“THE PROBLEM CLASS”?: A CRITICAL ANALYSIS OF EXPERIENCES OF SCHOOLING AND INVOLVEMENT WITH THE CRIMINAL JUSTICE SYSTEM

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Abbreviations

BTC:	Breaking the Cycle.
CAMHS:	Child and Adolescent Mental Health Service.
CPD:	Continuing Professional Development.
CSO:	Central Statistics Office.
DAS:	Disadvantaged Area Scheme.
DCYA:	Department of Children and Youth Affairs.
DEIS:	Delivering Equality of Opportunity in Schools.
DES:	Department of Education and Skills.
ESL:	Early School Leaver.
ESLS:	Early School Leaver Survey.
ESRI:	Economic and Social Research Institute.
GARDAI:	Police Force of Ireland.
GCEB:	Giving Children an Even Break.
GUI:	Growing Up in Ireland.
HEI:	Higher Education Institutes.
HSCL:	Home School Community Liaison.
IPRT:	Irish Prison Reform Trust
IPS:	Irish Prison Service
SJI:	Social Justice Ireland
JC:	Junior Certificate.
LC:	Leaving Certificate.
LCA:	Leaving Certificate Applied.
NAPS:	National Anti-Poverty Strategy.
NCSE:	National Council for Special Education

NEPS: National Educational Psychological Service.

NEWB: National Education Welfare Board.

OECD: Organisation for Economic Cooperation and Development.

SEN: Special Educational Needs.

SES: Socio Economic Status.

TUSLA: The Child and Family Agency.

UK: United Kingdom of Great Britain.

UNESCO: United Nations Educational, Scientific and Cultural Organisation.

US: United States.

Dedication

I dedicate this thesis to my father John, and to my late mother Anita. Dad, life has thrown many personal challenges and obstacles your way and you have certainly had it tougher than most. You have had to contend with unimaginable hardships and personal struggles throughout your life but you faced each of them one by one and came out the other end. I don't know what path my own educational journey would have taken had you not challenged the wisdom of the education system who felt that mainstream secondary schooling wasn't suitable for children like us. The only reason that I am in the position that I am today is because you listened to a naive 10 year old, took on board what I had to say and made a stand for the type of schooling that I would receive. For that, and all of the other sacrifices that you have made, I am, and will always be, eternally grateful to you.

My mother left this world far too soon but left each of us with the most beautiful memories of what it is to love and to be loved, acts of kindness and care, to be attuned and attentive to other people's struggles and never ending laughter and fun. She left an enduring imprint and her vibrant personality and wonderful traits continue to pervade each of our lives in their own unique way.

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Abstract

Irish research into the formal educational experiences of people who have been, or who are, in prison compares poorly with international norms. Against this noticeable absence of Irish studies affording attention to the formative educational experiences of people who came became involved with the Irish justice system, this research focused on bringing their voices and experiences into conversation. Through a non-ideal theoretical framework based on the work of Michel Foucault and epistemic injustice, this research examines the perceptions, experience, and analysis by participants of the relationship between experiences of formal schooling and involvement with the Irish criminal justice system. Theories of disciplinary power/knowledge and testimonial and hermeneutical injustice informed the design of a multi-perspective, qualitative methodology that was underpinned by the emancipatory commitments of critical theory. This used open and semi-structured interviewing to explore the formative educational experiences of those who were involved with the criminal justice system. Whilst centrality is given to the voices of the former students who experienced school exclusion and the justice system, this research also includes the important perspectives of educators, multiple stakeholders, and parents of excluded children. Analysis mobilised the lens of the theoretical frameworks, drawing on the core concepts of voice, practices, silence, and subjugated knowledge in framing the themes through which the findings were interpreted.

Building on the key themes that emerged from the findings, this research unpacks the unintended consequences of equality policies for this cohort of students and the implications for school choice, relationships, discipline, exclusion, and deficit models of teaching and learning. The voices and perspectives of the participants in this research offer a different way of thinking about inclusion, relationships, communication, school culture, values, equality and participation in education. They locate the policy and practice constraints that impede these and offer solutions to remedy them. A series of policy and practice recommendations based on the findings and analysis are offered in the conclusion.

Keywords: Educational inequality, social class, school-to-prison pipeline, school discipline, suspension, expulsion, epistemic injustice, educational practices.

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Chapter 1. Introduction

This chapter offers a detailed account of the purpose, context and rationale for the research and is divided into ten sub-sections. The chapter begins with an overview of and discussion on the purpose of the research. Following on from this, the definition of the 'school to prison pathway' that will guide the research is set out and discussed. Section 1.3 contains the research questions. The following section sets out the background and rationale for the current research. Following this, section 1.5 offers the contribution of the current research to the field, while section 1.6 outlines the research approach. Section 1.7 contains the theoretical framework and locates the research within the wider sociology of education, informed by the critical tradition of social inquiry and knowledge. Section 1.8 discusses the limitations and commitments of the research and its respect for the commitments of the critical tradition whereby the researchers enter into the research process with their assumptions on the table from the outset. In this way, no one is confused concerning the epistemological and political baggage that researchers bring with them to the research process (Kincheloe and McLaren 2000: 292). Section 1.9 sets out the positionality of the researcher. Finally, section 1.10 contains a brief summary of the remaining chapters of the thesis.

1.1. Purpose of the Research

The research is located within a wide sociology of education framework. The framework is informed by the Foucauldian approach, by theories of epistemic injustice, and guided by the commitments of the critical emancipation tradition. The aim of this research is to critically examine the path from school to involvement with the justice system, in an Irish context. This will be done from three perspectives. It will focus on experiences of school discipline and exclusionary practices within the education system. The purpose of this aspect of the study is to understand the educational experiences and the critical factors relating to students that influenced their trajectories from school to the justice system. In doing so, this research offers insights into why some young people proceed upon the pathway from school to involvement with the juvenile and adult justice system. It will also examine how, and to what extent, schools can make a difference in disrupting this route for the affected students.

The research engages critically with the conceptual lens that has been called the "school-to-prison pipeline" (STPP). This was conceived in the US and has since been used internationally to examine the policies and practices that contribute to the "school-to-prison pathway" of students. It is my contention that education can, and should be, part of the process to break the link between demographics and destiny (Gill 2017). In Ireland educational inequality and early school leaving have been persistent features of the educational landscape for socially marginalised, working-class students. This is especially true for those students who have ended up in prison later in life (IPRT 2016; O'Donnell et al 2007; Kennedy et al 2005; Morgan and Kett 2003; Murphy et al 2000). A series of policy initiatives have been introduced in order to address educational disadvantage within the Irish education system. Examples of such are the Disadvantage Area Scheme (1984); Breaking the Cycle (1995) and Giving Children an Even Break (2001). In 2005 these policy initiatives were all subsumed together under the auspices of Delivering Equality in Education (DEIS). This new policy initiative was revised and up-dated in 2017. An overview of these policy initiatives is offered in Chapter 3. The common trend running through these policy initiatives is the idea that there is a need to break the deterministic social mould which underpins the thinking surrounding educational disadvantage and its causes. The belief is that this trend will be broken by creating equality of opportunity within the education system. Behind the above theory is the idea that intelligence and talents are products of social experience (Considine and Dukelow 2009). Socio-economic variables and community backgrounds are considered to have placed some students at a significant disadvantage in comparison to others. This disadvantage of opportunity takes place prior to entering the education system. By focusing on improving the equality of educational opportunities, these policy instruments also contained an implicit acknowledgement of the unequal treatment of students within the education system itself. The implicit implication is that what happens in schools has a very important bearing upon student outcomes.

In Ireland, a number of scholars are trying to address the wider issue of inequality in education and the many forms this inequality takes (e.g. Banks et al 2014; Byrne, McCoy and Watson 2009; Byrne and Murray 2017; Byrne and Smyth 2010; Clancy 2007; Darmody et al 2012; Devine, Grummell and Lynch 2011; Durby and Lynch 2003; Kavanagh and Weir 2018; Kelleher and Weir 2017; Lynch, Grummell and Devine 2015; Lynch and Lodge 2002; Lynch and O'Riordan 1998; McCoy 2014; McCoy and

Byrne 2017, 2013; McCoy, Byrne and Banks 2012; O'Donnell 2015; O'Sullivan et al 2019; Smyth 2018; Smyth et al 2019, Smyth and Banks 2012; Weir 2003; Weir and Archer 2011; Weir et al 2017; Whelan and Hannan 1999).

These researchers address important questions about inclusion and exclusion, inequality of participation, diversity, gender inequality, school retention, early school leaving, second chance education and class-based inequalities across the educational spectrum. While there is some overlap between these studies and this research, the broader issue of educational inequality is not the central focus of this thesis. Instead the focus is on inequality as it relates specifically to the educational experiences of a cohort of students who subsequently became involved with the juvenile and/or adult justice system. The broader issue of inequality in education, as it relates to poor and working-class children in Ireland, is discussed in chapter 3. Chapter 3 contains the description of the policy context within which the research is framed. This description of the wider policy context is to situate the cohort of students that this research is focused on, in the wider education system. It is also done to illuminate how the cohort of students in the present research have been historically differentiated and segmented from other categories of working-class students. These others include those from semi-skilled and skilled manual backgrounds in educational policy and practice.

This acknowledgement of the inequality that exists within the education system, independently of the structural inequalities that exist in wider society, has tended to garner less focus in the literature that examines the factors that contribute to educational inequality in Ireland. This lack of focus in the literature also affects the efforts that seek to understand how these attempts at solutions may contribute to creating tracks within the educational system that may make some destinations easier to reach than others. Dunne and Gazely argue (2008) that such an approach enables social stereotyping to justify practices of positioning students within educational hierarchies. These educational hierarchies can be based on the social context of the students rather than on the basis of their academic ability. It also matters because it is generally accepted that an equitable and fair education system, coupled with students' experience of equity and fairness in the education system, can ameliorate the impact of broader social and economic inequalities. This positive experience can, in turn, lead to more positive life outcomes (Faubert 2012; Field et al 2007; Woessmann and Schütz 2006).

Since the introduction of the, above mentioned, series of policy instruments over the past three decades in Ireland, some progress has been made in the area of numeracy and literacy levels. School retention among socially marginalised and working-class students (Smyth 1999) has improved but at a slow rate. Nonetheless, there remains a sizeable minority of students for whom the benefits of such initiatives are not evident (NESF 2002: 6). This minority of students are predominately young males, coming from neighbourhoods challenged by social and economic marginalisation, across the Republic of Ireland. This cohort of the population become involved with the juvenile and criminal justice systems and are sentenced to custody in Irish prisons at higher rates than their peers who complete the formal school system (IPRT 2016; O'Donnell et al 2007; Kennedy et al 2005; Morgan and Kett 2003; Murphy et al 2000; O'Mahony 1997). It is this cohort of students who are the focus of this research. Their voices, their experiences and their perspectives remain central to this research.

There is little research into the formal educational experiences of prisoners and former prisoners in Ireland. This absence of serious research compares poorly with international norms in this regard (Gill 2017; McAra and McVie, 2010; Graham 2014). Of the research that has been carried out, important insights have been yielded into the social, economic and health characteristics of prisoners, even if recent data in this regard, is lacking. Data on the *level* of educational attainment among prisoners, their experiences of education prior to and in prison, and the point at which prisoners have exited the education system exists. This data too requires up-dating (Costelloe 2014; Costelloe and Warner 2014; Carrigan and Maunsell 2014; IPRT 2016; O'Donnell et al 2007; Kennedy et al 2005; Morgan and Kett 2003; Murphy et al 2000; O'Mahony 1997).

The literature tends to focus on the fact that many prisoners were and are found to have been early school leavers. This finding became the lens through which research into prisoners' rehabilitation was viewed and so the focus of policy and research shifted to the need for, and the provision of, quality prison-based educational programs (Behan 2014; Warner 2014). However, this has left a gap in the literature. What is missing is a focus on the educational experiences and practices that shape the formal educational experience for this cohort of students during the time in which they were in the formal

education system, prior to their involvement in the criminal justice system. It is this gap that this research seeks to fill.

It is common in the research literature on prisoners in the Irish context to find terms such as 'early school leavers, school drop-outs, and school failures or never sat a state exam'. These terms imply conscious, informed choices but they offer few explanations or insights as to why these particular students opt-out of school early. There is little clarity in the research whether or not those decisions are voluntary or involuntary. Were these decisions voluntary in the sense of being based on personal choices or were they involuntary in the sense of being the result of school disciplinary practices and procedures whereby students were *disinvited* to return to the school? To comprehend the actions and choices that both students and schools are making in this regard, there is a need to understand the practices and circumstances in which these actions and choices are occurring.

In the contemporary Irish context, there continues to be a sizable minority of students whom the education system continues to fail and for whom consecutive policy initiatives to address educational inequality have failed to meet their stated targets. In Ireland, young males between the ages of 18-24 years are disproportionately represented in the Irish prison system. In 2016/2017 persons between the ages of 18-25 years accounted for 21.5% of the overall committals to prison (IPS 2018). Not being in the education system has been cited as a significant risk factor in this regard (Costello 2015: 7).

In a report published by the Department of Education and Skills (DES) *Early School Leavers-What's Next* (2013) the findings detailed two particularly important phenomena, which are described in more detail in Chapter 2. First, the authors noted that 582 students did not transfer from 1st year to 2nd year at Post-Primary level. Secondly, they reported that 771 students did not transfer from 2nd year to 3rd year. However, in the annual statistics on school discipline published by the Child and Family Agency (TUSLA), the rate of school expulsions for the corresponding period was reported as being an average of 200 per year (Millar 2016).

In Ireland 'The *Education (Welfare)* Act (2000)' prescribes a compulsory minimum legal requirement that every young person in the State must remain within the formal

education system until they reach the age of 16 years or until they have completed three years of Post-Primary education. Against this backdrop, it should not be the case that those students could legally make the decision to leave school early. Thus, there is an unexplained gap in the data. These students are not officially *early school leavers* and the statistics tell us that they also were *not officially* expelled from school. This raises these questions: *What* are they? *Who* are they? What is *happening* to them?

1.2. Research Questions

Research into the lives of prisoners in Ireland has tended to focus on, and as a result has yielded important insights into, the personal, psycho-social, environmental and economic characteristics of prisoners (Milner 2010; O'Reilly 2009; Burke 2008; Duffy et al 2006; Palmer and Duffy 2005; O'Mahony 1997). Because of access issues due to the securitised nature of prison institutions, research with prisoners has also tended to be quantitative in nature (Morgan and Kett 2003; McCrystal, Higgins and Percy 2007, 2006; McKowen and Fitzgerald 2007; O'Mahony 1997, 1993). Within such studies the voices of prisoners have been be reduced to those common statistical traits purportedly shared by them. Such an approach tends to oppose the rich contextualised exploration of their lived experience of schooling. There have also been no studies focusing exclusively on the formal educational experiences among those students who have ended up on the route from school to involvement with the justice systems in an Irish context. This research seeks to address this gap by qualitatively exploring the following set of questions:

1. What are the perceptions and experiences of the important factors and practices that shaped the formal education of the students who ended up on the path from school to involvement with the justice system?
2. What are parents' experiences of dealing with schools when behaviour/ disciplinary issues emerge?
3. What are the perceptions and experiences of the critical factors that influence the route from school to involvement with justice, from the perspective of teachers and principals?
4. Why do some young people end up in the trajectory from school to involvement with the justice system, and how, in what ways and to what

extent can school make a difference in this regard, from the experiences of the key stakeholders?

5. What are the different mechanisms through which the affected students are excluded from school?

1.3. The School to Prison Pipeline: A Guiding Lens.

One way of understanding the relationship between education and prison is through the explanatory framework of the 'school to prison pipeline'. The term "school-to-prison pipeline" is a relatively new theoretical construct and remains unfamiliar in the Irish research context. It emerged from the rise of zero-tolerance policies in the United States, which were initially developed in the 1980's in order to deter acts involving the use of weapons, drugs and acts of violence in school settings (Smith 2015: 126). In practice, however, the policies were utilised as a removal mechanism for students who were deemed *disruptive* or *troublesome* from schools, often for minor breaches of school rules such as truancy and talking too loudly in class. This dis-proportionately affected students of lower socio-economic and minority groupings (Smith 2015; Losen and Martinez 2001; Ward 2014). Smith describes the 'school to prison pipeline' as 'a conceptual framework used to understand how policies and practices primarily from the education and criminal justice systems, intersect in a manner that cumulatively results in minority students being disproportionately pushed out of school and into prison' (Smith 2009: 1019).

The 'school to prison pipeline' informs this study as a guiding lens that problematises the relationship between school and prison. It is helpful in this regard but this research does not adopt it as an explanatory theory in its own right. Rather it is informed by the STPP approach that draws on research from various disciplines in order to analyse the convergence between school disciplinary processes, practices and subsequent involvement of students with the justice system. It invites a careful examination of those educational practices and policies that enable and support the application of social class and gender-based punishment practices and differential educational tracks that operate within schools. Such practices discipline students by removing them from the formal education system as punishment. These students, as a result, are thus, at increased risk of struggling in life and/or eventually ending up in the justice system (Pane et al 2014). Despite schools in the US having disproportionate levels of exclusions and

imprisonment of people of color , and that some schools resemble medium security prisons, with metal detectors, the presence of police patrolling school corridors, whereby some schools act as a feeder system for the penal system (Giroux 2001), the 'school to prison pipeline' shares many commonalities with Ireland in terms of practices, outcomes and school tracks for socio- economic groups along social class, gender, and ethnicity lines. It therefore provides a useful lens through which to begin to explore and examine the disproportionate application of social class, ethnicity and gender-based punishment and exclusionary practices in schools in Ireland.

In Ireland, prison inmates tend to come from areas of social disadvantage and social exclusion (IPRT 2016). In terms of ethnicity, the Irish Travelers' ethnic group are over-represented in the Irish prison system and are a population who *cease* their education on average 4-7 years earlier than the general population (IPRT 2014: 10). Low educational attainment is a characteristic of the prison population and a significant proportion of the prison population struggle with literacy. While somewhat outdated, Morgan and Kett's (2003) research into adult prison literacy levels is perhaps the most up-to-date comprehensive study looking at the education levels of prisoners. They found that a large proportion of Irish prisoners were functionally illiterate. They also found that prisoners had 'very little involvement with the education system, even during the years of *compulsory* schooling' (Morgan and Kett 2003: 9). In a 2018 submission to the Joint Committee on Education and Skills on Education Inequality and Disadvantage, the Irish Prison Reform Trust (IPRT) cited an unpublished survey conducted by the Irish Prison Service over the period 2015- 2017. Across three prisons these findings showed that 25.6% of prisoner participants attended no secondary school, 52% of participants left school before Junior Cert and 80% of participants had left school before the Leaving Certificate (IPRT 2018: 2). The IPRT also highlighted statistics taken from the 'Oberstown' Children Detention Campus' *Point In Time Statistics* for January 2018. Those statistics showed that 23 of the 43 young people detained at that time were not engaged in education prior to their detention. It was unclear from the files whether an additional nine young people had been engaged in education prior to their detention (IPRT 2018: 3).

Research from the U.S shows that students who have not completed secondary school and have ended up in the juvenile justice system are more likely to have been suspended

or expelled from school (Russell et al 2006). Research has also shown that those most frequently targeted for punishment in school have characteristics similar to those characteristics displayed by those later subjected to incarceration (Singer 2006). In the UK, the majority of prisoners have experienced school exclusion and the rates of school exclusion are highest amongst students who come from high poverty backgrounds (Gill 2017: 22).

1.4. International and National Practices: 'Discipline and Punish' - The Research Literature

In data relating to the STPP three decades of international research demonstrates the over-representation of students with learning disabilities, students from lower socio-economic backgrounds, students who are in care, students of colour and students who are homeless (Graham 2014; Johnson *et al* 2011; Pane 2014; Skiba et al 2011; Rocque et al 2011; Acher 2009; Heitzegs 2009; Raffaele et al 2003; Skiba 2000; Price et al 1992). There are four common themes that characterise the existing literature.

The first of four themes are school disciplinary and exclusionary practices for minor breaches of school rules. This includes out-of-school suspension, expulsion, and referrals to alternative education programmes (Heitzegs 2009; Losen and Skiba 2010; Mallett 2015; Rocque, 2010; Rocque and Snellings 2010; Skiba, et al 2014; Skiba, 2015; Wald and Losen 2003; Wright et al 2014). The second theme is the disproportionate use of such practices among specific categories of students (Acher 2009; Graham 2014; Heitzegs 2009; Mallett 2015, 2016; Pane 2014; Rocque et al 2011; Raffaele et al 2003; Skiba et al 2011; Skiba 2000).

The third of four themes within the existing literature are school factors that contribute to disproportionality. These include national policies, the location of a school, the demographic makeup of the students populating a school and the negative perceptions educators have of working-class and minority students (Arum 2003; Kupchik and Monahan 2006; Payne and Welch 2010; Skiba et al 2011). Finally, the existing literature indicates that the intersection of these three themes serve as mechanisms that result in considerable numbers of children leaving school and entering the juvenile and criminal justice system (Balfanz et al 2015; Gill 2017; Graham 2014; Heitzegs 2009; Schollenberger 2015; Skiba 2015).

Spring (2006) for example, contends that those most frequently targeted for punishment in school often look, in terms of race, gender, and socio-economic status, a lot like smaller versions of the adults who are most likely to be targeted for incarceration in society. Despite the use of expulsion, suspension and exclusionary practices as a behaviour management tool in schools, a growing body of empirical research exists, particularly in the U.S and UK, that indicates that the use of expulsion and suspension are not only ineffective but also serve as a strong predictor of future crime and early school dropout (Schollenberger 2015; Balfanz, et al 2015; McAra 2004; Machin et al 2001).

Skiba's (2000) review of disciplinary practices across a large number of schools in the U.S revealed that a disproportionate number of the students who receive the most severe punishments are students with learning disabilities and students who are from lower socio-economic backgrounds. In Ireland, from the most up-to-date data available, 60% of people serving prison sentences for six months or less are people who live below the poverty line. Prisoners in Ireland are twenty-five times more likely to come from (and return to) communities that are challenged by social and economic marginalisation. For every ten children (under 16 years) on custodial remand in Ireland, four have a learning disability. The majority of Irish prisoners have never sat a state exam and over half have left school before the age of 15 years (IPRT 2016; O'Mahony 1997).

Research from both the U.S and UK shows that the practice of school expulsion and suspension is not likely to change the inappropriate behaviour of the students who breach school rules, nor does it deter other students from engaging in the same behaviours (Gill 2017; Balfanz, et al 2015; Skiba 2015; Heitzegs 2009; Skiba et al 1999). Instead, such exclusionary and punitive practices have been shown to make academic progress on the part of excluded students more difficult. This, in turn, increases their likelihood of dropping out of school early and having other negative outcomes such as involvement with the juvenile and criminal justice systems (Gill 2017; Balfanz, et al 2015, Skiba 2015). Trends in the disparity among students who receive the most severe punishments are also consistently appearing in international literature (Gill 2017; Casserly et al 2012; Shippen, et al 2012; Fowler 2011; Hatt 2011; Raible and Irizarry 2010; Skiba 2000).

Up until the 1970s in Ireland, school discipline, school segregation and incarceration

constituted an interrelated nexus of concepts that governed the experiences of a significant proportion of poor and working-class children, as is evidenced by the reformatory and industrial school system of education (*Ryan Report* 2009). Despite this brutal and shameful institutional history and legacy, there is a dearth of empirical research that explores the educational experiences of those who have ended up on the route of school to involvement with the justice system in the Irish context. This is important because the history of any school is part of what it is in the present. It is difficult to escape an identity that past history has given. This is also of importance when the historical profile of a school is a low status one (Lynch and Lodge 2002: 45). Chapter 3 will reflect on the history of this nexus of concepts and practices and reflect on how some of these aspects are still experienced by students in the contemporary context.

1.5. Contribution of this Research[1]

This research aims to yield a rich understanding of the formal educational experiences and the critical factors relating to students that influenced their trajectories from school to involvement with the juvenile and criminal justice systems in the Irish context. In so doing it will yield deeper insights into why some young people end up on that route, and how, in what ways, and to what extent schools can make a difference.

The credibility of this research stems from its nature as a robust, multi-perspective, qualitative study that engages with the Irish context. No other such research currently exists. It helps to understand the experiences, perceptions and perspectives of the trajectory from school to involvement with the criminal justice system by engaging with the diverse perspectives of the following groups:

1) Teachers and principals (who are in charge of discipline, school climate and teaching;
2) The former students who have experience of the criminal justice system;
3) The community stakeholders who respond to and support the recipients of practices of discipline/school exclusion; and

[1] The term former students is to denote students who experienced the criminal justice systems after they were excluded from school. They were not former students of the researcher.

4) The parents whose children were excluded, for various reasons, from school and who became involved in the criminal justice system.

Developing greater awareness and understanding can inform schools in their policies and practices. It will also offer new insight into the experience of educational practices and their impact for this cohort of students while they were in the education system. This has the potential to influence national policy and strategic direction in the interest of equity, support and justice for students who are deemed 'at risk', 'lacking aspirations' and/or 'are troublesome'.

1.6. Methodology and Ethics

This research adopts a qualitative approach and is situated within a critical emancipatory tradition. A defining characteristic of the research methodology is that choices about linking theories and methods are an ongoing process that are contextually bound. They are not a technical decision that can be taken for granted through references to the logic of positivist science (Morrow and Brown 1994: 228). The fieldwork for the research preceded the writing of the literature review chapter. The insights and meanings that were yielded from the fieldwork in turn informed the structure, positioning and contents of the proceeding chapters. This research approach is premised on a commitment to hearing silenced voices, understanding social practices in context, exploring the meanings of events for those who are involved in them and allowing those meanings to guide the research process (Esterberg 2002). Because qualitative methodologies are fundamentally anchored in a concern for developing a depth of understanding both of a particular phenomenon and the construction of meaning that individuals attribute to their experiences (Jones 2002) they are appropriate for this study, since a central objective is to develop an understanding of the formal educational experiences of the specific cohort of students who ended up on the route from school to involvement with the justice system. This requires the voices of the former students to be at the forefront of this research, and it requires that those voices be listened to. This research adopted a critical emancipatory approach because listening to the voices of the participants involves playing a role in the process of emancipation

and social justice by creating an enabling platform for participants to own and share the spaces that make their voices heard (Nkoane 2002).

This approach is also motivated by a concern that the voices of those considered to be *delinquents* and/or *criminals* are subjected to many forms of discounting, so that they may be dismissed when telling their stories, or censored if disrupting dominant, stereotyped narratives. In this way, these voices risk being suppressed and trivialized when they are not mediated through the voices of more *capable experts* on their behalf (Devault 1999). They may not be afforded the opportunity to be considered as credible givers of knowledge (Fricker 2007: 7). This research also invites and takes seriously the knowledge that those who have ended up on the route from school to involvement with the justice system have to give and the insights that such voices can yield in terms of understanding this process. It shares Miranda Fricker's contention that the contributions of givers of knowledge should not be given an unduly low weight because of prejudices that another may have of them because of their social status or identity (2007:7).

In this research, the contributions of the participants are viewed as the starting position in identifying a 'politics of the possible' (Oliver 1992: 110). By understanding and hearing the research issue from the perspectives and voices of those affected by such experiences and those who are implicated in them (Machin and Mayr 2012; Mahlomaholo and Nkoane 2002; Guba and Lincoln 1998), attention can be directed to the possibilities for social transformation arising from the participants' contributions. This can develop our awareness of everyday, 'taken-for-granted' understandings of the factors and practices that influence a student's route from school to involvement with the criminal justice systems (Lather 1991: 52).

In this context, this research aims to gain insight into why some young people in Ireland end up on the school to involvement with the justice system route, and how, and to what extent, experiences of school could have made a difference in contributing to *and* disrupting this path for the affected students. This requires an exploration of factors that shape relationships within schools, 'the *said* and *unsaid*,' the explicit and the implicit. In order to better contextualise and understand the statements of this group of people who have experienced early school leaving, disciplinary procedures, exclusion and imprisonment, there was a need to ensure that the research incorporated a wide range

of collaborating participants, policy and practice informers, influencers and implementers (Torrance 2011: 577). For this reason, this research also solicited the voices of a wide range of key stakeholders including parents, educators, representatives from the justice sector, the legal sector and the youth, family and community and voluntary sectors in order to further contextualise the institutional processes and practices that emerge from the former students' experiences. This thesis argues that 'social structural circumstances are not all determining' (Spillane 2004:177) or inevitable and thus this traditional dichotomy should be challenged. This will be discussed in more depth in chapter 4.

The principle that lays at the heart of this research is a commitment to listening to voices and bringing into play subjugated knowledges. It attempts to make visible and audible the practices and the system of rules that operate within schools as centres of social power, through which 'good' students, 'weak' students and 'bad' students are produced. For this reason, the research is informed by a Foucauldian approach that seeks to make visible the different modalities of discourse that pins specific identities to individual students and the implications of this for their life destinations. It shifts the lens from one solely focused on the supposed deficits inherent in the students themselves to one that takes seriously the perspectives and experiences of the students (Foucault 1984). This, I argue, is essential for any possibility of emancipation from the reproduction of the historical social identities that have been constructed for and ascribed to 'good' students, 'weak' students, 'deserving' students and 'bad' students. The research approach and methodology is discussed in more detail in the next chapter.

1.7. Theoretical Framework

Whilst the existing empirical literature as outlined above offer useful explanatory concepts, they tend not to sufficiently include voice and the experiences of school practices from a range of perspectives, including those who have been affected by school exclusion and involvement in the criminal justice system. For this reason, this research is situated within the field of critical sociology and is informed by a Foucauldian and epistemic injustice analysis of the experience of school practices. Foucault (1991) is mobilised in a way that helps to both understand school based practices and the lived experience of those practices and policies. Through his structural explanation of the production, and usefulness of the criminal and imprisoned body, his

theories are applied in way to show how the identification and legitimate exclusion of some students play a major part in what he termed as the new disciplinary power. That is disciplinary practices and discourses that operate towards the production of different types of social bodies. Crystallised through Foucault, are the practices that frame some students as potentially or evidently dangerous, and the discrete societal benefits that can be yielded from school based practices that replicate a prison environment for some students (Graham 2014). Through Foucault (1986) we come to see how institutional spaces take on plural meanings. That is spaces that physically represent one thing, such as in this case a school, but mirror in their operational practices another place, such as a prison. We also come see the implication that this has on shaping the way in which some students come to relate to themselves as deviant. On the other hand, epistemic injustice is mobilised to foreground the lack of voice or credibility given to the voice of those who experience the criminal justice system, and why some student's treatment through punitive exclusionary practices is rarely challenged within the dominate discourse that underpins educational policy and practice in Ireland. In illuminating who is listened to, how they are listened to and whose voices are excluded, the conditional basis on which some people come to be undermined, harmed, and unjustly positioned as less credible human beings in education policy and practices, are opened up (Fricker 2007; Medina 2012). Through epistemic injustice we begin to see the ways in which knowledge production, and meaning making, is controlled and mediated through social status (Fricker 2007).

In this context, this research concurs with Lynch's (1999: 51) contention that 'it seems neither sociologically sensitive nor politically astute to ignore the institutional and social context in which the education system operates'. Supporting this position, Byrne and Smyth (2010), in one of the most comprehensive studies undertaken in an Irish context, exploring the nuances of early school leaving, called for the need for a more *dynamic approach* when researching the factors that contribute to non-school completion among those students impacted by it. They argue that rather than narrowly focusing on any one dimension that characterises individual students, research should examine the institutional processes that are at play. The critical sociology of education is well equipped to facilitate a multi-faceted exploration of these questions. It enables a study of educational structures, processes, and practices through which theories, methods, and research are fused together to better understand the interactive

relationship between educational institutions and the wider society, at micro, meso and macro levels. Because the sociology of education overlaps with many other subfields, such as social stratification, social reproduction, power, policy, culture and religion, there is no subfield within sociology which does not have something to contribute to the issue under examination (Saha 2011: 229-300). For example, there is a combination of socio-historical, legal and political inter- institutional processes and practices at play when analysing the experience of school to involvement with the justice system trajectory that overlap with issues of social class, poverty, inequality, the relationship between the State and Church and school exclusion. This will be explored in more detail in chapter 3. The epistemological framework informing this research therefore stems from a critical emancipatory paradigm that is not value free since all assumptions are socially derived, historically situated and influenced by political discourse (Scotland 2012; Foucault 1980).

According to critical thinkers, such as Horkheimer (1972: 9) 'positivist approaches to enquiry can serve to uncritically reproduce the existing society', while critical or emancipatory approaches seek to understand whilst also striving to transform it. Thus, the critical theorist strives to show the relationships between ideas and theoretical positions and their social environment. In the process the critical theorist attempts to contextualise or historicise experiences in terms of their roots within the social and institutional discourse. Thus, the usefulness of critical theory for this research is its ability to provide a framework that enables the identification and theorising of the 'historical, normative and relational dimensions of knowledge and social inquiry' (Giroux 1983: 35). Against this backdrop, for this research, schooling is viewed as a process rather than a product whereby tracks are constructed, whether consciously or subconsciously, to lead to particular destinations (Raffe 2003). An example might be Youth-reach. Without underestimating the role it plays in responding to the educational needs of young people in Ireland, since its launch in 1988, Youth-reach has been found to attract most of its students from specific localities or districts (The DES Inspectorate 2010: 6).

Students who go on to attend Youthreach centers tend to do so not because of lack of academic ability or motivation but instead because of dissatisfaction and problems associated with mainstream educational provision. Moreover, most learners attribute

such disaffection, to the frequent practice of suspension or permanent exclusion from school, as the reason why they go to Youth-reach. For most of these students the 'experience of mainstream school is bleak, and laced with negativity' (DES inspectorate 2010: 2).

Hence, for this research, issues of control and power, status, understandings of knowledge and pedagogy and how they manifest themselves within schools are central concerns. Equally, critical emancipatory theorists contest presumptions of objectivity and claims that school tracks are neutral in their execution (O'Driscoll 1999: 13).

It is the position of this research that the process of schooling is not presumed to be an *absolute good* for all students. Therefore, the focus is firmly fixed on how issues like social class, gender and perceived learning disabilities impact upon the educational process, its practices and subsequent differential tracks that are then made available to students based on those variables. This research is therefore counter-hegemonic and calls into question and challenges the nature of knowledge and patterns of power and control within the education system. The research argues for equality of educational conditions. It expects equality of respect for intelligence, equality in decision-making and equality of applications of disciplinary and pedagogical practices.

The critical paradigm lends itself appropriately to this study because its ontological commitments contend that schools, as centres of social power (Foucault 1984) are shaped by social, political and dominant class values (Guba et al 2004) whereby practices become contingencies of the social milieu that shape the reality of students (Foucault 1991). The assumptions of the critical paradigm that informed this study are that reality is alterable by human actions. Dominant social structures should be challenged (Crotty 1998) and researchers should be looking for the social, political and historical foundations of our construction of knowledge, curriculum, teaching (Gage 1989: 5) and discourses which produce the very good, good and bad student (Foucault 1980).

The preference for critical theory does not constitute an attempt to dismiss the usefulness of positivist theory as a conceptual approach. Instead, like Frowe (2001) this research contends that language does not merely passively label students but instead is central to the formation of subjectivity in that it actively shapes and moulds reality for

students. Discourses should be thought of as a set of practices that produce student identities (Foucault 1980). Research that focuses predominately on the individual and their deficits reinforces existing approaches that perpetuate unequal educational tracks. In the process this is unlikely to address the underlining problem of inequality at institutional level but instead leaves largely unchanged the institutions that give rise to the problem of inequality in the first place (Guest 2001). Such assumptions support and encapsulate the aim and objectives of this study where a central concern is that educational tracks are designed to make some destinations easier to reach for some than others (Raffe 2003) based on social variables as opposed to academic ability. Indeed, the critical framework identified the institutional barriers to equitable educational outcomes. It identified also the practice and policy constraints which impede educational equity and challenged such barriers and constraints through a process of critical analysis. The critical analysis questioned the dominant, deficit assumptions about students who ended up on the path from school to involvement with the juvenile and justice systems. The theoretical framework is revisited in more detail in Chapters two and five.

1.8. Positionality of the Researcher

As a researcher oriented within the critical emancipatory tradition, situating myself early on in the research and naming my own experiences and values is without doubt important to this research and necessitates the need for continuous self-reflection in my role as researcher throughout the research process. By describing who I am and where I come from as part of the study is also important. It serves to provide insights regarding how informants may have perceived me (Brenner 2006: 368). By sharing my own experiences one can see easily 'where the questions that guide the study were crafted' (Janesick 1994: 212).

Hurtado concludes that 'the reality of whom the researchers are and how they have grown is just as important as what they choose to study and how they choose to study it' (2003: 216). My interest in educational processes, practices and inequities has a long history that dates back to my own upbringing and my own educational encounters. As a child I grew up in the largest local authority housing estate in Limerick City in the Midwest of Ireland. This was a community categorised by the Central Statistics Office (CSO), as having particularly high concentrations of poverty, substandard housing, and

low levels of educational attainment. Fewer than 50% of adults in the community have primary education as their highest qualification. There are higher levels of crime than the national average. Unemployment and single parent households are also higher than the national average. On a scale developed to measure relative deprivation using a combination of indicators, my community consistently rates as very high or extremely disadvantaged (HP/Pobal Deprivation Index 2016). My family context was also challenging and reflected the difficulties indicative of the socio-economic issues within my community as outlined above. I therefore share the same social status as the research participants.

In addition, during the data collection process, I worked in the community and voluntary sector and had done so for over 10 years. For the most part that brought me into close contact with dis-enfranchised youths, families and communities. Much of my work entailed working with youths who are in the juvenile system, youths who are excluded from the education system, prisoners, former prisoners and their families. My work in this domain centred on supporting and addressing the social, educational, housing, health and employment needs of such groups. This work brought me into the homes and communities of young juveniles, former prisoners and their families on a daily basis. It also brought me into schools where I worked in partnership with them in developing and introducing programmes, services and co-delivering training to support positive engagement with young people and parents, positive behaviour management and the use of restorative practices that focus on respectful relationships and conflict resolution. In addition, my work involved contributing to policy development and research, contributing to service design and delivery and making possible close-working partnerships with senior multi-disciplinary statutory and non-statutory stakeholders across the education, justice, mental health, family support and youth and community sectors. Part of this included sitting on Boards of Management of schools, multi-agency management groups, steering groups and advisory groups across these sectors and departments at local, regional and national level. The aim of such engagement was to identify trends/issues that are affecting young people, communities and their families, identifying gaps in service/policy provisions and contributing to developing responses, services and approaches that address such gaps and needs. A central theme that threaded through these multiple positions was the issue of education or more specifically children who were not being served well by education, children

who were struggling within it and/or children who had been excluded from education. The above are the unique positions or multiple lenses that captured my interest in the research topic.

From both a personal and professional perspective I have encountered and have been part of challenging countless cases of disproportionate and unfair school expulsions and exclusionary practices that have been administered predominately to students with specific demographic profiles. It must also be acknowledged that, by virtue of my professional position, I have also been complicit in contributing to services and policies that have not always yielded positive outcomes for dis-enfranchised young people, adults, families and communities. This reality has led me in more recent years to be a strong advocate for the inclusion of the voice of service users, parents and young people in identifying their own needs and having a direct say in service provision and development. I have found this to be far more important than having their voices and needs mediated through third parties. To this end, I have worked collaboratively with other key stakeholders in creating mechanisms that build research and evaluation into new initiatives and programmes, as well as forums that directly include and consult with service users and communities to ensure that they have a key role in identifying their own needs, issues, supports and service responses. Thus, my personal background and professional experience influences my socio-political commitment to work and to research that addresses issues of social injustice, including, but not limited to, educational inequalities.

For some these experiences and multiple lenses may be problematic in the research process. It may invoke questions of bias in favour of the former students with whom I share the same social status and it could be considered that such positioning may impede me from understanding the deep complexities that are at play when examining the nuances that contribute to the path from school to involvement with the justice systems. However, drawing on the work of Becks, Anderson et al (2003: 153) I argue that 'the purpose of social science research is to understand social reality as different people see it and to reveal how their views shape the actions that people take within that reality'. I equally argue that no knowledge is completely objective. In this context the question then arises whether I would be any more credible as a researcher had I not had such experiences? Would I be more objective if I had not belonged to a lower working- class status? Would I be better equipped to analyse social reality as different

people see it in the absence of such diverse personal and professional experiences? Would this make me any less critical in my thinking? In other words, does my social and professional identity diminish my ability to contribute to knowledge in ways that are seen as competent, as ethical and as a valuable contribution to knowledge?

Woods et al (2005) along with Bigler et al (2001); and Tajfel, (1970) answer those questions by citing findings that show that when groups differ in status, low-status groupings do not show an in-group bias. The opposite is true for high-status groups dealing with low-status groups. They found that low-status groups were likely to hold neutral beliefs in domains in which their group had been negatively stereotyped in contrast to high-status groups. Such findings raise a much more fundamental question in the Irish context in terms of the objectivity and accuracy of much Irish research. If high-status groups have been found to show higher degrees of in-group bias when it comes to favoring those who reflect the same characteristics as themselves, and when access to higher education in Ireland continues to be distributed inequitably in favor of high-status groups (NPAE, 2015:14), the question then is perhaps less about what I may or may not be seeing in choosing to privilege my lower working-class lens in approaching this research. Instead, it becomes more about what may not have been visible, what has not been audible and what has perhaps not been understood in the 86% of research that has been curated and interpreted though the middle-class lens in Irish research. In choosing to privilege my lower working-class lens in curating this research, the intention is very much to unsettle and to challenge the long-standing, deficit ideology that surrounds the representations of working-class students within the educational theory and practice that continues to run rampant in many schools (Sleeter, 2004: 133).

I plan to challenge the ideology that insists that the cause for inequalities of educational outcomes can be wholly justified and accounted for by deficiencies inherent in working-class students, their families and their community backgrounds. Drudy and Lynch (1993) have long pointed to the ‘great need’ that exists in Ireland, for a ‘stronger working-class voice on working-class problems in education’ and have argued that part of the problem, in terms of how class inequities in education are understood or are rather misunderstood, is due to the fact that:

> *Working-class people do not write about themselves and their problems in education. Instead, their problems and issues are filtered through the lens of middle-class academics, who, no matter how well intentioned or theoretically informed they may be, have no on-going experience of the effects of poverty on educational participation* (Drudy and Lynch 1993: 161).

They further contend that 'when working-class people begin to speak for themselves, problems are defined differently' (1993: 161). I would add, working-class people speak for themselves with less bias. That is not to say that the intention of the research is to try and invalidate the middle-class perspective in terms of how inequalities in educational outcomes and destinations have been explained in the Irish context. Instead, the intention is to compliment that lens through a counter-lens that has been predominately absent from the Irish educational research landscape to date. The critical intent of this approach is to prompt a change in the way in which poor and working-class students are thought about, talked about and responded to from an educational policy and practice perspective.

As you read this research, you will draw your own conclusions as to whether or not my own experiences have inhibited or enhanced the research process. Alcoff (2007) suggests to keep in mind that 'since the 1950's in the United States various marginalised groups in society have been able to engage in academic inquiry. This has spurred the development of many new areas of research and opened the way for new paradigms of inquiry including social history, ethnic studies, labour studies, and feminist philosophy. This, in turn, has posed the question whether such new areas of inquiry and knowledge would have developed in research and university departments that remained 95% white, male and middle class?

1.9. Research Limitations

In mobilising a Foucauldian and epistemic injustice analysis of the experiences of school practices from multiple perspectives, as it relates to former prisoners in an Irish context, this research is unique in terms of both focus and scope. Previous research in Ireland has examined aspects of prisoner's education attainment levels and has resulted in placing them within the literature on early school leaving. Such literature has made a valid case for the need for prison- based education. No research has addressed the educational experiences of prisoners that led to their early exit from the formal

education system while they were students within it. Thus, this has left an important contextual gap in the literature that needs to be filled. However, there are limitations that apply to this research.

One such limitation to the study relates to the research design. While the methodological design of the research was appropriate for realising the stated aims and objectives of this research, it did not, however, allow for the unexpected findings that emerged throughout the data collection process to be explored in a comprehensive way. Informal or concealed practices of school exclusion were revealed in this study that are not captured in national statistics. Examples were the practice of reduced timetables and the non-reporting of informal suspensions and expulsions. It was difficult to make claims surrounding such findings other than to connect them to the statutory obligations of schools pertaining to mandatory reporting. As a consequence, it was not possible to ascertain the prevalence of such practices and whether such practices were confined to the geographical boundaries within which the research was conducted. A mixed methods design would have allowed for such data to be explored more comprehensively. This would have given scope within the methodological design to follow up on such practices through the distributing of questionnaires to schools and agencies outside of the jurisdiction in which the data was collected. Further research needs to be done using a mixed methods design in order to establish the prevalence of such informal exclusionary practices in schools in other jurisdictions and then to ascertain if socio-demographical patterns exist within such practices.

A second limitation of the research is the lack of up-to-date data and statistics available relating to prisoners' educational levels and school retention rates. Because school retention data is collated from the first year that a student enters the Post Primary school system and the Post Primary school cycle consists of five years (excluding transition year), there is a five-year waiting period to have access to the most up-to-date statistics in this area. Even then such statistics may not be released into the public domain until the following year. Notwithstanding this, annual statistics pertaining to school attendance and disciplinary sanctions do not differentiate in terms of social class, ethnicity or gender. Nor do they provide a breakdown of the behaviours that sanctions have been administered for or whether such sanctions are repeat or rolling sanctions on the same students. Therefore, deductions, inferences and multiple sources across

different departments like DEIS, IPS or CSO statistics reports have to be drawn upon in order to make connections between early school leaving, school disciplinary sanctions and educational levels/ages of those who are making up the prison population. These statistics are often two years out of date by the time they are released to the public domain. This is important as it means researchers who are trying to give an up-to-date picture are significantly delayed when it comes to educational statistics. A third limitation relates to the retrospective nature of the research interviews. The accounts of the experiences offered by the research participants were, for the most part, retrospective. This can curtail a person's recall of events to an unknown extent (Wilson, Meyers, and Gilbert 2003) to the perceptions of experiences and perspectives which memory has highlighted.

A clear focusing of the research is its framing through the lens and perspectives of my own position as a working class student, practitioner, and researcher. As discussed above, these positions and experiences influenced the topic I chose to examine, the angle of investigation and the methods I deemed most adequate for this. The further influenced my interpretation of the findings, the framing and communication of conclusions drawn (Malterud 2001). Critical reflections about the measures took to de-limit this influence are discussed further in chapter 2.

1.10. Summary of Subsequent

The remaining chapters in many respects follow the logic of Maxine Greene's concept of 'seeking contexts' as laid out in her book *Releasing the Imagination: Essays on Education, the Arts and Social Change* (1995). Greene asked the question whether educational research and reform should be approached from the perspective and lens of the bigger picture or through the lens of the smaller picture, and argued that educational research that adopts the position of 'seeing big' brings us into close contact with details and with particularities that cannot be reduced to statistics or even to the measurable (1995:10). The approach that sees small too often looks at schooling through the lenses of a system, a vantage point of power or existing ideologies that take a primarily technical point of view that sees test scores, management procedures, and accountability measures instead of the faces and experiences of individual students (1995:11), though she notes that it is important to be cognisant of these policies and able to respond to them**.** To approach educational research solely from either of these

vantage points would therefore have the consequence of erasing important insights, perspectives and experiences and result in an incomplete understanding of the total picture. The following chapters adopts a 'total picture' approach.

In adopting a critical, emancipatory approach, the research structure purposely deviates away from the positivist traditional sequential ordering of research that begins with the introductory chapter, followed by a single chapter of literature review, methodology, results and conclusion chapter. Accordingly, Chapter 2 contains the research methodology and process, together with the rationale for applying the methodological framework that informed the research. Chapter 3 contains an exploration of the policy and legal context framing the research.

Chapter 4 maps the empirical field of education and the criminal justice system. Following this the theoretical frameworks underpinning the research are explored in chapter 5. This chapter is linked to addressing the research questions that have been outlined above and has been positioned and written to act as a nexus that frames the research findings from the perspectives of the research participants. Chapter 6 presents the research findings. This is split into two separation sections. One on school practices and one on relationships, communication and responsibilities. This is followed by the discussion of the findings in chapter 7. Finally, the research concludes in Chapter 8, with the over-all conclusion and recommendations. In this chapter the implications of the research findings for future policy and research are discussed. The next chapter contains the research methodology.

Chapter 2: Research Methodology

2.1. Introduction

The current chapter sets out the research rationale and design. It also explains how the research was conducted. As discussed in chapter one, there is a lack of qualitative research that includes the critical voices that could inform our understanding of how young people become involved in the criminal justice system. These voices are missing from both the literature and the policy discourse in Ireland. The missing voices are those of the people who have had this experience. The qualitative approach utilised in this thesis centred on addressing this gap by providing an enabling platform to invite and listen to the voices of those whose lives have been directly (former students) and indirectly (educators and key stakeholders) affected by involvement in the juvenile and criminal justice system. I'll reflect on this in dialogue with what has been called the 'school to prison pipeline' (STPP). This reflection will include the similarities and differences in the Irish case. The guiding philosophy underpinning the choice of this research approach was premised on the belief that if a deep knowledge of the Irish system were to be achieved through this research, this would best be yielded through a process of dialogue that enabled the participants to identify and critically interrogate the important factors that influenced their own experiences in order to deepen an understanding of their pathways and the critical factors that affected them.

I begin this chapter by briefly outlining both the origins and some of the core tenets of the critical theory which is the tradition of thought that underpinned the research philosophy. Here I also offer an explication of how I interpreted critical theory in terms of its intent and purpose and how this interpretation of critical theory aligned with the concerns at the core of this research. The remainder of the chapter focuses on the research process and design. Particular attention is paid to the ethical framework that guided the research, sampling, and the rationale for the use of interviews as the central research method and data analysis.

2.2. Critical Approach to Research: Origins and Commitments

Critical theory is strongly influenced by the scholarship of Karl Marx, but is far from being a singular, unified or indeed coherent whole. It was born out of the works of prominent thinkers such as Max Horkheimer, Herbert Marcuse, and Theodor Adorno.

It is collectively referred to as the Frankfurt School of thought. Horkheimer, in particular, led the way in crafting and formulating a counter- thesis to what he viewed as the dominant traditional philosophy and the limitations inherent within it. For him, traditional philosophy, including positivism, is a theory *of* and *for* the status quo. It is constructed to maintain and carry forward the unequal historical functioning of society as it was in the past, into the present (Horkheimer 2002: 179). This happens because it does not allow critical scrutiny of the social context of the reasoning subject.

In response to these concerns and the dissatisfaction with traditional theory or philosophy, Horkheimer developed a counter-theory and philosophy. He believed his theory offered a broad, yet rigorous, mode of theorising that enabled the analysing and unpacking of the 'normative, historical and relational dimensions of social inquiry and knowledge' (Giroux 1983: 35). Driven by an ethical imperative and an emancipative and anti-oppressive intent, critical theory is committed to 'liberating human beings (both those whom, knowingly and unknowingly, dominate others and those who are dominated by others) from the circumstances that enslave them' within a historical social order (Horkheimer 1982, p. 244). It endeavours to achieve this by confronting and critiquing dominant orthodoxies and assumptions produced by positivist theory. It renders visible those power relations that seek to normalise and justify the invisible, and taken for granted, actions and practices that dehumanise, suppress, control and order people and advance and protect the interests of dominant social groups (Horkheimer and Adorn 1972: 32-33; Horkheimer 2002: 208-209).

For the Frankfurt school, the overarching goal of critical theory is the transformation of society and its institutions so that a just social order that is underpinned by equality, freedom, and self-fulfillment, can be achieved for all, so that people can live free from exploitation and domination in all of its forms (Fuchs 2015: 3). Thus, critical theory naturally lends itself to critical reflections on, and the scrutiny of, those oppressive policies and practices that give rise to unjust and unequal treatment of students within the education system. It seeks solutions to unjust and oppressive practices in *institutional*, rather than individual, remedies though a social and moral criticality. This social and moral criticality challenges normative and individually deficit-based explanations for educational inequality. The critical theoretical methodological stance adopted in this research is understood as a call to action. Taking up this call involves both scepticism and suspicion of *official versions* of events and practices. This involves

looking beyond and challenging what appears to be, or is presented as, neutral. It challenges what appears to be the taken-for-granted. It involves digging beneath the surface in an attempt to make visible the institutional practices and forms of power that shaped the educational pathways of students via educational policies and practices that may have gone on under the radar or were not captured by statistics or other standard forms of reporting.

This research is concerned with voice, institutional practices, silence, and the tapping into subjugated knowledges. The voices of the former students who became involved with the juvenile and/or adult criminal justice system are given central stage. This approach is based on a desire to create a space for the power of the voices of the former students, whose voices, by virtue of their 'delinquent' or 'criminal' status, have been disqualified and confined to the margins of knowledge because they have been deemed 'beneath the required level of scientificity' to be considered as capable and credible givers of knowledge (Foucault 1980: 82). In taking the voices of the former students seriously by placing them at the heart of this research, this allowed for a counter narrative and indeed analysis on their part of those discourses that routinely order, categorise, and even disqualify them. They are invited to name, explain their perceptions, and critically appraise the practices and conditions that shaped their experiences while in formal education, and their subsequent pathways. These stories cannot be captured or revealed by statistical methods.

Critical qualitative methodologies are fundamentally anchored in a concern for developing a depth of understanding both of particular experiences and the construction of meaning that individuals attribute to such experiences (Jones 2002). This is why this approach was most appropriate for this study. It fosters a better understanding of the lived experiences of the participants and provides an opportunity for their own analysis of school policies and practices and the effects that they believed such practices had on their life pathways. It also afforded teachers, principals, parents and key stakeholders the opportunity to identify the policies and sets of practices that contain the 'rules of formation' that produce knowledge and meaning (Foucault 1980).

In acknowledging the complex and tangled world of educational theory, research, policy, and practice (St. Pierre 2006: 240), increasingly educational researchers are advocating the need for a critical epistemological approach to research. The work of

Apple (2017), Aaronson and Anderson (2013), Giroux (2013), St Pierre (2000), Griffiths (1995) and Kincheloe and McLaren (1994) all have an affinity with a critical approach to educational research. Critical researchers do not claim neutrality or political innocence. Instead, critical educational researchers have a substantive agenda that involves examining and interrogating the relationships between school and society. They explore questions such as how do schools perpetuate or reduce inequality? And who defines what knowledge is seen as worthwhile? They explore how ideas about worthwhile knowledge might produce inequality in society? How is power produced and reproduced through education? Whose interests are served by education? (Cohen et al 2007: 27). These questions infuse the entire research process, enabling the questioning or transforming of a phenomenon through exploring issues of repression, voice, ideology, power, participation, representation, inclusion and interests (2007: 26).

How does this relate to questions of ontology and epistemology? Grix (2004: 58) contends that 'ontology and epistemology can be considered as the foundations upon which research is built'. Ontology is 'the study of being' (Crotty 1998: 10) and is concerned with nature of reality - 'what can be known' (Guba and Lincoln 1989: 83). Epistemology refers to 'how we know what we know' and what kinds of knowledge are possible and legitimate (Crotty 1998: 3). Ontology is concerned with the existence of humans, facts and objects, while epistemology determines whether we can objectively or subjectively know them or not.

Unlike the positivist tradition which holds that reality is objective, can be broken into (measurable) variables, and is independent of the researcher's interest in it, ontologically speaking, reality in the critical research paradigm involves the view that research inquiry should be placed within the political, cultural, historical, and economic value systems of people in order to understand the basis for differences in social reality (Mertens 2009: 74). Some of the ideas that informed this study, typical of the critical paradigm, include the position that language does not passively label objects but rather actively shapes and moulds reality (Frowe 2001: 185). Discourses should thus be thought of as a set of practices that both create the social world *and* create the ways in which the world is formed and talked about (Foucault 1972). Researchers should therefore be actively seeking the political and social foundations of our construction of knowledge, curriculum, and teaching (Gage 1989: 5).

From an epistemological perspective, this research embraces the contention of the critical tradition that knowledge lies within human experience and thus views the research participants as knowledgeable, social subjects. Here particular attention is paid and credibility given to what Foucault termed the unqualified, low ranking and disqualified knowledges. Bringing such knowledges into play means that the intellectual tranquillity with which pre-existing accepted categories that have typically been attached to the research participants, such as 'early school leaver', 'non-mainstream', 'delinquent' and 'criminal' can be disturbed. This disturbance happens through the identification of the kinds of practices that produced such categories, the rules contained within them, and the justifications offered that might be opened up to critical scrutiny (Foucault 1972: 25).

The epistemological contention put forth by the critical tradition that 'interaction between the researcher and the participants is essential and requires some understanding and trust to accurately represent viewpoints of all groups fairly' also informs the study (Mertens 2009: 99). As discussed in chapter one, my personal and professional experience gives me a 'lived familiarity' with and knowledge of the different groups of participants at the centre of this research (Mercer 2007). This enables me to better understand social reality than others who are differently situated from the mainstream (Anderson et al 2003). This helps me to become more attuned to specific kinds of discourse that may otherwise have been invisible and inaudible to others. It also enables the filling of a gap in social imaginary that tends to 'prevail when only the stentorian tones of the middle-class voice and experts dominates the monologue of research and its process' (Fielding 2004: 198). Privileging *subjugated knowledges* in this research is an attempt to emancipate the knowledges of the former students at the centre of this research from the subjection they experienced. It supports, their capacity for opposition and 'struggle against the coercion of the scientific discourse that so often excludes and disqualifies' (Foucault 1980: 85). This empowerment comes about by listening to them as credible and important sources of knowledge. This listening to the participant's voices in the same way as other voices in the research are listened to enables the participants to provide a contextualised depiction and story of their path from school to involvement with the justice system.

2.3. Advantages of Using Qualitative Approach

The challenges to using a qualitative critical approach to research are multifold. Many of the criticisms are directed at subjectivity and the perceived lack of scientific rigor and credibility. This research disputes the claim that quantitative research is value-free. Indeed, such a contention is not only self-deceptive but also unrealistic since value judgments guide all processes and products of knowledge creation regardless of the instruments used for measurement (Potter 2001). Following Anderson (2011), this research questions the automatic presumption of objectivity in quantitative methods and concurs with Guba and Lincoln (2005) who contend that both qualitative and quantitative research represent different approaches to the same educational issues but with different aims and methods of inquiry. Encapsulating the commitments of this research, the province of qualitative research is concerned with the world of 'lived experience where individual beliefs and actions intersect with questions of meaning' (Denzin and Lincolon 2005: 8). Such beliefs and actions are intrinsically tied up in social, political and economic values (Guba et al 2004). The research argues that not all experiences can be adequately explained or reduced to a numerical data-set. This research contends that while offering important statistical patterns of knowledge, the quantitative approach, alone, is unable to answer many of the important questions that decipher the relationship between education and the criminal justice system. For example, while the annual statistics published by the Child and Family Agency (TUSLA) on school discipline provide valuable data on how many students are suspended and expelled from school annually, they do not tell us *who* were suspended and expelled nor do they tell us *why* students were suspended or expelled. They also do not tell us if such sanctions are *repeat* sanctions on the same students. Therefore, many questions remain unanswered such as:

- Are those students who are being expelled from school predominately male or female?
- What behaviours are resulting in students being expelled or suspended from school?
- Are there socio-economic patterns with those students who are expelled or suspended from school?
- How many sanctions applied by schools annually are repeat sanctions on the same students? Are schools accurately recording data?

- Are schools exercising due diligence in their decisions?

The answers to all such questions are unknown because the statistical data made available on an annual basis does not provide such contextual details.

Similarly, the *Early Leavers: What Next?* Series commissioned by the Department of Education and Skills (DES) provides us with statistical data pertaining to early school leaving trends. In the report published in 2013 we learnt that in the 2009-2010 academic year 582 of students who were enrolled in first year in secondary school did not progress on to second year. During the same academic year, 771 students who were enrolled in second year nationally did not progress on to third year and 1,445 of students in third year (the compulsory school limit) did not progress on to the 5th year (2013: 5). The figures tell us that in that same year 1,941 students left formal education early to go Youthreach, an alternative education centre, 114 enrolled in a Post Leaving Certificate courses (PLC) and 473 left and enrolled in FAS courses that year (2013: 6). What are not known, however, are the reasons why.

On the other hand, we do know that in those years of 2009-2010, the highest growing cohort of committals to prison was in the (18-to-25) year old cohort (Costello, 2014). In 2009 for example, there was 4,152 committals to prison among this age cohort. The figures for the same cohort, in 2010, were 4,371 (IPS 2019). We also know that over 80% of prisoners in Ireland have never sat a State examination (IPRT 2016). While it might be possible to make some deductions or inferences from such statistics, from a policy perspective, the fact remains that in the absence of further contextual details, we cannot know that policy instruments are properly informed and fit for purpose, particularly in the realm of school retention and progression if we do not know all of the factors that impede upon school retention and progression in the first place? In this sense, the quantitative paradigm's concerns for control and privileging of instrumental reason, when used exclusively, can silence an important debate about values, informed opinion, moral judgments and beliefs (Cohen, et al 2007). In the process it can conceal the practices and experiences that give rise to such statistics. Adopting a qualitative approach therefore enabled this research to work with and expand upon the statistical patterns of knowledge and insights gained from the quantitative data that already exists in the area of school discipline, non-school completion and levels of educational attainment among Irish prisoners.

2.4. Ethical Framework Unpinning the Research Process

This research was guided by the four ethical principles of informed consent, the avoidance of deliberate deception, privacy, confidentiality and accuracy, as proposed by Christians (2000). Ethical awareness was also an integral part of the research planning, design and implementation process (Mertens 2010: 12).

Prior to embarking upon the fieldwork and engaging with participants the research design and methods underwent a process of procedural review for ethical approval by Mary Immaculate College Research Ethics Committee (MIREC) and later by Maynooth University Social Research Ethics Sub-Committee (SRESC). This consisted of developing and thinking through a set of ethical principles and practices that would guide the study. Included in this was the drawing up of detailed documentation outlining the purpose of the study, the benefits of the study, the research methodology including data collection techniques and data methods, steps to be taken to minimise risk, the measures that would be taken to ensure confidentiality of the collected data and how the data would be stored and protected. Also information sheets (See Appendix 1) detailing the purpose of the research, confidentiality, anonymity, how the data would be used, a list of support services to contact in the event of distress or the need for support and the participants right to decline to take part in the study and to withdraw at any time were compiled at this stage (McNiff and Whitehead 2010).

Cohen et al (2013) argued that two of the most important strategies regarding ethical conduct in research are maintaining confidentiality and acquiring informed consent and Mertens (2010: 342) puts forth two specific means of ensuring this. He stressed the importance of anonymity by which he means more than merely the taking out of names but rather that 'no uniquely identifying' information is attached to the data which can be traced back to the person who provided it. Informed consent was secured through the combination of participant information sheets and consent forms (See Appendix 5). This served as a written and verbal agreement between the researcher and the participants which obligated the researcher to explain the nature of the research in detail and for each participant to confirm, by signing it, that they had been informed about the purpose of the research, understood that their participation was voluntary and that they were free to refuse to participate and free to withdraw from the research and that they understood that they would not be identified and that the interviews would be voice recorded only if they were comfortable with this. All information pertaining to the name

of schools given throughout the interviews were omitted from the transcripts. All references to named schools made throughout the voice recordings were omitted from the transcripts and named schools were re-categorised into DEIS, non-DEIS, mainstream and non-mainstream. This was done not only to protect the public reputation of the schools involved but also to further protect the identity of the former students from being easily identifiable by virtue of the schools that they attended. Educators in particular stressed their desire to ensure that their identities would be safeguarded and what was discussed throughout the interviews would not be linked back to them. Parents also stressed this desire as some still had children of school going age. For this reason, the pseudonyms used for these participants were parent, principal and teacher only. Ensuring that the interviews could not be linked by using parent 1, teacher 2, principal 3 was particularly important given the potential negative implications for participants. In particular as it related to informal disciplinary sanctions which are essentially illegal expulsions and suspensions. All tape recordings were transcribed by the researcher solely and no third party had access to them. The same process applied to the stakeholders, whereby only the sectors they represented and the geographical remit covered were listed and all reference to their specific organisations was omitted from the transcripts. The same protocols were applied to the interviews with former students. At the beginning of all of the interviews, all cohorts of participants were made aware that their identity in this regard would be protected in this way. It was explained to all participants, that while they were free to name the school that they went to, name the schools that they worked in or name the organisations that they worked in, in the interest of confidentiality and fairness to all those involved that those names would be omitted from the transcripts and would not be used in the writing up of the research.

The second means put forth by Mertens and embraced in this research, for maintaining ethical conduct in research is confidentiality, by which he means that the privacy of individuals will be protected in relation to handling of the data they provide and that this data in turn is reported in such a way that cannot be associated with them directly (2010: 342). This was achieved through anonymising the data and removing the names and specific information about participants such as where they lived, the names of schools and organisations, using codes for identifying people, transcribing the voice

recordings personally, and password-protecting files to preserve the identities of all the participants involved.

This research concurred with Guillemin and Gillam's (2004: 262) contention that procedural ethics cannot in itself provide all that is needed for dealing with ethically 'important moments' in qualitative research and supports the need for an 'ethics in practice' which is negotiated in situations that are difficult and often unpredictable, and that put to the test the ethical competence of the researcher. This, they argued, can only be truly tested in practice through an awareness of and a willingness to acknowledge the ethical dimensions that arise in the research process, thus highlighting the ethical responsibilities that the researcher has towards the research participants in practice and after the fieldwork has been complete.

Throughout the research process the fieldwork produced a number of 'ethical moments' that required an appropriate response from the researcher. In the aftermath of conducting the interviews, six participants contacted the researcher seeking support, advice and/or collaboration. Four of the participants were former prisoners. One 'ethical moment' was a school extending an invitation to collaborate with them on a school-based programme, and another was a parent. The support sought by the former students was in relation to education, counselling, training and for some it was simply additional dialogue and conversation whereby they would call in to visit me unannounced and have wide ranging conversations from politics, to the economy, their time in prison, the education system, the past, the present and the possibilities for the future. None of these requests for support suggest any negative effect of participating in the research interviews and were perhaps more indicative of the level of safety and trust felt on the part of the participants (McLeod 2003: 169). Being cognisant of the collaborative and emancipatory principles underpinning the research process, all requests were responded to and the work that ensued as a result was separate to the research as the fieldwork was already completed.

In addition, a number of agencies made requests for collaboration and workshops in the area of supporting families and young people who are experiencing difficulties with school exclusion. In collaboration with a partner agency (Community Law and Mediation), a number of 'emancipatory actions' ensued. These included three

workshops, one with parents and guardians and two with multi-disciplinary agencies. A roundtable event was also conducted and this led to the gathering of additional data on the practice of informal school exclusion and reduced timetabling which resulted in a policy submission to the House of the Oireachtas Joint Committee on Education and Skills to inform national policy on such practices. There was also a high court Judicial Review case that successfully challenged the permanent exclusion of a young man from his Post Primary School, which resulted in the student, been reinstated back into his Post Primary School. Such encounters and the subsequent responses that followed them bring to the fore the importance of the need for researchers to be attuned to their ethical responsibilities towards research participants both during and after the fieldwork has been completed.

In particular, this heightened awareness of the fact that procedural ethics has little or no impact on the actual ethical conduct of the researcher in the absence of an accompanying 'ethics in practice' that responds appropriately to the dimensions that unexpectedly present themselves in the day-to-day practice of the research process as opposed to merely viewing research participants as a means for the end of data gathering (Mertens 2010: 269). Hence, within this research the relationship between the participants and I was viewed as an ethical one whereby we were co-bound (Butler 2009) in an on-going process consisting of a series of ethical encounters whereby I 'was not free to ignore the meaningful world into which the participants had introduced me' (Levinas 1979: 219). Moreover, in committing to the critical emancipatory tradition, such a relationship was not optional but instead was requisite in terms of problematizing and disrupting the oppressive and alienating conception of the detached, objective researcher as an expert, in full control of the research agenda, carrying out research on the 'subjects' and subsequently exiting the process.

2.5. Recruitment Process and Sampling Strategy

In applying the qualitative framework of inquiry, a purposive sampling approach was used in order to recruit participants. The rationale for adopting purposeful sampling laid in the provision of a framework that enabled the selection of information-rich cases so that a deep insight into critical factors that influenced the educational pathways of the former students could be gained while also gaining an insight into how and to what

extent schools can disrupt the pathways that risk involvement in the criminal justice system for those students who are deemed at risk of getting caught up in that trajectory (Patton 2015: 264). This study applied a combination of two purposive sampling strategies: maximum variation sampling and critical case sampling. Maximum variation sampling entailed purposefully picking a wide range of variation in research participants (Patton 1990: 182). The aim of this was to capture and describe the central themes or principal outcomes that cut across participant variation (1990: 172). Because the study sought to critically examine the interplay of factors that contributed to the participant's trajectory towards the criminal justice system, a range of perspectives and experiences from diverse stakeholders was required in order to identify important common practices and patterns that cut across variations (1990: 182). Hence, a maximum variation sampling strategy was deemed appropriate in fulfilling this requirement because it established particular comparisons to illuminate the reasons for differences, as well as comparisons, between individuals, practices and processes (Creswell 2002: 90).

The second sampling strategy adopted in the study was the use of critical cases. Critical cases are people who can make a point quite dramatically or are, for a specific reason, particularly important in the scheme of the research. The educational experiences of former students were critical to this research, particularly given the noticeable absence of pre-existing research on the topic in the Irish context. Hence, the critical case sampling approach was deemed appropriate in recruiting those participants. The focus of the data gathered using this approach was to identify the experiences that led to their involvement with the criminal justice system as it pertained to each individual participant (Patton 1990: 174). While studying one or a few critical cases does not technically permit broad generalisations to all possible cases, meaningful generalisations could be made from the weight of the experiences produced by these cases giving the age variation within the sample of former students (1990: 175).

Maxwell (2005: 83) made the point that what any research study needs is relationships that allow you to ethically gain the information that can answer your research questions and he identified 'gatekeepers' as an important factor in the process. He described gatekeepers as individuals who are not necessarily participants in the research but can identify and facilitate access to participants. This study used a number of gatekeepers

in identifying participants who fitted the criteria for participation. Because of pre-established professional relationships as a result of working with statutory and non-statutory agencies, I was able to draw on personal expertise, experience and knowledge in terms of identifying education professionals, young former prisoners, parents and relevant stakeholders. Professional acquaintances, particularly in the education sector, youth justice agencies and the community sector proved invaluable help in identifying participants and mediating first contact. This included directly contacting teachers and principals that I had a pre-existing professional relationship with, and them sharing my contact details and information about the research with colleagues in different schools. This was supplemented with a letter to Post Primary schools in Limerick looking for participants. The letter contained a detailed description of the research, a request to share it with the wider staff and an invitation was extended to contact me if they wished to participate in the research. From that process fourteen participants responded and therefore participated in the research.

A similar process was followed with key stakeholders across the Youth, Legal, Juvenile and Criminal Justice, and the Community and Voluntary sectors. Service managers shared the information with their colleagues and citywide networks. Stakeholders shared the information with their service users, who were either former prisoners or parents of children who had been excluded from school. Contact details were then provided to me where permission to do so was granted.

Once the participants were identified and expressed an interest in participating in the research, I followed up by phone, email or in person to arrange to meet the participants in person. Participants were met in person prior to being interviewed to discuss what the research was about in more detail and how it would be conducted. They were informed that participation in the research was voluntary. Once they confirmed their decision to take part in the study, then times, dates and the location of the interviews were agreed in consultation with the participants. Eight parents responded and agreed to participate in the research. Fifteen former students responded and fourteen decided to participate in the study. Fifteen stakeholders, across the variety of sectors listed above responded. One cancelled their interview and said that they would revert back to me with a date and time that suited them to reschedule. They did not revert back with an alternative date and therefore did not participate in the research. Combined, this equated to an overall of fifty interviews conducted.

The ethical framework as discussed above, guided this process. The ethical principle of justice was operationalised through the process of allowing the participants to self-select their participation in the research. This ensured that the choice as to whether or not to participate in the research laid firmly with each of the participants individually. Whilst this protected potential participants from any undue persuasion to participate in the research (Woods 2020), it also has implications. That is the participants decision to take part in the research may reflect some inherent bias in the characteristics and/or traits of the participants (Sharma 2017).

2.6. Research Sites

The fieldwork took place over a nine-month period from April 2016 to December 2016 in various locations across Limerick City in schools, community organisations and participants' homes. It included the Northside of Limerick City, the Southside of Limerick City, and Limerick City Centre. The Northside included the estates of Moyross and St. Mary's Park. The Southside included the estates of O'Malley Park, John Carew Park and the Ballinacurra Weston Area. The location of the schools included in the research were scattered across Limerick City and County incorporating the Northside of Limerick City, the Southside of Limerick, City Centre and County Limerick. The location of the agencies included in the research were also scattered across Limerick City incorporating the Northside of Limerick City, the Southside of Limerick City and the City Centre and who had a wide catchment area extending to Co. Limerick and in some cases to Co. Clare and Co. Kerry in the Mid-West region of Ireland.

Ten of the interviews carried out with educators took place in their individual schools, in a private office space. Five of the interviews with this cohort of participants took place outside of schools. Three of these were carried out in the researcher's office on the Southside of Limerick City and two of them were in the participant's homes. The majority of interviews with stakeholders took place in their private offices, some after work hours. Nine interviews took place in the offices of stakeholders across Limerick City and five took place in the researcher's office. Twelve of the interviews with the former student cohort took place in a private room in the researcher's office on the Southside of Limerick City and five of the interviews took place in the participants'

homes. Three of the interviews with parents took place in their homes and another three took place in the researcher's office while two took place in the offices of parents. The cross variation in participants and the locations of the data collection enabled the examination of different data sources within the same method, at different points in time and in public and private settings. In turn, this allowed for comparing and contrasting different viewpoints on the same topic (Patton 1999). Reflecting the collaborative principles of the critical emancipatory approach, an important point to make in terms of the research sites is that in all cases the participants determined the location of where the interviews took place. In addition to using interview guides with the former students, this placed an element of the control in the hands of the participants and ensured that, as collaborating partners in the research, the participants were involved in the decision-making process and research format, which in turn altered the power relations between the traditional role of researcher and those being studied (Reinhariz 1992: 181).

2.7. Research Participants

2.7. a. Former Student Cohort

The former student sample consisted of 14 in-depth one-to-one interviews as broken down in table 1:

Table 1: Age Range and Sex of Former Students

Former Students	Age Range	Male	Female
6	18-25	5	1
8	26-43	7	1

A clear sex imbalance can be seen in the participation among the former student participants. However, this reflects national trends in statistics, which consistently show that males come into contact with the justice system at a much higher rates than females. Males accounted for 92% of the persons committed to prisons in Ireland in 2015, while only 8% were female (IPS 2015: 28).

2.7. b. Introducing the Former Students

The former students' formal education, on average, ceased between the 1st year and the 3rd year of secondary school. For some of the participants, they did not transition from Primary to Secondary school but were later accommodated in alternative and/or special schools. The age profile of the former students ranged from 18 to 43 years old. Most of the former students experienced school expulsion (informal and formal) and all of them experienced suspensions. The stages at which they were excluded from school varied slightly though not significantly between the younger and older participants. The participants came from low-income families and community backgrounds that are challenged by marginalisation and social exclusion.

This reflects national patterns with statistical data highlighting that those who become involved with the criminal justice system in Ireland are 25 times more likely to come from, and return to, communities challenged by marginalisation and social exclusion (IPRT, 2016). There was some variance between family structures among the participants with some coming from lone parent households and others coming from two parent families. Strong similarities existed between both cohorts' (younger and older participants) experiences of accessing a secondary school place, experiences of school exclusion and the type of educational facilitates that they were placed in. One participant had a history of a diagnosed learning difficulty and some, but not all, had a history of behavioural problems, though these were broadly minor infractions of school rules). None of the participants had been positively engaged with school at the time their education ceased.

2.7. c. Participant Profiles: Former

To protect the anonymity of the former students, pseudonyms have been applied to each of the participants.

James: James was in his early 40s at the time of the research. He was one of four children and grew up in a social housing estate in a one parent household. James was expelled from school in 1st year and holds no formal qualifications. He first became involved with the juvenile justice system upon being excluded from school and was later involved with the adult criminal justice system.

Vincent: Vincent was in his early 30s at the time of the research. He grew up in a low-income large family and his parents separated when he was young. He lived on a social housing estate with his mother and siblings. He applied for and failed to secure a place in mainstream secondary school and was placed in a school that he described as 'a so-called secondary school for people who there must be something up with'. He was expelled from school in 5th year and holds a Junior Certificate. He became involved with the juvenile justice system once excluded from school and the adult criminal justice system.

Tommy: Tommy was 18 years old at the time of the research. He is the youngest of four children and was reared in a social housing estate in a two-parent household. He was diagnosed with dyslexia in primary school. He secured a place in a mainstream secondary school but was expelled after three months at the age of 13. He was placed in what he described as a 'special school' six months after he was expelled from his mainstream school. He has not sat a state exam and holds no formal qualifications. He is currently in a training programme. He came to the attention of the juvenile justice system upon being excluded from school.

David: David was in his early 30s at the time of the research. He was an only child reared in a low-income, two-parent household. He grew up in a social housing estate. He applied for a place in mainstream secondary school but they had 'no places.' He was placed in a school that he described as been for 'messers'. David was expelled from school in 2nd year and holds no formal qualifications. He became involved with the juvenile justice system upon being excluded from school and later became involved with the adult criminal justice system.

Martin: Martin was in his early 40s at the time of the research. He is one of four children and was reared in a two-parent household. He applied for a place in mainstream secondary school but was told 'that they had no vacancies.' He was placed in a school that he described as been 'for the bottom of the barrel where every riff raff and scumbag in Limerick was put'. He was expelled from school in 2nd year and holds no formal qualifications. He became involved with the juvenile justice system after been excluded from school and later with the adult criminal justice system.

Andy: Andy was in his early 20s at the time of the research. He grew up in a social housing estate and is one of three children. Andy's early years were disrupted as a result of his father's involvement in crime. He was expelled from his school for non-behavioral reasons once he completed his minimum compulsory schooling, the Junior Certificate, and later secured a place in an alternative educational facility through his own effort and strong desire to complete his secondary education. He became involved with the juvenile justice system upon being excluded from school and later the adult criminal justice system.

Tim: Tim was in his late 30s at the time of the research. He is one of six children. He grew up in a social housing estate. He was 'put out' of his school in 1st year, a place he described as having 'no education going on up there. It was just beatings and knifepoints.' He holds no formal qualifications. He became involved with the juvenile justice system after being excluded from school and later the adult criminal justice system.

Amy: Amy was in her late 20s at the time of the research. She grew in a large family in a social housing estate, in a low-income two parent home. Despite her experiences of persistently been punished and suspended, she completed secondary school. She became involved with the juvenile justice system upon completing school and later with the adult criminal justice system.

Tony: Tony was in his early 20s at the time of the research. He grew up in a social housing estate in a low-income family. He is an only child who was reared by his mother but was supported by his father. He secured a place in a mainstream secondary school but was told, 'not to come back (to his school) after he had completed his compulsory school limit', which was his Junior Certificate. Tony later managed to secure a place in another school 'which was for messers' to complete his Leaving Certificate and therefore holds two state examinations. He became involved with the juvenile justice system during the time that he was excluded from school.

Robert: Robert was in his early 30s at the time of the research. He grew up in a social housing estate in a large family. He was reared in a two-parent home until he was a teenager. He was expelled from school in 3rd year prior to sitting his Junior Certificate.

He holds no formal qualifications. He became involved with the juvenile justice system after being excluded from school and later with the adult criminal justice system.

Michael: Michael was in his early 40s at the time of the research. He grew up in a social housing estate, in a large family. He was expelled from school in 6th class at 12 years old. He holds no formal qualifications. He became involved with the juvenile justice system upon being excluded from school and later with the adult criminal justice system.

John: John was in his early 20s at the time of the research. He grew up in a social housing estate with his siblings and mother. He was expelled from school in 6th class at 12 years of age. He was later placed in a school that he described as the 'same as a prison where you were locked into every corridor which had a buzzer to let you in and out'. He is currently in a training programme and recently completed his Junior Certificate. He became involved with the juvenile justice system upon being excluded from school.

Jane: Jane was in her early 20s at the time of the research. She applied to nine secondary schools but failed to get a place in any of them after 6th class. She later ended up in an alternative school that her siblings attended. There she completed her Junior Certificate, but the school did not cater for upper senior cycle. She became involved with the juvenile justice system upon completing school.

Raymond: Raymond was in his late 30s at the time of the research. He grew up in a social housing estate in a large family, in a low-income household. He was expelled from school in 3rd year, weeks before been due to sit the junior certificate. He therefore holds no formal qualifications. He became involved with the juvenile justice system upon being excluded from school and later with the adult criminal justice system.

2.7. d. Education Cohort

The education sample consisted of 14 one-to-one in-depth interviews with teachers across Limerick City and County. The sample included teachers and principals from DEIS and non-DEIS schools and also included interviews with those who had

experience teaching in non-mainstream (high support schools, special schools, Youthreach centres), and private school settings. In addition, the sample also had diverse experience in teaching in other counties throughout Ireland, and in the UK.

2.7.e. Years Teaching Expereince:

Although there was no minimum amount of experience of working in the education system required in order to participate in the study, all participants in the education sample had a minimum of ten years experience of working in the education system at the time of the research. The range of post qualifcation experience among the education cohort was as follows:

Range of Years Teaching Experience:

Range of Teaching Experience	Teacher/Principals
11 -15 Years	2
16-21 Years	5
22-30 Years	4
30-40 Years	3

2.7. f. Stakeholder Cohort:

The stakeholder sample consisted of 22 in-depth one-to-one interviews with key stakeholders, 8 of which comprised of parents and 14 of which comprised of professionals across a variety of sectors with a geographical remit for working with families, young people and former prisoners in Limerick City and County, Laois, Clare, Dublin and Kerry

The parent sample were not the parents of the former students who engaged in this study but instead were parents whose children had been permanently excluded from school and/or who came to the attention of the juvenile or adult justice system. The sample consisted of seven mothers and one father who had children permanently excluded from school. A clear sex imbalance can be seen in this cohort of participants. However, according to national data Limerick City has the highest rate of households

headed by a lone parent. Therefore, the sex imbalance within this sample cohort is indicative of socio-demographic patterns and trends consistent with CSO data nationally (CSO 2015).

Interviews with professionals consisted of interviews with experienced stakeholders working with disenfranchised youth, juvenile offenders and former prisoners across the legal, probation, law enforcement, family support, child protection and welfare, Media/Journalism, youth justice and the community and voluntary sectors.

2.8. Critical Dialectic Approach to Data Collection

As discussed in the previous chapter, the concept of voice through dialogue was pivotal in this study. Freire believed that those who have been oppressed by institutional constraints live in a 'culture of silence' and countering this philosophy of domination is at the heart of the act of critical dialogue (Freire 1998: 224). For this reason, the research adopted what I characterise as being a critical dialectic approach to data generation. This approach to examining the research topic consisted of reciprocal interaction between the researcher and the participants in a communicative process centred on understanding social context through informed discussion, critical reasoning and dialogue. Accordingly, the data for this study was generated using interview guides and semi-structured interviews in the form of in-depth one-to-one interviews with different categories of participants.

Adopting this approach allowed for the use of a flexible structure that lent itself to a more conversational style in order to address the major concerns of the research (Gubrium and Holstein 2002, Kvale 1996, Minichiello et al 1995). More importantly for this study, it allowed for a set of subjugated knowledges that have typically been disqualified from mainstream scientific discourse to emerge. That is to say it allowed the former students in particular, who have not previously been consulted about their experiences and life pathways from an Irish research perspective, to name their educational experiences. These voices, supported by evidence from interviews with key stakeholders and educators about formal and informal in-school practices of suspension, discipline and exclusion, helped to offer critical reflections on how and to what extent, from their perspectives, those practices and experiences impacted upon their lives. It also enabled the wide range of research participants to proffer possible

solutions to such practices to the education system, the inclusion of which enabled criticism to perform its work and guide the research process (Foucault 1980: 83).

In interviewing the former students, I took the decision to use an interview guide containing four questions around the themes of

A) Community background and childhood;

B) experiences of school;

C) crime/experiences of prison; and

D) The impact of school experiences on their life paths.

The responses of the former students then provided the natural bases for the follow-on questions and discussion. Thus, the former students informed and generated the core interview questions. The rationale for this decision was multifold. While I was interested in the former students' educational experiences of exclusionary and disciplinary practices, I made the conscious decision to not compile a detailed list of questions focusing specifically on this with them because I was equally interested in what might emerge in the process by placing control in the hands of the former students in making decisions about what they would like to speak about and in terms of what and how much information should be known about their educational experiences.

This was influenced by a desire to ensure that what was important to former students in terms of articulating their experiences took precedence in the dialectical exchange. Here, my interest laid firmly in listening to the voices of the former students rather than limiting or controlling the parameters of what could or could not be said by imposing a strict set of specific questions. Placing the former students in control of the dialectical exchange was based on a deep commitment to the critical emancipatory framework in terms of attempting to 'de-elite-ise' knowledge and the research process whereby in a traditional sense the researcher tends to be positioned in full control, implicitly and explicitly giving priority to those questions and responses that realise their research aims and objectives.

Semi-structured interviews were carried out with educators and agencies, using the same set of questions for all participants with only slight variations (see Appendix 3 and 4), which was informed by the 'School to Prison Pipeline' research in the UK, U.S literature and the Early School Leaving literature in Ireland. It is important to note that the educators who part took in this research were not necessarily the teachers or principals of the former students in this research. Instead educators were talking about their own past students who went on to become involved with the justice system and about also those students whom they identified throughout the course of their interviews as possessing the risk markers for ending up involved in the juvenile and/or criminal justice system.

Interviews with educators took place before those with the former students and parents. This decision was taken so as to avoid the pitfall of either consciously or subconsciously trying to 'corroborate', 'test' or 'prove' any of the practices or experiences that the former students may have elaborated. My interest lay in hearing the views and experience of teachers and principals and comparing and contrasted them both to the existing research literature as well as to the former students' experiences. It should be noted that parents were not included in the original sample. The decision to interview parents was informed by the interviews with educators and stakeholders. Parents were spoke about quite frequently by the educators, often in a negative light, whilst stakeholders conversely implied that the cohort of parents who had children excluded from school and/or who went on to become involved with the justice system, were not always treated with respect or positively involved or engaged with by their children's schools. Therefore, after all of the original interviews were carried out with educators, the former students and agency stakeholders, I decided with assistance from agencies, to conduct a small sample of interviews with parents. The purpose of this was to explore their experiences of interacting with their children's schools.

Thus, applying either a quantitative or a strict structured framework would have been incompatible not only with the aims and objectives of the research but also with the ontological and epistemological commitments underpinning the research given that both the structured interview approach and quantitative framework allows for very little freedom on the part of the interviewer and their collaborating participants (Berg 2007) and would have impeded the possibility for free conversation where the purpose is to

gain a deep insight into the experiences and critical reflections of the participants (Kvale 1996: 174). This would have obstructed an exploration of, and dialogue about, the constructions and negotiations of meanings in the natural setting of such experiences (Cohen et al 2007: 29). It would have further impeded the participants from being able to speak in their own voice and express their own thoughts, reflections and feelings (Berg 2007: 96) about their experiences of the school and the justice system.

Following the work of Shannon (1993) and Nagle (2001: 10), it was the contention of this research that, 'voice is the tool by which we make ourselves known, name our experience, and participate in decisions that affect our lives'. In applying the semi-structured and interview guides approach to interviewing as the primary method of generating data it provided an opportunity to generate rich descriptions that would 'not have been accessible using techniques such as structured interviews, questionnaires and observations' (Gubrium and Holstein 2006: 172). It also enabled people to be heard who might otherwise have remained silent (Bogdan and Biklen 1998: 204) or whose voices may have been silenced, censored, trivialized, ghettoized or have being subjected to other forms of discounting in the past (Devault 1999: 177).

In total, 50 in-depth one-to-one interviews were carried out as part of the study with interviews ranging from 45 minutes to 2.5

2.9. Data analysis

The central purpose of the data analysis using interviews was the search for meaning and the construction of analysis from the accounts (words and language) of the participants and interpretation of their experiences. With the critical theoretical tradition acting as the guiding lens for analysing and interpreting the data, this research applied Braun and Clarke's (2006: 6) thematic analysis framework to analyse the data. This allowed for the identifying, analysing, and reporting of patterns (themes) within the data. Because so little data exists on the research topic in an Irish context, this required an approach that moved beyond counting explicit words and phrases but instead focused on identifying and drawing out both implicit and explicit practices and conditions contained within the themes (Namey et al 2008: 138). The aim here was to gain an understanding of the common processes and practices that characterised the

pathway from school to involvement with the justice system. Thematic analysis was most appropriate for realising this as it worked to unravel the surface of reality (Boyatzis 1998) and the conditions and practices that informed the former students' educational paths (Braun and Clarke 2006: 8).

The process of data analysis for this study began with becoming familiar with the data. This consisted of transcribing the interview recordings, reading the transcripts and re-reading them, concentrating on the whole set of data first (Tjandra et al 2013, Braun and Clarke 2006), and closely examining and comparing the data for similarities and differences (Strauss and Corbin 1998: 102). This resulted in the generation of an initial set of codes. For example, relationships, experiences of learning, exclusion, punishment, family, community background, fairness, discrimination. The second phase of coding led on to the identification of key patterns, critical themes and meanings that emerged from the initial set of codes using focused coding (Saldana 2013: 264). For example, school type and choice, punishment and power, learning experiences and dislike of school, relationships and rejection and so on.

The categories were then reviewed, returning to the original texts, comparing statements within and among transcripts, which led to the creation of descriptive, multi-dimensional categories. These subsequently provided a preliminary framework for the findings (Rubin and Rubin 2011; Saldana 2015). Axial coding, using theoretical and methodological frameworks that drew on the writings of Foucault and the literature on epistemic injustice was applied. Their theories of disciplinary power/knowledge and testimonial and hermeneutical injustice were used as points of reference to identify the conceptual categories into which data were grouped (Creswell 2013: 86). For example, diluted education, isolation, expectations, punishment and power were grouped together and eventuated within the theme of learning experiences and dislike of school. The accumulation of thematic reports was generated using the responses provided by the different sets of participants. Common patterns emerged from the variation within the data among differently situated participants. For example where a stakeholder had similar experiences of schools as parents or former students, or where educators views/experiences aligned with the experiences of former students. These were of particular interest and value in capturing the core experiences and central shared dimensions across the different sets of participants (Patton 2002; DeSantis and Ugarriza 2000). The transcripts of interviews from the three different sets of participants were

analysed in this way, examined, categorised, subject to refinement and this led to the final analysis (see chapter six). Conceptual saturation was reached when no new categories were generated.

2.10. Why Thematic Analysis?

While it could be argued that most analysis in qualitative research is thematic (Guest and Namey 2012), thematic analysis differs considerably from other analytic methods that seek to describe patterns across qualitative data such as thematic discourse analysis, thematic decomposition analysis, interpretive phenomenological analysis and grounded theory (Braun and Clarke 2006). While those approaches also seek to identify patterns within data, unlike thematic analysis, those approaches are theoretically bound and it is on this distinction that thematic analysis was deemed the most appropriate method for this study. At the core of the critical emancipatory tradition is a commitment to understanding social conditions and practices *in context*, in particular those conditions that give rise to inequality, injustice and social exclusion via institutions, such as education. In this way the possibility of social change becomes visible. Theory is effectively meaningless without social context because as social conditions change so too must theories in order to comprehend and adequately account for such changes. Accordingly, one of the defining characteristics of the critical emancipatory tradition is the deliberate lack of alliance exclusively on any one discipline. In seeking to understand through the social context, which in turn gives life to theories, the critical emancipatory tradition supports a cross-disciplinary approach to the research and analysis that interweaves the theoretical disciplines of sociology, psychology, philosophy, politics and history. This paves a natural path towards thematic analysis in terms of interrogating, contextualising and mapping the educational pathways of the former students and the commonly shared experiences and patterns in practices threading through the data.

Like the critical emancipatory tradition, thematic analysis does not come to the research process bound by a predefined set of theoretical assumptions or questions whereby there is a right or wrong answer to be found, proved or disproved. Instead, thematic analysis shares the critical emancipatory traditions' concern for the meanings people attach to particular experiences and events that have occurred in their lives. They locate what is being said within the broader social and historical context and with the critical

intent being that of social change. In this context, I was interested in what the participants had to say about their educational pathways and the critical factors that they, together with educators and key stakeholders, believed to have influenced those pathways. I was particularly interested in the school effect. Thus, I did not approach or enter into this research in pursuit of the discovery of *truth* based on the premise that there was a single *truth* or answer to find and that I was going to find it. Instead my interest lay in trying to tell the story of the data that was both true to the data and supported by data. This meant that there could possibly be 50 different *truths* emerging from the interview process. It also meant looking retrospectively on their life experiences on the part of the former students and in many ways inviting them to deconstruct their educational pathways in order to critically reflect upon, comprehend their meaning and thus articulate them.

Deconstruction in this sense was conceived as an activity in critically evaluating institutional experiences and practices and then reconstructing them in the context of the meaning that the former students attributed to their experiences. This explains the attraction of a Foucauldian approach to analysis. Unafraid of challenging the traditional conception of *truth*, Foucault's critical approach views truth as a 'discursive construction' that changes according to the different regimes of knowledge/power that determine what is true and what is false (Foucault 1972: 17). For Foucault, power is both a productive and a constraining force that constitutes discourse, knowledge, and bodies, which in turn produces subjectivities. It is, therefore, responsible for both creating our social world and for the particular ways in which the world is understood and talked about (Foucault 1972: 14). This has a particular significance in terms of how educational pathways are constructed and the structural usefulness of creating multiple educational pathways with different destinations.

Some destinations are easier to get to than others as they depend on their usefulness to wider society at a given time. The further allure of adopting a Foucauldian lens was its ability to shift the focus from the individual and their deficits to refocus the critical gaze on to educational institutions and their normative, constraining practices in order to extract the meaning that the participants attributed to such institutional practices in terms of their impact and role in shaping the educational pathways and life experiences of the students at the centre of this study.

Perhaps equally important was that this study did not constitute an attempt to create new theories that would be grounded exclusively within the data. Rather, like Richard Rorty, the intention was to use familiar theories and concepts in unfamiliar ways to enable seeing differently how educational pathways are constructed so that some post-school destinations are easier to reach than others. The intention here was to cast in a different and new light, the familiar thinking and concepts that describe how educational pathways are constructed in the Irish context and explain differential outcomes. This new light that alerts us to the critical factors that influence negative educational outcomes in a way that is different to the traditional deficit ways of accounting for them. It jolts our imaginations which in turn disrupts how the path from school to involvement with the justice systems is thought about, framed and responded to from a policy perspective (Pryke, et al: 2003: 21).

2.11. Transferability

Trustworthiness is defined as the methodological (research design, data gathering, data analysis) accuracy and adequacy of the research inquiry (Holloway and Wheeler 2002). Accepted benchmarks for ensuring the trustworthiness of research data are objectivity, reliability and validity in the positivist (quantitative) tradition. Because these traditional scientific techniques are incompatible with the alternate epistemology of the qualitative critical tradition (Mathison 1988: 13), internal validity was replaced with credibility, external validity with transferability, reliability with dependability and objectivity with confirmability" (Guba and Lincoln 1982: 3-4). These in turn acted as the criteria for assessing the trustworthiness of the data. Transferability is the interpretive equivalent of generalisability and refers to the extent to which the findings of qualitative research can be transferred to other contexts or settings with other respondents. 'Thick descriptions' of the research process and design as well as the inclusion of the interview guides and questions used for the research (refer to appendix 7) have been provided in order to facilitate the possibility of transferability by other researchers (Bitsch, 2005:85).

Similarly, Creswell (1998: 201) contended that by employing procedures such as triangulation and clarification of researcher reflexivity in a qualitative study enhances the credibility and reliability of the research and this in turn enables readers to have confidence in the credibility or trustworthiness of the research. This study adopted both

these procedures and applied them in the following ways as outlined in the next section.

2.12. Triangulation

Triangulation involved the use of multiple and different sources, and theories to obtain evidence (Onwuegbuzie and Leech 2007: 239). It acted as the main criteria to mark out the quality of the research (Taber 2008: 70). Patton (1999) identified four types of triangulation, methods triangulation, triangulation of sources, analyst triangulation and theory/perspective triangulation. This study applied two of those methods. These were the triangulation of sources and the theory/perspective triangulation. The triangulation of sources was achieved through adopting a combination of two purposive sampling strategies. These were maximum variation sampling and critical case sampling. The aim of using both was to capture and describe the central themes or principle outcomes that cut across participant variation (Patton 1990: 172). This, in turn, was done through the process of purposefully picking a wide range of variation in research participants (1990: 182). The research obtained data from a wide variety of participants, which included former prisoners, parents, teachers and principals and cross-sector statutory and non-statutory stakeholders. Because even an honest informant will have biases and will have access to only some of the relevant perspectives, sound conclusions can be drawn from the evidence that came from the wide and varied range of data sources (Taber 2008: 71). This strengthened the study by enabling the process of cross analysis between the multiple sources (Patton 2001: 247). Theory triangulation was achieved through situating the research within the critical emancipatory theoretical framework which transcended multiple disciplinary perspectives, including sociology, psychology, social policy and philosophy, to help examine and interpret the data.

2.13. The Role of Reflexivity

Because the research was situated within the critical qualitative methodological tradition and this positioned me directly within the research process (Patton 2001: 14) my potential biases, motivations, interests and perspective are revisited here and made explicit (Lincoln and Guba 1985: 290). This entails offering critical reflections on what I did and why, confronting and challenging my own assumptions, and recognising the extent to which my thoughts, actions and decisions shaped how I approached the research and what I saw (Mason 2002: 5). While is it is difficult to establish just what is being claimed (Lynch 2000) when referring to researcher reflexivity, concurring with

Finlay (2002), I contend that reflexivity proved to be a valuable tool in examining the impact of my position, perspective and presence in the research process. Throughout the research both personal reflexivity and epistemological reflexivity was incorporated into the research process (Willig 2001). Personal reflexivity was invoked through the practice of reflecting upon the possible ways in which my own values, experiences, beliefs, political beliefs and social identity may have shaped the research as exemplified in the positionality section in chapter one. Epistemological reflexivity included reflecting upon 'the assumptions about knowledge that I made in terms of my theoretical and methodological grounding as discussed previously (2001: 10).

In being reflexive throughout the study, I concluded chapter one of the research with a detailed account of my own school experiences and personal background (Walsh 1995: 335). As a person who was brought up in a single parent family, in a lower working class community characterised by social and economic disadvantage, where the highest level of parental education was primary education and where none of my siblings have completed formal education, it's fair to say that I came to this process as an unexpected, even unlikely PhD candidate. To therefore try and construct a narrative on how I disregarded or discounted either my personal or professional experiences throughout the research process would not only be disingenuous, it would also run counter to the commitments of the critical methodological framework in which the research was situated. After all, such experiences undoubtedly influence my dissent from the dominant, traditional intellectual orthodoxies that privilege deficit explanations for accounting for what Jonathan Kozol termed the 'savage inequalities' that exist within the education system for non-middle-class, minority children, particularly explanations that serve to justify a kind of 'ghetto education' for such students. What was therefore necessary, was an awareness and disclosure of how, and in what ways such influences impacted the research process.

At a fieldwork level, my own diverse experiences of looking from both the outside in, the inside out and the centre (Hooks 1984: 156) came into play and added to the richness of the research by enabling me to move back and forth among alternative sensibilities. It enabled me as a researcher to look at the world from more than one perspective and to hold different viewpoints simultaneously that could be compared and contrasted. They could also be corrected by each other and combined when possible without presenting them as exhaustive facts (Medina 2010: 29).

Such experiences also, I believe, filled what José Medina calls a hermeneutical gap that may have otherwise existed had it not have been for such diverse personal and professional experiences. Throughout the research process, they equally safeguarded me from being unable to see and hear certain things arising from social forms of blindness and deafness that preclude a genuine understanding of the experiences and situations of members of certain social groups. To this end, my personal and professional experiences served me well in being able hear and listen to all of the participants accounts fairly. As Medina (2010: 27) rightly argues, 'hearers cannot listen to a speaker fairly if there is a hermeneutical gap that prevents them from understanding and interpreting that speaker'.

However, being a researcher with a personal history of education bearing a discrediting label (Gerber 1997), also carried risk. It carried the risk that participants may have said things that they thought that I wanted to hear or acted in ways that they may have thought I wanted them to (McGrath 2000). It also carried the risk that the voices of the participants could be overshadowed and sanitised by my own educational experiences and my perceptions pertaining to them. This made it important for me to consistently ask myself throughout the process-whose story was being told? This was particularly important during times when the fieldwork invoked memories of my own educational experiences and experiences of agency intervention into my family life. Descriptions of being taught as if they were 'thick and stupid, and of being excluded from classroom life when you came from a particular address or family situation, resonated particularly strongly with me. Reflecting on the notes that I took after the interviews and during the transcribing of them, I realised that there were many times throughout the process where I felt a sense of vulnerability arising from the personal aspects of what I experienced in response to doing this research. Being forced to revisit memories of my own education, my childhood and professional practices as stakeholder engendered a level of discomfort in me that acted as a source of considerable frustration, unsettlement, and confusion throughout the process. However, it also engendered an acute sense of responsibility towards the research participants to ensure that the stories that were being told and retold through this research reflected those of the participants-their words, their thoughts, their experiences and their perceptions.

Having more than one person involved in the supervision process provided critical oversight in this regard. It ensured that my analysis and interpretations could be assessed, checked and questioned by multiple people who were outside of the bounds of the exposure that I had experienced with the participants. Within this context supervisors were able to offer detached assessments and critique of my interpretation of the data, reassurance, and validation.

Using the question of 'whose story was being told? as a constant point of reference and reflection enabled to me to maintain a level of objectivity in separating my own experiences and preconceptions from those of the participants. To aid this, I worked with the audio recordings of the participants, in tandem with their interview transcripts, constantly checking and verifying that what was being wrote, matched with what was said. I also took the measure of checking, informally with participants by phone, for clarification in cases where I was uncertain about what a participant meant. Using the theoretical frameworks of Foucault and epistemic injustice to analyse the data also helped to keep the focus on the practices and experiences that the participants had described and the meanings that they attached to them.

That is not to say that by deploying these measures throughout the research process, this enabled me to fully eliminate my influence on either the participants or the process. What they did do was make me more aware of my own influence and where and when it came into play, in particular throughout the data analysis process. Being reflexive helped me to stop viewing and treating my personal and professional experiences as limitations or obstacles within the research process. As Malterud (2001) points out, preconceptions owing to a researcher's background or position are not the same as bias. All researchers approach research from different positions and perspectives. It is failing to acknowledge, and/or being unaware of their influences, that leads to bias.

I therefore embraced subjectivity as 'virtuous and what is conceived as bias, I embraced as the basis from which as a researcher I make a distinctive, if not original contribution to knowledge. That contribution is one that resulted from the unique configuration of personal qualities, joined to the data, which was co-generated with the participants' (Peshkin 1998: 18). My role in which was role to 'reshape the forms of knowledge that have become familiar and appear self-evident and are integral to taken-for-granted perceptions, attitudes and behaviours' (Foucault 1994: 384).

Rather than my positionality impeding the research process in a way that resulted in the participants failing to explain their experiences fully because they 'assumed' because of 'similarity' that they did not have to (Corbin et al 2009), I would argue that it instead appeared to grant me privileged access to experiences and practices which I may not have otherwise got access to because of the assumption that I already knew that some practices were happening as a result of my own experiences (which was not always the case). For example, it was not uncommon for educators and stakeholders to say, 'as you well know' and then outline a practice that was happening.

Similarly, because I used interview guides rather than specific questions with the former students and parents, they, the students and parents, were in fact, directing the communicative exchange and my responses directly picked up what they had just said. For example, 'what happened that made you think that'? Because I was not asking specific questions to former students and parents but instead was following and picking up on their statements pertaining to their experiences, they posed questions to me to check if I knew something. They would ask 'do you know x school (the school that they went to)"? I would reply 'I've heard of it, but I don't know about it. Can you tell me about it'? To which they would proceed to tell me in detail about the school, how they came to go to it and how they experienced it.

Thus, in this way I would argue that my positionality served to enhance the research process rather than hindering it by engendering a level of openness, trust, criticality and honesty in the communicative exchange about what was happening educationally for those students who were affected by their school experiences and by the criminal justice system.

I also embraced Miles and Huberman (1994), who together with Kvale (1996), argue that the qualitative researcher should have some knowledge about and needs some expertise in the studied theme. This reassurance was also found in the work of José Medina who rather masterfully demonstrates in his theoretical work the productive benefits that are to be gained when researchers who come from non-traditional academic backgrounds use their 'privileged access to social knowledge' to induce 'epistemic friction' within the academic community that has the propensity to enrich social cognition by taking advantage of situated knowledge that aids us in making visible the limitations in dominant ways of seeing and conceptualising (Medina 2012).

Medina's work brought to the fore the difficulties that arise when research and academic agendas, particularly as they relate to experiences of social injustices such as educational inequality, marginalisation, poverty and social exclusion, are dominated by the voices of allies who have no direct experience of or prolonged exposure to such socially induced injustices. Medina's work, perhaps inadvertently, also illuminates the important hermeneutical responsibility that non-traditional academics have in contributing to the 'redrawing of cognitive maps, the re-describing of experiences, and the reconceptualising of ways of relating to others through our scholarly activities' (Medina 2012: 47).

In describing my own position, the theoretical framework, the research design, and the data gathering and analysis in rich detail, the rationale underpinning those choices and in being reflective throughout, one can see the measures and strategies that were applied to ensure methodological rigour in the fieldwork and analysis. It is my view that I have produced trustworthy findings that reflect the accounts offered by the participants as accurately as is possible.

2.14. Chapter Summary

The chapter set out the research process and how the research was conducted. It began with a brief discussion on the origins and core tenants of critical theory that underpinned the research philosophy. Following this, an explication of how critical theory was interpreted in terms of intent and purpose and how this interpretation of critical theory aptly aligned to responding to the concerns that sat at the core of this research was discussed. The remainder of the chapter focused on setting out the research process and design, with particular attention paid to the ethical framework that guided the research, sampling, and the rationale for the use of interviews as the central research method and data analysis. The rationale for the choices made regarding each of these subheadings was also offered. The following chapter describes the policies that informed and framed the research.

Chapter Three: Policy Context Framing the Research

3.1: Introduction

This chapter sets out and critically discusses the policy context framing this research. As discussed in chapter one, there is a dearth of empirical research that explores the educational experiences of those who have ended up on the path from school to involvement with the criminal justice system. As consequence of this gap there is a key voice missing from the literature in this regard, which are the voices of those who became involved in the criminal justice system. The writing of this chapter was guided by the voices of those whose lives have been affected by the criminal justice system. This involves a critical appraisal of the educational polices that have sought to use education as a tool for positive discrimination in favour of the cohort of students who are at the centre of this research as well as the students who face inequalities in their wider social milieu. It is important to both situate the cohort of students, whom this research is focused, in the wider education system, and to illuminate how they have been historically differentiated and segmented from other categories of working-class students (i.e. those from semi-skilled and skilled manual labor backgrounds) in the education system. This chapter is written in a way that reflects the stories retold through this research, as contained in chapter 6.

In describing those educational policies in Ireland that are particularly relevant to this research, an important context is provided for understanding the role that policy frameworks play in permeating schools with particular sets of values, thinking, functions and practices. Social policy is something that is closely connected to shaping people's lives because its primary activity involves decisions relating to how citizen's needs are met and how the risks that citizens face in their lives are collectively responded to at a societal level (Considine and Dukelow 2009). Thus, they are:

> *Ensembles of institutions that interpret and translate political preferences, ideas and ideologies into practical programmes that regulate the distribution of economic, social and cultural resources (whereby) regulation is never innocent…[but has] real social consequences* (Fitz et al 2006: 18)

Given the centrality of education as a social institution in Ireland, as in other countries, it is unsurprising that schools have been used as the central arena for the articulation and implementation of the ideas, preferences and values of powerful interest groups in society (Drudy and Lynch 1993). Educational policies matter because they actively set the parameters in which education is delivered, where it is delivered, what is delivered and to whom, shaping in the process how differently situated students experience education. How education is experienced has implications for determining the different types of post-school pathways that are available to students.

In order to understand more fully how some students historically have come to experience policies and practices in the education system that are generally the preserve of the criminal justice system, an examination of the broader context of Irish educational policy is necessary. The chapter begins with an overview of the historical context of educational policy in Ireland with particular reference to attitudes towards and the educational treatment of poor and working-class students up until the 1970's. Following this, contemporary educational policy instruments are examined. Finally, the chapter concludes with a critical discussion on the limitations of contemporary educational policy instruments, tracing their continued affinity with those discourses, thinking and practices that underpinned educational policy historically in Ireland and the implications that this has for aiding understanding of how young people become involved in the criminal justice system and the role of school in this.

3.2: Historical Education Policy Context in Ireland

Until the 1970's industrial and reformatory schools dominated the Irish educational landscape for poor and working class students. Education for these children operated in a landscape of a wider system of coercive confinement run by religious orders to manage students from what were viewed as chaotic, poor and unconventional family backgrounds (Irby 2009; O'Sullivan and O'Donnell 2012; Pembroke 2013,). The Reformatory Schools Act (1858) and Industrial Schools Act (1868) had two specific purposes; to incarcerate children who had committed an offence and to target children who were living in poverty and as a result were considered to be at risk of committing

a crime (Pembroke 2013).

The Acts legitimised the incarceration of poor and lower working class children in care and industrial schools in cases where their parents were considered to be neglectful and less capable in their parenting. This was seen to be a consequence of factors such as their social status, sexual practices (having children outside of marriage) and their moral disposition. The Acts equally explicitly linked deviance and criminality with particular socio-economic and family circumstances. Ferguson (2007) has argued that the children who were placed in such schools were labelled as carrying a contagion resulting from their perceived abuse, neglect and illegitimacy, one that had 'polluted and contaminated' them with 'impure' adult knowledge' leading to, what he argued, these children coming to be viewed as 'moral dirt' by large sections of Irish society (Keating 2015).

While the motivation for such schools was claimed to be a desire to 'help the needy', others such as Inglis (2014); Pembroke (2013); Irby (2009), and Ferguson (2007) have argued that it was indicative of the Church and State's desire to group together and control those who were viewed as inferior human beings and a threat to the prevailing moral and social order. The removal of children from what were deemed to be neglectful parents, their subsequent incarceration in institutions, and the use of extreme control mechanisms such as physical violence became an accepted norm in order to reduce this threat to wider society, ensure control and to exercise discipline over entire communities and lifestyle choices (Ryan 2009).

Despite widespread poverty in Ireland at the time, Garvin (2005) identified family poverty as the overwhelming cause of some children being placed in reformatory and industrial schools. Ferguson (2007) argued that the reality of childhoods lived in poverty was too thorny, too complex, too uncomfortable to address for a newly independent Irish Republic. Therefore, it was convenient to focus on the shortcomings of the families and focus on this as the reasons for children to be placed in industrial and reformatory schools. As a consequence, these schools became the institutional manifestations of what has been described as the 'criminalisation of poverty' (Keating 2015: 97). This was exemplified in the Kennedy Report (1970) on the Reformatory and Industrial school system in Ireland, which had much to say, for example, on the impact of family structure on a parent's ability to parent their children adequately and the

emotional and psychological effect that a child's family circumstances has on their intellectual ability and normal psychological development. In many respects, the report reflected the dominant control of the Irish Education system by the Catholic Church and the deeply embedded influence and acceptance of the church's moralistic doctrine, particularly in relation to sexual morality, as to what constituted a legitimate family and the conditions and handicaps that poor and lone parent families were seen to bestow on to their children:

> *Deprivation may result in many handicaps, which affects the child's full development. The child who has not experienced good personal relationships will, in time, be lacking in emotional, social and intellectual stability and development. The conditions, which may give rise to inadequate personal relationships are socially or culturally inadequate parents, families where there is some emotional stress, various mental or physical illnesses or where for any reason there is only one remaining parent. Under such handicaps the parents or parent cannot or will not cope (*Kennedy Report 1970: 12).

Educationally speaking, the courtship between the Irish State and the Catholic Church did not view schooling as a means of achieving greater social, academic or economic equality for such children. Instead the poor and working classes were largely seen and treated by church leaders and the Irish State 'as a self-perpetuating sector of society for whom a limited education in literacy and numeracy was deemed sufficient' (Coolahan 1981: 55). Networks of technical/vocational schools were established following the Vocational Education Act (1930) with the Irish State 'reassuring the Catholic Church that the curriculum in vocational schools would not infringe on the Secondary school curriculum' (Considine and Dukelow 2009 :308). Irrespective of intention, arguably this particular policy development reinforced, and set the precedent for the continuation into the future, of an education system that was built on creating and maintaining social segregation based on moralistic judgements and class distinctions.

In creating what Clancy (2007: 108) referred to as a system that made 'distinctions between the education offered for mainly middleclass children in secondary schools and mainly working class children in vocational schools', the existing secondary school system was not sufficiently opened up to the poor and working class children so that

they could fully avail of the introduction of free secondary school education in Ireland from 1967. Instead the introduction of free secondary school education only came after a separate system of secondary schooling was already established to cater for poor and working-class students. This meant that poor and working-class students did not have to be fully integrated into the existing system that was catering, almost exclusively, for those who could previously afford to pay for it. A segregated system remains at second level, which detracts from the development of substantive forms of equality of opportunity policies (Considine and Dukelow 2009: 310). It has been argued that the appeal to the concept of equality of opportunity during the reforms of the 1960's and beyond in Ireland:

> *[w]as no more than an appeal to an unexplicated sense of 'fairness' used to emotional rather than intellectual effect…(whereby) Irish educational planners acted ideologically i.e. in the interests of those social groups who benefit most from existing social and educational structures* (O'Sullivan 1989 cited in Considine and Dukelow 2009: 313).

Such schools came to represent preparation for lower status occupations (O'Sullivan 2005), which appeared to address the two major issues highlighted in the *Investment in Education Report (1965)* those being the large social-class and regional disparities in education participation rates and the warning that the needs of the developing Irish economy would not be met by the education system as it presently existed. This represented a dovetailing of equality of opportunity with economic necessity (Considine and Dukelow 2009: 311).

The 1990s witnessed a period of further debate, analysis and policy development in Irish education system, but before proceeding to examine more contemporary policy developments, it is important to reflect further on the Kennedy Report (1970) on the Reformatory and Industrial School System in Ireland. The reason for this is because this report has particular relevance to how the students who were deemed to be 'at risk' of ending up involved in the juvenile and criminal justice system were viewed and treated by the post-1970 Irish school system. On the one hand, there was a national policy conversation taking place surrounding the 'realisation of the need for radical

school curriculum reform in congruence with the developing understandings of children and child development' (Walsh 2005) as it related broadly to children in the education system. On the other hand, there was a parallel style conversation taking place, via the Kennedy Report (1970), for how educational provision should develop for the cohort of students who are the focus of this research.

The Kennedy Report (1970) recommended that the term reformatory school, which were tasked with catering for delinquents, be abolished because it was out of sync with modern thinking. The report stated that:

> *The term reformatory should be abolished. We consider that children in these schools should be treated as handicapped. The term Special School would be the most appropriate title for them (*1970: 41).

Delinquency and the risk of engaging in delinquent and criminal behaviour was explicitly linked to experiences of deprivation and non-normative family circumstances. The report suggested that such children should be viewed as 'educationally backward'.

> *Children in industrial and reformatory schools have been deprived of conditions, which promote normal development. It is necessary, therefore, to provide them not only with what are regarded as normal facilitates but with much extra as well if they are, in fact, to have equality of opportunity with the children from normal homes* (1970: 48).

The type of educational provision that was recommended in such schools was to be 'over compensatory' and regarded 'in the same way as special recognition is afforded to schools catering for other categories of handicapped children but with a more favourable pupil/teacher ratio and the provision of counselling' (1970: 52). Consideration was given to the question of emotionally disturbed juvenile delinquents. It was suggested that educationally, such students should be 'treated in conjunction with emotionally disturbed delinquents' (1970: 40). Imparting knowledge and skills in such schools was considered necessary but it should be recognised that

> *[t]he vast majority of the children who go to them will need help with problems other than those concerned with learning a subject…they are full of fears, worries, pugnacity, resentment, hatred, revenge* (1970: 50).

The authors go on to state that the 'importance of personal counselling cannot be overstated' in such school and psychologists and special remedial teachers should be available in them. The reason for this was because most of the children who would populate them were considered 'likely to be backward in basic school subjects' (1970: 51). What followed was the introduction of an additional layer of schools, in an already segmented system in the 1970's. These were known as 'special schools', comprising of high support schools, specialist schools, alternative schools and Youth Encounter Projects. Youth Encounter Projects have particular significance for the cohort of students who are the focus of this research. They were established following the Kennedy Report in the 1970s, for young people at risk of coming into conflict with authority. They are non-residential educational facilities 'that are structurally and pedagogically different to mainstream schools aimed at students who have either become involved in minor delinquency, or are at risk of becoming involved in it. The Department of Justice seconded a Probation and Welfare Officer to each of these schools' (DES 2008).

It is important to note that the Kennedy Report (1970) was hailed for marking a new professionalised, developmental model of childcare in Ireland that recognised issues with school, such as non-attendance, as an indicator of children and families in difficulty as opposed to through the lens of deviance and criminality (O'Sullivan and Gilligan 1997). However, it equally marked the beginning of a strong influence of developmental psychology on educational provision for a specific cohort of students. The Kennedy Report (1970) recommended that psychological and psychiatric assessments of students sent to such schools should be carried out and their backgrounds investigated (1970: 40).

3.3: Contemporary Irish Policy Responses to Educational Inequality

The intervening periods following the Kennedy Report (1970) saw a series of policies for promoting educational equality including the *National Education Convention*

(1993), *Charting our Education Future* (1995), the *Education Act (1998*), the *Education Welfare Act* (2000), *Student Support Act* (2011) and 2002 saw the establishment of the National Education Welfare Board (NEWB). In more recent times the introduction of the *Education (Admission to schools) Bill* (2015). These developments paved the way for the pursuit of equality of opportunity policies, which has remained the preferred policy approach in Irish education. Central to policy developments since 1980s has been the issue of educational disadvantage which has featured prominently in policy discourse in Ireland, with the prevention of early school leaving forming a central aim and objective of Government policy initiatives. This also placed a policy emphasis on inter-agency work in education in the area of addressing educational disadvantage (Cullen 2000; DES 2004; Kelleher and Kelleher 2005; OECD 1995; Stokes 1996). The key objective of this was the development of partnerships and the co-ordination of service provision between schools, parents and non-education stakeholders (Boldt and Devine 1998). The principle underpinning this commitment to deliver a more focused, holistic approach to effectively addressing educational, social and economic issues found in the spheres of a number of different organisations (Fox and Butler 2004).

Public policy in favour of addressing educational disadvantage is set in the context of the Government's National Anti-Poverty Strategies (NAPS) and Social Partnership Agreements. A central objective of those polices is to ensure that all young people leave the education system with a high quality education and related qualifications in order to support their full participation in society and the economy. A further related objective is to ensure that all those who have already left school have an opportunity to address any lack of educational qualifications that impede their ability to participate fully in society, the economy and employment (DES 2004). A number of initiatives were introduced in the late 1980s, 1990s, and 2000s, specifically to address educational disadvantage. These were comprised of the *Disadvantage Area Scheme* in 1984 (DAS), *Breaking the Cycle* in 1996 (BTC) and *Giving Children an Even Break in 2000* (GCEB). In 2005 all of those existing schemes were merged under the auspices of *Delivering Equality of Opportunity in Schools* (DEIS) and this remains in place to the present. The frame of reference for Delivering Equality in Schools (DEIS) was set in the context of the definition of educational disadvantage as contained in the Education Act. This described

> *The impediments to education arising from social or economic disadvantage, which prevent students from deriving appropriate benefit from education in schools* (1998: 32)

The aim of the DEIS policy instrument is to ensure that the educational needs of children and young people from, what are termed, disadvantaged communities, are prioritised and effectively addressed. At its core is a standardised system for identifying and regularly reviewing levels of disadvantage through an integrated School Support Programme (SSP) that brings together and builds upon existing interventions for schools (as outlined above) to tackle problems of literacy and numeracy, and to introduce measures to enhance student attendance, educational progression, retention and attainment (Weir et al 2011).

Primary and Secondary schools included in DEIS receive significant additional supports and resources, including additional staffing, to assist them in achieving the aims of the policy. The level of additional supports and resources allocated to schools participating in DEIS varies according to the level of disadvantage in the school community. Secondary schools receive an additional allocation of teaching hours, along with additional funding through a DEIS grant and a book grant. Each DEIS school also receives support from a home-school-community liaison coordinator (HSCL), and from the School Completion Programme (SCP) (DES 2011; Weir et al 2011: 5).

Under the DEIS scheme, schools and school clusters are allocated supplementary resources and supports in line with their concentration of disadvantage. The rationale for DEIS is that additional resources are targeted in schools in areas where disadvantage is most concentrated (DES 2011). DEIS supports are designed to meet the additional needs of schools in recognition of the concentrated nature of their disadvantage (OECD 2011). The DEIS Action Plan (2005) acknowledges the research carried out by the Educational Research Centre (ERC) for the Educational Disadvantage Committee. This research found strong evidence that 'the disadvantage associated with poverty, and social exclusion has a multiplier effect when large numbers of pupils in a school are from a similar disadvantaged background' (DES 2011: 27).

DEIS grants are calculated and paid based on the level of disadvantage and the enrolment of specific children who meet the required level of disadvantage as set down by the Department of Education. Essentially, a greater intake of disadvantaged children in a specific school, leads to an increase in that school's funding and resources. The guiding principle underpinning this approach is one of positive discrimination (DEIS, 2017). Schools have terms, such as designated disadvantaged, DEIS band 1 and DEIS band 2, assigned to them to denote the economic and social status of the students who populate them. Numeracy and literacy is the central pillar for such children's education, with an emphasis placed on assessment and diagnoses of special educational needs arising from a disability or emotional disturbance and/or behavioural difficulties in order for a school to be deemed eligible for the allocation of Resource Posts (DES Circular M08/99; DEIS 2005, 2017).

As a result of this policy instrument, schools in Ireland serving the cohort of students of with which this research is concerned, have benefited from reduced class sizes, with increased levels of teaching staff, increased levels of resource staff, increased levels of special needs assistants and priority access to a range of professional development and therapeutic services. There have also been some improvements for students and parents. Students in DEIS schools have access to the School Meal Programme, homework clubs, afterschool provision and summer camp provision (Kavanagh et al 2017). School attendance rates have also improved significantly over time in DEIS schools (Smyth et al 2015). There have been benefits also for parents by way of access to the Home School Community Liaison Scheme, the School Book Grant Scheme and the Back to School Clothing and Footwear Scheme (Kavanagh et al 2017).

What has emerged as a result of educational policies aimed at redressing inequalities is an increase in school attendance levels among poor and working-class students, who are now in substantially smaller class sizes than average and whose teachers are aided by increased levels of support staff and access to continuous professional development. In addition, the impediment of hunger on children's ability to concentrate and engage in learning has been reduced through the provision of breakfast clubs and free school lunches in schools with the highest concentration of disadvantage. There has also been the provision of homework clubs and afterschool programmes in such schools to compensate for parents who may not be in a position to support their children with homework due to their own level of educational attainment. In tandem with this is the

availability of financial support for parents towards the cost of school uniforms and the provision of schoolbooks, with any unnecessary additional burdens in this regard arising from the choices of individual schools and the specific requirements that they set down. In short, the polices aimed at redressing educational inequalities, in particular from the 1980's onwards, have reduced many of the external factors that schools and researchers have traditionally relied on to offer viable explanations for inequalities in educational outcomes among poor students and working-class students in Ireland. Yet, inequality persists.

3.4. Limitations of Education Policy Responses

It is hard to argue that experiences of poverty do not negatively impede upon education, especially if children are going to school hungry or their parents do not have the economic means to ensure that they have the correct uniforms, books and the array of other materials children need to both attend and participate in schooling. It is equally difficult to argue that children who, in addition to experiencing poverty, live in communities challenged by marginalisation, exclusion, low levels of educational attainment, high levels of crime and substandard housing conditions, do not come into school a little less school ready, than perhaps schools would like. And it would be unjust to argue that children who experience those multiple forms of inequalities, such as was the case for the students in this research, should not be compensated in some way through the education system for social and economic inequalities for which they have no control over.

But have such policies, in practice, worked to positively discriminate in favour of the students at the centre of this research? Or do they reflect what Reay (2006) has termed as the 'unacknowledged pathologisation and diminishing' (2006: 289) of such students by the education system? Has the mobilisation of interventions aimed at the home, schools and communities of such students, through educational polices, diverted this cohort of students from becoming involved with the criminal justice system? Have such polices changed how this cohort of students experience school? And has the supposed end of historical segmentation of schools into 'secondary schools for the middle classes', 'vocational and technical schools for the working classes' and 'special schools' for 'delinquents' actually resulted in any change from practices that homogenise social groupings on a class basis in the Irish education system?

Recalling the conclusion drawn in the Kennedy Report (1970) discussed above, in terms of the types of students who are deemed 'at risk ' of becoming a delinquent, the types of schools that such students should be placed in and how such students should be treated educationally, makes it important to ask whether educational polices, in a segmented system, can serve the use of 'singling out certain social or physical attributes as a justificatory bases for exclusion' (Adkins and Vaisey 2009: 112). What happens when students are directed into different types of schools that are also perceived to be indicative of their present capacities and future destiny?

Whilst it is clear that over time, the language mobilised in Irish education policies, particularly as it relates to addressing inequality, pedagogy and inclusion has changed. What is less clear, however, is the question of whether or not the epistemological assumptions informing the educational policies and practices of the past have fundamentally changed with this contemporary shift in policy language. What are the contemporary implications for profiling of students in ways that replicate historical practices and assumptions? Have the approaches to engaging educationally with students whose background circumstances are considered to be a cause of concern or risk changed significantly over time, and what elements of historical policies remain? Do we have an Irish School to Prison Pathway? The next chapters will explore such questions, in more depth.

3.5. Legal Context of School Exclusion in Ireland

Irish law recognises the fundamental importance of education and this recognition is exemplified in the Irish constitution 1937, the Education (Welfare) Act 1998, the Education for Persons with Special Education Needs Act 2004 and the Equal Status Acts 2004. In Ireland, the role of parents in education has a constitutional basis. Parents are acknowledged as the primary educators of their children:

> *The State acknowledges that the primary and natural educator of the child is the Family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social education of their children* (Article 42.1)

The freedom of parents to choose a particular type of education for their children is also given a constitutional basis. The role of the State is therefore perceived to protect and

promote these parental rights and maintains a limited right to prescribe that 'a certain minimum education' be attained by children (Coolahan 2000, cited in Byrne and Smyth 2010: 3).

> *Parents shall be free to provide this education in their homes or in private schools or in schools recognised or established by the State. The State shall not oblige parents in violation of their conscience and lawful preference to send their children to schools established by the State, or to any particular type of school designated by the State.* (Articles 42.2 and 42.3.1)

The Education Act 1998 ensures the formal provision for the education of every person in the State. The Act governs Primary, Post Primary school, as well as Adult and Continuing Education and Training. It sets out the functions and responsibilities of all key partners in the schooling system. Accountability procedures are laid down and attention is paid to the rights of schools, parents and pupils (DES 2004). The Education Act 1998 also sets out the responsibility of the Minister for Education and Skills to ensure that there is made available to each person resident in the State, including a person with a disability or who has other special educational needs, a level and quality of education appropriate to meeting the needs and abilities of that person.

The provision of the Education for Persons with Disabilities Bill 2003 is designed to further underpin the rights of students with disabilities. The purpose of the Bill is to make detailed provision for the education of children with educational disabilities (DES 2004). Children with 'special educational needs' enjoy the explicit presumption of mainstream schooling and schools are obliged to make 'reasonable accommodation' for such pupils under the Education for Persons with Special Educational Needs Act 2004. 'Reasonable accommodation' of students with special educational needs extends to disciplinary sanctions under the Act and such students should only be excluded on the grounds that the provision of education to other students is rendered impossible.

The Education Welfare Act 2000 repeals the 1926 Legislation on school attendance. It provides a framework within which issues relating to the educational welfare of children, including the causes and effects of non-attendance at school, can be addressed effectively. Section 21 of the Education (Welfare) Act (2000) mandates that the

principal of a school maintain a record of daily attendance and non-attendance of all students registered at that school. Section 21 (6) of the Act further requires schools to submit accurate records of all school attendance and absences to the Child and Family Agency (TUSLA). This includes the notification of fixed term suspension, expulsion and rates of absences other than through the means of fixed term suspension and expulsion.

Section (23) of the Education (Welfare) Act 2000 requires all schools to prepare and make available a code of behaviour for its students (NEWB 2008). The Act makes it compulsory for schools to explicitly specify:

a) The standards of behaviour that shall be observed by each student attending the school,
b) The procedures to be followed before a student may be suspended or expelled from the school,
c) The grounds for removing a suspension imposed on a student; and
d) The procedures to be followed relating to the notification of a child's absence from school.

Schools can exclude a student where there is a serious breach of the school code of behaviour, provided that all other in-school disciplinary, and positive behaviour management measures have been exhausted before a suspension or permanent exclusion is imposed. Any proposal to exclude a student, through suspension or permanent expulsion, is deemed a serious step, warranted only by very serious misconduct, where strict procedures and protocols must be adhered (NEWB 2008).

In cases of exclusion, schools are required to follow the principles of fair procedures when proposing to suspend or expel a student. This includes the right to be heard and the right to impartiality (NEWB 2008: 67). This means that a formal process must be followed whereby students and parents are made aware that the alleged misbehaviour is being investigated, given the details of the allegations being made and any other information that will be taken into account in the process. It also requires that students and parents are made aware of how the decision making process works and are given

the opportunity to respond to the allegations and to ask questions where there is a dispute about the facts.

In all cases of school exclusions, parents have a right to appeal the decision. In the first instance, a parent can appeal a suspension or permanent exclusion to the Board of Management of a school. Parents also have a right to appeal exclusions directly to the Department of Education Skills under Section 29 of the Education Act 1998.

Under Irish legislation, there is no legal obligation on a school, who has permanently excluded a student, to make provision for the education of that student while they are awaiting a place in another school. Nor is there a legal obligation for another school to accept a student who have has been permanently excluded from a school, and is thus without a school place.

However, there is a legal obligation on parents and guardians to ensure that their child has access to a school place, and/or that their child is provided with adequate minimum education. Provision is made under the Home Tuition Scheme (HTS) to support parents whose children do not have a school place, are without an offer of a school place and where a school place is actively being sought, to access home tuition hours. Under the scheme children are allowed a maximum of 9 hours per week of tuition by a tutor who is registered with the Irish teaching council for a period of 6 weeks (DES Circular 0056/2019).

There is a lack of clarity and data relating to what happens in cases where a student has exhausted their 6 week entitlement to home tuition hours and their parents have failed to secure a school place for them during that period. What is clear in the legislation is that the responsibility for ensuring that a child has access to a certain minimum education, lays firmly with parents. This represents a clear imbalance in responsibility and accountability between parents, schools and the State when it comes to ensuring that children have access to education. The following chapter maps the empirical field of education and the criminal justice system.

Chapter Four. Mapping the Field of Education and the Criminal Justice System: An Empirical Literature Review

4.1. Introduction

This chapter maps the empirical literature which is most helpful in addressing the research question and contextualises this in a wider field of research into related areas. Because there is very little literature in the Irish context addressing the perceptions and educational experiences of people who have become involved in the criminal justice system, the school to prison pipeline (STPP) framework that has been developed in the U.S, is utilised as a guiding lens for this chapter. It does not engage substantively with the prison education literature in Ireland and beyond because its focus is on the prior formative educational experiences of people before they became involved with the criminal justice system.

The reason that the STPP is not adopted as an *explanatory* framework in its own right, as it is in the case of the U.S. is because it is not directly applicable to the Irish educational context. In the U.S, the STPP is a process that *criminalises* students for breaches of school codes of behaviour. This is done through school disciplinary policies and practices that put students into direct contact with the justice system for behaviour that should be dealt with at school level (Heitzeg 2009; Rocque and Snellings 2017; Smith 2009).

Although Irish schools are not operating in the same climate to that of the U.S, whereby security guards, school resource officers, random searches, metal detectors and security cameras are part of the normative school routine for U.S students (Mallet 2016), much learning can be derived from the U.S experience, in particular, we can learn why educational policies matter in the wider penal system and the unintended consequences that decisions made at school level that they can have in practice for teaching and learning (Hirschfield and Celinska 2011; Welch and Payne 2012) and future prospects of students. It means paying attention to who gets excessively punished by way of expulsion and suspension, and for what reasons (Hirschfield 2008; Skiba et al 2002; Welch and Payne 2012). It also helps to highlight the unequal application of school disciplinary sanctions along race, class and ethnicity lines, and the implications that

such practices have on school achievement and retention levels, as well as the increased risk of becoming involved in the criminal justice system (Wright et al 2014).

This chapter first presents an overview of the literature and research developed in the U.S on the STPP and this is reflected on in both the Irish and UK educational landscapes. It must be said that the literature on the STPP is anything but a unified whole. It spans various disciplines including sociology, psychology, social policy and legal studies and encompasses a broad range of themes including school discipline, relationships, inequality, class, race, school processes, neighbourhood effects, poverty, bias, and disproportionality. In addressing each of these themes, this chapter offers a constellation of a number of interrelated concepts that have sought to explain how some people become involved with the criminal justice system, though it is not absolutely comprehensive. Theoretical reflections on the relationship between school and involvement in criminal justice system contextualised in the Irish perspective is addressed in Chapter 5.

4.2. The School to Prison Pipeline

The STPP has been described as a process that facilitates school disengagement through the intersection of school disciplinary policies and practices with the juvenile justice system (Kim et al 2010). Internationally the STPP is distinctly characterised by the use of harsh school exclusionary and disciplinary practices and there disproportionate application along class, gender and ethnicity lines (Balfanz et al 2015; Gill 2017; Graham 2014; Heitzegs 2009; McAra 2004; Machin et al 2001; McAra and McVie 2010; Price et al 1992; Schollenberger 2015; Skiba et al 2014; Skiba 2015). Those who are being disproportionately excluded from the education system are identified as those whose risk of becoming involved in the criminal justice system is increased. Sykes et al (2015) have suggested that the connection to likelihood of criminality is driven at least in part by the bleak financial outlook for students who have no formal education.

In the U.S, the literature emphasises the distinctly systemic nature of the STPP, the origin of which has been traced to the introduction of zero tolerance policies developed in the 1980s. These policies were originally intended to deter acts of violence in schools involving the use of weapons and drugs (Heitzegs 2009; Mallett 2015; Smith 2015). In practice, however, the policies have come to serve as a removal mechanism for students

who are deemed ‘disruptive’ or ‘troublesome’ from schools, often for minor breaches of school rules such as truancy and talking too loudly in class. This has led to the development of a collaborative partnership between schools and courts creating a punitive and harmful framework, the evidentiary impact of which, supports the use of ever more harsh school-to-prison-pipeline terminology and practices (Mallett 2015: 15).

4.2.1. School Discipline

The central argument of the STPP position is that the use of punitive disciplinary and exclusionary practices in schools set in motion a process that eventually results in some students being pushed out of education system and into the juvenile justice system. Practices such as out-of-school suspension, expulsion and referrals to alternative education programmes have been identified in international literature, as facilitating points of entry into the STPP (Heitzegs 2009; Losen and Skiba 2010; Mallett 2015; Skiba, et al 2014; Skiba 2015; Wald and Losen 2003; Wright et al 2014). In turn, these disciplinary and exclusionary practices have been linked to higher rates of non-school completion and early school leaving (Losen and Martinex 2013). Absenteeism from school and the ‘denial of access to learning opportunities that occurs when students are out of school’ (Townsend 2000: 382), make academic progress on the part of excluded students more difficult (Gill 2017; Balfanz et al 2015; Skiba 2015). The reason for this is that students who receive out of school punishments are typically not provided with opportunities to continue with their schoolwork throughout the time that they are out of school (Townsend 2000). Once in the disciplinary system, schools make the reintegration of such students back into the classroom difficult, increasing, in turn, the likelihood of them dropping out of school early and leading to other negative outcomes such as involvement with the juvenile and criminal justice systems (Frierman et al 2009; Gill 2017; Balfanz et al 2015, Skiba 2015).

4.2.2. Disproportionality

A striking element of the STPP literature is the disproportionate application of disciplinary and exclusionary practices among particular categories of students. These include students of colour, students from lower socio-economic backgrounds, students with learning disabilities, students who are in care and students who are homeless (Acher 2009; Graham 2014; Heitzegs 2009; Mallett 2015, 2016; Pane 2014; Rocque et

al 2011; Raffaele et al 2003; Skiba et al 2011; Skiba 2000). Losen and Gillespie's (2012) findings revealed that the risk of getting suspended, expelled or otherwise excessively punished in school is not borne equally by all students. For example, students with learning disabilities are suspended at twice the rate of their peers who do not have learning disabilities, while one out of every three students with emotional and behavioural disturbances throughout the United States was suspended from school in the academic 2009-2010 (Losen et al 2015). In their study, Skiba et al (2000) collected the disciplinary records of 50,000 middle school students in a large urban public school districts in the U.S in an attempt to explore the possible explanations for disparities in the application of school discipline sanctions. Their results indicated that minority students represented 66.1% of referrals to the office, 68.5% of suspensions, and 80.9% of expulsions.

The literature has been unable to establish a convincing evidence base to support the contention that differences in student behaviour may account for the disparities in disciplinary and exclusionary practices between white, middle-class students and their non-middle-class and minority peers. A number of empirical studies in the U.S have found that differences in student behaviour did not account for the disparities in disciplinary and exclusionary sanctions. They indicated that the students who receive such punishments pose little, to no threat of harm to other students, their schools or their communities (Losen and Skiba 2010; Mallett 2015; Rocque 2010; Skiba et al 2011). The evidence suggests that such categories of students tend to receive hasher punishments for similar behaviours to those students who have dissimilar background characteristics to them and higher status (Carter et al 2014; Kupchik 2010; Skiba et al 2012). Claims of a causal relationship between poverty and higher rates of violent or disruptive behaviour is, therefore, an unsubstantiated one, as it relates to the STPP (Fabelo et al 2011; Carter et al 2014; Skiba et al 2012).

4.2.3. Factors Influencing Disproportionality

The literature has identified a number of factors that both increase the use of excessive disciplinary and exclusionary practices and the disproportionate application of them. These include national policies, the location of a school, the demographic makeup of the students populating a school and negative perceptions of working-class and

minority students on the part of educators (Arum 2003; Kupchik and Monahan 2006; Payne and Welch 2010; Skiba et al 2011).

4.2.3. i. School Type and Location

Forman (2012) has noted the emergence of a two-tier public education system in the U.S: one is for the privileged and one is for the poor. She argued as a consequence that the promise of educational equity has remained unfulfilled. She used the term 'ghetto education' to describe what this distinction means for the educational realities experienced by working-class students. She conceives ghetto education as a phenomenon that has multiple contributing factors and one disturbing outcome: it creates second-class citizens, who are under-educated at best and illiterate at worst. This is because ghetto education is characterised by punitive disciplinary policies, de-facto racial and socio-economic segregation, and weak academic expectations and offerings (Forman 2012: 68). Students who are subjected to a ghetto education, she says, are left with a unique sense of demoralisation and alienation that occurs from constantly being made to feel that they are not smart enough, component or successful. She further argued,

> [s]tudents who are subjected to a ghetto education are disempowered and disengaged, seeking a sense of self identity through actively disidentifying with the school and the values a liberal education promotes. A ghetto education perpetuates poverty and prepares an entire demographic of youth for life at the margins of our nation's political, economic, and social framework (Forman 2012: 68).

Schools located in urban neighbourhoods that struggle with poverty and who serve high concentrations of working-class and minority students have more rigid disciplinary and exclusionary regimes and the highest rates of disciplinary sanctions (Payne and Welch 2010; Rocque 2010; Skiba et al 2011). In the absence of behaviours being able to account for the persistent overrepresentation of these students in disciplinary and exclusionary practices, researchers began to examine school factors in an attempt to gain some insight into what might be giving rise to the disproportionate regime of discipline and exclusion in schools.

Neighbourhood specific regeneration and area improvement policies explicitly imply that neighbourhoods make a difference to the prospects and pathways of individuals

and their life outcomes (Gibbons 2002). This, according to McDool (2017), is because the peers, social norms, exposure to violence and crime and physical resources provided by the neighbourhood are likely to differ vastly between deprived and non-deprived neighbourhoods. She points to a number of studies that have demonstrated that 'neighbourhood characteristics matter in terms of determining educational outcomes for children' (2017: 2). A number of studies have located the disproportionate use of disciplinary and exclusionary practices as arising from teachers reacting to and enacting negative stereotypes in respect of the homes and types of neighbourhoods that some categories of students live in. In terms of the disproportionate use of disciplinary and exclusionary practices some students and their parents can become 'contaminated by their area of residence' in the eyes of schools (Pearce 2012: 1922), resulting in educators locating the reasons for disproportionate disciplinary and exclusionary practices within the homes, bodies, behaviours and/or brains of such students (Morgan and Farkas 2015). Forman contends that if there is to be a radical transformation of how marginalised students experience education is to be overcome, then the values of equality and democracy must be reclaimed fully and be armed with the hindsight of history (Forman 2012: 115).

4.2.3. ii. Relationships

The importance of quality relationships between teachers and students is well established in the literature (Beck and Muschkin 2012; Berkowitz et al 2016; Burchinal et al 2002; Noddings 1984, 2002, 2003, 2005; Marzano and Marzano 2008; Murray et al 2000; Rocque 2010; Whitaker 2004).

According to Marzano and Marzano, 'the quality of teacher-student relationships is the keystone for all other aspects of classroom management' (2008: 1). Negative bias, stereotyping, or misconceptions on the part of educators towards the homes, lifestyles and neighbourhoods of working-class and minority students is said to negatively alter the quality of relationships that teachers have with them, which in turn, implicitly influences decisions about punishment and exclusion (George 2015; Rocque 2010). On the other hand, a positive relationship with teachers and principals has been identified as a protective factor from negative academic and behavioural outcomes, increased rates of school completion and the experience of less punitive disciplinary sanctions. Studies have demonstrated that students in schools with positive climates perform

better academically than what they would otherwise have achieved on the basis of SES background (Berkowitz et al 2016: 2). Beck and Muschkin (2012) found that negative educational experience is the largest component of the race difference in behaviour.

This suggests that the student–teacher relationship may be even more important in predicting outcomes for lower-socio economic and minority students than other factors. Close student teacher relationships have been associated with better social and academic outcomes for students. For example, students who are insecurely attached to their mother, but securely attached to their teacher, are more socially competent than children who are insecurely attached to both mother and teacher. It is thought that a secure attachment relationship with a teacher could potentially compensate for an insecure maternal attachment relationship. Burchinal et al (2002) found that student's relationships with their teachers were related to their acquisition of receptive language and basic reading skills from preschool through to second class (Cited in Decker et al 2006: 87).

Murray et al (2000) found that students who experience positive interactions with their teachers display fewer behavioural problems than students who experience poor or coercive interactions with teachers. Meehan et al (2003) in their study, among students who exhibited highly aggressive behaviours, found that where supportive student teacher relationships were present this correlated with declines in levels of aggressive behaviour on the part of students. Student-teacher relationships also influence school retention rates. Decker et al.'s (2006: 85) study revealed that having a positive relationship with one's teacher is a factor that promotes positive outcomes and ameliorates risk for negative educational outcomes.

4.2.3.iii. Diversion to Special Educational Provision

In addition to disciplinary practices, the assignation of working-class and minority students into special educational provision has been identified as another means in which the school system works to constrain student achievement and funnel students into the STPP. Drawing on the work of Skiba and Noguera (2010), Annamma et al (2014) have suggested that the achievement gap and the discipline gap are two sides of the same coin and argued that disparities in discipline contribute to disparities in academic test scores. They further pointed to evidence that suggests that special

education placements can act as a trapdoor in funnelling some students into the path of the justice system. So too, Harry and Klinger‘s (2006) research led them to conclude that

> *[t]he process of determining children's eligibility for special education is anything but a science. Rather, it is the result of societal forces that intertwine to construct an identity... for children whom the regular education system finds too difficult to serve”* (cited in Annamma et al 2014: 60).

What has been suggested is that responsibility for problem behaviour is (wrongly but) often located within the individual child or with their social milieu rather than within the school. This overlooks the constitutive role of schooling itself in constraining ability, producing problem behaviour and in turn, shaping the reputation or status a child acquires in the process (MacLure et al 2012). In this way students’ actions, behaviours, and demeanour are calibrated against powerful definitions (overt and tacit) of what counts as ‘normal’ development, ‘orderly conduct’, and the ‘proper child’.

It is further argued that because such discourses are strongly informed by developmental psychology and privilege a particular model of normality, it is the children who fall outside the normalised world of white middle-class advantage, who are “othered” and who become the object of pathologisation’ within the education system (MacLure et al 2012). As a result, these students come to be recognised as disturbed, either emotionally, behaviourally or both. Their chance of being recognised as normal, let alone a ‘good student’ is severely curtailed in advance (ibid). Education for such students tends to focus on interventions to fix ‘supposed cultural deficiencies’, the implication of which, some argue, is an education that solely consists in ‘teaching students how to look at the teacher, dress right, and act and speak accordingly’ (Alonso et al 2001: 201).

Claims that disproportionality in exclusionary and disciplinary practices on the part of schools can be accounted for by differences in ability, behaviour and or contextual factors such as family structure and poverty are contested in the literature. Collins et al’s (2016) study concluded that there is a problematic, yet all too common tendency to privilege poverty explanations. They argue that deficit-based assumptions make the

claim that 'lower-socio economic children are disproportionately placed in special education because either they or their environments are deficient' (2016: 6). They further point out that such explanations both serve to naturalise and justify the disproportionate placement in special education, higher rates of referral for behavioural issues, and lower rates of achievement of working class students 'which place the problem of disproportionality not on referral bias, negative stereotypes, lowered expectations on the part of educators, reduced opportunities to learn or the historical legacies of discrimination, but on the students themselves, their families, and their communities' (2017: 7). It has been argued that these 'faulty assumptions based on an over reliance on stereotypes' (Nols et al 2017: 211) create a vicious cycle that compromises academic rigor, and positive expectations based on 'deeply racist and class-biased stereotype' thinking and practices (Winn and Behizadeh 2011). In turn, system failures become student failures and the 'institutional structures that track students into areas where expectations are diminished, become legitimised' (Toshalis 2012: 12).

4.2.4. The Irish and the UK Landscapes

4.2.4..i. Education and Involvement with the Criminal Justice System

From the limited research that exists in Ireland, it appears that the relationship between school and involvement with the criminal justice system may share some commonalities with the U.S literature. Like the U.S, the Irish prison population is conspicuously homogeneous and not reflective of wider Irish society in terms of both education attainment levels and demographical profile. Prisoners in the Republic of Ireland tend to be young, urban, under-educated males from a small number of geographical areas (Breen 2010; IPRT 2016; O'Mahony 1997). A significant proportion of Irish prisoners have virtually no literacy skills and have previously reported 'having had very little involvement with the education system, even during the years of compulsory schooling' (Morgan and Kett 2003: 9). Young males between the ages of 18-24 years are disproportionately represented in the Irish prison system. In 2016/2017, persons between the ages of 18-25 years accounted for 21.5% of the overall committals to prison (IPS 2018). Not being in the education system has been shown to be a significant risk factor in this regard (Costello 2015: 7).

In a recent submission to *Joint Committee on Education and Skills on Education Inequality and Disadvantage*, the *Irish Prison Reform Trust* (IPRT) cited an unpublished survey conducted by the Irish Prison Service over the period 2015- 2017, based on aggregated data from the Midlands, Wheatfield and Limerick prisons. The results showed that 25.6% of prisoner participants had attended no secondary school, 52% of participants left school before Junior Cert and 80% of participants had left school before Leaving Certificate (2019: 2). In the same submission the IPRT cited statistics taken from Oberstown Children Detention Campus' *Point In Time Statistics*. They highlighted January 2018 which showed that of the young people in detention, 23 of 43 young people detained at that time were not engaged in education prior to their detention. It was unclear from the available files whether an additional nine young people had been engaged in education prior to their detention (2019: 3).

In Scotland, McAra and McVie (2013: 9) found that children living in single parent families and those living in neighbourhoods challenged by social and economic marginalisation were more likely to be excluded from school and subsequently end up in prison later in life. They found that the age at which a student gets excluded from school is significant in terms of later imprisonment. Students excluded from school at the age of 12 years were over ten times more likely to end up in prison as adults. They also found disparities in school behavioural sanctions existed by social class.

4.2.4.ii. Educational Policies and Social Inequality

Unlike the U.S, Ireland has not adopted what could be considered as a 'zero tolerance' approach to educational polices. Instead, Ireland has adopted what is termed in literature 'compensatory' approaches to educational policy for lower working-class and minority students. Central to these policies is the concept of interagency working in education, which has assumed a key policy focus since the mid-1990s in Ireland, particularly in the area of addressing educational disadvantage (Cullen 2000; DEIS 2005; DES 2004; Kelleher and Kelleher 2005; OECD 1995; Stokes 1996). The key objective of such policies was the development of partnerships and the co-ordination of service provision between education and non-education stakeholders (Boldt and Devine 1998).

However, there are some similarities with the U.S in that educational policy discourse in Ireland has been somewhat consistent over time in terms of the thinking, language and approach that it has adopted in relation to lower working-class students and the measures deemed necessary to address 'socially inherited deficits'. Such policies have taken an 'intervention' approach to education for lower working-class students that presupposes *a priori* a collective limited academic ability on the part of such students and a diminished capacity to regulate their social, emotional and behavioural skills appropriately. Policies that subscribe to the deficit perspective identify students and their families as a source of risk and thus the cause for educational failure (Cassidy et al 2005; Deschenes et al 2001, Wotherspoon et al 2001). From this perspective, students are seen as having a number of personal deficits that impede their success, for example, learning disabilities, poor motivation, or low intelligence (Cassidy et al 2005: 69).

In the Irish context, the type of approach favoured by the Irish Government is one that aligns most closely with the deficit explanatory framework as the cause of class-based inequalities in education. This is exemplified in the consistent adoption of programmes and interventions targeted at external factors by way of the 'homes, schools and communities' of the lower working-classes as seen in the previous chapter.

Evaluations of the impact that such policies have had over time in either eliminating class-based inequalities or reducing the class-based achievement gap between students have been minimal. Drawing on the *Growing Up in Ireland Report,* Smyth et al (2015) found that levels of inequality of outcomes between urban DEIS schools and non-DEIS schools have not demonstrated any significant improvement over time. Equally, Kavanagh and Weir (2018) reaffirmed those findings in their impact evaluation of DEIS. They too found, that wide achievement gaps continue to persist between students in DEIS and non-DEIS schools. While they found that gains in the area of numeracy and literacy have been made each year in urban DEIS schools since testing began in the mid 2000s, such gains remain considerably below national averages.

A number of other Irish researchers have consistently shown that class-based inequalities in education continue to present as a cause for concern despite the sustained investments in targeted educational supports since the 1980s to the present (See, for example, Byrne et al 2009; Byrne and Smyth 2010; Drudy and Lynch 1993; Hannan et

al 1996; Lynch and Lodge 1999; Lynch and O'Neill 1994; McCoy 2006; Smyth 1999; Weir 2003).

However, the picture is not all bleak. There are some encouraging findings that have emerged from these studies. For example, achievement in numeracy and literacy levels for students in rural DEIS schools, are on par with those of students in non-DEIS schools. There has also been a significant improvement in school retention rates of students in DEIS schools at both Junior and Leaving Certificate levels. In addition, there have also been noticeable increases in the numbers of students in DEIS schools taking subjects at ordinary and higher level in both the Junior and Leaving Certificate examinations (Weir and Kavanagh 2014). These gains challenge the assumptions that may remain implicit in educational policies and practice that ability is fixed or that a lack of appropriate cultural capital makes any significant academic progress on the part of working class students, unlikely. Instead the available evidence supports Drudy and Lynch's contention that

> *[d]ifferences in style, language and attitude between working-class children and the institution of the school are of far less significance for understanding inequality in education in postcolonial contexts such as Ireland* (1993: 163).

In their analysis of Irish studies on poverty and education, Drudy and Lynch (1993) identified economic barriers as having far stronger explanatory power in accounting for classed based inequalities in education over theories that emphasise cultural capital deficit explanations. They highlighted Irish evidence that demonstrated that students who came from the more secure and well-paid sector of the working classes (skilled manual labour) have consistently higher rates of school retention, progression and participation in third-level education than other working-class groups. Drawing on evidence that demonstrated that working-class students achieved well in the education system when they had the *economic* resources to do so, they concluded that, if income and wealth differentials were eliminated, then 'the problem of working-class failure' in education would be reduced significantly.

With the emerging evidence weakening the psychological deficit and cultural capital theses in accounting for the class-based inequalities in education, other Irish researchers

have begun to follow Drudy and Lynch's (1993) divergence from the deficit perspective and have pointed to income levels as a more plausible explanation for accounting for the gains made and the inequalities remaining among working-class students (Kavanagh and Weir 2018; McCoy 2004). However, upon careful examination, the income inequality thesis does not stand up to scrutiny, at least not in accounting for the gap in achievement. It is the case, for example, that over half of disadvantaged students attend non-DEIS schools. Data from the *Growing Up in Ireland* research indicates that over two-thirds of children from semi-skilled or unskilled manual and/or non-employed backgrounds attend non-DEIS primary schools. Patterns are roughly comparable for Post Primary schools. Thus, a significant group of students from disadvantaged backgrounds are not receiving any additional support in school on the basis of that disadvantage (Smyth 2017: 177-178).

Yet, at the same time, we know that achievement levels are highest in non-DEIS schools. We also know that retention rates to Junior Certificate level in non-DEIS schools are currently around 97.3%, with Leaving Certificate completion rates in and around 92% in non-DEIS schools (Kavanagh and Weir 2018). The fact that achievement, retention and school completion levels are so high in such schools, in the absence of material supports for the significant amount of working-class students who attend them, casts doubt on the economic inequality thesis as it relates to explaining achievement levels and ability to learn as oppose to attendance and participation.

What all of these studies have in common is that achievement is higher, irrespective of the nature of student background characteristics in schools where levels of concentrated disadvantage are lower. Taking the overall Irish evidence together, it would appear that the 'problem of working–class failure' in education is less to do with the socio-economic and cultural disposition of working-class students and more to do the failure of the preferred policy approaches "to examine rigorously the school as the primary reason for educational failure" (Hanafin and Lynch 2002: 37). This suggests that schools matter and what happens within them make a difference to how students fare, regardless of student background characteristics upon entry to the school (McCoy and Smyth 2013). In a policy submission to the Department of Education and Skills in 2011, *Social Justice Ireland* stated that 'early school leaving is a particularly serious

manifestation of wider inequality in education, which is embedded in and caused by the structures in the education system itself and not individual students' (SJI 2011: 176).

This indicates that when it comes to understanding the factors that place some students at risk of negative educational outcomes, which in turn increases their risk of becoming involved with the criminal justice system, the variables that educational policy point to and target as the problem (i.e. socio-economic factors, poverty, family characteristics, and learning difficulties), may not necessarily be the central factors that cause underachievement or purported behavioural issues which leads to higher rates of disciplinary and exclusionary practices among this cohort of students. It would appear, like the U.S context, that focusing on such factors serves to problematise and pathologise specific groups of students as opposed to giving an accurate insight into the educational encounters, processes and practices that push students onto specific educational tracks and that, in some cases, lead to the exclusion of those students from the mainstream school system or their placement in specialist alternative provision. In such cases, educational polices can be seen as potentially 'risk inducing' as oppose to 'risk protective' for some students, as distinct from a focus on, for example, challenging home or community environments as an explanation for students' difficulties in school (Cassidy et al 2005: 70).

Thus, a disconnection appears to exist between the perceptions of educators and policy-makers in respect of family support for education and the lived realities and experiences of working-class students whose parental attitudes towards education demonstrate the value they place on it. This disconnect may well be reflective of the lack of inclusion, consultation and dialogue with working class students and parents in the development of educational policies that affect them most (Hanafin and Lynch 2002; Lynch and Lodge 2002). The wider literature on educational equity offer some possibilities for remedying this situation. Iris Marion Young offers one such framework for schools and policymakers to include working-class students and parents in the policy decisions that affect their lives. She also describes what it would look like. In her book, *Inclusion and Democracy*, she outlined out a democratic framework that applies a critical ideal of inclusive processes that recognises and accommodates social differences through openness to a plurality of modes of communication (Young 2002). Democratic equality in the educational process, she argues, rests on the principle that everyone whose basic

interests are affected by policy decisions should be included in the process of developing them. Anything short of this, she suggests, undermines the democratic legitimacy of the educational endeavour.

4.2.4.iii. Disproportionate Discipline

In Ireland, student socio-economic status is a strong predictor of punitive school discipline and non-school completion. Similar to the U.S experience, in Ireland rates of punitive discipline appears to increase depending on the location of a school and the demographic makeup of the students populating it. Rates of punitive and exclusionary disciplinary practices are consistently higher in schools serving students with the highest concentrations of social and economic disadvantage (Millar 2016; Smyth et al 2014).

In 2014, in excess of 15,000 students between primary and secondary schools were suspended from school in Ireland. On average over 200 students per year are formally expelled from school. Rates of expulsion and suspension are consistently higher in DEIS schools serving working class populations than in non-DEIS schools serving more affluent populations (Millar, 2016, p. 2). In this same report the author found that statistics for all forms of non-attendance, including fixed term suspensions and expulsions, are higher in DEIS schools serving working class communities (25.3%) compared with non-DEIS schools (13.5%) serving more affluent communities (Millar 2016: 29).

In a DEIS Post Primary schools progress report carried out by the Department of Education and Skills in 2011, inspectors indicated that unexplained absences in DEIS schools may be related to 'aspects of practice' such as suspension (DES 2011: 11). They further noted, that in 44% of post primary DEIS schools there was a need for improvement in relation to accurate recording of data. They concluded that in relation to both attendance and school retention, DEIS schools need to re-evaluate their practices in relation to suspension (DES 2011: 12).

Dale (2011: 21) has argued that in some instances families can have contradictory social, behavioural and cultural expectations to those of schools, and as a consequence disengagement from school may be supported and confirmed by attitudes and

experiences in the family and the wider community. The evidence in Ireland does not appear to support this proposition. For example, in a study published by the National Youth Council of Ireland in 2012, 62% of the young people interviewed cited 'school based issues' as the reason why they decided to leave school early in comparison to just 14% who cited 'family issues' as the reason for their decision (Lally 2012: 7).

In 2011, the Department of Education and Skills (DES) commissioned the Attorney General to carry out an evaluation of DEIS Secondary schools to assess their progress in delivering the aims of the DEIS policy as set out in the DEIS action plan (2005). The report noted the high percentage of 'positive expectations' of both students and parents regarding progression on to Leaving Certificate and Third Level education but found that schools needed to do more to provide the necessary support to enable those positive expectations of students and parents, in DEIS schools, to be fulfilled (DES 2011: 12). They found that 95.3% of the parent cohort interviewed stated that they expected their child to complete the Leaving Certificate, while 79% of 3rd to 5th year students stated that they wanted to go to university or further education, but felt that such aspirations were not being supported by DEIS schools.

The inspectors found that school processes and practices such as suspensions and lack of access to an appropriate range of subject choices were impeding the expectations and aspirations of working class parents and students. This was compounded by ignoring warning signs such as non-school attendance, and the lack of specific strategies in place to deal with early school leaving in the Senior Cycle once students reached their compulsory schooling requirements (DES 2011: 12). Inspectors hinted at possible 'push out' practices, that is, the possibility that schools may be directly triggering premature exit of working class students from school through the use of practices such as suspension and streaming (DES 2011: 11).

Disproportionate disciplinary practices may well be indicative of the contemporary implications of profiling students in ways that replicate historical practices and assumptions. Masschelein and Simons (2012) deviate from the popular notion that education and learning ought to have clear and visible connections with the world as experienced by students and with society as a whole. They argue that in order for schools to free themselves from their historical purpose and function and to reinvent

themselves as a public good for all students they 'must suspend or decouple traditional ties with the families of students, with their social environment and with society itself' (2012: 15). That is, starting school should be viewed as the start of the process of becoming for each student, and the chance (temporarily) to leave their past and family background behind. They perceive this as the start of helping students to become students in their own right in the time and space of the school.

4.2.4.iii. School Type and Location

Smyth et al (2014) found that DEIS schools in urban areas have more challenging disciplinary climates and a greater prevalence of negative interaction between teachers and students. They found that such negative interactions were associated with lower rates of school retention levels and completion of secondary school (2014: 14). As indicated above, the stigmatisation of social housing and that of 'place' is well documented and empirically supported by a growing body of literature (Davison et al 2013; Jacobs and Flanagan 2013; Dean and Hastings 2000; Fahey et al 2011; Wacquant 2008; Fahey 1999; Warr 2006; Hastings 1999; Power 1998; Power and Tunstall 1995). Such scholarship reveals how those who occupy such housing estates are viewed in policy discourse and in practice as a 'moral' and 'undeserving' underclass. This attaches to them what Goffman terms a 'damaging mark' (or stigma) that makes them not only appear different to others but also 'as a less desirable kind, a person who is bad, who is dangerous or weak' (1963: 3). Thus, some students can be viewed and treated as if they had already been so damaged by the time that they start school, that only a handful of them can be saved (Payne 2008: 73). By this measure, such stigma or 'damaging markings' can serve to spoil the identities of those children coming from such social housing estates before they ever 'break a rule' or step out of line in school.

Goffman maintains that once stigma is attached to a social group, in this case students, then those students are then reduced in policymakers' and educators' minds from a whole person to a tainted, discounted one, no longer seen as fully human but rather the carrier of a category. Based on this discounting, varieties of discrimination are exercised whereby teachers effectively, even if often unthinkingly or unwittingly reduce those students' life chances. The stigma that marks them is viewed as failure, a shortcoming and a handicap, and when people are not seen as fully human, it is easy to

justify the continued use of particular policies and practices towards them (Russell 1998: 17).

Goffman argued that ways are found to blame a social group for their perceived shortcomings and specific terms are used to imply a wide range of imperfections (1963: 5). Any defensiveness on the part of parents and students to such practices, prejudices and stigma is perceived and framed as a direct expression of their personal, academic and social deficits (Goffman 1968: 6) rather than attributable to deep systematic practices and attitudes embedded within the education system. This is why Masschelein and Simons contend that schools should be the time and space where students can let go of all kinds of sociological, economic, familial and culture related rules and expectations. This involves suspending the weight of norms that dictate or explain why someone and his or her whole family or group falls on a certain rung of the social ladder or the rule that says that children from housing projects have no interest in maths (2012: 35). It is only though this suspension, they argue, that children can appear as students. The past and future must be suspended and students allowed to experience the here and now if the education system is to realise its demarcating and equalising function (2012: 35-36**).**

4.2.4.v. Relationships

As is the case in the U.S, Irish studies suggest that having a negative relationship with one's teacher may further promote negative outcomes for those who are deemed 'at risk students' (Byrne and Smyth 2010). Loftus found that students from lower working-class backgrounds were more likely to have negative relationships with teachers and more likely to have experienced being 'given out to' and 'disciplined' while in school (2017: 3), Studies have also found that students from families who were most economically and socially challenged were also less likely to have received praise by a teacher for work well done or to have been told by a teacher that their work was good (Loftus 2017: 36; GUI 2016). Background dissimilarity between middle-class teachers and working-class students has been associated with negatively impacting the quality of relationships that teachers have with such students. This has been linked with higher rates of discipline and underachievement (Byrne and Smyth 2010; Smyth et al 2014).

Although it is the case that children of disadvantaged groups in all societies fare more

poorly in the education system than their middle class peers, the evidence suggests that 'teachers can nonetheless help to redress these inequalities by creating alternate situations in their classrooms that disrupt, rather than reflect, these dynamics and thus aid students to succeed in school' (Cassidy 2005: 70). Whitaker's (2004) findings pointed to the importance of the human element of teaching in the context of reform. He argued that it is not the various different programmes that make a difference or the students who are in a classroom that influence the type of classroom dynamics that existed. Talking about the quality of relationship that a teacher has with students, he contended that 'it's people, not programmes' that make the most significant difference to how students perform and experience education (Whitaker 2004: 9).

Similarly, Noddings (1984) contends that caring needs be at the heart of the educational system. Noddings conceives caring as a set of relational practices where teachers show students that they care about them through their actions as opposed to simply telling them that they care. She pointed out that 'caring about is empty if it does not culminate in caring relations' (Noddings 2015: 24). She offers some guidance to educators as to how they can cultivate caring relationships in practice. She identified several activities that can aid teachers to model and nurture an 'ideal' of the ethic of care. These include modelling, dialogue, practice, and confirmation (Owens and Ennis 2005). Modelling provides teachers with the opportunity to demonstrate how to care through their relations with students. Dialogue, for Noddings, allows the classroom to be opened up into a space for talking and listening, sharing and responding. This allows teachers and students to come into contact with ideas and understandings other than their own by providing opportunities for an open-ended common search for understanding, empathy, and appreciation. Such an open-ended search for understanding allows students to connect to each other and the teacher through language and shared experience (Owens and Ennis 2005).

Practice provides opportunities for students to share efforts at providing care. Through practice, attitudes and ways of thinking are reshaped by experience and the capacity of the students to show care is enhanced. Finally, Noddings (1984) offers the practice of confirmation as an activity to demonstrate care on the part of teachers. Through this practice teachers can positively affirm and encourage students (Owens and Ennis 2005: 395-396). Research indicates that the parents of working-class and minority students

experience less positive relationships with teachers (Boethel 2003), something that teachers and principals often put down to a lack of concern or interest on the part of parents for their children's education and the lower value those parents place on education (Lopez 2001).

Although much of the contemporary literature on parental involvement in schools implies an undifferentiated parental voice, the reality of parental involvement in Irish schools has two distinct strands with two distinct systems of thought. The strand of parental involvement directed at working-class is comprised of multi-agency interventions such as early start programmes, parenting programmes, home–school community links, and early school-leaving interventions. Like the in-school interventions used with their children, the philosophy underpinning parental involvement of working-class parents derives from a cultural deficit model of explaining educational failure, it is explicitly classed, and it seeks to involve parents who are perceived to be on the periphery (Hanafin and Lynch 2002: 35).

The second strand of parental involvement is not explicitly classed and in theory is directed at the all parents through the statutory requirements to have parental representation on school boards of management, the National Parents Council and to have parents' associations operating in each school. However, in practice it is middle-class parents who are most involved, most visible and who are, therefore, proximal to schools, particularly in national representative bodies (2002: 36). Relationships that are less than between schools and working-class parents may, in part, be stemming from the belief on the part of educators that educational underachievement is a symptom of an unsupportive home background rather than any factors related to school structures, practices and processes as suggested by research in the UK.

In their study with parents of permanently excluded students, Macleod et al (2013) found that parents tended to be viewed as part of the problem when they were non-compliant with the decisions of service providers relating to the suitability of the types of provision that their excluded children were to be placed in. One of the findings they found most striking was that none of the service providers talked about parents as genuine partners. Instead, blame discourse appeared to be present whereby parents were seen as being to blame, if not for their children's original difficulties, then at least for

the failure to remedy them (2013: 396). Noting the contradiction in policy and practice, they found that parents were expected to exercise their responsibilities in relation to their children's anti-social behaviour within the context of a "partnership" in which they were positioned as not being competent to do so (2013: 398). Highlighting the catch 22 that parents of children who experience disciplinary issues in school face, they found that even for parents who were considered to be competent, they were still regarded as troublemakers when they assumed the role of the senior partner and made sustained efforts to secure what they considered to be the best for their child.

Background dissimilarity between middle-class teachers and working-class parents and students has been associated with negatively impacting the quality of relationships that teachers have with such students. For example, Bullock et al (2001) and Reay (2002) discuss how the orientation of the education system and the teachers who work within it, operate as one which constructs working class students in terms of what they 'lack' as opposed to positive attributes they have, which often leaves them feeling worthless and educationally inadequate. In their study, Vincent et al (2010) found that working-class mothers have to contend with a 'respectability struggle' within the education system. This struggle, they suggested, originated from the traditional division of the working-classes into 'rough' and 'respectable' (2010: 127). Because of dissimilarity in class background, it has been suggested that teachers risk portraying the working-classes in terms of chronological deficiencies and moral failings.

For example, in the UK, Reay (2002), has argued that in order for working-class students to feel as though they are succeeding within the socially stratified education system they need to 'lose themselves' and perform a more overtly 'middle-class' identity. Those students who do not or cannot tend to have less positive relationships with teachers and come, as a consequence, come to view themselves as having no value or positive use (Archer et al 2007).

One framework identified in the wider literature for improving relationships that are impacted by conflict, especially when one party feels that the other is not being heard or held accountable for their actions, is restorative practice. Restorative practices are based on a philosophy of respectful relationships, participation, and tolerance for differences, while also holding people to account for their actions/inactions (Hopkins

2004; Moxon, et al 2006; Thorsborne and Vinegrad 2006). It achieves this through a practical framework that enables professionals to: 1) identify problems: 2) identify the actions necessary to resolve them: 3) to invite those who have the necessary skills to collaborate with them and 4) to assign specific tasks to individuals and agree time-frames (Amstutz and Mullet 2005; CDI 2013). Such an approach has the potential to support more effective communication and positive relationships between educators, students and parents.

4.3. Hidden Exclusion

One of the noticeable gaps in the international STPP literature is the lack of attention paid to the informal ways that particular groups of students are subjected to discipline and exclusion in schools. The overwhelming focus in the U.S STPP literature is on formally recorded sanctions such permanent expulsion and fixed term suspensions (Balfanz et al 2015; Heitzegs 2009; Machin et al 2001; Price et al 1992; Schollenberger, 2015; Skiba, et al 2014; Skiba 2015).

However, there is recognition in wider education literature that schools have developed other approaches to excluding students that fall far short of what counts as official exclusion, but which are, nonetheless, exclusionary practices (Power and Taylor 2015: 4). In England, for example, Gill, Quilter-Pinner, and Swift (2017) claim that a significant number of students are being 'educated' off school registers than the official data would indicate, with thousands of students being 'lost' from school registers illegally. They further claim that official figures significantly underestimate the scale of the problem due to the number of ways in which students are being functionally excluded from their school, aside from official exclusions (Gill, Quilter-Pinner, and Swift 2017:13).

When unraveling the official data to explore the extent of 'unofficial' and 'internal' exclusions Gazeley et al (2015) found that official data reveal only the 'tip of the iceberg'. In her study with former British prisoners, Graham (2014) identified a set of distinctive unofficial practices that characterised their educational experiences. She found that the practice of labeling this cohort of students, for minor incidences such as talking in class, was a particularly common experience among the participants in her research. Her findings showed that from the point of entry into the school system a

number of unofficial disciplinary practices underscored this cohort of student's experiences of education. Labelling was a particularly pervasive practice used with disciplinary effect. Her findings depicted how upon starting school the participants were recognised by their teachers as naughty kids, maladjusted kids, bad kids, and these definitions and labels continued on from primary to secondary school, securing them reputations as tough or problem kids as they moved through their schooling. A chronology of violence, ranging from corporal punishment by adults, to bullying and fighting amongst children to some acts of aggression or violence was also a frequent feature of their educational experiences (Graham 2014: 830). The quantity and quality of educational content received by the former students was identified as been poor. The practice of using physical isolation to disciplinary effect was another common feature of how such students experienced school. The students reported how they were frequently placed in spaces outside of their classroom, separated from their peers, where no learning was taking place. Neglect of their educational needs within classrooms and been placed in lower ability classes, where academic achievement was not a priority, were also common unofficial practices operating in their schools (Graham 2014: 827).

In their research, Power and Taylor (2015), found managed moves between schools, internal exclusion and directing students into alterative provision were common exclusionary practices being used by schools to target certain groups of students. They also found that the number of students becoming 'electively home educated' has more than doubled over the past four years with some local authorities attributing this to illegal exclusion (Power and Taylor 2015: 15).

This reflects recent evidence that has started to slowly find its way into Irish research and political discourse on the practice of informal school exclusion (Brennan and Browne 2019; Joint Committee on Education and Skills 2019). Brennan and Browne's (2019) recent findings indicate that some schools in Ireland, are taking advantage of their relative autonomy in the Irish system to avoid their obligation to educate some children. They further suggest that the Irish State has failed to exercise its authority to prevent what constitutes an abuse of power by a number of schools who are excluding children in a hidden manner through the use of reduced school timetables among specific categories of students (2019: 2). These findings indicate that a significant gap exists in official Irish statistics on the prevalence of formal exclusion and such statistics

should be considered as minimum rates that do not reflect the full reality of exclusionary practices. This is because, similar to the English context, official statistics in Ireland only include formally recorded sanctions by way of suspension and permanent expulsion. They do not include those incidences of students who have been placed on a reduced timetable or a limited school day, or those students who are not enrolled in any school but instead are receiving home tuition hours due to expulsion from school or failing to have secured as a school place.

The implication of exclusions being hidden from official statistics is that students are lost from government oversight and their right to education is being diminished. This is because on paper such students have a 'school place' and are having their educational needs met but in reality they are excluded from the day-to-day teaching and learning activities of school life. A more significant implication of exclusions being hidden is that it can serve to conceal the conditions and practices through which schools can unintentionally come to replicate a prison environment for some students. Through the lens of how hidden exclusion is practiced in schools, a clearer picture emerges of how the dominate features of prison life bares resemblance to how school is experienced by some groups of students. Graham (2014) captures these nuances vividly. Her findings chronicle the intricacies of the trajectory through schooling that leads from problems in school, to exclusion from school, to prison in the UK. The striking parallels between school and prison-based practices are made visible, and the routine use of unofficial disciplinary practices are tantamount to treating some students as 'prisoners in training'. Through these findings, the central role that unofficial exclusionary practices play in both familiarising, and desensitising some young people to the prison compound, can be seen. Through the lens of hidden exclusionary practices, a picture emerges of how the main features of the prison environment are not merely encountered by some young upon receiving their first custodial sentence to prison. Instead a picture of readiness for, and a degree of comfort with the prison environment start to radiate through. The experience of segregation, isolation, minimum mental and intellectual stimulation, restricted and monitored movements are familiar, if not normal, practices that reflect the different ways in which hidden exclusionary practices were exercised upon some students throughout their formal schooling. It can be said, then, that whilst the literature on hidden exclusion does not suggest that experiences of schooling is the cause of why some young people end up in prison. It does, however, speak rather loudly to the issue

of recidivism, and why imprisonment does not act as a deterrent from reoffending behaviour for some groups of people (Graham 2015). This indicates that a focus on addressing hidden, as opposed to formal, exclusionary practices in schools, may be key to disrupting the link between experiences of education and some young people's involvement with the criminal justice system.

This chapter has presented a constellation of the inter-related concepts through an examination of a wide section of empirical literature and policy appraisals. It has sought to introduce other perspectives that explain the role of educational policies and practices in determining how some people become more susceptible to involvement in the criminal justice system. To understand the inter-related concepts that have emerged in the domestic and international empirical literature, it is helpful to consider them as the many different ways in which the education system can overlap with non-educational factors to generate problems for some students, by portraying them as 'abnormal villains' (Speak et al 2013).

A number of the empirical studies presented in this chapter are either explicitly or implicitly informed by social reproduction and deficit theory. While these studies are useful for offering an understanding of the various dynamics that are thought to be at play in terms of explaining the link between social stratification and the reproduction of educational inequality, they are insufficient. The reason for this is because they do not explicitly address the *educational experiences* of people who became involved in the criminal justice system from their own perspective, in the Irish context. This is because within much of the existing literature, statistics, while yielding important patterns of knowledge, are used to tell the educational story of students who later become involved in the criminal justice system, rather than the voices of the students who have directly experienced it. Thus, the most critical voice is 'missing from the whole discussion' (Kozol 1991: 5). As Cook-Sather (2002) rightly said, any reform efforts to correct practices of educational inequalities that fail to take account of and listen to the perspectives of those who have experienced both exclusion within the educational system and involvement in the criminal justice system are 'based on an incomplete picture of life in classrooms and schools and how that life could be improved (2002: 3). It is critical missing voice that this research brings into play.

Equally, missing in the Irish literature are the perspectives of the multiple key stakeholders who are involved in the educational experiences and the lives of those students who encounter difficulties both inside and outside of school. In Scotland, some attempts have been made to examine school based inter-agency intervention in the lives of young people who ended up in the criminal justice system in order to understand the obstacles and challenges to a multidisciplinary understanding of responding to disruptive student behaviour (See, Macleod 2010; McAra and McVie 2013). The Irish literature has thus far failed to incorporate the perspectives of multiple stakeholders (i.e. teachers, principals, parents, the criminal justice perspective, the legal perspective, the youth justice perspective, the community work perspective and child and family social care perspective) as it relates to the relationship between experiences of school and involvement in the criminal justice system. This is despite the fact that the concept of interagency work in education has assumed a central policy focus since the mid-1990s. This research also brings these voices into play. Taking up a Foucauldian and epistemic injustice analysis of the experience of school practices, the next chapter theoretically situates the perceptions and educational experiences of people who have become involved in the criminal justice system.

Chapter 5. Silence and Epistemic Injustice: Situating the Experiences of the Relationships between School and Involvement in Criminal Justice System Theoretically

5.1. Introduction

One the persistent criticisms directed at the U.S STPP literature presented in the previous chapters is its failure to support its strong empirical evidence with a theoretical base capable of moving beyond using metaphor to account for the lives of students from their experiences of school to their encounters with the justice system (McGrew 2016). There appears to be no one ideal theory capable of fully accounting for the complex characteristics begetting the relationship between school and involvement in the criminal justice system, so this chapter sets off from a non-ideal footing, drawing on the work of thinkers who reflect on silence and injustice. Its concern is to ask how we might think and act differently were we to listen to those voices that have been subjugated.

Importantly, the Irish and U.S literature persistently excludes the perspectives, voices and analysis of those who have ended up on the STPP. Therefore, limited understanding exists of how the experience of school exclusionary and disciplinary practices was felt by former students to have facilitated or led them on to the path of involvement with the justice systems (Hirscfield 2012). New theoretical connections to help us better understand the *experiences* of school exclusionary and disciplinary practices are therefore necessary. Introducing Foucault into the conversation helps to begin to understand those practices and the experience of those practices in all of their complexities. Introducing the theoretical tenets of epistemic injustice and epistemologies of ignorance helps to foreground the lack of voice or credibility given to the voice of those who experience the criminal justice system.

5.2. The Multiple Faces of Discipline and Punishment

5.2.1. Power and Knowledge

Foucault's (1991) conception of school discipline is one that runs counter to a more traditional understanding of discipline as acts consisting exclusively of punitive

sanctions, such as expulsion, fixed term suspension or detention, in response to serious acts of student misconduct. Foucault (1991) conceives discipline as a type of power that is embodied in institutional practices that works to regulate the thoughts, behaviours and perceptions of students (McNicol Jardine 2005). For Foucault the 'delinquent' or the 'troublesome' student who engages in misconduct is not imposed on schools to be corrected, contained or fixed. Instead the delinquent is an institutional product of schooling, created as an effect of disciplinary power (1991: 266). This has little to do with the acquisition of cultural capital, academic ability or school readiness among students. Instead it is more reflective of the social function of the school in classifying, regulating, controlling and creating desirable social bodies that are considered productive or good for wider society. Thus, discipline does not function in schools with the aim to maintain or reproduce the existing social pattern. Rather, it functions to transform it, alter, and even improve it by 'forging disciplined bodies that can be subjected' and put to different uses once they leave school, according to societies changing needs (Dreyfus and Rainbow 1982: 154). By this measure all students are entangled in a process of disciplining throughout their schooling, which shapes how they come to recognise and think about themselves in particular ways.

Foucault traced the emergence of disciplinary power in schools to the emergence of scientific systems of knowledge and the social sciences that were enabled through the spreading of disciplinary techniques that were once the preserve of enclosed institutions, such as prisons and religious organisations, into all public institutions, including schools and the mapping of populations (Foucault 1991: 211). He located a fundamental shift in forms of social control in 18th century that revealed power and knowledge as inseparable entities. 'Scientific knowledge' was a significant part of the shift away from forms of social control that terrorized people into obedience with threats of brutal punishment (Hook 2004: 8). These new methods of control sought not to crush and dismember the body, as previously was the case, but to train and exercise it, to make it productive and cooperative (Ryan 1991: 106). Scientific discourse became part of the new tactics of power that produced norms and categories pertaining to what students should be like and how to classify and explain them if they are different from the norm (Hook, 2004). Foucault (1991) used the metaphor of Jeremy Benthman's architectural design for prisons to illustrate how schools, hospitals and insane asylums

all came to resemble each other in physical structure and as systems of mass social control. Each panoptic modality of power had attached to them their own experts who defined the parameters of 'normality' and 'abnormality'. These were specialists in clinical medicine attached to hospitals, psychiatrists attached to asylums and child and educational psychologist attached to schools (Foucault 1991: 224). Characterised by a permanent gaze, the panoptic architectural design turn schools into centres of perpetual observation and teachers into 'judges of normality' who compare, differentiate and homogenize students around graded norms (Foucault 1991; McNicol Jardine 2005; Ryan 1991).

5.2.2. Disciplinary Techniques

Discipline, Foucault says, is comprised of 'a whole set of instruments, techniques, procedures, levels of application, and targets; it is a 'physics' or an 'anatomy' of power, a technology' (Foucault 1991 215). Thus, in schools, discipline is a process of social control in

> *How to oversee someone, how to control their conduct, their behaviour, their aptitudes, how to intensify their performance, multiply their capacities, how to put them in place where they will be most useful- this is what discipline is* (2007: 159)

Foucault (1991) conceives discipline as an apparatus of corrective penalty aimed not at acts of misconduct but of the body, time, everyday gestures and activities. Punitive intervention by way of fixed term suspension and expulsion rest on the studied manipulation of the student's body and how they respond to forms of disciplinary coercion and the schemata of constraint prescribed by school times-tables, compulsory movements, repetitive activities and so on. The ultimate aim of which is to produce obedient students, who are subjected to the habits, rules and orders that are exercised continually around and upon them in school (Foucault 1991: 128). This is both repressive and productive; it transforms experience.

Foucault identified several disciplinary techniques that operate in schools to achieve this aim which are more insidiously linked to configurations of power/knowledge. Such techniques serve to produce normalised students through operating a division of condemnation that secretes a penalty form the norm (Foucault 1991: 183). They are operationalised in schools through meticulous dividing practices, the control of

activities, time and movement, examination, classification and normalising judgment (Foucault 1991; McNicol Jardine 2005; Ryan 1991).

5.2.2.i. Dividing Practices

Foucault (1991) identified dividing practices as an essential element of the disciplinary machinery operating in schools. In order for teachers to be able to supervise students at all times, to assess them, to judge them, to calculate their qualities and merits, each student must have their own place and each place its individual student (1991: 143). In schools dividing practices are social, temporal, and spatial. They are social in that students of a particular social grouping who exhibit difference from the majority can be subjected to diverse means of objectification through monitoring, classification, streaming, segregation, isolation, ranking, and so forth. They are thus spatial as students are physically separated from the majority social group for exhibiting difference (Madigan 1992: 266). And they are temporal through practices of managing time. Dividing practices as part of disciplinary power work to produce both difference and uniformity and regulate within, between and among students. Such practices are productive since they enable education to 'govern individual differences in order to maximize both individual and social efficiency' (Rose 1988 cited in Meadmore 1993: 71).

Foucault (1991) notes that parental status was one of the important historical factors in determining how students were and ought to be divided in schools.

> *Things must be so arranged that those whose parents are neglectful and verminous must be separated from those who are careful and clean…a libertine either alone or between two pious pupils* (1991: 147)

The practices of dividing students was tolerated and justified through the mediation of science and the power that schools give to scientific claims (Madigan 1992). In schools today, this takes the form of diagnostic testing, such as the use of standardised ability tests, standardised achievement tests or diagnostic tests designed to provide specific information about a student's strengths and needs (DES, Circular Letter 0035/2017). In this process students are given both a social and a personal identity that is based on comparison - the 'good, 'bad', 'normal', 'average', 'bright' or 'slow' on the basis of

their relation to school norms, and abnormalities come to be understood as natural as the norm itself especially when they are associated with science (Ryan 1991: 109).

The use of diagnostic testing in schools is used to justify the practice of dividing students into schools and classes in which one 'kind' of student is more likely to be found than others (Bauman and May 2000: 39). The rationale put forward by 'experts', including educators, involved what Foucault calls the Psy Complex: the fundamental need to cater for 'individual differences'. The very fact that such techniques as testing devices were in themselves producing difference in an ordered form (Rose 1988: 194) was not addressed because psychology had established a system of mutual support and reinforcement between the production of the individual and individualisation techniques in schools (Meadmore 1993: 68).

5.2.2.ii. Normalising Judgment

Foucault (1991: 184) identified normalising judgment in educational settings as one of the great instruments of disciplinary power that embedded the principle of coercion of in teaching. Normalising judgment combines the practice of observation and examination to differentiate students from one another making it possible to qualify, to classify and to punish by reference to a minimal threshold, an average to be respected, or as an optimum towards which one must move (Foucault 1991; Meadmore 1993). It legitimises the practice of dividing students by introducing a whole range of degrees of normality that indicate membership of a homogenous social body, while also playing a part in classification, hierarchization and the distribution of rank (Foucault 1991). Thus, the power of norm

> *Imposes homogeneity but it (also) individualizes by making it possible to measure gaps, to determine levels, to fix specialities and to render differences useful by fitting them one to another* (1991: 184)

Foucault (1991) traced the process of training students to conform to a dominant ideal of external normality in schools, as a process involving a complex system of honorary classification that denotes 'privilege' or 'infamy' and ranks classes so that rewards and punishments can be distributed accordingly. This classification is visible for all to see. The first class is known as the very good class, the second class contains the good, in

the third class are the mediocre and the last class is home to the bad or the shameful students (Foucault 1991: 181). A more familiar characterisation in an Irish context might resemble class A1, A2, A3 and A4, each denoting the lower and higher classes or Leaving Certificate Applied and the Leaving Certificate Established denoting the 'practical' from the 'academic', the 'strong' from 'weak', the 'good' from 'bad' students. For the students who are ranked in the bad or shameful class, they come to represent the external frontier of abnormal and are kept separate from the other students. Because of their rank, these students can be subjected to all punishments that are thought necessary (Foucault 1991: 183). According to Foucault this is because rank operates a differentiation based, not on acts of misconduct, but on students themselves, their nature, their potentialities, their level and value (1991: 181). Ryan (1991) summarised how these disciplinary techniques work together in schools to normalise.

> *Pervasive observational practices, meticulous partitioning of space and time, examination, and documentation allow for the accumulation of knowledge on the activities, capacities, and performances of each student and provide the conditions (ideally) to correct those who deviate from acceptable norm* (1991: 112).

Foucault (1991) draws attention to the important role that documentary techniques play in linking the practices of observation, normalising judgment and the examination together. The examination that places students in a field of observation also situates them in a network of writing that engages them in a whole mass of documents that capture and fix them (1991: 189). In this way students come to be characterised as written 'cases' to be known. Files containing information on the most insignificant (and significant) performances and behaviours are available for use. Furthermore, these recording practices allow for the accumulation of individual data into cumulative systems. Knowledge obtained through these methods permits not only the description of students and the characterisation of collective facts, but also the construction of norms (Ryan 1991: 109). Disciplinary writing is essential in the process of normalisation in that it supports the process of comparing students, differentiating them from each other, justifying dividing practices and decisions to exclude (Foucault 1991: 183). Collectively, these techniques refer students from one disciplinary authority to another and they reproduce, in a concentrated or formalised form, the schema of normal/abnormal power-knowledge (Foucault 1991: 227).

5.2.4. Education Policies as Discourse

Most school systems claim to value the ideals of equality and inclusion. Even though a wide range of interpretations may exist for the expression 'equal educational opportunity', as seen in Chapter 3, 'there can be little doubt that many view the school as a means to rescue the less fortunate from their undesirable circumstances and put them on an equal footing with the rest of society' (Ryan 1991: 116). But despite over three decades of consecutive policy instruments with the aim of eradicating inequality in the Irish school system, 'schools have not contributed to a more equal society. Rather, they have tended to produce a wide range of differences that more or less reflect those differences within society in general' (Ryan 1991: 116).

In examining the role of schools and the policies underpinning them, Foucault invites us to look beyond the stated purpose of educational policies and whether or not they actually achieve what they explicitly purport too. That is to say he wants us to see beyond the ends that education policies have in view and the means they possess for attaining those ends. Instead, Foucault entices us to think about the system of thought that sustains them, the system of rationality that supports or underlines them and the subsequent results that they produce. Here Foucault directs our attention away from the explicit aims of educational policy instruments and the failure of the results to coincide with those aims. Instead he directs our attention towards the 'unintended' use that equality policies have come to serve (Foucualt 1994: 385).

Stephen Ball took up Foucault's invitation in examining the way in which educational policy assembles collections of related policies that exercise power through the production of truth and knowledge that circulates as discourse (Ball 2006: 48). According to Ball educational policies are power/knowledge configurations *par excellence.* They embody claims to speak with authority, they legitimate and initiate practices, and they privilege certain visions and interests (Ball 2006: 27). Thus, educational policies create and reinforce 'in-groups and out-groups' (Bauman 1990).

The implicit endorsement of dividing practices, normalising judgment and classification are evidenced in Irish educational polices. Chapter 3 outlined the ways in

which the territories of educational spaces became divided into areas in which 'one type' of student is more likely to be found than others (Bauman and May 2000: 75). 'Secondary schools for the middle classes', 'vocational and technical schools for the working classes' and 'special schools' for the 'delinquents'.

Equally, dividing practices were evident in the review of the current DEIS policy instrument through the practice of designating schools and targeting interventions at the home and community contexts of working class students. Ball (2006) referred to Foucault when he pointed out that policy discourses are practices that systematically form the students of which they speak. Discourses, he says, are not about students. They do not identify students or their needs. They constitute them and in the process of doing so conceal their own invention (Ball 2006: 48). Thus, what is often conceived as school choice or educational failure on the part of a student is arguably successful social control on the part of the education system (Graham 2014). As Ryan put it, 'schools, rather than reproducing inequalities, merely produce them' (2014: 171).

Following Foucault, discourse for Ball (2006), is more than mere words and statements. Discourses determine what can be said, and thought, who can speak, when, where and with what authority. Quoting Foucault, Ball points out that 'we do not speak a discourse, it speaks us, we are the subjectivities, the voices, the knowledge, the power relations that a discourse constructs and allows' (Ball 2006: 48). This challenges the idea that students are naturally predisposed as they enter the education system to a particular type of school, be it secondary schools for those who are academic, vocational and technical schools for those who are not, or special schools for those who are considered not suited to the mainstream. Instead it implies that students are fitted to them according to situational variables, as prescribed by policy discourse.

5.3. Voice and Willed and Willful Ignorance

Ball (2006) contends that one of the effects of policy, as discourse, is the redistribution of voice, that is, only certain voices can be heard as meaningful or authoritative (2006: 49). A number of Irish scholars have pointed to the noticeable absence of some voices in educational policy dialogue in Ireland. Government policies on educational disadvantage in the Republic of Ireland have persistently excluded the voices of both

working class students and parents from the policy conversation (Hanafin and Lynch 2002; Lynch and Lodge 2002). Thus, such polices have been proposed, accepted and acted on without dialogue or consultation with those who are most affected by them. Moreover, within these policies, knowledge of the needs of those most affected have been presumed and compliance taken for granted (Hanafin and Lynch 2002: 37).

According to Ball (2006), the obvious implication of privileging one dominant discourse in educational policies is that it limits possibilities for thinking 'otherwise', it limits responses to change, and it leads us to misunderstand what policy is by misunderstanding what it does (Ball 2006: 49). Hanafin and Lynch (2002) have suggested that the exclusion of working class voices from the educational policy process has created a deficit imagine of working class parents and students. They argued that for decades policy-makers have 'judged working class parents as having little interest in education, thus condemning their children to failure within the school system' (Hanafin and Lynch, 2002: 36). The continued pursuit of polices directed at working class students, their homes and communities appears to reflect a willed ignorance on the part of policy makers to the role that the school system itself can play in creating inequalities.

May describes how willful ignorance reinforces notions of 'moral, cognitive and cultural inferiority' of those students who have had deficit classifications applied to them (May 2006: 110). In Ireland, Lynch and Lodge (2002) have suggest that this is reflected in the long and unquestioned policy of maintaining separate educational provision predominately along social lines. May (2006) argues that once distinctions between 'good' and 'deficit', 'deserving' and 'undeserving', 'normal' and 'abnormal' classifications have been established and naturalised, then any challenge to the claim to universal validity surrounding those classifications is vigorously denied by those who are most privileged by those classifications (2006: 111). For example, the rationale offered for *de facto* segregated educational provision in Ireland is that it serves the best interests of different groups of students with different needs (Lynch and Lodge 2002).

For May (2006) this is not surprising. She contends that willful ignorance benefits those who are already privileged in some way, or in multiple ways, via a structured 'not knowing'. The objectification, stereotyping, and other violent ways of seeing students

who have been attributed a negative classification becomes an epistemological means by which educational systems of inequality are reinforced and kept intact. Reflecting this, Lynch and Lodge (2002: 132) have argued that the educational 'tradition of institutional segregation has merely served to perpetuate and justify the continued non-recognition and mis-recognition of working class and minority students'.

5.4. Epistemic Injustice

The inclusion of some voices and the exclusion of others in educational policy and practice also has epistemic effects. In her book *Epistemic Injustice: Power and the Ethics of Knowing'* Fricker refers to 'a wrong done to someone specifically in their capacity as a knower' as an epistemic injustice (2007: 1). She identifies two distinct forms of epistemic injustice: testimonial injustice and hermeneutic injustice. According to Fricker prejudice in the economy of credibility gives rise to testimonial injustice. That is when 'prejudice causes a hearer to give a deflated level of credibility to a speaker's word owing to a stereotype pertaining to their social status' (Fricker 2007 : 5). For example, the exclusion of working class voices from educational debate and the decision-making process is explained by them being seen as unable to participate and or as being uninterested in doing so (Hanafin and Lynch 2002: 36).

Hermeneutical injustice, on the other hand, is concerned with gaps in social interpretation and meaning making whereby 'it is no accident that the cognitive disadvantage created by this gap impinges unequally on different social groups' (Fricker 2007: 6). Fricker contends that this arises from unequal levels of participation in the practices through which social meanings are generated. Thus, for Fricker hermeneutical injustice occurs when a gap in collective interpretive resources puts some groups at an unfair disadvantage when it comes to making sense of social experiences that are strongly in their interests to render intelligible (Fricker 2007: 1).

The epistemic effect of interpreting the social world of working class students and parents from the perspective of predominately middle class 'experts' leads the production of a select group of people who claim to know and understand the lives of such students and parents better than they do themselves and thus assume the authority to speak on their behalf in terms of their challenges and educational needs (Lynch and Lodge 2002: 148). This gap, Fricker explains, has implications for what can be said,

who can be heard and what can be understood (Fricker 2007: 160). This is because both testimonial and hermeneutical injustice are forms of exclusion and silencing based on a person's social identity. Epistemic injustice therefore has implications for participation, visibility and audibility in communicative interactions. In Fricker's (2007) view, educators, as individuals who process higher degrees of social status and power, can induce the experience of social inaudibility and invisibility among students and parents if they unfairly mishear, distort or misrepresent their contribution in communicative exchanges based on prejudice that has its origins in negative stereotypes associated with social identity.

Retaining the core tenets of Fricker's (2007) approach to epistemic injustice, Medina (2012) extended his context-sensitive approach to hermeneutical injustice to include the particular hermeneutical obligations and responsibilities of more privileged groups such as academics, policymakers, educators and stakeholders. Medina (2012) sees such groups as relational interlocutors concerning students and parents who have been hermeneutically disadvantaged due to their social status. According to Medina (2012) relational interlocutors have a direct and specific hermeneutical duty and responsibility to seek out, expose, challenge and confront the hermeneutical gaps that appear in the communicative dynamics in which they participate. This is because as relational interlocutors, the communicative interactions that they participate in work to either accentuate or to alleviate the hermeneutical gaps and silences that cultures have created over time through unequal social practices (Medina, 2012: 216). The benchmark for whether or not privileged interlocutors live up to their hermeneutical responsibility can be determined by the mutual responsiveness (or lack thereof) that they display with respect to working with one another.

The policy embracing of interagency and partnership working in education is not without its challenges, not least because it rests on 'an implicit ideology of neutral, benevolent expertise in the service of consensual, self-evident values (Challis et al 1998: 17). However, Medina (2012) is clear that this does not alleviate professionals from their hermeneutical responsibilities. He argues that hermeneutically privileged groups such as educators and multi-agency stakeholders share a collective responsibility to use their epistemic resources and abilities to undermine oppressive

normative structures and to facilitate every student's and parent's ability to participate in meaning- making (Medina 2012).

Failure to live up to this responsibility has particular epistemic consequences for the maintenance of social inequality, silencing and ignorance. According to Medina (2012) this is because the exclusion of working class students and parents from meaning-making and decision-making affects the capacity of privileged groups such as policy makers, academics, educators and stakeholders to learn from others and from the facts, whilst also inhibiting their capacity for self-correction and of being open to corrections from others' (Medina 2012: 31). The epistemic effect of this is that a whole cohort of students and parents can be 'wronged in their capacity as a subject of social understanding' in both educational policy and practice (Fricker 2007: 7).

Under such epistemic conditions, institutional practices, such as students being placed in 'physically isolated spaces within their schools, separation from their mainstream peers, with little meaningful educational activity to occupy them' (Graham 2014: 825), are tolerated and the effects of such practices ignored. Labels that are applied to some students such as 'bad news' and 'undeserving of education and deserving of punishment' are accepted because they are assumed to be grounded in objective professionalism (Graham 2014: 825). Medina (2012) emphasises that such epistemic conditions in the education system cannot be overcome with the continued exclusion of working class voices from participation in decision-making and meaning-making processes. This is because the inclusion of working class voices in such processes has a subversive potential to see the limitations of the dominant deficit ways of seeing that have consistently informed educational policy and practice in countries like Ireland over the past three decades. Thus, according to Medina (2012), inviting and taking seriously what the voices of working class students and parents have to say about their experiences of the education system, makes it possible for privileged groups such as policy makers, academics, educators and stakeholders to redraw their cognitive maps, to re-describe experiences and to reconceptualise their ways of relating to working class students and parents (Medina 2012: 47). Fricker (2012) offers some guidance in this regard. She contends that stereotypes and prejudices typically operate without any focused awareness and are culpably resistant to the evidence. Therefore what these groups must aim to achieve is a certain critical openness to the word of working-class

students and their parents by way of an unprejudiced perception of them as individuals (Fricker 2012). By readjusting their negative perceptions of working-class students and parents, Fricker says that educators, policy-makers, and stakeholders can restore the level of credibility given to them by developing their ability to see through prejudice to the real human beings before them (Fricker 2012). This is particularly important if epistemic judgements in policy and practice, which unjustly discredit some parents, and stereotype some students as 'jail bound' and/or 'unsalvageable', are to be overcome (Hirschfield 2008).

5.5. Chapter Summary

This chapter theoretically situated the perceptions and educational experiences of people who have become involved in the criminal justice system within the theoretical frameworks of Foucault and epistemic injustice. Foucault was deployed to help to both understand disciplinary practices and the experience of those practices, whilst epistemic injustice was introduced to foreground the lack of voice or credibility given to the voices of those who experience the criminal justice system. The next chapter introduces the research findings.

Chapter 6. Beyond Silence: Listening to Voices, Experiences and Perspectives

6.1 Introduction

This chapter presents the results of the study and is split into two sections. It draws on the in-depth qualitative interviews carried out with the participants. The chapter is arranged around the themes that emerged from the voices of the participants, themes which represent the experiences, processes and practices that characterised the educational trajectories of the former students in this study who became involved in the juvenile and/or the adult justice system. It centres on stories of former students and the stories about students who educators and stakeholders identified as possessing the *risk markers* for ending up on the pathway from school to involvement with the criminal justice system. Section one focuses on school practices and section two focuses on relationships, communications and responsibilities.

It is not claimed that the results are indicative or indeed representative of all students who have ended up on the route from school to involvement with the Irish juvenile and/or adult justice system, but they teach us something. These findings offer a multi-perspectival, contextualised depiction of how the former students who participated in this research ended up on that life journey, and how, and to what extent, experiences of schooling contribute to their life trajectories, from their perspectives and in dialogue with the perspectives of the other stakeholders.

Because each of the themes identified have both positive and negative implications arising from them, the themes are presented as, in a sense, a double-edged sword requiring critique but also opening up to new creative possibilities to address the kinds of practices and attitudes that push students toward the criminal justice system. The primary themes were often shared themes emerging from the former students' experiences of schooling, the descriptions of experiences of educators working within the education system, and descriptions of experiences of external stakeholders working with students who ended up on the route from school to involvement with the juvenile and or adult justice system. These include school type and choice; learning experiences and dislike of school; relationships and rejection; experiences of exclusion and power; loss of structure and delinquent behaviour; blame and responsibility; and desire for transformation and system barriers.

The following section describes the common practices that emerged in the findings as they relate to the type of schools that the former students attended, their lack of choice in this, and the impact that this had on their perceptions of education, sense of identity and self-worth. Following this, the common practices that characterised the teaching and learning experiences of the former students are presented.

Section I: School Practices

6.1.2 Diminished Choice

Throughout the interviews with all sets of participants, school type emanated as a particularly significant theme, one that the former students described as leaving a lasting impact on their sense of identity, informing their negative perceptions of education and their sense of self-worth. For the majority of the former student participants they described their education has having begun in schools either formally designated by the Department of Education and Skills as disadvantaged (DEIS) or the equivalent of such. In the case of the former students who did not initially attend a school that had this kind of designation, they all described how they eventually attended a school that was in this category at various points throughout their education, The former students highlighted that they and their families had little or no choice in terms choosing the *type* of school to which they went to and they described how such decisions were made through a series of subtle practices that limited their options and directed them into specific types of schools. This included being told by the mainstream schools that they applied to attend that they had no places available for them. Here *school choice* was identified as not indicative of a decision made by them or their parent(s). Instead they described school choice as reflecting the diminished choices, given to them by the education system.

> *I finished primary school and there was no place for me in secondary school I applied for the local secondary school and they just kind of got back and said we don't have any places at the moment…so I started going to [non-mainstream] (Martin).*

> *Everyone went to *local secondary* school that was the school like and then me being the last child I wasn't allowed in… They wouldn't allow me*

> *into the school…So I ended up going to [non-mainstream] school. It was kind of for people who weren't allowed into schools, but it was mainly young fellas who had been thrown out of primary [school] (Vincent).*

Andy, Tony and Robert described those cases where they could exercise the choice to go to a secondary school because there was automatic entry from their primary schools to non- DEIS secondary schools. However, they recounted in these cases experiences of having been segregated into classes apart from the general school population and asked why they didn't go to nearby DEIS schools that would be more suited to them?. The schools made them aware that they did not *belong* in such schools because they did not fit the *profile* or segregated them..

> *On my first week of (secondary) school the principal told me to go down to x school [nearby DEIS school] cause I wasn't wanted here. I'm not their kind of person, like (Andy).*

> *They'd [teachers] say to your face Why you are here? You're not as smart as these young fellas you're not as well behaved as them." Maybe [names two DEIS secondary schools] would be better off for you (Tony).*

> *We were all in the one class. So they kept us all from that area in the one class (Robert).*

> *It was just we'll put them in together (Vincent).*

Those practices on the part of their secondary schools signalled a clear message that they 'were not wanted' (Andy, Robert, Tony), 'that there was something wrong with them' (Vincent, John, Tony, David, Tommy), that they 'were undesirable' and were of 'little value' (Martin, Michael; Tim; James; David, Tommy, Tony, Robert, Amy,). This was compounded by what the former students described as a set limit on the length of time that they were permitted to remind in their Non-DEIS secondary schools. The former students described how that limit extended to the compulsory school limit,

which was three years of secondary education, at which point they recounted how they were told not to come back and were effectively disinvited back to the school.

> *Basically he [Principal' said don't come back for 5th year .I just finished my Junior Cert and they were like don't come back (Tony).*

> *I remember as clear as day. I went into computer class and they called me out. I went up to the office and they said that I'm being expelled. I was literally in the door about 10 minutes and then I was gone. I was gone. I think it was around November [after completing his Junior Certificate in the summer] (Andy).*

6.1.3 School Type

Once access to the secondary school that the former students had applied to was either denied or revoked, the former students described how the only viable options left available to them were accepting a place in a DEIS school, alternative provision, or a special school. For the majority, it was the latter and they described this as having have a significant impact on forming their perceptions that the education system viewed them as people that 'were no good' (Amy, Tony, Michael, Tim, James), 'like trash' (David, Raymond, Tim, Martin), to be 'disposed of' and to be 'forgot about' (David, Martin, James, Robert, Raymond, Vincent, Tim, Amy).

> *It was like to me every riff raff and scumbag and thug went there, do you know what I mean? It was kind of the bottom of the barrel for that school (Martin).*

The former students described the educational spaces that they were placed in as obviously segregated ones that acted as a dividing ground for who belonged where, who was worthy of education and who was not, and who would need education and who would not. It had them questioning 'what is wrong with me and why am I not wanted'? (Vincent, Robert, Andy, David).

It [school he went to] was for all the bad boys, kind of thing. Anyone fails a test. Fuck um up there kind of a thing (Tim).

It [alternative school] was kind of for people who weren't allowed into schools (Vincent).

It was the worst school for educating…It was brutal, like. We didn't even have no books or nothing like it was just a fucking copy, a few sheets, a fucking few copies you know what I mean like? It was ridiculous like! Just ridiculous (James).

Them [primary school] putting me in there [special school] made me think they [school] thought that you were mad in the head or something, or some psycho, or something like that you'd want to be to be put up there you know (John).

6.1.4 Background Characteristics and Perceptions of Discrimination

The former students expressed the view that decisions pertaining to the types of schools that they were placed in were informed, predominantly, by non-educational factors (social backgrounds and family history) as opposed to their academic ability or behaviour. They felt it was those factors that others used to define their potentialities and which informed, not only the type of school that they 'belonged to' but also the type of reputation and expectations that were ascribed to them once in those schools. In their view, the influence of those factors stripped them of any individuality in their own right and their own capabilities were not seen. Instead the former students recounted how they were seen as a collective or mere extension of their family and communities such that their capabilities and potentialities appeared to be determined by those factors.

The whole time I found where you're from, that's what it is. It was sure he's from a rundown area. He's only dirt so we'll treat him like dirt, kind of a thing. You know what I'm saying, like? Where you're from they put you down to that little [makes a small hand gesture] ...I mean it is very bad, it's discrimination at the end of the day (David)

I was one young fella that sounded different. My mother and father weren't rich you know (Tony).

Like my only fault in life was that I was born into a community and a family that made bad mistakes, like, they didn't want me there [Non-DEIS school] just because of where I was from, and there was a kind of a label that came along with that (Andy).

You were classed straight away by where you were from you were classed differently altogether. Like if you came from the wrong place where your mother and father weren't doctors or solicitors like the other kids, and were on the dole or worked as cleaners you were treated differently (Robert).

The perception on the part of the former students that they were being classed differently and discriminated against by the education system by being funnelled into specific types of schools on the basis of their background characteristics was echoed in the interviews with stakeholders and education participants. Educators and stakeholders identified a historical legacy in the geographical area in which the research was conducted of refusing secondary school places- particularly to boys- who came from specific housing estates across the city but as one says,

Nobody was regarding it as anything out of the ordinary, it was going on for years basically (Stakeholder-Education Correspondent).

The stakeholder and education participants described how in 2004 they were directly involved in unearthing that practice when seventeen young boys in Limerick who had just completed primary school were all refused places in the secondary schools that they had applied to attend. The stakeholders identified two critical factors driving that practice: sex and address.

The schools were adamant that it was simply their address and the fact that they were boys that was telling against them (Stakeholder-Education Correspondent).

> *I deal with predominantly males definitely from 10 all the way through to 18 years if not inclusive to 21… and I would say a good 70% of those would have problems at school (Stakeholder: Law Enforcement).*

> *[It was] the address for a lot of them that defined the [mainstream] schools 'expectations of them (Educator).*

The education and stakeholder participants described the informal practices that were operating between primary schools and secondary schools in the geographical area in which the research was conducted that gave context to the former students experiences of applying to mainstream secondary schools (DEIS and Non-DEIS) and not being allowed in and or being told that there was no places available for them.

> *When a child comes into secondary school, people talk, be it primary school principals with secondary school principals, be it with school completion officers. So anyone transferring from a primary to secondary school.. That principal knows what his intake is like, he knows where they come from, he knows who they come from (Principal).*

Here the participants described how for those boys in particular who came from the housing estates across the city that the former students came from, to secure a place in a mainstream secondary school, the principals of their primary school would have to make a special pleading to their counterpart in the secondary school, indicating that,

> *The boy is particularly suited to attending x school, and you would be telling them that this is an academic boy and won't pose any difficulties, would do well in a leaving cert you should take them into your school (Stakeholder-Education Correspondent).*

In the absence of such a special pleading, the participants described how the opposite was assumed and secondary schools simply cited having no places for students fitting the socio-demographic profiles of the former students. To remedy what was described by all the participants as a blatantly inequitable and discriminatory practice on the part of secondary schools in the research area, a system was devised by secondary schools

in the city to ensure between them that all students in their catchment areas had secured a school place, before they could offer out a place to students who did not come within their catchment area. That system, known as the Common Application System (CAS), was operationalized in 2005 to ensure more equity and transparency on the part of local secondary schools. The intention of it, according to the participants, was to ensure that no student found him or herself in the situation, as the majority of the former students in this research had been, of being without a place in a secondary school place of their own choosing. The system remains in place to the present day for the allocation of secondary school places in the research area only but very little is known publicly about it.

> *We have here in the city the common application system which is meant to be transparent and open…but we are the only city to have it (Teacher).*

However, despite what was described by the participants, as a genuine attempt on the part of local educators and Department officials to address the situation, the participants expressed the view that in practice the system has been less then successful in eliminating the inequity that gave rise for the need for the system in the first place. They felt that the question of why this was happening was never addressed and the emphasis was placed exclusively on devising a system that ensured that all students were offered a place in a secondary school. Here the participants suggested that rather than the CAS system leading to more transparency and equity concerning the allocation of secondary places, instead schools were finding more creative ways to continue to exclude the students who possess the background characteristics of the former students.

> *Back in the 1990s or early 2000s at one stage out of school was a huge problem and it made the news and it was in the newspapers and there was a dialogue and a narrative around it. And if you have noticed that narrative has gone, because.. we'll keep him on our books, but we'll only have him in 4 hours a week… so they're in, they're on the roll. They're ticked in so they're not statistics of being out of school (Teacher).*

Among the former student participants, the majority described how they fell into the 'we have no places' practice that led to the development of CAS. At least five of the former students were within the age range that would have brought them under the CAS system when transitioning from primary to secondary school. Yet, one of the former students reported that all her applications to secondary schools in the city were refused….

> *I applied to 8 secondary schools and got into none and then the only option was x school. [Non-mainstream school] (Amy).*

For the remaining four, while they all described being granted a place in a secondary school, once in them they report being 'exported out' by their schools, to alternative or DEIS provision, either prior to or upon completing their minimum three years of compulsory schooling. The participants across all cohorts described how some schools have made the link between meeting the objective of the CAS system by granting a school place to students that they may not want to take or intend to keep in their school. They then worked around the system through what was described as 'constructive expulsions' 'exit strategies' and 'deceitful practices' that involve advising, pressurising and directing some students not to come back and to seek alternative provision.

> *It wasn't me it was the [names non-designated secondary school].Tit was the school saying a worse school [designated school] would be better off for me like and all this carry on (Tony).*

> *Every day the principal would call him [son] in school and would tell him to tell me to try and get him a place in the youth service, that there was no point in him being there [non DEIS school] (Parent*).

> *I have been part of what we call 'constructive expulsions' in secondary schools where it is flagged in advance that a certain child might not be suitable for the school in which they are to be placed. We would have students here who would fall into that category… whose fate I would argue was decided long before they reached the door of the secondary school. Obviously it's not a formal strategy. It's done very informally, in a*

clandestine, coded way, but those messages are received loud and clear in the staffroom that they won't be staying (Principal).

In some cases, the participants described how, the Home School Community Liaison (HSCL) Co-Ordinators were being utilised to seek out alternative school provision for male students matching the background characteristics of the former students who participated in this study a year prior to them reaching their compulsory school limit in their mainstream schools.

I actually met the (HSCL) coming out of an alternative education centre and she was in there looking for places for these boys, 7 boys that I was working with. And I said to her how can you be looking for places for them when they already have places in 2nd year, and she (HSCL) said …"Ah yeah! That's not really going to work out next year (3rd year)…" And that was the second alternative place she had visited that day (Stakeholder: Youth Justice Sector).

The participants attributed such practices to educators' 'social classism' (Teacher) and 'prejudicial attitudes' (Teacher) towards working class culture, capabilities and potentialities. The participants highlighted this as being particularly applicable to working class males whereby some educators have become almost institutionalised into viewing them as possessing only deficits without any redeeming strengths or potential. It was suggested that such prejudice has translated into the presence of an 'impenetrable class ceiling' (Principal) in the education system, one that is sustained by assumptions of the inevitability of failure on the part of students. Such assumptions were, in turn, described as enabling educators to continue such practices and to rationalise them by locating alleged problems with the aptitudes and the minds of the students as caused by the types of families and communities in which they come from.

You can see like there is an impenetrable class ceiling almost, that these kids can't break through the ceiling, so there is a poverty of aspirations for these kids like they [secondary schools] don't believe in these kids and when you challenge it [the system] you're seen as a problem (Principal).

> *There are a lot of kids who enter into the secondary school system with a stigma around them, with a story behind them, with that story and stigma conveyed a very coded, implicit way, and what happens then, you see, is.. and everyone knows this…is that when they arrive, then a lot of people have a very closed mind, and what I mean by that is that a lot of teachers would have a closed mind (Principal).*

The former students' perceptions of experiencing their schools as segregated spaces was similarly described by the participants in the education cohort, with practices of segregation being supported by educational policy instruments, either passively or actively. Educators described how social policy in favour of positively affecting inequalities in an educational context had, in practice, the opposite effect for the former students. They believe that these social policies implicitly endorsed the deficit assumptions that locate the reasons for educational failure in the aptitudes, behaviours and the minds of working class students the cause of which arose from their social milieu.

> *For many of them I would say they are very damaged mentally…They're nearly set up to have mental health issues. They're predisposed to mental health issues (Principal).*

> *We have very few massively talented academically brilliant children (Principal).*

> *I mean for the majority of our children, they are wonderful to be in school in the first place and to actually manage themselves in school, I mean… (pause) that's an achievement (Principal).*

The participants strongly expressed the view that some schools have interpreted and found their own uses for those policies, uses that were the antithesis of positively addressing inequality and promoting inclusion within the education system.

6.1.5 Misuse and Unintended Consequences of Policy

The issue of school designation was the source of much focus and tension in the interviews conducted with both educators and stakeholders alike and very much chimed with the former students' perceptions of some schools as being for those students who are viewed as the 'bad boys', the 'riff raff, the 'bottom of the barrel' and 'thugs'. The participants expressed the view that the designated model of concentrating extra resources and additional supports in selected schools only has contributed rather strongly to this by producing, what educators described as 'ghetto schools' that become associated with being a school for the 'children coming from dysfunctional homes'…

> *With DEIS a school becomes associated with having that kind of school population and that isn't to me, that is not a good framework (Principal).*

> *I think designating exacerbates behaviours and what it does is it can almost ghettoise, it can almost ghettoise (Teacher).*

> *It equates to a ghettoisation model…and it magnifies the negative behaviour and creates for problems. It compounds the problem because concentration leads to one type of behaviour, no dilution, no diversity when you need more opportunities to experience a more comprehensive overview for all children to learn and be exposed to different ways of living (Teacher).*

The participants expressed the view, that in their experience of working under the designated schools model, DEIS schools together with alternative schools have come to be seen as 'dumping grounds' for the students that the middleclass schools do not want to take. By concentrating the types of supports that students, who come from low income families, may need, like the School Book Grant Scheme, The School Meals Programme, the Home School Community Liaison Scheme in selected schools only, educators felt this has contributed to *'tracking specific children into particular kinds of schools' (Teacher).*

You can see that the schools thriving in the city are the schools that would have a bad record in terms of taking in youngsters from all sorts of backgrounds (Stakeholder-Education Correspondent).

I have heard from parents who are doing the transfer programme which is around going to secondary schools that children of DEIS schools are being encouraged to go to DEIS secondary schools (Teacher).

It's interesting the schools that you don't deal with so you [non-mainstream school] wouldn't deal with (names out a list of Non-DEIS secondary schools). So there is a category of schools that you wouldn't at all have any relationship with because you would have a school such as [names school] who generally would not have accepted children from certain estates, so the links we'd have would be, and I suppose it fair enough for me to say that they would be, seen as schools even now in 2016 for the working class of Limerick (Educator).

Educators supported the need for such resources and concessions, and identified the positive benefits that the DEIS policy has yielded for schools in terms of staffing, supports and training programmes in relation to literacy and numeracy, increased staff levels, access to continued professional development and small class sizes. Those advancements were identified as having the capacity to deliver results.

DEIS has given us significant supports… Yes. It has some programmes that have come out of DEIS that have absolutely been wonderful and showing results.. And I'm not talking about monetary supports. It's more got to with staffing supports and programmes in relation to literacy and numeracy and that kind of stuff they are the things that actually very definitely deliver results (Principal).

However, there was also the view on the part of educators that the lack of universality in the availability of such supports and concessions in all schools has supported the continued practice of non-DEIS schools guiding students with certain background characteristics into DEIS and alternative schools. The participants expressed the view that, in their experiences, school designation has, in practice, become synonymous with being schools to which all the students who are perceived by the system to be abnormal

or not the norm are sent. This meant that the challenges that come with poverty and deprivation are not being shared out among all schools equally.

> *You lose the critical mass of normal in adverted commas or if you want to call them the more stable children and the more stable families that are the role models for the others… So you have too much of a concentration of children with difficulties, which is not to me the way forward (Principal).*

The concept of normality was linked to beliefs and attitudes relating to the areas from which students came, their parents' occupations, and their parents' marital status. A presumption of inevitable underachievement was linked to those characteristics, lending itself to what was close to being a justification for the utilisation of DEIS schools to contain such students.

> *The cohort of students that attend DEIS schools are the cohort of students who are never going to achieve a high standard (Teacher).*

All participants directly linked school type and choice to influencing teaching and learning experiences.

6.2 Learning Experiences and Dislike of School

6.2.1 Diluted Education

One of the most striking, if not common, features characterising the teaching and learning experiences of the former students was the amount of time that they described spending in school not doing any schoolwork. The majority of former students recounted experiences of not being engaged academically or challenged to progress beyond a certain level. The former students believed that this was because their schools held preconceived judgements that there 'was no point in teaching them anything' because 'they weren't going anywhere' (Andy, Tony, Vincent, Michael, Tim, John, Robert, David) and therefore would not need it. Here the former students recalled spending large amounts of time in school been spent off task doing no academic work.

I was kept in a room outside of the classroom with no work to do on my own…Came in [to school] and sat around and did nothing basically that's what they [school] had me doing. Genuine (John).

Like we didn't even do tests in the same way as the other students. Like they were still doing long division in 3rd year with us (Robert).

It was brutal, like, we didn't even have no books or nothing, like, it was just a fucking copy, a few sheets a fucking few copies, you know what I mean like? It was ridiculous, like, just ridiculous (James).

There was no education going on (Tim).

They described being bored for much of the time that they were in school due to, what they described as, the low volume of academic work that they were given to do. This was compounded by descriptions of what happened when they did receive academic work. They felt the level of that work to be below their academic ability. Moreover, the ways in which they were taught it was done in a manner that the former students described as being as if they were slow and thick. They described how this made them acutely aware of the low academic standing that they occupied within their schools.

There was an element of teaching us as if we were thick or stupid (Vincent).

We were just doing the basics and a bit of hurling, rugby, soccer and cooking practical stuff (Robert).

They described the things that they were learning about as not corresponding with official curriculum content. Instead their learning experiences were seen as ones that reflected the types of perceptual futures that awaited them.

It was like I was lost cause (Tommy).

The expectation when you came in the door was, you're going to go to prison or you're going to die young. You're just going to be a bum, a waste of space, just collecting taxpayers money and spending it then in the off license, you know (Tony).

The expectation was you'll be going to the post office every week for your lone parent book, kind of a thing (Amy).

You were out picking up papers most of the time rather than learning lessons like prison or community service…Like the teacher would say "Alright Tim you go out there and pick up the papers out of the yard" (Tim).

They also spoke of experiences of segregation and isolation from the general school population as some of the most defining characteristics of their learning experiences.

6.2.2 Isolation

Being isolated from the wider school population virtually from the moment of entering secondary school was an experience shared by the former students. This happened, they said, prior to any improprieties or behavioural misdemeanours that they described having engaged in later on down the line. They spoke of experiences relegated to the back of the classroom, left to their own devices, without any help from, or engagement with their teachers.

I used to just have to sit in the back of the class (Tommy).

I'll be honest now we were always put at the fucking back, I don't know why like, but for some reason we were always put at the back (James).

They'd just leave me in the back of the room and just not care. They'd exclude me like that (Andy).

I was often thrown outside the class, outside the door of the class, say like for the whole class and then again, say, I was always at the back of the class. I was never up at the front (Michael).

Others described being kept outside their own classrooms, isolated from both their class and other students in the schools, without any academic work to do, sometimes for weeks and months on end.

Their punishment is that they're isolated away from their own friends and class (Principal).

I was kept in a room outside of the classroom with no work to do on my own…And this was going on for weeks now (John).

We would have students come into us [Alternative school] saying that they were left alone in a room [in mainstream school] listening to whale music for an hour and then they'd go to another lesson, and then home at 12 o'clock (Teacher).

Another common experience of learning among the former students was being clustered together into classes with students who came from the same neighbourhoods. They perceived such practices of grouping and streaming as not so much reflective of ability, but believed that their addresses were being used to enable the system to more easily identify them, negatively label them and to discriminate against them.

We were all in the one class. So they kept us all from that area in the one class (Robert).

We were in the lower class and we were put together… In the slow class you know…I strongly feel that we were put together by our addresses (Jane).

Our class was 2 or 3 from the Southside, 2 or 3 from the Northside it was just we'll put them in together (Vincent).

> *What I see a lot of the time is that a lot of these young people are being put in the same class…They're been given a class name, and that class name, if you asked any of the teachers in the school would be related to "these are the dunces in the class, these are the dunces in the school and we're putting them all in together in the one class" (Stakeholder-Youth Work Sector).*

The former students described the impact of such practices as ones that labelled them, branded them, stigmatised them and made them feel different from, and inferior to, the wider school population. They described their experiences as denoting to both them and the wider school population that they were seen and thus treated as the 'bottom of the barrel' (Michael, Tim, David). They felt such classes were for where all of the 'riff-raff, thugs and scumbags (Tony, Andy, Michael, Tim, David) were put to let them off to their own devices, to do what they liked, because there was a prevailing view on the part of their schools that 'they weren't going anywhere anyway' (Michael, Vincent, Tim, Robert, Andy, Tony, David, Tommy).

6.2.3 Expectations

The expectation for the former students to achievement academically, was described as being extremely low by all of the participants. School designation and negative perceptions on the part of teachers pertaining to student background characteristics was highlighted as contributing strongly to these expectations. There was the view that the attitudes on the part of schools were that there was no point in making an effort with the former students or students like them because their ability to achieve a high standard academically was diminished because of the social milieu from which they were coming.

> *There is an unspoken or unwritten rule, you might say, that if you're going to be a teacher in a DEIS school that first of all that the standards are going to be much lower, and it's just a given that the IQ or the expectation level for them to achieve academically is going to be lesser than if you were teaching in a more middle-class school (Teacher).*

The attitude was they're not going to make any progress anyway so you mind them, you take care of them and you get them through, and this is very bleak, to either drawing the dole, if you're a girl becoming a parent, or going to Mulgrave street [Limerick Prison] to do a sentence (Teacher).

As a teacher you're going into a DEIS school and your perceived attitude before you go in are is that everyone is unemployed or everyone has addiction problems or whatever, and the children are going to be less academically able, and you kind of perform to that expectation yourself, whether consciously or unconsciously, and the system kind of wears you down in a sense (Teacher).

They're [students] all combined in together and …allowing social classism to say right this is a DEIS school sure we'll expect nothing anyway, or just go in and teach them to read and write and a few maths and they'll be grand.. That's not okay! The expectations are on the ground! (Teacher).

Equally, the former students recounted how they were not pushed to do anything academically or expected to achieve anything by their schools. They described the poverty of aspirations and expectations on the part of their schools, even to the extent of not seeing them as able to achieve educationally by completing their secondary education.

You weren't pushed to do anything, like…You weren't expected to reach anything or do anything like you know what I mean? So…(Robert).

When I was in the class then [1st year] they were doing, say the only way I could describe it, was primary school work in a so called secondary school (Vincent).

The former students attributed the lack of positive expectations on the part of their schools as contributing to them being unprepared academically for the transition from primary to secondary school. They highlighted how they always appeared to be kept at a certain academic level that meant that they were always behind other students.

> *We were still around two years behind them going into 1st year from the schools they were coming from [non-DEIS schools]. We knew our basic Irish but they [students from non-DEIS primary schools] were speaking fluent Irish, they were speaking other languages, Spanish, German and the whole lot and even with English they were onto Juliet Caesar in 1st year, and we were doing Ann and Barry in 6th class you know what I mean (Robert).*

Educators did not perceive such practices to be because the former students lacked the ability and capability to learn. Instead they described it as resulting from pedagogical decisions on the part of schools to control access to the type and level of work that they perceived the former students to be capable of. Restricting access to instruction time, specific subjects and subject levels was identified as a consistent and accepted part of learning practices for students with the background characteristics of the former students, because there was a view that *'academic progress isn't a priority (for schools) for these particular children' (Teacher).*

> *Sometimes there are other guises de facto where students are being put out [of school] but are not being told that they are being put out. So I'm talking…You're going to do these subjects and you're not going to these subjects, you know, I'm taking you out of maths, I'm taking you out of this, I'm taking you out of that (Teacher).*

> *They are put into foundation level and don't get a choice of ordinary or higher level subjects (Stakeholder: Youth Justice Sector).*

> *You'd hear of kids doing arts and crafts five mornings a week 9 to 11am, and then sent home (Teacher).*

The types of educational realities that these expectations translated into in practice meant that these students got, what they described as, the basics in terms of English, Irish and Maths, coupled with some practice stuff. The expectation contained within this, from the former students' perspectives, were that such basics were enough to carry

them through to their compulsory schooling limit, at which point they were expected to be gone from their schools or told not to come back.

> *It was just if you didn't turn up after 3rd year you didn't turn up… It was like that because you were from a disadvantaged area you were just hanging on in there (Jane).*

> *Most of the kids that went out [to a Non-DEIS secondary school] from my area didn't last past 1st year, and if they did last past 1st year they wouldn't last past 3rd year (Robert).*

The former students described the educational realities produced by such low and negative expectations, as ones that left them with feelings of been slow, stupid, useless and made them 'mad to get out of their school, really' (Tim, James).

> *They basically made me feel like I was useless, basically, I swear to God, it felt like you were a piece of shit on the end of their shoe. That's what it was now basically (David).*

> *I was invisible, my ability was invisible. They only saw the boy who wasn't accepted anywhere else (Vincent).*

> *It was all [my area] in my class the bottom class! and I remember it went 1A, 1B, 1C, 1D and it was traumatic that you got 1D like… You're in 1D. You're in the slow class you know so you were labelled there again (Jane).*

6.2.4 Experiences of Punishment and Power

Experiences of punishment, in a variety of forms, were also highlighted as a persistent feature of the teaching and learning experiences of the former students. This came in the form of physical and non-physical punishment. Most of the older former students who were in their mid to late 30's and early 40's reported experiencing a form of pedagogy based on punishment that enmeshed teaching and learning methods with physical assault, ridicule and humiliation throughout their time in school. This included

being slapped, beaten with sticks, punched and thrown down flights of stairs by their teachers and principals.

> *As for the Principal he gave me a few digs one day and he fucked me down the stairs… They had the meter stick and they'd be cracking it off you (David).*

> *Mr A he used to go around with this stick, and if you were acting the bollocks then he used to come under the table and beat the knees off you, I swear to God (James*).

> *One day I had a cut on my hand and she [teacher] stuck her nails into it deliberately and ripped it open (Robert).*

> *The principal would put you up on a green mat, and he would tell you if you move off the mat after I hit you, you'll be put on it and hit again (Martin).*

The former students categorised such experiences as abuse and criminal assault. They also described the games that their teachers would play with them to test whether or not they knew their words, and what would happen to them in front of everybody if they did not know them, in order to teach them a lesson. They described how they would be brought up to the top of the class to test them on their knowledge of the words that they were given to learn. If they got a word wrong, they would have to put their hands out so that they teacher could whack them across the knuckles with a thick stack of word cards. Another 'pedagogical game' that was reported was the electric guitar. Again, this game was described as been used to punish errors in schoolwork. For this game, if they failed to give the right answer, they were brought up to the top of the classroom and were physically assaulted. Here students would have to put their arm out straight so that the teacher could squeeze the muscles in the student's arms 'pure fucking tight.'

> *He use to fuck up your arm, your arm would be in bits for about a week, like, you'd have bruises here (makes gesture) on your arm, an all like, and*

he'd be laughing at you an all, like, come up now you it's your turn for the electric guitar. That's fucking assault like! (James).

They saw such experiences to be an abuse of power on the part of their teachers that was intended to cause hurt, harm, and a sense of shame and humiliation. For others, in the absence of physical harm, they recalled the presence of the threat of it.

He (Principal) went like that (raised his hand) as if he was going to hit me, but like I kind of flinched because obviously you're going to when someone goes to hit you, like you're going to flinch, and he just started roaring laughing into my face when he knew it was after getting to me, and then I turned around to walk away and he gave the door a boot before I could get out so the door locked (Tommy).

In addition to physical punishment, the former students identified what they described as sanctions for *who* they were and *what* they represented. They recounted experiences of been punished for the types of haircuts that they had, the type of clothes they wore, and the type of footwear they came to school in.

My haircut I got a V, you know bald on the sides and hair on top, and I came in (to school)… and he (principal) was like, he said, "Look this haircut is not going to go with this school so I need you gone for two weeks until it comes back and when your hair goes back, you can come back" (Tony).

I'd come to school with tackies on (runners) and then when I got to the door, they'd throw me out. You can't wear tackies…They'd constantly throw me out (Andy).

I mightn't have had my (school) tie, and the principal would say to me go home (Martin).

6.2.4 Dislike of School

The former students described their negative experiences of teaching and learning as leading to them coming to intensely dislike school and experiencing learning as a painful, demeaning and an unhappy experience. This led them to view the process of learning and education as being 'a load of shit' (Tommy, David, James, Tim, Robert) for people 'like them', experiences which adversely shaped their worldview.

> *It affected my mind frame and how I viewed things, like, I thought that people were out to get me, like, I thought the world was out to get me (Andy).*

> *It's [education system] a load of shit (Tommy).*

> *I never felt wanted there (Tony).*

> *It was a load of shit I hated it! I hated because the teachers were only cunts (David).*

> *To them (school) we were no good… You're stupid, you're stupid, you're stupid (Amy).*

> *They're bastards, they treat you like a dog in the school, and you're just mad to get out of school actually (Tim).*

Their descriptions of their teaching and learning revealed that based on social characteristics and family background, that were, in their view, unrelated to educational factors, the privilege of access to education never appeared to be fully granted to them. Instead, access to education and to school was restricted and based on the condition that they mixed exclusively with 'their own people', and did not venture into the vicinity of those who were not in the same class as them. They says this as a form of symbolic punishment characterising their restricted access to school and education.

They also listed the presence of continuous penalties. This communicated to them that an academic education was not a right that applied equally to all students. Instead it was perceived to be a privilege to be won or lost be based on a number of extrinsic conditions unrelated to behaviour, ability or potential. Central to this restricted access to education was control over the amount and type of academic work that they were taught and the lack of effort on the part of their teachers to explain to them how do the work that had been prescribed to them. Such experiences further contextualised how the practices of educational streaming and ability grouping are understood more broadly within this group. For these former students, such practices did not necessarily reflect their academic ability but were influenced by non-educational factors.

> *I got into one of the top classes in there so the second highest… And I was getting all B's and C's so when I went into 2nd year then they put us into a class…X and X was everyone from my area in there (Robert).*

These practices, they felt, should be understood in the context of the kinds of pedagogical and educational decisions that were made by schools on their behalf and what they perceived to be the low academic standards that their schools set for them. These included educational experiences that never really gave them full access or exposure to the type of academic material that appropriately reflected or tested their academic level or experience, and the absence of teaching strategies to adequately prepared them to progress to the next academic level.

> *There was an element of teaching us as if we were thick or stupid (Vincent).*

> *We weren't prepared by our (DEIS) primary school to go that (non-DEIS) secondary school academically no way were we… They were still doing long division in 3rd year with us (Robert).*

6.3 Experience of Disciplinary Sanctions and Perceptions of Systemic Unfairness

6.3.1 Detentions, Suspensions and Expulsions

In addition to experiencing physical and symbolic forms of punishment, the former students also described experiences of formal sanctions in the form of persistent detentions, suspensions and expulsion from school. All of the former students reported receiving in-school detention and regular suspension that resulted in their absence from school from three days to two weeks at a time, and, for some, up to 6 months. Others reported being on rolling suspensions, suspensions that did not have a specific end date for the duration of which they reported not receiving any schoolwork to do. The behaviours that led to detentions and suspensions for were not, according to them, for any major infractions of schools rules. Their actions and behaviours didn't, they felt, warrant such prolonged absence from school.

> *One day I was inside the class and the teacher said something to me, and I said "Jesus Christ" and I got suspended for 3 days for that, like, they told me that I was cursing (Jane).*

> *I got suspended just for talking in class (Tony).*

> *I was thrown outside the door because I mentioned my brother's name to a teacher who actually had him way back, and I was thrown outside the door, and from then on that teacher never liked me, and that led to trouble, reports, being suspended.. (Amy).*

> *I was suspended for singing a song (Tommy).*

> *I was never in any fights in that school, I was never, like, I was never crazy. I never acted out. I never went wild in the school but I still kind of got punished firmly (Andy).*

In addition to experiencing suspensions and in-school detentions, the majority of the former students reported having been expelled from school, however, this was not a

straightforward or indeed a formal process. When they described being told by their schools that they were no longer allowed to come back to their schools, almost exclusively upon reaching their compulsory schooling age, they described processes whereby their schools told them that it would be better for them not to have a formal expulsion on their records. The former students highlighted how this left them in a situation whereby they did not decide to leave school early but were in the position whereby they no longer had a school place to go back to, but nor had they been formally expelled from the system.

> *I was expelled and the head teacher asked me to complete the Junior Cert and he told my mam that I no longer had a place in the school after that (Raymond).*

> *Basically he (Principal) said don't come back for 5th year. I just finished my junior cert and they were like don't come back… They made it out as if they were doing me a favour, but basically they were saying that we don't want to go through the hassle of that, we don't want you to come back, you know, but I don't want to fill out paperwork. Just go, you know (Tony).*

All forms of exclusion, both formal and informal, were a particularly prevalent characteristic of their educational experiences. However, it was also considered, by stakeholders and educators, that the frequency and severity of such rates of discipline and exclusion among this cohort of students was not attracting either political, pedagogical or policy interventions because they were and are being done in a manner that avoids using formal mechanisms and are therefore not being captured in formal statistics pertaining to school exclusion.

> *Very few are formally excluded. It's mostly informal (Teacher).*

> *They (school) didn't use formal mechanisms to exclude them (7 boys they were working with) (Stakeholder: Youth Justice Sector).*

> *Some guys go to school 3 times a week. Some guys go to school for half days, and of course I find coming across that schools deal with certain*

individuals like that if he catches his bag at 11.15, and walks out the door than no one really stops him. He's down on the roll (Stakeholder: Law Enforcement Sector).

I rarely ever formalise it, in other words, I'll say to the parents "Look take him home now for today" and I don't even count it as a suspension (Principal).

One of the prevalent incidences I have come across is where children are, I suppose, 'invited' to not re-attend school after their Junior Cert (Stakeholder: -Legal Sector).

I had a young person recently in first year, and her mother got a letter to say that we don't really think that we can facilitate your child's needs and she would be better placed in an alternative school, but there was no provision to get her into that alternative school (Youth Family Support Sector).

They are being asked to leave school (Stakeholder: Youth Justice Sector).

These participants expressed the view that the use of non-formal procedures to exclude students who share the same demographic and family profiles of the former students means that such students are considered in policy and statistics as early school leavers, not suitable for mainstream, or simply refusing to go to school. This diverts policy and practice interventions away from identifying institutional practices that are effectively terminating such student's school places.

So they're not statistics of being out of school (Teacher).

Officially they haven't got rid of the child but in all intents and purposes, they have (Teacher).

They transfer to secondary school… And then you hear of them maybe going to a special school. The secondary school system doesn't serve these kids well (Principal).

6.3.2 Perceptions of Bias

In terms of receiving detention or being sent to the principal's office for misbehaviour there was a view on the part of the former students that sometimes it was fair to be punished, but for the most part they expressed the view that they were harshly, unfairly and disproportionately punished in comparison with the wider school population. They recalled experiences where they were suspended and or expelled from school, whilst other students, who engaged in similar and or the same behaviour as them, received different outcomes and less severe sanctions. Where behaviour was similar or the same, but involved students who were from different social background, they highlighted the divergent responses on the part of their schools to such infractions. They were the ones who got harshly punished, sent to the principal's office, suspended, given detention or expelled, while the other students were send back to their classes and were kept in school. They felt that there was an assumption of guilt, in that they were the ones who were seen to have started things and or who were the ringleaders. They offered examples of what they described as the 'blindness' and 'bias' on the part of principals and teachers, when it came to seeing who was doing wrong and who deserved to be punished.

> *The teachers couldn't see the fella that was well dressed doing the bullying to you and then the fella that didn't look well, he was always seen to be caught.. Their eyes were open when it was you that did it (Martin).*

> *If you were from my area, it was assumed that you started it, you know, so you were to blame. And it would always be one of us who were punished. The other lads would be sent back to class and you'd be sent home (Robert).*

> *There were other people inside in the class and they were doing worse things and cursing and this and that and they (teachers) were doing nothing to them, they were doing nothing!...Whereas when it was me I was sent off to get punished (David).*

Perceptions of bias in who got punished and who did not, who was seen and caught and who was not, were attributed by both the former students and stakeholders, to how teachers and principals labelled and branded students based on where they were from and their backgrounds.

> *You see, there is already a perception there that they're trouble, and they get less chances than somebody going to a school out in say Newcastle West, because they seem to be put in a box that if they're from Southill, Weston or whatever, that they can only be within that box of Southill/Weston and people see them, schools see them, the Gardaí see them, the HSE see them as a problem (Stakeholder: Law Enforcement Sector).*

The former students described how all students in their schools were labelled but were placed into two different categorises. They described how you either belonged to the positively labelled group or you belonged to the negatively group. It was this categorisation that the former students perceived as determining both who got sanctioned and the severity of the sanction, rather than the actual behaviour that was been sanctioned. Factors that led to being labelled positively or negatively included appearance, address, family structures and parental economic/occupational status.

> *I was just kind of excluded 'cause I was one young fella that sounded different. My mother and father weren't rich you know…Worst thing I ever? I never did nothing like scrapping (fighting), like, just messing.. Being a fucking young fella, like (Tony).*

> *If you came from the wrong place where your mother and father weren't doctors or solicitors like the other kids and were on the dole or worked as cleaners you were treated differently the minute you went in. You were seen different, like (Robert).*

> *It's always the weakest person that gets attacked like, and I felt like that I was a weak person not physically, but you know the home that I came from was a broken home essentially, like…They'd always throw me out of the class every time for stupid things 'cause they just kind of judged me as a messer, like (Andy).*

The former students were forthright in accepting that their behaviour over time became out of kilter and warranted some form of disciplinary action. They expressed the view that "if you do the crime you do the time". What was important to them however was a question of equity and justice. In their descriptions of the behaviours that they engaged in, they did not claim that it did not deserve to be punished in some way, but took issue with how that behaviour was punished, the context in which that behaviour was occurring, and, most importantly, their sense that the rules did not apply equally to all students. They highlighted practices of 'social blindness' in terms of who got caught and punished for misbehaving and the disparities in sanctions that seemed to be based on home addresses when people from different areas got caught doing the same things. Those experiences reinforced their sense of the lack of value and worth that their schools had for them and confirmed the bias that they perceived determined the role that their background context played in influencing decisions in who could be expelled, who could not be, and the reasons why.

> *Fifteen of us got caught mitching or mooching…And, ah, I was the only one who got expelled out of them. It was me that was picked out, and where I was coming from, played a lot in it, an awful lot, as I said fifteen of us mooching or mitching from school.. Why did only one get thrown out? Why did one get expelled instead of the rest? (Raymond).*

> *For fuck's sake there was fellas there from town (city centre) that climbed over that roof, there was another two from Raheen and there was another fella *Johnny Ryan* from the same area as me and he got expelled as well that day. There was a fella from Weston expelled that day he climbed over the roof…and two fellas from town and the fellas from Raheen, anyway, they didn't get expelled at all, like (James).*

> *I started getting bullied straight away, like proper bullied, and the school never did nothing they just left it off for a whole three months until I actually exploded and then I was the problem so they expelled me and I know for a fact that they didn't expel the other student because he is still going to school (Tommy).*

Some stakeholders and educators echoed this sense of differential treatment on the part

of the former students, drawing on their own experiences of working in the system.

> *To be frank, the biggest problem with rules is the people who practice them and that's where you run into problems (Principal).*

> *There are certain schools and certain teachers who make judgments about young people when they go in the door, before they have done anything, where the attitude is they're going to fail anyway (Stakeholder: Community and voluntary Sector).*

> *See the children I have here (non-mainstream school) are exactly the same as the children I had in (non-DEIS secondary school), exactly the same as the children I had in (private secondary school) exactly the same, the exact same behaviours. In fact some of the behaviours I saw in those schools are worse than the behaviours that I have seen here (non-mainstream school), but I don't think anyone had been sanctioned to that extent (suspension and expulsion). They found other ways [to discipline]. They had to.. No, not that they had to. They chose to (Principal).*

The former students believed that that their background characteristics made it easy for their schools to exclude them because in their eyes they were 'a lost cause' and they were not 'going anywhere in life anyway'.

6.3.3 Perceptions of Disproportionality in Punishment

Throughout the interviews, the former students described how the behaviours that they were punished for did not warrant the severity of the sanctions that they received, expressing the view that their schools 'took it too far' (John) by excluding them, and the punishments that they received were disproportionate to the kinds of behaviours that they had engaged in. They described the behaviours that they were been persistently suspended for, and in particular the behaviours that led to their expulsion from school, as silly stuff rather than for major infractions of school rules. Like the court system the former students described how their 'previous' went against them, and noted how these 'previous' were held against them when they came back from suspension whereby teachers would ask them "How long you are back for this time?" They strikingly illustrated in their descriptions, the importance of understanding where their behaviour was coming from and the experiences that were underscoring it, saying

it was not because they were academically unable or uninterested in school or learning. Instead they described how their behaviour was occurring in the context of what they perceived to be the presence of relentless penalties.

Their behaviours were described as happening in the context of persistent boredom due to a lack of academic stimulation, and in the context of been constantly asked "Why are you here? Why don't you go down to X (DEIS) secondary school?. They felt exiled and treated like second class citizens, told "we don't want you", and reminded of the number of different ways that they did not fit the school profile. They felt this was due to their appearance: not having the right haircut, the right pants, the right shoes, the right colour socks. These incidents were compounded by being 'slagged' by their teachers about where they came from, called names by their teachers, degraded in front of the class for getting words incorrect, and constantly told that 'You're stupid, you're stupid, you're stupid..' They felt they were just seen as riff-raff. In short, the former students described their behaviours as a direct response to what they felt were continuous experiences of rejection and punishment for *who* they were, rather than for *what* they did. Exemplifying this further, the former students described the reasons for their punishment and expulsions, calling those reasons 'silly things' that did not pose a threat or cause harm to either their fellow students or their teachers.

> *I wouldn't have hit anyone like or caused anyone any harm like (John).*

> *I was never in any fights in that school, I was never, like, I was never crazy, I never acted out, I never went wild in the school, but I still kind of got punished firmly (Andy).*

> *It was only all stupid stuff, like, I never assaulted anyone or anything inside the school like (Amy).*

> *Worst thing I ever did? I never did nothing like scrapping (fighting) like just messing being a fucking young fella like (Tony).*

They saw the quality, or lack thereof, of the relationships that they had with their teachers as an important part of such experiences. Throughout the interviews, they felt that their teachers' perceptions and the judgements that they formed about them as people was based on their social backgrounds, but that this also provided their teachers with almost a justification to treat them in a negative, demeaning and deficit way.

They just expected you be bottom (Martin).

The following section presents the findings as they relate to relationships, communication and responsibilities. In this section, the nature and impact of the relationships between the former students and their teachers is described, alongside the types of relationships that parents and external stakeholders had with schools. Following this, accounts of experiences of exclusion and power are outlined. This section describes the different ways in which the affected students were (are being) punished and excluded from school and accounts of the critical factors that were perceived to be driving punishment and exclusionary practices are also presented. This is followed by the theme of the loss of structure that school provided to the former students and this section describes how this was perceived to correlate with engagement in delinquent and criminal behaviours. Next the themes of blame and responsibility are presented. In this section, attributed blame and the question of who is, or who ought to be, held responsible for the educational experiences and outcomes for the former students is presented. Finally, the chapter concludes with the theme of desire for transformation and the system barriers that were identified as impeding meaningful system change.

Section II. Relationships, Communications and Responsibilities

6.4. Relationships with Teachers

Relationships with their teachers were particularly negative even if broadly reflective of the negative academic environments that these former students described having experienced throughout their schooling. Their relationships with their teachers were characterised by, what they felt was, a lack of respect and dignity for them as individuals, for their families, and for the communities from which they came. The former students described their relationships with their teachers as being perceived to be fraught with discrimination and bias, leaving them with feelings of being abused emotionally and educationally. They described their teachers as practically institutionalised into viewing, and thus treating them, in a negative, deficit manner based on factors that were unrelated to their academic ability or behaviour. The outcome of these relationships with their teachers left them with feelings of being stupid, not being wanted, and of not being valued.

> *It was like I was stupid, and I was made feel like that (Tommy).*

> *The way you were treated was like a second class citizen. They didn't show an interest…They didn't care you were just left to your own devices, kind of a thing, you know, you're kind of exiled and treated differently (Robert).*

> *Like, they (teachers) had kind of a vengeance like "ah you're only stupid, I don't know what you're doing here lads, you're better off leaving, you're not going to go anywhere in life you're never going to have a job, you're never going to be anything"(Martin).*

> *All the teachers were making me out to be a scumbag (Tony).*

> *When you were in school the teacher would look down at you…You were kind of branded for your appearance (Michael).*

> *He'd (teacher) bring you up to the top of the class in front of everybody to degrade you…The teacher would be calling some of us scruff bags and shit*

over not wearing the right pants and things, scruff bags, Tinkers an' all! (James).

These negative relationships and interactions with their teachers stemmed from what they perceived to be discrimination on the part of their teachers towards their background characteristics.

You were seen different the minute you went in there. You were judged like...They judged you on your address rather than what you could do like (Robert).

The whole time I found where you're from that's what it is… It was, sure he's from a rundown area, he's only dirt, so we'll treat him like dirt kind of a thing you know what I'm saying, like? (David).

The teachers would be slagging about where we were from, you know, saying any robbed cars up there last night? you know what I mean? Anyone get stabbed today? (Vincent).

On my first week of (secondary) school the principal told me to go down to x school [nearby DEIS school] cause I wasn't wanted here. I'm not their kind of person like and I remember bawling my eyes out crying and going home to my mother saying that he is going to expel me from the school, like (Andy).

Relationship with teachers were felt to be a rejecting sort of a relationship, the effects of which created a major barrier to their inclusion and participation in school life, and to their educational progress more broadly.

My experience was that they had rejected me, do you know? (Vincent).

They should have fucking treated us properly and helped us to do our work and give us a bit of homework to go home and do that, and bring it in..We were getting fuck all, basically fucking sweet shag all. All we were getting

was like punishment at the end of the day. We were going to school to get punished do you know what I mean (David).

I had no help in school. I never had any help in school (Raymond).

You'd ask the teacher to give you a hand, she'd be like I'll be down to you now in a minute and then you'd get some other cunt than like you know wearing nice clothes and from Georgian village "Help me with this sum" and the teacher would just go straight down, like you know what I mean? So we were treated differently, and you could see that (James).

6.4.1. Relationships with Gardaí

The negative relationships that the former students described having experienced with their teachers were ones that they reported later as being replicated in their encounters with other State agents. They said that the feelings of being maltreated both physically, emotionally and of being treated with a lack of care, a lack of respect, of little value were mirrored in their encounters with the Gardaí, describing those relationships as particularly bleak. The majority of the participants described the Gardaí as 'brutal animals' who beat them frequently, both prior to arrest and/or while in Garda custody. Throughout their interviews, they described those experiences and gave examples of how they would be frequently stopped and searched by the Gardaí while out in public for, what they termed as, 'no just reason'.

They gave this whole kind of fucking bullshit there, like, you know, oh, we're searching you under the Drugs Act so they searched me…made me take off my shoes, like, degrading me in the middle of the city centre, and then, like, they fucking tore me off the bike and took me down to Henry Street [Garda Station] into a cell and when they put me down the stairs, your man [the garda] slapped me, he slapped me across the face in front of loads of guards. Like, they made me strip down to my underwear and threw me in the cell for being on the path on my bike (Andy).

They were animals, the guards, you know what I mean like? When they beat ya, you'd know all about it. You'd have bruises on your face when they beat ya. No time for you at all, like, what they do is just beat ya, fuck ya into the cell and then they leave ya rot in the cell (James).

The first time I was ever arrested was out of a robbed car and I totally 100% agree everything I done was wrong but when they are arresting you and then they are bringing you into a cell, and they're beating the living daylights out of you and then bringing you out and charging you for something you did, that was wrong? (Vincent).

Every day of the week they (Guards) were at me, taking my shoes and socks and my jacket off, and they're still fucking doing it. They stop me in the street for nothing, not a thing and start ripping me apart and the whole lot. They are always doing it. It could be two and three times a day sometimes, and I'd be saying "What's wrong?" and they'd be "Ah, you fucking scumbag" and they'd slap me off the car you know what I mean like? (David).

Throughout their interviews, the former students said that they saw their in-school treatment and experiences as acting as a preparation that equipped them well for such encounters with the Gardaí as well as for what was to come later down the line in prison. They located what they saw as the similarities between their time in school and their time in prisons, viewing school and prison as one and the same because their experience of school mirrored in many ways their experiences in detention centres and in prisons. They described the same sense of being left to the mercy of a corrupt, uncaring system that was characterised by further maltreatment as well as being left to what they termed 'to rot' without any help, support or care. In their view, class officers in prison were not unlike their teacher's role while they were in school and they experienced the roles of both as being strikingly similar.

School, prison, is exactly the same, you know what I mean? The only difference is in the school, lads, you could come home from school to your family…In prison, it was still like school cause at the end of the day, he (prison officer) is called your class officer and I mean everything had to be ran by them. It was like you were at school and you were asking your teacher "Can I do this? or "Can I go out to the yard, sir? It's (school and prison) the exact same, like, but they punish you more in there, like 'cause, it's a prison you know (Martin).

They were running that school like a jail, I'll be honest, because they were just treating people like criminals in there, like young fellas beating, cause

I've seen people getting beatings inside jail, off the screws [prison officers] you know what I mean?, like, it was like watching the teachers beating the kids in the school. It was just like the same fucking thing, like. It was just like teachers, like screws, and screws like, teachers, I swear to God. And the structure and the permission is the same, like (James).

6.4.2. Relationships with Parents and Stakeholders

The type of relationship that a school has with a parent(s) was identified as having a particularly important impact in terms of the type of relationship a student has with their teachers in school. Educators expressed the view that the quality of the relationship that a school has with a student's parent(s) acts as a protective factor for students, in particular, when it comes to disciplinary and exclusionary practices.

I always found as a teacher, if you have a relationship with the parent that child is going to get on fine in your class (Teacher).

The relationship with is key, it is key, absolutely key. If you have a supportive parent that works with the school the behaviours may not escalate in the first place, and if they do they're probably dealt with a lot quicker and a lot more satisfactorily (Principal).

If there is breakdown of a relationship with a parent, I think that is hugely detrimental to a child (Teacher).

If you have a parent on board you're going to react far more positively to the child because you feel that you have the support of the parent, whereas if you feel that a child is exhibiting negative behaviour and you feel that you don't have the support of the parent, it's much easier to engage with that child (Teacher).

Educators also highlighted that the type and quality of in-school relationship that a student has with a teacher can be adversely affected by factors unrelated to anything that no student has any control over, stating that this does have an impact on the types and severity of sanctions that may be administered to such students. The parents who participated in this research described experiencing challenging relationships with their children's schools. This was particularly apparent when engaged navigating

disciplinary and exclusionary processes with their children's schools. While the parents who participated in this research were not the parents of the former student participants, they all had had children who had been permanently excluded from the school and/or who subsequently came to the attention of the juvenile and/or adult justice systems. The types of relationships that they had with their children's schools were characterised by what they perceived to be a lack of respect for them on the part of schools, an unwillingness to work with them in order to address issues and to find solutions, and they also reported experiences of feeling they were judged negatively by schools in their interactions with them.

> *Because I was a lone parent, I was judged and even though I'm a lone parent. I'm a good lone parent everything is about my children, and that's how it is, but they (school) need to stop judging a book by its cover (Parent).*

> *I wasn't treated right by the school. I was treated disrespectfully. If I went into the school to talk to them they were, like, just go away. They weren't interested and they weren't even listening to my point of view (Parent).*

> *I felt that they [school] were blaming me and that they were looking down on me. That's being honest (Parent).*

> *I felt that they were looking down on us as if we were a piece of dirt. That's how I felt (Parent).*

Parents described how their own lack of education and poor experiences of schooling placed them in a powerless position when it came to challenging schools around how their children were being treated, in particular around addressing disciplinary and exclusionary sanctions. The majority of parents disclosed that they finished school by fourteen years of age and, like their children, described experiences of being rerouted to alternative provision or expelled by 2nd year of secondary school. They described their own negative experiences of schooling as putting them in a weak position when engaging with schools regarding school decisions to discipline and exclude their children from school. They also described how their own experiences of school made them *terrified* of dealing with the school, explaining how their lack of understanding of

how the system worked and their sense of not being educated enough to know how to challenge the school, or indeed even that they could challenge it, made them appear uninterested, and resulted in their children being unfairly excluded from school.

> *I didn't understand the process. I hadn't got a clue (Parent).*

> *I wasn't educated enough to fight it, more because it was like "Oh god, they are professionals and they know it all and they are in authority" and I was saying "Yes, yes, yes.." when I should've actually stood up to them and stood my ground (Parent).*

> *I didn't have a clue, genuine like. I hadn't got a clue what it was all about, like (Parent).*

> *I would have challenged it more, but I didn't have the knowledge, I was out of school at 12 yrs. and with my son I didn't understand that you could fight it, and as a parent I wasn't strong enough to fight the school or know who to ring or what to do at that time, so I take responsibility for that because I didn't have the knowledge back then as I do today (Parent).*

Where parents did have knowledge of the system and their rights to challenge the school in decisions pertaining to disciplinary and exclusionary sanctions, they expressed the view that the school held all the power, in that if the school had decided that they wanted their child gone, even if the parents fought it tooth and nail, it would be a very short lived victory because if they fought it and won and sent their child back to a school that had already decided that they did not want them there, that the school would do everything they could to get them out next time. They felt that as a parent their input and wishes would still be ignored regardless.

> *I wrote a letter to the Chairperson of the Board of Management and what I said in it was that I had a meeting with the principal and he had been less than truthful with me (regarding what their child had done) and if they wanted my child removed from the school as the principal had told me, I wanted full access to their school record and that I would be appealing it, and I want a process in line with the Education Act and I may as well have*

hit my head off of that stone wall there. The man never answered me the Chair of the Board never answered my letter or acknowledged receipt of it (Parent).

In dealing with the schools during the disciplinary process, parents described their interactions with the schools as ones in which the schools involved had been obstructive, judgmental, bullying, and unwilling to engage with and view them as equal partners in their children's education. For most of the parents, this left them with feelings of shame that this was happening, and felt that they were to blame. The parents described these experiences as bringing back negative memories of their own school experiences.

The experience with the school was horrific because the man (principal) was both a bully and a coward because he saw an opportunity [the child, the parent said, was blamed for doing something that the principal knew that they didn't do] to get rid of somebody who had previously been difficult and he was happy to scapegoat a child to take that opportunity (Parent).

When I was brought before the board there were seven of them. You'd swear it was fucking a jury and that was horrible. (Parent).

I found it extraordinarily difficult to deal with the school in those circumstances (Parent).

It's all about blame and it's all being laid in the homes and families and very little attention is paid to the school (Parent).

It was like it was all the mother's, fault do you understand me? That's how I felt it was all my fault, and they are [the school] never to blame (Parent).

The parents described the need for a two-way partnership between the parents and schools and for equality of treatment between the parents and schools, something the parents felt did not exist for all parents within the school system. The parents described how it was *their* children who were losing out on their education as a result of this. This

position was echoed by some stakeholders who described their experience of working with schools as one whereby schools hold all of the power and are not always open to engaging with parents or agencies in addressing those issues that arise for children while in school in order to ensure that they can be kept in school.

> *The system is set up to support the school, and okay, it has to support the school but who is supporting the child? Who is supporting the parent, like? Who is supporting the child and the parent if at 13 or 14 years of age, the child has been thrown out of school? (Principal).*

> *Sometimes there is a sense of a closed shop and this is the way it is on schools' part. And irrespective of times where there might be a number of agencies, the school hold the power, you know, I don't know if you always see the outcome you'd like when dealing with schools (Family Support Worker).*

The stakeholders highlighted that in the cases where there was a willingness to engage with agencies on the part of schools, this came down to individual schools and also individuals within schools who took an interest in the young person. However, stakeholders and parents alike described the *ad hoc* nature of this as frustrating. Engagement with parents and/or external agencies who were advocating for a student was described as always being on the school's terms, and also at the discretion of individual schools, whereby the right outcome for the affected student was very difficult to get.

6.5 Blame

There was a consensus among educators and stakeholders that the education system had failed students like those interviewed as part of this study. They also expressed the view that it is continuing to fail students who share the same demographic profiles.

> *The education system is not delivering for all children from disadvantaged backgrounds and that remains an issue currently (Stakeholder: Education Correspondent).*

However, the question of who or what was to blame for this failure was less unanimous among educators and stakeholders. Discourse of attributed blame was frequent throughout the interviews and also contradictory. Principals blamed teachers and parents. Teachers blamed principals and parents. External agencies blamed schools and schools blamed external agencies for the educational trajectory of the former students.

6.5.1 Principals Blaming Parents

Some principals located the blame for the educational trajectory of the former student participants in poor parenting. Here such principals expressed the view that parents are responsible for how their children react and behave while in school. They also perceived the home and social contexts that parents provide for their children as the cause of emotional, behavioural and academic deficits within students.

> *It's poor parenting. It's weak parenting. It's kids being in charge, and of course when they come in if they can tell their parents what to do, of course, they are going to come in here and try and tell us what to do, you know? (Principal).*

> *A lot of the time the reasons for the poor behaviour is coming from that same home because a lot of poor behaviour can be traced back to background (Principal).*

> *They have an attitude within them that has been built into them by their parents. (takes off parents voice). "You always stand up for yourself, you always give back!" (Principal).*

6.5.2 Principals Blaming Teachers

Other principals located the blame for the educational trajectory of the former students in teacher competencies and attitudes. Here such principals expressed the view that the issue was stemming from a lack of competency and skill to engage with students on the social margins both positively and respectfully. This resulted in students being punished for the shortcomings of 'bad teachers'.

I have seen teachers just exacerbate situations. I have two classes that last year were causing a lot of problems, now, with one of them like, the teacher now was just not at the races and that class went into a teacher this year that just can handle them so well, like, I was sending some of those students home last year, but this year I've had to send none of them home and they're a changed class (Principal).

In my view, the people who are handling the children. It's everything. Really an awful lot of it comes down to that…the interest of the teacher, and if the teacher is willing to go the extra mile…children only need half a chance, so yeah! I think in all of this the role of the teacher is just so vital (Principal).

The kids are generally the same, you know. They have behaviours both good and bad. It was just the way they were managed or the expectations that were placed within them either beforehand or how they were dealt with then when their behaviours became out of kilter (Principal).

There is an awful lot of bad teachers in secondary schools, I mean, ah. They're just bad (Principal).

Here principals expressed the view that there was a need for teachers to reflect on their own attitudes and approach and the impact that they are having on creating either negative classroom environments or positive student outcomes for students who are on the social margins.

6.5.3 Teachers Blaming Teachers

Some teachers located the blame in the negative attitudes of fellow teachers towards students who are on the social margins. Here there was the view that some teachers are unwilling to adapt or change their approach to try to accommodate students who may not be responding positively to the pedagogical strategies being utilised by the teacher.

They want children gone, and teachers they want, and especially new teachers we have a lot of them at the moment, and they're kind of like "Oh well I can't teach with him in my class" and "Well you (the teacher) need to change what you're doing to fit him into your class" but they think (new

teachers) that he should be gone because he's not fitting into my group (Teacher).

I think it easy to blame the kid and the family and I think we have to look at all the stuff around what early school leaving says, that there is a whole lot of players here and I think we need to look at teachers' own attitudes. I think a lot depends on the social, emotional competence of the teacher themselves (Teacher).

Teachers expressed the view that some teachers are over reliant on a single approach to teaching and a student's right to be kept within their classroom is conditional on a student fitting into the teacher's pedagogical approach. Here such teachers described schools as *teacher centred* rather than *student centred* and this was leading to clashes within classrooms resulting in students being excluded.

6.5.4 Educators Blaming External Agencies

In addition to locating blame for the educational trajectory of the former students on each other and with parents, educators also directed blame to the external agencies that are tasked with the delivery of support services to students.

I guarantee you, you look at any 13 or 14 year old, the vast majority that I have seen over the years, they have got the support of numerous agencies and you say "Jesus there is families where there could be 20 or 25 agencies going in but who is actually asking the question, well lads what the fuck are ye doing..?" ...Do you know what I mean? (Principal).

There is a frustration there around the fact that we do have all this multiplicity of agencies. We have loads of supports out there but it's just about joining up the dots and people aren't doing their jobs (Principal).

Here educators highlighted a lack of effective collaboration between schools and external agencies and expressed the view that this was impeding on efforts to yield better educational outcomes for students who are on the social margins. The lack of communication and what educators viewed as discrepancies and dysfunction in

external service positions was cited as a contributing factor to the disconnection that exists between schools and external agencies.

> *Communications between agencies and schools needs to be overcome (Principal).*

> *For example, school completion I've seen it work really well, and I've seen it, to be quite honest, completely dysfunctional and you see afterschool clubs again, sometimes we send children down and its actually detrimental you know? It has the opposite effect because if they're not run properly, all you are doing is giving children another opportunity to misbehave and they're getting another negative experience and getting thrown out (Teacher).*

6.5.5 External Agencies Blaming schools

External agencies located the blame for the lack of partnership and collaboration between education and non-education providers as being induced by the culture that exists within schools. Stakeholders described how schools hold all the power when it comes to working in partnership and expressed the view that schools do not view non-educational stakeholders as partners in education.

> *It's the culture within the school. The school think that their authority kind of overrides everything else because I have worked on different ways of trying to engage with the schools, and the schools distrust and resent any collaboration. They see it as interference, they see that they are the greater kind of wisdom and they don't engage where it was thought to have these kind of collaborative approaches between people who are involved in children lives. Schools never in my experience ever fully embrace that (Stakeholder: Criminal Justice Sector).*

> *Sometimes there is a sense of a closed shop and this is the way it is on schools' part and irrespective of times where there might be a number of agencies, the school hold the power, you know. I don't know if you always see the outcome as you'd like when dealing with schools (Stakeholder: Child Protection Sector).*

Stakeholders described resistance on the part of schools to working in partnership with non-education stakeholders. They described their experiences of working with schools, as ones where educators often viewed partnership as interference on the part of external stakeholders. This lack of co-operation was perceived by stakeholders as weakening and fragmenting effective responses to the social and educational needs of the affected students.

> *There is supposed to be an idea of reaching out to the community and reaching out to parents as well as part of your DEIS plan… but (lowers voice) it's on paper, you know? (Principal)..*

6.5.6 Responsibility

The issue of responsibility reverberated through the discourse of blame. Throughout the interviews, there was the view on the part of educators that students and external agencies needed to be held accountable for their actions and conduct. Educators described teaching *consequences* as a particularly important part of school life and student development.

> *I do think that children need to see consequences as well (Teacher).*

> *It's an important message. It's all part of development, developing the children's life skills as well that there are lines that you shouldn't cross and if you do you have to be prepared to take the consequences, there are consequences, and that's one of the messages all the way through with the kids, we, from the very earliest stages, we try to teach that there are consequences to your actions (Principal).*

> *Kids need to learn consequences that certain behaviours are not acceptable and maybe it brings up a lot of things about society and awareness, you know, respect and all that, and unfortunately some people might need to learn through a sanction (Teacher).*

However, educators did not describe the concept of responsibility and consequences for actions as something that was applicable to them, even though they described numerous incidences where they were aware of breaches of statutory guidelines and

legislative requirements in practices of issuing and recording disciplinary and exclusionary practices.

> *I have rarely done any of that right (that is, followed correct procedures to exclude a student), and I have often said that I am eventually going to get caught out because if you were to do all that properly (exclude a student) you'd have call a board of management meeting really…Sometimes like I might give him a couple of days, you know, but I should write all that down. I know I should (Principal).*

> *It wasn't formal, the NEWB wasn't informed, nothing would go down on report to Tusla that someone was suspended. I just had a very frank conversation with parents and said we need a break away from your child for two to three days. Keep him at home and come back to me and we'll sit down and put a plan in action (Principal).*

> *I don't even write some of them down… There is a paper thing there (statutory returns for annual statistics) in the summer like where they want to know what expulsions and suspensions you have and I mean I don't even have them written down because I just send them home and I don't make a big deal of it (Principal).*

Educators, however, did focus on a lack of responsibility and accountability on the part of statutory and non-statutory stakeholders for their actions and inactions.

> *By the time it gets to secondary school and the kid gets to 15, it is very straightforward a kid fucks a chair at a teacher and tells him he's a fucking cunt and he's out the door but trace it back, back through all the steps over the last 6-7 years.. All the services that allegedly worked with this family, the social work team that closed the case, the CENO that didn't sanction the resource hours, the CENO who didn't sanction the SNA and then at 15 years of age he fucks a chair at the teacher or tells him to fuck off and he's expelled. So he is held accountable, but who has held all the services over the previous 10 years accountable, do you know what I mean? (Principal).*

The actions, practices and decisions of educators were on the contrary identified as a system problem, rather than a consequence of decisions, actions and practices that

teachers and principals and schools choose to make. There was little discussion of responsibility at a schools level.

> *It's the system and its how the system is set up (Principal).*

> *We need to change our mainstream structure completely. It's there for over 30 years and it hasn't changed, you know, and the children aren't going change. They'll be the same you know (Teacher).*

> *The system isn't fit for purpose (Principal).*

> *Intervention teams (CAMHS, NEPS, EWO) play table tennis with children when a child is too complex. No one wants to take responsibility for them and will send them from service to service. "Oh our service isn't the service for him, we'll send him here" and no agency is putting their hands up and saying we'll work with them (Principal).*

> *I can give you lots of concrete examples of where there's been a complete abdication of responsibility, and that's what you have to call it by individuals whose sole remit is the care of the child, you know? (Principal).*

6.5.7 Exchange of Personal Information

Stakeholders and educators identified exchange of personal information between schools and external agencies as a common practice characterising the educational experiences of the former students, describing how this extended to both the home lives of students and also to assessment of their suitability or lack thereof for certain schools. This 'soft talk', 'informal talk', 'doing their homework', the information they get from their scouts when it came to the enrolment of or transitioning of students and identified as having risk markers, determined transitions from primary to secondary school and from mainstream secondary schools into alternative or special school provision. The participants described these practices as resulting in 'creating frames' around students to justify a particular model of education for them that centred on 'minding' those students as opposed to educating them. Stakeholders described being part of networks

and forums that openly discussed the home situations of students, including naming them in gatherings of large groups of education and non-education providers who may not having been working with the student or their families.

> *I'm not going back years in saying that, you know… It was all creating frames because than you were like (lower voice) "Oh God help us.." or "Isn't that awful?" and it almost justifies funnelling a child into a particular place, and there is a cleverness to it as well (Teacher).*

Other educators described how

> *All you can do is give the heads up to the secondary school you know (Principal).*

When they have a student who they deem to be academically unsuitable for the secondary school that a student has chosen to apply to attend. Some educators described how in their experience, when it came to students like the participants.

> *People talk (when students are transitioning from primary to secondary school)… You'd have a very rounded picture you do your homework as well as you need to do it (Principal).*

> *We would have had experience of being the victim of our own success in that we were seen to be a school that was very successful at supporting and having resources for children and supporting them in their issues or whatever (Principal).*

Non-education stakeholders described how the information exchanged between schools, in particular what was written in school reports about students that the stakeholders have worked with did not reflect what they knew about the students or how they experienced them throughout their time working with them.

> *I saw the letters about him from the school. Now you'd flip him off balance with a swipe of your hand and they (school) spoke about, you know, about his intimidating presence…So what was happening was the school was just slapping him down, shoving him away but it wasn't just that. It was what was documented about him about his disruptive behaviour, about his threatening and abusive behaviour, you know (Criminal Justice Sector).*

The types of information that schools both documented and shared about the former students was described as being an important factor in determining the type of educational tracks that students were placed on and the model of education that should be provided for them.

> *We have kids who frankly should not be here (non-mainstream school), should never have been allowed inside the door of the place, because they have no business here they should be in mainstream. They have no social, behavioural, emotional difficulties and it was a familial thing that their uncles and aunts, mothers and fathers, grandfathers would have come here (Principal).*

6.6. Loss of Structure and Delinquent Behaviour

6.6.1. Fuelling Anger

Throughout their interviews, the former students recounted many critical junctures in their lives: the first time that they were arrested; the first time that they went to prison; the first time that they were introduced to drugs and alcohol, but for the majority of the former students, being excluded from school was highlighted as a particularly significant critical moment in their lives. They described two dimensions to this: 1. the premature termination of their formal schooling and what that meant for them; and 2. the circumstances in which the termination of their formal school place occurred which were given as much prominence as the exclusion from school itself. They described a context in which their exclusion from school occurred in the context of a wider set of emotions and judgements that played an important role in the behaviour that precipitated their exclusion from school. They described how the sense of unfairness and injustice of being excluded from school led to feelings of anger, of hurt, a sense of sadness and confusion that led to a sense of moral disengagement and onto a path of

self-destructive behaviours.

> *It made me angry and deeply saddened as well, like, that they just kind of turfed me out there like you know… Like I thought the world hated me. I really thought the world hated me and I thought that everyone was out to get me (Andy).*

> *The thing I couldn't understand was why because I hadn't done anything and that made me very angry (Vincent).*

> *I was pissed off and I just didn't give a shit no more, like you know what I mean? "Cos my mother tried to get me back into the school, she went in there numerous times talking to that cunt (names principal), but he said, no he's not going to take me back (James).*

> *When so many people expect something of you, you say, fuck it I'll give it to them (Tony).*

> *The way I looked at it like was if they don't care, why should I care? Do you know what I mean? They just expected you to be bottom anyway so I didn't give a care I just kind of said well right well nobody gives a fuck about me…I'll do what I want and that was it (Martin).*

6.6.2. Structures in school: A Protective Factor

Although the former students described such negative feeling as not being new to them and mentioned experiencing them quite frequently throughout their schooling, what was underlined as being critical at this juncture was the loss of routine, structure, and the mental stimulation that went with having a school place. Although, the stimulation that the former students described as having in school was mostly negative in an educative sense, there was the element of mental stimulation that went with what appeared to be having to try and constantly avoid being punished and sanctioned. Therefore, while the former students consistently highlighted the lack of academic learning that they had received throughout their schooling, there was an important process of learning that was happening in school that required a level of mental and

cognitive stimulation; a pattern of learning that consisted of how to escape, how to lie low, how to keep out of trouble, how to avoid certain people. The former students described learning how to avoid punishment and sanction; punishment for not having the right haircut, for not having the right type of pants on, for not coming from the right area, for not having the right footwear' on, for not having all of the required 'materials' with them and/or for not being in their assigned classes/areas.

> *There was only one way in and one way out of the school and he (principal) would be at the front door like waiting for us all to come in like you know what I mean? But there was a way into the yard so a few of us went into the yard like and we climbed over the roof, not to do detention, like (James).*

> *I got home economics and I wouldn't go to it so I went to metal work and I was inside a metal work class for two years, and the teacher didn't even know that I wasn't meant to be in the class like so I was doing mental work four times a week out there, and I was meant to be doing home economics and nobody knew the difference (Robert).*

In the absence of what the former students described as appropriate academic stimulation, they extracted a sense of achievement or satisfaction from those times when they got through a day of school without being sanctioned. The structure of school was seen as a protective factor, even if the types of criminal behaviour outside of school required the skillset that the former students were acquiring in school: learning who to avoid, how to lay low and how to not be noticed in places they were not permitted to be, and how to navigate narrow spaces in order to avoid punishment.

> *The principal always would be at the desk (front desk of school) in the mornings and if you were in trouble or whatever they would be three chairs and he'd say sit down there and you'd have to sit down until school started so every time I'd walk past I'd walk passed like that (head looking away and his hand covering his face) cos there would always be something that he would make me sit down for so I tried to cover my haircut, like (Tony).*

6.6.3. Loss of Structure and Delinquent Behaviour

The former students described the loss of structure that school provided them with as a particularly critical moment in their lives.

> *Basically, that's when it all started going wrong after that (school expulsion). It started getting serious. I had nothing to do, fuck all to do, and I was there then with the older fellas on my own, do you get me?, drinking and doing things that I shouldn't have being doing at that age (David).*

> *I was at home doing nothing (Robert).*

> *I'd fuck all to do except fish. Go fishing that's what I used to do (James).*

> *There was no opportunities there for us, there was no opportunities laid out only be here (alternative school) or you're fucked kind of a thing (Tim).*

> *I had no structure, like, and I mean when I went down that road (out of school) obviously like you're going to be hanging with people that's on the same road as you who are out of school as well (Martin).*

> *From there on then (school expulsion) I just went down the wrong road cos I had nowhere to go. It was kind of like help yourself but I had no education to help myself (Michael).*

In parallel with the absence of structure that came with being out of school, the former students highlighted the lack of opportunities for mental stimulation that came with that as being equally impactful in terms of the negative lifestyle choices that ensued that they engaged in in order to break the monotony of sudden 'nothingness' that they found themselves contending with after being excluded from school. They started to use illegal simulants such weed and also alcohol to fill the void left by the absence of structure and the elimination of their familiar outlet for mental stimulation.

I was at home doing nothing. Waking up in the morning. Smoking a joint (Robert).

We just ended up staying around at the corners, you know, smoking joints, lighting fires (Vincent).

I just hung around with the boys smoked weed, drank naggins (Tony).

I was sniffing glue and I was on drugs. The whole lot (Martin).

When I got expelled from school then I was with the lads around the road, lads at the corner listening to this and that, then I dabbled in the drugs and whatever (Raymond).

They reflected on the cumulative routine of hanging around with the lads who were older than them and also out of school, and having nothing to do and using drugs, as leading them onto a cycle of crime to acquire the money necessary to obtain the drugs that they had come to be reliant on in order to passed their day.

Then you're off out looking for hash and you'd rob a shed or something to get money to buy hash, so a cycle began out of boredom, like, because you had nothing else to do, like (Robert).

That led to fucking crime, like you know what I mean? Because we had no money like, we'd nothing. If you needed money for something, you know what I mean like? So you had to do robbing to get money for drink like, so that's what it was like (James).

The way I looked at it now was well I'm only scum in their [school's] eyes so I might as well hang with these lads cause if I'm a scumbag, I'll hang with my own. So it was the wrong road to take but I was kinda pushed onto that path so the way I looked at it was is that this is what I'm going to do, and fuck it lads I'll try and make money this way and that was it (Martin).

In addition to using drugs, stealing cars and joyriding was another common activity that constituted a 'natural' introduction into their subsequent criminal activity. This was described as replacing the mental stimulation that their schooling previously provided by plugging the *boredom* and sense of *nothingness* that being out of school left them with.

> *I just hung around with the boys smoked weed, drank naggins and go rob cars (Tony).*

> *We just ended up staying around at the corners you know… Stealing cars doing stuff we shouldn't have been doing to be honest because there wasn't anything else…There wasn't really anything for us to do. (Vincent)*

> *I was robbing cars (Martin).*

The former students described engaging in behaviours that reflected the skillset that they knew intimately well, the same skillset that they described acquiring with throughout their experiences of schooling of avoiding certain people, laying low and remaining unnoticed in places they were not permitted to be, and making sure they weren't caught in order to avoid being punished. This time however, rather than such strategies being adopted to avoid being caught and punished by their teachers and principals, the former students described their criminal activities, and the people that they were now having to avoid in order to evade punishment were the Gardaí.

The former students described the punishments that they received when caught by the Gardaí as not new experiences for them. Here the former students recalled familiar punishments, ones that they had consistently highlighted as experiencing while in school. The former students highlighted the same experiences of being maltreated, of being segregated from the general population, of being isolated on their own and of being confined together with *their own kind of people* in spaces with little positive stimulation. The former students described how they perceived the detention centres and prisons, where they served time, as replicating their school experiences and the

ways in which Gardaí and prison officers assumed the role that their teachers and principals once occupied. Their school experiences were seen as equipping them with the necessary skills, training and experiences for their future destinations in State custody.

6.6.4. School Completion Associated with Positive Pathways

The former students identified school completion as an important protective factor in disrupting negative life outcomes for students coming from the same background as them. The former students identified their exit from school prior to completing their secondary level education as a critical factor in shaping their pathway from school to involvement in crime. This moment in their lives was seen as being particularly significant in terms of the impact it had on limiting the options and opportunities for positive outlets. An important dimension in terms of supporting and facilitating all students to be able to complete secondary school, according to the former students, are *educational* conditions. They saw these as a crucial factor influencing both their behaviour and their non-completion of school. Their conditions in school were felt to be non-educational and uncaring, consisting in what they perceived as a *lack of interest* in them, no one having any *time* for them, lack of encouragement and lack of help, as well as lack of *respect* alongside a sense of being judged negatively and never being accepted. They offered insights from their own educational experiences of the kind of educational conditions that they believed would have enabled them to both complete secondary school and to pave out more positive life pathways than the ones they ended up on.

> *If they (teachers) could kind of care more for their students and not kind of judge them and be more understanding, you know. I mean I'm a human being like… And judging people by where they come from like I think that needs to go away (Andy).*

> *Just take an interest, try and build up students' confidence and tell them that they can do it, rather than leaving them to their own devices and saying that they can't, like, if you're left there, thrown in the corner, and you see a teacher helping this person and that person and then you're just sitting there and getting no help, you're going to turn around and say, what's the point? So if they show an interest in you, you'll actually do it like (Robert).*

Talk to them (students) like a person and not talk down to them you know what I mean? Treat you like a human being and not just a fucking young fella that you're just expecting to do nothing with their lives, do you get me? (Tony).

Just to give them a chance, you know what I mean? You can't judge a person on their brother, or sister, mother or father, uncle or aunt you know? You can't judge the person on that… To me, like, you should never be not be allowed an opportunity to better yourself and to be seen as a human being (Vincent).

Teachers should be treating young fellas properly, they should be treating them with respect, not cutting them down and making them feel like shit cos there is people going to school now there are young fellas and they don't want to go, they're crying because they're getting treated like fucking shit like…Like my own two young fellas. (David).

Some of them teachers, I'll be honest, should just cop on to themselves you know what I mean like, and treat pupils fucking right like you know what I mean have more time for the kids, to be honest. If you ask for a bit of help, give help instead of ignoring you like … So more help and listening to the pupils and what they want, like, and less judgment (James).

Here the former students highlighted the need for the presence of a whole school approach to respectful relationships underpinned by an ethic of tolerance that values the presence of all students equally, and provides real equality of opportunities that are matched by the same positive educational conditions that they described as existing for other students in the education system who did not share the same backgrounds as them. Here the former students reflected on how different things could have been for them had they had the opportunities to experience such educational conditions and speculated that their lives 'could've been 10 times different today' had they been given the chance to experience such conditions while in school. This was echoed by Stakeholders, in particular those who were working in the criminal justice and law enforcement sectors.

Generally for me if school is not involved, the prospect is very poor, and I

can tell you from my professional experience their life expectancy is poor, number 1, number 2 they'll either end up in prison in some way, shape, or form, whether that's youth detention or they'll have addiction issues (Stakeholder: Law Enforcement Sector).

Its almost a given, its almost a given if a child is referred to us they're not in school…I'm always intrigued by the child who is in secondary school and is offending because its such an outlier, because its such a protective factor to still be in school that you're getting in trouble…You'll see this kid (still in secondary school) as someone who will likely get back on track (Stakeholder: Probation).

6.7. Desires for Transformation and System Barriers

6.7.1. Desire for Transformation

Throughout the interviews educators expressed a desire for system change. Here educators recounted many experiences of challenging what they perceived to be inequitable and discriminatory practices and processes that create educational inequalities in the education system. For some this involved deviating away from the expected norm of directing certain students into designated schools.

I got into trouble a number of years ago where the board of DEIS (feeder) secondary school wrote to me to say that, you know, ah you're not sending us too many children now. Have you being advising them to come? And I wasn't advising them to and I still don't advise them to. I advise them to have your choice, look around, and I have nothing against that school but to me that's what parents do everywhere, so why should our parents just accept that they all need to go to one place, but I got a tap on the hand (for that) (Principal).

Despite being sanctioned for not advising some students to go the local DEIS secondary school, the principal described continuing to advise parents to look around and to make their own choices in terms of what school to send their children to. For others, it included challenging preconceived notions or conceptions of how the children would eventually turn out academically and socially in established staffrooms.

I remember specifically on my first year of teaching when I was trying to revolutionise (laughs) my class in my own head. I was told that I was very naïve, a bit green, so I remember specifically after the time I was called in for teaching too much Irish which was in accordance with Department of Education guidelines.. That ultimately these kids are going to be ending up pushing prams at 14 years of age and no matter what I did in order to transform the situation, it wasn't going to be effective, so basically just give in and just stop being so resistant, fighting against the system (Teacher).

Despite this suggestion the teacher in question described how they refused to accept that and instead continued with their practice of maintaining the educational standards set down by Curriculum guidelines. Here educators did not exhibit any opposition or resistance to change or reform of the system. They did however; describe a sense of apathy and fatalism given what they say as systemic barriers.

6.7.2. Systemic Barriers

Some educators expressed an appetite for change but described how their desire for change was being blocked by an old system continuing to be impressed upon a new society, new teachers, new students, ideas and new thinking.

You have an archaic system being impressed upon a modern or contemporary student and that causes clashes (Principal).

The dissimilarity between what was described as the *traditional* system and *modern* thinking was identified as a particular impediment to disrupting the educational trajectories of the former students. Here educators described how their capacity to initiate a change in some institutional practices and processes has been constrained by the traditional orthodoxies underpinning the education system.

I find if you question it that you do spark attention (Teacher).

If you challenge it (the system) you're seen as a problem (Principal).

> *The kids need to be held accountable but who's holding to account the system that is creating these kids, what I call the poverty industry? I'll be very honest with you like there is a whole industry built up around disaffected young people, marginalised families. Who is holding them to account? We're all part of it (Principal).*

> *There is a group think, and there is a systemic think. You fight and you battle but it wears you down (Teacher.)*

Those educators who described having tried and failed in their attempts to challenge the inequalities within the system, also noted how they found themselves 'unsupported' in efforts and 'beaten down' after a while. Rather than running the risk of sanction or they themselves being framed as a problem and frozen out, they end *up feeding into the slippery slope* of turning a blind eye to, and developing a disposition of acceptance of negative educational trajectories for certain students. Stakeholders described how this was being reinforced by the culture within the Department of Education with their preference to maintain the established way of doing things.

> *The attitude when you contact them (Department of Education) about children, the response is generally hostile, trying to get you to go away, questioning the basis of your story, and there is often an attempt to throw dust in your eyes. And that response needs to change. If there are fears that a child is being mistreated or is being excluded from school then surely the attitude from the Department should be, we need to look into this, but that is not the case (Stakeholder: Education Correspondent).*

Educators saw the selection system set down by the Higher Education Institutes (HEI) of Ireland to recruit, categorise and judge the capabilities of secondary school students for entry into HEIs as also blocking change and meaningful practice reform within the secondary school system, describing how the points driven nature of the secondary school system made it a feeder system to the HEI system. This has translated into a situation whereby secondary schools become sites to dispense education as opposed to being centres of development for all students (Teacher). They felt the focus is exclusively on dispensing only a certain type of academic information and facts in specific subject areas which will enable students to get the points that are required to

gain them entry into undergraduate courses and prepare them for their prospective professions.

> *Its points driven. It's Junior Cert driven,. It's Leaving Cert driven…It doesn't wrap around them. They have to fit into a system and it doesn't work (Principal).*

Here the educators highlighted how the points focused nature of the secondary school system also eradicates the time and space needed to cultivate the kind of quality relationships between educators and students that would have the potential to disrupt the historical deficit narrative that surrounds certain students. They felt that for meaningful change to occur in terms of secondary school practices and processes, this requires a change on the part of the third level educational institutions, in terms of how they select and recruit students directly from the secondary school system.

6.8. Chapter Summary

The chapter presented the results of the study. In doing so it has produced a rich, in-depth multi-perspectival body of knowledge which offers a unique account and insight into the complex educational experiences, processes, policies and practices that characterise the pathway from school to involvement with the justice system. In identifying shared experiences and patterns in practices threading through the formal educational experiences of the former students at the heart of this study, the results have yielded rich insights that both reinforce and challenge existing understandings of the important factors that shaped the formal educational experiences of both the students who have become involved in the criminal justice system, as well as of those students who the participants identified as possessing the risk markers for ending up on the path from school to involvement with the justice system.

School choice and type were seen as enabling the replication of familial educational tracks based on family histories rather than choice, preference, aptitude or ability. Informational exchange about students' backgrounds between schools and external agencies was identified as contributing to the type of school in which a student is likely

to be placed or guided toward. Negative experiences of grouping and streaming, restricted access to instruction time, low expectations on the part of educators and negative relationships with teachers were identified as common characteristics of the educational experiences of the students who were the focus of this study. Persistent experiences of both formal and informal disciplinary and exclusionary practices also emerged as a particularly prevalent characteristic of the educational experiences of the affected students. Such practices were identified as having significant implications for school attendance, participation, retention, academic progress, school completion and the ways in which those issues are currently understood and conceptualized.

Background characteristics and perceptions of discrimination influenced such experiences and practice and school exclusion was seen as contributing to involvement in delinquent and criminal behaviour. Equally, the results offered critical insights into how those social policies that are intended to address educational inequality and exclusion are being utilised in practice, by some schools, in ways that serve to maintain existing inequalities within the education system. The findings also showed a desire for system change on the part of educators, and the institutional and historical impediments that block attempts to initiate change on the part of educators.

Finally, the results have produced a set of commonly shared, reoccurring patterns that illuminate a vivid imagery of in-school experiences and practices that shaped the lives of the former students who were the focus of this research, from point of entry into the education system. This involved persistent exposure to harmful experiences, some of which equipped them with the skills and training necessary to navigate their future destinations in State custody. Most importantly, we hear the sense of pain, humiliation, rejection and isolation of the participants, their desires for inclusion, and their desires to learn. Their voices, insights, knowledge, and experiences are central to the chapter, and given further credence by the descriptions by the other stakeholders of school and policy practices that may compound negative educational experiences. And most powerfully, we hear their advice to us.

The next chapter contains a critical discussion of the findings presented in this chapter and locates these within the wider literature. Particular attention is paid to discussing how the results of this study both reinforce current theory and explanations, and also extend existing knowledge about how the factors that influence the pathway from school to involvement with the criminal justice system in an Irish context ought to be understood in light of the results of this study.

Chapter 7. Discussion

The purpose of this thesis was to identify the important factors and practices that shaped the formal educational experiences of former students who ended up on the path from school to involvement with the justice system. This chapter critically discusses the main findings of the thesis as they both relate to and expand upon the existing theoretical and empirical literature on the relationship between experiences of schooling and involvement with the criminal justice system. The findings of this research indicated that respectful relationships are *the* most significant form of intervention. They equally suggested that focusing on formal sanctions has enabled the concealment of multiple informal mechanisms used to punish and exclude this cohort of students while in school. School Structure was found to be an important protective factor, whilst school exclusion was considered to be a gateway to a cycle of substance use and engagement in offending behaviour. External characteristics such as accents, haircuts, dress, addresses, and parental occupation/material status, as opposed to behaviour, were perceived to be the target of punishment and exclusion. The findings also indicated that background does not determine outcomes but rather how *we think* about, and problematising those backgrounds was perceived to be the key deterministic factor for this cohort of students. The findings revealed that while there were multiple interventions by a range of educational and non-educational agencies, there was no ultimate responsibility for joint working practices and nobody was joining up the dots.

The chapter begins with a discussion on the dominant themes in the literature on the School to Prison Pipeline (STPP) in the context of the findings of this research. It reflects on some of the ways in which the findings of this study both connect with and differ from the themes in this literature. I then offer a critical examination of the main themes that emerged from the participants' accounts in the previous chapter offering some new lenses through which they might be understood. Particular attention is paid to the findings that have not appeared in the STPP literature, with an explanation for why this may have been the case. The limitations of the research findings and suggestions for future research are threaded throughout the discussion. Keeping the commitment of the thesis to foreground the voice of the former students, each section opens with a direct quote from them.

7.2. The School to Prison Pipeline: Common Themes and New Insights

Basically he (the Principal) said don't come back for 5th year. I just finished my Junior Cert and they were like 'Don't come back…' They made it out as if they were doing me a favour but basically what they were saying was that 'We don't want to go through the hassle of that. We don't want you to come back you know. But I don't want to fill out paperwork'. Just go, you know (Tony).

As discussed in chapter 4, the international STPP literature is characterised by the use of disciplinary sanctions and their disproportionate application of these along class, race, gender and ethnicity lines (Balfanz et al 2015; Heitzegs 2009; Machin et al., 2001; Schollenberger 2015; Skiba, et al 2014; Skiba 2015). The main argument that recurs through this body of literature is that the inappropriate use of punitive disciplinary and exclusionary practices sets in motion a process that eventually results in some students being pushed out of the education system and into the juvenile justice system. Disciplinary sanctions in the STPP literature are broadly understood as formal sanctions such as out-of-school fixed term suspension, expulsion or referrals to juvenile correctional facilities. These practices have been identified as creating points of entry into the STPP (Heitzegs 2009; Losen and Skiba 2010; Mallett 2015; Skiba et al 2014; Skiba 2015; Wald and Losen 2003; Wright et al 2014).

Whilst the experience of disciplinary sanctions emerged as a significant factor that negatively characterised the formal educational experiences of the former students in this research there is also a clear divergence from the international STPP literature. All of the participants in this research gave particular prominence to the experience and practice of informal and invisible disciplinary sanctions in schools. The stories retold in this research captured the rather complex and interactive dynamics of the multiple forms of discipline that were experienced by the former students in this research. The qualitative approach used in this research has enriched our understanding of the many different disciplinary practices have been hitherto concealed by national statistics in Ireland. What this revealed was a common pattern of invisible disciplinary practices, that is, formal disciplinary sanctions that were not recorded and thus could not be found through the analysis of official statistical records. The participants in this research vividly depicted how external appearance was the source of normalising judgements that resulted in continuous unrecorded sanctions, not for acts of misconduct but for the

types of haircuts students have, the type of footwear they wore, the colour of socks that they wore, the type of clothing they wore, and the way that they spoke.

This findings suggested that whilst statistical patterns of knowledge are an important indicator for identifying common trends in the area of school discipline, it is essential to contextualise those trends domestically by including the voices and perspective of those who have experienced them. The findings indicated that the failure of Irish research to contextualise experiences of school practices for this cohort of students has led to surface associations that have obscured the complex relational aspects of learning, disciplinary and exclusionary practices among this cohort of students.

Throughout their interviews the former students described their experiences of disciplinary sanctions that were comprised of suspensions that were not recorded as suspensions and expulsions that were not recorded as expulsions. They described experiences of being told to stay at home for long periods of time without having undergone a formal process of suspension or expulsion. They also described how upon reaching their compulsory schooling age, they were told not to come back to that school to complete their upper secondary school education. All of this took place without undergoing a formal process or generating documentation. A further invisible form of discipline described by the participants involved being removed from the class levels in which they had been placed based on their entry examination results and being brought down to the lowest level streams that were made up students who all came from the same post-codes. They also described experiencing prolonged in-school detention, for example, coming into school and spending all of their time sitting outside of their classroom doing what they described as nothing all day.

Parents of excluded children also described their experiences of a lack of a formal procedures or documentation in sanctions. They described their experiences of dealing with schools in this regard as a verbal one that was not accompanied by documentation outlining that their child was (a) suspended/expelled, (b) the reason for the suspension/expulsion, (c) the length of the suspension (d) their right to appeal the decision. Parents also described how their children were pressurised by their principals to seek a place in non-mainstream educational facilitates.

These practices were verified by educators and stakeholders who also described the invisible and unrecorded forms of disciplinary and exclusionary practices that schools use with this cohort of students. This included restricted access to school through the use of significantly reduced timetables for indefinite periods, practices that were not formally reported and also included the pre-emptive use of exit strategies that utilised home school community liaison officers to source places for students in alternative and non-mainstream educational facilities in the year prior to students reaching their compulsory school limit. Another informal exclusionary practice identified by participants involved revoking a student's school place upon reaching their compulsory school limit. The practice of 'constructive expulsion' was also identified as another mechanism through which this cohort of student is informally excluded from school. This consisted of provisionally accepting a student into a school albeit with the intention of re-routing them out to a school that was considered more suitable for them. Advising students to leave school in 2nd and 3rd year and go to youth training centres was also identified as other invisible disciplinary practices. All of these practices were described as operating in an informal and un-documented manner.

The qualitative approach utilised in this research enabled the participants to identify the many invisible and undocumented ways in which discipline is experienced and practiced in schools. Methodologically speaking, the findings reflected Snider's (2010) contention, that whilst numbers impress, they also tend to conceal more than they reveal. In the U.S, Crawley and Hirschfield (2018) cautioned that the STPP literature may be too narrowly focused on formal sanctions and posits an overly purposeful or mechanistic link between schools and prisons, as exemplified by the image of the pipeline or pathway. Their concerns found support in the findings of this research which suggested that the focus on formal sanctions has narrowed the focus of examination to the ways which discipline is formally practiced in schools and not the wide range of informal practices or the experiences of the students who subsequently became involved in the criminal justice system. The findings of this research reflected the wider literature on hidden exclusion and indicated that hidden disciplinary practices are far more prevalent, and thus important, to both understanding and disrupting the relationship between school and involvement in the criminal justice system in the Irish context. Practices identified as operating in the Irish context for this cohort of students reflected those of Gill, Quilter-Pinner, and Swift (2017), in their English based study.

Like them, the findings of this research found that students are being educated off school registers and are being excluded from school registers illegally at rates higher than official data indicates. Aligning with those of Gazeley et al (2015), and Power and Taylor (2015), the findings of this research also highlighted the presence of managed moves between schools, internal exclusion, reduced timetables, and home tuition, and directing students into alterative provision were common exclusionary practices operating in Irish schools for this cohort of students.

The findings of this research suggested that some schools are not meeting there statutory obligations when it comes to disciplining and excluding this cohort of students at least. The activation of what are *de* facto formal sanctions through informal processes not only has the effect of distorting national statistics which persistently report that expulsions suspensions are rare, it also has the effect of denying students their legal right to education and the right of parents to challenge and appeal formal sanctions administered by schools. This reaffirmed recent evidence that has started to find its way into Irish research and political discourse on the practice of informal school suspensions (Brennan and Browne 2019; Joint Committee on Education and Skills 2019). The practices identified in this research support Brennan and Browne's recent findings that some schools take advantage of their relative autonomy in the Irish system to avoid their obligation to educate some children and that the Irish State has failed to exercise its authority to prevent what constitutes an abuse of power by a number of schools who are excluding children in a hidden manner (Brennan and Browne 2019: 2).

However, it is important to note that the practices identified by the participants in this research also differ from both the findings in Brennan and Browne (2019) and those which were the focus of the Joint Committee on Education and Skills (2019). In both those reports the focus was on examining the practice and prevalence of the use of reduced school timetables among specific categories of students with additional needs. The practice of reduced timetabling was identified as a prevalent practice used by schools to exclude students in this doctoral study, but it was only one of a number of informal mechanisms identified by the participants. Nonetheless, it flags an issue that requires additional research to examine variety of other informal disciplinary mechanisms that were identified in chapter 6 and the gaps in current policy and legislative frameworks that need to be addressed. It has particular significance given

the important protective factor that school structure was afforded by the participants in adverting a cycle of substance use and engagement in offending behaviour.

As discussed in Chapter 4, a striking element of the STPP literature is the disproportionate application of disciplinary practices among particular categories of students (Acher 2009; Graham 2014; Heitzegs 2009; Losen and Gillespie 2012; Mallett 2015, 2016; Pane 2014; Rocque et al., 2011; Raffaele et al 2003; Skiba et al 2011; Skiba 2000). The highlighting of undocumented forms of disciplinary sanctions represented a key learning for the Irish literature because it offered important and wider context to the already higher rates of recorded sanctions by way of suspension, detention and the expulsion among this cohort of students. Broadly reflecting the findings of the international STPP literature, the former students in this research acknowledged that their behaviour did become problematic over time but they reported disparities in the punishments received for misbehaviour among different socially situated students. They acknowledged that the behaviour that they themselves engaged in did warrant sanction but what was noteworthy in this regard was their descriptions of the reasons why they engaged in the type of behaviours that they felt merited some sanctions. They detailed how their misbehaviour was a direct expression of how they perceived, experienced and interpreted the use of school based practices as making them feel as if they were from the 'bottom of the (social) barrel and riff raff'. They spoke of the persistent experience of the multiple forms of dividing practices and of feeling treated as if they were 'second class citizens' to be 'exiled' away from the normal student cohort. They detailed the 'humiliating' and 'belittling' effects of the pedagogical practices that were used upon them. They perceived themselves to have been treated them as if they were 'thick' 'slow' and not in need of a 'proper education'. The former students highlighted how their behaviours were a series of reactions to the combination of those persistent in-school experiences and practices that made them feel shame and embarrassment because they came from particular addresses and family circumstances.

These insights offered an important context-specific understanding of the higher rates of problematic behaviour reported in official statistics for this cohort of students and the factors that contribute to it. This has implications for educational programmes and interventions targeted at external factors such as the homes and communities of

working-class students, which imply that students are at risk because of these external variables and need to be targeted. Whilst also suggesting that they can be kept on the straight and narrow through specific interventions as McGrew (2016) pointed out. The participants in this research felt that their misbehavior came about because they tried to resist such programmes, such thinking and such interventions that they felt divided students, separated, and targeted them on the basis of socio-economic status and family history. Such programmes; interventions and the practices that accompanied them were experienced as demeaning, discriminatory, limiting learning opportunities, negatively differentiating students, and inducing a 'visual ghetto' based on where students came from and their parent's material and occupational status. In light of such findings, it is worth giving serious consideration to whether instrumental reform efforts can deliver equality of conditions for this cohort of students in the absence of a careful examination of school practices, values and attitudes if seeking to understand, and appropriately address educational failure among this cohort of students. The need for which echoes calls from the work of Hanafin and Lynch (2002) in the Irish context and McGrew (2016) in the international context. This is particularly important if the issue of (mis) behavior in schools, and the factors that give rise to it, are to be understood and appropriately managed in schools.

7.3. Segregation, Stereotyping, and Ghettoisation

It was kind of the bottom of the barrel for that school (Martin)

It equates to a ghettoisation model…and it magnifies the negative behaviour and creates problems (Teacher)

Concerns about segregation, stereotyping, and the 'ghettoisation' of schooling are well established in the literature (Anyon 1997, Byrne *et al* 2010; Clotfelter 2001; Duncan 2015; Forman 2012; Frankenberg 2013; Smyth and McCoy 2009). Chapter 3 traced the development of the Irish education system. This showed how the Irish education system historically developed in a way that made distinctions between the kind of education offered to students who were mainly middle-class children in secondary schools and mainly working-class children in vocational schools (Clancy 2007), and created what was described as a segregated system (Considine and Dukelow 2009).

The findings of this research indicated that many elements of Irish historical policies and practices remain in operation in the education system for this cohort of students. This was particularly apparent when discussing DEIS and the (unintended) effects it has had of maintaining segregated schooling. Although educators acknowledged the positive aspects of DEIS, including increased staff levels, smaller class sizes, and additional programmes to support literacy and numeracy, it was the prevailing view amongst a number of participants that the school designation DEIS has, in practice, become synonymous with being schools to which those students who are perceived to come from dysfunctional families are sent. This reputation, according to educators, has resulted in those challenges that can often come with poverty and deprivation not being shared out equally among all schools. The participants described DEIS as equating to a 'ghettoisation' model that has a power/knowledge apparatus of assumptions ingrained in it that prejudice the social, academic, and behavioural needs of students and portray families through a deficit lens. Fulcher and Scott (2007) have noted how labeling theory works in a way whereby people come to identify and behave in ways that reflect labels. Whilst Foucault pointed out how policy discourses are practices that systematically form and constitute the students of which they speak (Ball 2006: 48). This proposition found much support in the findings of this research. Educators described how the label of 'DEIS school' had actively informed their own negative perceptions and attitudes towards the abilities and needs of the students attending such schools. They also described how it informed their negative perceptions to the family and the community context of students. Educators perceived DEIS, despite its many positive contributions, as unintentionally contributing to the perpetuation and maintenance of segregation and inequality in the education system rather than 'breaking the cycle' of educational inequality or, 'delivering equality of opportunity' in education. This finding compares favourably with those of Smyth et al (2015) who found that the expectational climate of schools and judgements relating to behavioural and special educational needs, are influenced by the social composition of a school and DEIS status.

The former students and parents shared the above view and described feeling stigmatised and branded by the education system. They also experienced the labelling of schools as diminishing their autonomy in terms of school choice. This contrasts with suggestions in the Irish literature indicating that exposure to early interventions over a sustained period of time is likely to yield greater dividends (Smyth et al 2015). Instead

the findings of this research reflect those of McAra and McVie's (2010) Scottish study on youth crime which highlighted how the early 'targeting' of children led to poor outcomes in their teenage years when it came to offending behaviour. One explanation for their finding was that the early targeting of children and their families may have served to label and stigmatise such young people and their families. The findings of this research support such an explanation and further suggested that both in-school and out of school interventions should not be accepted uncritically, particularly when negative outcomes/trends continue to persist for specific cohorts of young people over time.

The former students and parents described how their perceived needs and educational desires were misunderstood by such policies. The former students gave particular prominence in this regard to how their situation of social and economic inequality seemed to work together with their community and family context to impact their ability to participate and engage with education. They described how they felt that their schools further problematised those factors by punishing them for economic hardship when they came to school without the desired clothing and footwear. They felt that special educational programmes treated them as if they were 'thick or slow' without getting to know their abilities or support them. In certain cases where students were initially placed in streams that reflected their high abilities, they were moved into the bottom classes that they felt were streamed according to their address, and that did only the basics in terms of English, Irish and Maths with them and didn't challenge them educationally, or expect them to achieve, and sometimes telling them that they would be better off leaving school because they were not going to go anywhere in life. The former students believed that their social and economic status had worked together with their community and family context to generate, rather than to solve, problems for them. This perception on the part of the former students found support in the existing U.S and UK literature (Hirschfield 2008; Reay 2012; Speak et al 2013). The findings of this research suggest that there is a need to carefully examine, both how students are being identified as being at risk, and the interventions that are pre-emptively determined as being needed before students even enter the formal education system. This is important because the findings of this research indicated that the concept of risk or vulnerability tended to be static, and once applied to some students, was something that they could not exit or escape from throughout their schooling. The findings of this research

indicated that the mobilisation of the risk-factor paradigm to inform educational disadvantage policies in Ireland had the effect of 'singling out certain social or physical attributes as a justificatory bases for exclusion' for this cohort of students (Adkins and Vaisey 2009: 112).

Parents also described how they felt judged and looked down on by their children's schools. They believed this to be a moralising judgement about their social, economic, and marital status. Their interactions with their children's school tended to be limited to disciplinary processes and they felt excluded from participation in decision-making and general school activities, feeling that their children's schools were not interested in them and unwilling to work in partnership with them to resolve issues with their children. This experience on the part of parents reflected both domestic and international literature on the experience of working-class parents within the education system (Hanafin and Lynch 2002; Lynch and Lodge 2002; Macleod et al 2013).

The perceptions and lived experiences of DEIS schooling articulated by the participants indicated that there had lacked meaningful inclusion in political and policy decisions of those whose lives were most effected by such policies. The concept of inclusion put forth in DEIS appeared to run counter to students' and parents' understanding of inclusion. The participants felt that the norms and assumptions embedded in DEIS stigmatised and disadvantaged them, rather than supporting them. They did this by presupposing collective shortcomings and deficits in the former students and parents. The voices of the participants in this research suggested that one can either have equality and inclusion in education or one can have concentration and designation. But one cannot have both because equality and inclusion cannot be married with concentration, separation and designation. This highlights the disconnection between policy aspirations and the effect of their operationalisation in practice. This signals a clear need for the Department of Education to undertake a thorough examination of the issue of school designation and choice, and how those issues are working to impede the realisation of an inclusive education system that respects and accommodates all students justly and equally.

7.4. The Experience of Time, Space and Injustice in Education

> *I was kept in a room outside of the classroom with no work to do on my own…Came in (to school) and sat around and did nothing basically. That's what they (school) had me doing. Genuine (John).*

Building on the previous section that outlined the impact of separation and segregation in schooling, this section examines the experiences of time, space and injustice in education. Throughout their interviews, the former students articulated how they experienced the time and space of their schooling as a form of discipline.

The former students consistently underlined how they spent much of their time in school in isolation from the wider school population, outside of their own classrooms and without no schoolwork to do. When they were in their classrooms, they described how they were assigned a permanent place in the back of the class, with little engagement with, or help with schoolwork, from teachers. As they progressed through the education system, they described how the students that they were permitted to interact with in school tended to be restricted to the ones who came from the same or similar addresses as them. They described how they were judged by their addresses rather than what they were capable of doing academically and viewed their level of access to academic material as basic. They saw this as a type of 'social blindness' in particular, when it came to teachers noticing (or failing to notice) misbehaviour. As a result, punishment practices were often seen as unfairly targeted. These findings aligned with the wider Irish literature that highlight how practices in DEIS and non-DEIS schools vary in a number of ways that are likely to impact on student outcomes. The findings of this research reaffirmed those studies that found that schools serving working class students use rigid forms of ability grouping, have more challenging disciplinary climates and a greater level of negative interaction between students and teachers (Byrne and Smyth 2010; McCoy et al 2014;Smyth et al 2015). The findings further reflected those of McCoy et al (2012) who found the presence of variation in access to different domains of the curriculum according to a school's status.

The former students described the impact of these practices as making them feel not wanted by their schools and feeling that their presence in them not valued. They

described how such practices and experiences affected their mind-frame and worldview by instilling a feeling in them that everyone was out to get them and hated them. This reflected the findings of Macleod (2006) who concluded that the ways in which adults view the young people that they are working closely with has consequences for how the young people come to view themselves. This is important because, in general, lack of educational progress, types of interventions, and evaluations of their effectiveness (or lack thereof) are approached from the vantage point of how external situational variables impede a student's ability to engage in learning and achieve educational success. Like the findings of Gill, Quilter-Pinner, and Swift (2017) in England, the results of this research indicate that a much greater focus needs to be placed on the ways that some students are being functionally excluded from a large proportion of learning, and the day-to-day activities in schools. Of most significance, the findings of this research reflected those of Graham (2014). Like the former prisoners in her UK based study, the findings of this research indicated that continuous use of unofficial exclusionary practices were experienced as a form of preparation for prison by the participants in this research. The pattern described in their criminal behaviour outside of school, and their subsequent imprisonment, reflected the practices and skillset that the former students had acquired throughout their schooling. Enduring the boredom of been confined together, in restricted spaces, with their movements tightly regulated, segregated from their mainstream peers, for the long periods of time, with minimum positive mental and cognitive stimulation, in their detention centres and prisons was not a new experience for the affected students. The findings indicated that by the time they arrived at their detention centres and adult prison destinations, the former students had already amassed years of stimulation characterised by the very features to enable them to both cope with and function in such environments because those environments mirrored their experiences of compulsory schooling. This finding speaks to prison reform policy-makers, and gives particular insight into why prison as a deterrent from reoffending behaviour, is ineffective. The findings suggest that the key to positively addressing the issue of recidivism among prisoners lay firmly in eradicating the ways in which hidden exclusion is practised in schools.

7.5. Voice, Institutions and Listening

I wasn't treated right by the school. I was treated disrespectfully. If I went into the school to talk to them, they were like saying just 'go away'. They weren't interested and they weren't even listening to my point of view (Parent)

Throughout their interviews both the former students and parents spoke about their lack of voice and of not being heard when they did speak. This was experienced in particular when it came to matters discipline and exclusion. The former students emphasised their lack of voice throughout their experiences of schooling. They detailed how they perceived their accents, the types of haircuts they had and the types of clothes that they wore to be the source of their exclusion and the reason for their particular experiences of discipline. They also believed those factors to undermine their credibility when it came to disciplinary infractions. This was particularly true when they engaged in fighting with other students while in the schoolyard.

In Chapter 6, the former students recounted how they perceived their teachers to be exhibiting prejudice towards them and this led to fighting with other students in the schoolyard. The injustice for them, as they elaborated, was the way in which there was a social blindness in who got caught. In such cases, where they retaliated to getting picked on or teased, they felt that they got punished but that the teachers did not *see* the students bullying them if they were well dressed or had a more respectable address. They also felt that there was an assumption of guilt on their part when it came to fighting, and that they were always blamed in such situations without any exploration of the reasons or equivalency of sanction. This perception is reflected in much of the U.S STTP literature that detected educator bias as an influencing factor in school discipline and exclusionary practices (Losen and Skiba 2010; Mallett 2015; Rocque 2010; Skiba et al 2011).

Parents also described their lack of voice in their interactions with their children's schools, feeling unheard, negatively judged and looked down upon when they approached their children's schools to talk to teachers and principals about their concerns about the difficulties that their children were experiencing. They particularly emphasised that they were not sufficiently included or heard in the processes that led to their children's exclusion from school. They perceived such treatment as stemming from prejudicial attitudes on the part of schools pertaining, in particular, to their relationship status as lone parents. They felt their voices were discounted and dismissed by school authorities. This finding reflected the findings of Vincent et al (2010) who found that working-class mothers have to contend with a 'respectability struggle'

within the education system, originating from the traditional division of the working-classes into 'rough' and 'respectable'. It equally reflected previous Irish findings which highlighted the exclusion of both working class students and parents' voices by the education system (Hanafin and Lynch 2002; Lynch and Lodge 2002).

Teachers and Principals alike tended to attribute students' misbehavior and conduct to being 'caused' by the home environment of students, a lack of capacity of parents or poor and weak parenting. One as principal concluded; 'It's poor parenting. It's weak parenting'. Yet, at the same time, teachers and principals also attributed the blame for student's misbehaviour to one another's failings. Reflecting this, one principal described how 'I have seen teachers just exacerbate situations'. This reaffirmed previous Irish findings which highlighted how policy makers and educators judge working class parents as having little interest in education, thus condemning their children to failure within the school system (Hanafin and Lynch, 2002).

The findings indicated that parents of excluded children find themselves in an impossible situation in the Irish education system and this reinforced many of the findings that Macleod et al (2013) identified in their study of parents with permanently excluded students in the Scotland. They found that such parents tended to be viewed as part of the problem and one of the findings they found most striking was that none of the service providers talked about parents as genuine partners. Instead parents were seen as being to blame, if not for their children's original difficulties, then, at least, for the failure to remedy the problems (Macleod et al 2013: 396). Like the findings in this research study, they found that parents were expected to exercise their responsibilities in relation to their children's anti-social behavior within the context of a 'partnership' in which, at the same time they were positioned as not being competent to do so (Macleod et al 2013: 398).

The research participants also identified the institutional conditions that would be necessary if they were to be able to speak and to be listened to. For the parents, this included a two-way partnership between the parents and schools and some degree of what was termed as an *equality of treatment* between the parents and schools. Fundamental to this, from the parents' perspective, was being treated with respect, being viewed as equal partners and not being blamed. For students this also included their teachers having respect for them, valuing their presence in school, and judging

them on what they could do and how they could think, rather than their addresses, appearance and where they came from. This is particularly important because the findings indicated that despite the policy rhetoric of parental involvement and parents as partners in education, greater efforts are needed if this is to be translated into practice for all parents.

7.6. Communication

Intervention teams (CAMHS, NEPS, EWO) play table tennis with children when a child is too complex. No one wants to take responsibility for them. They will be sent from service to service. "Oh our service isn't the service for him. We'll send him here. No agency is putting their hands up and saying we'll work with them" (Principal)

Special importance has been given to the need for effective communication and collaboration in education. This is especially true in the area of addressing educational disadvantage (Cullen 2000; DEIS 2005; DES 2004; Kelleher and Kelleher 2005; OECD 1995; Stokes 1996). The rationale for this policy driver is the development of partnerships and the co-ordination of service provision between education and non-education stakeholders (Boldt and Devine 1998). The principle underpinning this commitment to deliver a more focused, holistic approach to effectively addressing educational, social and economic issues found in the spheres of a number of different organisations (Fox and Butler 2004).

Communication and collaboration between external agencies and educators emerged as both a contentious and important theme. The participants identified a breakdown in effective communication and collaborative working practices between schools, external services and families. Whilst the findings highlighted the importance of effective communication and collaborative working between schools, external agencies and families, it was described to being dysfunctional, fragmented, and lacking in any real accountability. A number of factors were cited as contributing to this but communication dynamics, professional differences and a lack of accountability were identified as significant barriers in this regard.

The discourse of attributing blame was frequent throughout the interviews. Educators blamed the working practices of external agencies, and external agencies blamed

educators. The interviews with these sets of participants clearly indicated the need to move beyond blame-discourse if they are to work together alongside parents and students in order to find appropriate solutions when challenges arise. One of the main obstacles hindering this, according to educators, appeared to be the multitude of different agencies working with an individual student and their families at the same time but who were not joining the dots.

The lack of integration of service provision meant that up to twenty agencies could be working at the same time with individual students and their families at any given time. This was identified as contributing strongly to the negative communication dynamics that existed between schools and external agencies. However, it is important to note that some positive experiences were noted in this regard, which resulted in the exclusion of some students being averted. This was particularly the case when an individual teacher worked with an individual or small group of external workers to support students who were experiencing behavioural difficulties. The findings suggested that when fewer external professionals and teachers work together, roles and responsibilities were clearer, and positive outcomes for the students and parents were more likely. This finding is supported by Macleod (2010), who, when, discussing the obstacles to a multidisciplinary understanding of 'disruptive' behavior in a research context, offered conclusions that are applicable here. She contended that a greater degree of familiarisation at an individual level between people, together with a strong commitment to making things work, with people who are committed to exploring the possibilities of working across disciplines, is the best way forward.

Another important obstacle to moving beyond blame and enhancing effective communication and collaboration between educators and external agencies is respect for professional differences. This reflected the findings of Challis et al (1998) when they found that interagency working is often premised on 'an implicit ideology of neutral, benevolent expertise in the service of consensual, self-evident values (1998: 17). This finding indicated that schools and external agencies are in need of support and training to enable them to effectively communicate and work in situations where they have been trained in conflicting disciplines, which have conflicting values and principles underlying them. This finding supported those of Puonti who found that interagency working 'is a learning process full with tensions and difficulties' that needs

to be nurtured and supported (Puonti 2004: 100). Illustrating the need for this is a quote by one of the stakeholders who said:

> *It's the culture within the school. The school think that their authority kind of overrides everything else because I have worked on different ways of trying to engage with the schools, and the schools distrust and resent any collaboration. They see it as interference, they see that they are the greater kind of wisdom and they don't engage. (Stakeholder: Criminal Justice Sector)*

The policy and research literature often propose interventions and programmes to support behaviourally challenged students and their families (NCSE 2012; Kane et al 2007; Morrison et al 2005). However, the experiences and perceptions of educators and external agencies in this research indicated that they were in need of supports to overcome professional conflicts and capacity building to forge effective alliances to respond to student needs more effectively. The findings concurred with those of Engestrom (2003) who found that for interagency working to be effective, changes in organisational structures and cultures to support the process, are necessary. This singles the need for an examination of current interagency working practices in the education system, and the identification of policy and practice supports to strengthen it.

7.7. Relationships, Care, and Seeing the Other as a Human Being

> *They basically made me feel like I was useless basically. I swear to God, it felt like you were a piece of shit on the end of their shoe. That's what it was now basically (David).*

Nel Noddings posed the question to educators 'why care about caring'? (Noddings 2003: 7). The quote by David above offered one answer to this question. The stories collectively retold by former students in the previous chapter offered many more answers. The simple answer is to not show these students care but to diminish them as human beings. Throughout their interviews the former students emphasised the profound impact of what they perceived to be uncaring teachers on their educational experiences. When it came to the factors that most influenced their negative educational experiences, it was not experiencing difficult home lives, or living in challenging communities that the former students spoke about. What mattered most in this regard were the types of relationships that they had with their teachers. The findings reflected

the well established contention in both, domestic and international of the importance of quality relationships between teachers and students is (Beck and Muschkin 2012; Berkowitz et al 2016; Burchinal et al 2002; Byrne and Smyth 2010; Cassidy 2005; Decker et al 2007; George 2015; Loftus 2017; Noddings 1984, 2002, 2003, 2005; Marzano and Marzano 2008; Murray et al 2000; Rocque 2010; Smyth et al 2014; Whitaker 2004).

The former students described the relationships that they had with their teachers as the most impactful in terms of their engagement with school. These relationships also affected their poor school retention, their behaviour, and the formation of their self-perceptions. The findings aligned with those of Whitaker's (2004) when he pointed to the importance of the human element of teaching in the context of reform. He found that it is not the various different programmes that make a difference or the students who are in a classroom that influence the type of classroom dynamics that existed. Talking about the quality of relationship that a teacher has with students, he found that 'it's people, not programmes' that make the most significant difference to how students perform and experience education (Whitaker 2004: 9). This reflected the perceptions and experiences of former students. They described that what they needed to stay in school, to behave well while in school and to perform to their academic potential was for their teachers to show some care towards them. Pappamihiel (2004) pointed out that caring in education is not all about 'hugs and smiles' (2004: 539). Nor was this what the former students conceived care to be about. For them showing care meant their teachers valuing their presence in school, and seeing past their parents' marital and occupation status, and their own addresses in order to come to see and treat them like human beings. Andy captured this when he said:

> *If they (teachers) could kind of care more for their students and not kind of judge them and be more understanding, you know. I mean I'm a human being like… And judging people by where they come from like I think that needs to go away (Andy).*

The findings reflected those of Marzano and Marzano (2008), when they concluded the quality of teacher-student relationships is the keystone for all other aspects of classroom management. The former students emphasised this connection throughout their interviews. They perceived the poor-quality relationships that their teachers had with them as the most significant factor influencing all of the negative practices that they

recalled experiencing throughout their schooling. This extended to disciplinary practices, streaming practices, negative teaching and learning practices, and their exclusion from school. They connected poor quality relationships with their teachers with experiencing education as a demeaning, painful and unhappy experience. This left them with feelings of being abused educationally, emotionally and, in some cases, physically. This reaffirmed Noddings' (2015) contention that caring needs be at the heart of the educational system. This is important because the findings of this research suggested that relationships are the most important intervention for this cohort of students. Noddings' (2015) model of care, therefore offers one practical framework that has the potential to aid teachers in avoiding the types of practices that former students' described as having experienced. It opens a possible path of hope for future practice and development.

7.8. The Desire for Education

Like we didn't even do tests in the same way as the other students, like. They were still doing long division (Maths) in 3rd year with us (Robert).

Eliminating educational inequality has proven to be a difficult challenge for the Irish education system. The achievement gap between rich and poor has continued to be a persistent feature of the Irish educational landscape (Boldt and Devine, 1998; Clancy 2007; Considine and Dukelow 2009; OECD 1995; Hannan et al 1996; Kavanagh et al 2017; Lynch and Lodge 2002; McCoy, Byrne and Banks 2012; Smyth 1999, 2015; Weir et al 2011). This is especially true for those who have become involved with the criminal justice system (Costello 2015; IPRT 2018; Morgan and Kett 2003; O'Mahony 1997). The different explanations offered in the literature as to why this is thought to be the case were discussed throughout chapters 1 and 4, whilst Chapter 3 traced the development of policy responses to inequality, as it related to education, in Ireland.

In Chapter 6, the former students added their voices to this conversation and offered rich, vivid and detailed accounts of their formative educational experiences. The former students were unequivocal in their desire for, what they termed, 'a proper education' throughout their interviews. However, they felt strongly that they were denied this by their schools. They believed that their schools were a key contributor to the inequalities

that they experienced. Reflecting the findings of Ryan (1991) the former students perceived their schools to be *producing* inequalities for them, rather than simply *reproducing* perceived pre-existing inequalities. They emphasised that by viewing and treating their homes and communities as a key source of educational risk, their schools abnegated their responsibilities to educate them focusing instead on socialising them. The findings of this research reflect those of Alonso et al (2001) who found that education for poor students tends to focus on interventions to fix 'supposed cultural deficiencies', the implication of which, they argued, is an education that solely consists in 'teaching students how to look at the teacher, dress right, and act and speak accordingly' (Alonso, et al 2001: 201).

The former students described how their education amounted to them receiving only the basics in terms of English, Irish and Maths, however, they emphasised how this was not reflective of a lack of ability or desire to learn and progress on their part. Rather it indicated the contemporary presence of, in their view, profiling of working class students resonant of ways in which such students were historically profiled by the education system. Their experiences suggested that the education system continues to deem 'a limited education in literacy and numeracy sufficient' (Coolahan 1991) for some categories of students in the contemporary era. Reflecting this Robert insisted that 'we were just doing the basics and a bit of hurling, rugby, soccer and cooking practical stuff'.

Most of the educators and various stakeholders verified this claim on the part of the former students. They perceived social classism on the part of schools and policymakers as serving to justify the continued practice of offering low educational standards, and expectations for students who are deemed to be on the social periphery. Teachers and principals too quickly associated their perceptions of the life experiences of students with the need for differential and less challenging and diverse teaching and learning practices. As one Principal in this research put it 'I mean for the majority of our children, they are wonderful to be in school in the first place and to actually manage themselves in school, I mean… (pause) that's an achievement'. This reflected Garcia and Gerra's (2004) findings, who when asking educators who worked with socially marginalised students to discuss student characteristics, found that the automatic tendency was not to talk about their learning capabilities or potentialities. Instead it was

to discuss their 'life experiences or their underprivileged, disorderly, disrespectful behaviours.' In the findings of this research teachers were perceived to be incapable of seeing beyond their own perceptions of their students' social circumstances in order to see them as individuals in their own right. Capturing this Andy described how on his first week of secondary school 'the Principal told me to go down to x school [nearby DEIS school] cause I wasn't wanted here. I'm not their kind of person'.

The accounts and stories offered by the participants in this research did not support the existence of a linear, mechanistic or static 'school-to-prison pipeline'. However, they did support the presence of a set of exclusionary experiences that began in school and ended with involvement with the criminal justice system. This extended beyond the sanction of being excluded from school, although this was identified as a critical moment in the lives of the former students. Illustrating this, David pinpointed that how 'that's when it all started going wrong after that (school expulsion). It started getting serious. I had nothing to do, fuck all to do'.

The educational experiences and conditions that preceded their exclusion were equally, if not more, important in this regard. The former students did not see prison as an inevitable destination for them. Instead they saw it as a destination that might have been alterable through changes in the educational conditions because they felt that too often schools treated them as if they were already criminals or who were prison-bound upon their entry into the education system. They felt that their engagement in criminal behaviour was what they were prepared and trained for throughout their schooling, in the same way that other students were prepared and trained for progression into work and college. Tony elaborated how 'when so many people expect something (deviant behaviour) of you, you say, fuck it I'll give it to them'. This finding reflected those of Graham (2014) in the UK, who found that for some categories of students, schools prepared them for prison. Like her findings, this research found that through poor quality educational content, coupled with practices of extreme levels of isolation and separation from the mainstream school population, and the use persistent disciplinary sanctions, the environment of prison was one that reflected the participant's experiences of schooling.

There was a general view that the prescriptive nature of policy instruments that

stipulated the types of targets, the practices and interventions that students and parents must receive based on their socio-economic status, and the level of disadvantage assigned to the areas in which they lived, were diminishing the plurality of students and parents by treating them as carrying deficits rather than seeing their strengths and individuality.

The former students emphasised that what they needed from the education system was for it to not predefine their aptitudes, abilities, behaviour or potential on the basis of non-educational factors, like class, family or clothing. However, what they perceived as their getting from their teachers reflected the opposite. Aligning with those of Payne (2008), the findings suggested that the students in this research were viewed and treated by schools as if they had already been so damaged by the time that they started school, that only a handful of them could be saved. This perception on the part of the former students was illustrated by one Principal who suggested 'for many of them I would say they are very damaged mentally…They're nearly set up to have mental health issues. They're predisposed to mental health issues'.

These findings are particularly important and affirms those of Graham (2015) who suggests that if policy-makers are serious about addressing the link between education and prison, there is a need to deeply challenge the unofficial practices used in schools that treat some students as if they are prisoners in training.

7.9. Chapter Summary

This chapter critically discussed the main findings of the thesis as they related to and expanded upon the existing literature on the school to prison pathway or pipeline (STPP). The chapter began with a summary of the main findings. The remainder of the chapter discussed the dominate themes in the STPP literature and explained how the findings of this study reflected and differed from them.

Chapter 8. Conclusion and Recommendations

8.1. Introduction

This chapter contains a critical and evaluative summary of the thesis. This begins with returning to the question of the purpose, aims and objectives of the research as set out in chapter 1. It provides a summary of how the main findings were presented in chapter 6 and the analysis through the lens of the research questions follows next. Following this, the contribution and value of the research is reiterated. Finally, the chapter concludes with a set of recommendations for action in policy and practice.

8.2. Purpose, Aims and Objectives of the Research

This research set out to examine the relationship between experiences of formal schooling and involvement with the criminal justice system in the Irish context and to locate those experiences within the international context of the school to prison literature. The reason for this study originated from the lack of research into the formal educational experiences of former prisoners in Ireland. This absence of which compared poorly with international norms (Gill 2017; McAra and McVie, 2010; Graham 2014). It also arose out of the concern that the research that has been carried out in Ireland had not hitherto focused on the educational experiences and practices that had shaped the formal educational experience for this cohort of students during the time in which they were in the formal education system and prior to their involvement in the criminal justice system, from their own perspective. This is because the research into the lives of prisoners in Ireland tended to focus on the personal, psycho-social, environmental and economic characteristics of prisoners (Milner 2010; O'Reilly 2009; Burke 2008; Duffy et al 2006; Palmer and Duffy 2005; O'Mahony 1997). Educational research focusing on people in prison has also been predominantly quantitative in nature (Morgan and Kett 2003; McCrystal, Higgins and Percy 2007, 2006; McKowen and Fitzgerald 2007; O'Mahony 1997, 1993). The concern that motivated this research was that within such studies the voices of prisoners have too often been be reduced to a set of common statistical traits purportedly shared by them, and had thus precluded a rich contextualised exploration of their lived experience of schooling. The approach adopted in this thesis was strongly motivated by a desire to bring those voices into conversation and to listen to their thoughts, experiences and analysis with the care they deserve.

The central motivation for this was to support the voices of the former students. This arose out of a concern that those considered to be *delinquents* and/or *criminals* are subjected to many forms of discounting, and may be dismissed when telling their stories, or even censored if disrupting dominant, often stereotyped narratives. These voices too often risk being suppressed and trivialised (Devault 1999). By adopting a multi-perspective approach that built the perspectives and experiences of educators and multi-agency stakeholders, including parents, around voices of the former students, this ensured that their voices were foregrounded throughout the study.

Building on the international school to prison literature (Gill 2017; Graham, 2014; Heitzegs 2009; Losen and Skiba 2010; Mallett 2015; McAra and McVie 2010; Pane 2014; Rocque et al 2011; Raffaele et al 2003; Rocque 2010; Rocque and Snellings 2010; Skiba, et al 2014; Skiba 2015; Wald and Losen 2003; Wright et al 2014), this research reflected on the proposition and evidence from other jurisdictions that school practices mattered *in some way* to the post-school involvement with the criminal justice system. This research therefore aimed to examine to what extent experiences of schooling made a difference in the eyes of the stakeholders, in particular those former students who became involved in the criminal justice system, and how and what aspects of these school experiences made a difference.

The aims, research questions and the methodological approach of this research therefore focused on addressing such gaps and the research aims and questions sought to also identify and analyse the presence of international themes and practices found in the STPP literature in the testimonies of the research participants, whilst also looking for practices that had not previously emerged in the existing domestic and international literature. The analysis of the findings aimed to bring into relief the types of experiences, practices and perspectives which are often lost within statistical analysis and looked to identify how current understandings of what constitute school discipline and exclusion in the STPP literature could be enriched and expanded upon by inviting and listening to the voices of those who experienced these practices as well as those who are involved and impacted by such practices.

To achieve this, the thesis asked five questions. First, it asked what are the important factors and practices that shaped the formal education of students who ended up on the path from school to involvement with the justice system. This question was asked to former students who experienced the criminal justice system. Second, it asked parents of excluded children what their experiences of dealing with schools when behaviour/disciplinary issues emerge was like. Third, it asked teachers and principals what they perceived to be the critical factors that influence the route from school to involvement with the criminal justice system. Fourth, it asked a range of key stakeholders who are involved in the lives of those student who encounter difficulties both inside and outside of school, why some young people end up on the route from school to involvement with the criminal justice system and how, in what ways and to what extent school can make a difference. Finally, it asked what are the different mechanisms used to exclude this cohort of students from school? These research questions were approached using theoretical and methodological frameworks that drew on the writings of Foucault and the literature on epistemic injustice. Combining their theories of disciplinary power/knowledge and testimonial and hermeneutical injustice as points of reference, a multi-perspective, qualitative methodology, underpinned by the emancipatory commitments of critical theory, was developed that used open and semi-structured interviewing to explore the relationship between experiences of formal education and involvement with the criminal justice system. Reflecting the commitment of the thesis to foreground the voice of the former students, listening to those voices and taking seriously what they had to say, the thematic analysis approached the interviews through the lens of these theoretical frameworks and drew on the core concepts of voice, practices, silence, and subjugated knowledge in structuring the themes through which the findings were interpreted.

8.3. Experiences and Perspectives of Students who experienced the Criminal Justice System

Chapters 6 and 7 discussed in some detail the formative educational experiences, practices and perspectives of the former students who experienced the criminal justice system. Within those testimonies of the former students was a set of commonly shared practices and experiences from which some conclusions can be reached in relation to answering the central research question of how, in what ways and to what extent, experiences of formal education was perceived by this cohort to influence their post-

school engagement in offending behaviour. The background characteristics of class, family and socio-economic status constituted a crosscutting theme that threaded through the testimonies of the former students. This was shown to have negative repercussions for respectful, caring teacher-student relationships, positive educational conditions and school retention rates. 'The teachers would be slagging about where we were from' (Vincent), 'the teacher would look down at you…You were kind of branded for your appearance' (Michael), 'it was like I was stupid, and I was made feel like that' (Tommy), 'they're bastards, they treat you like a dog in the school, and you're just mad to get out of school actually' (Tim), 'to them (school) we were no good… You're stupid, you're stupid, you're stupid' (Amy).

The consistent manner in which background characteristics (and the in-school experiences and practices that were associated with them) recurred across all age cohorts of the former students reflected the contemporary resonance of a historical era in Irish society in which educational spaces were divided into territories that housed students of 'morally virtuous' parents and students whose parents were viewed as 'moral dirt'. This was exemplified by David when he said 'he's only dirt, so we'll treat him like dirt kind of a thing you know what I'm saying, like?' And again by Robert, who said 'the way you were treated was like a second class citizen. Kind of exiled and treated differently'. The perceptions on the part of the former students that they continue to be classed and treated differently by the education system based on negative historical attitudes that existed towards their background characteristics reflected the literature that connects class inequality in education with deficit models of education in a way that suggests that contemporary practices continue to be influenced by historical thinking and attitudes (Alonso*,* et al 2001; Hirschfield 2008; Lynch and Lodge 2002; Reay 2017).

Experiences of suspension and expulsion were common among all of the former students. This reflected the wider literature on the STPP. However, in a clear point of departure with much of the existing international STPP literature, the use of formal sanctions such as suspension and expulsion was accompanied by other practices in the Irish context that suspended and "expelled" students through informal mechanisms that

were not recorded and thus not on record. The implication of this is that such students appear in Early School Leaving statistics as opposed to school exclusion statistics. In reflecting on their school experiences, crucially, none of the former students felt that their offending behaviour or involvement in the criminal justice system was unavoidable. All of the former students spoke about their determination and desire to complete school and saw the positive value that completing their formal education could have had on their lives. However, they expressed the strong view that in many respects they were denied their education because of negative perceptions on the part of the education system that viewed them as 'going nowhere' and as a 'lost cause' based on *who* they were and *where* they came from. Financial hardship was also cited as a barrier to their full participation in education. They described how they did not always have the right footwear or the clothes that their schools required them to have due to financial constraints on the part of their parents. Whilst this did not stop them from going to school, it meant, they said, that their schools permitted them from entry to school on those days. The findings reflected the wider literature on teacher bias and social exclusion discussed in previous chapters and the negative impact that it has on disproportionate discipline and exclusionary practices and school completion. More importantly it was perceived to have a detrimental effect on the quality of relationships that their teachers had with them and also on the negative educational conditions that their schools provided for them within in school. Personal and social attributes were perceived to be used as the basis for providing weak academics, excessive streaming and dividing practices, and for decisions to re-route them out of their mainstream schools and non-designated schools and into alternative and designated schools.

The former students perceived school completion as the single most important factor contributing to their offending behaviour. None of the former students reported being engaged in either offending behaviour or using illegal substances while in school. Engagement in these behaviours were described as a consequence of their permanent exclusion from school. As detailed in chapter 6, the loss of the structures in school and the mental stimulation that came with that intersected with their social and economic situations in a way that led them onto a cycle of using illegal substances and alcohol to kill boredom, and their dependence on substances in turn led to offending and criminal behaviour to finance illegal substances and alcohol. 'Basically, that's when it all started going wrong after that (school expulsion), 'I had no structure (Martin), 'there was no

opportunities there for us' (Tim), 'then I was with the lads around the road, lads at the corner listening to this and that, then I dabbled in the drugs' (Raymond), that led to fucking crime, like you know what I mean? Because we had no money like, we'd nothing' (James) and, 'You're off out looking for hash and you'd rob a shed or something to get money to buy hash, so a cycle began out of boredom' (Robert). This reflected the international STPP literature which highlights drug use and an increased likelihood of being arrested, particularly among students who did not have a prior history of offending behaviour, as being some of the more adverse effects of experiencing school disciplinary practices (Kaplan and Fukurai 1992; McCrystal, Hirschfield, 2018; Monahan et al 2014; Percy, and Higgins 2007).

Furthermore, the former students associated the prospect of completing school without experiencing exclusion with their possible avoidance of involvement in criminal activities. The decision not to complete school was considered to be a choice made by *schools* rather than the student or their parent. It was also perceived to be dependent on the quality of relationships that teachers had with them. Relationships were considered to be the most important form of intervention. In turn, poor quality teacher-student relationships were associated with providing negative educational conditions characterised by bias, discrimination, deficit teaching and learning practices, excessively punitive disciplinary climates and exclusion in the views of this cohort. This perspective reflected the extensive body of literature that repeatedly points to the importance of the relational aspects of teaching and learning for positive educational experiences and outcomes (Byrne and Smyth 2010; Loftus 2017; Noddings 1984, 2002, 2003, 2005; Smyth et al 2014; Vincent *et al*. 2010). This reflected the wider literature that identifies school completion as a protective factor from offending behaviour and involvement with the criminal justice system (Costello 2015; IPRT 2016; Kennedy et al 2005; Morgan and Kett 2003; Murphy et al 2000; O'Donnell et al 2007; O'Mahony 1997).

Listening to the experiences, practices and perspectives recounted by the former students in this research, the conclusion must be drawn that experiences of schooling made a difference to their post-school involvement with the criminal justice system and thus looking at education, in particular relationships in schools, is key to disrupting this

"pathway" for this cohort of students in order to explore different ways of examining educators' beliefs and values and school climates. This also challenges policymakers, curriculum reformers, educators and the DES to work together at a systemic level to intensively examine the current configuration of the education system and understand how and why it is *producing* inequalities and exclusion for this cohort of students, rather than addressing the effects of inequalities that this cohort of students are may be experiencing, and ensuring that these cohorts of students and their parents feel that they are treated with equal dignity and respect and that schools are inclusive. The findings suggested that at the heart of any attempts at reform should be the relational aspect of education. This must be at the core of curriculum, policy and practice. The findings suggested that respectful relationships and positive educational conditions are the most important form of intervention.

8.3. i. Experiences and Perspectives of Parents

The question of parental experiences of dealing with schools when disciplinary issues emerged was an issue that was foregrounded in some of the "blame discourses" in interviews with teachers and principals. The purpose of ensuring parental voice be part of the conversation was to identify barriers as well as those supports that might enhance greater partnership between parents of students who are experiencing difficulties and their schools. It should be borne in mind that the findings on the experiences of parents were limited as only eight parents were interviewed, however, there were a number of commonalities in their experiences from which tentative conclusions can be drawn. As noted in the findings, all of the parents recounted negative experiences of dealing with their children's schools and felt that their children's schools were unwilling to work with them to find positive solutions. Their solutions ran counter to what schools deemed as the appropriate course of action to take, which involved, generally speaking, parents being asked to keep their child at home for an unspecified amount of days or to remove their child from the school in order to place them in schools that principals perceived to be more suitable to their child's needs. Parents described their children's schools as being unwelcoming of their presence in the school and did not feel that they were viewed or treated as partners in their children's education by educators. Their interactions with schools were described as being 'called in to be told of the decision' that schools made in relation to their child's exclusion rather than to seek their input or working with them in finding common ground or strategies to try and resolve or prevent

issues from re-emerging. The experiences described by parents reflected the literature that points to the continued struggle for respect from the education that working class mothers face, alongside their struggle in ensuring their inclusion in processes and matters that affect them and their children most (Hanafin and Lynch 2002; Lynch and Baker 2005; Vincent et al 2010).

It also reflected the literature on epistemic injustice in that that parents of excluded children felt that they were pre-emptively silenced in disciplinary and decision-making processes due to prejudicial attitudes towards their social, economic and marital status which were based on outdated and prejudiced assumptions informed by stereotypes about their interest (or lack thereof) in their child's education (Nols et al 2017). There is a need to revisit current parental involvement policies and practices at local and national level. Most importantly, the stories of the parents highlight the critical need to include working class parents in the policy development process, in representative bodies, in decision making processes and in consultation processes for determining accurate areas of need and support. Parents felt strongly if schools worked with them and listened to what they had to say, than more positive outcomes would have been likely for their children. This strengthens the calls in the literature for the use of more participatory, ethical and restorative approaches for including those groups who feel excluded and silenced from processes that directly affect them (Amstutz and Mullet 2005; Hopkins 2004; Moxon, et al 2006; O'Donnell, 2014; Thorsborne and Vinegrad 2006

8.3. ii. Experiences and Perspectives of Teachers and Principals

The question of teachers' and principals' perspectives arose from a desire to reflect on the voices of the former students, to include the stories and experiences of educators, and to contextualise and understand the statements, practices and experiences of all stakeholders from an institutional perspective. Although there were some contradictions throughout the interviews with educators, there was a number of commonalities from which conclusions can be drawn.

When discussing the cohort of students in this research and of parents of excluded children, teachers and principals tended to resort (however benevolently) to a deficit model of thinking and approach to practice. They reaffirmed many of the negative practices and experiences identified by the former students and parents throughout their interviews and acknowledged that educators' negative perceptions were contributing to in-school practices that were not serving those students or parents well. They highlighted the *de facto* segregated nature of schools and a series of (well meaning) equality of opportunity policies as significant factors shaping negative school practices and school expectations of students and parents who are on the social periphery. Those factors were also identified as having significant consequences for the quality of teacher-student relationships, negative teaching and learning practices, academic expectations and disciplinary practices.

The policy of school designation and the concentration of additional supports in those schools based on geographical areas was perceived by educators to induce segregation, reinforce negative class stereotypes, and accentuate and exacerbate problematic behaviours as well as a reliance on deficit teaching and learning practices and informal disciplinary practices. The findings suggested that designated schools, despite their best efforts, are struggling to provide the types of educational conditions that are reflective of the principles of equality of conditions, inclusion and diversity, partly because the challenges that often come with experiences of poverty and deprivation were not being shared out equally among schools. The findings suggested that whilst concentrating additional supports and resources in designated schools may be a more efficient or preferable approach from an administrative perspective, the model of school concentration and designation was not considered the best model for this cohort of students and schools going forward, particularly in the context of inclusion and equality and efforts toward democratic education in which schools reflect the diversity of society.

Educators also identified a lack of joined-up working and effective communication between schools, intervention teams and other external agencies as contributing to the negative educational outcomes of the cohort of students in this research. This was identified as key area in need of attention and reform if the risk of such students being excluded from school and becoming involved in the criminal justice system is to be

minimised. Experiences of schooling have an important role to play in the types of post-school pathways that students take, according to educators.

8.3. iii. Experiences and Perspectives of Stakeholders

The question of the experiences and perspectives of multiple stakeholders from different professional contexts arose from their unique position of working with students, parents, schools and with one other over a sustained period of time. Stakeholders identified school structure as a key protective factor from engaging in offending and criminal behaviour. School practices such as streaming based on student background, allocating students to foundation level subjects, and informal discipline and exclusionary practices were identified as key contributors to students' disengagement from school and low rates of school retention. There was a general view on the part of stakeholders that schools, in their experiences, have lost sight of their legal and moral obligation to educate all students irrespective of social advantage or disadvantage. Stakeholders perceived schools to be intentionally or otherwise creating a set of conditions for some students which made it difficult for them to stay in and, to thrive in school. Being in school and engaging in offending behaviour would not have made sense to the students that stakeholders came into contact with. Conversely, being excluded from school or not having a school place sometimes led to engagement in offending and criminal behaviour. Stakeholders also reaffirmed that many schools lacked meaningful and positive relationships with the parents of excluded children. An absence of partnership with and respect for parental wishes and choices were also reported. The presence of different types of schools such as alternative schools, high-support schools and youth encounter projects were identified as reinforcing the perception that 'school' is not for everyone and made it easy for schools to abdicate their responsibility to educate some students by directing and encouraging them and their parents to seek a place in these alternative facilities.

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Just like educators, stakeholders also felt that there was a lack of joined-up thinking and working and effective communication between them and schools, and that this

contributed to negative educational and social outcomes for the cohort of students in this research. Stakeholders identified a power imbalance between them and school administrators and bemoaned the lack of professional status afforded to them by schools as the main barrier to communication and dialogue. The importance of effective interagency working between schools and external agencies was affirmed by stakeholders. This was identified as key area in need of careful policy and practice attention if more positive educational and social outcomes are to be achieved for students who are on the social periphery. The conclusion, that experiences of schooling had an important role to play in the types of post-school pathways of students in this research, can be drawn from the perspective of multi-agency stakeholders. The findings of this research indicated that when fewer external professionals and teachers work together, roles and responsibilities are clearer, and the likelihood of more positive outcomes for the students and parents is increased. This reflects the Scottish context (MacLeod 2010).

Overall, the findings from all cohorts of participants suggested that whilst additional supports, interventions and programmes can be important for supporting this cohort of students to succeed in education, their impact on equalising the field will continue to be limited if they are used as a substitution for, rather than as a support to enhance the provision of education for this cohort of students. The effect of day-to-day experiences, practices and in-school interactions cannot be underestimated in the context of the findings of this research and how they worked to produce inequality for students. The findings of this research reflected those of the literature that contend that the experience of equity and fairness in the education system can ameliorate the impact of broader social and economic inequalities and lead to more positive life outcomes for students who are deemed to be on the social periphery (Faubert 2012; Field et al 2007; Woessmann and Schutz 2006).

8.4. Contribution to Knowledge

This research offers a robust, multi-perspective qualitative study on the formal educational experiences of students who became involved with the criminal justice system where no other such research currently exists in the Irish context. In so doing,

it has yielded deep insights into the educational practices and conditions that were perceived to influence some students' post-school involvement with the Irish criminal justice system. The findings also add to the existing international STTP, whilst also expanding the theoretical base for the Irish STTP literature.

The central relevance of the contributions yielded from this research is an enhanced awareness of the important experiences, practices and factors that influence the relationship between school and involvement in criminal justice system, in the Irish context. The analysis of the findings of this research identified a number of key areas for strategic focus and policy action that should be of interest to those working in the areas of equality, human rights, law and policy makers who want to work toward achieving equity and more positive educational outcomes for students who are deemed to be 'at risk' of becoming involved with the criminal justice system. In this context, the following set of recommendations for policy and further research are made.

8.5. Recommendations for Research, Policy and Practice Focus

8.5. i. Mainstreaming DEIS Supports

The analysis of the findings indicated that there were many supports under the Delivery Equality of Opportunity in Schools (DEIS) policy framework that have had a positive effect on addressing some of the inequalities that exist for students who are on the social periphery. Staffing supports, training programmes in relation to literacy and numeracy, access to continued professional development, small class sizes and the provision of the book grant scheme and school meals programmes were identified as the aspect of DEIS that were having positive effects. However, there was a strong view that designating a school with disadvantaged status has equated in practice to a 'ghettoisation model' which has and continues to have negative implications for school choice, teaching and learning, social segregation, low academic standards, student and parent self-conception, low teacher expectations and effective behaviour management. The findings indicated that rather than disrupting existing social divisions in wider society, the unintended consequence of DEIS model has been the replication and reinforcement of such inequalities in and through schools. Accordingly, one of the recommendations of this research is that policy should be working towards moving

away from the model of designating specific schools as "disadvantaged" over the coming years. This should begin with the gradual mainstreaming of the concessions and supports that are currently concentrated in designated schools such as the schoolbook grant scheme, the school meals programme, access to the HSCL scheme, priority access to NEPS and access to supports under the SCP programme to schools that do not have designated disadvantaged status. The universal provision of such concessions and supports would go some way in deterring non-designated schools from using soft barriers to direct students, based on social context, into DEIS schools that they deem to be better equipped to meeting their needs, the end goal of which should be to equip all schools, over time, with the necessary programmes, supports and concessions to respond to the needs of all students irrespective of the status of either school or student. This recommendation is supported by the OECD (2018) which identified the reduction of concentrating students who are socially and economically disadvantaged in particular schools as a key way of achieving educational equity. Linked to this are current policy attempts to diversify education.

8.5.ii. Diversifying Teacher Education and Schools

Relationships with teachers were considered to be one of the most significant factors in influencing student academic and self-perception (both negative and positive), approaches to teaching and learning (both positive and negative), experiences of disciplinary sanctions and also as a protective factor for enabling school completion among the former students in this research. Negative relationships with teachers were perceived to be stemming from prejudicial attitudes, primarily based on socio-economic distance between students and teachers. As such, the current policy approach to diversify the teacher profession by way of PATH 1 in the *National Plan for Equity of Access to Higher Education* 2015–2019 is both commendable and welcomed in light of the findings of this research. However, the findings of this research clearly indicated that there was a need to de-segregate and diversify schools and not just the teaching profession.

The absence of a framework for how newly qualified diverse teachers will be deployed within the system may pose some real challenges to achieving diversity, equality and inclusion is in within classrooms and schools, in practice. The analysis of the findings

of this research suggest that the main challenge for policymakers will be that solely attempting to simply produce teachers from underrepresented and minority backgrounds in the absence of any coherent strategy for diversifying schooling, runs the risk of further perpetuating or indeed consolidating what was described as an already two-tier, rigidly socially segregated education system, rather than diversifying it. It is therefore imperative that policymakers devise measures to ensure that in practice we do not end up in a situation whereby we continue to have schools where socially marginalised students are concentrated and newly qualified underrepresented teachers are deployed to work exclusively within them, and vice versa. Such a scenario would neither remedy the existing inequalities within the system nor would it serve to produce the types of school and classrooms conditions that the participants indicated the clear need for. That is schools and classrooms that are reflective of the diversity and dissimilarity of race, ethnicity and social class within Irish society. Accordingly, one of the recommendations of this research is that an Inter-Departmental Oireachtas committee, comprising of the Education, Justice and the Department of Children and Youth Affairs should be established to examine and develop a coherent action plan to address these issues comprehensively. The findings of this research suggests that policies to deliver both equality of condition and outcome alongside curricular reforms, will continue to be limited in their success in the absence of a radical reconfiguration of the current organisation of schools

8.5.iii. Streaming and Grouping Practices

The findings aligned with those of the OECD (2012) and Smyth and McCoy (2011) who identified experiences of streaming and grouping as adversely impacting a student's academic and social self-image and self-concept, thus creating negative attitudes to school and learning, with such factors being a precursor to non-school completion and underachievement. The practice of extracting a student from their classroom to receive one-to-one or small group resource teaching and grouping students in classes according to their address were identified as been particularly damaging to students' academic progress, self-image and self-concept, and also to their self-confidence. One of the recommendations of this research is that schools are supported to develop policies that will eliminate such practices. The practice of team teaching

offers a positive alternative to rigid forms of streaming, grouping and extraction of students from their classrooms for additional academic support. Therefore one of the recommendations of this research is that the DES establish a working group, which will complement the current research in Irish education, such as Rickard and Walsh's Croí funded project in the area of team teaching, to examine it as a viable and preferable alternative to current streaming and grouping practices in schools.

8.5. iv. Non-Reporting of School Suspensions and Informal Exclusions

The findings indicated that some schools are failing in their legal obligations under the Education (Welfare) Act 2000 S21 (6) pertaining to the mandatory recording and returning of rates of suspension and expulsion to Tusla. The findings indicated that not all suspensions or expulsions are being formalised and or indeed submitted in annual returns. This not only has implications for national statistics but also for the legal right of students and parents to a fair process and the right to appeal. It is one of the recommendations of this research that a cross sector group comprising of the education sector, Tulsa, the National Parents Council and relevant experts, should be established to examine the development of a self-reporting mechanism that would allow parents and Tusla funded organisations working within the child, family and youth sectors to report a school suspension and other forms of school exclusion practices that are being used to informally exclude the students they have contact with. A shared responsibility approach for reporting should be adopted, similar to that in Children Frist National Guidance for the Protection and Welfare of Children (2017). The wide range of different mechanisms that were identified in this research to informally exclude and discipline students speaks rather loudly to the rhetoric and ideal of inclusion that pervades policy and practice in education. In light of the findings of this research, it would seem necessary for current focus of the Oireachtas Joint Committee on Education and Skills on the practice of reduced school timetables to informally exclude some categories students in schools, to be expanded to include the wider range of informal practices that are being used by schools to exclude and discipline socially marginalised students. It is therefore recommended that careful and comprehensive examination of exclusionary practices in schools is undertaken with particular emphasis placed on the reasons that schools give for such practices and the institutional and

organisational changes that are deemed necessary to enable schools to eliminate such practices in the future.

8.5.v. Transfers from Mainstream Schools into Alternative Schools

The findings indicated that the involuntary transfer out of mainstream schools and into alternative and special education provision for non-academic and/or behavioural reasons was a particular issue for the cohort of students in this research. Equally, the findings indicated that parents had little choice in such practices, thus, undermining their constitutional freedom and right to choice whatever type of school that wish to have their children educated in. It is therefore one of the recommendations of this research that the purpose, rationale and function of stand-alone alternative educational facilitates, developed historically in Ireland, be carefully examined. The question guiding this exercise should be: Whose needs, in the contemporary era, are being served by the provision of separate alternative educational facilities - students or mainstream schools? The question of how the resources, practices and supports in alternative facilitates might be amalgamated and integrated into the existing Primary and Post-Primary system should also be examined in light of the former students' descriptions of the overwhelming negative impact on them personally and educationally of their involuntary placements in alternative schooling.

In the interim, national guidelines on procedures and rationale for transferring students from mainstream schools to alternative educational facilities should be developed and implemented. Given the findings from educators and stakeholders that suggested some categories of students are be placed in such facilities on the grounds of academic or behavioural needs, such guidelines should clearly state the grounds on which such practices can be permitted, the process to be followed in such cases, and ensure a mechanism for the choice and voice of the student and parent should be taken into account in such cases. Such guidelines should also contain an appeal mechanism to the DES, for parents and students who are dissatisfied with such practices and decisions.

8.5.vi. Interagency Working and Communication

The analysis of the findings indicated that effective inter-agency working and communication between education and non-education stakeholders is fragmented, challenging, *ad hoc* and dependent on individual personalities. The potential of effective inter-agency working and communication to achieve better outcomes for students was acknowledged by all educators and stakeholders. Therefore one of the recommendations of this research is that the barriers and challenges to effective inter-agency working and communication between education and non-education stakeholders be examined carefully from a research, policy and practice perspectives. This process should be led by the Joint Oireachtas Committee of Education and Skills and supported by the funding by the relevant government Departments of external agencies. A strong emphasis should be placed on listening to what educators and external stakeholders have to say about what the practical barriers are in this regard and the changes in organisational structures, practices, values and cultures that they deem necessary to improve this process. This should be followed with a commitment to identifying and supporting joint on-going professional development training between education and non-education stakeholders.

8.5. vii. Inclusion of Working Class Parents and Students in Decision Making Processes

The research highlighted the lack of voice and inclusion of working class parents and students in policy consultation, development and implementation. The adverse effect of assuming students' needs were seen in the former students' descriptions of the negative impact that policies and practices had on how they experienced education. They were equally seen in the parents descriptions of their of exclusion from the day-to-day activities of their children's schools, their sense being voiceless in decision making processes that involved them and their children and the lack of respect that they perceived schools to have for them as parents and as partners in their children's education. The findings supported the need for greater efforts to be made in ensuring that working class parents and students have a voice in the formation of polices, decisions and programmes that affect them. Premised on the principle that everybody has the right to participate meaningfully in the process of identifying their needs, analysing their own solutions and sharing equal power and control in such process (Attwood, 1997; McIntyre, 2002), a participatory action research approach offers a

promising framework that is capable of achieving this in both policy and in everyday practice in schools. It is therefore recommended that such an approach be adopted to support the inclusion of working class parents and students in educative and policy processes.

8.6. Future Research

To supplement these areas of strategic, practice and policy focus, additional research should be carried out into the educational experiences and practices of students who became involved with the criminal justice system in other jurisdictions outside that of the one in which this research was confined. Such research should be done using a mixed methods design, grounded in the participatory action tradition that focuses on the voices and stories of former prisoners. This is necessary to establish first, if the practices and experiences identified in this research are present in other schools and communities outside of Limerick City and County; and second, to ascertain prevalence and socio-demographical patterns exist elsewhere. More importantly, there should be a strong focus on the areas of difficulties that former prisoners may currently be experiencing in their lives such as, for example, issues around accessing further education and/or employment and training opportunities. Particular attention should be paid to the barriers, actions and solutions that former prisoners themselves deem to be necessary in order to support them in realising their hopes, aspirations and desires as they move forward with their lives post-imprisonment.

The findings are also limited by a lack of diversity in terms of ethnicity and race. The sample comprised of a wide variety of participants in terms of cross sectors, social class composition, range of perspectives and a sex balance (25 females and 26 males) in terms of the overall sample. However, none of the sample were of a racial or ethnic minority status. Although reference to Irish Travellers was made in one interview, this referred to levels of transition from Primary to Secondary school and reference to students ‘who come from other nations’ was made in two interviews whereby such students were considered positively in terms of valuing education and exhibiting good behavior. Any reference to race or ethnicity is therefore speculative at best and is in need of further investigation in the Irish context. Having said that the voices of those who were included in this research have provided a solid and comprehensive baseline

from which both researchers and policymakers can build and expand upon moving forward.

8.7. Key Messages Moving Forward

The compelling and critical appraisals of the education system offered by the former students in this research challenge, in more ways than one, much of the academic, policy and political assessments of how far we have come and how much we have achieved in the area of quality and inclusion in education. The age range of the former students outlined in chapter two was particularly telling in this regard. It was difficult to distinguish between the decades as each of the former students described their personal of experiences and practices that spanned over four decades. As they recounted their educational experiences, those who were in their 40s, 30s, 20s and late teens spoke of similar or identical experiences and practices of those former students who were older and younger than them. For this category of students, it would appear that the progress that has been made is far from sufficient, and requires far greater efforts than have previously been made. The absence of equality in participation, conditions, inclusion, and voice pervaded and linked together the former students' experiences of education. Perhaps this is reflective of the political and policy tendency to call on middle class 'experts' who claim to know and understand the lives of such students and their parents better than they do themselves and thus are granted the authority to speak on their behalf in terms of their challenges and educational needs (Lynch and Lodge: 2002: 148). O'Donnell suggested a starting position from which policymakers, educators and academics can begin to move beyond an approach that gives primacy to the voices and interpretations of 'experts' in favour of those who experience educational and social exclusion. She convincingly put forth a proposition of how educational institutions can be practically transformed to be more inclusive and respectful in ways that afford real participation and inclusion of all students and parents. She contended that in order for the education system to truly embody and achieve, in practice, the conditions of inclusiveness, equality of voice, and of meaningful participation, the critical perspective of those who feel 'marginalised, silenced, stigmatised and excluded' is the place from which policy and practice must begin (2014: 258). This repositioning, she suggested, would allow us to move beyond debates

and arguments the centre around ideas and talk of 'rights' as a convenient justification for not initiating radical change. Rather, such a starting position would bring us directly to the voice and stories of those students and parents, who for whatever reason, feel themselves to be excluded by the prevailing norms and values of the education system (2014: 259). Support for such a framework was not only evident in the perspectives and desires of the former students throughout this research, it was seen as an absolute necessity if the ideals of inclusion, participation and equality of conditions are be to truly realised by the education system in practice.

Appendix 1 Information Sheet for Teachers/Principals

Information Sheet for Teachers/Principals

My name is Lindsey Liston and I am currently a post-graduate research student in Mary Immaculate College. I am carrying out this study as part of a Doctoral Degree by research in Education under the supervision of Dr Aislinn O'Donnell. I would like to you invite to participate in this study. Before you decide whether or not you would like to be involved in the research, you need to understand what the research is about and what is involved of you, should you decide to take part.

Research Title:

The 'Problem Class': Exploring the Relationship between Experiences of schooling, and Involvement with the criminal Justice System.

What is the purpose of the research?

The purpose of this research is to gain insights and an understanding of the relationship between school and involvement with the justice system, from multiple perspectives including teachers and school principals. I am interested in the experiences of teachers and principals regarding school discipline and how policy instruments impede or support you in responding to and managing school disciplinary issues. I am also interested in getting your insights and perspectives into how the various curriculum and benchmarking requirements that schools and teachers have to meet, might impact on or effect school behaviours. I would like to understand how you deal with and address such issues at a practical level.

What is involved if you agree to participate?

Your decision to take part in this study is entirely voluntary. If you decide to participate you will be asked to partake in a one-to-one interview lasting approximately 1.5 hours. All transcripts and notes of the interviews will be anonymised. This means that the identity of the people interviewed will not be recorded anywhere on the notes of the interviews. I will make sure that any information that could identify the person interviewed or the school is not reported in any written or oral presentations of the findings. The anonymised results of the research will be made available publicly and

may be used in publications and reports. They will also be made available to professionals/schools and community based organisations.

Confidentiality

All information collected as part of the study will remain anonymous and interview voice recordings will only begin once introductions have been made and you will not be referred to by name throughout the interview. The data collected will be held for 7 years after the research has been examined.

Right to refuse/withdraw

Your participation in this study is voluntary. You can decide not to participate or to withdraw from the study anytime.

Are there any risks involved in participating?

The risks associated with participation in this study are minimal. The time required for interviews will be 1.5 hours. In the unlikely event that participating in this study may make you feel distressed or upset, you are asked to note the contact details for the following confidential support services:

The Irish National Teachers Organisation: Tel: 01- 8047700 or www.into.ie

The Association of Secondary Teachers in Ireland: Tel: 01 - 6040160 or www.asti.ie

Contact Details

If you have any further questions, please contact Lindsey Liston: Lindsey.liston@mic.ul.ie or Dr Aislinn O'Donnell: Aislinn.odonnell@mic.ul.ie

Appendix 2 Information Sheet for Community and Voluntary Stakeholders

Information Sheet for Community and Voluntary Stakeholders

My name is Lindsey Liston and I am currently a post-graduate research student in Mary Immaculate College. I am carrying out this study as part of a Doctoral Degree by research in Education under the supervision of Dr Aislinn O'Donnell. I would like to you invite to participate in this study. Before you decide whether or not you would like to be involved in the research, you need to understand what the research is about and what is involved of you, should you decide to take part.

Research Title:

The 'Problem Class': Exploring the Relationship between Experiences of schooling, and Involvement with the criminal Justice System.

What is the purpose of the research?

The purpose of this research is to gain insights and an understanding of the relationship between school and involvement with the criminal justice system from multiple perspectives including those organisations/professionals that have a remit for supporting young people and their families who have been subjected to punitive and other exclusionary school practices. I am interested in learning about your experiences and encounters of such cases regarding school discipline particularly in what are the ways in which children are excluded from school? How equitable are schools in applying such sanctions in your experiences? And how might such practices influence the future pathways available to those young people who have been the recipients of punitive disciplinary practices?

What is involved if you agree to participate?

Your decision to take part in this study is entirely voluntary. If you decide to participate you will be asked to partake in a one-to-one interview lasting approximately 1.5 hours. The anonymised results of the research will be made available publicly and may be used in publications and reports. They will also be made available to professionals/schools and community based services.

Confidentiality

All information collected as part of the study will remain anonymous and interview voice recordings will only begin once introductions have been made and you will not be referred to by name throughout the interview. The data collected will be held for 7 years after the research has been examined.

Right to refuse/withdraw

Your participation in this study is voluntary. You can decide not to participate or to withdraw from the study anytime.

Are there any risks involved in participating?

The risks associated with participation in this study are minimal. The time required for interviews will be 1.5 hours.

Contact Details

If you have any further questions, please contact Lindsey Liston: Lindsey.liston@mic.ul.ie or Dr Aislinn O'Donnell: Aislinn.odonnell@mic.ul.ie

Appendix 3 Information Sheet for Young People (18)

Who I am?

My name is Lindsey Liston and I am a post-graduate research student at Mary Immaculate College in Limerick.

Why I want to meet with you?

I want to tell you about research I am doing that involves young people like yourself who have left the secondary school they started in first year in but moved to youth reach/ outreach/youth service to finish their secondary school education. I want to meet with you to see if you would like to take part in my study.

Why am I doing this research?

I want to find out about your experiences of school, how you got on with your teachers and why you left your school to go to Youthreach/Outreach/youth service. I'd also like to know something about your life and background like where you grew up, your family and some of the experiences you had when you left school your secondary.

What will happen to you if you are in the study?

If you decide to take part in this research you will be taking part in an interview/conversation with me talking about your life and experiences of school especially experiences of discipline. This will take about an hour and a half to do but more or less time can be given depending on what you need/want to talk about yourself.

Are there good things and bad things about the study?

What I find in this study will be made available to other people to read or hear about and might be used in publications and reports but your identity will not be known. They will also be made available to schools and other professionals so they might

learn how to do things differently or better. I don't believe that being in this study will hurt you or cause you harm.

Will you have to answer all questions asked of you?

No. If I ask you a question that you do not want to answer then tell me you do not want to answer that question and we will move on to the next question. If you decide you don't want to answer any more questions, we can stop the interview there.

Who will know that you are in the study?

The things you tell me and any information I write about you will not have your name on it, so no one will know they are your answers or the things that you did/experienced. I will not let anyone other than me see your answers or any other information about you. So only I will know that you are in the study.

Do you have to be in the study?

No you do not have to be in the study. Your decision to take part in this study is entirely up to you. Just tell me if you don't want to be in the study. And if you decide to be in the study but later you change your mind, then you can call me and let me know that you changed your mind and you do not want to be in the study anymore. If you change your mind when we are doing the interview, you can tell me and we won't continue with it.

Do you have any questions?

You can ask questions at any time. You can ask questions now or you can ask later on. Here is the telephone number to reach me at if you have any questions or would like to get some more information about the study and what is involved if you decide to take part 086-7350859.

Appendix 4 Information Sheet for Former Students

Who I am?

My name is Lindsey Liston and I am a post-graduate research student at Mary Immaculate College in Limerick.

Why I want to meet with you?

I want to tell you about research I am doing that involves former prisoners who have left and or were excluded from school before finishing either your primary or secondary school education. I am particularly interested in your experiences of school discipline or exclusion. I want to meet with you to see if you would like to take part in my study.

Why am I doing this research?

I want to find out about your experiences of school, your experience of school discipline, and your relationships with your teachers and a bit about your life and background like where you grew up, your family and some of the experiences you had when you left school or where excluded from school.

What will happen to you if you are in the study?

If you decide to take part in this research you will be taking part in an interview/conversation with me talking about your life and experiences of school especially discipline. This will take about an hour and a half to do but more or less time can be given depending on what you need/want and I will follow up with you in a second interview to go over what you told me and see if there is anything you would like to add or take out.

Are there good things and bad things about the study?

What I find in this study will be made available publicly and might be used in publications and reports. They will also be made available to schools and other

professionals so they might learn how to do things differently or better. I don't believe that being in this study will hurt you or cause you harm.

Will you have to answer all questions asked of you?

No. If I ask you a question that you do not want to answer then tell me you do not want to answer that question and we will move on to the next question. If you decide you don't want to answer any more questions, we can stop the interview there.

Who will know that you are in the study?

The things you tell me and any information I write about you will not have your name on it, so no one will know they are your answers or the things that you did/experienced. I will not let anyone other than me see your answers or any other information about you. So only I will know that you are in the study.

Do you have to be in the study?

No you do not have to be in the study. Your decision to take part in this study is entirely up to you. Just tell me if you don't want to be in the study. And if you decide to be in the study but later you change your mind, then you can call me and let me know that you changed your mind and you do not want to be in the study anymore. If you change your mind when we are doing the interview, you can tell me and we won't continue with it.

Do you have any questions?

You can ask questions at any time. You can ask questions now or you can ask later on. Here is the telephone number to reach me at if you have any questions or would like to get some more information about the study and what is involved if you decide to take part 086-7350859.

Appendix 5 Consent Form

Research Title:

The 'Problem Class': Exploring the Relationship between Experiences of schooling, and Involvement with the criminal Justice System.

I give my consent for Lindsey Liston to use the information provided throughout the research process to be used in the above name research project. I confirm that:

- I have met with the researcher,
- I have read the information sheet,
- I have been informed about the purpose of the research and how the data will be used;
- Understand that my participation is voluntary at all times, I am free to refuse to participate , I am free to withdraw at any time;
- I will not be identified nor will any identifying information about me be used in the study.
- The interviews will be voice recorded.

I understand by signing below, I am giving informed consent to participate in this study.

_____ _____

(Participant) (Researcher)

Appendix 6 Consent Form for School Principals

Research Title:

The 'Problem Class': Exploring the Relationship between Experiences of schooling, and Involvement with the criminal Justice System.

I give my consent for Lindsey Liston to use the information provided throughout the research process to be used in the above name research project. I confirm that:

- I have met with the researcher,
- I have read the information sheet,
- I have been informed about the purpose of the research and how the data will be used;
- Understand that my participation is voluntary at all times, I am free to refuse to participate , I am free to withdraw at any time;
- I will not be identified nor will any identifying information about me be used in the study.
- The interviews will be voice recorded.
- I give permission for you to invite other teachers on my staff to part-take in your research.

I understand by signing below, I am giving informed consent to participate in this study.

_____ _____

(Principal) (Researcher)

Appendix 7 Interview Themes for Former Students.

Probes to be used only if necessary, questions to be generated based on what the participants say. Explain the purpose of the research again. Remind the participants that the interview will be anonymised and they will not be identifiable once the tape is transcribed. Reassure participants that I will be the only one listening to the recording and if at any time any of the questions become uncomfortable and they want to stop, just let me know and if there is any question that they would prefer not to answer that is ok and we can move on.

Background: Can you tell me a little but about yourself and your background?

Probes: Where did you grow up? Tell me about your community- was it a good place to grow up in? How would you describe the people that lived there? Was there anything you didn't like about growing up there? What did you like about growing up there?

Childhood: Probes: Do have any brothers or sisters? Can you tell me about one of your happiest memories from your childhood? Who lived in your home during your childhood? Were there any particular events as having an effect, positive or negative, on your childhood?

Ok. So then you started school…talk me through that?

Education: How would you describe your experiences of school?

Probes: Where did you go to school? What was your experience of school? Did you like school? Was there anything you disliked about school? Did your family have a history of going to that school? How did you get along with your teachers? Did you attend school regularly? Did you get any extra help at school e.g. learner resource? Did you ever get in trouble in school? If yes, what how was that dealt with? How did this make you feel? Did your friends have any influences on your behaviour? Did your teachers? Did your parents? At what age did you leave school? What influenced that decision?

Ok. So then you were out of school…what started happening then?

Crime/juvenile Justice Activity: What age were you when you first became involved in illegal activity? Do you know why you engaged in these activities or did these things? Were you in school or out of school at this stage? How did going to prison make you feel? How has that impacted on your life?

Impact of school exclusionary practices: Did leaving school/being-excluded from/ play a role in your involvement in crime or anti-social behavior, in your view?

Probes: What did you do with your time when you weren't in school? How did the lack of structure influence your behaviour?

Current status: Pathways

Probes: Did you receive any education classes while you were in prison? If yes, did this help you once you were released? Is there any particular support service/ group that you have engaged with and found helpful since you were released from prison? What are your goals for the future? .i.e. community/adult education, training, etc.

Final question for former students: Looking back now, knowing what you know, having been where you have been, if there was once thing your school could have done differently when you were experiencing difficulties in school, to change the experiences you had, what would that be? What might you have done differently? What have you learned from your life experience?

Final question for young people if in non-formal school: What are the main difference between this school and the school you left or were excluded from? If the school you left or were excluded from could change one thing or do anything differently, which may have made it easier for you to say there and complete your education there, what would it be?

[2]Appendix 8 Interview for Questions for Parents

Explain the purpose of the research again. Remind the participants that the interview will be anonymised and they will not be identifiable once the tape is transcribed. Reassure Participants that I will be the only one listening to the recording and if at any time any of the questions become uncomfortable and they want to stop, just let me.

Firstly, can you talk me through your own experiences of schooling?

Probes: Where did you go to school, did you like it, what was your relationship like with your teachers? At what stage did you complete school?

Ok. So then you had children and the time came when they started school…can you talk me through their experiences of school, from your perspective?

Probes: where did they go to school, how did they get on in school? What were their relationships like with their teachers?

Can you talk me through your experience of dealing with the school when your child started experiencing difficulties? What was it like and how could it have been different?

[2] The ethics approval for the filed work was originally obtained from Mary Immaculate College, university of Limerick where I began my studies. At the end of year 2, I transferred to Maynooth University where my supervisor took up a post. Although additional ethical approval was subsequently obtained from Maynooth University, the contact details in the information sheets and consent sheets are unchanged giving that all of the fieldwork was completed prior to my transfer. Hence, the information contained in these sheets is reflective of what the participants originally received.

Appendix 9 Interview Question Guide for Teachers and Principals.

1. How long have you been a teacher?

2. What influenced you in deciding to become a teacher?

3. Can you tell me about your experiences of suspension and expulsion in your current or previous schools?

4. Can you tell me about your perspectives (teachers, principals and school management staff) on the use of suspension and expulsion in terms of behaviour management?

5. What are the specific behaviours that would lead to the suspension and or expulsion of students? Are parents and students aware of these? Is there any factors / circumstances that would lead to an exception in issuing a suspension or expulsion to a student who engages in such behaviour (s)?

6. What are the steps/supports that would be put in place for a student who is persistently misbehaving, before a decision to expel or suspend the student is made? Does this apply in all cases? Are there any exceptions?

7. What impact do you believe suspension or expulsion has on a student's behaviour and academic progress?

8. What do you think are students' perceptions of suspension and expulsion? And how might this influence their attitudes towards school/teachers/education?

9. Could you describe the typical profile of students (background, family structure, diagnoses, availing of learner support etc.) who in your experience, most commonly receive suspensions and or expulsions?

10. What changes have come about in the classroom/school in cases where school suspension/expulsion has been applied?

11. What are your views on the current legislative, policy and organisational supports in place at present in terms of their impact on student's behaviour and educational experiences/outcomes? Guide for discussion:

- Are you aware of the legislative, policies, process and procedures that are in place and must be followed in relation to suspension and expulsion?

- DEIS and Non-DEIS schooling in terms of behaviour management:

  Does it make behaviour management more difficult or provide the necessary resources to manage behaviour more effectively?

  What impact does it have on the quality of teaching and learning for both students and teachers?

  How (if at all) are teacher expectations influenced by this? What role does teacher' expectations of students play in classroom performance and student behaviour?

  How do the various benching marking requirements in place for teachers' impact on teachers' responses and handling of misbehaviour?

12. Do you think that funding/resources follow individual children wherever they go to school or is school designation working in terms of behaviour management and positive educational outcomes for children?

13. Do think that there are any possible alternatives to suspensions or expulsion from school?

14. Do you have experience of using any alternatives to suspension and expulsion?

- If yes could you take me through them? If no would you welcome alternatives to suspension and expulsion?

- Do you have any ideas or preferences in relation to alternatives to suspension and expulsion?

Appendix 10 Interview Question Guide for Stakeholders

1. Can you explain to me in what context you work with young people/ex-prisoners/young people in alternative education who have being subjected to punitive/exclusionary school disciplinary practices?

2. In your experience what is the typical profile of students who are most often subjected to the most punitive disciplinary sanctions in schools?

3. In your experience what are the specific types of behaviours/situations that have led to students being suspended, expelled or excluded from school?

4. What are the different ways in which children are excluded from or disinvited to school? Could you give me some examples

5. What was the process that schools followed in such cases? Did you feel the punishment was fair?

6. What impact do you believe suspension or expulsion has on young people's behaviour, attitudes to school and academic progress?

7. What has been your experience of dealing with schools in relation to advocating on behalf of parents/young people in relation to alternatives to exclusionary practices?

8. What are your views on the current legislative, policy and organisational supports in place at present in terms of their impact on student's behaviour and educational experiences/outcomes? Guide for discussion:

- Are you aware of the legislative, policies, process and procedures that are in place and must be followed in relation to suspension and expulsion? Fair procedures under the education act- Explain: were these procedures followed in the cases you have encountered?

9. In terms of first encountering/or being referred young people into your service, particularly those who are engaging in anti-social or criminal behaviour, how common is school exclusion among such young people? In your opinion does being in school act as a protective factor from engaging in such behaviours?

10. Do you think that teacher characteristics/ expectations and school environment play a role in student misbehaviour and subsequent decisions to punish students and if so in what way?

11. DEIS and Non-DEIS schooling in terms of behaviour management:

- What are your views on policy instruments such as DEIS? Do you think that this kind of policy is effective and makes behaviour management in schools more difficult or does it provide the necessary resources to manage behaviour more effectively? (Compare to social housing policy).

12. In your opinion, do you think that school disciplinary sanctions are applied fairly in all cases?

13. What are the various pathways that children/ young people who have gone through your service, who had experienced school suspension, expulsion, or exclusion gone onto? Are there incidences whereby they went onto juvenile detention centres and or prison?

14. What alternatives would you like to see to school suspension, expulsion and/or exclusionary practices?

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