bottom-up', meaning that the researcher generates codes *from* the data rather than using pre-existing theories to identify codes that might be applied *to* the data.

The process of analysing the data using IPA involves transcribing the data (a process which involves very close scrutiny of the taped interviews and intense familiarity with the texts), coding for insights into the participants' experience and perspective on their world. After cataloguing the codes the researcher then begins to look for emerging patterns. These recurring patterns are called themes. The themes represent both the ideas and concerns that matter to the participants, as well as conveying something of the *meaning* of what matters to them. Several core themes form the backbone of the research findings while eventually some themes will be grouped under broader themes called 'superordinate themes'. The final set of themes are summarised and presented in a narrative that typically is supported by a table or a quote from the text. In the analysis of data in this particular study a theme such as 'attendance at school' would typically lead to superordinate themes such as 'relationships with teachers', 'reasons for missing school', 'feelings about homework', 'relevance of education to future employment'. In the narrative presentation these themes and superordinate themes are supported by direct quotes from the children to give meaning to their understanding of their experiences.

Quantitative data

For the purposes of this study, a qualitative approach was taken because the main instruments used were observations and interviews. There was certain amount of quantitative data made available to me in the form of school records and school-entry interviews which had been carried out by the school principal in Roundwood Detention School. The school principal made a number of documents available to me for research purposes. Analysing these 42 copies of school entry interview transcripts provided me with an opportunity to build a profile of the family background and educational status of the boys who had been incarcerated in recent years.

As the criteria for collecting this data had been set by a third party its validity and purpose was not within my control. Nevertheless, the data did have some relevance in building an insight into the educational backgrounds of the boys who attended school in detention. Because the sample in this case is relatively small it was envisaged that preparing and presenting the data in chart/table form would be relatively straightforward and could be compiled using an Excel spreadsheet.

Within the qualitative approach of this study the available quantitative data was first compiled into a spreadsheet to provide easy access to existing knowledge and this was then transformed into graphs to present the data in a succinct manner and to use visual impact to best effect. The resulting data is presented in graphic form in Chapter Four. In order to produce good tables and charts, Denscombe (1998) recommends the following criteria: a) present the reader with the right amount of information, b) provide visual clues and appropriate presentation to aid the reader in their interpretation of the data, and c) use the appropriate type of chart or table for the purpose at hand. The resulting charts and graphs were used to illustrate and enhance the descriptions and interpretations that developed from the interview process.

Ethical Considerations

In order to investigate the provision of education to the boys at the CDS it has been necessary to proceed with due regard to the ethical guidelines laid down by both St Patrick's College, Drumcondra (SPD), and the CDS. A detailed submission was made to the Research Ethics Committee (REC) at SPD, outlining the nature of the research and including draft documentation to be used in setting up and conducting the research. Ethical considerations in a study of this nature require due care and due diligence in a variety of areas and drawing from the work of Cohen, Manion and Morrison (2000), can be described under the following headings: Informed Consent, Betrayal/Deception, Access, Anonymity, Costs/Benefits. Each of these issues will be elaborated on in turn in the following section.

Informed consent

Informed Consent has been defined by Diener and Crandall as 'the procedures in which individuals choose whether to participate in an investigation after being informed of facts that would be likely to influence their decisions' (Diener and Crandall, 1978, cited in Cohen, Manion and Morrison 2000). In the case of the children in the CDSs (and indeed with all research involving children) the issue of informed consent takes two strands. Firstly, permission must be sought from the parents or guardians of the children and secondly, the children themselves must give their own permission. In both cases the nature and objective of the research must be explained clearly, options for withdrawing at any time offered, and formal acceptance of the participation endorsed by

written consent. Denscombe remarks that having formal written consent is as important for the researcher as for the participants as it 'protects the researcher from any possible accusation that he or she acted improperly when recruiting people to take part in the research' Denscombe, (2003, 138).

Trustworthiness

Closely allied with the issue of informed consent are issues of trustworthiness (or what Denscombe describes in terms of betrayal and deception). Lincoln and Guba (in Maykut and Morehouse 1994, 64) define 'trustworthiness' as the believability of a researcher's findings – all that the researcher has done in designing, carrying out and reporting the findings to make the results credible. The combination of multiple methods of data collection such as reviewing documents, fieldwork observations and carrying out interviews with the participants and others who are involved in the Youth Justice System lends integrity to the findings as each should contribute in a cohesive way to the overall results. Preserving the field-notes, original interview transcripts, the researcher's journal/diary entries so that they all constitute an audit trail further contributes to the transparency of the research methodology, providing backup should it be required. Participants should be given full information about, and fully understand, the nature of the research. They should be aware that they have a choice to volunteer as participants and that they have the right to withdraw from the research at any point. It is possible that elements of deception could develop with the interview process, especially the semi-structured interview in that the lines between interview and conversation can become blurred if the interviewer does not keep a tight rein on the purpose of the interview. Also during interviews the clarity as to what is on the record and what is off the record need to be continuously borne in mind if trustworthiness is to be maintained.

Negotiating access

Negotiating access was a major task in carrying out this research. It involved a considerable amount of determination on my behalf in terms of patience and perseverance. The details of the process have been comprehensively described in section 1 of this chapter.

Anonymity/Confidentiality/Privacy

The issue of confidentiality and guaranteed anonymity was of paramount importance in carrying out this research on several levels. The schools insisted that no direct reference to any boy would be detailed in the finished thesis and that names would be codified at all times. The REC at St Patrick's College recommended that the names of the schools should be omitted from the thesis in order to further ensure anonymity, it was hoped that this would enhance the non-traceability prospects for the participants. While this is fully understood and accepted by me as a researcher, it had to be pointed out that given the small size of the sample, it would always be possible that at some point, somewhere, some of the participants might be identified. This eventuality was expressed clearly in all documentation, including Plain Language Statements, Informed Consent Forms and Draft Interview Schedules for participants and their parents. It is also important to bear in mind that confidentiality was required with regard to teachers as well. Again the small sample size makes them vulnerable to identification as does the specificity of their individual roles in the school. With these considerations in mind, all names of both students and teachers have been codified and as few as possible references will be made to any defining characteristics of the individuals. As there are only three CDSs in Ireland the dissemination of information regarding this research could pose a certain dilemma for me as the researcher and author of the thesis. While admitting the need for certain protocols there is also the need to report on the work in the form of journal articles and conference papers, this placed ongoing responsibility on me to maintain confidentiality throughout the duration of the data collection. It must also be borne in mind that research projects that deal with information of a sensitive nature such as this must be carried out within the framework of the Data Protection Acts, 1988 and 2003. Some of the implications of this would be that the data must be stored securely and only for a reasonable length of time. Such assurances were outlined in the information statements issued to all participants. Further serious implications of confidentiality are that if one of the children began to impart information that was not relevant to the interview but was of a sensitive nature regarding a third party or incident I would be duty bound to stop him and warn him that if he continued I would be obliged to report the matter to the relevant authority.

Cost/Benefits

Ethical consideration must be given to the costs to the participants in relation to the benefits of participation. The costs to the participants were guarded by the school staff who were initially cautious about the impact of having an observer in the classroom. There was a fear that this would cause some disruption to the normal operation of the classes in that the boys might be nervous or behave in a way that would attract attention to themselves. In negotiating access, agreement was reached that if this had been the case then the observations would have to cease immediately. Thankfully there was no apparent disruption to the daily schedule during the observation process. The biggest possible cost to the participants would be their loss of privacy; this has been discussed above in the preceding sections on anonymity and betrayal.

The benefits to the participants, (particularly the child participants) centre on the idea of giving them a voice in circumstances where they are seldom afforded the chance to express their opinions. The benefits to society implicit in this research are that by listening to the views and interpretations of the children as well as examining the existing system and comparing it to viable alternatives there will be a benefit in making suggestions for change. Very little research has been carried out to date into the juvenile detention system in Ireland. It is hoped that subjecting the system to some scrutiny the pros and cons could at least be openly debated among the relevant authorities, resulting in benefits to the participants and those who follow them into the system and to society as a whole.

Conclusion

This chapter defines and describes the research methods used in the collection and analysis of data for this thesis. The selection of the sites and participants is outlined, as is the rationale for choosing them. Furthermore, the ethical implications of undertaking the research are presented and the analytical framework outlined. While describing the research methods used, this chapter also presents a justification for choices in the methodology, noting that quantitative methods can give an objective insight into reality while qualitative methods are used to give a better understanding of the complexity of the phenomena. While neither approach is absolute in its form, both approaches constitute a validation of phenomenological experience as truth. Collecting

the empirical data for this research presented a number of challenges that were both complex and at times perplexing. Initially, access was difficult to obtain and thereafter there was an ongoing need for patience and flexibility in managing time and maintaining validity that would uphold the objectives of seeking knowledge and giving voices to the participants.

The methods, procedures and considerations described in this chapter include the standard processes that pertain to observing, interviewing and analysis. The processes are all well documented by various experts as referred to in the course of this chapter. However, every research project varies somewhat because each one has its own circumstances, in this case the circumstances were particularly unique. Not only were one section of the participants (i.e. the children in detention) minors, and therefore considered vulnerable, but they were also detained in secure premises and in fact classed as criminals, making them doubly vulnerable. The physical locations of the research also made the project quite unique, the times of visits for observations and interviews were always dictated by the authorities in charge of the institutions, the interview room was designated by them also, as was the duration of the interviews. The fact that the interviews were recorded by CC Video and that a teacher was on patrol outside during both the classroom observations and the interviews added an extra dimension to the research process, as did the fact that the buildings were locked, effectively making the researcher as much a prisoner as the participants. The nature of the relationship between myself and the participants was undoubtedly subject to certain tensions, not least the fact that I was an outsider, a stranger who could only ever imagine what it is like to be locked up, separated from family and friends but who could never fully share their feelings of isolation and disjuncture. Due to our differences in age, gender, social circumstances and experiences we obviously inhabited different worlds but be managed to communicate and produce a viable narrative. The distinctive circumstances made particular demands on me as a researcher; initially gaining access required determination and patience, enduring un-returned phone-calls, cancelled meetings, changes of circumstances and at times a lack of regard, all required a level of tenacity not normally required in completing a research project. There were major challenges to be faced, particularly when the original research site curtailed access following an allegation (as a result of a misunderstanding) and a new site had to be

sourced and approved of in order to proceed with the interviews. In many ways the challenges faced in proceeding with this research are its strengths, they give greater depth to the reality that is encountered in the youth justice system for all involved, whatever their role, whether they are children detainees, teachers, researchers or visitors.

Chapter Five: Life in the CDS: Environment, Staffing and Organisational Structures, and Profiles of Children in Detention

Overview of the CDS

In this chapter the setting for the classroom observations and the interviews with students and teachers is presented. Management structures, staffing levels, costs, assessment processes and security issues are discussed. The physical environment of the schools is described, the practice of locating a school within a centre but subsequently naming the institution as a 'school' is discussed, as are the timetables, school rules and curricula on offer. Two children detention schools were systematically visited during the course of this research, both are given pseudonyms hereafter in order to maintain the anonymity of the schools and participants in the research. Fieldwork in the form of classroom observations, meetings with management personnel and informal discussions with teachers were held in *Roundwood Detention School*. Semi-structured interviews with students and teachers were conducted in the other, herein allocated the name *Avondale Detention School*.

In addition, this chapter contains an extract from a classroom observation which is included in order to build a picture of daily life in a CDS. Finally, data are provided to give the reader some background information on the children that are incarcerated in CDS. Information is provided on a total of 42 boys who were detained in the school over a two year period (2008-10) and this includes background details relating to children who were interviewed for the research.

Access and security

At Roundwood Detention School the front gate was normally open allowing access onto the campus which housed three separate detention schools, which had similar but separate functions (apart from Roundwood Detention School, one of the others was for females only, the other one was for boys committed on more serious charges), neither of these other two schools feature in the research for this thesis. Initially all visits to Roundwood Detention School were arranged through a deputy director of the centre who acted as the 'gatekeeper' with regard to access for visitors. Several meetings were held with him, including one with the school principal to discuss

the nature of my research and to devise a plan for the research. After writing to the Board of Management of the centre, approval was granted for the research to proceed. Eventually, when the observation visits began they fell into a pattern of occurring on Tuesdays, and were confirmed by me from week to week with the deputy principal. On arrival there was no formal signing in procedure, and there was no requirement to wear a name badge. A member of the teaching staff would have to come to the locked school door to allow me to enter the school area. Once inside the school there was general acceptance of my presence and I was made to feel at home in the school, the staffroom and in the staff dining room.

To enter the grounds at Avondale Detention School however, I always had to stop at the outer (locked) gates and ask for permission to enter via an intercom. At the reception area it was mandatory to sign in, to be issued with a visitor's name badge and to wait for a member of staff to come and meet me.

My initial introduction to Avondale Detention School was via a member of the centre's management team, (a unit manager), at whose invitation I had made an appointment to visit. On this first visit I was met and brought on a tour of the entire premises, including the canteen, recreational areas, residential areas and school.

Thereafter all visits were arranged by me with the school principal, once approval for the research had been granted by the board of management of the centre. In Avondale Detention School the security regarding visitors was much stricter than it had been in Roundwood Detention School. The principal always came to meet me at reception and opened and re-locked doors along all corridors as we headed for the school area.

Management structure of the CDS

The schools which operated within the centres were both under two management structures, making them quite unique entities in educational terms. Both *schools* had their own Boards of Management but were also under the auspices of each centre's overall Board of Management, which was comprised of individual unit managers and the Dept. of Equality and Law Reform/IYJS. Rather unusually, while CDS are classified as primary schools they are in fact managed by Vocational Educational Committees,

which usually manage second level schools, and the teachers are employed by the DES as second-level teachers. The school year of the CDS would adhere to the overall timetable (e.g. in terms of holidays, class times, etc.) of a primary school. The educational programmes spanned from approximately 2nd class at Primary level (based on the literacy/numeracy levels of the students) through to Junior Certificate level, whilst also providing FETAC modules.
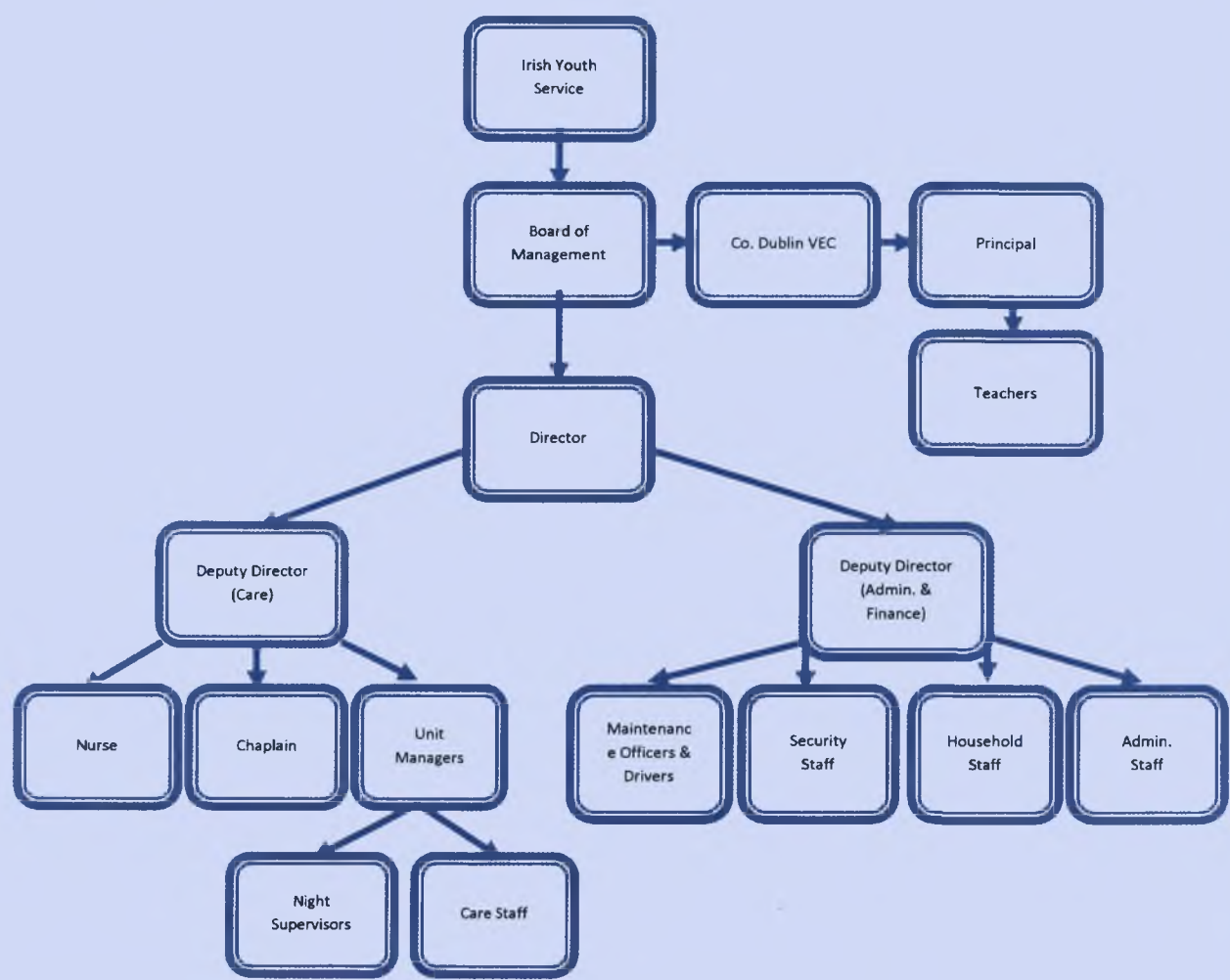
Figure 5.1 Organizational structure of Roundwood CDS, November 2008

Source: HIQA Inspection Report Number: 269, publication date 30th April 2009. Web:www.hiqa.ie
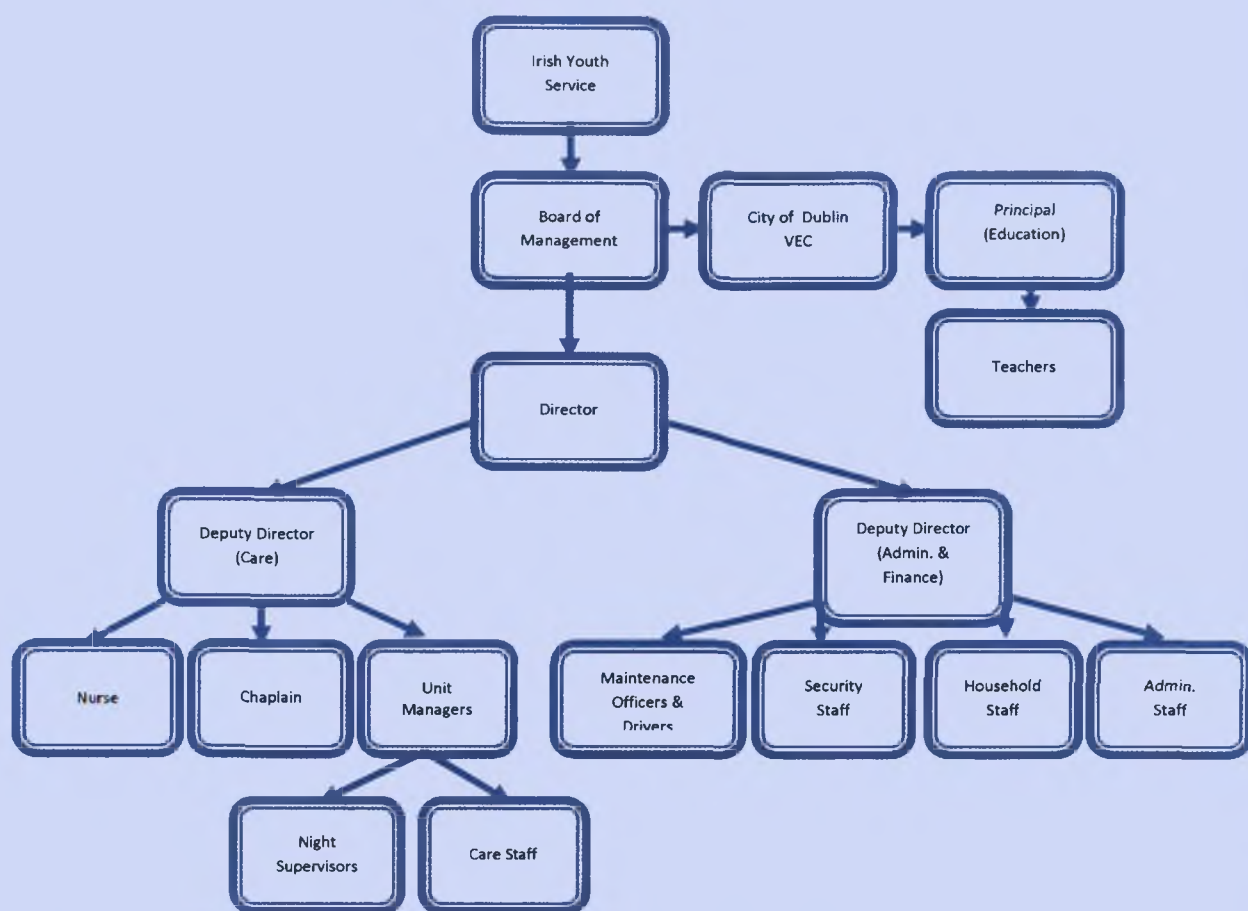
Figure 5.2 Organizational structure of Avondale CDS, January 2009

Source: HIQA Inspection Report Number: 281, publication date 30th April 2009. Web:www.hiqa.ie

Staffing at CDS

The diverse range of staff employed by the Children Detention Schools includes management, care, teaching, catering, maintenance, nursing and administrative staff. It should also be noted that the schools are staffed on a 24-hour basis. The principal objective of the children's detention school system under the Children Act 2001 is to provide care, education, training and other programmes with a view to reintegrating the child into society.

In Avondale Detention School, the stated aim of all staff at the centre was to work as a team, united in their purpose of providing support for the boys in their care. One aspect of how the team worked with the young person, attempting to develop trusting and supportive relationships, was that all staff and residents ate together in the same canteen during the working day. As well as developing trusting relationships, the

team aimed at building on the young person's strengths, attempting to understand and challenge any anti-social facets of their behaviour through a variety of programmes and interventions. In an initial discussion with the unit manager who introduced me to the centre it was articulated that in all areas of the centre the staff were dedicated to ensuring that the children were respected, heard and cared for in a spirit of trust, mutual respect and co-operation. Later in interviews with the teaching staff it was evident that that these ideals were sincerely upheld in principle, but their practical application was felt to be not always possible due to the detention system. While some teachers had given long service to the detention school system, the staffing regulation where substitute teachers from a panel could be assigned and who may not be *au fait* with the challenges of teaching in the detention school system was an area of strain. It seemed that at times there was also some contention in the relationships between teaching staff and care staff, particularly in relation to children being brought to school from the residential units on time in the morning.

In Roundwood School the stated aim was to uphold the best interests of young people by delivering individualised programmes of care, education and re-integration. Through the process of observations and interviews at the school there appeared to be a greater sense of separation between the 'school' and the 'centre'. Notwithstanding the fact that my focus was necessarily on the school, the teachers and the children, it was my feeling that there was less cohesion within the overall staff at Roundwood CDS. Although I asked to see the residential units there was never an opportunity to visit them, and any inquiries that I made regarding the overall centre were not met with any satisfactory responses. There is no doubt that the privacy of the children was of paramount concern to the management of the centre, however, the lack of openness could also be interpreted as a form of concealment. The commitment of individual teaching staff to upholding the well-being of the children in the school was never in doubt however, and it was clear that the teachers were dedicated to helping the children to improve their academic achievement and to reach their potential while in detention.

Table 5.1 Staffing at CDS

	Roundwood CDS	Avondale CDS
Director	1	1
Deputy Directors	2	1
Unit Managers	4	3
Head of Care		1
Residential Care Workers	39	33.5
Night Supervisors	14	12 (11 in posts)
Administrative Staff	4	6
Household staff	10	11
External Security Staff	6	
Day Team Leaders		2
Acting Team Leaders		4
Night Unit Manager		1
Night Team Leaders		2
School Principal (Co Dublin VEC)	1	1
Teachers (Co Dublin VEC)	8	7
Driver	1	
Nurse		0.5
General Operatives		3
Acting Senior Chef		1
Chefs		3
Acting Catering/Domestic Manager		1
Admissions Officer		1
Pool Attendant		1
Buildings/Maintenance Officer	2	1
Social worker		1
Psychologist		1

Costs of running CDS

Estimates vary, but the average cost of keeping a child in a detention school is between approximately €400,000 and €600,000 per annum, depending on the circumstances at any given time. The reason for the wide variation is that the costs are proportionate – the ratio of staff to children impacts on the level of cost.

Staffing levels tended to fluctuate somewhat in both CDS that were visited for this research, and it was the level of staff employed at any given time that dictated two important aspects of the institutions. Firstly, availability of staff dictated the capacity to accommodate children. At times a residential unit might be closed and out of service because staff were not available to maintain a viable level of service. Secondly, provision of staff was the greatest cost element in the running of the institutions. In

124

2009 the four centres that were in operation were operating at just above half of their total capacity throughout the year.

Table 5.2 Breakdown of costs (2009)

School	No. of Staff	No. of Children	Cost per Child	Total Annual Cost
Roundwood	79.5	12	€451,666.00	5.4M
Avondale	88.5	12	€480,416.00	5.7M

Source: Ken Foxe, *www.Childaware.net*, 12.12.2010

The Department of Justice said the cost of the €21.1m a year children detention service overall would be cut by the proposed closure of the Avondale CDS, which has since been closed. A statement from the Department of Justice said: 'As approved by the Minister for Children and Youth Affairs (Barry Andrews), [Avondale School] closed on 31 March 2010, with the transfer of staff and services to [Roundwood].'

Assessment and committal process

At the time of the research for this thesis, the National Assessment and Remand Unit (NARU) was a component of the centre at Avondale, where children were referred by the courts before their future could be decided, based on the outcome of their assessments. All boys coming into the centre did so as a result of a court order, either on remand or on remand for assessment on a committal basis. A boy on assessment could be in residence for up to 28 days before being committed, released or sent elsewhere, (including to Roundwood Detention School).

Prior to a child being committed to detention it is quite likely that several other agencies such social workers, the Gardaí, probation services and youth justice services may have been involved in the process of assessment, always based on their own agendas. However, none of these are likely to have been focused on education, so when a child arrived at the school there was a good chance that there would have been no background information available that related specifically to their education.

At the time of this research, on admission to the NARU, children would have undergone extensive assessments including being assessed by an educational psychologist but teachers said (during interviews) that the information gathered in this process may not necessarily have been passed on to the school for the child's first day

in the school, mainly because the psychologists' tests would not have been completed and processed in time for the first day of school.

The extensive assessment process would also typically include investigations into behaviour disorders, a psycho-educational assessment, family history/family relationships, use of medication/drugs. A 2006 report by staff at the centre made the following findings regarding assessment outcomes:

Table 5.3 Assessment outcomes

%	Outcome
20	Return home on probation with community intervention
38	Return home and engage with probation services and HSE
7.5	As above, but if fails, then placement in detention school
10	Committal to detention school
7.5	HSE Residential Unit
11	HSE High Support Unit
4	Probation-type hostel
2	St Augustine's [Special School] Blackrock

Source: Staff Report Avondale School, 2006

Committals at this centre would typically have been sentenced to a period of detention for anything from a week to two years but usually for a period of twelve months. Sentencing children to detention is considered a measure of last resort by the courts and is generally only used in cases of multiple repeat offences and when other measures (such as those listed above) have failed. Crimes that would warrant a period in detention would include repeated public order offences, criminal damage, road traffic accidents (rta's), armed robbery, theft, breaking bail conditions.

Roundwood Children Detention School

Roundwood, which was originally the main site of this research, has, since 1991, provided specialist residential care and education for boys aged 12-16 years in conflict with the law. It accepts young people on detention orders (i.e. convicted of a crime and sentenced to a period of detention), and on remand (i.e. under arrest but awaiting trial or committal). It also accepts High Court referrals. During the course of this research I was given to understand that it could accommodate up to thirty boys; 20 Committal, 10

Remand, although capacity depended on staffing levels and the usual figure at that time was 12 committals and 8 remands. During the period of observation there was on average 17 boys living there. As a result of an order by the Minister for Children and Youth Affairs which came into operation on May 1ª 2012, and in accordance with the Children Act 2001, the maximum number of boys that can be detained at Roundwood Detention School is now 20.

The type of offences for which children might be sentenced to detention at this particular school are quite serious and might include multiple minor offences such as theft or road traffic accidents (rta's) or a single major offence such as murder, manslaughter or rape.

At the time when this research was carried out, Roundwood Detention School was registered as a Reformatory School and as a place of Detention under the 1908 Children's Act. The stated aim of the school was to deliver individualised programmes of care, education and re-integration which upheld the best interests of young people. On-going reforms and developments, including the appointment of a Minister for Children and Youth Affairs, and the handover of responsibility for the CDS from the Minister for Equality and Law reform to the Minister for Children and Youth Affairs, with effect from 1 January 2012, has resulted in the CDS now being designated as a remand centre for boys aged between 10 and seventeen years of age. The detention schools are funded by the Irish Youth Justice Service, which is an office within the Department of Children and Youth Affairs. The principal objective of the school under the Children Act 2001 is to provide care, education, training and other programmes with a view to reintegrating the child into society.

Children at Roundwood Detention School

The following table details the age, admission, sentencing and discharge details of a typical cohort of children who were detained in Roundwood CDS from June 2007 to November 2008.

Table 5.4 Children at Roundwood Detention School

Young Person	Month & Year of Admission	Age on Admission	Length of Remand	Length of Committal	Month & Year of Discharge
#1	June 2007	14 years 6 months		2 years*	June 2009
	Nov 2007	15 years 4 months	3 days		Nov 2007
#2	Nov 2007	15 years 4 months	14 days		Dec 2007
#3	Feb 2008	15 years 7 months		10 months	Nov 2008
	Dec 2007	15 years 2 months	35 days		Jan 2008
	Jan 2008	15 years 3 months		2 years	Jan 2010
# 4	Jan 2008	15 years 4 months		10 months	Nov 2008
	Mar 2008	14 years 1 month	49 days		April 2008
#5	Nov 2008	14 years 10 months	23 days		Nov 2008
#6	April 2008	14 Years 8 months	13 days	1 year	Mar 2009
	May 2008	13 years 11 months	91 days		
#7	Aug 2008	14 years 2 months		1 year 4 months	Dec 2009
#8	Sept 2008	15 years 9 months	21 days		Oct 2008
	Nov 2008	15 years 11 months	19 days		Dec 2008
#9	Oct 2008	14 years 11 months	28 days		Nov 2008
#10	Oct 2008	15 years 8 months	28 days		Nov 2008
#11	Nov 2008	13 years 8 months	14 days		Dec 2008
#12	Nov 2008	15 years 3 months	28 days		Dec 2008

Source: HIQA Inspection Report Number: 269, publication date 30th April 2009. Web:www.hiqa.ie

Physical environment

Roundwood Detention School is situated in a rural setting and shares a 65 acre campus with two other CDS which serve separate but similar purposes as outlined in the introduction.

The campus where Roundwood Detention School is located consists of a collection of prefabricated buildings where the school and administration buildings are interconnected and the residential units are separate and at some distance to the main building. The school itself is housed in a discrete building, attached by a corridor to the administrative block but entirely separate from the residential units (which I never visited). This makes it much safer to 'contain' visitors in a specific area and might account for the relatively low level of security that I encountered as a visitor (no sign-in, no name badges, etc.). During school times the main entrance door of the school block was always locked, so for instance if I had to leave the school block to go to the centre manager's office or the staff dining room I would have to be let out by a key-holder.

The layout of the Roundwood School building was based around a central open space off of which most of the classrooms, as well as the staff room and principal's office radiated. Twice daily, at the start of school and after lunch the boys were

assembled in this space; after being handed over by care staff to the teaching staff. At the assembly, the deputy principal would inform the boys what lesson they were about to have and which room they were to go to.

School organisation and practices

Curriculum

The curricula on offer includes the Junior Certificate, with subjects including English, Maths, Geography, Construction studies, Art, Home Economics and various FETAC courses. Following a series of assessments, individual education plans are drawn up for each boy. Teachers meet each Monday morning to discuss the plan for the week, and on Fridays they met to review student's progress on a weekly basis. Time spent in the classroom would amount to 27 and a half hours per week. At lunch times the boys in Roundwood were taken back to the residential units by care staff, where they would have lunch before being returned to the school an hour later.

Structure and discipline were important aspects of Roundwood School, this was evidenced by the fact that the school rules were posted on every classroom, and that any breaches of them resulted in the child being removed from the classroom by the teacher who was on disciplinary patrol in the corridor ('the unassigned teacher'). The imposition of a strict structure on the daily lives of those in detention could be seen in Foucauldian terms as an attempt to develop an internal regulatory pattern that would develop into a system of disciplining the self, through the repetition of tasks and familiar activities in a defined space. Over time the controlling force of this discipline over a group of bodies would combine them into a combined (cohesive) force. The school, within the overall institution of the detention centre is undoubtedly an ideal location for the imposition of disciplinary strategies on children, where they can be trained, observed and controlled without the use of undue force but with the imposition of strict rules and timetables.
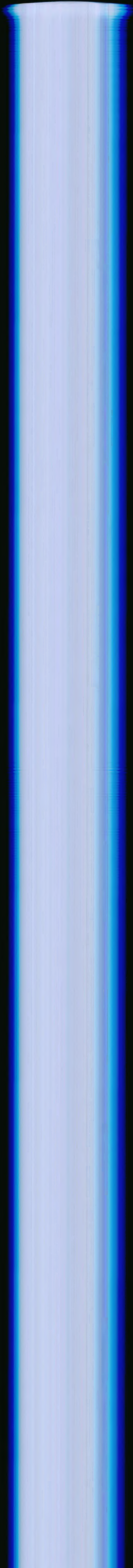
Roundwood School Rules (posted on every classroom wall):

1. Show respect for others
2. Use appropriate language
3. No physical contact
4. Work to the best of your ability
5. Remain at your work stations during class

Class Times

10.00 – 10.15 Handover from care staff

10.15 – 11.00 Class

11.00 – 11.45 Class

11.45 – 12.30 Class

12.45 – 13.45 Lunch

13.45 – 14.00 Handover from care staff

14.00 – 14.55 Class

14.55 – 15.45 Class

15.45 – 16.00 Handover and return to residential units

Daily school life

Every morning before school begins the Deputy Principal makes out the schedule of classes for the day. This schedule is placed in the staff room at the start of the school day so that teachers can check which students will be in each class session.

The school day begins at 10am when the students are collected from their residential units by care staff and several teachers and assembled in an open area in the centre of the school. They are then assigned to their teacher for their first class and let into to the relevant classrooms, all of which radiate off the central hallway.

The students at Roundwood School are not aware from day to day or hour to hour what class they are having next. The justification for this practice is that it prevents them from being able to devise a strategy to avoid a particular subject or teacher. While it is understood that this makes for a relatively smooth operation in terms of managing the school, it did seem somewhat arbitrary and best suited to facilitate staff. The classes lasted for between 45 and 55 minutes, with three in the morning and two after lunch. The lessons rarely lasted for the full session, with the last ten minutes or so usually

being given over to reading, computer use or general discussion. Depending on circumstances there could be either one, two or three students in any class. Each teacher/subject has a designated classroom. When the students assemble in the hall they are sent to the relevant classroom. The front door of the school is locked during school time and each individual classroom is locked during class. Each classroom has an en suite toilet so no-one has to leave the confines of the class during lessons. A teacher patrols outside the classrooms during class times, this teacher is known as the 'unassigned teacher'. This duty is rotated among the teachers throughout the day. It involves being alert to the proceedings in the classrooms and being available assist in disciplinary processes should the need arise. A typical disciplinary process might involve taking a disruptive boy out of a classroom, talking to him until he is resolved to return to the class in a calm manner and apologise for the disruption. It might however, also result in the boy being removed from the school to spend the rest of the day in his (residential) room alone. This lapse of behaviour could result in further sanction such as a loss of mobilities (explained elsewhere).

In order to observe the classes as part of the research process, the deputy principal would assign me to particular classroom for each session. During the observations the teachers were very tolerant of my presence in their classrooms and showed an interest in my research, some of the boys were interested in my presence, some were indifferent.

Classroom observations

The original plan for this research was based on spending a period of observation at Roundwood School in order to gain an insight into the school processes and an understanding of life in the school. This was to be followed by a series of semi-structured interviews with both the teachers and the students. The combination of classroom observations and teacher and student interviews was designed for triangulation purposes so that a full picture of both the process and experience of the education provided in a CDS could be recorded. Due to an objection by a parent mid-way through the process the possibility of proceeding with the interviews at Roundwood School was curtailed. Permission was sought and granted to continue the research in Avondale School which subsequently became the main site of this research. However, the classroom observations in Roundwood School provide a valuable insight

into daily life in a CDS so in the following section the transcripts are presented. The inclusion of the observations serve to provide a useful insight into how the participants in this initial part of the research have experienced school while in detention.

In terms of the teacher's work, they illustrate how a teacher can encounter children in her/his classroom who are at different stages in their education and who have different learning abilities. The challenges of supervising a diversity of aptitudes are evident in these observations, as is the skill to anticipate situations that may arise and prepare accordingly. In addition, aspects of classroom management, student behaviour and disciplinary issues are noted throughout the sessions. The physical settings are described, including the classroom layouts and orientations and how these impact on the interactional relationships between the teachers, children, managers and care-staff. The programme settings, which include the lessons, materials, equipment and how they are used are also described. Conducting the observations gave me, as a researcher, relative freedom to record and reflect on what I saw, they also gave me valuable material to use as a baseline for comparison with the interview responses from both the boys and the students. Inevitably, there were some restrictions in terms of timetabling and availability but nevertheless during this phase of the research there was never any (apparent) attempt restrict my access to observing any classroom or individual or group of students.

Overall, the fieldnotes taken during these sessions provide an insider's view of the educational process within a detention school, providing a rare opportunity to observe a branch of education that is seldom discussed.

Observations

Fieldnotes 1st Visit to Roundwood Detention School Tuesday 29th April 2008

Session 1, 10.15am, Technical Studies, Teacher Lorraine.

On arrival at the school I was brought into the principal's office where the deputy principal was compiling the class schedule for the day. This task is carried out every day, based on which students will be attending school that day (some will be

absent due to doctor/hospital visits, home visits, court appearances, etc.). Students are not told where they will be or what classes they are doing until immediately prior to the class.

The school day begins at 10am when the students are collected from their residential units by several teachers and assembled in an open area in the centre of the school. They are then assigned to their teacher for their first class and let into the relevant classrooms, all of which radiate off the central hallway.

My first observation was in technical studies class with teacher, Lorraine, and student, John. This classroom was laid out as a typical workshop with workbenches and tools. On one wall there was a whiteboard and in the centre of the room some table and chairs for the students to sit at while doing written work. Some of the current construction projects were out on display or stored on these tables. Students' folders were stored in shelves and some of their work, such as plaques, pictures, etc, were displayed on the walls.

There was only one student in this session, a 15 year old boy, John, who was studying for his Junior Cert. Another student who would normally be at this session was away having blood tests and was expected in school after lunch. John was rather offhand in his acknowledgement of me and was reminded to 'have manners' by teacher Lorraine.

John had previously assembled a bridge as part of a project on structures, and today's task involved completing a battery box and switch to provide lighting on the bridge. Lorraine had laid out his project and folder in preparation for the class. John began by sanding the box and then painting it black. Next the battery terminals and switch had to be soldered and student and teacher worked on this together, with the teacher constantly having to encourage the student to focus on the task and to complete it by snipping the surplus wires.

After this was finished the teacher moved to the whiteboard and the student to his desk. The teacher proceeded to revise a previous lesson on structures, questioning the student about forces such as tension, torsion, compression, etc. It required a good deal of patience and encouragement to elicit responses from the student who seemed disinterested and lacked concentration. During this lesson the student moved on to take

up another project he had previously started. This involved transferring an image of the crest of Liverpool F.C. onto a piece of plywood, resulting in his concentration focusing more on the quality of the transfer than on the lesson in hand. He complained that the stencil image was not clear enough and the transfer subsequently was not of a high enough quality to satisfy him. The teacher reminded him about the impending Junior Cert exam and the need to revise and study. The conversation between them on this topic was interesting in that he revealed that he 'can't stand school' but that he '**has** to do the Junior Cert', also he was very clear as to the exact days and dates of his exams and to the exact day of his release next year. When he finishes the Junior Cert in June he is planning to sign up for a pre-apprenticeship course in brick-laying. It wasn't clear to me whether this would be based in the CDS or at an outside location.

After this the student proceeded to plug in a pyrographic tool which he then used to burn the image of the crest onto the board, he was very engaged with this task and yet continued to engage both the teacher and myself in conversation, mainly about football. He revealed that when he goes home at the weekend he goes to football training on Friday evenings and plays matches for his local under 18's team on Saturdays. On a recent occasion his team had won and he had scored a goal. He also admitted that if a scout from a Premiership team recruited him he would definitely take up the place.

When the bell sounded for the end of class the student packed up and got ready to leave the room, the teacher put out materials and folders for her next class. When the door was opened the student was collected by his next teacher and brought to his next location.

Session 2, 11am, Home Economics, Teacher Yvonne

Likewise, I was directed to my next class which was in fact a kitchen as my next session was home economics. This room was fitted out with cookers, fridges, sinks and worktops just like a domestic kitchen only larger. There was a desk area in the centre and the walls were decorated with posters on nutrition, some of them commercially produced (e.g. 'the food pyramid', some of them hand-drawn by the students themselves, explaining the food groups, etc,)

A teacher, Yvonne, introduced me to students Barry, Colin, and Dave and I briefly explained my presence there. Tasks were then assigned, with student Barry being

told that he was going to make Banoffi, student Colin told to make Smoothies. Dave was assigned to do a word search puzzle and quiz based on nutrition as he had declared on entering the class that he did not want to do any cooking. The teacher had anticipated this eventuality and had the quiz ready. She asked him about his arm which had recently been in plaster and he told her that he had removed the plaster himself. His injury had occurred when during a home visit he had crashed his motorbike and broken his arm. This was the second time he had removed the plaster from his broken arm in recent weeks. He seemed disinterested in the class and the task assigned to him. As well as getting out ingredients for the other students and overseeing their work, the teacher had to keep returning to student Dave to help and encourage him with his written work.

Barry was enthusiastic and applied himself well to the complicated task of making Banoffi. He also responded well to any questions put to him about the ingredients and their nutritional value. In fact he tended to answer questions put to the others as well, such was his knowledge. Colin applied himself to making smoothies, talking a lot and working independently. When the drinks were prepared he served them to each of us and then wanted to go and make buns. The teacher said there wouldn't be time for that and gave him a worksheet with the word search and quiz so he sat down and started working on that. He was quick at this and surpassed Dave who was still struggling. The quiz section involved grouping foods into categories and provoked some lively discussion such as whether butter was 'dairy' or 'fat' and the teacher would refer them to the food pyramid chart to help them work out categories that were in dispute.

When the bell rang for the end of class, the two students doing the written work headed immediately for the door, with Colin singing a song and being reminded to watch his language by the teacher. Meanwhile Barry was still finishing off his work. The caramel mixture was too hot for him to add the cream topping so the teacher said she would finish it off and they could eat it later.

Again students had to wait inside the door until they were collected by their next teacher.

My next session was CSPE with teacher Jimmy and students Oliver and Denis. As soon as I walked in the door Oliver cried out: 'Who's this?' I introduced myself, and before I could proceed, Oliver interjected: 'Why, where, what?' I explained my project but he continued to question me, inquiring if I was a journalist and would it be in the paper. I told him no it was just part of my college work but asked him if he would like it to be in the paper, he said yes because, as he put it 'we have no voice in here' and adding 'tell them the food in here is awful'.

Jimmy called the class to order, giving a poem to Denis and setting Oliver the task of writing a list of a person's rights, needs and wants. Denis seemed disinterested in reading the poem aloud when asked to, commenting halfway through 'what's that got to do with me?' The teacher explained that it was about a man's life and was a way of looking at what the man's needs were, the teacher asked Denis to write answers to some questions about the poem. Although he had verbally answered the questions he seemed reluctant to write down anything, seeming to have forgotten what he had said a few moments previously. He sighed and moaned a good deal and claimed to be feeling sick. He was given the choice of leaving the class but declined because if he left he would have to stay alone in his room till 5pm.

While Denis attempted to write the answers, the teacher took Oliver up to his desk where they engaged in a lively discussion about human rights based on the UN declaration. Oliver asked some challenging questions about children's rights in divorce cases (e.g. 'why can't the child have the right to live with whichever parent they choose instead of having to do what the judge decides?') He also observed that the government wastes money on things like the 'Spire' in Dublin when the money would be better spent on education. Oliver seemed articulate and well-informed, referring to education, hospitals, Transport 21, building a metro in Dublin, the tube in London and all referred to in a short time span.

After this Oliver was allowed to go on the computer to look up the chords and lyrics of a current pop song which he wanted to learn on his guitar later in his room. The teacher then checked the written answers about the poem with Denis who still didn't seem to want to be in the class. To encourage him the teacher suggested they have a

game of draughts as the session was nearly over. By this time Oliver had diverted the internet to look up the rules of poker so the teacher had to get him to return to the music chords and print them. The printer was not connecting properly so the teacher said he would print them later. Both boys questioned the teacher about his recent journey abroad on holiday, looking up the map on the wall to find Egypt and tracing the journey from Ireland.

When the bell rang and the door opened all the boys were assembled and brought back to their residential units and the teachers went to their dining room for lunch. The main door of the school is left unlocked during lunch break so there is ease of movement between the staffroom (within the school confines) and the dining room, toilets, smoking area, offices etc, which are in a connecting building but separate from the school. The main connecting door from the school is kept locked during class time. (Each classroom has its own separate toilet so no-one has to leave the room)

School restarts at 1.45 when the students are collected from their units and assembled in the hall area of the school, repeating the same procedure as in the morning. The first class after lunch is the longest of the day, running from 2pm to 2.55pm.

Session 4, 2pm, English, Teacher Peter

My first class of the afternoon was English, with Peter, and students John and Paul. I had met John in technology class in the morning, Paul had returned from having blood tests in the morning. John seemed unsettled at the start of class and words were exchanged between himself and the teacher, resulting in him being asked to leave the class. The deputy principal and another teacher were outside the door and they had a conversation with the student. After a few minutes they brought him back to class, explaining to Peter that 'this boy has agreed to behave in class and do whatever work you give him'. Peter allowed John back in and the class began. During this interruption I had used the time to introduce myself to Paul, who remarked on his morning blood tests and said he had fainted in the car on the way back to the school.

The lesson involved Paul, who was doing a FETAC course, writing a review of a film he had recently viewed. John, who is doing the Junior Cert was given some questions from past papers and began to write an answer based on a work of fiction he

137

had recently read. During this period Peter showed me how the teachers fill in a report on what was covered in each lesson by each student and how they write an overall comment at the end of each month. He also explained that for the first six weeks of their stay, the students are assessed using a variety of tests such as the Marino tests, the McNally tests, etc to establish a number of indicators which are used in developing individual education plans (IEP) for each student. Chronological age, spelling age and reading age are all assessed and generally the students are found to be considerably below the average for their age. The teacher remarked that some students come in without knowing the letters of the alphabet.

After this the teacher went to check on the students' work. Paul had written about the film *The Shawshank Redemption*, and after some discussion about both the film and writing, including correction of inappropriate language, the student was allowed to go and use the computer at the back of the classroom.

The teacher then went on to check the work of John. Although the question had asked him to write about a work of fiction that he had read, Jack had actually read and written about Liverpool F.C. player Stephen Gerard. The teacher had to explain in some detail the difference between fiction and auto/biography, and how you have to be careful about paying attention to the question on the paper. However, he also reassured the student that if on the day of the exam he couldn't remember a book of fiction but could remember this book, it would be better to write something rather than nothing. The teacher also asked the student if he could show me his written work. The student agreed. I was impressed by the student's neatness, the clarity of the handwriting and spelling ability. The sentence construction needed some improvement and the answer was quite short but overall it was good. With the time nearly up the two students were allowed to use the computer to look up rap music, which seems to be the favourite genre of the students in general.

2.55pm CPSE, Teacher, Jimmy

There were two students in this class, Dean and Ger. Dean was given a project to work on independently about the President of Ireland. This consisted of a list of questions about role and history of the President and included questions mainly based on the current president, such as finding out her name, where she lived, what her daily

tasks involved, etc, as well as looking up the names of former Presidents. He also had to examine a floor plan of Aras an Uachtarain to determine which rooms were used for different functions. In order to answer these questions, Dean was allowed to connect to the internet on the computer and occasionally to ask the teacher for guidance. During this he also made some comments about the President and the Phoenix Park.

In the meantime the teacher was working at his desk with Ger. They were involved in studying maps and statistics about world populations and discussing which were the richest and poorest countries as well as populations in various countries. Connections were made between the poorest countries and the countries with the lowest life expectancies. They also discussed education and referred to the old adage 'it takes a village to raise a child' and talked about what this meant. Although Ger joined in and answered the teacher, his body language suggested a lack of interest and a casual approach to the lesson.

When Dean had finished his research on the President he was allowed to spend some time on the computer looking up photos and info on a local football team, and was joined by Ger for the last few minutes of the session.

The bell rang at 3.45pm, signalling the end of class and the end of school for the day. The students were taken out of their classrooms and lined up to be returned to their residential units. I returned to the staffroom where some of the teachers were filling out marks and comments on sheets, while others were assembling the students in the hall and accompanying them to their units.

Observation Fieldnotes 2nd visit to Roundwood Detention School 13/05/08

I arrived at the school and was met by the Principal. She said that the deputy Principal was busy doing up the day's timetable and she invited me to have a cup of tea while I was waiting. In the dining room I met one of the teachers who told that there had been no school the day before due to a serious incident that had taken place at the weekend. One of the students had caused a considerable amount of structural damage to a kitchen in the residential units and a considerable amount of upset to the staff and residents and necessitating a callout for the Gardai. Also since my last visit one of the students had absconded while out on a home visit. We returned to the staffroom for 10 o'clock start and I checked the timetable to see where I would be doing my

observations. The rest of the staff were busy getting ready for class and those on handover duty went to meet the boys coming up from the residential units.

Session 1, Maths, 10.15am, Teacher Vincent

My first class was Maths so I waited outside the relevant room. One of the teachers who was supervising the handover introduced me to Greg, who she remarked was a 'great actor' and 'heading for a career on the Abbey stage'. The maths teacher, Vincent, and the other two students arrived and we all entered the classroom. It was quite a narrow room with three desks for students, a high window, the teacher's desk at the top of the room and a toilet located directly behind this. The walls had posters about addition, subtraction and division, some hand-made and some commercially printed. I had met John on my previous visit and I tried to make eye contact with him to greet him but he ignored me as he was engaged in conversation with Greg. The conversation focused on the excitement of the incident at the weekend, the fact that two students had been caught smoking the night before, a member of night staff doing a search for hash and general chat about recent events at the school. It also emerged that the students who witnessed the Garda activities had slagged the Gardai involved, resulting in them getting 'separation' and having their rooms stripped. As some boys , such as John, had been away on home visits and had been told not to return to the school till Tuesday (today), there appeared to be a lot of catching up to do. Greg also talked about his hometown and the violent activities he and his friends engaged in such as fighting, sniffing gas and getting revenge on a youth who had allegedly beaten up one of his friends. Most of this conversation was delivered at high speed in short poorly enunciated bursts, making it hard for the listener to follow any coherent line of thought. The fact that Steve had driven a stolen car through a wall also was referred to by Greg.

I hadn't met Steve before, he seemed more subdued than the other two who continued their banter while teacher Vincent gave out the work for the day. It soon became evident to me that the remark made by the teacher regarding Greg (when introducing him to me), was actually a euphemism for his lively and animated behaviour. John was given a sample Junior Cert paper to work on, while students Greg and Steve were given worksheets with sums to do. These worksheets were pitched at levels that suited the students following their assessments (the teacher explained to me after class). Steve was working on addition as his numerical abilities were limited and

he was not able for subtraction. He worked quietly on his own most of the time despite the distractions around him. Greg was capable of working on addition and subtraction but not ready for the Junior Cert. He worked intermittently on his worksheet but kept up a steady stream of conversation. He left his desk and took a calculator out of the teacher's desk without asking and despite the fact that the teacher reminded him that he was already doing the work without the calculator. He kept wanting to know how much time was left in this class and at one point made a great declaration about the fact that he was going to go to the toilet and would stay there till the bell went. In reality he was only gone for a few minutes but even though he returned to his desk he continued to be agitated and needed to be constantly coaxed to do his work. The teacher moved from student to student checking their work and enduring quite a lot of verbal abuse regarding his personal appearance with great patience.

About half way through the class, John looked at me and said 'What are you doing here?' I reminded him that I had met him before and explained my reason for being there and then he remembered where and when we had met previously.

The teacher began to correct the students' work, praising Steve for getting all answers correct but trying to encourage Greg to complete the worksheet. Greg went to a filing cabinet and took out a game of draughts, which he called 'chess' but was corrected by John, who told him it was draughts. In the meantime, the teacher brought out a game called 'Numero'. which is based on a set of cards similar in size to pack of playing cards. All four sat around a desk and began to play. John asked if I wanted to join in and when I declined, remarking that I was no good at cards, they said it wasn't cards but a numbers game. As the game proceeded I noted that Steve who had been assessed as having low numerical skills was actually winning most of the rounds. Greg continued his banter and often questioned the proceedings. The teacher often had to explain to Greg the values of the moves, asking him to add or subtract the values of certain cards. When the bell rang we all left the room and went to our next class, the teacher explaining about the different levels of numeracy among the boys as we left.

Session 2, Geography, 11am, Teacher Maeve

The geography room is small and windowless, though brightly lit, with posters and maps around the walls. Maeve greeted the boys and introduced me. I had met

141

Oliver on my previous visit but not student Ronan. Teacher explained her lesson plan to the students and me. She gave Ronan a map of Great Britain and a worksheet with questions about the countries, the capitals and various physical features such as rivers, lakes, etc. She gave Oliver a past paper from the Junior Cert and some maps and an aerial photograph of Carlow. She went over the question with him, making sure he understood all the terminology and the question (which he did). She also asked if he had brought his folder, which he hadn't. (It occurred to me that it would be difficult for a student to bring a particular folder when he has no idea what lessons he will be doing at any given time). She suggested that Oliver could explain his work to me as he went along, while she would concentrate on Ronan who needed more input from her to encourage him along. Ronan wasn't overly enthusiastic about the lesson and seemed to have some difficulty reading the names of places. He also claimed to be tired and wondered how long the lesson would take. When asked by the teacher if he had ever been to England, Scotland or Wales he said he had been to England. He had no idea whereabouts he had been but remembered that he had travelled on the boat and train and had visited his aunt.

Oliver began his first task which involved drawing a simple outline map of Carlow based on an oblique aerial photograph of the town. He had to put in certain features that were asked for, such as a church, a road junction, a bridge. He applied himself well to this task, colouring in the map and providing a legend/key to features. During the task he spoke about Carlow which he had visited but didn't know well and told me where he was from (a wealthy Dublin suburb) and asked where I was from (a not so wealthy suburban town). Overhearing this exchange, Ronan remarked: '*There's loads of bleedin' posh people in here!*' at which we all laughed.

Oliver's next task involved giving written answers such as picking out an area that he would like to live in (from the photo) and why; and to find the castle and explain why it was built in a particular location. These questions were relatively easy for him, although I noticed that while he was extremely articulate and his handwriting clear, his spelling was not as good. He told me that he plays a computer game that involves building cities and developing societies, leaders, armies, etc, so he was well able to explain the strategic position of the castle in terms of defence, supplies and transport. He explained to me how castles would have defences like archers inside them but would

also have heavier artillery outside like for example a trebuchet on a mound behind the castle.

Next he had to use an ordnance survey map of the Carlow region, find certain services in the area and write down grid references. Maeve explained to me that Oliver was very good at this and could easily deal with six figure grid references.

By this time Oliver had completed a large amount of work and Ronan was losing the ability to apply himself. He asked if we could have the radio on for some music and the teacher agreed as the class time was nearly over. The conversation settled on music, with the teacher asking if they could play instruments, with Oliver saying he could play the guitar and sing but Ronan saying that the noise from this 'wrecked his head' every night when he was trying to get some rest. Ronan claimed he could play the drums but it wasn't clear whether he actually meant on a drum kit or just banging his hands on a table and some slagging about this followed. The teacher tried to tune in the radio but the only music she could find was a Kylie Minogue song which did not suit the boys' taste and incurred more banter. A CD was played but this was dance music which was also rejected. Luckily the bell rang around this time and we all left the room and headed to our next class.

Session 3, English, 11.45, Teacher Peter

By the time I got over to the English classroom Peter and students Brian, Conor and Paul were already in there. I had met all of these students before so after a quick greeting I took a seat at the back of the class. The room only has space for three student desks so I was actually sitting at the computer station at the back. The room is quite dark as it is north-facing and the window that runs along the length of the back wall is narrow and high up. There is a bookcase with novels, biographies and illustrated books about nature/animals; and a bookstand with magazines and large format books.

Brian who was doing FETAC was working on an essay that he had previously written. This time he was 'editing', which is a feature of the FETAC course, so he was working on his handwriting and presentation, taking into account corrections that the teacher had marked on his essay. This student was sitting slightly apart from the other two and concentrated on his work. The teacher would check on his progress every now and then.

The other two students were working on Junior Cert questions from past papers. Brian was writing an essay entitled '*A Day at the Beach*'. He decided to base it on a trip he had made the previous weekend to a seaside resort near his home town. He applied himself well to the task although he constantly aired his thoughts to the teacher/class before actually writing the sentences. He also constantly asked for help with spellings. The teacher would always get him to try and work out the spellings of straightforward words like 'sister' and would verify more difficult words such as 'periwinkle' by resorting to the dictionary and showing the student. There was some discussion as to why certain words could be found in some dictionaries and not others. The teacher explained that smaller pocket dictionaries just had common everyday words and couldn't contain as many words as the larger ones.

Conor was somewhat reluctantly writing an essay on '*My Holidays*' and was basing it on his forthcoming trip to Spain in September. He wanted to know how much he had to write and seemed aghast at the amount required by the teacher. Having said that he would like a full page but would accept three quarters, the teacher had to physically show Conor where this would come to on the page. It was clear that fractions such as ¾ or 2/3 meant nothing to Conor.

As both essays were on a somewhat similar theme there was occasional group chat about flying, holidays, etc. While Paul had been to England on a plane in the past neither of the other two had ever been abroad or on a plane before. Conor was not nervous about his impeding trip but looking forward to it. (It occurred to me that if was going to be out of the country in September then he probably wasn't going to be attending to school when he leaves Roundwood).

There was also some discussion about surfing and the seaside resort that Brian had visited. The teacher pointed out the location on a map of Ireland on the wall and explained why it was popular with surfers because of the geographical features of the area which helped to form enormous waves.

When Paul had finished his editing exercise he asked if he could go on the computer. I swapped seats with him and asked if I could read his work which he had left open on his desk. He agreed and went onto the internet as he wanted to look up his home town. The teacher helped him to look up Wikipedia and to bring up some images

of the town. The student was delighted that he could actually bring up a photo of the estate where he lived.

Then the teacher checked the work of the other two students. Brian had done well whereas Conor had only managed a few sentences. Both were allowed to take something to read from the shelves. Brian chose a book on the history of, and facts about Manchester United F.C. and Conor picked a magazine about the same club. Brian constantly read out facts from the book or commented on certain players. He also commented on Brian Cowen, remarking on the shape of his head, the size of his lips and his voice 'like a woman's'. He concluded this commentary by saying that the other Taoiseach was better. Brian also sang some lines form Garth Brookes songs, remarking that he had bought a video and two CDs of the singer at the weekend. The teacher engaged in some chat about Garth Brooks, telling a joke about him and relating how he had been able to listen to a concert given by the singer in Croke Park while sitting in the nearby back yard of his in-laws. I noted with interest that the student didn't know Croke Park and thought the teacher was talking about a concert in the US because Garth Brooks is American. During all these exchanges Paul remained browsing his hometown on the internet and Conor continued to flick through the magazine, occasionally adding a comment. When the bell went the students lined up in the hall to be taken back to their residential units by care-staff who had come to collect them and some teachers who were assigned to this duty. The other teachers and I went to the dining room for lunch.

Session 4, Home Economics, 2.00pm

Teacher Yvonne and I entered the kitchen/classroom, followed by three students, Mark, Dylan and Cian. Teacher Yvonne introduced me to the boys and vice-versa. All three were from XXX Residential Unit and had only recently arrived. They were at Roundwood on remand till the courts decided whether to sentence them and where to commit them. They were all recent arrivals although student Mark had been in Roundwood on a previous occasion.

Teacher Yvonne explained that the lesson would be about the 'whisking' method of making sponge cakes. She reminded Mark that he had made a sponge cake by a different method in her class before and asked if he remembered what that method

was, but she had to help him to remember the 'creaming' method. She had written a list of the required utensils on the board alongside the list of ingredients. The students were instructed to put on aprons and wash their hands. Then they had to assemble their utensils such as bowls, sieves, etc, on their worktops. Then they had a discussion as to what form of sponge cake each student would like to make. It was decided that Mark would make a chocolate sponge, Cian would make a plain Swiss roll and Dylan would make a chocolate Swiss roll. The teacher demonstrated how to grease and line the Swiss roll tins. The flour and sugar were stored in large containers and were passed around so that each boy could measure the required amounts. During this procedure there was some discussion about conversion of ounces to grams. The teacher then gave out eggs from the fridge. She also placed a container with tablespoons, small knives, spatulas and other assorted small utensils on the central desk area to be taken as required. With the sugar measured and in the bowls the boys were told to break in the eggs and start whisking with an electric whisk. Just as they began she called them all to one worktop to explain the process. She asked them what whisking added to the mixture and Cian replied correctly, 'air'. Then she told them how the mixture would increase in volume and change to a paler colour and that they should be able to draw a figure of eight. Mark had some trouble grasping this concept but Dylan and Cian knew what she meant. When the mixtures reached a suitable volume the students were shown how to fold in the sieved flour (and cocoa powder where required). At one point the teacher asked me to check the time as she had no watch. I was surprised that there was no clock on the kitchen wall as all the other classrooms had one. Yvonne explained that she didn't like having a clock visible during class because the boys would constantly be checking how long they had left before the class ended whereas they seemed to carry on regardless when there was no clock. (I had noticed myself that 'clock-watching' was a definite feature in other classes).

Once the sponge mixtures had been put in the oven the students were set to wash up what they had used so far by filling their sinks with hot soapy water. I felt obliged to intervene when I noticed that Cian seemed to be about to squirt the entire bottle of washing-up liquid into the sink. He had done this automatically as if he thought a whole bottle was required.

Next the toppings and fillings had to be prepared. Cian was given cream and strawberries. I noticed that he was beating the cream for rather a long time so I checked and stopped him just before the cream turned into butter. The teacher was able to rescue the situation by adding more unwhipped cream. Then he washed and chopped the strawberries which he was going to mix with the cream, sampling a few of them along the way to check if they were fresh.

Mark was making a chocolate sponge and he wanted to put a chocolate topping on the cake. He was given a very large block of cooking chocolate which he found very funny. Having sampled a piece of it, and finding that it tasted foul he spit the remainder into the bin. Nevertheless, he cut off some chunks and placed them in a bowl so that he could melt them in the microwave to spread on top of the cake later.

Dylan was making a chocolate Swiss roll that originally was just going to have cream as a filling but when he saw Cian using strawberries he wanted some too. The others had some debate about the idea of combining cream and strawberries in a chocolate cake but he insisted. When preparing the strawberries he asked why they had to be washed. At the end of the class all were happy with their creations and looking forward to eating them later at teatime.

Observation Fieldwork 3rd visit to Avondale Detention School Thursday 29th May 2008

This visit took place on a Thursday instead of the usual Tuesday because when I arrived last Tuesday it turned out that the teachers were having an in-service training day and there were no classes for the boys.

10.15 Session 1, Home Economics, Teacher Yvonne

First class for me today was Home Economics with teacher Yvonne and students Greg and Steve. Before the class began the teacher asked Greg to tell us his good news about mobilities. (Mobilities are privileges earned for good behaviour after six weeks in residence). Greg was looking forward to being allowed to go out to horse-riding lessons in the coming weeks. He was also expecting a visit from his parents over the weekend and was looking forward to going to Dublin Zoo with them.

There was also some discussion about the length of sentences, with Steve remarking that he wouldn't be back in Roundwood next time as he would be over 16 by

147

the time he finishes his current sentence. He implied that on his next conviction he would be sent to St Patrick's Institution. I was intrigued at the idea that it was assumed that there would be a 'next' time.

The teacher said that there would be no cookery in today's class and that the students would concentrate on revision for their exams and some written work. The class began with a general discussion about the 6 nutritional elements of food. Greg was able to answer and contribute quite well but Steve was less enthusiastic and seemed less sure of the answers. The teacher then asked questions about the food pyramid, asking which foods should be eaten most and least etc.

Papers were given to the students for written work. First they had to read about the different types of breakfast foods and discuss what categories they belonged to and what their properties were. The students had to make lists of the different foods under headings such as protein, vitamins, carbohydrates etc. Steve was having trouble with spellings of words like 'rasher', whereas Greg was able to blurt them out without being asked. During the written work Greg was easily distracted, getting up to go to the toilet, looking at the photos on the wall, discussing other students, etc.

There was some slight disturbance coming from the room next door and the teacher deduced that it was one particular boy who was singing loudly and 'messing' in the toilet of the adjacent classroom, probably aware that she would hear him.

Next the students were given the task of writing a menu for a balanced breakfast, using a selection of foods from the lists that had been discussed earlier. Greg was quite well able to do this with a little prompting from the teacher. Steve was discontented with the exercise saying he wasn't able to write and giving out to the teacher for not writing the answers for him. Although she tried to encourage him, Steve became quite lethargic about the work, saying he 'didn't give a xxxx'. The teacher persevered and got the boys to work on a second combination of courses for a breakfast menu and then got them to write the chosen foods into their nutrition categories.

As the class came to an end the students had to sign and date their worksheets. A general conversation was held for the last few minutes of class time. Greg passed some comments on drinking and how he would 'drink anything', and he also talked about some of the (seemingly many) schools that he had attended before he came to

Roundwood and which ones he liked. When the bell rang the boys were collected for their next session.

Session 2, Geography, 11am, Teacher Maeve

There were three students in this class, Ger, Dean and Ronan. Maeve had not been expecting Ronan to be in this class and was a bit perplexed as she was keen to do Junior Cert revision with Ger and Ronan. Ronan was given the choice of studying Ireland, Spain or Argentina by reading about them and then having to answer some questions about his chosen country. He chose to read about Ireland although under some protest as he seemed not to want to be in the class, repeating several times that he was 'tired' and 'stressed out'. Meanwhile Maeve began to explain the process of the Junior Cert paper, especially the importance of answering all the multiple choice questions. She continued to talk about what was involved in the paper, about the map and aerial photo, etc.

Both students Dean and Ger were somewhat distracted; talking among themselves and not paying attention. The teacher had to give them a stern warning about messing, asking them to be quiet and pay attention. She began to revise some terms with them but they apparently couldn't remember simple things like 'rural' and 'urban'. The teacher continued patiently to draw them out and at least got Ger to engage on some more geographical terms. It was interesting to note that when asked to explain the term 'isolation' (e.g. rural housing units), Ger could only relate the word to being 'on isolation' in prison. While the teacher was writing on the board Dean used abusive language and the teacher had to call for help. Dean was taken out of the room and spoken to by another member of staff and let back in after a few minutes. The teacher continued with Junior Cert questions. Ger was talking very loudly and getting rather animated. He too used bad language and was put out of the room to be reprimanded outside. After some time he was let back in.

In the meantime Ronan had been struggling with his study of Ireland and had opted to change to Spain. With all the hullabaloo of the others misbehaving the teacher had suggested that I might keep an eye on Ronan and help him with his reading/spelling. I did this and when he was finished reading I asked him some questions. He was able to answer some of them, needed to refer to the book for some

149

answers and needed coaxing to answer some of them. Despite his earlier reluctance to engage I felt that he responded well to the one-to-one session. During this session I discovered that unlike the majority of boys in Roundwood, Ronan was not interested in football nor indeed in any sports at all but he did admit to playing some tennis while at Roundwood and to watching snooker on TV sometimes. During the reading session he learned a new word; 'upmarket', which seemed to fascinate him. At one point he started to whistle and the teacher reminded him to stop as whistling was against the rules. He seemed a little put out by this and said the rules should be up on the wall.

Meanwhile the Junior Cert revision continued with a section on physical geography. Between them Ger and Dean managed to respond quite well to questions about different types of rocks and their formation as well as processes like leeching etc. With the class nearly over the boys were allowed to chat for 5 minutes at the end.

The teacher on this occasion was Niamh and there were two students, Michael and Denis. This was my first visit to the art room and I was interested to see some of the work that the students had done. The walls were decorated with a mixture of work done by students and with explanatory posters on subjects such as cuboids, sphere, tone, pattern, 2D, 3D etc. Various pieces of work from that day were displayed on the blackboard with the student's name and the date on them.

The session began with the weekly quiz which is normally held on Friday. However, because there would be no school this Friday due to it being a bank-holiday weekend the quiz was being held today. This is seen as a 'fun' element and all the boys take part in their various classrooms. The questions are on a sheet of paper and each boy is supposed to answer individually. (I think they probably do although there was a certain amount of 'thinking out loud' in this group.) When the questionnaires are completed the teacher goes through the answers and each boy marks his own sheet. These are then collected and collated by a member of staff. The winner is announced before the end of the school day.

With the quiz over the teacher gave out sheets of paper and placed a model of a head on each desk so that the students could draw a picture of it. Michael asked rudely for a pencil. When the teacher reprimanded him he replied 'You can keep it so!' but then a minute later asked for it nicely. Both of the boys settled down to their work and completed the task while the teacher was washing out bowls and tidying up after the previous class.

Then the teacher gave out sheets that the boys had started work on during a previous class that week. This project was to make a poster for the forthcoming Awards Day, which marks the end of the school year. The teacher had earlier written the lettering and date on the board for the boys to copy. Michael was highly motivated in this task and only asked for some advice as to colour combinations. He worked very carefully, using blank sheets to cover sections that were already coloured in so that he wouldn't smudge them. Denis was engaged in it but needed more encouragement from the teacher as well as suggestions as to what he should include in the picture. While working he had some chat with the teacher about home leave. He claimed that he would

be finished in Roundwood in September but would have no home leave in the meantime. (This I believe is due to a misdemeanour that was described to me by a teacher on my last visit). He also remarked that he had had a meeting with a key worker about what he wanted set up when he comes out. According to himself, Denis had apparently 'told him to stick it!'

Although Michael was working diligently on the poster he seemed less than enthusiastic about participation in the open day. He asked the teacher: 'If you win do you have to go up and collect the prize? – if so they can keep it. I'd leave it there'

Before they packed up their work, Denis congratulated Michael and praised his work. At the end of class, Michael was collected first. Before he left he was careful about putting away his work and about putting the marker that he had just been using into his folder with the poster. This was to ensure that he would be able to continue the next time with the same colour. While he was waiting to be collected Denis started singing 'Hurricane' by Bob Dylan

LUNCHTIME

Session 4, 2pm, Technical Studies, Teacher Lorraine

This class was in the technical workshop with teacher Lorraine. There were three students, Oliver, who was doing FETAC, and Brian and Conor who were doing Junior Cert revision.

Oliver, who in previous classes on previous days had seemed diligent and interested in his schoolwork, was less than enthusiastic about the task assigned to him. He had been given three cut-out pieces of leather and a long strip of leather thong (like a thread). His task was to line up the pieces and stitch them together to make a wallet. The teacher had to spend some time helping him to set up the process and guiding him in how to do the stitching. When she had established him in his work she returned to the other two students. They were revising for the Junior Cert and she had a number of practical exercises to help them prepare for the questions.

First she held up a wooden birdhouse and asked what material it was made of and what other materials could be used. They had to give reasons for the use of and properties of the materials. Then they had to describe the types of finishes that could be

152

used such as varnish, paint or applying a design. Next were given sheets of paper with part of the design for the bird house drawn on them and they had to draw the other parts, such as the base, the roof, the back etc. This is a typical question from the Junior Cert paper. The students worked on this although was a good deal of general chit chat going on as well, mostly to do with the coming weekend and their arrangements for going on home visits. Because there was a train strike on at the time there was some anxiety about travel arrangements.

When this task was satisfactorily completed they were shown a drawing of a toothbrush- holder/bathroom shelf and first had to identify what it actually was. This drew some entertaining responses until eventually Brian came up with the right answer.

Then they had to draw a plan for how they would construct this article, particularly if it was to be constructed from a single sheet of plastic and then they had to make a 3D model of the folds they would have to make. There was some discussion about the use of plastic in general and the processes and machinery used in moulding shapes.

Meanwhile Oliver had given up on his work. The teacher had to intervene because he had got the threading process muddled up. As she was unravelling the problem, Oliver reached under a counter and slipped a piece of wood (like a dowel) into his pocket. Luckily the teacher had seen this and made him put it back. She sorted out his work and got him to continue for a time, despite his reluctance. After a while he was allowed to finish on this project and put it all away. Then he was given some written work where he had to answer questions about the use of gloves/protective clothing etc. He was again reluctant to get involved in this and complained continuously about trivia such as his pen not working. (In general I have noticed that the students constantly chew or break pens).

As the class time was drawing to a close the students were allowed to pack up their work and have a general chat. A film called 'Don't be a menace' was discussed. Neither the teacher nor I had heard of the film and we were informed with some glee that it was not for 'old' people and was only suitable for people who smoke dope.

Once the bell had rung the boys hurried to the door, eager to be let out and without a word of acknowledgement to their teacher or me.

I decided not to attend the last class of the day for various reasons. One was that I had already seen the three students that would be attending that session and I didn't want to make my presence overly intrusive. Secondly, I was excessively tired myself and felt that my powers of observation and concentration were waning. This particular day had been quite demanding as the boys in general seemed to be more on edge than on previous visits. This may be explained by the excitement at the prospect of the impending long weekend. For those getting home-leave it meant an extra-long visit, for those confined to Roundwood it possibly brought up some resentments. Also the looming Junior Cert which would begin next week was bringing its own pressures to bear and was clearly altering the mood of some of the boys.

My third reason for not wanting to go to class was because I needed to have a discussion about aspects of the research with the deputy principal and he was free during that session so it seemed like a good opportunity.

Other activities at Roundwood CDS

Annual Awards Day

Annual Awards Day is held at the end of the school year. It is an event celebrating the achievements of the boys during the year and provides an opportunity for them to display their achievements, particularly in the areas of art and crafts.

Examples of art and craftwork made by the boys during the previous months were on display, as were examples of creative writing such as poetry. Although I was an invited guest at the 'Open Day', I also used this as an opportunity to be a participant observer as the occasion allowed me to observe the work and awards of the boys at the end of the school year. It also gave a further insight into the relationships and interactions between the boys and the teachers, management and Department of Justice, Equality and Law Reform staff who were present on that occasion. The majority of visitors were staff and managers, with representatives from the Board of Management, directors, teachers, the V.E.C. and the IYJS. Although family members were welcome to attend the Awards Day, the significant lack of parental and family members presence

was notable. This could be due to a number of factors, not least the fact that the school is in a rural setting and not served by public transport.

Avondale Detention School

Avondale Detention School was a component of a residential detention centre for young people with accommodation for boys between the ages of 10 - 16 years. Referred to as the *Care and Education Unit*, this was one of several 'units' which made up the overall centre. The other units within the centre included the National Assessment and Remand Unit, a Step Down Unit, and a Training and Development Unit. At the time of this research the centre was registered as a Certified Industrial School by the Minister of Education & Science on behalf of the Minister for Justice, Equality and Law Reform although it has subsequently closed down, with some staff being redeployed to another CDS.

The centre was a situated on a secure site in an urban location. The Care & Education Unit used individually managed behaviour programmes, on the basis that these would assist the child to return to his family and his community, through agreements reached by all stakeholders and that proved effective over an extensive period prior to discharge. At the time of conducting the interviews, the *Statement of Purpose and Function* of the unit was: to provide care, assessment, education and control to children and young people.

The aim of the centre was to provide a co-ordinated programme of assessment, care, education, training and rehabilitation. The programmes on offer were directed towards positive futures for the boys who took part in them. The centre aimed to provide individual care and education programmes to develop each young person to their best potential in terms of their physical, intellectual, emotional, social, spiritual needs.

Although there were places for 24 children, only 16 were in use at the time of my visits due to staffing issues. Eight of the boys were on committal and the other eight were on remand/assessment. The interviews that were conducted at Avondale Detention School were with the committals only because it was felt that due to the fact that

remands could not be defined as permanent residents, interviews with them would not give a full picture of life in the school.

Assessment process at Avondale Detention School

In addition to the overall assessment by educational psychologists and social workers that took place on arrival at the centre, the child would always be interviewed by the school principal on the first day of school. During this assessment, the child would self-report on their previous schools and their achievements. On the basis of this interview the Principal would then have written to each school named by the child, forwarding a questionnaire, (sample of questionnaire in appendix), asking for information on the child's school attendance records, dates of admission and leaving, level of attainment, expulsions, suspensions, general demeanour, and resources given, if any.

As well as the interview, every child also underwent an informal assessment on induction day where the principal administered a practical assessment looking at hand-eye co-ordination, ability to measure, ability to weigh, computer skills, identification of colours. Furthermore, they were given a short literacy and numeracy assessment, not to just ascertain their age/ability but just to identify broad areas of strength and weakness.

Throughout this process the principal always tried to pick up on additional information about the boy as well so that as full a profile as possible could be passed on to individual class teachers. From interviewing the teachers it was obvious that this practical approach to assessment had been developed by the incumbent principal so that the educational needs of the child could be met as soon as possible rather than waiting for information to feed through from schools and other services.

Children at Avondale Detention School

The following table details the age, admission, sentencing and discharge details of a typical cohort of children who would have been detained at Avondale CDS between Aug 2007 and Dec 2008:

Table 5.5 Children at Avondale Detention School

Young Person	Month & Year of Admission	Age on Admission	Assessment Remand	Length of Remand	Length of Committal	Month & Year of Discharge
#1	Aug 2007	15 years 11 months			2 years 5 weeks	Sept 2009
#2	Jan 2008	14 years 1 month			1 year	Jan 2010
#3	Nov2007	14 years 5 months	2 months			Jan 2008
	Jan 2008	14 years 7 months		14 days		Feb 2008
	July 2008	15 years			1 year 10 months	May 2010
# 4	April 2008	15 years	28 days			May 2008
	Sept 2008	15 years 5 months			11 months	Aug 2009
#5	June 2008	15 years 6 months	28 days			July 2008
	Aug 2008	15 years 7 months		14 days		Aug 2008
	Sept 2008	15 years 9 months			10 months	July 2009
#6	Aug 2008	13 years 11 months		21 days		Sept 2008
	Sept 2008	14 years 7 months			11 months	Aug 2009
#7	Aug 2008	15 years	28 days			Sept 2008
	Sept 2008	15 years 2 months			6 months	Mar 2009
#8	July 2008	15 years 5 months	28 days			Aug 2008
	Oct 2008	15 years 8 months			5 months 2 weeks	April 2009
#9	Oct 2008	15 years 3 months	52 days			Jan 2009
#10	Nov 2008	15 years 7 months	49 days			Jan 2009
#11	Dec 2008	14 years 2 months		3 weeks		Jan 2009
#12	Dec 2008	14 years	28 days			Jan 2009
#13	Dec 2008	14 years 6 months		3 weeks 2 days		Jan 2009
#14	Dec 2008	15 years 11 months	34 days			Jan 2009

Source: HIQA Inspection Report Number: 281, publication date 30th April 2009. Web:www.hiqa.ie

Physical environment

Avondale School was housed in the same building that contained the entire operation including the administrative centre, the recreational facilities and the residential areas, so following entry to the building it was necessary to continuously pass through locked areas – there was no sense of just being in a separate school, but definitely in 'a centre'. Unlike in Roundwood School, there was no central hub, every part of the building was linked by corridors and it seemed that different sections had been added to the building in a rather haphazard way over the years.

The residential units in Avondale were housed at the opposite end of the building to the school. Administrative offices and the dining room were in the middle section. The residential unit I visited consisted of a kitchen and living room at ground level and several single bedrooms and shared bathroom facilities upstairs.

School organisation and practices

Curriculum

The curriculum at Avondale Detention School was based on the Junior Certificate and FETAC courses. For children on committal, the school week consisted of 21 hours and 10 minutes per week, covering the following subjects: Literacy, Numeracy, CSPE, SPHE, Information Technology, Home Economics, Woodwork, Technical Graphics, Art & Crafts, Reading Time, and a period of individual support. The school principal made a point of putting up the weekly timetable outside his office so that everyone in the school was aware of the schedule in advance and knew what was happening at any given time. There was a strong emphasis on improving literacy and numeracy, with a 'whole school' approach to literacy in particular. In practical terms this meant that all teachers in the school no matter what their subject would focus on helping the boys with their reading. 'Words of the week' were weekly lists of words that were highlighted in the classrooms and focused on and incorporated into lessons wherever possible.

Class Times
9.00 Arrival at school and handover
9.20 – 10.05 Class
10.03 – 10.50 Class
10.50 – 11.10 Break
11.10 – 12.10 Class
12.10 – 12.30 Reading time
12.30 – 1.30 Lunch break
13.30 – 14.15 Class
14.15 – 15.00 Class
15.00 End of classes
15.00 – 15.30 Chess or reading
15.30 Handover to care staff and return to residential unit
Practical classes such as home economics or woodwork would all be double classes.

Daily school life

The principal of this school firmly believed that the children liked and benefitted from structure and routine. He was adamant that there should be a fixed curriculum for the boys and a clearly defined timetable for all school hours. He made a point of putting up the weekly timetable outside his office so that everyone in the school was aware of the schedule and knew what was happening at any given time. As well as lessons, the boys all had a guidance session for individual support once a week. During this session, a teacher who had been appointed as a mentor to the boy would review their work and set goals for the coming week. The principal also believed that the only incentive that would work with the boys was financial reward, therefore he offered a (very low) financial reward for achievements – they gained points for school work, behaviour, language, and general responsibility and at the end of the week points were exchanged for cash. He had also instigated a smoking reduction programme, with rewards for adherence.

Other activities at Avondale centre

As well as education and recreation, family was one of top priorities at the centre and so families of the children in the CDS were to be central to the programmes that were developed for them. Family members and the children themselves were included in meetings to plan for the future. The fact that this centre was located in an urban area with good access both by private and public transport was undoubtedly a factor in making visits from family and trips outside relatively easy.

Many of the problems that brought a young person to the attention of the Courts and other authorities reflected their previous life experiences. Acknowledging that some of the boys may have been exposed to, or experienced very traumatic life events, it was CDS policy that every effort should be made to ensure that no child would be exposed to any such risk within the residential centres.

Use of Restorative Practices (RP)

The Unit Manager who met me on my first visit to Avondale Detention School explained how RP is embedded in staff practice, with the boys being encouraged to talk

159

and to take responsibility and the staff all trained in mediation skills. There already were programmes in use in the centre but RP overlaps with these other models such as 'Copping On' and 'Therapeutic Crisis Intervention'. However, some of the existing programmes offered limited opportunity to express empathy and remorse whereas RP offers a more holistic approach. According to the Unit Manager, it is the synergy of the RP model, where it involves the entire staff and residents, that in his view makes it more successful. He explained that even in the short time that RP had been in use it had had dramatic results in improving behaviour among residents and in reducing serious incidents and while 'restraints' (where the boys were removed from school or other activities and locked in their bedrooms – the equivalent of 'solitary confinement' in an adult prison) had formerly been a feature of life at the centre, since the introduction of RP their use is down to a minimum. Only one incident requiring a restraint had been reported during the year that I visited whereas there had been 10 in the previous year.

Another important aspect of the use of RP in this centre, according to the Unit manager, was the work being done in repairing family relationships. This was a new area of practice at the centre which was aimed at restoring relationships between family members. Using RP in this way allows those involved in conflict to repair the damage that was inflicted by the offending behaviour and allows for new understandings to develop, with the aim of avoiding a recurrence of the offending behaviour. On my visit to the centre I was impressed by the level of openness and involvement of everyone in promoting the well-being of the children there.

Data Relating to the Research Participants and Other Students in Avondale CDS During 2008-2010

The following section presents profiles of the boys in detention in graphic form. The data here is taken from entry interviews conducted by the school principal at Avondale School. Although I have collated the data and present it here in graphic form, the questionnaires were not designed by me, nor was I involved in any way in this particular interview process. The findings here represent 42 boys who entered the school between 2008 – 2010 and are presented to help in the building of a profile of the children who are detained in CDS.

Age and family structure

The age profiles of the respondents can be seen in Figure 5.3. Nineteen of the respondents were aged 16 years, two were 17, fourteen were 15, six were 14 and one was 13.
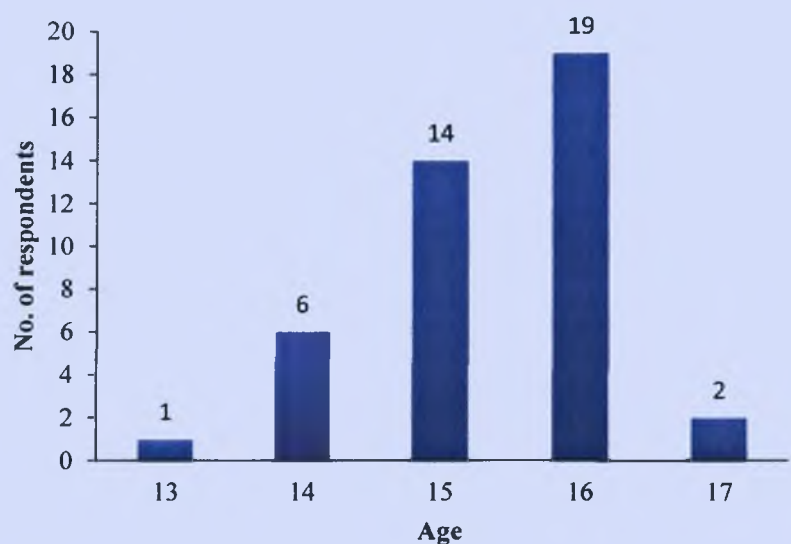
Figure 5.3 Age profile of respondents

As can be seen in Figure 5.4, eleven of the respondents were the eldest in the family while three were the youngest. The other eleven were at various places in the middle of the family.

Figure 5.4 Place in family

161

Thirteen of the respondents were living with two parents, as Figure 5.5 illustrates. Twelve were living with one parent only while eight were living with one parent while having contact with the other one. Four were living with guardians and one was living with care staff.
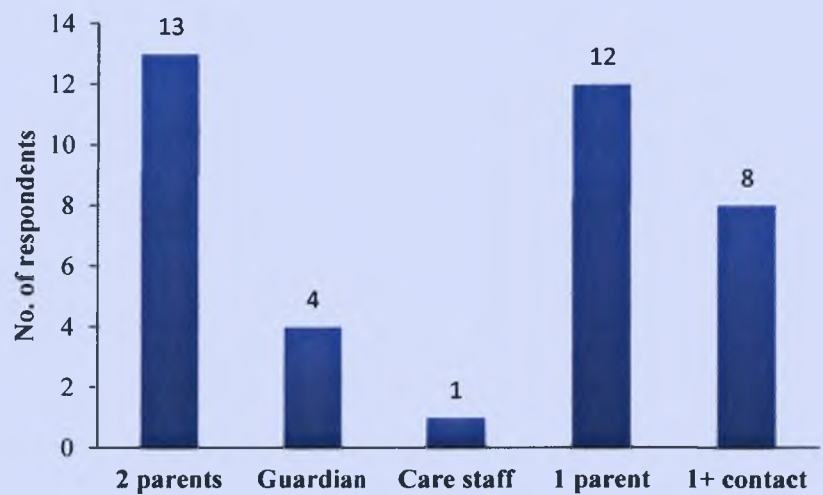
Figure 5.5 Parental support

Schools attended

In terms of attendance at primary school, the majority of respondents (26) had attended only one primary school, while ten had attended two. Three had attended three and one of them had attended five primary schools. These figures are illustrated in Figure 5.6.
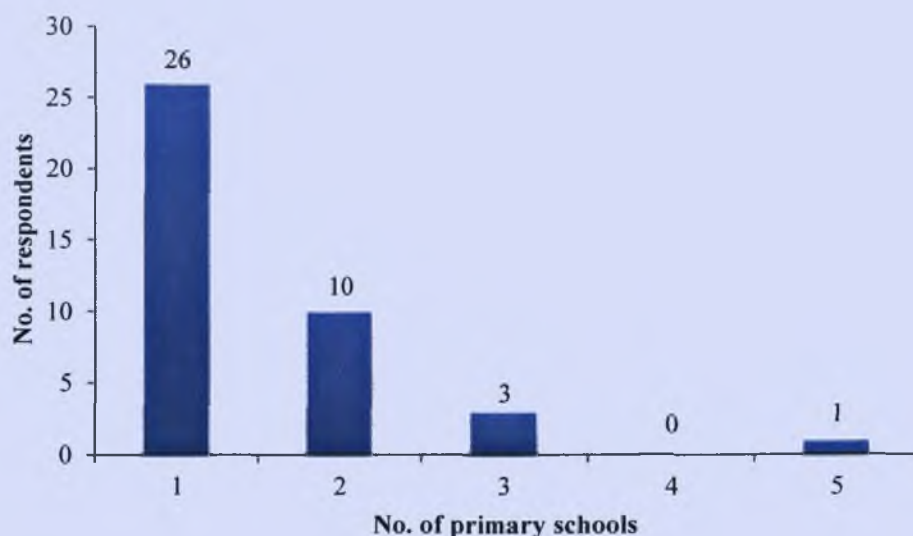
Figure 5.6 Number of primary schools attended

Four of the respondents had not attended secondary school, thirty-one had attended one secondary school and seven had attended two secondary schools. (In addition, thirty-one claimed to have attended special schools while eleven had not). As can be seen in Figure 5.7, 22 of the students had been suspended at some point during their time in secondary school, 13 had been expelled and of the 37 who responded to this question only two said they had never been suspended or expelled.

Figure 5.7 Suspension/expulsion from school

Drug usage

26 did not respond to the question about drug-usage. Two said they didn't use drugs while five claimed to have used cannabis alone and two admitting to using cannabis and benzoes together and one to cannabis and ecstacy together. Admissions to using other drugs was low, with individuals claiming to have used aerosol and prescription drugs but no obvious widespread abuse. A summary of self-reported drug-use can be seen in Figure 5.8. In addition nine of the respondents were taking prescribed medication such as Ritalin or Concerta for diagnosed conditions such as ADHD.
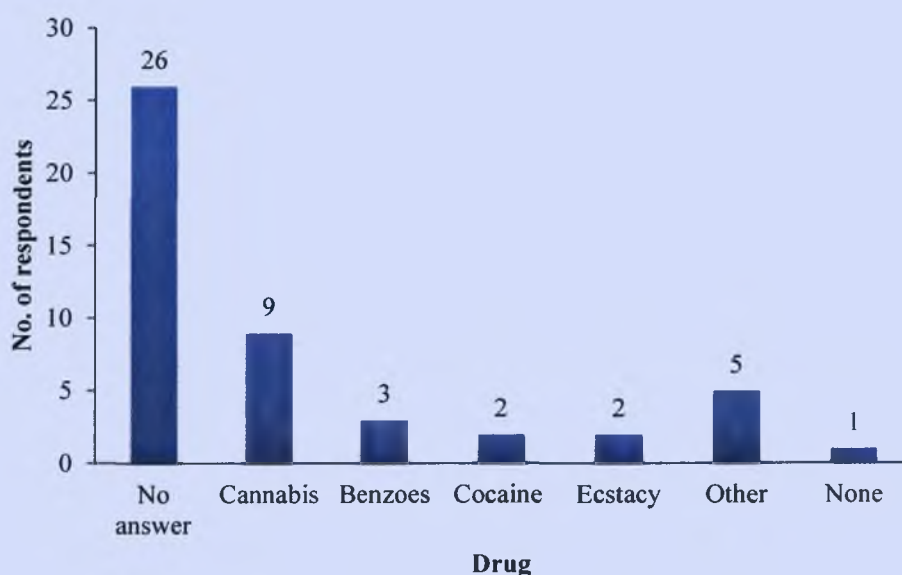
Figure 5.8 Self-reported drug use

Of the 24 who were tested, three did not show any evidence of drug use, two were using benzoes alone while nine were using a combination of benzoes and cannabis. One was found to be using both cocaine and cannabis and nine were using cannabis alone. See figure 5.9 for details.
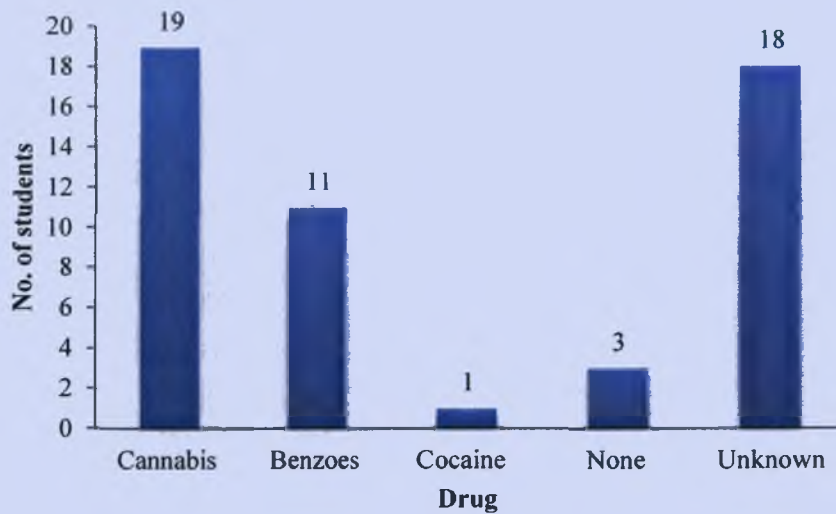
Figure 5.9 Drugs detected on admission

Conclusion

The settings for the observations and interviews took place in two separate CDS that shared an ethos of providing care, education and discipline for children who had come into the criminal justice system but that differed somewhat in operational procedures.

The physical environment in each centre differed greatly in that Roundwood had a greater sense of separation between the school and the residential units, with the overall centre comprising of distinct buildings. Avondale was one integrated building housing individual units. Also in terms of accessibility for visits to and from the CDS's there were distinct differences between the two schools. Roundwood was located in a rural setting with poor public transport access while Avondale was situated in an urban setting with good transport links. The locations and availability of transport had implications for family visitors, home visits and journeys to courts and other external services.

In relation to security for visitors, Roundwood was less oppressive but ultimately was less open to research while security procedures for visitors at Avondale were much stricter but the overall attitude to research was more facilitatory. In both schools there was a strong indication that the teaching staff were more than willing to participate in research and were very open about their schools and the work they

engaged in. However, in both cases there were difficulties getting permission to carry out the research in the first place and gaining access involved lengthy and often frustrating negotiations with members of management.

Management structures were similar at both CDS and staffing costs were a substantial budgetary factor in both cases. Staffing levels in both were also a significant factor in the ability to run the centres to capacity, with both centres running under official capacity at the time of this research.

Looking at the implementation of the education programmes and having interviewed both teachers and students it was clear that although there was a concerted effort to encourage reading and develop literacy there was nevertheless a strong emphasis on 'practical' rather than 'academic' subjects. As the boys had often had a history of disrupted schooling prior to their entry into the CDS there is no doubt that the emphasis on improving their literacy and numeracy was valuable. However, with (the albeit necessary) greater focus on numeracy rather than Maths, and on literacy rather than English it seemed that the students were not being given the opportunity to develop the range of subjects or the depth of knowledge in curricular areas that would make for a smooth transition back into the mainstream education system when they were discharged from the CDS.

Despite the stated commitment of the teaching staff to developing the potential of the students, there was evidence that the curriculum was provided in a certain ad-hoc way; in Roundwood School the boys had no advance knowledge of which classes they would be attending on a daily basis, making preparation difficult. In Avondale School while the home economics teacher was out on leave, the substitute teacher that was hired as a replacement was teaching history. The interview remarks by this teacher indicated that of all the teachers he was having the most difficulty in engaging the students as they were not sufficiently interested in the subjects he was qualified to teach.

Daily school life was dominated by structure and regulation in both cases but in Roundwood school the practice of not giving the children advance notice of the daily class timetable seemed unsettling and at odds with the principle of encouraging routine and participation. Despite this inconsistency in timetabling there was greater consistency in the staff and curriculum on offer. While the commitment of individual

staff at Avondale was evident, variation in the curriculum on offer due to availability of staff was problematic to the running of a viable programme. Both schools operated an 'unassigned teacher' policy, whereby one teacher was always on patrol outside the classrooms to deal with any disciplinary incidents that arouse with students. This was accepted procedure and was justified in that it caused less disruption than if the classroom teacher had to stop the lesson to deal with disruption.

There is no doubt that facilities and programmes that were available in these CDSs were many and varied; educational plans were designed in response to the individual needs of the particular child. According to the teachers, (based on the test scores on entry and exit), the children did improve their levels of literacy and numeracy in most cases, at least for the duration of their detention. As well as the educational programmes in the schools, the centres also focused on other important issues such as anger/frustration management and personal development programmes, these were underpinned by the use of programmes such as Therapeutic Crisis Intervention and Restorative Justice. For recreational purposes a swimming pool (in Avondale only at the time of the research), gymnasium, and indoor and outdoor games areas were available to the boys, although the swimming pool in the Avondale centre was out of order due to a faulty heater during my visits, and from the interviews, I got the impression that the sporting activities and athletic training depended largely on the availability of skills within the teaching and care staff at any given time. Nevertheless, the pursuit of hobbies and leisure activities was encouraged in both schools with Avondale perhaps having the edge on availability and variety. According to the 2009 HIQA report on Avondale CDS, in relation to activities one boy referred to it as 'the best detention school' (HIQA Inspection Report ID Number 281, 2009).

In addition it was clear to me from observing, interviewing and noting casual exchanges among the boys that they themselves were already seeing a certain inevitability in the fact that they would most likely be back in detention at later stages in their lives, confirming the Foucauldian view that child detention centres could be likened to 'universities of crime'. Despite the best efforts of all concerned it seemed that although their literacy and numeracy levels may have increased during their period of detention and they may have worked to resolve some of their personal difficulties, the boys were not likely to have increased their cultural or social capital during their

detention. Whether they had been sentenced to short or long-term detention the boys would be returning to the same cultural milieu as they had come from and may even have been set back on the same track with the added drawback of a criminal record, with the associated stigmas and disadvantages.

Chapter Six: Findings from the Interviews with Students

This chapter presents the findings from the interviews with the boys in the second detention school which forms part of this case study, Avondale Detention School. Firstly, the background to the interviews is set out, explaining how the process was set up. Secondly, the findings are grouped under three major headings and presented with respect to: primary school, secondary school and detention school experiences, in addition the participants were questioned about their feelings about being in a detention school and their educational intentions for the future. Although the interviews cover a range of topics they were somewhat constrained by the allocated time period of approximately 30 minutes but this was beyond my control as it was dictated by having to fit in with the school timetable and had to allow for travel time to and from the interview room. Further depth might have been achieved had there been the possibility to conduct a second, follow up interview which would have allowed me to review the responses and explore them in greater detail. However, this was not possible due to the allocated timing of the interviews close to the end of the school term, and the fact that some of the interviewees were nearing the end of their sentences.

Initially there were five participants in the interview process:

Table 6.1 Interview participants

Name	Cormac	James	Shane	Nigel	Cathal
Age	15	15	14	15	14
Primary Schools	2	2	4	1	1
SNA	Yes	Yes	Yes	Yes	N/A
Secondary Schools	3-4 days	No	2 months	No	N/A
Special School				Yes	
Second Chance	Yes	Yes			
Previous CDS	No	Yes	Yes	No	N/A
Family Member in CDS	No	Yes	Yes	Yes	N/A

Cathal, 14 years of age, withdrew from the process at an early stage although his responses to the section on primary school are included.

The Research Setting - Avondale Detention School

Having secured permission to conduct the interviews from the Director of the centre and the Board of Management of the school, an initial meeting was held with the Principal of the school on October 5th, 2010. At this meeting we discussed my research and what I hoped to achieve by interviewing the boys. The principal was interested in the research and offered to help in any way that he could. He explained the teaching approach of the school, its emphasis on reading, the whole-school approach to literacy development, the curricula on offer, the students' progress while at the school, and with respect to the level of exam results and achievements of the students. He offered to supply me with the school plan, school rules and whatever background information on the students that could be produced.

Findings re Primary School Experiences of Students

Following the IPA process, the emergent theme of attendance at primary school was broken down by abstraction, leading to the development of the following super-ordinate themes: access, number of schools attended, missing days at school, school subjects, relationships with peers and teachers. Further analysis by subsumption brought together responses to these themes under the super-ordinate theme of feelings about primary school.

Attendance at mainstream primary school

Access

Firstly in terms of access four stated that primary school was very close to their homes and they could walk, 'it was just across the road', and 'it was only around the corner', while one said that he could walk but sometimes he was 'too lazy' and took the bus (Shane, 15). All five remarked that they had been brought to and from school by their mothers when they were small and then went on their own as they grew older.

Number of schools attended

In terms of how many schools the boys attended at primary level, three of the five interviewed initially claimed to have only attended one school, while one attended two and the other attended four. This was later modified by one boy, Nigel, who went to

a mainstream primary school near his home for several years but then transferred to a special school near the city centre, where he remained until committed to the detention school. Cormac, who went to two different primary schools, said that in the first one he was in a class with a large number of pupils where he just sat at the back and daydreamed. (Also he admitted that he was given to violent outbursts). However, when he went to the second school (after third class) with only eight in the class he was much happier: 'The second one was deadly it was.' He also had the assistance of a Special Needs Assistant (SNA) in this second school and this seems to have been a great help to him. The boy who had attended four primary schools said that his family moved frequently between Dublin and Galway but he did return to the same school when they lived in Dublin. During the interview process it was at times difficult to elicit definitive responses from Shane due to the fact that he had had such a fragmented primary school experience and couldn't always distinguish one from the other.

(To clarify: of the five interviewees, 2 attended one primary school only; 2 attended 2 different primary schools and 1 attended 4 different primary schools.)

Missing school

Across the sample, attendance did not seem to be a major issue except for Shane who moved house frequently. He freely admits that he missed a lot of days and in fact was brought to court for non-attendance. Nigel said that he had missed 'a few days' because 'I was sick an' all, I had to go down to the doctor. '

The other three say they went to school all the time. One of them, Cormac, was on the school completion programme (possibly because there was a perceived risk of him not being able to attend for family reasons) but he insisted he never missed a day unless his SNA was off.

School subjects

There was no particular pattern to favourite subjects in primary school. James said that history had been his favourite subject in primary school and still is. (A penchant for rebel songs and a tendency to overtly express support for subversive republican organisations would suggest that his interest in history may have related to a history of Irish nationalism).

171

Shane said that in primary school maths was and still is his favourite subject. He felt that it was necessary for everyone to understand maths, 'otherwise you'd have to carry a calculator around in your pocket all the time' (Shane).

One boy Cormac, expressed no favourite while art was top of the list for the other two, Cathal and James. One of these two, James, didn't do history or geography at primary school and couldn't remember doing maths at all although he admits that he must have done some at least. The fifth boy, Nigel, again favoured art but also said he liked reading but was not good at it.

Relationships

Peers

Four of the five interviewees went to boys-only primary schools and one to a mixed school. Three said there had been about eighteen to twenty in their classes, one didn't give a number and the other as previously mentioned went from a large class in one school to a much smaller group of eight in the second school. Only one of the participants recalls making friends with people in his class. In fact one of the boys who had behavioural problems, Cormac, spent six months segregated in a separate classroom and was not allowed to play in the school yard at break-time. At break-time he was brought across to an adjacent park by a care worker and allowed to play with other 'special needs' boys. This seems to be an experience that is fondly remembered by Cormac.

Teachers

Remarks about the teachers were generally favourable. Most reported that the teachers were 'kind', 'friendly', 'all right', 'not strict', although one boy would only say that 'they were mad' and without further explanation it is difficult to know whether this is a positive or negative comment. This boy used the word 'mad' frequently and it seemed to be a catch-all phrase with different meanings depending on the circumstances.

Feelings about primary school

In trying to establish whether the boys actually liked school or not, an interesting theme emerged – that is that while they generally didn't mind *being* in school it was *going* to school that caused them the most bother.

This was first evidenced by Shane, whose family who moved frequently, and who claimed that he was 'happy inside school but didn't like going to school,' although he couldn't give any specific reason for his difficulty in going to school, he concluded that he was happy enough about school in general. Cathal said it was 'good – but mad', and went on to say that it 'just got too much in 6th class.' James said it was 'okay but a bit messy' and there were loads in the class. Nigel, who had been ill at times during his primary school years sometimes found the experience difficult, both in terms of getting to school and in terms of being there, although he didn't have any objections to doing lessons or the overall concept of school. Cormac, who had attended two primary schools had mixed feelings, claiming that the first one (with large numbers in the class) was 'shite' and 'I was going mad in there'. His boredom and frustration manifested itself in violent behaviour which included breaking light fittings and ceiling tiles. But once he was removed from that school he loved the second school. On further probing, it seemed that apart from the smaller class numbers and the fact that he had a Special Needs Assistant (SNA), what he really liked about the second school was that they went on a lot of trips there. School records show that Cormac had an IQ within the normal band (104).

Summary remarks on the primary school experiences

The primary school experiences of the five boys who were interviewed for this section of the research does not reveal any particular pattern or unified evidence of difficulty or disadvantage. There are both similarities and differences across a range of sub-ordinate themes. While some related certain difficulties with attending school due to family circumstances or health issues, none were overtly negative about their experiences in primary school or their relationships with teachers. At times their recollections were somewhat unclear or slightly confused and needed some further probing to clarify issues that arose. As a researcher I found it interesting that often the boys' struggled with words and vocabularies as they were attempting to articulate their

173

experiences. And what seemed like common words to me, e.g. 'recently' and 'support' had to be clarified carefully in some cases. In terms of overall engagement with the interview process, four of the interviewees were lively and engaged while one was initially more reticent and generally monosyllabic, but even he opened up more over the course of the interview and I am grateful for the valuable contribution they all made to the research.

Secondary School Experiences

One boy declined to continue with the interview process, (as explained above), leaving four participants, Cormac, James, Shane and Nigel, who responded to questions regarding secondary school.

Cormac, 15 years: Second Chance Educational Initiative

James, 15 years: Second Chance Educational Initiative

Shane, 14 years: Mainstream Secondary School (2 months)

Nigel, 15 years: Special School

As with the primary school experience, the emergent theme of secondary school has been subject to abstraction and presented under super-ordinate themes, in this instance they are: attendance; application to study; relationships with teachers; subject choices; friends/activities. Subsumption of the emergent themes has resulted in a sub-ordinate theme of feelings about secondary school.

Attendance

All four boys attended secondary school for some period before being admitted to the detention school. One of the boys, Cormac, attended mainstream school briefly (3 or 4 days) before being moved to an educational initiative called 'Second Chance'; another one, James, went straight to 'Second Chance'; one attended a 'special school' which was in fact a continuation of primary school and not categorised as a secondary school; the fourth only attended mainstream secondary school for two months prior to being committed to the detention school.

Application to study/tests/assessments

I asked the boys about assessments or tests to establish whether they had been given individual education plans or special assistance in secondary school.

Cormac's attitude to tests was revealing of his reflective nature. Talking about the assessment he had to do on his first day in secondary school which would result in his being streamed into a particular class, he laughingly admitted that it was a nice summer's day and he just wanted to be outside. 'I just filled it out…it was a load of shite and I ended up in C'. Afterwards he realised that he could/should have done better, admitting '… because I was in a class and I'm looking around and I'm saying I shouldn't be in this class.'

On the 'Second Chance' scheme, James had been given tests to ascertain what level he was at and what level of work he could do. He was also tested at various stages to see whether he was improving. He seems to have experienced a good deal of frustration with lessons, particularly in subjects that he didn't like: 'If I was sittin' there like doing Geography or History – I didn't like it, but if I was doin' something that I liked I'd focus on it.' But he also showed a resistance to taking help when it was offered: 'I'd try and sort the problem, so if I couldn't sort the problem, I'd say I didn't want help and the more I'd say I didn't want help I'd just get pissed off and throw it on the floor'.

Shane, who only spent two months in secondary school, has no recollection of tests. He attended classes with everyone else but had an assistant in the classroom to give him extra help with Irish and Geography. Although he liked having the special teacher helping him he feels he did not learn any Irish at all because 'I did it but I didn't listen like.'

Nigel, who went to a special school couldn't remember doing any tests at all but was aware that when he was in a class with large numbers (in his first school) he couldn't concentrate, 'it's just when there's loads of people in my class. I just can't do the work.' He also claimed that if the teacher spent time with him the other pupils would complain: 'Because I need help with my work. That's why, 'cos then the other

people they'd moan.' In the special school there were only three in the class and he got extra help from the teacher if he needed it.

Attitudes to teachers

Attitudes to teachers in secondary school were generally favourable among the boys. Remarks such as 'They were not the worst' and '...the teachers were all sound' suggest that the relationships between students and teachers were benign and did not seem to indicate that there was any particular animosity or tension between them. All found the discipline stricter than in primary school although all admitted that there was some level of 'messing' going on.

Subjects taken and preferences

Cormac had already done a Junior Cert in six subjects, getting three Bs and three Cs and expressed a desire to return to 'Second Chance', where he hoped to do more Junior Cert subjects and eventually to do his Leaving Certificate.

With regard to subjects, James favoured woodwork and art, claiming that woodwork was still his best subject. He was interested in creating art on the computer and showed me examples of artwork he had done for himself and the other boys using software packages on the computer (while in the detention school). He claimed to have done a year and a half at 'Second Chance' before dropping out in the middle of second year, and a having spent a similar amount of time in the detention school, this put him in his fourth year of secondary education at the time of the interview. He expressed deep frustration with the detention school management for not allowing him to take Junior Cert exams in Maths and English, (this will be discussed further in the next section on school in the detention centre). James claims to want to return to his former school (Second Chance) and was particularly keen to do his Junior Cert there if he did not get to do it in the detention school.

Shane also felt that Maths was his best subject at second level. He had every intention of continuing his education on release but not in a mainstream school. He intended to join his brother and sisters on an educational intervention scheme in his hometown which apparently they had recommended.

Nigel's best subject according to himself was Maths. He hadn't done any practical subjects like woodwork or metal work before coming to the detention school but he had done art. He claims that he would like to go back to school when he leaves the detention school but not to his old school. It is unlikely that he would be eligible for that particular special school when he is discharged because he will be over sixteen years of age.

Friends /activities

Despite half the day being spent in the mainstream school building, boys who were on the 'Second Chance' scheme did not have any contact with the mainstream students. As James remarked: 'You'd only be with people from 'Second Chance', many of whom came from his estate. However, Cormac who also attended 'Second Chance' claimed that many of his friends attended the mainstream school, indicating perhaps that he had a stronger personal connection with the school itself than the 'Second Chance' scheme. Given his IQ score, it occurred to me that Cormac was academically capable of attending mainstream school but his behavioural problems had stymied his chances of 'fitting in' with the school regime. Nevertheless, he and James had become friends over the years, they both come from the same estate, attended 'Second Chance' at the same time and have been in detention together. They meet up at home when on weekend leave from the detention centre.

Swimming is a favourite with James who learned how to swim in primary school. He claims to have saved the life of a younger boy who was apparently drowning in a swimming pool, 'He didn't know how to swim. I saw the bubbles comin' up.' As well as swimming, James was involved in quite a lot of activities during his time with 'Second Chance' both in school and after school, these included football and snooker and afternoons spent in the Youth Project. This he claims was 'good craic' where boys and girls could meet and would be taken on organised activities such as go-karting or the cinema.

Although he was the quietest of the group and seemed to me to be the least outgoing, Nigel was friendly with his fellow students in school and seemed to have mixed well with his peers. They would play pool together in the school canteen, sometimes play football together and travel on the bus together after school. After

177

school Nigel would often go to the local entertainment complex to meet his friends and play pool. He would also regularly play pool or do other activities at a neighbourhood Youth Project.

Shane was in secondary school for such a short period that he doesn't seem to have formed any particular bonds with other students or have become involved with any sports. He does seem to have had a certain amount of social activity in the company of care workers who he claims would 'Just bring me off for a while' and that they 'Kept you out of trouble an' all.' He thinks they were good and provided activities such as football, basketball and swimming, although he is not a big fan of swimming: 'I can swim all right but I just don't like it. I don't know why,' and he doesn't take part in swimming in the detention centre.

Cormac also played snooker on a regular basis both at 'Second Chance' and afterwards in a club. Like James he also went to the Youth Project in the Community Centre and played football, went swimming or went on outings with the youth workers. Cormac is a big fan of soccer and would always travel to see his local team play in league matches. Interestingly, he claims that he would often travel to these matches on his own. Another indication of Cormac's early independence was revealed when he claimed that he would never go home after school for more than a few minutes. When questioned about where he would go he answered frankly: I ran amok. I just ran the streets.'

Feelings about secondary school experiences

Cormac says he only lasted four or five days in secondary school. He claims to have thought secondary school was brilliant but nevertheless admits to 'running around kicking in doors and all that' and 'I was too messy'. When asked what happened after the four or five days he replied: 'They put me out the door and said good luck'. He says he found secondary school very different to primary school in that there was a different attitude to students at second level, which he describes as 'they didn't give a fuck, you could do what you wanted to'. Despite this observation he could not in fact do what he wanted to and was duly asked to leave, as he admits above. After being expelled from secondary school he went to a 'Second Chance' educational initiative which he likened to a youth project but with three classes a day at school and then classes/workshops in a

building on his estate. As with primary school one of the attractions of this initiative was that they went on trips and he mentioned a day trip to Manchester and also the fact that he had signed up for another trip (to Alton Towers) before he was sentenced to the detention school.

He stayed on the scheme for a year but at some point smashed a window while in the school premises (getting glass in his face) and was suspended and eventually convicted and sent to the detention school. In terms of his attendance he claims to have liked Second Chance and to have attended almost everyday. He says that 'I tried not to miss it even if I was sick' and says that in all, he missed about three or four days out of a year.

Another participant, James, went straight on to the 'Second Chance' initiative, which he describes as a place for people who were kicked out of school for messing and who came from a variety of schools in and around the town where he lived. Many of his fellow students were friends from his estate and 'I hung around with them on the estate like'. As with the first participant above, this involved attending classes in school in the morning and then travelling for about twenty minutes to another building in the housing estate where other classes and workshops took place. The classes in the school setting were conducted separately from the students in the mainstream classes. James attended the scheme for 1st year and half of 2nd year, and claims to have never missed a day.

There was initially some confusion as to the secondary school experience of Nigel (15), who went to a special school which spans the primary and secondary levels. He explains; 'they don't go by years it goes by your age', and where he could have stayed until he was 16 years of age had he not been committed to the detention school. It seems that after attending a mainstream primary school near his home for several years he then transferred to a special school in the (Dublin) city centre where he remained until committed to the detention school. He missed some days because he 'didn't want to go' although earlier in relation to primary school he had mentioned having missed school when younger due to illness.

Shane started first year in secondary school but was only there for two months before being committed to the detention school and apart from the responses above

about subjects he took, he didn't articulate any particular feelings about secondary school.

Summary remarks on secondary school experiences

All the participants seemed to respond positively to stricter discipline in secondary school, did not have antagonistic dealings with teachers, were self-aware of their own difficulties (see their reflections on tests), knew when they had misbehaved and understood the consequences in hindsight. Three of this four were bright and responsive to the questions about secondary school, one of them, Nigel, was given to rather slow deliberation in his responses but was able to reflect on his limitations and strengths. Cormac clearly had behavioural problems in school but was very intelligent, there was no clear explanation for his outbursts and they were mainly directed at inanimate objects rather than other people. All stated that they were aware of the importance of education in getting employment later on in life, and all expressed an intention to return to school, though not necessarily the school they had previously attended. Swimming, playing pool, snooker and soccer were all favourite activities of the boys during their secondary school days and all had had the opportunity to partake in these activities to some extent. None of them seemed to have formed strong friendships within their peer groups at secondary school.

Children Detention School Experiences

Through the process of abstraction a number of super-ordinate themes developed from the detention school theme. These included course/subjects; reading; homework; teachers; hobbies; music; sports. Focusing directly on the participants, subsumption led to the development of super-ordinate themes such as feelings about going to school in detention; life in general in detention; home visits/visitors; family members in detention; previous committals; changes they would make to detention school.

Courses/subjects

There was a wide variety of subjects on offer at the detention school, including English, Maths, Geography, History, Art, Woodwork, Computers, Technical Graphics,

Home Economics (although the Home Economics teacher was out on maternity leave during the timeframe of this research). Some subjects were offered at FETAC levels and some at Junior Certificate level. The difficulty with their experiences of Junior Certificate was that often the boys would be released before they could sit the examination, and there was some doubt as to whether they would actually sit the exam in a mainstream school post-release. Shane was a good case in point, he had already studied and passed FETAC course and was now studying for his JC. However, as he was due for release four months from the time of the interview (October) and so there was likely to be a break in the continuity when he enrolled in a new school which might well interfere with his opportunity to sit the exam.

Only one of the boys, Cormac, had already taken six subjects in the Junior Cert outside of detention, and he was now studying more subjects at this level, and hoping to sit the exam in his old school if he was released in time.

James was quite disgruntled with the staff's attitude to his ability and was adamant that he should be allowed to study and sit for Junior Cert Maths and English but the teachers had doubts about his aptitude especially in Maths. '...but they won't let me do anything in Maths, they think I'm not ready for it.' And '...they made a promise to me at the start of the year – that I could do me Junior Cert in Maths and English and then halfway through it they're saying that I'm not ready to do it.' When I questioned this later, staff were not in accord with James' claim about the promise and defended their position by saying that his Maths level was not sufficient to attempt the Junior Cert exam in that year.

Reading

All the interviewees were interested in reading and very committed to the reading session that took place daily in the school. There was a selection of books available in a library that they could borrow and take to their rooms but mostly they read in class-time. In the interview room that I was using there was a stand with posters and examples of books on display. I was impressed by how proud the boys were of their reading achievements and how they were eager to point out what books they had read. The range of reading levels was quite marked across the sample however.

Cormac was clearly the most proficient and prolific of the boys when it came to reading. Not only had he read all the Harry Potter books but he had also read classics such as *Kidnapped* and *Escape from Colditz*. He liked crime and adventure stories, and was interested in contemporary issues and current affairs which he followed in newspapers and in books such as *Hard Cases* - a book about Irish crime by journalist Paul Williams.

Shane also liked to read newspapers which he said he got from other people (e.g. staff) in the centre. He too was enthusiastic about the reading programme in the school: 'Yeah, I like to read like, it's not the worst like.', but claimed that he didn't really read much outside of school time even though he also claimed to have about five books in his room, some from the school library and some from home. He also seemed a little anxious that he would miss his reading session by taking part in the interview session as when I inquired as to whether he did any reading after school he replied: 'No, it's reading time now it is', indicating a slight annoyance that I was taking him away from a session that he valued. James also showed me a book he had read: *Trapped*, and was aware that he could take a book from to school library but admitted it was not something he would regularly do. Nigel was quite enthusiastic about reading even though he claimed that he was not good at it. He was able to point to a large range of books that he had read in class, mentioning *Treasure Island* and *Rescue* in particular. Although he was clearly proud of his reading achievements, Nigel said that he didn't do any further reading after school and definitely not on Saturdays or Sundays, suggesting that reading as far as he was concerned was strictly a school activity.

My impression from all the boys was that they enjoyed the daily reading session in school and were pleased with the idea of improving their reading skills but that in general they didn't read outside of school, except perhaps for the newspapers (in two cases) and possibly didn't see the connection between practising and developing their skill outside of class-time. The lack of cultural artefacts e.g. books that these young people would have exposure to in the working class habitus is evidenced in their responses around reading as a school activity. Crime and adventure stories were the overall favourites and when asked about different forms of reading material none of the interviewees admitted to reading comics or magazines.

Homework

Homework proved to be quite a contentious issue. Cormac claims that he was given homework for six weeks but he never did any of it. According to him, there was a voluntary option to do homework which gave him a good excuse not to do it: 'If they said you had to your homework, I probably would have done it but just because they said voluntarily, I just said no.' James gave quite a different version when asked if they were expected to do homework: 'No. We wanted to do that one year but they wouldn't let us.' Shane's attitude was somewhere between the previous two: 'I don't do it. We used to, then we didn't do it. They were giving it to us like, and we didn't do it.' A simple 'No' from Nigel confirmed that none of the interviewees did any homework or further study after school hours. The mystery surrounding homework was later explained to me by a teacher. It seems that outside of school time the boys are supervised by care workers and as homework would have to take place during the care workers shift there is no-one to supervise this activity, and when given the option to voluntarily do homework, the boys decline.

Attitudes to teachers

All of the interviewees agreed that having only two students in a class was a great help to their learning and that they got more care and support from the teachers (although I had to explain the meaning of the word 'support' to one of the boys) in the centre than outside in mainstream schools. James was slightly more cynical than the rest about the caring attitude of the teachers: 'Well, it's not really that they care more it's just their job, that they have more time, they help people get their work done...'

Hobbies/Interests

Film/TV

Action, crime and adventure stories were the favourite themes when it came to film and TV. Every Friday there was a DVD and Pizza night in the centre where all the boys and care staff watched a film together. Shane was the only boy who expressed an interest in comedy, which he liked to watch on television. As well as the TV in the common room, the boys had their own TV and/ or Playstations in their rooms. They were allowed to use these until 11pm when the main power had to be switched off in

their rooms. The penalty for using equipment after the curfew was to lose the equipment so no-one ever transgressed that rule. After 11pm the boys could use a torch or transistor radio if the wanted too. In relation to their accommodation it is worth noting that the boys' bedrooms did not have en-suite facilities so they had to call on the care staff to take them to the toilet during the night an issue which clearly impacts on privacy.

Music

All the boys listened to music on a regular basis; the favourite being rap, and rather surprisingly, the second favourite being ballads by groups such as the Dubliners and the Wolfe Tones (both are folk groups, the latter generally famed for singing rousing rebel/nationalistic song). When asked about the appeal of these genres James summed up: '…because you'd listen to rap all day, and then at night time you can just put on the Wolfe Tones or something to relax like.'

When asked about playing instruments themselves there was general interest, ranging from the aspirational: 'I'd like to play guitar' (Shane), to attempts at learning to play guitar by Nigel using a DVD game called *Guitar Hero* alone in his room: 'Like you have to… you're looking at the telly and when the tones come you have to hold down the button or press it down.' Both Cormac and James claimed that they could already play the guitar. Cormac, had been learning to play the guitar at home but couldn't continue while in detention because there are no lessons available. He does intend to take up the guitar again when he returns home. James not only claimed to be able to play the guitar but mentioned that he was closely related to a veteran Irish musician. I noticed that James was fond of singing and was not shy about 'performing' out loud in front of me or the other staff.

Sports

All of the interviewees could swim before they came to the centre, most could play football and pool. All followed UK Premiership soccer teams, one to a fanatical level. There was a good range of sporting activities available in the centre. Sports included soccer, tennis, croquet, some athletics and swimming (although the heater in the pool was broken so not everyone chose to go swimming – those that did opted to wear wetsuits because the water was so cold).

It seemed that some of these sports depended on the availability of staff and the particular skills that they had. At the time of the interviews one of the staff was a tennis coach so consequently tennis was big on the agenda and there was a tournament in progress at that time. After five weeks the champion would win a FIFA Playstation game or similar game. There were indoor and outdoor facilities for tennis so it could be played at any time of the year.

Some of the boys remembered a former member of staff who had coached them in a variety of athletic sports such as cycling, running and mountain-biking. This particular staff-member also instructed the boys in scuba diving in the swimming pool. He also organised for the boys to go outside the school to take part in duoathlons and triathlons and to go running in athletics events at Punchestown.

Football (soccer) was played by all the interviewees and was another sport that could involve travelling outside the centre to play league matches e.g. against other detention schools or care homes such as Ferryhouse in Tipperary. Five-a-side matches were played within the centre too, sometimes boys against staff or committals against assessments. Participation in sports could be curtailed if there were behavioural problems in other areas. At the time of the interviews one of the boys was awaiting a decision by staff as to whether he could take part in a match the following day; 'We were going to play a match tomorrow but I got in trouble today.' The loss of one member could jeopardise the match for the whole team because there were so few involved.

Feelings about going to school in detention

Feelings about going to school in a detention setting ranged from acknowledgement that it was easier to study there to expressions of discontentment about the level of discipline. Cormac was very direct in his condemnation when asked what school was like in the detention centre: 'Shite'. However, on further questioning it seemed his dislike was linked more to his personal attitude to routine school procedure than to anything extraordinary about this particular school setting: 'You can't run around during work time. You can't walk in and out of the classroom, you know.' When asked what it was like to be in smaller classes with more attention from the teachers he admitted that small classes were better and that he liked learning. 'It's all

right, I like it.' He also admitted that the teachers were able to give the students more time and probably cared more about the students than would be the case in a regular school.

James felt that the small class size and attention from the teachers was beneficial:

> It's better when studying in here because there's two in a class and you get more help from the teachers, like, you've more time to concentrate, like not... without other people chattin' and squawkin' and ...you have the one teacher.

Shane felt that he was able to learn way more in the detention school than outside and although he agreed that the teachers gave more attention and help to the students, he also felt there was more pressure to work and that 'It's just that if you don't do it, you go straight back to your room like.'

Nigel was in accord with the overall opinion that the teachers were helpful and supportive and that having only two people in each class was made it easier to study.

Confinement

When asked what it was like not being able to go home after school the answers covered a range of emotions from sadness, sarcasm and amusement to realism.

One replied that it was sad not being able to go home, another said it was like being in a holiday camp, another said; 'you get used to it after a couple of months, like I'm in here now 15 months.' (James). And Cormac remarked uncompromisingly: 'I didn't go home after school anyways.' This revelation prompted me to inquire as to what he did after school. It seems that after a quick run into his house to drop off his bag, Cormac spent several hours roaming the streets of his home town unsupervised and with no-one knowing where he was or what he was doing – 'I ran amok. I just ran the streets...I'd be home about ten at night.' When I asked whether anyone was looking for him he replied; 'They did yeah but my phone was off. I was uncontactable *[sic]*.'

Home visits and visitors

Mobilities are concessions that can be earned and maintained by good behaviour and lost through misdemeanours. One of the most important mobilities for the interviewees was the possibility to go home for one night at the weekends. Three of the four interviewees had lost their weekend mobility at some stage in the months prior to the interview. Shane who was an inveterate joker initially told me that he had been in detention for twelve months and hadn't seen his family yet. As it happened he was the one who seemed to have the best record of mobilities and also claimed to have family visiting him regularly in the centre even though his family lived the furthest away. Cormac had only recently had his home mobility restored having 'lost it' (i.e. his temper) on one of his home visits. He claimed that his family visited 'once or twice a week', although such vagueness from one who was otherwise very direct made me suspect that this was perhaps not entirely true. Nigel had recently lost his mobilities (a week before the interview); the reason was that after his last home visit he returned to the centre but decided to 'do a runner' at the front door of the centre when being readmitted. Having been caught and returned to the centre he would be confined to the centre for the foreseeable future. Nigel admitted that he didn't get visitors very often and that he missed his sister and brothers. For me this enhanced the feeling that of all the boys, Nigel was possibly the most lonely and least resilient. James too had lost his mobilities and had not had a visit home since July (this was in October). The reason for his loss was that on his last visit home he had been found to be 'drunk and disorderly'. As a result of this behaviour he was facing the prospect of spending Christmas in the centre as he had done the previous year, which he described as 'crap'. James's mother came to visit him once a week and in reply to who he missed: 'just me wee brother and sister – not being able to see them much.'

Family members in detention

Three of the four interviewees had family members who had been or were currently in detention or adult prison. Shane's first cousin had been in the same detention school on remand at the same time as Shane but had been moved to another detention school recently. His case was due in court during the week of this interview. In addition, Shane's older brother had previously been in this centre as a juvenile, then in St Patrick's Institution and was currently serving a sentence in Castlerea Prison.

Cormac had no family members in detention or prison but as already mentioned he was a friend of James before and during this period of detention (they had been in Second Chance together). Two of Nigel's uncles had been in detention in this school 'ages ago', and a friend of his from home was currently in the same centre but on assessment so they had little or no contact. James had an older brother in St Patrick's Institution, he had been committed during the period when James was in detention (in other words James though younger had been committed first).

Previous committals, knowledge of life in detention

Of the five original interviewees, 3 had previously been in another detention school. Shane had been in this centre previously during his period of remand and assessment. He had some idea of what to expect before he was committed because his brother had told him about all the doors being locked. Shane on the one hand felt that life in this detention centre was somewhat better than expected but also expressed the view that it was worse because 'I thought the gates and doors wouldn't be that bad like, locked and all'. Although he had not previously referred to having been in XXX Detention School, he launched into a comparison of the conditions in both schools, visits, teachers, location and although I tried to steer the interview back on track he continued to discuss the teachers in the other school. His opinion of the other school is best summed up in the remark that: 'XXX was like a prison, man'. It was clear that Shane preferred conditions in his current situation.

Not having any family or friends in detention, Cormac had no clear idea of what to expect and was rather sanguine about what he found '...I thought this would be the roughest place out of all the detention centres but it's not, it's just a wee shit hole, that's all.' [Laughs]. He also says that he didn't care what it was like and wasn't scared before he arrived. Rather confusingly Cormac also said that he was expecting to come to a place where he could do what he wanted and seems to have been rather taken aback by the level of discipline. He declared that he had no intention of ever coming back. Out of all the interviewees I felt that Cormac was the least likely to make a career out of criminality. He was a bundle of contradictions – intelligent but poorly educated, articulate but had a speech impediment, friendly and sociable but apparently capable of destructive tantrums.

Nigel had no warning of what it would be like in detention and feared that it would be 'closed behind bars' so he actually found it somewhat easier than he expected. James says that even though he knew he'd be locked in at night at first it was 'very depressing getting locked in your room at night.' After fifteen months he said he was now used to it, but overall he felt that it was worse than he expected 'just a wee bit.' He too had previously been in XXX Detention School, which he described as 'That's a very rough place.' Like Shane, James had a lot to say about living conditions in the other school: 'The room is a little cell room, the door has the little window.' He continued: 'And the bed's made of concrete' and 'Yeah, with the mattress is only about that size [gesturing], so it is. It's hard. The blankets are freezing and they are rock hard as well.' He also remarked that there was no window in the room but then qualified that by saying that there was a small window high up, usually a circle.

Changes

Two of the interviewees had nothing significant to say about changes that could be made to the school or the centre, in fact they didn't have any suggestions for changes. However, the other two had quite a lot to say on the topic (and off it). James started by complaining that at the school they were very fond of Maths and he was not. This led him on to talk about the 'payback' disciplinary system in the school. I got the impression that his difficulty with Maths had on occasions led to disciplinary sanctions. The system that operated in the school was that time-out from school for misbehaviour had to be repaid with time from leisure time. As James described it: 'So you're being blackmailed. If you don't go to school you have to go and sit in the quiet room and pay back that time.' What was interesting about his opinion here about too much emphasis on Maths, was that earlier in the interview he had vehemently claimed that he wanted to do the Junior Cert Maths exam and that he was ready for it even though the school management were not convinced of this.

Shane who had a lot to say about changes started off by saying: 'The doors and yards are locked, aren't they?' indicating that his main difficulty was detention itself. In terms of how the school was run he expressed the idea that there should be more than two in a class, even though he had already admitted in answer to a previous question that he could learn way more in this setting than in an ordinary school. Like the previous response from James, Shane also expressed disgruntlement at the 'payback'

system as he had mentioned earlier that there was more pressure to do school work because if you did not you would be sent to your room and have to pay back the time later. Perhaps in an effort to distract me from this thorny subject he then went on to talk at some length about another detention school he been in, some of his remarks on this have already been mentioned.

After Detention

I was interested to find out whether the interviewees intended to return to education after they were discharged and what their plans were in this regard. I also inquired as to whether they had career plans and whether they were aware of the link between school and work prospects.

Returning to school

All of the interviewees expressed a definite intention to return to school as soon as they left detention. However, there was some lack of clarity as to exactly what form of education they would pursue, at what level, and to what end. In hindsight it was confirmed by some of the teachers that it was highly unlikely that any of them would return to mainstream school and there were only limited possibilities that they would continue on an educational intervention scheme such as community education schemes or Youthreach.

Nigel who was studying subjects at Junior Cert level but who would be out of detention before exam time said that he would go back to school and 'finish it off.' Earlier he had told me that he had been attending a special school that took students until they were sixteen years of age so as he would be turning sixteen when he left the detention school I wondered about the reality of this plan. When questioned about Youthreach later on in the interview Nigel claimed that he would go to a Youthreach scheme because his sister was already attending one and: '…and I'd be able to go with her.' Shane had plans to take up a place in an educational scheme in his home town where his brothers and sisters already attend, although he was unclear as to the name or nature of this scheme. He initially gave a name of special school but later said he thought he might be going to a Youthreach scheme. James was probably the most non-committal about whether he would return to school. He simply answered 'Yeah' when

asked if he would return to school and do his Junior Cert but didn't seem able to elaborate, although earlier when discussing secondary school he had seemed adamant that he would go on to do his Junior Cert either in the detention school or in Second Chance. His response to my question about Youthreach was quite revealing in that it showed certain character traits such as an attention to detail that I had noticed earlier, and a level of naivety/vulnerability; 'I tried to go to Youthreach there in…when was it now…I think it was the 5th of June. I went for an interview and your man says "yeah well I think you can get into this course and it would be good for you" and then after that he said he'd send me a letter and I still didn't get it.' Cormac, as well as being the most well-read of the group was also the most ambitious and seemed determined to return to school, not the 'Second Chance' scheme he had been on but mainstream school. He was disparaging of Youthreach schemes and definite in his rejection of them. In his view they would have nothing to offer him. He was aware that anyone on a Youthreach scheme was already in trouble: 'When you're there like - they've all been kicked out of school. There's nobody ever goes in there that never got in trouble or don't smoke hash, you know what I mean?'

Career plans

All of the boys expressed a desire to get a job although with varying levels of clarity about how and what they would work at. All acknowledged that going to school and passing exams was important in getting a job. And all said they would encourage their siblings to stay on in school and sit the Leaving Certificate.

As mentioned above Cormac was definitely the most ambitious and he also had the clearest and indeed the loftiest ideas about his future career. After getting the Leaving Cert he intended to go on to study to be a solicitor and maybe even a judge. While he dodged my question about whether he knew much about the law he claimed to be aware of what was involved in being a solicitor. 'I know what they do like yeah. They talk to the judges. It's not really rocket science but if there's a mistake or something, they find it.'

Shane was much less clear about his career plans saying only that he liked carpentry. James was equally unclear again claiming that he was good at woodwork or that he might like to work in something 'mechanical'.

191

Nigel was much clearer about his job prospects and wanted to get a job as a motor mechanic. Although there was no training in motor mechanics in the detention school, Nigel had already learned a lot about cars from his uncle who was a mechanic. He had fixed cars before (including his mother's) by working alongside his uncle and said that he was able to do a service on a car. In addition he had a motorbike at home and said that he was always working on that.

Conclusion

Interviewing the boys about their educational experiences was a very revealing and productive process. Having a specific topic to focus on, (education), produced interesting data about their background in the education system, both within the mainstream education system and the detention school system. In addition, having a specific topic but an open, semi-structured interview process allowed the boys to elaborate at times about issues that were important to them and allowed me as the interviewer to pursue issues that revealed more of their character, personality and circumstances. In fact focusing on education as a topic was useful in putting the boys at ease about the interview because they may have initially been nervous that I was a journalist who wanted to find out about their criminal activities, one of the boys, Cathal, actually asked me if I was a journalist. As already mentioned, it is often the crimes committed by young people that are focused on in the media rather than the children or their circumstances. Nevertheless, it was clear that whether I was a journalist or not, the boys were quite happy to talk to me. Being confined to the CDS meant they had little opportunity for conversation with anyone other than staff. I was aware of this aspect of incarceration from having conducted research with adult prisoners in Mountjoy Prison on a previous project. At that time it was obvious that one of the most difficult aspects of incarceration is the monotony of daily life, so interaction and communication with a visitor is always welcome. Interviewing the boys in the CDS I was also reminded that it is essential not to be longwinded and to be patient, allowing them sufficient time to form their responses or to question the meaning of certain words they were not familiar with, because in Bordieuean terms their limited embodiment of cultural capital may have limited their linguistic competence. As 'going to school' is a topic that is common in some form or another to all children, focusing on their own experiences was a valuable way of giving them an opportunity to speak about something that was familiar

192

to them. It also gave them the chance to express themselves in their own language rather than in the language of tests and examinations that they were subjected to so often during the assessment processes in the detention system.

Although I had to remain in control of the interview so that it would retain its focus I did not want the scenario to resemble a Foucauldian examination such as those carried out by doctors, psychologists and teachers where the balance of power is on the side of the examiner. Being able to conduct the interviews on a one-to-one basis in a private room was of enormous benefit because it allowed the boys to express themselves freely without being checked by teachers. Granted, the panoptical gaze of the CCTV camera was ever-present but I was possibly more aware of that than the boys seemed to be and it certainly didn't seem to hinder their flow of conversation in any way. Like the prisoners described by Foucault as being trained to carry out daily functions in response to the ringing of a bell it seemed to me that the modern-day children in detention had become used to the mechanics of incarceration to the extent that they accepted the CCTV cameras and constant locking and unlocking of doors. Although the disciplinary practices were accepted by the boys it was quite clear that they did not like them. When questioned about what they disliked most about the detention school system it was the locked doors, the 'lights out' policy at night, the need to call for assistance to use the bathroom facilities at night, the use of restraints if they misbehaved in school that featured in their responses. As an observer I noted that although the boys were lively and talkative they never complained vehemently about the discipline and in fact seemed to accept the situation in quite a docile manner. This would appear to be a manifestation of Foucault's claim that disciplinary techniques and constant repetition of tasks does indeed produce 'docile bodies' who accept the dominant power of those in authority. Nevertheless, it was clear to me that the psychological/personal effects of the restrictions and limitations placed on the boys were in fact deeply felt.

It became clear that each of these boys were not necessarily morally corrupt or 'criminal' but were rather victims of circumstances and for all intents and purposes were 'normal teenagers' who had somehow fallen foul of system that had led them onto a pathway of criminalisation, exclusion, and with little hope for the future. Each of them were self-aware of their behaviour and cognisant of their limitations, none of them were

bitter or blaming of their circumstances. Responses to the interview questions reveal elements of the hardship that some of the boys grew up in such as staying out in the streets till late at night rather than going home after school, not being allowed to play with the other children in the school yard but instead being taken across the road to a park by a teacher, not forming any close friendships with other children in school, and in one case constantly moving and changing to different school.

At times the boys had difficulty in expressing themselves verbally, and the limitations of the vocabulary of some of the boys was obvious in that I would sometimes have to re-phrase or explain a word I was using. It was also obvious in other ways in that they had a limited range of adjectives and adverbs when describing something but they were comfortable with the use of 'bad' language which the teachers would try to keep in check if they were present. The difference in language use between home and school is one example of how the boys lack sufficient cultural capital to feel comfortable in school. This would no doubt have contributed to their feelings of not wanting to go to school when they were younger and not making a successful transition to secondary school. Although they all stated that they recognised the connection between staying in school and getting a job, their overall outlook suggested that they might not have been attending school had they not been incarcerated in a detention school. Like the 'lads' in Willis' (1977) research, there may have been several reasons for this outlook, such as the view that school had little to offer them, that they would prefer to engage in manual labour or that in their home and family circumstances they were not encouraged to attend or stay in school. In Bourdieuean terms the 'cultural habits… and dispositions inherited from the family' (1979, 14) which are vital to school success were either non-existent or were of the type that did not encourage or support schooling.

In fact it seemed to me that their there was a certain inevitability about the fact that despite their expressed personal aspirations they would for the most part not return to education, not achieve their career goals and quite possibly continue to inhabit the criminal justice system for the foreseeable future.

Chapter Seven: Teachers' Perspectives on the Educational Process in the CDS

Introduction

In this chapter I present the findings from the semi-structured interviews with the teachers in Avondale School who participated in the research. The focus of the teacher interviews was to explore and understand the teachers' perspectives with respect to the process of education in the CDs, and to explore what teaching in a detention school was like from their point of view. In addition, this chapter investigates and elaborates the particular challenges that teachers faced in the detention school setting, and how they felt the school experience impacted on the lives of the young offenders who had to attend the school compulsorily while in detention.

The Interview Process

As with the boys' interview transcripts, the IPA process was followed to analyse the teachers' interviews; the responses were coded for similarities and emergent themes were noted. Then the transcripts were categorised into the emergent themes, with super-ordinate themes being identified. Themes that emerged included; teachers' perspectives on the teaching process in the CDS setting; teachers' perspectives on the education process; and teachers' perspectives on the students in the CDS. These are presented in three distinctive sections of this chapter. Super-ordinate themes were identified within these themes and these are presented in the form of sub-headings within each of the major sections. Table 7.1 gives details of the teachers interviewed.

Table 7.1 Teachers interviewed

Name (pseudonym)	Subject	Years Teaching Experience	Years in this CDS	Previous CDS Experience
Gerry	Metalwork	13	4	Yes
Arthur	Maths	30	13	Yes
Brendan	Tech Graphics	33	9	Yes
Fran	Art	4	4	No
Harry	English/History	2	6 weeks	No

Part One – Teachers' Perspectives on Teaching in the CDS

Teachers' backgrounds and teaching experience

The theme of teacher education and continuous professional development emerged as of particular concern to the teachers during the interview process. Across the five teachers there was a distinct difference in the levels of teacher education, experience, and preparation for working as a teacher in a detention school. There was also a variety of opinions on matters relating to special educational needs (SEN) and whether there was need for detention schools to follow the mainstream curriculum, or develop a distinct curriculum that was more suited to the needs of the children.

Teacher education and continuous professional development

Some teachers had been working in the detention school system for many years while others were entirely new to the system. Most stated that they had had no particular education that prepared them for the demands of working in a detention school, having acquired a H.Dip in Education that prepared them to work as teachers at second level in mainstream schools. With 30 years of experience as a teacher, 13 of them working in Avondale School, Arthur felt that teacher education, (H.Dip), prepared people to be teachers but that individuals had to develop their own skills during the course of their careers and that this was a slow process. 'You know like in most jobs, I think on the job training is the most practical and most real.' The teachers in the CDS did refer to their school as a 'special school' but there are no requirements for them to have acquired a specific qualification in SEN, and at the time of this research there were no courses available for them to develop or build on their H.Dip qualifications in relation to teaching in the CDS setting.

The expressed need for professional development for CDS teachers was palpable among the teachers that were interviewed. While there are continuing professional development courses available for teachers in general to develop teaching skills, and there had been some possibility to develop their knowledge of special needs education (SEN), in practical terms, it would appear that there was not the time or in some cases, the willingness to attend CPD programmes. Arthur remarked that there was no specific preparation or course that covered the needs of teachers in a detention school setting,

remarking on the SEN course that he had taken himself some years ago: '…it covered all general areas and was a very generalised course, and even with that …, there wasn't a real understanding of our end of the market. There was a greater understanding of other disabilities…' He felt that there was a greater understanding of a range of disabilities such as physical disabilities and specific learning disabilities (SpLD, such as dyslexia, dyscalculia, dysgraphia) but that was lacking on the course was an understanding of the overall needs of children in the criminal justice system who had different needs. As he pointed out, 'it's not so much that the children have special learning needs but that schools have special teaching needs when it comes to some children.'

Previously it had been traditional practice in detention schools (under the direction of the DES) to have one teacher per year on a Special Education course but Arthur had noticed that this practice had waned in recent years. He also noticed that it was generally teachers who did academic rather than practical subjects who were more inclined to take further training and career development courses.

Some teachers felt the need for career development more than others. One of the teachers, Harry, had recently been engaged as a substitute teacher in place of a permanent teacher that was on leave of absence. As a relative newcomer, Harry was a valuable contributor to this research, offering a viewpoint that was from within the teaching profession, but largely outside of the CDS system. With no background in SEN or training in behaviour management he felt unprepared for the challenges that he faced on a daily basis and he would have welcomed greater preparation. Without the opportunity to develop his teaching skills and approaches on specifically designed courses to suit the CDS, Harry felt that he would be happier to return to mainstream schools when this period of substitution was complete.

Because of the lack of continuing professional development, and because Arthur was so committed to the idea of teacher development, he had worked (with Trinity College, Dublin) to devise a module on their Special Education course. He had contributed to the development of a specific module on the course that would address the needs of teachers in detention schools. While the idea had initially been welcomed among teachers, the practicalities of attending the course had resulted in a low uptake and waning interest over the years to a point where the course had been withdrawn

(although the modules were in theory still available should the demand arise). Arthur remarked:

> I was also disappointed because every teacher I went round to - and I did an intensive trawl of teachers in all our special schools, from XXXX to YYYY, here and all around - and everyone was interested, everyone said they'd do it, but when it actually came to the point then people were on holidays or they lived too far away or they had other commitments.

With many years of experience teaching in the detention school setting Arthur was vehement about the need for a radical approach to helping children in the detention school not only in their academic education but in developing them to their full potential as people.

> The monolithic approach of our system is you're a teacher, you have a H. Dip or you have primary training and go forth and do your stuff, but our kids have been through that system. To actually take them in, you need a radical approach so you do need your basic teaching skills and teaching development but I think there's another layer if you're going to be radical (Arthur).

He felt that all the teachers in detention schools should have special training above and beyond the H.Dip in Education that would better prepare them to be able to work with children who have suffered such disadvantage in their early lives.

Personal programmes of development

Despite the lack of preparation for teaching in the CDS setting some teachers had been able to face the challenges and had developed their teaching skills in-situ, or by pursuing their own agenda of continuous professional development privately. Fran was a good example of this. He had been working as an art teacher in this CD school for four years, and he had no training in special educational needs during his own teacher education. He had not worked in any other schools (although he had worked in a mainstream secondary school as part of his H.Dip). He said that in the past there had been some opportunities to do extra training courses but that in the current climate of uncertainty and on-going changes in the youth justice system, availability of training had been put on hold. He was interested in continuing to work in the detention school setting and was pursuing a course in art therapy privately so that he could explore the

principles of art therapy with a view to possibly applying them in his current employment.

The unassigned teacher

Because discipline and behaviour are seen by teachers as being significant, I wanted to enquire further into the role of the 'unassigned teacher' which I had noted in the school plan (and which I had observed in Roundwood School). It seems that there is almost always one teacher who is not assigned to any class at any given time and who instead patrols the corridors outside the classrooms during class time. Gerry explained that this was traditional practice in a detention school. 'We have six class groups, we have seven teachers, so the unassigned will always be an unassigned unless they have to cover for an absent colleague.' He went on to explain that this is part of the discipline programme, so that the principal does not have to 'jump in for every little incident that arises'. He felt that there were advantages to this system that were specific to the detention school setting in that it gave the unassigned teacher a small break or chance to remove themselves from the intensity of the classroom. In addition it gave the classroom teacher the security of knowing that there was someone immediately available if discipline became an issue and if they needed some assistance. While there is no doubt that the practice of using an unassigned teacher has benefits for the teacher in terms of giving them a break from the classroom and for the school in terms of supporting discipline, it does raise issues in Foucauldian terms in relation to observation and control. Although Avondale School was not laid out in a way that resembled the *panopticon*, the use of the unassigned teacher could be likened to a modern-day replacement for the prison guard who could observe all the prisoners from a fixed point at the centre of a building. The unassigned teacher was on constant patrol and could easily see and hear the classroom activities from the corridor. As the boys were aware of the unassigned teacher's presence they had internalised this method of control and were less likely to misbehave in class, because they knew they would not only be subject to reprimand by the class teacher but also to the intervention of the unassigned teacher.

Part Two – Teachers' Perspectives on the Process of Education in the CDS

School procedures

A major theme that elicited some interesting responses centred on whether a detention school should replicate mainstream school practices or whether it should develop a different model more suited to the needs of the children. While there was an awareness among the teachers that the CDS should offer an alternative to mainstream school, they did not have any clear suggestions as to what an ideal model should be or specifically how it should function.

Arthur saw the challenges to teaching in the CDS as being distinct from mainstream school and felt that the purpose of the detention school was *not* to replicate mainstream school: 'Either the school has failed them or they have failed the school or have been mismatched, you know round pegs in square holes or square pegs in round holes.' He saw the purpose of the CDS as being quite radically different. He recognised that teachers were educated in regular teaching practices and admitted that many of them just wanted to get on with teaching their subject areas as per the Junior Certificate syllabus, but that more was required in a Detention School. He felt there was a challenge to detention school teachers to come up with solutions: 'Our challenge is to radically review what's gone wrong and what the needs are and to handle them, the solutions have to be radical as well and I think that's where we fail.' By this he meant that more should be made of why and how the education system had failed to meet the needs of the boys, why they had been unable to settle or progress in the mainstream system. While it is accepted that Arthur was stating this with the best intentions of improving the educational process for the boys, there is also a fear that from a Foucauldian point of view this would in fact lead to further examination of the boys and their school experiences. Taking this approach rather than a 'top down' approach where the failings of the system should be investigated is again an example of the bureaucratic power of the dominant classes being exerted on the powerless boys who are already subjected to much scrutiny. If, as Arthur suggests, a radical approach is needed then it should be focused on the failings of the system rather than on the children who have been failed by that system.

Pedagogical approaches

During his time at this school, the Principal, Gerry, had been involved in the pedagogical developments that had taken place in the school in recent years. He was committed to a cross-curricular focus on developing the literacy and numeracy skills of the students. He had overseen the purchase of new reading material and felt that the school needed a designated library facility. He was also emphasised the need for vocational training that would enhance the boys' employment options: 'I'd also like to see the whole idea of pre-employment vocational training, and moving away from the certified stuff for kids that have that need, rather than pumping this whole idea that certification has to be done at all costs.'

Brendan felt that generally the pedagogical approach of the school had developed well in recent years and that it suited the needs of the children, although he felt that they possibly needed some more input into their personal development. Nevertheless, he did feel the work that teachers were doing in the school was of enormous benefit to the boys, no matter how short-term the effects were: 'My personal reward as a teacher is to see them going from a reading level of maybe 6 to a reading level of 12... or to be introduced to subjects that they never even considered.'

Given that many of the children in the CDS had had poor school attendance in the past, for a variety of reasons, it was felt by many teachers that a greater emphasis should be placed on vocational training and job seeking for the students rather that state-exam focused academic learning, and that the school should have a greater input into personal development aspects of the students' lives perhaps in conjunction with the care staff.

Arthur, like all the staff was very aware that the boys at this school had had difficulty in their schooling and that a different approach was needed:

> Yeah, I think that the majority of these kids would have been through mainstream education and it hasn't worked for them, and I think the approach here is very different than what is out there. It is, it's pretty different here.

Even though there was agreement that there was a need for a different pedagogical approach and that Avondale School had taken steps alter its approach, it

was felt that there was still a need for even greater changes in the system. However, most of the teachers, did not necessarily fully articulate what this should be, beyond an emphasis on the practical subjects and on teacher CPD. Nevertheless, it was clear that since his appointment as Principal, Gerry had made significant changes to the daily practices within the school and Arthur, with his many years of experience was the one who was most vociferous about the need for ongoing change and further development in the overall system.

Ongoing efforts to improve educational experiences in the CDS

As well as drawing attention to the need for different approaches to teaching in the CDS, there was evidence during the interviews that attempts had been made to improve certain difficulties that had existed in education in the CDS setting in the past. The improvements in the process had come about mainly as a result of the approach taken by the principal in recent years. There had been useful changes to the school system that had had positive outcomes for the teachers, not only due to the fact that the principal carried out interviews with the boys on arrival at the school to establish as much information as possible about their past educational experience, but also changes had been made in terms of the whole-school approach to improving literacy, class sizes and classroom management.

All five teachers agreed that one of the crucial aspects of being able to develop individual educational plans (IEPs) for students in the first place was the availability of background information at the induction stage. The teachers felt that there was not only likely to be a history of poor or sporadic attendance at mainstream school for most of the boys in the CDS but there had also been poor record keeping of their school attendance. Of the records that do exist and can be accessed, there is evidence that most of them have had a poor record of attendance at school. As Fran remarked: 'From the reports that we get in from schools, they do generally seem to have missed a lot.' And Gerry added: 'Some of them would miss 80-100 days a year. Some of them would be out of school for 2-3 years possibly before coming here.' It is noteworthy that this viewpoint as expressed by the teachers was in contrast to the boys' own claims to me during the interviews that they never or rarely missed a day.

This lack of continuity in their schooling made it more difficult for teachers to know what levels the boys have attained and therefore where to start, especially in terms of exam preparation, as Gerry remarked: 'In recent times, we have had a few in that would have attended up to Junior Cert or even post-Junior Cert, but the majority that come would have a very chequered background and a very chequered history educationally.'

Improvements in the assessment process

Feedback from the National Education Welfare Board (NEWB) could take several days to arrive, feedback from the child's previous school could take longer, indeed, there continued to be difficulties in accessing school records which either did not exist or were hard to obtain. This difficulty had been addressed to some extent by the principal interviewing each boy and making note of the schools he had attended in the past with a view to contacting the school(s) directly for background information.

One of the teachers, Brendan, who had been working as a technical graphics teacher in this school for nine years and had seen many changes in practice during that time, remarked that one of the improvements was the fact that the current principal had instigated the practice of contacting the schools directly and liaising to establish the facts regarding the child's educational history, which was not always the case in the past: '...we've developed systems now where basically they try and contact the schools and get previous information.' However, even this system could have its drawbacks in that the only way the principal could establish the child's school history was by interview. If the child could not remember exact names and dates there could still be delays, but nevertheless the teachers were pleased to have some information.

Assessment after this stage continued with each subject on the first day of school and tended to be informal and rested with the teacher's ability to establish a rapport with the child. This would depend largely on the teacher's skill in terms of personal interaction, as one teacher, Harry, said: 'I try to determine it...I find testing the students quite difficult because of their reading ability and they're not used...to formal testing...it's hard to test them.' And another teacher, Fran, also found this early assessment process difficult, and preferred to use results from other forms of assessment, whether formal or informal, remarking: 'I wouldn't test them myself, no not

personally. That would be done by the educational psychologist or the literacy or maths teacher.'

With over thirty years teaching experience working in inner city schools and with special needs children, Brendan was pleased that nowadays at least some information can be gathered about the educational experiences of the child who has been committed. According to Brendan the new system was a great help in streamlining the process of deciding what level and what course would suit each student: 'Yeah but that's been in place for about 2 or 3 years now. Prior to that it would have been just very much making your own observations.'

Once the boys started school in detention their progress was closely monitored; very good records were kept and a good profile built up. On Monday mornings the teaching staff met to discuss and review the needs and progress of the students, reading tests were administered regularly, and weekly meetings were held between each student and their teachers to discuss developments.

During his time at Avondale School, Brendan had seen many changes in the school and in the juvenile justice system which he considered beneficial to both the teachers and the students. These included the raising of the age of criminal responsibility and the amalgamation of what had been the junior and senior sections of the school (with the raising of the age of criminal responsibility from seven to 12 years of age in 2006, the need for a primary school diminished).

Focus on literacy

All the teachers agreed that the approach to literacy was one of the key areas that worked well in this school. Another innovation that Gerry had introduced in relation to literacy was the *Star Reading Programme*. This is a system that uses tests to assess the Zone of Proximal Development (ZPD, Vygotsky, 1962, 1978) of the student which is then used to provide the children with books that will be suitable to that level. The books provide clear straightforward text that is easy to follow and allow the student to progress to the next level with relative ease. Using this system allows the teacher to assess the improvement in reading levels by administering short tests to ascertain that the student has understood what they have read. The system was favoured by the school

because it allows quick and accurate diagnosis of the student's reading score as well as providing tips to maximise their reading growth.

Gerry explained how he had established a daily reading period that was tied in with establishing a routine. Every day there was a designated reading period from 12.10 to 12.30 pm, this happened for all students in all parts of the school. It was not dependent on any one teacher or being in any one classroom. The students could pick any book they liked and would sit and read it themselves while under supervision. From interviewing the boys I was aware that this routine was important to them as one of them had been somewhat disgruntled at the fact that my interview session was overlapping with reading time. Not only did this illustrate to me how important the reading session was but also how the routine had taken a hold in what could be described as a classic Foucauldian manner.

Arthur also felt that the way the teachers approach the literacy needs of students was important too and that by not highlighting it as a classroom issue and treating it incidentally and indirectly there were real gains to be made:

> One of our teachers will take a lad for one-to-one reading and that kind
> of thing when everyone else who can read or are okay and getting on
> with just quiet reading. It's not a lesson, it's just a lad getting support.

While all agreed that the whole-school approach to developing literacy was a worthwhile initiative and merited replication elsewhere, one teacher expressed a concern that all the hard work and commitment that had been put into the initiatives in this particular school would be diluted or lost if and when this school was to close down as the same practices would not necessarily be well received or promoted elsewhere.

Classroom management

While there was agreement that improvements had been made to the overall process of delivering education, teachers still faced specific challenges in the CDS setting. In terms of the daily management of the classroom, teachers faced challenges relating to 1) behaviour, 2) subject choices, and 3) varying levels of ability and attainment within one classroom.

Behaviour

Among the more experienced teachers behaviour management did not present as a major issue. However, for teachers such as Harry who were new to the system it was sometimes difficult to manage. Harry was not particularly comfortable in his role and felt that overall he would prefer to work in a mainstream school. Speaking about the students, he remarked: 'Their response is to attack rather than to listen and I don't know whether they perceive all teachers as a kind of... somebody who's no good to them or no use to them.'

Nevertheless, though he found some of the behaviour challenging Harry made the interesting point that it was overall somewhat easier for him in the detention school setting because there were 'very good controls compared to mainstream' where you were basically left on your own to manage behaviour. This is because the use of sanctions and restraints are much more overt in the detention school and they are inculcated into the students who learn to fear them. Although the system of controls in the detention school was considered as a positive in the daily life of the teacher, this is nonetheless what Foucault would describe as a technology of power. It is obvious from Harry's remark that the power relationships between teachers and students in a detention school have a different balance to those in a mainstream school.

Subject choices

The continuing debate about whether academic or practical subjects should get greater emphasis was a matter of concern that was repeated in response to a variety of questions. Because they often had had an intermittent school attendance due to their family or care circumstances, many of the children presented with well below average reading ages when they arrived at the detention school. In relation to Bourdieu's theory of cultural capital it would appear that in their family habitus the children in detention schools for the most part had not been used to cultural capital in its *objectified* state; they did not have access to books in the home or in local libraries. Lack of objectified capital left them at a disadvantage in school because they had not embodied the skills of reading or the linguistic competence to relate to school or teachers. As a result they had frequently developed negative attitudes to school in general and to academic subjects in particular. For the most part they were happiest to engage in practical classes such as

art, woodwork, construction studies, because they involved material work and visible results.

Some teachers of academic subjects remarked that they felt it was difficult for the boys to engage with those subjects when their literacy levels were so low. In general it was felt that because practical subjects such as woodwork and metalwork were more attractive to the boys it was more worthwhile to concentrate on these. As a result, some teachers, such as Harry, who was relatively new to the Detention School found that preparing lessons (in History and English) was a challenge. He found he had to put a lot of work into devising lessons that would be engaging and hold the boys' attention. He had also noticed that compared to working in a mainstream school, in the detention school there was a huge amount of preparation, review, and analysis of what suits the students, what's best for them in terms of their educational needs and how the work progresses:

> ...it's not just a case of day by day and we just put something in front of them. I think, as far as I could see from the start, that there's a huge focus on giving the kids something that is of value *to them* and helping them to improve. (Harry)

This remark from Harry indicates how important it is for the teacher in a detention school to be aware of the needs of the children. Rather than simply preparing lessons with a view to subject transmission they have to take into account the gaps – such as the lack of dominant forms of cultural capital – that may have had a negative impact on the children's ability to relate to or gain from schooling in the past. In a Bourdieuean sense the teachers are cognisant of the cultural capital needs of the children and have to worker harder to fill the void. However, the greater amount of review and analysis referred to by Harry also shows how much more the children in detention schools are subject to bureaucracy, examination and monitoring than children in mainstream schools.

Mixed abilities and different levels of attainment

The fact that there was usually only two or three students per class gave the teacher the possibility of working closely with and each student, giving specific attention to their needs. When the child starts in a class the teacher would have to determine the level of ability based on whatever information the principal had elicited

and from the teacher's own discussion with the child. However, this was also one of the challenges of classroom management in that the teacher had to devise lesson plans that were balanced in terms of both content and level. Fran talked about trying to get a balance in the classroom when he had to teach to mixed abilities because he might seem to be giving more attention to one student than another. Lesson planning took more time and attention when IEPs had multiple objectives so that within the one subject, one student might be studying for the Junior Certificate while another might be taking a Fetac module so the teacher needed to be able to teach to both levels within the one session.

Curriculum options – practical subjects v. academic subjects

Because the boys often had gaps in their mainstream education it seemed to be generally agreed among the teachers that practical subjects tended to suit them better, in terms of being able to make better progress in a short time. Arthur felt that motivation was very important and therefore practical subjects, where students are generally making something, such as woodwork, metalwork and art are usually most popular with the boys themselves. This bears out what I found in observing and interviewing the boys, where art, home economics, woodwork and metalwork were favourites. There were strong feelings among the teachers that it was much easier to motivate students to participate in practical subjects where the results were immediate and had tangible results than in those than demanded concentration on reading, writing and maths. There were also certain contradictions here because the students always seemed willing and able to use weighing and measuring in cookery or woodwork but found doing maths boring. They seemed to be fond of their reading sessions and proud of their achievements in reading but not so keen on writing essays or answering written questions. Arthur felt that motivation was an important factor, as he put it: 'Now (in) some of the practical subjects, and I'm not demeaning them here, it's much easier to motivate them.'

With over thirty years of experience as a teacher, Brendan was well aware of the need for a greater emphasis on vocational training for those that prefer not to go down the purely academic route and had a similar view to Arthur's: 'Motivation is half of learning anyway for any student...' He would almost go as far as to say that this

attraction to the practical is a disposition that they have developed due to their circumstances;

> An awful lot of the students we deal with love woodwork, love metalwork. They enjoy technical graphics because of the practical side of it. They enjoy art. They're very negative towards literacy and numeracy when they come in. Well not all of them, but if you look at a breakdown, there seems to be more of a vocational drive, an inward vocational drive from the children. (Brendan)

It would appear that 'rather than an inward vocational drive', in Bourdieuean terms the children have developed these dispositions as a result of their family classed habitus where greater emphasis is placed on practical matters where tangible objects are produced, while less importance is placed on reading and writing which don't appear to have any practical application in their daily lives.

Although Arthur acknowledged that practical subjects had obvious appeal to the boys he was on the other hand convinced that the cross-curricular approach taken by the school was vital, and that simply teaching practical subjects in isolation was worthless:

> I mean if the child doesn't fully understand the message the English teacher is saying, when he doesn't understand what the Home Economics teacher is trying to teach them..... You know, they might like working with wood and knocking bits around but they're missing out on something in terms of their intellectual development and communication.

Arthur's comment here shows an awareness of how the lack of cultural capital has left the children unprepared for engagement with some school subjects and unable to relate to the more formal language used by teachers in the classroom setting. This would account for their lack of engagement with school in their pasts and with the difficulties many of them faced with the transition from primary school to secondary school. The differences in the family habitus and the school habitus put them at a disadvantage compared to other children, leaving them marginalised in terms of progressing through an educational system that was for the most part alien to them. The teachers in the CDS could have an opportunity to work in awareness of these distinctions in habitus if they were provided with the CPD to develop their understandings around these 'gaps'.

The importance of Social, Personal and Health Education

During my observations at the two detention schools and during informal conversations with teachers and other staff, the subject of Social, Personal and Health Education (SPHE) had frequently arisen as a topic of note and I took the opportunity to pursue some discussion on it during the interviews with the teachers. As part of the Junior Certificate curriculum, SPHE, supports the personal development, health and well-being of young people and helps them create and maintain supportive relationships.

As is demonstrated elsewhere in this thesis, many of the children in detention schools have had difficulty in making the transition from primary to second-level school so there was a strong likelihood that many of them would have had some experience of the subject in primary school but would have missed out on the development of the subject at second level.

In order to find out whether the teachers felt this was important I questioned them about the their views on the value of SPHE as a school subject and whether it would be likely have a positive impact on the personal development of the boys. In mainstream secondary school, SPHE is a part of the curriculum which builds on the students' experience of fostering personal development, health and self-worth that had begun in primary school. The aims of SPHE as a school subject are about enabling students to develop skills for self-fulfilment and living in communities, promoting self-esteem and self-confidence as well as physical, mental and emotional health and well-being; all of which the teachers agreed were crucially important in the lives of the boys in the detention setting. During the interviews it was clear that the teachers were very aware of the need for the promotion of reflection and discussion within the school in general, and always aimed to enable the students to develop a framework for responsible decision-making.

Fran felt that in general there was a reflective element in the teaching and learning in the school and that was of great benefit to the students because it gave them an opportunity to review their strengths and weaknesses and plan for the coming week. The teachers kept extensive records of achievement and there was a weekly interview with each student to review their progress.

It's very good for them to stop and just pause and consider what they've done and reinforce the development that they're making and that kind of goes hand in hand with the record of achievement focus and assessment that we do with them at their interview on a weekly basis. (Fran)

All five of the teachers agreed that SPHE was a vitally important subject for the children in this detention school. It seems that some years previously when the transition was made to the VEC, SPHE had been withdrawn from the curriculum at the school, but after some consideration a decision was made within Avondale School to develop their own policy with regard to the provision of SPHE. The school Principal, Gerry, felt that perhaps there should more involvement in SPHE from the entire centre rather than having just as a school subject:

I think from the school perspective that we abide by the regulations as per, yes we tick that box saying we do SPHE but from a centre perspective, with the baggage that a lot of these lads are bringing, I'm not sure whether we should be looking at it from a more centre-based perspective, whereby we should be utilising the nurse, we should be utilising the psychologist, the psychiatrist if we have it, doctor, social worker, counsellors, whatever. We should be using the full gamut of resources that we have available rather than just giving the course, yes, that's the school's responsibility. (Gerry)

Gerry's point illustrates how the teachers were aware that greater co-operation between the school staff and other staff in the centre could contribute to a more holistic personal development for the boys rather than having their 'education' compartmentalised into the school. In general for adolescents, the elements of education and of personal development are seamlessly balanced between school life and home life as part of their habitus. However, the habitus of many of the children in detention have grown up in difficult family circumstances where that balance was not always possible. In the case of the detention school there tended to be a separation between lessons in the classroom and recreation after school in the 'centre', replicating in some ways the gap between home and school and how learning happens and how education is understood. While the teachers recognised the need for SPHE as a subject, they also realised that focusing on it narrowly in the classroom without an overlap with the care workers who supervised the residential units was a lost opportunity in terms of benefit to the boys.

Co-operation with care staff in the centre

The fact that the Detention School was a separate unit within the detention centre was a source of discussion for the teachers. Some teachers there felt that there was already an admirable level of interaction and mutual support across all the staff in the centre while some felt that was a need for greater co-operation. It was evident from some of the remarks made by teachers that there was a difficulty sometimes in drawing distinction between different roles and responsibilities of the staff across all areas of the centre. The teachers recognised that greater consultation would be beneficial to the operation of the school and the welfare of the boys in the long run, even though it could be difficult at times to draw lines of demarcation between different roles and different responsibilities. Gerry felt that there had been advances but remarked that there was still room for improvement:

> I think in one of these schools, nobody can stand alone by themselves...There's nobody can go on his own as such, everything has to be done in consultation but I think that's something that works in both directions and it has to be pretty tight. Here I think it could be far tighter.

And Brendan remarked: '...possibly the biggest challenge for a school within a centre like this is the interaction between care and education and identification of separate roles and all that sort of thing.' He saw challenges associated with the relationship between the carers and the teachers as getting muddled in operation sometimes, for instance he felt that perhaps more could be done by the school in relation to their personal needs, although admittedly, those needs were more in the hands of the care staff than the teachers. An example of the type of issue that had arisen in the past where there was a crossover in terms of teaching staff and care staff was on the matter of homework which is discussed in the findings from the interviews with the boys (see page 165).

Part Three – Teachers' Perspectives on the Students in the CDS

Building positive relationships with students

None of the boys had complained or remarked negatively about their relationships with the teachers and yet the teachers stated that they often found classroom management and building positive relationships with the students difficult.

All the teachers were aware that building positive relationships was a serious challenge to their work, not least because the students frequently arrived at the CDS with a negative view of school due to their previous experiences and circumstances. For the most part, the teachers were able to use their own experience and skills to develop positive relationships and foster more positive attitudes to school in general among the students. Harry, who had only recently joined the teaching staff felt that rapport was difficult to establish and that the boys were not interested in his subjects and lacked respect for the teachers: '... I hate making general statements but yeah I guess there's no real respect for what you're trying to do in the sense of teaching them.' Although he was aware of the negative attitudes, Harry felt that it was more as a result of their parents' attitudes than of actual negative experiences that the boys had had themselves in schools:

> They come into class in a negative frame of mind almost, you know, and they're shouting and they're loud and cursing. *And* ... maybe it's me but they tend to get very defensive and they attack all the time...I get a sense that they get this attitude from their parents. (Harry)

This is an example of how in the view of teachers, the habitus of the parents (who may have had limited engagement with, or negative experiences of school) has a direct impact on their children, engendering in them a negative disposition towards teachers and school.

Fran saw the relationships in the classroom and the needs of the child as the most challenging aspect of working in a detention school. Nevertheless, Fran felt that the students did in fact develop a special relationship with their teachers in the CDS and that this was generated partly through the fact that each teacher and student had an interview and a review of the boy's record of achievement on a weekly basis.

Brendan in contrast to Harry saw that negative experiences of school in the past continued to influence the boys' attitudes to teachers and to education in general. He remarked: 'A lot of them would have a negative attitude towards education.' Brendan also had very definite opinions about the importance of the teachers' approach to teaching in a detention school and how it was necessary to develop positive relationships and rapport with the students:

I mean there might be a school with a maths teacher who had such a wonderful relationship with the students, they would even go in and do it voluntarily at lunchtime, and yet there would be other maths teachers saying I can't teach these lads numeracy, so it's very much down to relationships.

He felt it was important for teachers to face the challenge of classroom management from the day the child arrived in his class. For him it was vital to manage behaviour and to build positive relationships as early as possible. Rather than blame parents or see the boys' attitudes as the problem, he believed the responsibility for relationship lay with the teacher and that this directly affected the capacity of the teacher to teach the boys.

Significance of education for children in the CDS

Discussing the importance of education in the lives of children in detention resulted in some quite disparate views among the teachers. Three of them felt that the education was important and that it did have a real impact for positivity in the boys' lives while in detention. Two of these three hoped that there would be an on-going benefit, while one was quite sure that there would be little or no long term benefit in terms of returning to school. The other two were less convinced about the importance of education as a force for change and quite realistic that there was no possibility of continuing education after the boys were released. Arthur was taking a positive view when he said that: 'My personal reward as a teacher is to see them going from a reading of maybe 6 to a reading age of 10 or 12 .... or to be introduced to subjects that they never even considered.' Nevertheless, he was more realistic about the on-going prospects of returning to school after they left detention: ' I mean the biggest issue I have as a teacher is the fact that very, very few, if any, and I would say that statistically it would be hard to find any children that come to us returning to normal school education.' He went on to say that in the 13 years that he had been working in that school, in its several re-incarnations, he would struggle to think of the name of any one boy who had gone back to full-time education. He was disappointed that the systems that they had developed and that seemed to have such a positive impact within the detention school environment had so little impact afterwards. Brendan was equally pleased that while in the detention school he had seen literacy levels of many of the boys rise considerably. 'It has a very positive impact on their ability, their knowledge

and their numeracy and literacy development.' He admitted though that while some boys had an eagerness to learn, others lacked this because they didn't see the benefit of education. He would like to think that 'the majority of kids going through here will have benefitted majorly from their time in education'. While he doubted that they would return to mainstream education he felt that many would continue some form of education such as Youthreach or Fas courses.

Fran remarked that the benefits of education were palpable within the detention centre, even for those on short sentences:

> I think it's critical, I think it's essential for them, education is, in changing them. I do definitely think there is a difference within education for them, from the time that they come here, and I think it's evidence-based as well, that you can definitely see a marked improvement in the duration of time that they spend here, even sometimes over short periods (Fran).

Arthur shared this viewpoint, and mentioned the fact that exam results can be seen as proof that the boys can be brought up to standard levels very quickly: 'Oh definitely, and the records themselves show that with certification and FETACs and that is achieved in a very short time as well.' Arthur also felt that there was great educational achievement within the detention school and added that the FETAC certification was an example of how the boys could make great progress in a short time given the right encouragement and support. He mentioned again how the boys liked to do practical subjects and how it was easier to motivate the boys to take those courses. He did have some regrets about the lack of interest in academic subjects although he felt that motivation was an important part of learning and if practical subjects worked then that was good in itself. Arthur felt that many of the boys left detention with a strong intention to return to school but that circumstances prevented them doing so; issues of self-confidence and self-worth sometimes hindered their re-entry into mainstream school. He felt that there was a need for further research after the boys left detention, to follow up on their education and careers. But in spite of the somewhat negative perception of the on-going educational prospects he remarked:

> I would believe that any good work done isn't wasted in that the broader understanding of education, education is a relationship development ..., a relationship and understanding of people getting on together and doing well and believing in themselves a little more.

Despite his relatively short time and limited experience of teaching in the detention school, Harry did feel that the education the children got in detention was beneficial:

> Certainly I can pick up that there's been a significant improvement in some of them in terms of their reading ability and their writing, even behaviour has improved.' And: 'It would be wrong to say that the kids have not benefited. Some of them have definitely benefited from it.

Whether the exam results are a good measure of the boys' development is open question, especially as some teachers felt that the boys who have missed out on early education often feel that they would prefer to pursue practical subjects such as motor mechanics or construction studies that might be useful in terms of future careers (Willis 1977). It seemed the teachers in general were confident that the boys could and would make good educational progress if given the right opportunities, whether as an alternative to detention, or at very least if better provision for follow-ups and continuing education could be put in place. The difficulties faced by the children on release were a cause for concern, as Gerry remarked:

> I think educationally we can measure progress very easily. I would have questions as to whether we are getting to the root of what problems these kids actually have and there are bigger social issues, I think, that need to be addressed. (Gerry)

From the teachers' perspectives, going to school while in detention would appear to have very positive impacts on the boys at least for the duration of their sentences. Ironically, it was a commonly held view among the teachers (as discussed in the following section), that they would prefer to have the boys detained for longer periods so that they could make more progress in their education in order to be better prepared for life after their release. Gerry puts his finger on the heart of the issue in relation to structures, class and the possibilities for the boys to benefit from education in terms of their identities.

Arthur also felt that having small numbers in classes was a critical factor and even felt that whenever they had had the opportunity to teach one-to-one the results had been excellent. Arthur was even more confident that the approach had benefits: 'I've always said that *little miracles happen in our schools* and our centres in the sense that we have children who on record have failed let's say, or failed in the mainstream

217

education and yet they do well here in the main so that itself is a miracle'. (Arthur). Perhaps the use of the term miracle implies that things outside cannot change radically and that the miracle happens inside the CDS.

Length of custodial sentences

Although sentencing policy is out of their control, it was a theme that emerged as one that was of concern to teachers. Echoing Arthur's view above, they frequently expressed the opinion that they preferred if boys came in with longer custodial sentences because it gave them more time to develop education plans and gave the student more time to study for and possibly sit exams. Some remarked that ideally they would like a sentencing period that started around September because it would allow the child to fit in with the academic timetable and perhaps take up where they had left off at the end of the previous school year. One of the aspects of sentencing that the teachers really disliked was if a child was released (or had their release brought forward) a few weeks before the end of term, especially if the child was preparing for the Junior Certificate exams. The teachers felt that all the hard work put in by them and the student would be lost because the student was unlikely to sit the exams on release. This generated a certain feeling among teachers that education and the school was a low priority within the youth justice system; that the work of teachers was not valued because there was no continuity or sense of completion, and that the education and future prospects of the boys was not valued because education was simply provided because it was compulsory given the age of the boys. From a Bourdieuean perspective this shows the tensions generated in the gap between the fields, i.e, the school system and the youth justice system, and how this affects the boys and perpetuates the cycle where the boys cannot accrue cultural capital as the structures of these fields create discontinuities that do not take the boys overall development into account.

Future prospects

In general the teachers were pleased that they had contributed in some way to the boys' education and personal development. They were also willing to admit that it would be unlikely that any of them, despite their best intentions, would return to full-time education on release. Brendan summed up the feelings of the teachers with regard to the prospects any of the boys continuing in education: 'I would struggle to think of

218

one name of any lad that when they have moved from here, have gone back into full-time education.' The other teachers all had roughly similar views about the likelihood of any of the boys returning to education. Responses from the boys had indicated that they all realised the necessity of education in securing a job; that they all intended to return to education when they left detention, and that they all had some job or career in mind for the future. However, the reality from the teachers' points of view was very different, as Gerry very clearly put it: 'The number that go back to mainstream I'd say you could count in single digits.' All in all, in contrast to this, the boys expressed a positive attitude to school, work and future prospects.

With regard to whether any of the boys were likely to return to mainstream school when they left detention, Harry was initially very negative and remarked: 'I don't think they would fit in at all, no.' He couldn't see that their experience in the detention school would have any positive impact on their future school or career prospects: 'I'd be inclined to say it doesn't make any difference. I base that simply on what they say to me, you know when they're going to get out, what they're going to do.' However, on reflection Harry admitted that the boys were in some ways changed by their experience of school in detention, perhaps in their attitude to education, if not in their actual participation. He remarked that when they arrived in the school that they were already at a disadvantage because they were not equipped to deal with school, nor had they any desire to participate, mainly because of negative experiences they had had in the past. The boys however, expressed mixed views about this, as can be seen from the interviews. Their lack of academic application was based on their low literacy and numeracy levels, and Harry felt that this was a major reason for them preferring practical subjects such as woodwork, where they didn't have to write or go into any detail about the subject. This would of course be a challenge if they were going back into the mainstream.

The positive aspects of school in detention could in fact create a further disincentive to the boys making a return to mainstream school. While in detention they were compelled to attend and be punctual, they were in very small classroom groups and their educational plans were individually honed to suit their needs. They didn't have to do homework and they had reasonably good relationships with teachers and with each other. In addition, their use of bad language and tendencies to outbursts were to

some extent controlled and they generally conformed well to the school rules. None of these systems would be in place in a mainstream school, or at least not to the same extent as in the detention setting, making it more difficult for the boys to settle back in school on release. As Gerry put it:

> The chances of return to mainstream are very, very slim and I think we need to be pretty realistic with regard to this as well. You know, everybody will say a return to mainstream is the preferred option but coming from an environment like this back into a mainstream setting, they're poles apart.

Nevertheless, there would appear to be benefits to be gained by the boys even if they are only in detention for short periods, and throughout the interviews with the boys, there had been no evidence of resistance to attending school in detention. There is no doubt that a major motivation for providing schooling for children in detention is the fact that education is compulsory up to the age of sixteen in Ireland. But, as Arthur put it: 'That hasn't worked [mainstream education], so for us to continue with it just because legally they should be attending school until they're 16, it shouldn't be on that basis.' He felt that because mainstream school did not suit many of the children who ended up in detention schools, a more radical approach to the whole system was needed, meaning that the detention school system should not try to replicate the mainstream approach with its emphasis on exams and points systems. He felt that the detention school could or should offer alternative programmes that would focus on the needs of the children which he agreed were literacy and numeracy but also should include life skills, citizenship, relationships and sex education.

Tracking after detention school

At the time when this research was conducted there was no system for keeping track of the children's educational progress once they leave the CDS. Records are not routinely held for future use or for passing on to other institutions should they be required. If a child leaves the CDS at sixteen years of age there is no compunction on them to attend school and there was a feeling that there was little likelihood that they would continue in education.

'No, we've no official way of keeping a record. Not that I'm aware of anyway. I don't know if it's something that goes on within the centre itself maybe, that they keep

track of where people...' (Fran), showing up perhaps a gap in communication between the centre and the school.

And with regard to boys becoming repeat offenders in the future there was a certain air of inevitability in the teachers' opinions: 'Yeah I think so. From a lot of what you hear, a lot of them do end up re-offending. By the time they get here, it's a little bit too late with the state of their lives.'

While the teachers had felt that time spent in the detention school had been positive for the boys from an educational point of view they didn't hold out much hope for their future prospects. This was largely based on the fact that they were aware that the boys would be returning to the same circumstances as before, where their difficulties had arisen in the first place.

Arthur was convinced that despite the good work done in the school, for the most part it was too late and the boys would already have deeply rooted negative attitudes to authority and limited ability to cope with the adversity in their lives: 'A lot of our lads have done Junior Cert as I said in a short time but they still end up in Pat's [St Patrick's Institution, a place of detention for young men] very quickly after that and what's missing is that attitude towards authority, attitude towards people, attitude towards robbing or whatever the area [of crime] is.'

With no reliable research data available to document life for the boys after detention school, it cannot be ascertained whether any of them returned to mainstream education. However, records that were made available to me of the entry interviews conducted by the school principal, do show that many of them were repeatedly sentenced to detention. More often than not, once they become involved with the criminal justice system, they continue within that system throughout their adolescence. The teachers were aware that whatever they had provided educationally to the boys during their time in Avondale School, in most cases the positive effects were not long lasting in terms of their future schooling or life prospects.

Conclusion

In conclusion, the teachers suggested that teaching in the detention setting involves very distinctive challenges centred around numeracy and literacy levels,

221

classroom management, discipline and behaviour problems. Added to this was the fact that teachers had to cope with students with very mixed learning abilities and mixed levels of attainment in one class and that tended to fall far below the expectations for their age group. Some of the students may have been out of school for some time prior to being committed, making it difficult for them to settle into the school routine. Ironically, it was a commonly held view among the teachers that they would prefer to have the boys detained for longer periods so that they could make more progress in their education in order to be better prepared educationally for life, with better prospects for employment after their release. Length of custodial sentences also had a bearing on teaching methods in that different goals would pertain to children on short sentences than to those on longer sentences, leaving teachers with the task of devising programmes with uncertain outcomes. The teachers' concerns with structure, discipline and longer custodial sentences appeared to be motivated by genuine interest in the boys' well-being and future life prospects. Nevertheless, these ideas did hark back to the historical examples of the rules drawn up by Faucher, the detention school at Mettray and the 'pedagogical machine' of the École Militaire, described by Foucault, where strict regimes of discipline were used to regulate every movement of the day and were expected to produce conforming citizens or 'docile' bodies' who would behave as the authorities expected. A note of caution must be brought to bear in relation to longer sentences for children, especially when historical evidence is considered. In Ireland's the past, children who were incarcerated in 'educational' custodial institutions were subject to harsh routines of discipline and physical punishment. Because they were poorly educated and ill-prepared for life outside the institutions they sometimes became 'institutionalised', meaning they were unable to live independently. Evidence from reports such as the Ryan Report (2009), and biographical accounts of former inhabitants of industrial schools and reformatories show that many of them were unable to secure employment, form lasting relationships or settle into 'normal' life.

It was clear from the interviews with the teachers that they were acutely aware of the combination of educational and social disadvantages that had an impact on the lives of the children who attend school in detention. While they showed genuine concern that the children could make some positive developments while in detention, they were under no illusions about the long-term prospects of continuing in education or having any positive career prospects on release. And as Brendan remarked: 'They could

have been out for months, some of them.' This also makes it more difficult for the student, who may not be used to having any routine or discipline in their life. And Brendan concluded: '... but their attitude hasn't developed to a positive attitude and a lot of them have already been trapped by previous experiences in their communities and cultural-sub groups where their attitudes have formed into negative attitudes.' In Bourdieuean terms the *field* (CDS) that the boys were living in, which was so different to their family circumstances, may have altered their habitus temporarily, giving them greater cultural capital through developing skills and reading books but for the most part the benefits would diminish (according to the teachers' views) outside of the structure, discipline and daily routine of the CDS.

Meeting the challenges presented in teaching in a detention school was a paramount concern for all the teachers, many of the challenges centred on the actual detention centre setting although in some cases they related to the teachers' perceptions of their own abilities in building relationships, teaching and coping with behavioural challenges in the classroom. In terms of this research, each teacher had a unique perspective on the educational process in the CDS, some of their views were alike and some contrasting. Interviewing Harry was very rewarding because he gave a fresh perspective on the detention school process. Although he lacked experience of the system he was also not predisposed by familiarity or routine in his responses. Arthur, on the other hand had over thirty years of experience which provided him with well-developed theories and practices.

The lack of specific training for teachers in dealing with the challenges was a concern, particularly for teachers who were not experienced in working in the detention environment, although there was general agreement that on-going career development would be beneficial. Among the more experienced teachers it was clear that under the current school management regime significant improvements had been made, but there was uncertainty as to whether this would continue and develop within the on-going changes in the detention system. There is no doubt that specific professional development modules should be developed for teachers in CDS that would address coping mechanisms for specific behavioural disorders as well as specific learning needs. These should be available to all teachers entering the detention school system so that

they are aware of the challenges they face and are equipped to provide the best possible means to provide education in the detention setting.

From the teachers' perspectives there appeared to be benefits to be gained by the boys even if they are only in detention for short periods. The teachers accepted that there was a limit to what they could do in the circumstances where boys might be on short sentences, but they were dedicated to doing what they could to enhance the literacy and numeracy levels and where possible to introduce the boys to subjects that they might not have encountered before. Throughout the interviews with the children there had been no evidence of resistance to attending school in detention and no particular animosity towards the teachers, in fact the most disparaging remark from a student was 'they're only doing their job'. The feeling among the teachers was that for the most part the boys made short-term gains as a result of attending school while in detention. The long-term benefits are harder to gauge and according to the teachers are questionable, particularly in terms of returning to full-time education; and depressing in terms of recidivism.

Throughout the course of the interviews I was aware of the high level of commitment to their profession that was shown by the teachers. Their dedication to helping the boys in their classes was obvious but not delusional; they were aware of the limits to what they could achieve in a short space of time, yet determined to make a difference to the attainments of their students. As Arthur put it: '...as a teacher, my sole motivation is to see the lads achieve from a poor base level to whatever level they leave at.' Be that as it may, in concluding this chapter it must be remarked that there are serious gaps in the type of education that is provided in detention schools, with too great an emphasis on emulating the mainstream system which for the most part sets impossible goals for the children and leaves them ill-prepared for coping with the return to life outside the CDS.

Chapter Eight: Discussion and Conclusions

Introduction

This chapter synthesises the perspectives elaborated in the theoretical framework with the findings from the research into the educational processes in the CDS and the experiences of the participants, in order to articulate conclusions and to make recommendations.

The objectives of this thesis were to investigate the educational process in detention schools in Ireland, with a specific focus on how students and teachers experience their time in the CDS, examining the daily school routine, curriculum content, and teaching. To date the voices and experiences of the participants in CDS have not been heard with respect to their education. The socio-economic circumstances of the children, their engagement with schooling prior to their incarceration, their engagement with schooling within the CDS and their prospects of returning to education on release from custody were all considered as shaping factors in their experiences in the CDS and of their perspectives on schooling in detention more generally. The data provides a unique opportunity to learn about and to shed light on the lives of children in detention, giving the children a chance to express their own views on school, on detention and on their lives. As a researcher, gaining access to the CDS and interviewing the children has been a privilege as well as an inimitable research opportunity.

The theoretical framework for this thesis draws upon the theories of Michel Foucault and Pierre Bourdieu, particularly in relation to power, discipline, capitals and habitus. Their theorisation of these concepts have provided useful lenses with which to examine the history of detention and schooling, the educational processes involved in detention schools, and the educational experiences of the children incarcerated in them.

In using Foucault's and Bourdieu's work jointly to formulate the theoretical framework, Hannus and Simola point out that 'given their strong similarities, the two are worth considering in parallel as complementary to each other' (Hannus & Simola 2010, 4) and they refer to other researchers with similar perspectives (de Certeau (1988), Eick (2004) and Couzens Hoy (2005)). Eick's work is particularly pertinent to

this thesis as he sees strong similarities in Foucault's and Bourdieu's analysis of discourse 'as a space of conflict that sets out rules as a means of excluding inappropriate speech and speakers' (Eick, 2004, 85). Heretofore, the voices of young people in detention have not been part of the debates around their education in detention. This thesis has demonstrated that the young people have the capacity and willingness to engage in reflection on their circumstances and to deliberate on solutions and possibilities for change that in their views would contribute to a better system. In addition, Eick sees similarities in Foucault's and Bourdieu's descriptions of power mechanisms in schooling institutions which is key in understanding the role of the CDS both as an element of the disciplinary society described by Foucault and in terms of Bourdieu's theories of social reproduction.

While both Foucault and Bourdieu deal extensively with power, it could be said that they approach it from very different perspectives. Geciene (2002) sums this up by explaining that Bourdieu's approach could be encapsulated in the question 'Who has power and how do they get it and use it?' While Foucault's approach is encapsulated in the question 'How does power function in society?' (Geciene, 2002). The lived experience of the children in CDS as recounted in the interviews for this research, demonstrates how those in power in schools and detention schools, appointed by government agencies and departments, have the power to control vulnerable children. Exerting this power, supposedly for the protection of society and the rehabilitation of the children, but with no long-term discernable benefit either to society (in terms of reducing offending), or to the children (in terms of encouraging them to return to school or giving them improved life chances), those who engage in disciplinary careers are agents of the wider disciplinary society described by Foucault, and specifically in terms of this thesis, of the *carceral* society. In relation Bourdieu's theory of social reproduction, the power within the systems privileges the classed identities of those who have cultural capital while those who lack the necessary cultural capital continue to be marginalised and in this case criminalised.

Implications of Foucault's 'Carceral Society' in Contemporary Detention Schools

Taking a genealogical approach in *Discipline and Punish*, Foucault outlines the paradigm shift in disciplinary technologies from the sovereign power of the 17th century to the penitential reforms of the 19th century through to what he sees as the carceral

society, where every subject is constantly under surveillance by other members of society, and by the institutions of society. He understands the reform of institutions as part of a system that places power firmly in the hands of the state. Because of the all-pervasive nature of control, Foucault sees no possibility to escape from judgements of what is deemed normal and abnormal, acceptable and unacceptable. Not only is he criticising the ideals of the Enlightenment as leading to a change in society's attitude to how deviance should be judged and punished, but the ideals of modern society in terms of state control and disciplining, which by his implication is in need of social change. For Foucault, the close associations between schools, prisons, hospitals, the church and industry, make up the 'carceral society', an over-arching institutionalised society which has been and is constantly monitored and regulated by those in power. Foucault saw society to be peopled by those with 'disciplinary careers' (1977, 300), operating under the authority of such disciplines as medicine, psychology and criminology. Furthermore, he claimed that there was an inevitability of delinquency, that this carceral society 'cannot not fail to produce delinquents' (1977, 266), when petty social misdemeanours became labelled as crimes under the hierarchical observation and normalising judgement of those in control. Using the penal institution at Mettray as a typical example of a model prison and a microcosm of society, Foucault showed how the collection of information about the prisoners led to the creation of knowledge about them, *as well as* the creation of a delinquent class, and an emerging strata of society that was developing 'disciplinary careers'.

For this thesis his analysis of the carceral society is directly relevant to the both the education system and the criminal justice system. There is clear evidence that the three primary techniques of control (as described in Chapter 2), *hierarchical observation, normalising judgment,* and *the examination* can be found within both systems especially in relation to children's experiences in detention schools.

During adolescence, which can be a challenging period of development in general, some teenagers, particularly those who live in economically disadvantaged neighbourhoods, can find themselves subject to the *hierarchical observation* of neighbours, teachers, and sometimes the police. For those who grow up in impoverished circumstances, who live in areas of high unemployment, who do not settle into secondary school, or who lack family support, this scrutiny can lead them into

contact with the 'disciplining' professions, even to the point of court appearances. This is where the *normalising judgement* of Foucault's 'disciplinary society' can come to bear, through the socially constructed institutions of society and that can have long and damaging effects. As Hall has remarked: 'All knowledge, once applied in the real world, has effects, and in that sense at least, 'becomes true'' (Hall, 1997, 49). Once a child has been charged with a crime and committed to a detention school the child is deemed a criminal, a reputation that is likely to remain with them for life, especially if, in the case of some of the children in this research, who come from families who also have been involved in crime.

Low levels of misdemeanours such as truancy and under-age drinking do not result in stigmatisation or labelling for all children however, particularly for those who live in affluent areas, whose parents have influence in society, whose parents can afford to pay for therapy and interventions (in other words who have the cultural capital to extricate their children from potentially damaging and stigmatising circumstances). Whereas for others, those whose parents lack the cultural, social and economic capital to extricate their children from trouble or conflict, it can lead to the onset of contact and events with those in power and who hold authority that can have negative impacts on the rest of their lives. This typically develops when behaviour that Lemert (1951, 1972), described as *primary deviance,* is noticed and remarked upon by others, resulting in the young person repeating the behaviour and beginning to take on a 'deviant identity', as well as alienating themselves from their family and social circle. This powerful negative labelling can result in a radical change in the young person's social identity, resulting not only in them being labelled by society, but also in to developing their own perception of themselves *as* deviant. As a result of developing this deviant identity, the secondary level of deviance leads to what Goffmann (1963) termed as a *'deviant career'*. This process can be seen for example in the narrative of Cormac, one of the children interviewed for this research. As early as primary school, Cormac, remarked on how he was not allowed to play with the other children at break time and was taken across to the park by the teacher, either to play on his own or with 'special needs' children. This separation started a process of stigmatisation that continued at second level, when Cormac, (despite being very able and literate) was segregated into 'second chance' schooling without being given a 'first chance'. Becoming increasingly alienated, hanging around the streets after school, getting into trouble, led to Cormac

becoming more marginalised and stigmatised, until as a result of his behaviour he was arrested and sentenced to detention, sealing his fate not only on the margins but *outside* of the accepted norms of 'respectable' society (cf Skeggs 1997).

Within the education system there are clear deployments of Foucault's theory of *examination*, not only in terms of academic testing, but especially in the areas of education that fall outside of the 'mainstream'. Children who do not comply to norms and whose habitus conflicts with them, by being deemed to have 'emotional, learning or behavioural difficulties' are at greater risk of becoming objects of disciplining and examination. They are subjected to the examination of experts within the medical and educational systems. Children within the criminal justice system are further scrutinised by the police, psychologists, lawyers and teachers. The goal of these examinations is to identify the factors involved in the disruptive behaviours and to decide on the necessary corrective action so that ultimately the child can be returned to the mainstream as a docile body that will perform according to the expected norms.

Many of the children who participated in the research for this particular thesis have had a chequered history of school attendance and many were expelled from school due their irregular attendance and for what was considered to be unacceptable behaviour. Some have been examined and diagnosed with Attention Deficit Disorder (ADD) and Attention Deficit Hyperactive Disorder (ADHD), in many cases they were being treated with the drug Ritalin to control their disorders. Knowledge, (in this case knowledge of medical or behavioural backgrounds), once it is used to regulate the conduct of others, entails constraint, regulation and the disciplining of practice. 'Knowledge linked to power, not only assumes the authority of 'the truth' but has the power to *make itself true*' (Hall, 1997, 49). In terms of the scrutinisation and categorisation and subsequent regulation of these boys, we can observe the power of the examination in its consequent controls. Foucault has said: 'There is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time, power relations' (Foucault 1977, 27). For the boys who have been *diagnosed with* behavioural disorders, this knowledge permits legitimated examination and control of both their psychological and medical status on an ongoing basis. Where it is medication, such as Ritalin, rather than behavioural therapies that are used to control the children's actions, the treatment may

in turn lead to side effects[5] and medical conditions which lead to further examinations, involving the child in a continuous process of observation and examination.

Throughout the history of the development of the juvenile justice system in Ireland there is evidence of normalising judgements of what was 'normal' and what was delinquent focusing not only on those who were found guilty of committing crimes, but also on those who were orphaned, or who were 'products' of families who were seen to be outside of what constituted an acceptable family unit, particularly if that family unit happened to be poor or at least seemed to lack the means to support young children or headed by parents deemed as unfit. Importantly, it was not only poverty but a perception of the family as immoral that was a factor in judging whether a child was being brought up in a situation of risk. Evidence of this is provided by much of the literature produced by former inhabitants of industrial schools and reformatories, where children were incarcerated because their parents were judged to be unsuitable, because they were not married, were widowed, were widowed and 'courting' another partner, or indeed where the child had been physically or sexually abused. The extent of the abuses perpetrated in certain institutions has been officially recognised and revealed with the publication of the *Ryan Report* in 2009. This five volume report was published by the Commission to Inquire into Child Abuse which began its work in 2000. During the course of its investigation the legal team interviewed almost 500 witnesses, revealing the extent of abuse and mismanagement that existed across a range of institutions, including industrial schools, reformatories, special schools, residential homes, primary schools, secondary schools, hospitals and other childcare facilities.

Nowadays the behaviour and attitudes of management and staff in CDS has progressed from the cruel regimes that were evident in industrial schools and reformatories in the past. The objectives of the youth justice system are now to use detention as a measure of last resort, and the aims of the CDS are to treat children with dignity and respect in accordance with the Children Act 2001 and the UNCRC. However, there are some practices and procedures which remain questionable in the

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[5] Methylphenidate (trade names Concerta, Methylin, Ritalin, Equasym XL) is a psychostimulant drug or central nervous system (CNS) stimulant, approved for treatment of attention-deficit hyperactivity disorder (ADHD). It is not completely clear how it works, but it is thought that it stimulates a part of the brain that changes mental and behavioural reactions. Methylphenidate can cause side effects, which may include: increase in blood pressure and heart rate, loss of appetite, which can lead to weight loss, trouble sleeping, dry mouth, headaches, stomach aches, mood swings.
http://www.hse.ie/eng/health/az/A/ADHD/

current system. One that is questionable on the basis of this research is the location of the CDS in areas that are not easily accessible on public transport, and indeed at a great distance from the child's own home. If a child from Limerick, (such as one of the boys who was interviewed for this research), is incarcerated in rural Co. Dublin then the chances of his parents and siblings visiting involve so much planning and expense that it becomes highly unlikely. Similarly, weekend visits home, when that privilege is earned by students, also involves a good deal of time and effort in organisation and travel. Not being able to see their sisters and brothers is an upsetting aspect of being in detention for children and one that was specifically mentioned by several of the boys during the interviews. The isolation and loneliness that results from separation from family during incarceration is one of the most distressing aspects of locking up children in custody. It calls into question the level of care that can be provided in a detention school setting. It also indicates a lack of awareness, in terms of policy development and practice, of how important family/sibling relationships are in the healthy development of children and young people.

Another implication of the rural location is that the CDS are out of the public gaze both physically and metaphorically. Very few members of the public ever have to physically pass the gates of a detention school and even fewer ever give the incarceration of children a second thought. With such a low profile in society the question of the probity of such institutions is seldom considered from a humanitarian point of view. The power of gatekeepers as guardians of concealment was evidenced by the investment of time and the sheer determination that it took to obtain permission to gain access to the CDS to pursue the research for this thesis. Foucault has described how the cessation of public executions and punishments was gradually moved out of public view and evolved into the building of large imposing carceral institutions during the nineteenth century, taking the punitive control of prisoners out of public view. This historical practice has echoes in the current commitment to the building of the enlarged campus of detention schools in north county Dublin, effectively removing the children and their detention from public awareness. Issues that do not figure highly in public consciousness are unlikely to be subject to attention from policy makers and so the planners and administrators are largely allowed to set their own agenda without 'interference' from the public or hindrance from state powers. Admittedly, the schools are subject to the same 'whole school evaluations' by the DES as other mainstream

schools and the overall centres are subject to HIQA inspections, but these are based on operational investigations; they are asking the question: 'How are these institutions functioning?'. Their remit is not focused on the fundamental question: 'Why do these institutions exist in their present form?'

Another practice that was observed in the school visits and that causes concern is the fact that children in Roundwood School were not made aware of the daily school timetable, leaving them ill-prepared for each class. This practice provides an example of how the teaching staff used the withholding of knowledge as a mechanism of control so that they were fully in control of the children and of the daily operation of the school. It is unthinkable that a mainstream school could operate under such circumstances and unacceptable that the children in the CDS should be expected to participate in such uncertainty. Contrasting sharply with the often expressed opinion (by teachers) that children in CDS need structure and routine in their lives, the withholding of the timetable from the children was one of the key methods of control used by the school to dominate the daily lives of the children. Furthermore, it was also counter-productive in terms of facilitating learning and productive classroom management because it meant that a child had no idea what classes were scheduled and was thus unlikely to present for class with the correct books, projects or materials or indeed with any level of mental preparedness.

The uncertainty created by the lack of consistency in the provision of after-school activities such as sports was a drawback in terms of the child investing enthusiasm for, or attachment to, any one particular sport or hobby. Boys who had been receiving coaching in athletics and who had participated in athletics meetings outside of the school were left without the possibility of progressing in the sport when the teacher who had been coaching them left the school. Provision of coaching depended on the skills of whatever staff was employed at any given time, which highlights the ad hoc attitude to continuity on the part of the centre's management, and a disregard for the importance of developing opportunities for personal development for the boys. This lack of focus on the holistic provision of personal development opportunities puts a focus on the problem of the dichotomisation of education and care that was an expressed concern of some of the teachers interviewed. The separation between school buildings and residential units in both schools was symptomatic of the many other

separations that existed in the CDS between the providers of various programmes such as education, care and recreation. Conversations with management and teaching staff emphasised the significance they attached to routine and structure in the lives of the children in detention, and yet because of structural, employment and leadership issues there were clearly lapses in consistent provision and a lack of vision.

The deployment of the unassigned teacher as an agent of control was a certain connection with the past, in particular with the type of prison designed in the nineteenth century, which took the principle of the *panopticon* and put it into practice in order to keep watch over the maximum number of prisoners at any one time. Notwithstanding the elements of observation and control, the use of the unassigned teacher as a security guard is also a waste of a teacher's valuable skills which could be more productively employed in the classroom. Yet teachers continued this practice, accepting it unquestioningly as a customary exercise of supervision in a regime that involved not just teaching but enforcement of disciplinary administration, showing how far removed the rarefied milieu of the CDS was from mainstream school, and how the teachers added the carceral dimension to their careers.

In relating the concepts of Foucault to the detention of children in present-day Ireland, a number of contrasts and contradictions can be identified. It is well accepted that as part of their development during adolescence, teenagers are generally fond of their privacy, often resenting prying parents and guardians who question them about where they are going, who they are spending time with and what they are doing. The high levels of 'examination' and surveillance that children in detention are subjected to are excessive and even more intrusive than at home, where they can generally 'escape' to the privacy of their own bedroom. In detention school they do get privacy and they do get attention but they get them in an inverse way. They get privacy as a form of punishment and they get attention in the form of intrusion. In the detention school setting they are disciplined by being confined to their rooms rather than being able to choose privacy. In fact they are generally deprived of privacy, never being left alone except when they are locked in their bedrooms at night or when they are sent there as a form of discipline. While in the home teenagers choose to spend time on their own in their rooms, while in detention they are forced to do so, thereby inverting the concept of privacy.

In addition, teenagers like to express their opinions and to feel that someone is listening to them. Nowadays this is often achieved through the use of social media such as Facebook and Twitter, through talking to their friends on the telephone and through simply 'hanging out' with their friends. In detention they are denied the use of mobile phones or tablets, only being allowed to use the landline phone to contact home. In contrast the detention school setting expects them to respond to questioning, participate in meetings with social workers, contribute to weekly assessments which are officially seen as giving them a voice. However, at the same time they are denied the opportunity to express their opinions in a way that is either meaningful or useful to them. The constant examination by figures of authority but the suppression of personal communication is a restrictive aspect of detention that is at odds with the healthy development of self-esteem in the boys. It does not validate their need for self-expression or enable them to contribute to meaningful discussion. The denial of a voice is something that was palpable during my observations in Roundwood CDS, where one of the boys hoped that I was a journalist who would highlight his grievances in the newspaper because as he put it: 'We have no voice in here'. (see page 132)

Contrasts and contradictions were also obvious in some of the responses given by the boys during the interviews, in comparison to the evidence. The general consensus was that prior to detention, they had positive attitudes towards attendance at school, that they had no complaints about their teachers and peers and that their school experience had been tolerable. However, the data from school records shows that they had not had good records of attendance or achievement, (sometimes being suspended or even expelled), particularly in relation to secondary school, where none of them had settled into the system. Given that the interviews took place in the confines of a small room where the interviewees and I were ostensibly alone (albeit with a teacher outside and a CC video camera recording the event) it is likely that the boys behaved as they thought they were expected to. In other words that they gave what they assumed were correct answers. While there is no suggestion that the boys were being deliberately misleading it could be concluded that they were either, a) constructing a reality that they believed was the truth, or that, b) seeing me as a figure of authority they felt it was safer not to give contrary or controversial answers. As well as comparing the responses of the boys with the school records it was useful to compare them with the teachers' responses to similar topics. One of the most revealing conversations was around the topic of

engagement with education and the likelihood of continuing their schooling after leaving the detention school. All of the boys acknowledged the value of education in terms of getting a job and all expressed their intention of returning to education in some form after their release. However, the teachers (and the evidence) suggested otherwise, that in fact it was highly unlikely that any of them would return to education, either mainstream or 'second chance'.

Bourdieu's *Habitus* and *Cultural Capital* in the Lives of Children in Detention Schools

Given the causal factors (described in chapter 1)[6] that combine to contribute to the family/home *habitus* of boys who are incarcerated in detention schools it can be concluded that there are strong similarities in the *habitus* of the boys incarcerated in the *field* that is the CDS. In their embodied states they have collectively developed what from the perspective of the disciplinary classes (Foucault) and the dominant classes (Bourdieu) can be seen as a habitus or set of dispositions and behaviours that limit their prospects of acquiring further cultural and social capital. These attitudes include a dislike of school, a distrust of authority and a sense of futility that borders on anomie (Durkheim, 1893). During early observations at the schools I was aware that there was a distinct lack of what traditionally passes for ambition among the boys, apart from one individual who was a passionate footballer. During casual exchanges amongst the boys I heard remarks that implied that they expected to meet up again in the future in St Patrick's Institution or in Mountjoy Prison. It also came to light that several of the boys had brothers, cousins or uncles who had been in detention schools and/or in prison so they expressed a certain inevitability that they themselves would follow suit. This is a potent example of how Foucault described that the carceral society 'cannot not fail to produce delinquents' (1977, 266). It is also evidence of how a certain kind of habitus associated with negative or deviant social capital, leads to a reproduction of that habitus, because as has been shown in Chapter 3, an individual's habitus is 'limited by the objective opportunities inherent in the class to which one belongs' (King, 2005, 222). Some critics of Bourdieu claim that these opportunities can change when one's position within a field changes (Harker, 1990, 11). However, my own observations and the

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[6] Briefly these can be one or a combination of factors such as poverty, neglect, abuse, poor school attendance, psychological and emotional difficulties, and criminogenic family backgrounds.

narratives of the boys suggest that neither the field nor the opportunities within it would change. The attitudes, perspectives and experiences *(habitus)* towards figures of authority such as teachers, social workers and the police are deeply entrenched among the boys even at this young age. A clear example that I witnessed gives evidence of this disposition. It occurred at a meeting between one of the boys in Roundwood School and his key (social/care) worker. When John's key worker attempted to make arrangements for supports to be put in place for him post his release, John brought the meeting to an early close by telling the key worker 'they could stick it'. I was not present at the meeting but I was in an art class when John was brought in to pass the rest of the time that would have been scheduled for the meeting. On being questioned by the teacher as to why he did not remain at the meeting John stated that all he wanted was to get home and away from the detention school and everyone in it. By refusing to discuss his options in relation to school or finding work on release, it appeared that he was effectively limiting his prospects and he was set to return to the same circumstances that had been prevalent when he had first become involved in crime. Admittedly, without knowledge of further meetings or arrangements, I cannot comment on the eventual outcome for John, however I present this incident as an example of how stressful meetings can be for children, especially when they do not possess sufficient embodied cultural capital to understand or relate to the concerns being articulated by figures of authority.

An example of where the current cultural capital of one of the boys in the CDS could have transformative possibilities was evident in the case of, James, who was fanatical about Liverpool F.C. and about soccer in general. He spent a lot of time honing his skills in the gym at Avondale CDS and had become a skilled football player. When he was at home on weekend visits[7] he played on his local soccer team. On his release James had the fervent hope that he would be able to pursue a career in football, admitting that if a scout were to offer him a place at a soccer academy he would certainly take it. On the face of it would appear that James' acquisition of cultural capital through sport might indeed lead to a viable career. However, it was also clear to me that his lack of communication skills (or what would be identified in Bourdieuean

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[7] During their sentence at the CDS, the boys earn credits through a set of criteria that includes good behaviour. As their time progresses they can return home at weekends on a regular basis. Infringement of the terms (e.g. absconding), results in their sentence duration being amended to include the period of absence.

terms as linguistic competence) - might have a negative impact on his future prospects. Having spent a considerable period of time in Avondale CDS his *habitus* had not changed sufficiently in that his ability to communicate and interact socially had not developed in tandem with his footballing skills.

Throughout the course of this research, during classroom observations and interviews with teachers, it became evident that the educational attainment of the children in the detention schools was considerably lower than that of their peers in mainstream education. Examining their socio-economic circumstances clearly indicates that they can be identified as sharing a lack of *cultural capital* and a family *habitus* that typically includes family poverty and living in neighbourhoods that have high unemployment rates and lack resources. In addition, their personal circumstances are typified by incomplete or unstable school history, lack of qualifications, limited engagement with leisure activities, and a tendency not to bond with other children. All of these circumstances combined indicate that the lived experience of the children in CDS leaves them marginalised in society with multiple disadvantages and little opportunities for personal or social advancement in the future. While the children did make some educational progress while in the CDS, as their entry level and exit level results testify, overall they did not benefit from any significant rise in their *institutionalised* cultural capital. In some cases they were able to sit some Junior Certificate subjects or complete some FETAC level 3 modules, but realistically, these would not be of sufficient worth to help them compete in the job market on release. Doing schoolwork and achieving exam results in the intensified atmosphere of the detention school, with small class numbers and the concentrated attention of teachers would not necessarily prepare them to re-integrate into mainstream schools, institutions where most of them had had difficulties in their previous experiences. On a positive note there were certainly affirmative aspects to the boys' educational achievements while in detention schools. These included the awareness that they *could* learn given the right attention and circumstances, and the resulting rise in self-esteem which increased their feeling of self-worth and their possibilities for future education and employment, even if these were short-term dispositions.

In Bourdieuean terms, on release the children would have to consolidate the positive aspects of the cultural capital they had accrued from their educational

237

experiences in the CDS by returning to mainstream school, recognising on a personal level that they had the ability to learn. This highlights the importance of the educational process in not only stimulating a positive engagement with school but to enable the children to build on their self-worth and self-confidence, allowing them to face an uncertain future with greater resilience.

In conclusion, the theories of field, cultural capital and habitus have been useful in examining how inequality functions in the lives of the children in detention. In particular the differences between the social fields of the home and school and the relationship between cultural capital and habitus are important considerations in explaining why certain children continue to be marginalised by multiple disadvantages. For most of the children in this research the levels of cultural capital acquired through socialisation in the home have resulted in the development of a habitus that leaves them unprepared for and often unable to cope with mainstream school. In turn this leaves them with dispositions that make settling into the compulsory schooling provided in CDS even more problematic because of the added element of incarceration, where the fields of education and justice combine in the field of the CDS.

In terms of understanding why detention schools are populated by children of similar socio-economic backgrounds, it is the concept of habitus that can be used to explain why individuals identify with other individuals who share similar dispositions and attitudes, and adopt similar ways of behaving. The acceptance of their class identity and the lack of ambition among the children in detention show how the lack of cultural capital has fixed their view of their position in the social field, conditioning their outlook on life without questioning the status quo. The socio-economic circumstances of their upbringing have limited their acquisition of dominant forms of cultural capital, and resulted in their classed inequality, the reproduction of which is rooted in the habitus acquired in childhood which is in conflict with the academic and middle class habitus of schooling. While this limitation can hinder an individual's possibility of social mobility, the children's lack of development of their habitus while in the CDS is continuing to perpetuate their domination by the agents of authority (in the case of the children in this research, teachers, judges, etc.) who are the dominant classes.

The Educational Process in Children Detention Schools - Learning from the Past, Planning for the Future

In reviewing the educational process in detention schools this thesis has considered whether the juvenile justice system in Ireland has developed a balanced approach to the education and personal development of the child and the administration of justice. The original development of the system was characterised by legal and parliamentary wrangling that failed to produce a coherent or effective system during the course of a century and a half. The history of juvenile detention in Ireland is a broad, unwieldy and often troubling subject. It does not conform to the neat traditional narrative format of beginning, middle and end as the process is ongoing and there are still lessons to be learned. By taking a Foucauldian genealogical approach to understanding not just how, but why, the system evolved to its present-day manifestation it has become clear that its evolution has been subject to a multiplicity of influences. It's origins lie in the twin concerns of Victorian society: the welfare model favoured by reformers who were concerned with 'saving' the children of the poor from the circumstances of their birth, and the moral panic model that feared a breakdown of society that would be spearheaded by out of control juvenile delinquents.

This was further complicated by political struggles and the birth of the nation in Ireland which partly continued with the system inherited from England, and partly abdicated responsibility for the children in its care to the control of the Catholic Church. This allowed for the development of a system that proved to be particularly cruel and convoluted in that it did nothing to clarify the problematical area of a juvenile justice system in any patent legalistic framework, and it stigmatised children from disadvantaged family backgrounds. While a variety of government departments and local authorities had an input into the development of the system, it is apparent that there was no clear political will to address the twists and turns inherent within the system until the *Kennedy Report* was published in 1970.

The response to the *Kennedy Report* was painfully slow and its findings are still being reinforced by the subsequent publication of personal accounts of life in the institutions. Attempts to redress the injustices suffered by former inhabitants are only one aspect of the effects of the *Kennedy Report*, a process which has continued with the recent findings of the *Ryan Report* (2009).

It is apparent that historically the development of a juvenile justice system in Ireland was subject to a unique set of influences that led to a particularly unbalanced and non-holistic approach to the treatment, education and development of children who were deemed to have deviant tendencies. Giving 'carte blanche' to religious orders in Ireland to run institutions for children who were perceived to be from problematic backgrounds and in need of care also gives an indication of a strong traditional link between church and state, and how the control of children could be seen as a means of perpetuating the hold of the Catholic Church on the moral and religious development of citizens. Developments in recent decades, post The Kennedy Report, which include: the possibilities for redress for former inmates of detention institutions, the appointment of an Ombudsman for Children, the instigation of the Department for Children and Youth Affairs, the development of the IYJS, the publication of the Ryan Report, the commitment to detention as a measure of last resort, and the constitutional commitment to children's rights all auger well for a positive outlook in the care and provision for marginalised children, including those who become subject to the criminal justice system. However, the decision to build a 'bigger and better' detention centre for children in north county Dublin, the tardiness in closing down St Patrick's Institution and the continuing commitment to providing traditional, inflexible, mainstream educational programmes in CDS are still cause for concern and still require a good deal of attention.

While the scope of the thesis question was to focus on the provision of education in the detention schools, it was impossible to separate the educational aspect from the overall context of detention. The very concept of locking children up, of separating them from their families and communities, of subjecting them to disciplinary controls and in fact the criminalisation of children, are all aspects of the juvenile justice system that have no place in 21st century Irish society. If we can learn anything from the past we must not look to either the child-savers or to those who claimed to want to save society from delinquents because neither of these approaches has yielded positive outcomes for society or for children. After nearly two hundred years of carceral practices children are still underprivileged and society still feels threatened and feels the need for continuing disciplinary practices aimed at children who are perceived as threats. What is required is a way of saving children from society – that is to say a way of saving children on the disadvantaged margins of society who continue to suffer the

brutalising effects of policies and practices that fail to enable equality of access to nurture, care, development and education. The noble objectives espoused by the *1916 Proclamation* to 'cherish all the children of the nation equally' remain aspirational for many children. The debate on constitutionally strengthening children's rights was debated for twenty years before finally being ratified by a referendum on the 31st amendment to the Constitution in 2012, however, implementation of the amended section, 42A, still remains in limbo due to ongoing challenges in the Supreme Court.

Vocational Training and the Curriculum

Given the slow rate of change that pertains to issues relating to juvenile justice it is likely that the current system will continue for some time. Nevertheless, some level of change in the curriculum of detention schools must be possible in the interim. In view of the fact that the formal academic educational attainment of the children in detention is generally considerably behind that of their peers in mainstream schools, consideration should be given the provision of alternative, more accessible forms of education that meet the needs of the children who are in in detention schools. In tandem with literacy and numeracy development, these could include an emphasis on vocational training that would not only enhance the life skills of the boys but offer future employment possibilities. Greater use of online educational programmes that would be accessible and meaningful to the children could be harnessed to build on the IT skills that they have already acquired informally. For those children who choose not to return to education, a step-down system of release into work experience programmes would provide useful support in the transition out of detention. There is clearly a need to hear the voices of the young people within this, they know what they want and yet they need guidance. The teachers know what the young people want and are prepared to acknowledge this, but in the current system both of these aspects of the educational process are ignored. The initial interview between the child and the school principal, a process instigated in Avondale School was a positive step in establishing the child's viewpoint on their education and in determining their strengths and weaknesses by the educator. This system should be continued and built upon to give the children an input into their IEPs under guidance so that their development is meaningful rather than prescriptive.

Better Use of Information and Record Keeping

In order to expedite the development of individual education plans for the children who end up in detention while the system of CDS continues it is also recommended that better systems of communication be developed between the detention schools and schools formerly attended by the children. The lack of speedy access to school records and the slow rate of information retrieval impedes the commencement of appropriate schooling for the child in detention, resulting in unnecessary, duplication of examinations during the initial commencement of schooling within the CDS. The excessive process of assessment adds an additional layer of pressure to the children's stress levels at a time when they are being introduced to the unfamiliar, alien environment of the CDS.

When a child under sixteen years of age is released from the CDS or where children over sixteen express a desire to return to mainstream school every effort should be made to facilitate this move whether it is into mainstream school or into the prison system. Given the extensive amount of time and effort that is put into assessing, testing and monitoring the educational achievements of children while in the detention school system it is irrational that this information is not readily passed on to the next school which the child is expecting to attend. Records of achievement, exam results and assessments should be made available to the chosen school as a matter of course, without fuss or delay and without causing any fear of stigmatisation to the child. In many ways it would appear that the amount of administration carried out in detention schools (and increasingly required by the DES, the DCYA and the IYJS) has strong Foucualdian implications of people creating carceral careers and levels of bureaucracy that while focused on creating knowledge of the children have no apparent practical purpose or improved outcomes.

Alternatives to Detention: A Radical Departure?

Rather than expanding and consolidating the current system of CDS which are extremely costly to run in monetary terms and largely ineffective in reducing recidivism or enhancing the life prospects of the children there is a serious need to reassess the juvenile justice system more radically. With international trends (particularly in the USA and the UK) leaning towards a greater emphasis on punitive incarceration of

children the future does not bode well for a reduction in the populations of CDS because the political will does not appear to be there to invest in tackling social problems at an early stage. If greater investment was made in early childhood education, state funded childcare, state funded childhood health programmes, affordable housing and community resources, much could be achieved in reducing anti-social behaviour and the need to arrest and incarcerate children. Admittedly such provision would come at a cost to the exchequer but there is already a huge cost in running CDS, this could be diverted to fund the type of provisions listed above. In cases where there is a need for the intervention of the juvenile justice system it would be preferable where possible to allow the child to remain in their community, attending school and/or other prescribed programmes under supervision. Where this is not possible or feasible and the child is removed from their community it would be preferable for them to be housed in a special care unit under supervision, without the need for locking them in but with an emphasis on developing skills for independent living after their sentence. Instead of replicating the model of incarceration, well thought out progressive programmes of education and restoration should not be beyond the reach of those in authority. In addition, replicating an education system that clearly hasn't worked for certain children doesn't make sense. With changes to the Junior Certificate for mainstream education proposed for the very near future, an opportunity arises to rethink the delivery of educational programmes in detention schools. A new model could take a broader, more creative approach to providing courses that fit the needs of the individual child rather than trying to make the children fit into the system. Taking a holistic approach to developing a new model of education in detention schools would have to start with the inclusion of a range of stakeholders – the child, their parents, the teaching staff, management and the care staff. Only by combining resources, skills and means for the good of the child can a truly learner-centred approach be developed. Individual Education Plans need to be combined with Individual Care Plans so that everyone involved in the child's life is focused on the one aim, not compartmentalised into different sections with different goals. While there should still be a focus on ensuring that literacy and numeracy skills are developed, courses could focus on personal development and life skills while incorporating literacy and numeracy in practical ways. As has been shown earlier, children in detention schools generally favour practical subjects, they engage with lessons that produce tangible results and gain a sense of achievement from producing goods, whether it is in carpentry or cookery. A new curriculum should be not only personalised but

243

experiential, taking into account the child's experiences as well as needs, and allowing for their rate of learning. Reading instructions, following recipes, measuring dimensions and angles are all examples of how literacy and numeracy skills can be developed without making overt references to reading and Maths. Creating a productive but enjoyable learning environment where children feel they are doing worthwhile activities is an approach that would suit the detention school situation where staff, rooms and equipment are readily available without the pressure for space and timetabling that exist in mainstream schools. If a specific curriculum was devised to focus on practical subjects there would be less frustration and disappointment among students because they would not have to constantly be tested to judge how they measure up to perceived age-related standards. Teachers would also be under less pressure to constantly carry out tests and produce standardised results. Most of the boys interviewed for this research were interested in a wide range of sports and athletic pursuits. If these were brought to the fore in more focused way (they were offered in a rather piecemeal way) there could be great opportunities to bring about holistic learning outcomes. Keeping scores, following league tables, etc., all demand mathematical skills; team playing, referreeing, umpiring, organising fixtures all enhance personal development; and health, exercise and nutritional issues could all be covered through a range of sporting activities. By focusing on the skills that the children have already developed and utilising these to broaden their knowledge and stimulate their interest, an alternative educational system could not only make the process more viable during the detention period but enhance the life prospects of the children involved. Developing their skills whether they are culinary, sporting or in construction skills could provide a greater stimulus to continue in education on release rather than giving up on education because they cannot fit back into mainstream school. It could stimulate an interest in continuing education and in life-long learning, enabling them to develop their potential at their own rate. It was clear during the interviews that the boys understood the value of education but it may be that due to their family circumstances and dispositions that they had difficulty engaging with education. The detention school setting provides an ideal opportunity to introduce alternative ways of learning and developing a comfortable attitude to education.

Greater use could also be made of information technology (IT) in the delivery of lessons. There is already widespread use of IT in mainstream schools, with many

children nowadays using netbooks and tablets instead of or in conjunction with books. Although there were some computers available in the CDSs, there was no evidence that IT was being taught as a subject or that they were used in any significant way to enhance the learning experience. All of the children interviewed were already familiar with the use of IT so it would be very easy and practical to focus on this, allowing them to use interactive programmes to develop vocabulary and maths skills, to carry out research for projects, to learn music or languages. Again this is an obvious case of building on the strengths that already exist and indeed enhancing career opportunities in the long term.

Although it is unlikely that the system of incarcerating children who are charged with criminal activity is set to change in the near future, it is not beyond the bounds of possibility that certain changes could be made to the system, particularly in the area education, at very little cost to the State. If incarceration is to be used then it should be used as a positive force for holistic change in the child's life rather than a negative stigmatising force. If a new approach to the educational process were put in place, the benefits to the children in terms of their personal development and their desistance would be substantial.

Further Research and Final Conclusions

In view of the fact that there is no formal follow-up research on children who have served sentences in CDS it is strongly recommended that a system of tracking is put in place for at least a year, but ideally for five years after release. This would give a clearer indication of the outcomes for the children and the efficacy of the programmes in the CDS. In order to function in a humane and effective way, a juvenile justice system needs to take a holistic approach to the development of the children in its care. Ideally it should be focused on the healthy development of all aspects of the child's wellbeing, which would include their education, safety, accommodation and health both during their incarceration and on release.

Historically, the propensity in the literature pertaining to the Irish juvenile justice system has been to focus on the inhumane treatment of children and the

administration of the law. It is hoped that the era of cruelty and neglect has come to an end and that henceforth the regimes will focus on nurturing and healing children who have previously not had equal opportunities in life to enable them to develop to their full potential. Education is fundamental to the healthy development of all children but it is crucial in the lives of young offenders in that it has the possibility to promote their reintegration, and to provide them with the means to live in society as individuals with equal prospects and opportunities. However, education is not a panacea to all social ills and measures to tackle the sources of social inequality must be addressed as a matter of urgency.

In concluding this thesis it is admitted that while education has been the main focus of the research it is impossible to deal with this aspect of the detention of children in a vacuum and consequently consideration must be given to an overall evaluation of the child detention system in future research. There is undoubtedly a need to assess the efficacy of the current system and a need for creative thinking in the provision of alternatives to custody. Adherence to the high-minded ideal of 'custody as a measure last resort' pays lip service to an aspiration that does not work in practice without the willingness to invest in and expand a commitment to providing *all* children with holistic opportunities to develop positive life prospects.

Bibliography

Arksey, H., & Knight, P. (1999). *Interviewing for social scientists*. London: Sage.

Barnardos. (2012). Child Protection and Welfare. http://www.barnardos.ie/what-we-do/campaign-and-lobby/the-issues/child-welfare-and-protection.html

Bacik, I., & O'Connell, M. (Eds.) (1998). *Crime and poverty in Ireland*. Dublin: Round Hall, Sweet & Maxwell.

Baker, B., & Heyning, K. (2004). *Dangerous coagulations: The uses of Foucault in the study of education*. New York: Peter Lang.

Baker, J., Lynch, K., Cantillon, S., & Walsh, J. (2004). *Equality from theory to action*. Basingstoke: Palgrave Macmillan

Bernstein, B. (1971). *Class, codes and control. Volume 1: Theoretical studies towards a sociology of language*. Boston: Routledge & Kegan Paul

Bernstein, B. (1981). Codes, modalities and the process of cultural reproduction: A model. *Language and Society, 10*, 327-363.

Blanden, J., & Gibbons, S. (2006). *The persistence of poverty across generations: A view from two British cohorts*. Bristol: Policy Press.

Boldt, S. (1998). *Educational disadvantage and early school leaving*. Dublin: Combat Poverty Agency.

Boldt, S. (2004). *Alternative education for under 15s: An alternative perspective*. Dublin: Marino Institute.

Borland, M., Hill, M., Laybourn, A., & Stafford, A. (2001). *Improving consultation with children and young people in relevant aspects of policy-making and legislation in Scotland*. Edinburgh: The Scottish Parliament

Bourdieu, P. (1972). *Outline of a theory of practice*. [Trans. R. Nice 1977]. Cambridge, MA: Harvard University Press.

Bourdieu, P. (1979). *Distinction: A social critique of the judgement of taste*. [Trans. R. Nice 1984]. Cambridge, MA: Harvard University Press.

Bourdieu, P. (1986). The forms of capital. In J. G. Richardson (Ed.), *Handbook of theory and research for the sociology of education* (pp. 241-258). New York: Greenwood Press.

Bourdieu, P., & Passeron, J.-C. (1970). *Reproduction in education, society and culture*. [Trans. R. Nice 1977]. London: Sage.

Bourdieu, P., & Passeron, J.-C. (1979). *The inheritors: French students and their relations to culture*. Chicago, IL: University of Chicago Press.

Bourdieu, P., & L. P. D. Wacquant. (1992). *An invitation to reflexive sociology.* Chicago: University of Chicago Press.

Bowles, S., & Gintis, H. (1976). *Schooling in capitalist America.* London: Routledge and Kegan Paul.

Bowles, S., & Gintis, H. (2002). Social capital and community governance. *The Economic Journal, 112*(483), 419-436.

Bryson, B. (1996). 'Anything but heavy metal': Symbolic exclusion and cultural dislikes, *American Sociological Review 61*(5), 884 -899.

Burke, H., Carney, C., & Cook, G. (Eds.) (1981). *Youth and justice young offenders in Ireland.* Dublin: Turoe Press.

Byrne, D., McCoy, S., & Watson, D. (2009). *School leavers' survey 2007.* Dublin: ESRI and Department of Education and Science.

Byrne, D., & Smyth, E. (2010). *No way back? The dynamics of early school leaving.* Dublin: The Liffey Press in association with the ESRI, NCCA and DES.

Byrne, R., & Binchy, W. (1996). *Annual review of Irish law 1993.* Dublin: Round Hall.

Carey, T. (2000). *Mountjoy: The story of a prison.* Cork: The Collins Press.

Carroll, J. & Meehan, E. (2007). *The Children Court A National Study.* Dublin: Association for Criminal Justice Research and Development (ACJRD)

Central Statistics Office. (2007) *Recidivism (Re-offending) Statistics in the Probation Service.* Dublin: Author.

Central Statistics Office & Irish Prison Service. (2013) *Recidivism Study 2013* Dublin: Authors.

de Certeau, M. (1988). *The practice of everyday life.* Berkeley, CA: University of California Press.

Coghlan, N. (2006). Law is not enough. *Studies, An Irish Quarterly, 95*(380).

Cohen, L., Manion, L., & Morrison, K. (2000). *Research methods in education.* London: Routledge/Falmer.

Commission of Inquiry into Child Abuse (2009) *Commission Report* [Chairman: S. Ryan]. Retrieved from the Commission website: http://www.childabusecommission.ie/

Committee of Inquiry into the Penal System. (1985). *Report of the Committee of Inquiry into the Penal System* [Chairman: K. Whitaker]. Dublin: The Stationery Office.

Coolahan, J. (1981). *Irish education: Its history and structure.* Dublin: Institute of Public Administration.

Cooney, J. (1999). *John Charles McQuaid: Ruler of catholic Ireland.* Dublin: The O'Brien Press.

Government of Ireland. (2012). *Bunreacht na hEireann/Constitution of Ireland 1937.* Dublin: The Stationery Office.

Children's Rights Alliance. (2007). *The Constitution and children. A position paper on the proposed referendum on children's rights.* Dublin: Author.

Council of Europe. (2011). *Report to the government of Ireland on the visit to Ireland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 25th January-5th February 2010.* Strasbourg: Author.

Cullen, M. (Ed.) (1987). *Girls don't do honours Irish. Women in education in the 19th and 20th centuries.* Dublin: Women's Education Bureau.

Dáil Debates (1965). Retrieved from http://www.oireachtas-debates.gov.ie/D/0220/D.0220.19661260064.html

Darmody, M., Smyth, E., & McCoy, S. (2008). Acting up or opting out? Truancy in Irish secondary schools. *Educational Review, 60*(4), 359-373.

Davidson, E., (2012). Between edges and margins: Exploring 'ordinary' young people's experiences of the everyday antisocial. *Sociological Research Online, 18*(1). Retrieved from http://www.socresonline.org.uk/18/1/5.html 10.5153/sro.2834

Deacon, R., & Parker, B. (1995). Education as subjection and refusal: An elaboration on Foucault. *Curriculum Studies, 3*(2), 109-122.

Deacon, R. (2002). Truth, power and pedagogy: Michel Foucault on the rise of the disciplines. *Educational Philosophy and Theory, 34*, 435–458.

Deacon, R. (2006). Michel Foucault on education: A preliminary theoretical overview. *South African Journal of Education,* 26(2), 177-187.

Deegan, J., Devine, D., & Lodge, A. (2004). *Primary voices: Equality, diversity and childhood in Irish primary schools.* Dublin: Institute of Public Administration.

Delamont, S. (1992). *Fieldwork in educational settings: Methods, pitfalls and perspectives.* London: The Falmer Press.

de la Bedoyere, Q. (2002). *Autonomy and obedience in the catholic church: The future of catholic moral leadership.* London: T&T Clark.

Denscombe, M. (1998). *The good research guide.* Philadelphia, PA: The Open University Press.

Department of Children and Youth Affairs. (2014). *Better Outcomes, Brighter Futures: the National Policy Framework for Children and Young People 2014 -2020.* Dublin: The Stationery Office.

Department of Education and Science. (2005). *Care inspection report. Oberstown Boys School.* Dublin: The Stationery Office.

Department of Education and Science. (2005). *Delivering Equality of Opportunity in Schools (DEIS): An action plan for educational inclusion.* Dublin: The Stationery Office.

Department of Education and Skills (2010). *Education Strategy for the Children Detention* School Service September 2010-2013 Dublin: The Stationery Office.

Department of Education and Science. (2010). *Projections of full time enrolment in teaching institutions aided by the Department of Education and Science at primary, second and higher level, 2009 – 2030.* Retrieved from http://www.education.ie/en/Publications/Statistics/stat_enrolments_2010.pdf

Department of Education and Skills. (2012). *Retention rates of pupils in second level schools.* Retrieved from http://www.education.ie/en/Publications/Statistics/Retention-Rates-of-Pupils-in-Second-Level-Schools-2005-and-2006-Entry-Cohorts.pdf

Department of Health and Children. (2001). *National standards for children's residential centres.* Dublin: The Stationery Office

Department of Justice, Equality and Law Reform. (2006). *Report on the youth justice review.* Dublin: The Stationery Office.

Devine, F. (2004). *Class practices: How parents help their children get good jobs.* Cambridge: Cambridge University Press.

Dey, I. (1993). *Qualitative data analysis.* London: Routledge.

DiMaggio, P. (1982). Cultural capital and school success: The impact of status culture participation on the grades of U.S. high school students. *American Sociological Review 47,* 189-201.

Dooley, R., & Corbett, M. (2003). Juvenile justice, care and the Children Act 2001. *Working Notes, 45.* Retrieved from www.cfj.ie/content/view/4/3

Downes, P., Maunsell, C., & Ivers, J. (2006). *A holistic approach to early school leaving and school retention in Blanchardstown: Current issues and future steps for services and schools.* Dublin: Blanchardstown Area Partnership.

Downes, P., & Gilligan, A. L. (Eds.) (2007). *Beyond educational disadvantage.* Dublin: Institute of Public Administration.

Durkheim, E. (1893). *The Division of Labour in Society.* Paris: Alcan http://soc100willse.voices.wooster.edu/files/2012/01/Durkheim-Div-of-Labor.pdf

Eick, D. (2004). Discourses on language and symbolic power: Foucault and Bourdieu. In M. Grenfell & M. Kelly (Eds.), *Pierre Bourdieu: language, culture and education: theory into practice* (pp. 85-96). Oxford: Peter Lang.

Evans, R., (1982). *The fabrication of virtue.* Cambridge: Cambridge University Press.

Eyal, G., Szelényi, I., & Townsley, E. (1998). *Making capitalism without capitalists: The new ruling elites in Eastern Europe.* London: Verso.

Fahy, B. (1999). *Freedom of angels surviving Goldenbridge Orphanage*. Dublin: The O'Brien Press.

Ferguson, H. (2007). *Abused and looked after children as 'moral dirt': Child abuse and institutional care in historical perspective*. Cambridge: Cambridge University Press.

Fitzgerald, G. (2003). *Reflections on the Irish State*. Dublin: Irish Academic Press.

Foucault, M. (1977). *Discipline and Punish. The birth of the prison*. Harmondsworth: Peregrine.

Foucault, M. (2003). *Abnormal: Lectures at the Collège de France 1974-1975*. London: Verso

Foucault, M. (2005). *The Hermeneutics of the Subject: Lectures at the Collège de France, 1981-82*. New York: St Martin's Press

Foucault, M. (2009). *Lectures at the College de France, 1977-78: Security, Territory and Population*. New York: St Martin's Press

Flynn, G. M. (1983). *Nothing to say*. Dublin: Ward River Press.

Flynn, G. M. (2003). *James X*. Dublin: The Lilliput Press.

Garda Síochana. (2007). *Annual report of the committee appointed to monitor the effectiveness of the diversion programme 2007*. Dublin: Garda Office for Children and Youth Affairs.

Garda Síochana. (2010). *Annual report of the committee appointed to monitor the effectiveness of the diversion programme 2010*. Dublin: Garda Office for Children and Youth Affairs.

Geciene, I. (2002). The notion of power in the theories of Bourdieu, Foucault and Baudrillard. Sociologija, 2.

Giddens, A. (2001). *Sociology*. (4th ed.).Cambridge: Polity Press.

Gilligan, Ann Louise. (2002) (Ed.). Primary Education: Ending Disadvantage. Proceedings and Action Plan of National Forum, Dublin: St. Patrick's College, Drumcondra,

Giroux, H. (1983). *Theory and resistance in education: A pedagogy for the opposition*. South Hadley, MA: Bergin & Garvey.

Glaser, B. G., & Strauss, A. L. (1967). *The discovery of grounded theory: Strategies for qualitative research*. New York: Aldine de Gruyter.

Glendenning, D. (1999). *Education and the law*. Dublin: Butterworths.

Glendenning, D. (2006). Country report: Ireland child care and education: Recent case law in Ireland. *European Journal for Education Law and Policy 2*, 203-207.

Glendenning, D. (2012). *Education and the Law: A Guide to Irish Law*. London: A&C Black.

Goffman, E. (1961). *Asylums: Essays on the social situation of mental patients and other inmates.* Harmondsworth: Penguin Books.

Goldson, B. (2002). *Vulnerable inside: Children in secure and penal settings.* London: The Children's Society.

Goldson, B. (2008, April). *From pre-emptive intervention to custodial detention: Systematic human rights violations in English 'justice'.* Paper presented at Youth Justice 2008, Centre for Criminal Justice and Human Rights, Cork, Ireland.

Goode, H., McGee, H., & O'Boyle, C. (2003). *Time to listen. Confronting child sexual abuse by catholic clergy in Ireland.* Dublin: The Liffey Press.

Government of Ireland. (2000). *Our children –Their lives. The National Children's Strategy.* Dublin: The Stationery Office

Greene, S. and Hogan, D. (2005). (eds.) *Researching Children's Experiences: Methods and Approaches.* London: Sage

Griffin, D. (2004). The juvenile conundrum – Ireland's responses to youth offending. *The Cork Online Law Review, 3.* Retrieved from: http://corkonlinelawreview.com/editions/2004/2004xii.pdf

Griffiths, M. (1998). *Educational research for social justice.* Philadelphia, PA: Open University Press.

Grunhut, M. (1948). *Penal reform.* Oxford: Clarendon Press.

Gubrium, J., & Holstein, J. (1995). *The active interview.* Thousand Oaks, CA: Sage.

Gubrium, J., & Holstein, J. (Eds.) (2001). *Handbook of interview research: Context and methods.* London: Sage.

Haase, T., & Pratschke, J. (2010). *Risk and Protection Factors for Substance Use Among Young People: A Comparative Study of Early School-Leavers and School-Attending Students* Dublin: National Advisory Committee on Drugs

Hall, S. (2003). *Cultural representations and signifying practices.* London: Sage.

Hammarberg, T. (2009). *Children and juvenile justice: Proposals for improvements.* Retrieved from http://www.refworld.org/docid/4a3f7ecf2.html

Hannus, S., & Simola, H. (2010). The effects of power mechanisms in education: Bringing Foucault and Bourdieu together. *Power and Education, 2*(1).

Haralambos, M., Holborn, M., & Heald, R. (2004). *Sociology themes and perspectives.* (6th ed.) London: Harper Collins.

Harrington, B. (2003) The Social Psychology of Access in Ethnographic Research, *Journal of Contemporary Ethnography,* Vol. 32, No. 5, pp. 592-625.

252

Harris, R., & Webb, D. (1987). *Welfare, power and juvenile justice. The social control of delinquent youth.* London: Tavistock.

Hatch, J. A. (2002). *Doing qualitative research in education settings.* Albany, NY: State University of New York Press.

Hayes, J., & O'Reilly, G. (2007). *Emotional intelligence, mental health and juvenile delinquency.* Cork: Juvenile Mental Health Matters.

Hay, D. (Ed.). (1987). *Labour, law and crime: An historical perspective.* London: Tavistock.

Hayden, C. (2007). *Children in trouble: The role of families, schools and communities.* Basingstoke: Palgrave Macmillan.

Heath, S., Charles, V., Crow, G. and Wiles, R. (2007). Informed Consent, gatekeepers and go-betweens: Negotioating Consent in Child and Youth Orientated Institutions, *British Educational Research Journal,* Vol. 33, No. 3, pp.403-417.

Heptinstall, E. (2000). Gaining access to looked after children for research purposes: Lessons learned. British Journal of Social Work, 30, pp.867 - 872

Hill, M., (2005) Ethical Considerations in Researching Children's Experiences in Greene, S. and Hogan, D. (2005). (eds.) *Researching Children's Experiences: Methods and Approaches.* London: Sage

Hislop, H. (Ed.). (2003). *Guidelines on the assessment of education in places other than recognised schools.* Dublin: Department of Education and Science.

Homan, R. (2001) The Principle of Assumed Consent: the Ethics of Gatekeeping, *Journal of Philosophy of Education,* Vol. 35, No. 3, pp. 329-343.

Howard League. (2008). *Punishing Children.* London: Author

Inglis, T. (1998). *Moral monopoly. The rise and fall of the catholic church in modern Ireland.* Dublin: UCD Press.

Irish Commission for Justice and Peace and the Irish Council of Churches. (1985). *Punishment and imprisonment.* Dublin: Dominican Publications.

Irish Prison Reform Trust (IPRT). (2006). *Alternatives to custody in Ireland report.* Dublin: Author.

Irish Prison Reform Trust (IPRT). (2009). *Detention of children: International standards and best practice.* Dublin: Author.

Irish Prison Reform Trust (IPRT). (2012). *IPRT Briefing: Detention of Children in St. Patrick's Institution* Dublin: Author

Irish Youth Justice Service/Department of Justice, Equality and Law Reform. (2005). *National youth justice strategy.* Dublin: The Stationery Office.

Jesuit Centre for Faith and Justice. (2012). *The Irish prison system: Vision, values, reality.* Dublin: Author.

Jewkes, Y., & Johnston, H. (2006). *Prison readings. A critical introduction to prisons and imprisonment.* Cullompton, Devon: Willan.

Johnson, J. M. (2001). In depth interviewing. In J. Gubrium & J. Holstein (Eds.), *Handbook of interview research: Context and methods.* London: Sage.

Kerrins, L., Greene, S., & Murphy, S. (2011). *Going without: Measuring child poverty and social exclusion in Ireland.* Dublin: Combat Poverty Agency.

Kiely, G. (2005). *Contemporary Irish social policy.* (2nd ed.) Dublin: University College Dublin Press.

Kilcommins, S., O'Donnell, I., O'Sullivan, E., & Vaughan, B. (2004). *Crime, punishment and the search for order in Ireland.* Dublin: Institute of Public Administration.

Kilkelly, U. (2007). *Obstacles to the realisation of children's rights in Ireland.* Dublin: Ombudsman for Children.

Kilkelly, U. (2006). *Youth justice in Ireland. Tough lives rough justice.* Dublin: Irish Academic Press.

Kilkelly, U. (2004, April). *The children's court: A children's rights audit.* Paper presented at the Irish Human Rights Commission and Law Society of Ireland Conference, Dublin, Ireland.

Kvale, S. (1996). *InterViews: An introduction to qualitative research interviewing.* Thousand Oaks: Sage.

Lappi-Seppala, T. (2006). Reducing the prison population: Long-term experiences from Finland. In Council of Europe, *Crime Policy in Europe* (pp. 139-155). Strasbourg: Council of Europe.

Lappi-Seppala, T. (2006). Finland: a model of tolerance? In Muncie, J. and Goldson, B. (Eds) (2006) *Comparative Youth Justic.* London: Sage

Lamont, M. (1992). *Money, morals, and manners: The culture of the French and the American upper-middle class.* Chicago, IL: University of Chicago Press.

Lareau, A. (2003). *Unequal childhoods: Class, race, and family life.* Berkeley, CA: University of California Press.

Lareau, A., & Weininger, E. B. (2003). Cultural capital in educational research: A critical assessment. *Theory and Society, 32,* 567-606.

Lalor, K., de Roiste, A., & Devlin, M. (2007). *Young people in contemporary Ireland.* Dublin: Gill & Macmillan.

Lemert, E. M. (1972). *Human deviance, social problems and social control.* (2nd ed.) Englewood Cliffs: Prentice-Hall.

Letherby, G. (2006) In V. Jupp, *The SAGE Dictionary of Social Research Methods* London: Sage

Lonergan, J. (2010). *The Governor.* Dublin: Penguin Ireland.

Lynch, K., & Lodge, A. (2002). *Equality and power in schools: Redistribution, recognition and representation.* London: Routledge Falmer.

Lyons, M. A., & Waldron, F. (Eds.). (2005). *Perspectives on equality. The second Seamus Heaney lecture series.* Dublin: The Liffey Press.

Magarey, S. (2002). The invention of juvenile delinquency in early nineteenth-century England. In J. Muncie, G. Hughes & E. McLaughlin (Eds.), *Youth Justice - Critical Readings* pp. 115-122. London: Sage.

Maginn, P. J. (2007). Negotiating and Securing Access: Reflections from a Study Into Urban Regeneration and Community Participation in Ethnically Diverse Neighbourhoods in London, England, *Field Methods,* Vol. 19, No. 4, pp. 425-440.

Mahon, O. (2002). *The principals' legal handbook.* Dublin: IVEA.

Mauch, J. E., & Park, N. (2003). *Guide to the successful thesis and dissertation: A handbook for students and faculty.* (5th ed.) New York: Marcel Dekker.

Maxwell, J. A. (2005). *Qualitative research design. An interactive approach.* London: Sage.

May, M. (1973). Innocence and experience: The evolution of the concept of juvenile delinquency in the mid-nineteenth century. *Victorian Studies, 16*(1).

Maykut, P., & Morehouse, R. (1994). *Beginning qualitative research. A philosophic and practical guide.* London : The Falmer Press.

McAra, L., & McVie, S. (2010). Youth crime and justice: Key messages from the Edinburgh Study of Youth Transitions and Crime. *Criminology and Criminal Justice, 10* (2), 179-209.

McKeown, K. & Fitzgerald, G. (2006) *Experiences and Attitudes of Early School Leavers: A survey of early School Leavers in Ballymun & Mayo.* Dublin: The EQUAL Youth Project

McMahon, W. W., & Oketch, M. (2013). Education's effects on individual life chances and on development: An overview. *British Journal of Educational Studies, 61*(1), 79-107.

Ministry of Security and Justice. (2010). *Investigation: The approach to juvenile crime has improved* [Press release]. Retrieved from:http://www.government.nl/ministries/venj/documents-and-publications/press-releases/2010/06/28/investigation-the-approach-to-juvenile-crime-has-improved%5B2%5D.html

Moore, Fr. H. (1962). *Private report on Artane Industrial School.* Report Commissioned by Archbishop John Charles McQuaid, Archbishop of Dublin and Primate of Ireland [publicly released 2007].

Morgan, M. (2001). *Drug use prevention: Overview of research.* Dublin: National Advisory Committee on Drugs.

Morgan, M., & Kett, M. (2003). *The Prison Adult Literacy Survey.* Dublin: Irish Prison Service.

Muncie, J. (2004). *Youth and crime.* London: Sage.

Muncie, J. (2005). The globalisation of crime control – the case of youth and juvenile justice: neo-liberalism, policy convergence and international conventions. *Theoretical Criminology, 9*(1), 35–64.

Muncie, J. (2006). Repenalisation and rights: Explanations in comparative youth criminology. *Howard Journal, 45,* 42–70.

Munck, T. (2000). *The enlightenment. A comparative social history 1721-1794.* London: Arnold.

Murphy, C. (2010). *From justice to welfare: The case for investment in prevention and early intervention.* Dublin: Irish Prison Reform Trust.

Loughran, H., & McCann, M.E. (2006). *Ballymun Community Case Study: Experiences and Perceptions of Problem Drug Use.* Dublin: National Advisory Committee on Drugs

Nash, R. (1990). Bourdieu on education and social and cultural reproduction. *British Journal of Sociology of Education,* 11(4), 431-447.

National Children's Strategy 2000 – 2010 *Our Children - Their Lives.* Dublin: The Stationery Office

Neal, F. (1998). *Black 47 Britain and the famine Irish.* New York: St Martin's Press.

Noddings, N. (1992). *The challenge to care in schools. An alternative approach to education.* New York: Teachers College Press.

Noddings, N. (2003). *Education and happiness.* Cambridge: Cambridge University Press.

O'Brien, M. (2004). *Making the move.* Dublin: Marino Institute.

O'Brien, M., & Flynn, M. (2007). Emotions, inequalities and care in education. In P. Downes & A. L. Gilligan (Eds.), *Beyond educational disadvantage* (pp. 216-228). Dublin: Institute of Public Administration.

O'Brien, M. (2008). Gendered capital: Emotional capital and mothers' care work in education. *British Journal of Sociology of Education, 29*(2), 137-149.

O'Brien, M. (2009). The impact of economic, social, cultural and emotional capital on mothers' love and care work in education'. In K. Lynch, J. Baker, & M. Lyons (Eds.), *Affective equality: Love, care and injustice.* London: Palgrave and Macmillan.

O'Connor, A.V. (1987). The revolution in girls' secondary education in Ireland 1860-1910. In M. Cullen, (Ed.), *Girls don't do honours Irish. Women in education in the 19th and 20th centuries.* Dublin: Women's Education Press

O'Connor, T., & Murphy, M. (Eds.). (2006). *Social care in Ireland. Theory, policy & practice*. Cork: CIT Press.

OECD. (1996). *Education at a glance*. Paris: Author.

OECD (2007). *Education at a glance*. Paris: Author.

O'Farrell, C. (2005). *Michel Foucault*. London: Sage

Office of the Inspector of Prisons. (2012). *Report on an Inspection of St. Patrick's Institution by the Inspector of Prisons Judge Michael Reilly* Nenagh: Author

Office of the Minister for Children. (2006). *State of the nation's children*. Dublin: Author.

Office of the Minister for Children and Youth Affairs (Department of Health and Children). (2007). *The Agenda for Children's Services*. Dublin: Author

Office of the Minister for Children. (2008). *State of the nation's children*. Dublin: Author.

O'Mahony, P. (1993). *Crime and punishment in Ireland*. Dublin: Round Hall.

O'Mahony, P. (1997). *Mountjoy prisoners: A sociological and criminological profile*. Dublin: Department of Justice.

O'Mahony, P. (2000). *Criminal justice in Ireland*. Dublin: Institute of Public Administration.

Ombudsman for Children's Office. (2011). *Young people in St. Patrick's Institution: A report by the Ombudsman for Children's Office*. Dublin: Author.

Osborough, N. (1975). *Borstal in Ireland. Custodial provision for the young adult offender 1906-1974*. Dublin: Institute of Public Administration.

O'Malley, K. (2005). *Childhood interrupted – Growing up under the cruel regime of the Sisters of Mercy*. London: Virago.

Peterson, R. A., & Kern, R. M. (1996). Changing highbrow taste: From snob to omnivore. *American Sociological Review, 61*, 900-907.

Peterson, R., & Simkus, A. (1992). How musical taste groups mark occupational status groups. In M. Lamont, and M. Fournier (Eds.), *Cultivating differences: Symbolic boundaries and the making of inequality* (pp. 152-186). Chicago: University of Chicago Press.

Pilbeam, P. M. (Ed.). (1995). *Themes in modern European history 1780-1830*. London: Routledge.

Platt, A. M. (1969). *The child savers/The invention of delinquency*. London: University of Chicago Press.

Powell, F.W. (1992). *The politics of Irish social policy* 1600-1990. Lampeter: The Edwin Mellen Press.

Pratt, J. (2002). *Punishment & civilization*. London: Sage.

Quin, S., Kennedy, P., Matthews, A., & Kiely, G. (Eds.). (2005). *Contemporary Irish social policy*. (2nd ed.) Dublin: University College Dublin Press.

Raftery, D., & KilBride, C. (2007). *Choosing a school. Second level education in Ireland*. Cork: Mercier Press.

Raftery, M., & O'Sullivan, E. (1999). *Suffer little children: The inside story of Ireland's industrial schools*. Dundrum: New Island Books.

Rapley, T. (2004). Interviews. In C. Seale, G. Gobo, J. Gubrium & D. Silverman, *Qualitative research practice*. London: Sage.

Reay, D. (1998). 'Always knowing' and 'never being sure': Familial and institutional habituses and higher education choice, *Journal of Education Policy, 13*(4), 519-529.

Reay, D. (Ed.). (1998). *Class work mothers' involvement in their children's primary schooling*. London: Taylor & Francis.

Reay, D. (2004). 'It's all becoming a habitus': Beyond the habitual use of habitus in educational research. *British Journal of Sociology of Education, 25*(4), 431-444.

Reay, D. (2004). Gendering Bourdieu's concepts of capitals? Emotional capital, women and social class. *The Sociological Review, 52*(2) 57–74.

Richardson, V. (2005). Children and social policy. In S. Quin, P. Kennedy, A. Matthews & G. Kiely, *Contemporary Irish social* policy (2nd ed.). Dublin: University College Dublin Press.

Robson, C. (2002). *Real world research: A resource for social scientists and practitioner-researchers*. Oxford: Blackwell.

Rossman, G. B., & Rallis, S. F. (2003). *Learning in the field. An introduction to qualitative research*. London: Sage.

Ryan, C. (2004). A partnership of care: An evaluation of a Department of Education and Science initiative to combat early school leaving – The 8 to 15 Early School Leaver Initiative. In J. Deegan, D. Devine, & A. Lodge, *Primary voices. Equality, diversity and childhood in Irish primary schools*. Dublin: Institute of Public Administration.

Ryan, F. W. (2001). *Constitutional law*. Dublin: Round Hall.

Sabates, R. (2008). Educational attainment and juvenile crime: Area-level evidence using three cohorts of young people. *British Journal of Criminology, 48*(3), 395-409.

Sawicki, J. (1991). *Disciplining Foucault: Feminism, power, and the body (thinking gender)*. London: Routledge.

Seale, C. (Ed.). (1998). *Researching society and culture*. London: Sage.

Seale, C., Gobo, G., Gubrium, J., & Silverman, D. (Eds.). (2004). *Qualitative research practice*. London: Sage.

Scheerenberger, R. C. (1983). *A history of mental retardation*. London: Brookes.

Sixsmith, J., Boneham, M. and Goldring, J. E. (2003) Accessing the Community: Gaining Insider Perspectives from the Outside, *Qualitative Health Research*, Vol. 13, No. 4, pp. 578-589.

Skeggs, B. (with Lisa Adkins). (2005). *Gendering Bourdieu's concepts of capitals. Feminism after Bourdieu*. Oxford: Blackwell.

Seymour, M. (2006). *Juvenile justice in the Republic of Ireland*. Paper presented to the Thematic Working Group on Juvenile Justice, European Society of Criminology.

Seymour, M. (2006). Transition and reform: Juvenile justice in the Republic of Ireland. In J. Junger-Tas & S. Decker (Eds.), *International handbook of juvenile justice* (pp.117-144). Springer Academic Publications.

Shine Thompson, M. (2005). Giving tongue its freedom: Children as citizens of Irish civic society. In M. A. Lyons & F. Waldron (Eds.), *Perspectives on equality. The second Seamus Heaney lecture Series*. Dublin: The Liffey Press.

Smith, J. A., & Osborn, M. (2008). Interpretative phenomenological analysis. In J. A. Smith (Ed.), *Qualitative psychology: A practical guide to research methods* (pp. 53--80). London: Sage.

Smith, J. A., Flowers, P., & Larkin, M. (2009). *Interpretative phenomenological analysis: Theory, method and research*. London: Sage.

Smyth, E. (1999). *Do schools differ?* Dublin: Oaktree Press.

Stokes, N. (2003). *Early school leaving in Ireland. The matrix of influences explored* (Unpublished Thesis). Maynooth: NUI Maynooth.

Touher, P. (1991). *Fear of the collar*. Dublin: The O'Brien Press.

Tussing, A. D. (1978). *Irish educational expenditure: Past, present and future* [ESRI Paper No 92]. Dublin: ESRI.

Tyrell, P. (2006). (Ed. D. Whelan) *Founded on fear*. Dublin: Irish Academic Press.

van Manen, M. (1990). *Researching lived experience*. Ontario: The Althouse Press.

Vygotsky, L.S. (1962). *Thought and Language*. Cambridge, MA: MIT Press.

Vygotsky, L.S. (1978). *Mind in Society*. Cambridge, MA: Harvard University Press.

Warren, C. (1988). *Gender issues in field research*. Newbury Park: Sage.

Weininger, E. B. (2005). Foundations of Pierre Bourdieu's class analysis. In E. O. Wright (Ed.), *Approaches to class analysis*. Cambridge: Cambridge University Press.

Weir. S. (2001). The reading achievements of primary school pupils from disadvantaged backgrounds. *The Irish Journal of Education, 32*, 23-43.

Weir, S., & Archer, P. with O'Flaherty, A. and Gilleece, L., (2011). *DEIS 2005 - A Report on the First Phase of the Evaluation of DEIS*. Dublin: ERC

Weir, S., and Denner, S. (2013) *The evaluation of the School Support Programme under DEIS: Changes in pupil achievement in urban primary schools between 2007 and 2013 Bulletin Report*. Dublin: ERC

White, R., & Cunneen, C. (2006). Social class, youth crime and justice. In B. Goldson & J. Muncie, *Youth, crime and justice*. London: Sage.

White, S. (2001). *Handbook of Youth and Justice*. New York: Springer

WHO (1992). *The ICD-10 classification of mental and behavioural disorders. Clinical descriptions and diagnostic guidelines*. Copenhagen: World Health Organisation.

Woods, P. (2005). *Successful Writing for Qualitative Researchers*. London: Routledge

Zappone, K. E. (2002). *Achieving equality in children's education. Report on the National Forum, Primary Education: Ending Disadvantage*. Dublin: St Patrick's College.

Interview schedules, request to participate letters, informed consent letters, plain language statements used during research process.

Interview Schedule for Students at Avondale CDS

First of all I'm interested in your experience of school before you came to Avondale CDS because it will help me to understand what you see as the differences between this school and schools you went to before.

First I'd like to know about primary school.

1. What was it like for you in primary school?
2. Were there things that you liked or liked a lot?
3. What about the teachers? Were they very strict? Kind?
4. Did you ever find it difficult or feel uncomfortable when you were in primary school?
5. Did you manage to go most of the time?
6. Did you go to more than one primary school? Tell me about that.
7. How did you get to primary school; did you walk, get the bus, get a lift?
8. Can you remember if someone brought you/collected you when you were little?

Secondary School:

1. How did you feel about the move to secondary school?
2. What was secondary school like for you? Teachers?
3. Was there strict discipline in school?
4. What were you best subjects?
5. What kind of class were you in, did they leave you with friends or were you put into classes?
6. Did you have any special tests or assessments when you were in secondary school?
7. Did you feel you needed any extra help in secondary school?
   And
8. If so, did you get it?
9. Did you manage to go most of the time?
10. Was the school far from your home?
11. Did you hang around with friends after school?
12. Did you play sports in school?

13. Were there any after-school activities? What were they and did you go to any of them?
14. Did you ever change secondary schools? Why?
15. Will you go back to your old school when you leave here?

Since you came to Avondale CDS:

1. Tell me about the school here. What courses of study are you doing?
2. What are your best subjects in here?
3. What's it like studying in here? Do you feel you can learn more in here than in other schools?
4. Do you think there is more support in school here than schools you were in before?
5. Do you think the teachers care more about you in here than in other schools?
6. Are expected to do homework/study on your own in here after school hours?
7. Are there any books, magazines or comics for you to read after school?
8. If so, what do you like to read?
9. Do you watch tv/dvds? What do you like to watch?
10. Do you listen to music or play an instrument?
11. What's your favourite music?
12. Are you involved in sports here in Avondale CDS? What do you play?
13. Is there anything you'd change about school here?

After you leave Avondale CDS:

1. What will you do when you leave here, would you like to go back to school when you leave?
2. Are you interested in doing your Junior Cert when you leave here (if not already done)?
3. Would you do like to do more FETAC courses when you leave here (if already doing some in here)?
4. Have you heard about Youthreach schemes? Know anyone that has been to Youthreach?
5. What would you think about going on a Youthreach scheme?
6. Would you like to get a job when you leave here? In what?
7. Do you think school is important in helping you to get a job?
8. Would you encourage your sisters/brothers/friends to stay in school?

I'd like to ask you about your life in general in here, about what it's like to be in here apart from school.

1. What's it like not being able to go home after school?
2. Do you get to visit home? How often?
3. How do you feel coming back in here after a home visit?
4. Do you get many visitors in here?
5. Who's at home, who do you miss?
6. Have you made friends in here?
7. Everybody in here has had to come to this school, what's it like for you all being made to come here?
8. Do you feel like you are part of a group?

9. Have any of your family or friends been sent to this or any other detention school?
10. Did you have any idea what it would be like before you came in?
11. Is it better or worse than what you expected? Is it comfortable/scary?

Interview Schedule for teachers at Avondale CDS

Preamble

- This school is in a very rural setting, do you live nearby?
- Is it better to live close to work or farther away?
- Do you work full time here?
- What subjects do you teach?
- How long have you worked here?
- Where did you work before?
- How do they compare?

Class structure

- How many students in your class?
- What age?
- What is the duration of the class?
- Do you teach several groups per day/ how many?
- Do you teach your subject everyday?
- Are you involved in other activities, e.g. sport, drama, etc?
- Do you have other supervisory duties?

Assessment

- Are the students assessed on arrival?
- Academic and/or psychological?

- What are the levels of educational attainment prior to arrival here?
- How are they graded?
- Do they have a say in subject choices?
- Do you have mixed abilities in each group?
- Are you teaching different levels in the one group?
- Do you think the students like the subject you teach?
- More than others?
- What is the general attitude to exams?
- How are IEPs developed?
- Do IEPs make it easier or harder for you to prepare your work?

Technology/Equipment/Infrastructure

- Are the students trained in the use of computers?
- Does the school have up-to-date technology available?
- Do the students like using new technology as opposed to traditional methods?
- Is the school in general well equipped?
- What would you like to see improved?
- What sort of sports are on offer?
- What's the uptake like?

Training

- What range of non-academic subjects, if any are available?
- Are they compulsory?
- Do students prefer these courses?

Discipline/Disruption

- What is the group dynamic like in the classroom?
- Is there ever disruptive behaviour?
- How would you deal with this?

Emotional/Psychological Development

- Are there issues about the students emotional wellbeing?
- How do these impact on your teaching?

Social Skills

- Is student morale good?
- Do you ever feel as if the students might intimidate you?
- Do issues arise about bullying?
- How do you deal with this?
- What's the school policy about bullying?

Parental Involvement

- Do you meet the parents of the children?
- Just at the beginning of the child's sentence or regularl/scheduled?
- Do the parents have an input into the planning process for their child?

Participant's Informed Consent Form

Anne Marie Byrne has explained to me what this study is about, and that she is carrying out research funded by a scholarship from the Irish Research Council for Humanities and Social Sciences (IRCHSS).

I have read the statement she gave me and understand it.

I know that taking part in this research is voluntary and that I can decide not to take part at any time if I change my mind.

I have been given the chance to ask questions about the research and know that I can contact Anne Marie or her supervisor at any time in the future if I have any concerns or questions.

I know that taking part in the research is confidential and the information will be stored in a secure manner in keeping with the Data Protection Act.

I am aware that certain aspects of this research may be published but my name and personal details will not be used in any published material. I understand that every effort will be made to ensure confidentiality.

I know that the information will be deleted one year after the project is completed.

In signing this form I agree to take part in the research and give my permission to have the interview recorded.

Signature of participant:_____

Signature of researcher:_____

Date of interview:_____

Parental Informed Consent Form

Anne Marie Byrne has written to me to explain what this study is about, and that she is carrying out research funded by a scholarship from the Irish Research Council for Humanities and Social Sciences(IRCHSS).

I have read the statement she sent me and understand it.

I know that allowing my child to take part in this research is voluntary and that they can decide not to take part at any time if they change their mind.

I know that I can ask questions about the research and know that I can contact Anne Marie or her supervisor at any time during the project if I have any concerns or questions.

I know that taking part in the research is confidential and the information will be stored in a secure manner in keeping with the Data Protection Act.

I know that my child's identity will be kept anonymous within the limits of the law, and that if aspects of the research are published my child will not be named, (I understand that there is a slight possibility that they could be identified due to the small number of students at XXX CDS, but that every effort will be made to ensure confidentiality).

I know that the interview records will be deleted one year after the project is completed.

In signing this form I agree to allow my child to take part in the research and give my permission to have the interview recorded.

I hereby give my permission for my son to be interviewed by Anne Marie Byrne of St Patrick's College, Drumcondra, Dublin 9 for approximately 30 mins on the subject of education. I have read the attached statement explaining the nature of this research.

Signature of parent (or guardian):_____

Child's name:_____

Date consent given:_____

267

Parent or Guardian Request Letter

Dear Parent or Guardian,

My name is Anne Marie Byrne and I am a student in St Patrick's College, Drumcondra in Dublin, studying for a Ph.D. I have received a scholarship from the government of Ireland under a scheme provided by the Irish Research Council for Humanities and Social Sciences (IRCHSS).

As part of my research I would like to find out about the educational experience of students in XXX CDS. I am writing to you to request your permission for me to interview your son XXXX as part of my research. By allowing your son to take part in this research you will be helping me in my research and in the recommendations that I will make at the end of it. Your son does not have to take part in the research and can stop at any time without giving a reason. Whether your son decides to take part or not will have no effect on his stay in XXX CDS.

I have attached a statement outlining the interview process and an Informed Consent form for you to fill in and sign, should you decide to allow your son to take part.

If you have any questions about your son's involvement in this research you can contact me by email at Annemarie.byrne@spd.dcu.ie. or leave a message for me at XXX CDS with the deputy principal Eugene Nugent.

Thank you for taking the time to read this letter and for considering my request.

_____
Anne Marie Byrne

Explanatory Statement for Parents' of Student Participants.

Dear Parent or Guardian,

Thank you for taking the time to read this statement. My name is Anne Marie Byrne and I am a student in St Patrick's College, Drumcondra in Dublin, studying for a Ph.D degree. I have received a scholarship from the government of Ireland under a scheme provided by the Irish Research Council for Humanities and Social Sciences (IRCHSS).

As part of my research I am investigating the school process for children in detention in Ireland. I would like to find out about your son's experience of education in XXX CDS Boys School. I would like to know what he feels about the school here and whether he feels it suits his needs. I would also be interested in his experience of education before they came to XXX CDS and if he has any plans to continue in education when he leaves.

If you agree to allow your son to take part in my study, I will arrange to meet him for half an hour to interview him. I will read out questions to him, asking him about his experience of education before he came to XXX CDS, the education provided in XXX CDS and his hopes and plans for the future.

I will use a recorder to record my questions and your son's answers. When I type up the interviews I will not use his real name, (but because there are so few students in the school there is a slight possibility that your child could be identified by someone reading my thesis). Your son does not have to take part in the research and can stop at any time without giving a reason. Whether you decide to allow him to take part or not will have no effect on his situation at XXX CDS.

The name XXX CDS will not be referred to in any printed material. While every effort will be made to protect the identity of both the school and participants, confidentiality of information provided can only be protected within the limitations of the law - i.e., it is possible for data to be subject to subpoena, freedom of information claim or mandated reporting by some professions.

If you have any concerns about your son taking part in this research you can contact me by email at Annemarie.byrne@spd.dcu.ie or by letter at the Education Department, St Patrick's College, Drumcondra, Dublin 9. You can also contact my supervisor Ann Louise Gilligan at the same address or Mary Shine Thompson who is in charge of all research at St Patrick's College.

Taking part in this interview will be of great help to my research project and may be of benefit to future residents in Detention Schools. I appreciate your taking the time to read this statement.

_____

Anne Marie Byrne

269

Explanatory Statement for Student Participants

Dear Participant,

Thank you for taking the time to read this statement. My name is Anne Marie Byrne and I am a student in St Patrick's College, Drumcondra in Dublin, studying for a Ph.D. I have received a scholarship from the government of Ireland under a scheme provided by the Irish Research Council for Humanities and Social Sciences (IRCHSS).

As part of my research I would like to find out about your experience of education in XXX CDS. I would like to know what you feel about the school here and whether you feel it suits your needs. I would also be interested in your experience of education before you came to XXX CDS and if you have any plans for the future.

If you agree to take part in my study, I will arrange to meet you for half an hour to interview you at a suitable time. I will read out questions to you, asking you about your experience of education before you came to XXX CDS, the education provided in XXX CDS and your hopes and plans for the future.

I will use a recorder to record my questions and your answers. When I type up the interviews I will not use your real name, but because there are only a few students being interviewed there is a slight possibility that you could be identified by someone reading my thesis.

The content of the interview is between you and me and no other student or member of staff will ever have access to them. No record of the interview will be stored at XXX CDS.

The name XXX CDS will not be referred to in any printed material. While every effort will be made to protect the identity of both the school and participants, confidentiality of information provided can only be protected within the limitations of the law - i.e., it is possible for data to be subject to subpoena, freedom of information claim or mandated reporting by some professions. You do not have to take part in the research and can stop at any time without giving a reason. Whether you decide to take part or not will have no effect on your situation at XXX CDS.

If you have any concerns about taking part in this research you can contact me by email at Annemarie.byrne@spd.dcu.ie or by letter at the Education Department, St Patrick's College, Drumcondra, Dublin 9. You can also contact my supervisor Ann Louise Gilligan at the same address or Mary Shine Thompson who is in charge of all research at St Patrick's College.
I am very grateful to you for taking part in this research as it is an important part of my project.

Anne Marie Byrne

Plain Language Statement for Teacher Participants

Dear Participant,

Thank you for taking the time to read this statement. My name is Anne Marie Byrne and I am a student in St Patrick's College, Drumcondra in Dublin, studying for a Ph.D. I have received a scholarship from the government of Ireland under a scheme provided by the Irish Research Council for Humanities and Social Sciences (IRCHSS). As part of my research I would like to find out about the experience of students and teachers in a Detention School. I would like to know about your experiences of working as a teacher here, how you develop Individual Education Plans and how you feel the education provided here meets the needs of the students. I would also be interested in how your experience of teaching before you came to this school and how you see plans for the future developing here.

If you agree to take part in my study, this is how I would like to carry out my research:

- I will arrange to meet you for half an hour to interview you at a suitable time.
- I will have a prepared list of questions which I will read out to you, asking you about your experience of education before you came to this school, the education provided here and your hopes and plans for the future of your career.
- I will use a recorder to record my questions and your answers.

I will not use your name in the typed transcript, instead I will use a code such as 'Teacher A'. Your name will not be used in the printed documents but due to the small sample size there is a possibility that you could be recognised by someone reading my thesis as the interview transcripts will be included as appendices. The name of the school will not be referred to in any printed material. While every effort will be made to protect the identity of both the school and participants, confidentiality of information provided can only be protected within the limitations of the law - i.e., it is possible for data to be subject to subpoena, freedom of information claim or mandated reporting by some professions.

- The content of the interview is confidential and no record of the interview will be stored at the school.

By volunteering to take part in this research you will be contributing to my research and the recommendations that I will make at the end of it. You do not have to take part in the research and can stop at any time without giving a reason.

If you have any concerns about your involvement in this research you can contact me by email at Annemarie.byrne@spd.dcu.ie or by letter at the Education Department, St Patrick's College, Drumcondra, Dublin 9. You can also contact my supervisor Ann Louise Gilligan at the same address or the Dean of Research at St Patrick's College, Mary Shine Thompson.

I am very grateful to you for taking part in this research as it is an important part of my project.

Anne Marie Byrne

271

Appendix B

Alternatives to Custody for Children and Young Persons

Community Sanctions

In April, 2007, the Government agreed to the allocation of additional resources to allow for the effective implementation of the Children Act 2001 (as amended). The additional resources include staff for the Probation Service and the Courts Service. Furthermore, an investment of €104m is being made under the National Development Plan 2007 – 2013, for the implementation by the courts of new community sanctions which provide an alternative to custody for young persons. As well as aiming to reduce the number of children sentenced to detention by the Courts, these sanctions are intended to improve the outcomes for children in a range of areas, including such matters as recidivism rates, family supports, educational attainment, and substance abuse.

Outlined below are the community sanctions currently available through the implementation of the Children Act 2001 (as amended):

Day Centre Order (S. 118):
This requires a young person to attend a Day Centre for the purpose of participating in an occupation or activity or to receive
instruction that is suitable to the child's development and beneficial to the child. This order is for a maximum period of 90 days/6 months.

Training or Activities Order (S. 124):
This order requires the child to complete a programme of training or specified activities which is suitable for the child's development and designed to prevent the child from re-offending.

Probation (Intensive Supervision) Order (S. 125):
This order provides for a child to be closely supervised and to complete an education/training or treatment programme while residing at a specified residence (living at home or with an adult). The order cannot exceed 180 days and if the order is over 90 days, it is subject to review after 60 days.

Probation (Residential Supervision) Order (S. 126):
This order provides that a child shall reside in a hostel residence. The child shall be under the direction of the person in charge of the residence, which should be reasonably close to the young person's usual place of residence or to any place where the young person is receiving education or training or is employed. The hostel must be inspected and certified as suitable for use by the Head of the Probation Service. The order should not exceed one year's duration.

A Suitable Person (Care and Supervision) Order (S. 129):
A Court may assign a child to the care of a suitable adult, including a relative. The parents or guardian of the child must consent in writing and the Probation Service must inform the Court that a suitable person is available. This order carries a maximum duration of 2 years.

A Mentor (Family Support) Order (S. 131):
A Court may assign a child to a person who would act as a mentor to that child, to help, advise and support the child and the child's family in its efforts to prevent the child from committing further offences and monitor the child's behaviour generally. The child and the parents or guardian must consent and a mentor must be available. This order carries a maximum duration of 2 years.

A Dual Order (S.137):
This combines a Restriction of Movement Order (provided by An Garda Síochána) with either supervision by a Probation Officer or attendance at a Day Centre for not more than 90 days.

Parental Supervision Order (S. 111):
In any proceedings in which a child is found guilty of an offence, the Court may make an order for the supervision of the child's parents. Before making an order, the Court shall obtain and consider information about the family and social circumstances and the likely effect of an order on these circumstances. In addition, parents must be given an opportunity to be heard.

A Parental Supervision Order may order parents to do any or all of the following:
• undergo treatment for alcohol or substance abuse;
• participate in a parenting course;
• control or supervise the child;
• comply with other instructions.
• Deferment of Detention Order (Section 144 of the Children Act 2001 (as amended):

A Court may impose a Detention Order under Section 142 of the Children Act 2001 (as amended). The child will be placed under the supervision of a Probation Officer during the deferment period. The resumed Court hearing shall take place not later than one year after the adjournment hearing and a probation report will be required. The Court can then impose the period of detention, suspend all or part of the period of detention or impose a community sanction.

Detention and Supervision Order (S.151):
This order allows for a period in detention, followed by supervision in the community. Half of the period shall be spent in detention and half in the community. (Source: National Youth Justice Strategy 2008-2010, 47-48)

Community Service Orders

The aim of a Community Service Order is to allow the person who has committed an offence to pay back to the community in a positive way for the damage caused by offending. Current legislation for Community Service Orders (*The Criminal Justice Act (Community Service) 1983*) allows a (young) person (over 16 years of age) to be given the opportunity to perform between 40 and 240 hours unpaid work for the community instead of a custodial sentence. As this is a direct alternative to detention it can only be considered by a judge if a custodial sentence has first been considered. Community Service Orders are not aimed particularly at young persons but at the general population over 16 years of age. In the case of males this includes any young offender who might have been ordered to detention in St Patrick's Institution so has some relevance to the current study.

The judge will ask the Probation and Welfare Service to complete an assessment of the young person to determine whether they are suitable or not to do community service and whether there is suitable work available. In preparing the report for the judge the probation officer will meet with the young person to get their agreement to do the work and to arrange the number of hours of work. The judge will specify the sentence to be served if the young person fails to complete the amount of work specified by the order.

Garda Youth Diversion Programme

Put on a statutory footing in the Children Act 2001, Ireland's Juvenile Diversion Programme aims to prevent young offenders in Ireland from entering into the full criminal justice system by offering them a second chance and to provide an alternative to formal court proceedings in dealing with offending behaviour in children. In order to be accepted onto the programme, a child must:

- Be between 10 and 18 years of age
- Accept responsibility for their offending behaviour
- Consent to being cautioned and in some cases supervised.

The intended outcome of the Programme is to divert young people from committing further offences. Where a young person comes to the notice of the Garda Síochána because of their criminal activity, they may be dealt with through the Diversion Programme.

Those children who are deemed to be suitable for the programme will receive either a formal or informal caution, depending on the seriousness of the offence and their previous offending history. The key difference between the cautions is that the formal caution involves a period of supervision by a Juvenile Liaison Officer.

The Programme also has an element of restorative justice, in that the victim may be included in the process in certain cases. Encouragingly, this report demonstrates an increase in the use of this process.

Figures to note include:

- There was a 28.8% decrease in the number of children coming to the attention of Gardaí.
- 76% of those children referred were admitted to the Diversion Programme.
- The majority of those referred were dealt with by way of an informal caution. (Approx. 54%) A formal caution was administered to 22%.
- 75% of those referred were male, with 25% being female.
- There was a 14% increase on 2010 in the use of restorative justice, with 903 referrals including a restorative element.

The current diversion programme evolved from an informal scheme which had operated on a non-statutory basis since the early 1960's. That scheme allowed the gardaí to deal informally with people under 18 years of age who had committed criminal offences. The purpose of the original scheme was to prevent young offenders from entering into the courts system and incurring a criminal record.

The Juvenile Diversion Programme is administered by specially trained gardaí called Garda Juvenile Liaison Officers (JLO). These gardaí are specially trained to deal with young people and their families in relation to crime-prevention, the operation of the diversion programme and all other areas involving young people and the criminal justice system. Each Garda District in Ireland has a juvenile liaison office and it is their responsibility to maintain informal contacts with young people at risk and to liaise with teachers, Health Service Executive staff, school attendance officers and other gardaí in their local area.

The idea behind the Juvenile Diversion Programme is to allow for young people who commit criminal offences to be dealt with by means of a *caution* instead of the formal process of charge and prosecution. A caution is a warning by the Garda Siochána against committing certain types of behaviour.

The child, where appropriate, is placed under the supervision of a JLO. The programme allows for a conference(s) to be held which can mediate between the child and the victim, if appropriate, and draw up an action plan for the child. In advance of admission to the programme, a JLO is assigned to assess the suitability of the young person for inclusion in the programme. Before the young person is considered for admission, he/she must admit involvement in the offence. Following this assessment, a decision is then made as to whether or not to administer a caution.

It is important to note, the final decision as to whether or not a young person is cautioned lies not with the Garda Síochána, but instead with the Director of the National Juvenile Office. In cases, however, which involve serious crime, consent to issue a

caution must first be obtained from the Director of Public Prosecutions. If the Director of Public Prosecutions decides a young person is not to be included in the Juvenile Diversion Programme because of the serious nature of the crime then, the young person is dealt with through the criminal justice system by way of charge and prosecution.

In carrying out an assessment for admission to the programme, the JLO consults with the young person's parents or guardians and may also consult with the victim. While the consent of the victim is not required for a caution to be made, the consent of the parent or guardian is normally required.

List of Government Departments, Agencies and Voluntary Groups Involved in Areas of Education and Juvenile Justice

DEPARTMENT/AGENCY	FUNCTION	WEBSITE
EDUCATION		
Department of Education and Science	Government policy and provision of education	www.education.ie
National Council for Curriculum and Assessment	Curriculum development	www.ncca.ie
Vocational Education Committee	Provision of 2nd level and further education	www.cdvec.ie
Home Education Network	To share experiences and offer informal advice	www.henireland.org
Homeschool Ireland	Providing information and resources needed to help parents make learning easy, effective and enjoyable at home	www.homeschool-ireland.com
Special Education Support Service	Consolidates, co-ordinates, develops and delivers a range of professional development initiatives and support structures	www.sess.ie
Prison Education Service, Ireland	Provides education for those in custody	www.pesireland.ie
Education Finance Board	Provides funding for education and personal development for former residents of certain institutions	www.educationfinanceboard.com

National Council for Special Education	Improves the delivery of education services to persons with special educational needs arising from disabilities	www.ncse.ie
Centre for Early Childhood Development and Education (now defunct)	Research and policy development in early childhood education	www.cecde.ie/earlychildhood@education.gov.ie
National Centre for Guidance in Education (DES)	Supports and develops guidance practice in all areas of education and informs the policy of the Department in the field of guidance	www.ncge.ie
National Parents Council	Improves and enriches the education of all children and supports parents to get involved in their children's learning at home, in the community and at school	www.npc.ie
Youthreach	2nd chance youth training and education	www.youthreach.ie
Pavee Point	Works towards social justice, solidarity, socio-economic development and human rights for Irish Travellers	www.paveepoint.ie
FÁS - Training and Employment Authority	As the National Training and Employment Authority, FÁS anticipates the needs of, and responds to, a constantly changing labour market	www.fas.ie
Fetac	National awarding body for further education and training in Ireland	www.fetac.ie

National Education Welfare Board	Encourages and supports regular school attendance	www.newb.ie
Irish Vocational Education Association	Represents vocational education committees	www.ivea.ie
Educate Together	Aims to meet a growing need in Irish society for schools that recognise the developing diversity of Irish life and the modern need for democratic management structures	www.educatetogether.ie
Irish Prison Education Association	Promotes prison education according to the principles of the Council of Europe	www.ipea.ie

JUSTICE

Department of Justice, Equality and Law Reform	Develops and implements policy, legislation	www.justice.ie
Irish Youth Justice Service	Developing a coordinated youth justice policy; devising and implementing a national youth justice strategy	www.iyjs.ie
National Youth Justice Strategy	Development and distribution of information available on youth justice-related issues	
Irish Prison Service	Provision of safe, secure custody for those people committed to prison by the Courts	www.irishprisonservice.ie
Irish Probation Service	Assessment and management of offenders in the community on behalf of the Courts Service and	www.probation.ie

	the Prison Service	
Irish Penal Reform Trust	Campaigns for the rights of people in prison and the progressive reform of Irish penal policy	www.iprt.ie
Children Acts Advisory Board (now defunct)	Advises on policy and legislation development	www.caab.ie

RIGHTS		
Department of Children and Youth Affairs	Harmonising policy issues that affect children in areas such as early childhood care and education, youth justice, child welfare and protection, children and young people's participation, research on children and young people, youth work and cross-cutting initiatives for children.	http://www.dcya.gov.ie
Children's Rights Alliance	Contributes to the public policy development process in order to promote positive changes in legislation, policies and services affecting children and young people Raises awareness and understanding of children's rights	www.childrensrights.ie
National Children's Advisory Council (National Children's Strategy)		
Ombudsman for Children	Information and policy development for children's needs Ensures that the government and	www.oco.ie

	those who make decisions about young people do so in the best interests of the young person	
Irish Human Rights Commission	Protection of civil, political, economic, social and cultural rights in Ireland	www.ihrc.ie
Childrensdatabase.ie	Information source for legislation, policy and rights	www.childrensdatabase.ie
Irish Council for Civil Liberties	Defence and promotion of human rights and civil liberties in Ireland	www.iccl.ie

SUPPORT

ISPCC	Intervention for children at risk	www.ispcc.ie
Childline	Empowerment and support for children at risk. Telephone helpline.	www.childline.ie
Health Service Executive	Child Protection Services	www.hse.ie
Focus Ireland	Information and support for homelessness	www.focusireland.ie
Barnardos	Information, support and advocacy for children at risk	www.barnardos.ie
Department of Health		www.doh.ie

MISCELLANEOUS		
National Youth Federation		www.nyf.ie
National Youth Council of Ireland	Representative body for national voluntary youth organisations, which acts on issues that impact on young people	www.nyci.ie
Foroige		www.forgoige.ie
Equality Authority		www.equality.ie
National Consultative Committee on Racism and Interculturalism		www.nccri.ie
Irish Constitution/Bunreacht na hEireann		www.irishconstiution.ie

Appendix D

Legislation Referred to in this Thesis

Child and Family Agency Act 2013

Children Act 2001

Education Act, 1998

Education (Welfare) Act, 2000

Ombudsman for Children Act 2002

Residential Institutions Redress Act, 2002

Education for Persons with Special Educational Needs Act 2004 (EPSEN Act)

Disability Act, 2005

The Equal Status Act 2000

The Employment Equality Act 1998

Criminal Justice Act 2006

United Nations Convention on the Rights of the Child 1989 (UNCRC)

United Nations Guidelines for the Prevention of Juvenile Delinquency 1990

(The Riyadh Guidelines)

United Nations Standard Minimum Rules for the Administration of Juvenile Justice

1985 (The Beijing Rules)

Appendix E

Personal Memoirs

An important aspect of the development of the juvenile justice system in Ireland that bears consideration is the personal memoir. For decades the experiences of young people who were cruelly treated within the system were unheard or ignored by Irish society.

In recent decades former residents of reformatories and industrial schools who were subjects of abuse have begun to make their voices heard. Writing in 1975, Osborough comments that the deficiency in first-hand impressions of life inside Irish borstal is regrettable. 'Similarly, there is no work of fiction which treats of life in any of the Irish institutions' (Osborough, 1975, 138). Thirty years later that picture has changed considerably. Following the damning expose of the *Kennedy Report* (1970), the government and the Catholic Church slowly began to face up to the abusive treatment of children in industrial schools and reformatories. The reaction was slow and over forty years later is still ongoing. The response of the now adult children who survived to tell the tales of abuse and neglect was swifter. There has been a steady flow of personal memoirs being published by former inmates of these schools in recent decades.

A pioneer in this area is Gerard Mannix Flynn whose 1983 publication *Nothing to Say*, although admittedly a work of fiction, is based closely on the author's own experience in Letterfrack Industrial School. The same industrial school is the subject of Peter Tyrell's posthumous memoir, *Founded on Fear*, edited by Diarmuid Whelan (2006). The Christian Brothers who managed Letterfrack also ran Artane Industrial School, which is the subject of Patrick Touher's book, *Fear of the Collar* (1991). Mary Raftery and Eoin O'Sullivan recount harrowing stories of incarceration in institutions in *Suffer Little Children* (1999), based on interviews with former inmates of industrial schools that were used in the production of an RTE television series entitled *States of Fear* which was aired in 1999. A play written by Bairbre Ni Chaoimh and Yvonne Quinn and produced by Calypso Theatre Company in Dublin in 2003, tells the harrowing story of the fire in St Joseph's Industrial school in Co Cavan 1943. This play was written after extensive research including interviews with survivors of the disaster. This appendix examines the above publications in order to give voice to those who endured the

disturbing circumstances of being forced to exist in Irish industrial schools and reformatories, often for no reason other than that of being born into poverty.

Gerard Mannix Flynn

Gerard Mannix Flynn was one of the earliest to speak out. Although his book, *Nothing to Say*, is a work of fiction, it is a thinly veiled autobiography, telling the tale of a young boy who endured years of abuse at an industrial school in Letterfrack in Co Galway. Flynn himself was sent to St Joseph's Industrial School, Letterfrack, at ten years of age for stealing a bicycle. (although in his book, Flynn refers to the protagonist being sentenced by a judge to St Joseph's Reform School (1983, 38)). The school was run by the Christian Brothers and gained a notorious reputation for the mistreatment of the boys placed there. Flynn also spent time in Marlborough House Detention Centre in Glasnevin, and St Patrick's Institution, Dublin. Since publication of *Nothing to Say* in 1983, Flynn has always been an outspoken critic of the industrial school and reformatory system, even when no-one would listen to him. He encountered great difficulty in getting his book published in the first place, and further difficulty in getting critics to review it. In a continuing quest to draw attention to the abuse he suffered, Flynn has presented a one man show and a series of art installations, (which he called 'Extallations') on the theme of abuse. *James X* was published in 2003 and presents the further developments in the life of James O'Neill, the character from *Nothing to Say*, chronicling the adult life of James O'Neill as he comes to terms with his life and struggles for justice from the State.

In the foreword to the new 2003 edition of *Nothing to Say*, Gerard Mannix Flynn comments on the fact that as a working-class person in Dublin in the early 1980s, he was struck by the lack of stories about contemporary working-class Dublin life and he felt that his class had no voice. Around the same time he was passing a church when his foot was grabbed by a hand that sprung from a crumpled-up body lying on the ground. It turned out to be a barely recognizable traveller boy called Johnny who had been in Letterfrack industrial school with Flynn. Johnny urged Flynn to: 'Tell them what was done to us' and to: 'Tell the truth'. This is what spurred Flynn to write his first novel.

In naming his first novel *Nothing to Say*, Flynn was also commenting on the fact that in the towns around Ireland where industrial schools and reformatories were located, people knew or at least suspected that children were being abused and neglected but

nobody would say anything about it because '...to level the accusation of abuse at the State and the Church and their religious congregations was an outrage' (Flynn, 2003, 5). Flynn, now a Dublin City Councillor, continues his quest to 'Tell them what was done to us' through his art and theatre work.

Peter Tyrell

The cruel regime at Letterfrack was also the focus for Peter Tyrell's book, *Founded on Fear, Letterfrack Industrial School, War and Exile.* Tyrell had begun to write his memoirs during the 1950s and had sent them in instalments to Senator Owen Sheehy Skeffington who had spoken out against corporal punishment in Irish schools in 1958. However, they were not published until 2006, as *Founded on Fear,* a recollection of Tyrell's early childhood, his eight years in Letterfrack, his time in the British Army and as a prisoner-of-war in a German prison camp. The almost fifty-year gap in the route to publication is a bizarre tale in itself, which began with the London Metropolitan Police contacting Senator Sheehy Skeffington, about a torn piece of postcard addressed to him, that had been found next to a charred corpse on Hampstead Heath. Although the body could never be formally identified as it had been so badly burnt, after a year, the police accepted that it was the body of Peter Tyrell, having been in communication with the Senator and by comparing handwriting samples that were in his possession. That was in 1968, and two years later Senator Sheehy Skeffington himself had died and all his personal papers were left to the National Library of Ireland. Almost forty years later they were discovered by Diarmuid Whelan while he was working on the Sheehy Skeffington papers. It was he who edited the manuscripts that had been sent by Tyrell in ten separate envelopes, and who published *Founded on Fear* in 2006.

Tyrell begins his account of his early life by describing the abject poverty that he and his nine siblings and parents lived in. Since their house fell down they lived in a converted stable, with the children sleeping on straw on the ground. The circumstances were not helped by the father's inability to do anything to improve the house or farm and the mother being debilitated by constant childbearing, poor nutrition and rheumatism. At eight years of age the six middle children were taken into care, the younger two to the nuns in Kilkenny and the elder four to the Christian Brothers in Letterfrack. On the day they were removed from their home Tyrell describes being impressed by the kindness of the Civic Guards who took them to the barracks in

Ballinasloe, and the brother who took them on to Letterfrack. After the first day, however, the kindnesses ended and the young Tyrells were treated to the same harsh handling as the other boys. In fact one of the first sights that greeted them on arrival was a Christian Brother running after screaming children with a big stick and beating them on the backs of their legs. Some of the children were as young as six years of age and Tyrell describes them as being terribly pale, their faces drawn and haggard. When Tyrell arrived at Letterfrack, he and his brother Jack were put into the infants class because they had not had been to school much back at home. His brother Paddy was put into second standard and Joe in third. The facilities were paltry and Tyrell describes the scene: 'The infants had no desks, but would stand around the blackboard, we were given a slate and slate pencil. It was the custom not to punish children on the first day' (2006, 13). The teacher had formerly been a resident at the Christian Brothers' Industrial school at Artane and 'did not beat the children very severely but slapped them on the hands with the drumstick, after every subject, or in the case of sums, after each sum, if the answer was incorrect' (2006, 14).

The teaching practices of the brothers left a lot to be desired and seem to have consisted more of opportunities for violence than for imparting knowledge. The early chapters of the book are full of references to incidents in the classroom. Lessons in reading, writing, arithmetic and Catechism took place in the morning. After lunch the boys went to 'training' (in other words work) in the laundry, the farm or the tailoring shop. The following paragraph gives a good illustration of the frustrating circle of punishment that engulfed the boys:

> At lessons Fahy is very severe on those who fail, especially at sums and catechism, and we are lined up after each sum and slapped, usually about three slaps with a very heavy stick. He always aims for the thumb or high up on the wrist. Writing is usually the next subject and my hand is so painful that I am unable to write. We are usually beaten about four times a day for failure at lessons. When I go to the tailors shop I am unable to do my work, and am sometimes reported for that. The beating is severe if we are reported for bad work (2006, 85).

Tyrell recounts in almost photographic detail the daily goings-on at Letterfrack. Using the present tense throughout, he gives the impression that he is describing a scene that is unfolding in front of him. The graphic descriptions of the constant beatings meted out by the Brothers for not answering questions correctly or quickly enough in the

classroom have the hallmarks of sadism that makes a mockery of the term Christian Brother. The 6am beatings on Sunday mornings can only be described as perverse:

> It's now Sunday morning and about twelve of us are lined up to be beaten in the washroom at the end of St. Michael's dormitory. We are ordered to take off our pants. Walsh now goes away to his room and returns with a stick. It's a new stick, which he cut a few days ago. I am at the very end and have to see all the others flogged before me. The Murtaugh boy is now being beaten and he is screaming loudly it's frightening to hear this almost daily. It's my turn next, after about six blows I manage to run away, down the stairs and into the bathroom. Walsh follows me down, he is hitting me on the head and face and back, as I put up my right hand to ward off the blow he hits me a heavy blow on the arm. My arm is broken. I spend two weeks in the infirmary (Tyrell, 2006, 22-23).

This is only one of several references to the Sunday morning floggings that appear in the book. Even the description of being in the infirmary is disturbing. Brother Walsh insists that young Peter tells the doctor from Letterfrack that he broke his arm falling down the stairs. The resident nurse had recently left the school so the young boy is left in the company of another young boy who is clearly dying and who does die after a couple of days. Thereafter Peter is locked in on his own in the infirmary for several days, with cold meals being delivered in the morning and evening until a new nurse arrives. She treats him kindly but is not in any way understanding when he says he is not looking forward to going back to school.

Sanitation and personal hygiene was of a poor standard at Letterfrack. The two main dormitories contained seventy-two beds each, with sheets and pillowslips being changed every two weeks. Jackets and pants were examined on Saturday night and were only changed if they were badly torn. Lice and rats were both constantly present in Letterfrack. As Tyrell says, 'We tried to keep our clothing clean of vermin, but it was impossible. Whenever lice were found Walsh always flogged us' (2006, 24). In a letter to Sheehy Skeffington, Tyrell remarks that: 'During my early schooldays we used to take off our shirts and shake them over the fire and then listen to hear the lice crack. It was like a fireworks in miniature' (2006, xvi). The proliferation of rats was due to poor housekeeping practices, with all the kitchen refuse being tipped into a drain a hundred yards away from the laundry. This unfortunately was the area where Tyrell had to hang out the washing when he worked in the laundry and he developed a fear of rats. Annie

Aspel, a local woman who ran the laundry used to laugh at him and tell him not to worry, the rats were better fed than the boys and they wouldn't bother him.

Boys and Brothers alike seemed to suffer with chilblains and some of the boys had frostbite on their ears. Although daily washing was part of the routine it doesn't seem to have had any impact on the levels of perspiration among the boys as Tyrell remarks'...and when we are lined up to be beaten I can smell the sweat of the others...I imagine I could recognise each one by their particular odour (2006, 82). In the chapter entitled 'Sixth Year', Tyrell outlines the physical attributes and health complaints of many of the boys he had spent so many years with. These details make for gruesome reading and suffice it to say at this point that: 'Boys who are not good-looking, or are in any way deformed, are laughed at, and ill-treated' (2006, 82).

Tyrell does not condemn all the brothers and staff at Letterfrack, nor does he imply that his entire stay there was torture. He describes the six weeks in the summer when most of the brothers went on holiday as a very pleasurable break, as well as Christmas, Easter and the annual outing to nearby Tully Strand as points of some relief. Nevertheless, he was so traumatised by his time in the industrial school that he was haunted by it for the rest of his life. During his early adulthood he lived and worked in England and was struck by the way English people treated him with simple goodness, kindness and friendship, whereas in his own country he had been neglected, beaten, insulted and humiliated by his own countrymen and by 'a most respected order in the Catholic church' (114). He was also stuck by the fact that other men he met who had had similar experiences always choose to bury their memories and advised him to do likewise. In 1935 he joined the British Army and was posted to Scotland. The onset of war gave him the opportunity to see the world, travelling through Europe, the Middle East and serving in India for most of WW2. In 1944 he was sent to the Western Front where he was injured and captured. In a damning indictment of the regime in Letterfrack he remarks on life in the German prison camp: 'Life here in Stalag 11B Fallingbostel during the last months of the war is hard and unpleasant. Yet it is heaven on earth in comparison to my life at school.' (157)

However, as the years passed he became more enraged at his treatment at the hands of the Christian Brothers and realised that the brutality was having ongoing psychological effects on him. During the 1950s he started a campaign against the industrial school

system, including denouncing it from soapboxes at Speakers Corner, Hyde Park's venue for people who wished to publicly air their grievances on any topic. He also contacted the police, trying to get legal recompense for his treatment. He got very little support from friends and family but the Irish Centre in London recommended that he contact Senator Sheehy Skeffington who had recently begun to air his disapproval of the use of unnecessary violence in Irish schools. Despite writing many letters and trying to make formal complaints to the police, Tyrell had received very little support until he made contact with Senator Sheehy Skeffington. As a result of their collaboration, Tyrell had an article published in *Hibernia* in 1964 and contributed to the Tuairim Report. Unfortunately, by 1967, despite having written many chapters for his intended book, he seems to have succumbed to a bout of depresssion and took his own life by setting fire to himself on Hampstead Heath.

Patrick Touher

Patrick Touher published his memoir of life in Artane Industrial School, *Fear of the Collar*, in 1991. Despite the rather foreboding title, Touher approaches his task with a lighter touch than the previous two authors. Taken from a blissful existence with a foster family in the Sandyford, Touher was sent by court order to Artane at the age of eight in 1950. He describes his bewilderment on arrival at the sight of hundreds of boys (skinheads, as he called them) marching in drill formations to their next class, when suddenly a fracas broke out as the Brother called Driller the Killer attacked one of the boys with physical force. What makes this incident so remarkable for this reader is the fact that so many of the surrounding boys leaped into the fray, kicking and thumping the Brother while he rolled around the ground. This incident scared and excited the young Touher on his first day at Artane, and he admits to being overwhelmed by the size of the buildings and the number of boys who lived there. Indeed the scale of the whole operation is remarkable. There were five dormitories, each had about 180 beds, as Touher says the sheer size of the dining hall stunned him when he first saw it: 'The noise in the refectory and the sight of all those boys, about 900 in all, is something I have never forgotten' (Touher, 1991, 23).

Despite the corporal punishment by the Brothers, the constant fighting among the lads, and his initial fears, young Touher seems to have settled down well enough at Artane. Indeed his awe-filled descriptions seem to hint at a certain admiration for the whole

operation. He seems to have been blessed with an optimistic disposition which allowed him to tolerate the regime. School was one of the areas that caused him some trauma as it involved much gratuitous violence, which he relates thus:

> School started at 9.15am. I dreaded Hellfire [the teacher]. I found it very hard to learn from him. Sometimes he would make you stand out at the wall in the classroom with your hands held straight above your head and if and when you dropped them he would take you over his knee and beat the bottom off you....Other times he would make you sit on your hunkers, without your bottom touching the floor, with your hands out in front of you. Hellfire would roast the arse off you for damn all (27).

One of the reasons Touher's education did not suffer was probably that he already had a good grounding in the basics from his schooling in Sandyford Park School which gave him an advantage over many of the other boys who had not had that privilege. His early upbringing had also endowed him with good manners and an inquiring mind, traits which endeared him to some of the more humane Brothers. After the age of fourteen all the boys were sent to learn trades in the various workshops that existed within the complex. With 900 boys and a hundred staff, Artane was self-sufficient, with its own weaver's workshop for making the cloth for the uniforms which were then made in the tailors workshop. There was a cobblers for making and repairing boots, a laundry, a tinsmith's, a poultry farm, carpenters and cabinet makers as well as a bakery that turned out 5000 loaves a week. Flour was milled, milk and meat produced by the farm and animals slaughtered on a daily basis to put meat on the table. Practically everything that was needed for 1000 people was manufactured and repaired on site. At the age of fourteen Patrick Touher was sent into the bakery to begin his training.

Touher's book makes for a perplexing read. The same deprivations that prevailed in Letterfrack are evident in Artane. The boys suffered the same lack of heat, endured the same chilblains and illnesses, were subject to the same punishments and cruelties, yet for the most part Touher maintains an observer's impartiality almost throughout. It is really only in the epilogue that a note of bitterness manifests itself. He remarks that he found the adjustment to life outside the institution very hard, that he felt 'at odds with people' (172). He found that his years of training as a baker were not recognised in the labour market:

> I found to my cost that a baker's life outside the school was nothing like what I expected... I was paid a pittance and worked in very poor

conditions. I regretted that there had been no exams or diplomas to be won in the workshops of Artane. I believe a diploma of some kind would have helped enormously after leaving the school. I found that going for positions without proof of your training was a complete and utter waste of time. The baker's union would not accept me as a fully fledged baker, because I was not trained in a unionised house or school (172).

Yet again he enters a conciliatory note:

But I do not blame the brothers for that. I know for a fact they gave us lads the best training possible, under the best tutors that could be found. (172) And he adds: In conclusion I would like to pay tribute to the Christian Brothers of Artane. Readers of this book may be horrified at my description of the harshness of the system in the industrial school, and there is no denying its severity. But in retrospect, I realise that the majority of the brothers were doing their best, within limited circumstances, in hard times, and with frightening numbers (173).

The regime at Artane was a marvel of self-sufficiency by all accounts in that it provided for the material needs of 1000 people on a daily basis. The lack of love and nurturing of the boys who were forced to live there amounts to cruelty on a grand scale and the autonomy of the management structure beggars belief, even when they were inspected by the Dept. of Education they were forewarned and prepared accordingly. In conversation with a pupil who attended a 'regular' boarding school (as a 'charity case') run by the Christian Brothers during the 1960s I was told that the brutality at Artane was well known and that the threat of being sent there was regularly made to boys who misbehaved in order to keep them in line. The title *Fear of the Collar* may be a clue to the timidity of Touher's approach to his task in documenting life for the boys in Artane. Perhaps he still felt a fear of the collar in adult life and perhaps he, like most of Irish society even in 1991, he was not ready to openly criticise the church or any of its agents. Throughout the book, whenever he makes new mention of a Brother, Touher remarks in parenthesis that that Brother is now deceased. This is a strange and seemingly unnecessary affectation but it hints at an ingrained respect that may be influenced by the belief that one should not speak ill of the dead. It also shows that even though they are dead, these Brothers still exert control over Touher.

Bernadette Fahy

In the same way that the Christian Brothers were the bane of young boys' lives, the Sisters of Mercy blighted the lives of many of the girls who lived in the many industrial schools that they managed. Again it is only subsequent to the Kennedy Report that some of the now adult women have had the courage to speak out and in some cases have still had to endure incredulity. The Goldenbridge Orphanage (officially named St Vincent's Industrial School, Inchicore), was the location for the upbringing of Bernadette Fahy, and the focus of a large section of her autobiography *Freedom of Angels-Surviving Goldenbridge Orphanage*, published in 1999. She was sent to Goldenbridge at the age of seven and remained there till she was sixteen. The reason she and her brothers were sent to the industrial school was that they were the 'second' family of man who was legitimately married to a woman and had another family elsewhere. His provision for his 'second' family, i.e. Bernadette's mother and siblings was sporadic. The courts deemed the situation for her mother untenable and ordered the children into care. As Fahy points there was certain irony in the fact that as soon as her children were placed in the care of the Sisters of Mercy her mother was free to gain employment as a nanny to a wealthy family: 'It seemed she was perfectly capable of rearing a family when financial resources were available to her. Such was the fate of families who were not privileged to be wealthy, and the state did nothing to help them' (14). Fahy divides her book into two, the first half dealing with her time in Goldenbridge, the second with life afterwards. Life at Goldenbridge had similarities to that described by Peter Tyrell in Letterfrack. The 6am beatings on Sunday mornings in Letterfrack are echoed by Fahy, who in describing the early morning procedures in Goldenbridge remarks: 'They regularly beat us at this hour of the morning for no reason at all' (1999, 22). Like Tyrell, Fahy spent some time in the sick bay where she was effectively abandoned except for the daily visit of a staff member to dress her wounds. She claims she didn't really mind when they forgot to bring her dinner as the food was awful. She enjoyed being ill because it meant she didn't have to go to school. School was the source of great trauma, particularly because Fahy and her twin brother were left-handed, which was considered a serious offence. The teachers used to say they were doing the devil's work and would literally try to beat this out of them. School in general felt like being in prison because the orphanage children were educated separately to the local children who attended Goldenbridge National and Secondary schools on the same convent grounds. There were two nuns who taught the orphans, one for all under twelve and one for all over twelve. There was liberal use of the cane, not just for correctional purposes

but for seemingly inexplicable circumstances as well, such as when the nun would make the children stand while she poked the back of their thighs and screamed 'I'll write your name in blood' (34). When slapping with the ruler she always used the side of it in order to inflict more pain. As Mondays and Fridays were laundry days, girls over twelve were taken out of school to work from 9.30 till lunchtime on these days. Without wanting to detail a litany of the abuses described by Fahy, which paint a truly gruesome picture of abuse, it worth mentioning a couple of instances to show how difficult life really was. One of these is the fact that the children in Goldenbridge were never given a drink of water and when they were thirsty they scooped water by hand from the toilet cistern and drank it. Many of the abuses focused on humiliation; especially for girls in relation to bodily functions and sexuality. Underwear was inspected regularly by lining the girls up, and if any soiling was found, the garment was hoisted on a pole for all present to see, the offending child was then stripped naked and beaten. It is not difficult to see how these abuses had a long-term effect on the self-esteem of the children and how Fahy took years to come to terms with and recover from the trauma. It is heartening to know that she did eventually rise above the setbacks and later in life went on to obtain a degree and thereafter a Masters in Counselling Psychology. She now works as counsellor in private practice as well as writing and lecturing on the topic of institutional abuse.

Kathleen O'Malley

Kathleen O'Malley was sent to Goldenbridge at the age of eight after she was raped. In *Childhood Interrupted* (2005), she recounts the humiliation, near starvation, floggings and other cruel treatment she and her two sisters experienced over the eight years that she was forced to live in the orphanage there and at Mount Carmel Industrial School, Moate, Co Westmeath. Much of what O'Malley writes reiterates everything that Fahy had to say about the humiliation, cruelty and hard work that made up the daily grind at Goldenbridge and Moate. With regard to education she has little or no comment. This is because according to her there was little or nothing to comment on. Although she went to class, she says the nuns had no lessons prepared for them and the children just 'sat with our books open and stared vacantly out of the window. One day just blurred into the next'(42).

Christine Buckley

It was not just print media that provided a voice for those who had endured the Irish Industrial School regime, T.V., film and theatre have all been used. In an Irish television documentary broadcast by RTE in 1996, entitled *Dear Daughter*, Christine Buckley told the story of her upbringing in St Vincent's Industrial School, Inchicore, Dublin, which, as we can see from the above accounts, was popularly known as Goldenbridge Orphanage. Christine was abandoned at three weeks of age as she was the unwanted daughter from a relationship between a Nigerian medical student and a married Irish woman. It is a quest to find her parents that motivates this documentary; 'I wanted to find my Dad and say "see what I'm suffering for the like of you"'. Her shocking account of the cruel regime of deprivation and abuse that she experienced at the hands of the Sisters of Mercy sparked off a controversy that still continues today. In fact the Sisters of Mercy were responsible for running the greatest number of Industrial Schools, with 40,000 children passing through their care before the institutions were closed down in the 1970s (Raftery & O'Sullivan, 1999, 20). Perhaps it is this volume that accounts for the relatively high number of personal memoirs of former residents of institutions run by this order that are now coming to light.

Diverse Accounts –TV and Theatre

Mary Raftery produced and presented a three-part television documentary series *'States of Fear'* aired on RTE in 1999, in which she tells the story of the Irish Industrial schools. This proved to be a controversial and thought-provoking series which stirred up debate and has had an impact on attitudes to the abuses in industrial schools. Subsequently, with Eoin O'Sullivan, a consultant on the TV series and lecturer in Social Policy at TCD, she published *Suffer the Little Children* (1999), in which they chronicled the lives of people who had been subjected to cruelty in Irish Industrial schools and made a comprehensive study of the industrial school and reformatory system. The combination of this television series and the associated book has been recognised as an important catalyst in shedding light on the hidden nature of life in industrial schools that Irish society had ignored for so long. Raftery continued to be outspoken about the abuses in industrial schools and reformatories until her untimely death in 2012. She has taken excerpts from the Ryan report 2009 and used them to form a theatrical representation of some of the proceedings from the hearings and some of the personal accounts of the victims of abuse. This production has played to critical acclaim at the

peacock theatre in Dublin during April 2010. In a review in the Irish Times, Sara Keating remarks:

> The sickening facts of history in the case of the Commission to Inquire Into Child Abuse are far more brutal than any fiction might help us understand. I t is with this proviso that *No Escape* , a piece of documentary theatre based on the Ryan Report, attempts to take account of the monumental failing of Church and State in 20th-century Ireland. Compiled and edited by Mary Raftery, a journalist whose voice has been so crucial in providing us with the facts over the last 20 years, it is a 90-minute litany of terror and violence; a catalogue of physical and psychological brutalities and the weapons used to administer the punishments that were real crime.

Stolen Lives

1999 also saw the production of a series of three one-hour documentaries called *'Stolen Lives,'* directed by Louis Lentin and produced by TV3. The individual titles were: 'Our Boys Stories', 'We Were Only Children' and 'Philomena's Story '. Each film consisted of a personal narrative which documented and examined individual lives and how the physical, mental and sexual abuse did long-term damage that did not cease when the children left the industrial schools.

Abused Together

On the theatre front 2002 was a productive year, with two plays appearing that dealt with industrial schools and their effect on children. *Abused Together*, written by Jemmy Gantley, deals with life in Artane Industrial School, and is presented in the form of four former residents meeting up years after they have left and discussing their past.

Stolen Child

Stolen Child is a play written by Bairbre Ni Chaoimh and Yvonne Quinn which played to much critical acclaim at Andrew's Lane Theatre in Dublin, in 2002, and subsequently toured the country. It tells the story of a woman who employs a detective to investigate her family's past and in so doing the narrative opens out into an expose of the disastrous fire which took place in St Joseph's Industrial School, Cavan, resulting in the deaths of 35 girls and one adult employee. A public inquiry placed the blame for the deaths on inadequate local fire services, exonerating The Poor Clares who ran the institution. Local public opinion was not satisfied with the result of the enquiry given that all doors

in the building, including fire escapes, were locked, and many of the girls had been herded onto the top floor rather than out the front door when the fire was initially detected in the basement. There were no ladders available to reach the height of the top floors but nevertheless one particular teacher insisted that all children in her care should take refuge on the top floor, effectively condemning them to death, while she went down the stairs and out to safety. All nuns, teachers and domestic staff bar one elderly cook escaped unharmed. The play uses fictional characters based on a true incident to highlight a shocking but almost forgotten incident in the history of industrial schools in Ireland.

Scannal

The events in Cavan were also the subject of an episode of the RTE television series, *Scannal*. Eyewitness accounts were provided by local people, including one of those who were first in to attempt a rescue. One of the survivors also spoke (anonymously) about her ordeal and how she passed out after climbing outside onto a window ledge on the top floor. Now elderly, this woman never speaks about the incident, even to friends, as she was so traumatised that she cannot bear to recall the night her young friends burned to death a few yards away from her. One of the speakers on the programme aired the widely held view that the nuns had prevented the children form exiting the building because they didn't want them to be seen in their nightgowns by local men.

Conclusion

In reviewing the personal memoirs and some of the fiction relating to incarceration in industrial schools a number of common traits emerge. The accounts of cruelty and gratuitous violence attest to a severe lack of judgement by the relevant authorities in the appointment of teachers and so-called childcare-workers in the institutions. As far back as 1936 the *Cussen Report* remarked on the over reliance on the management role of religious orders in the institutions but there was never any significant attempt to alter this aspect of the system. Giving 'carte blanche' to religious orders in Ireland to run institutions for children who were deemed to be problematic and in need of intervention also gives an indication of a strong traditional link between church and state, and how the control of children could be seen as a means of perpetuating the hold of the Catholic Church on the moral and religious development of citizens.

The selection of children for incarceration was clearly haphazard, not only could it be at the behest of the courts (whether a criminal matter or not), but could often be instigated by a parish priest or local figure who had sufficient authority to make a moral judgement on a family's ability to provide for children.

Another common attribute in this literature is the consistency of the accounts. When Christine Buckley told her story on television in the documentary *Dear Daughter*, there was a tendency among the public to disbelieve her, to suggest that she had an agenda such as malice or revenge against certain individuals that motivated her account of life in Goldenbridge. However, as more and more memoirs subsequently emerged they were characteristically similar and supported the horrific claims of cruelty and abuse.

Much of the evidence from accounts of life in industrial schools and reformatories in Ireland suggest that despite being administered by religious orders, care was not an important consideration on their agenda. Instead the emphasis was on punishment, either for the perceived misdemeanours of the children or their parents. Poverty, ill-health and poor living conditions as well as perceived immorality were all seen as legitimate reasons for incarcerating children from very young ages, often deliberately separating siblings and discouraging contact with parents and other family members. The influence of the Catholic Church on the development of an Irish juvenile justice system could be seen as an unprecedented phenomena that had an undue influence on a system that postulated administration of justice and care for children.