

Disability *locked up*

Of the estimated 93,000 prisoners across the UK in 2018, nearly a third of serving inmates have a learning disability. The criminal justice system is a location for rehabilitation and criminal reform, but how are disabled inmates fairing? Lorne Gillies investigates

Prisoners are a location for people who have committed crimes to pay back their debt to society. On the surface the premise of prison and serving time is evident. However, with prison figures rising in the UK, and a large number of inmates living with physical or learning disabilities, mental ill health: how are disabled prisoners supported behind bars?

In 2015, legislation on how local authorities care for disabled people in prison was amended. Now, local authorities have a duty to respond to disabled prisoners in the same way they would in the community. Even so,

change is still necessary.

RULE BREAKING

"There are places where excellent work is being done, and there are others where there is still a lot to do – this applies both to prisons and local authorities concerned," explains Ian Anderson from the Association of Directors of Adult Social Services (ADASS). "It is a complex picture."

Within this picture lies a proportionate number of inmates with learning disabilities or difficulties, and with a growing aging population, more physical disabilities. Having a disability, especially a learning disability, can

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leave people vulnerable behind bars and, in some cases, unable to follow prison rules.

Research from the Prison Reform Trust showed that prisoners with additional needs are more likely to break or have broken a prison rule. Additionally, an inmate with a learning disability or difficulties is five times as likely to have been subjected to restraint, and three times as likely to report spending time in segregation.

Prison isn't just challenging for people with learning disabilities, offenders with physical or

sensory disabilities can be impacted, too.

ADAPT

Anna Fairbank, a caseworker with the Prisoners' Advice Service, adds: "Prisoners with visual impairments, hearing impairments, or learning disabilities, mental health conditions, even dementia: someone giving you instructions that you're expected to adhere to immediately and comply, that is going to be difficult. Maybe you haven't heard what they said, you haven't seen the big sign, or you don't understand the order. Even, some people with dementia don't understand where they are."

To ensure inmates are having their basic human rights met, reasonable adjustments or adaptations need to be implemented.

"Something as trivial as giving someone an additional mattress to allow for getting out of bed can have a profound effect, which can prevent humiliation and a lot of suffering," continues Anna. "Lots of prisoners who are wheelchair users or can't access the whole of the prison: they're basically just on one level and they can't get to the gym or the library, meaning they can't go and get an education."

Working directly with inmates, Anna and her colleagues at Prisoners' Advice Service have seen the effect that lack of understanding on disability can have. One instance saw a prisoner, who was paralysed from the chest down, not receiving adequate care. Being injured from repeated falls, suffering pressure sores due to an inability to access sanitary facilities, the inmate's level of care was affected.

Anna says: "In the Care Act there is a duty to provide reasonable adjustments where necessary. That's not fully understood. The strict rules of the prison need to have reasonable adjustments – obviously, prisons have security issues and operational issues – but there are very often ways around things."

HISTORICAL

An additional challenge to adhering to reasonable adjustments? The layout of prisons. Ian explains: "So many of our prisons were built in the Victorian era and built for fit, able young men."



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That can make life very difficult for individuals – there are some prisons that are actually unfit for purpose."

Though there are difficulties surrounding disability in prison, change is slowly happening. "We are encouraged by the designs of the new prisons coming through, they will have mobility access built into them as well as having facilities for providing people who do need hands on support," continues Ian.

REHABILITATION

And this is a refreshing prospect. Prison, as we all know, is not a walk in the park, nor should it be. A person serving time in prison is doing so for a reason, but their human rights must be met and they should have the chance of rehabilitation. Within current prison scenarios, rehabilitation is not an option for some disabled prisoners due to misinformation, lack of education or training on the part of security guards, and even access issue.

Anna explains: "For prisoners who are on an indefinite sentence – you have a minimum tariff that you have to be in prison for. After that you're only going to be released if you don't pose a risk to the community. The way you can progress through your sentence and, ultimately, convince the parole board that you have reduced your risk is by doing offender courses."

"Going to work, being offered employment or education, again, that is all dependent on your disability and if you can access work and education facilities in the prison you are in; the rehabilitation side of prison might be very difficult for disabled prisoners."

Getting supported through your sentence is important for rehabilitation. It is clear more needs to be done for disabled prisoners, however, with the help of Prison Reform Trust and Prisoners' Advice Service: prisoners, social workers or loved ones can work together to ensure the criminal justice system is working in the way it should be.

FOR MORE INFORMATION

Prison Reform Trust
www.prisonreformtrust.org.uk

Prison Advice Service
www.prisonersadvice.org.uk

ADASS
www.adass.org.uk