POLICY SUBMISSION

Crime and poverty: Submission to the National Crime Forum

January 1998

1.   Introduction

The Combat Poverty Agency welcomes the government decision to establish a National Crime Forum in order to inform public policy on crime and the responses to crime. The Forum builds on the Department of Justice discussion paper on tackling crime published in May 1997. These two initiatives, along with the proposed Crime Council, signals an increased willingness by the government, and the Department of Justice in particular, to engage in a public discussion and review of the nature and causes of crime and the effectiveness of the policy response.

The mission of the Agency is to work for the prevention and reduction of poverty and inequality in Ireland. A specific role of the Agency is to provide a centre of expertise on economic and social policies for tackling poverty and social exclusion. In this context, we are glad to avail of the opportunity to contribute to the debate on crime from a poverty perspective.

Consideration of the links between poverty and crime is particularly timely given the publication last year of the government National Anti Poverty Strategy and the subsequent establishment of a government committee on social inclusion. The strategy is a major cross-departmental policy initiative to place the needs of the poor and socially excluded at the top of the national agenda in terms of government policy and action. The strategy acknowledges a link between crime and poverty, in particular in relation to drug abuse. It notes that restricted access to the benefits of modern society, a lack of gainful employment and underdeveloped local facilities can 'serve to create the conditions through which feelings of hopelessness and anti-authority can be incubated into crime and social disorder' (p79 of the Strategy). **The deliberations and outcomes of the Forum should therefore have particular regard to the strategy.**

The Agency believes that responses to crime must be balanced in their focus on punishment on one hand and prevention on the other. In particular, we should recognise the severe limitations of the existing, prison-oriented, criminal justice system, which neither encourages rehabilitation nor prevents recurrence. We urgently require more innovative approaches to the prevention of crime in the first instance, and the rehabilitation of offenders in the second. Without a re-balancing of current priorities, the present system will have a limited effectiveness in the fight against crime.

In this submission. four main connections between poverty and crime are identified. These are:

- the causes of crime, in particular the links with poverty and inequality;
- the nature and distribution of crime;
- the impact of crime on individual, families and society;
- the effectiveness of current responses to crime.

These issues, the Agency believes, are critical to the debate about crime, its causes and the measures needed to tackle it. In addition, this submission comments on the structure and operation of the proposed community-based Crime Council. In preparing this submission, the Agency has been conscious of the dearth of research on crime in Ireland. We have therefore supplemented the Irish evidence with UK material and anecdotal information from community and voluntary organisations and other sources.

2.   Causes of crime – the links with poverty and inequality

Central to the Agency's consideration of crime is its links with poverty and inequality. In acknowledging these links, it is important to state that to be in poverty does not automatically mean one is disposed to commit crime. Rather, the links are indirect, operating at a societal and communal level and in conjunction in individual factors. Five linkages are presented here:

2.1   *Exclusion from opportunities and lifestyles*
There is a significant proportion of Irish society affected by poverty, estimated to be one-in-five of the population, with 15 per cent experiencing persistent poverty (National Anti-Poverty Strategy, 1997). Poverty has the effect of limiting people's opportunities and leading to social exclusion This is manifested in inadequate income, low educational attainment, unemployment, substandard housing, and powerlessness. While poverty does not automatically lead to crime, there is considerable evidence, not least in terms of the socio-economic profile of criminals, which suggests that it is a key social factor in precipitating criminal activity, especially among young unemployed males. As NESC (1996) puts it, while the social background of the offender does not justify criminal activities, but it does suggest that for some the lack of opportunities and resources can contribute to the 'need' to engage in anti- social behaviour.

For example, O'Mahony's (1997) study of the prison population in Mountjoy found that 80% of prisoners had left school before the age of 16. Unemployment or irregular unskilled occupations consistently feature in the personal profiles of offenders coming before the courts and those who have been incarcerated.[1] This profile is confirmed by John Lonergan, Governor of Mounjoy, who recently remarked that over half of the inmates in his prison had left school before the age of 15, 88% were unemployed and 77% had taken drugs. He considered that for most ' the odds were stacked against them' (*Evening Herald*, 28/8/97). Furthermore, his data suggest that most of the prison population come from particular clusters of communities within the Dublin A similar account is presented by Patrick O'Dea of the Probation and Welfare branch of IMPACT, who describes most offenders as ' educationally deprived'. Their basic literacy and numeracy skills are limited and most offenders have a history of early school leaving (*Irish Times*, 13/1/98).

2.2   *Marginalised communities and groups*

Poverty is especially concentrated among communities in urban local authority housing areas

(Williams *et al*, 1996). This concentration is exacerbated by what can be termed 'place poverty'. This refers to locational factors such as a rundown environment, limited services, weak community spirit and a sense of isolation and alienation (Bartley, 1996, McCafferty, 1996). In some of these communities, as many as two thirds of the residents are unemployed. The combination and cumulation of disadvantage can often create a negative context in which anti-social activity, criminality and vandalism may prosper.

A sense of the problems faced in these communities can be gleaned from recent newspapers articles. A community activist from Dublin's north inner city remarked:

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[1] It is important to note, at this point, that our understanding of the personal profile of offenders is created from the statistics collected on those who have detected and prosecuted. They do not include those offenders who have as yet remained undetected and who are therefore seldom captured in the literature or statistics about crime. This issue is covered in more detail in section 3 of this document.

> *Boys leave school at 15, and with nothing else to do, hang around the streets and get involved in drugs and crime* (*Irish Times*, 13/1/98).

In cities around the country the same themes are echoed:

> *People feel powerless and there's a sense that they don't feel they have any say in what's happening. The youth club has blocked off windows like Fort Apache, the Bronx. It almost challenges the boys by giving the message ' bet you couldn't break in'.* (*Irish Times*, 13/1/98, p. 13).

These experiences are confirmed in the findings of the *Report of the Inter-departmental Group on Urban Crime and Disorder*. This identifies the lack of focal points and amenities, the sprawling design of the estates, chronic unemployment, disproportionate youth population and endemic social problems, as contributory causes of anti-social and criminal behaviour. This view is echoed in a recent European study on public housing:

> *The lack of facilities for huge numbers of children and young people sometimes results in vandalism as a form of recreation, as well as a way of expressing resentment* (*Irish Times*, 12/1/98).

It is important to note that this evidence does not suggest a culture of crime in certain communities. Rather crime is a symptom associated with the breakdown of social bonds and social capital in these areas. This view is emphatically upheld by the *Report of the Inter-departmental Group on Urban Crime and Disorder*, which state that the majority of residents in such areas are not more criminal-oriented that in other areas. However, the minority who become involved in anti-social activities create repercussions for the rest of the community.

There are also marginalised groups who are subject to higher levels of violence and crime. For example, low income women whose dependency and isolation can make them especially vulnerable to domestic violence. Such groups are often 'hidden' victims within society. Furthermore, such victims may not report these crimes out of fear of further assault or because of stigma or due to a distrust of those in authority (Department of Justice, 1997).

2.3   *Obstacles to the reintegration of offenders into society*
A further aspect of the poverty-crime link is the difficulties faced by ex-offenders in reintegrating into society. Ex-offenders are at a high risk of poverty and social exclusion because of their social background, making it more difficulty to secure employment, access housing, and develop inter-personal relationships. Depending on the nature and severity of the crime, ex-offenders must also face the stigma associated with having a criminal record, and consequently the likelihood of being overlooked for employment. Also, most ex-offenders will return to their communities and to similar circumstances they experienced before they were imprisoned. The

temptation is thus to become involved again in anti–social behaviour. All of these factors increase the likelihood of recidivism.

In O' Mahony's study of prisoners in Mountjoy, 30% of inmates interviewed reported that it was 'quite' or 'very likely' that they would commit crime again and four times as many prisoners in Mountjoy considered it likely that they would be in prison again, in contrast to the perceptions of prisoners in English or Welsh jails (1997, pp. 65-66).

2.4   *Poverty, drug abuse and crime*

There is a particular link between poverty, drug abuse and crime. The first linkages presented refer to the connection between drug abuse and poverty.

The Agency has recently commissioned a profile all the research available concerning the linkages between poverty and drug abuse and it is evident from this review that there is a concentration of hard drug abuse within disadvantaged communities. As Morgan, points out, it is perhaps easier to understand that 'involvement with crime and drugs is part of a larger 'syndrome' which is determined by personal and background factors in these people's lives' (in O' Higgins, 1997, p. 24).

From the analysis of those receiving treatment for drug misuse, data suggests that the majority tend to come from 'clusters of neighbourhoods, characterised by poverty and general disadvantage' rather than a cross section of society. (Butler, 1997, O' Higgins and Duff 1997 in O' Higgins 1997).

The second linkage presented here highlights the connection between drug abuse and crime. In those communities directly affected by drug misuse, particularly the use of heroin, it is particularly difficult to isolate which of these three factors (poverty, drugs and crime) has caused the other. What is known is that all three are interrelated. The drug user, is legally recognised as a criminal, but is also medically diagnosed as a victim to an addiction. The connections however become more transparent when the drug user is brought before the criminal justice system as a result of being involved in burglaries, larcenies or theft, to fund their habit.

Another set of linkages between crime and poverty exist within communities where drug misuse is rife, an 'industry/trade' flourishes to meet and supply the addiction. In many instances local 'well- established' criminals manage the operation, but the services are usually delivered by younger members of within the community. As Connolly states:

> *For young people growing up in marginalised communities, the*
> *illegal drugs trade provides them with access to material wealth.*
> *The lack of alternative avenues to social mobility is one of the*
> *reasons why the heroin trade has so deeply penetrated the social*
> *fabric of come inner city communities* (1997, p.33).

These linkage between poverty, drugs and crime only received national attention when their spread outside of disadvantaged communities and in to middle class areas (Connolly 1997).

2.5   *Decline of social cohesion and community bonds*

A final aspect of the poverty-crime nexus is the indirect effect of societal inequality on social cohesion and community bonds. Increasingly, society shares out the benefits

of its booming economy in a transparently individualistic way. This is evident in wage disparities, a private-public housing divide, unequal access to health and educational benefits, and tax reform which clearly targets the better-off.   Even with the emergence of the 'Celtic Tiger', certain communities within society continue to experience disadvantage and marginalisation in the midst of an economic boom. This model of individual aggrandissement and greed has a cost, which is to undermine social solidarity and cohesion. This creates a climate in which crime can flourish at all levels in society.

> *To a large extent crime is the price we pay for the material advantaged of a modern market economy. Constant pressures to acquire or consume material goods, increase opportunities for dishonesty, a society which rewards self-interest and aggression, a weakening of the moral authority of the church, family and community, division … widespread unemployment and the marginalisation of the weaker sections of society, all these contribute to a rising level of crime.(*Chapman,1989, p.37*)*

These five dimensions highlight the obvious and sometimes covert linkages between crime and poverty. Social exclusion, disadvantage and poverty are factors which reappear in the documentation debating crime. In these five contexts crime appears as a malignant symptom of disadvantage and disaffection with the rest of society.

3.   Nature and distribution of crime

Crime is a highly emotive and political topic. It is examined and debated at the local level and at the national level, from which a variety of perspectives and views on its extent and nature are generated and circulated. There are many vested interests involved in managing the 'crime problem'. As a result, the public interest in having an informed and comprehensive understanding of crime and of its socio-economic context can often be undermined. Three main challenges are identified in ensuring this public interest is upheld.

3.1   Distorted perception of crime

Crime statistics and legal decisions regarding criminal activity are frequently distorted and sensationalised in reporting by the media. Media coverage tends to highlight and define criminal incidents which are in ways sensational or 'newsworthy' by virtue of their motive, detail or sentencing. In particular, coverage is more marked when the cases involve the use of violence. The coverage of 'high profile' criminal cases would appear to be laced with conjecture and speculation that is 'wide of the mark' (Department of Justice, May 1997, p. 47). Media generated debates surrounding these criminal cases often provoke an emotional panic and anxiety about the level of crime in Ireland which prevent balanced and informed discussions about tackling crime (Department of Justice, May, 1997, p.46-47). It would appear therefore, that the level of crime is pervasive given the coverage it receives. As Christine Fennell states:

> *Our (society's) response to crime has been 'wedded' to the media format … to the moment, to what crime means* <u>*now,*</u> *what the victim feels* <u>*now*</u> *and what the accused merits* <u>*now*</u> (1993, p.54).

The result of these one sided debates, is often simplified in a demand for more Gardai, more prisons and wider police powers (McCullagh, 1996). The media handling of crime issues, tends to generate a reactive debate which is fuelled by public opinion. As Fennell remarks:

> *We only hear the detail, never the entire picture. The public confessional phenomenon - the media exposé - stark, immediate and limited in effect, initiates a similar response (legislatively) and is particularly vulnerable to the 'politics of the last atrocity'* (1993, p. 27).

There is consequently a public demands for tougher sentencing and a change in legislation as a result of public fear.

A second distortion relates to the perception of crime. This is in direct contrast with statistical data which highlights that Ireland has in fact the lowest crime rate in Europe. In comparison to other European countries, Ireland has a rate of slightly less than 300 crimes per 10,000 of the population, in contrast to the EU average of 600 (Department of Justice, May, 1997, p. 40). This relatively low rate is seldom highlighted in media coverage of criminal activity throughout the state.

Given that the media play a central role in informing public debate and in providing an update on what is of current local and national concern, it is important that their analysis of crime is more reasoned in the interest of creating a more balanced public debate. As Soothill, commenting on the latest British Crime Survey Report remarked,

> *We [society] get a distorted message [from the media] , but we need to understand more fully the nature of this distortion.*
>
> (Guardian, G.2 section,13/1/ 98, p. 17)

3.2 *Bias in the definition and treatment of crime*

Definitions of crime have traditionally been shaped by analysing the activities of those who have been apprehended and charged. Those members of the population engaged in anti-social activities, which have remained undetected or under reported, do not feature in the Garda statistics. This creates an imbalance in the definition of what constitutes crime and its frequency. Criminal statistics such as those recorded as indictable offences tend to be biased towards 'blue-collar' crime such as crimes against property, welfare fraud, or assaults against the person. It is only recently that violence against women and children has become widely recognised as a crime. In addition, what was once perceived to be part of our culture - tax evasion - has been recently flagged by the Taoiseach as one of the more serious crimes against society.

Most of the recent analyses of crime statistics relate to those who have been charged and arrested. This process often precludes members of society engaged in anti-

social behaviour who were not arrested, but have been processed through administrative channels, rather than courts. For example the payment of parking fines or fines for late tax returns. Therefore, incidents of tax evasion and company fraud, or breeches of health and safety regulations do not feature in the Garda statistics commonly used in the analysis of criminal profiles. From those arrested, a prison population is usually drawn (McCullagh, 1996). This population tends, therefore to exclude those involved in white collar crime and those who have not been arrested or have not been dealt with outside the court system.

Consequently, analysis of prison populations tend to highlight self evident trends, that in the main, inmates are predominantly young males, from working class backgrounds, who have been regularly unemployed and who were charged with crimes such as larceny or burglaries

(McCullagh, 1996 and O' Mahony 1997).

Bias also exists in relation to the treatment of crime. As middle class offenders have the resources to access mechanisms which will reduce the likelihood of a custodial sentence, they are less likely to receive custodial sentences. In contrast, their working class counterparts have less resources to avail of such strategies which in turn places them at higher risk of ending up in prison.

> *On the rare occasions when white collar crime is prosecuted, convictions occur less than in conventional crimes, and worse still, where a conviction does occur the middle class offender is less likely to end up in prison than his/her working class counter parts.* (Connolly, 1997, p. 40)

White collar crime is often managed and processed using alternative punishment strategies to prison. These include the use of:

- fines (e.g. imposed by the Courts for offences);

- amnesties (e.g. tax amnesty);

- voluntary contributions (e.g. donation of money to a charity in lieu of a conviction);

- teams of legal representation (e.g. legal teams including barristers with specific expertise);

- special appeals to the relevant authorities (e.g. letters of appeal to the Minister of Justice).

The use of alternative sanctions to custodial sentences can be illustrated by the way in which breeches of health and safety regulations are processed. Data from the National Safety Council indicate that in 1996, of the 35 cases heard involving injuries in the workplace, 27 resulted in the conviction of employers. The sentence passed in each of these convictions involved the payment of fines. There were no custodial sentences for the persons involved.

These mechanisms are also less likely to attract less attention and reportage, because they are firstly, less 'sensational' and secondly, they are often conducted discretely.

3.3   *Inadequate information on crime*

There is a dearth of research on crime, in particular on the causes and patterns of crime, the perpetrators of criminal activity and the effectiveness of various policy responses. Dr. Ian O' Donnell, Director of Irish Penal Reform Trust recently stated:

> *A discussion about crime has been absent in Ireland to a large extent because the detailed statistical data needed is not there*
>
> (The Big Issues, 1998, p. 8).

Existing documentation on crime tends mainly to focus on specific aspects of crime and the criminal justice system. In particular, studies tend to focus on crimes which have been detected, and excludes those which have not been, of which a significant percent remain unreported

(Chapman, 1989, p37). This inevitably leaves out an important piece of the information jig-saw on crime.

As a consequence, policy is frequently made in an information vacuum, whereby a greater influence exerted by public perception than by the facts available and the ways in which these are analysed. As Fennell remarks:

> *Irish legislatures have rushed to assuage the fears and tempers concerns by changing laws to accommodate different* views (1993, p.54*).*

To inform policy making, therefore, there is a need to collate and pool the knowledge and information gathered by Government Departments, relevant organisations and experts on this topic, to develop a holistic and integrated response to crime and its causes. While the Garda Research Unit is welcomed and its contribution to research on criminological issues is invaluable, independent agencies, such as university departments, are also needed to examine this complex area more thoroughly.

4.   <u>Impact of crime on society</u>
Crime imposes a huge burden on society. The effects of crime can be measured for individuals, for particular groups and communities, for businesses and economic activity and for society as a whole. Six costs associated with crime are highlighted from a poverty perspective.

4.1   Individual victims of crime

Victims of crime include those who have experienced attacks to their property and offences against the person, etc. Of the indictable offences collated, larceny continues to be the single most frequently reported and detected crime in Ireland. This is seconded by burglary. The cost of these types of crimes is significant. It was estimated that the value of stolen property in 1996 was £36million (Department of Justice, 1997, p. 43).

The incidents of theft and buglaries are not just levied against middle class members of society. Individuals residing in disadvantaged communities are also subject to property attacks, which is examined in more detail in the next section. In addition, there are generally more attacks on persons from disadvantaged communities than from middle class areas. Many of these victims will not report these incidents for fear of further repercussions (McCullagh, 1996).

As well as financial loss, there is a loss of dignity and self-esteem which, though less obvious, is equally significant. These qualities are replaced by a loss of confidence and a sense of fear. This is particularly true for vulnerable members of society, like elderly people, those residing in isolated areas, women and children and those involved in vulnerable occupations (Department of Justice, 1997, p.42). For many the costs of crime can lead to poverty and social exclusion, expecially when the victims have no insurance cover.

4.2   Communities at high risk of crime

Low income communities carry a heavy burden for crime, in terms of a deterioration in their quality of life and also the stigma associated with a high level of criminal activity. The effects of crime are felt at many levels. n a recent review of local authority housing estates in Britain, Power and Turnstall (1995) highlighted that crime does not only originate from marginalised areas, but is also waged by some locals on their own communities. Of 20 local authority estates profiled in their study, 15 were subjected regularly to vandalism and burglary by members within their own community.

The impact of crime ripples out further than the victim and the offender. The communities that have become labeled and recognized as ghettos of crime face the challenge of trying to build a local morale that will engender pride amongst residents. Reportage repeatedly highlights the name of a community when profiling cases of vandalism, joy riding, drug abuse and theft. This makes it more difficult for locals from such communities to rebuild a positive community identity (Report of the Inter departmental group, 1992). As one community activist, from Dublin's north inner city, stated in a recent article:

> *You have to fight for everything you have. You shouldn't have*
> *to keep fighting but in this area you get nothing unless you do*
> (Irish Times, 13/1/98, p.13).

Without a comprehensive system of support, people in marginalised communities will become more disengaged with the rest of society, leading to a further break down of community morale and a continuation in the cycle of disaffection and disadvantage (NESC, 1996).

4.3   Offenders

In most debates about crime, the offender is seldom considered to be a victim. However, people convicted of criminal activity can be seen as 'victims' in their own right. Through the loss of liberty when incarcerated, the stigma associated with being branded a criminal, the risk of recidivism and the many difficulties in reintegrating into society the offender can become of victim of his/her own involvement in crime. The difficulties experienced by ex-offenders when trying to rebuild their lives, challenge their ability and confidence in creating a lifestyle free from criminal activity.

Unlike other jurisdictions, there is only one national organisation, PACE which provides back-up advice and support to ex-offenders in Ireland. Consequently, ex-offenders must overcome the stigma attached to their criminal status when seeking accommodation, securing employment and engaging once more in the social life of their community. Without support, many offenders 'slip' back into patterns of criminal activity which have provided them with an income, an identity and a support system. Punishment therefore, should not outweigh the importance of rehabilitation. Without an appropriate rehabilitation process, the offender will serve two sentences, the first in prison and the second when he/she re-enters community life.

4.4   Families of offenders

The families of offenders are deeply affected by crime. In particular they pay a high cost, through a loss in income, disruption of marital and child-parent relationships, and isolation from friends and neighbours. Peter Newman, Save the Children's divisional director for Northern Ireland has stated,

> *Many prisoners' families are the forgotten victims who have committed no offence but served a <u>second sentence</u>* (1990).

The significance of losing a main wage earner and of an immediate cessation of contact with a kin member places the families of offenders in a financially vulnerable situation. The provision of a One Parent Family Payment provides some financial support to the families of offenders in prison. Of those in receipt of this allowance, 98 were in receipt of the Prisoners spouse allowance along with 252 children dependents in 1996 (Department of Social Welfare, 1996). However, for these families there is usually very little time to prepare for the income changes which accompany imprisonment.

On a emotional level, the families of offenders bear the burden of the temporary loss of a parent or sibling. In families, where the offender is a parent, the impact is not only experienced by the offender's partner but also by his/her children. In addition, the families of offenders, may also be stigmatised and may be subject to rejection or abuse from within their own communities.

4.5.   *Business and economic activity*

The effects of crime are experienced at an economic level on a daily basis. In 1996, Department of Justice statistics recorded that more than 300 aggravated burglaries where firearms were used in businesses. The impact of these crimes on businesses has been notable. In Dublin alone, it was estimated, by the Dublin Chamber of Commerce, that businesses experienced a loss in the region of £150m within the last year as a result of crime.

The costs of crime in terms of actual money losses, loss of stock, damages to property and expenses incurred related to the burglaries, can act to discourage businesses (and hence jobs) from locating in certain disadvantaged areas, where crime levels are seen as being too high. This in turn can contribute to the cycle of disadvantage in communities already marginalised.

4.6   Society as a whole

The impact of crime on society overall, is enormous. Society pays a high cost for crime in a number of ways. These include the vast apparatus of the criminal justice system, higher insurance rates, investment in personal security (alarms, etc.), loss of personal freedom (afraid to go out at night-time, etc.), increased welfare dependency and dilution of social and community bonds all add additional expenses to the society as a whole.

 In financial terms crime cost the exchequer £ 600 million in 1996. Of this, over £400 million was spent on the Gardai and £119 million was spent on the prisons and places of detection. In 1996, alone, the average cost of keeping an offender is prison was approximately £46,000.[2] This figure has been steadily increasing since 1990.

These exchequer costs when added to the personal costs incurred by individual victims increase the overall cost of crime to a conservative estimate of £1 billion in 1996 (Department of Justice, 1997, p. 44).

On a more qualitative level, the cost of crime on society is the break down in community and social spirit. It involves a loss of trust between members of society and its replacement with suspicion and fear.

5.   <u>The effectiveness of current <u>responses to crime</u></u>
This section looks the how responses to crime could be made more effective. The first step in this regard is to review the current responses to crime.

5.1   Imprisonment as a response to crime.
Traditionally the responses to crime have been primarily reactive and punishment oriented. Prison is too often perceived by society as the only solution to tackling crime, but without adequate attention to its cost and effectiveness. Ireland has one of

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[2] Figures have been supplied by the Department of Justice, Prisons statistics section.

the highest prison rates in the Council of Europe (O'Dea, 1995, in Probation and Welfare officer's branch, IMPACT, 1995, p.7). This has the net effect of placing pressure on the prison system to meet the demand for more places.

At present, there are is a chronic shortage of prison places which is largely due to the legacy of longer sentences being passed down to offenders (Department of Justice, May, 1997).   Consequently temporary release has been employed as a mechanism to 'free up' more prison places (Rhatigan, 1995, p.30).   This process has been received cautiously, and is often seen as a mechanism that undermines public confidence in the criminal justice system (NESC, 1996).

> *The often arbitrary and ad hoc early release of prisoners before the expiration of sentence as a response to prison overcrowding, does nothing to address the underlying causes of the problem* (Rhatigan, 1995, p. 30).

Prison is a valuable strategy in responding to cases where the offender is perceived to be at high risk of reoffending (Rhatigan, 1995). However, the public call for the use of incarceration as the primary means for addressing crime is questionable. In many instances, the long-term benefit of prison sentences in response to particular crimes is inconclusive. This point is particularly relevant when assessing the costs and benefits of prisons in managing young offenders. . The latter point is important when considering the type of impact that prison and more experienced prisoners can have on young offenders who should be prevented from 'graduating' into a career in crime (NESC, 1996). It also has significance is respect of the use of prisons as a means of punishing infringes of civic issues, such as non payment of debts. In such instances, prisons are not the most appropriate or effective mechanisms to address such crimes.

Within prison systems, rehabilitation programmes are being employed more frequently and these have had modest impacts (Maguire, 1994). It would appear, however, that the sucess of any rehabilitation programme centres around its content. Maguire's research highlights that the most effective rehabilitation programmes are those that are intensive in nature and that focus on the particular features of the offenders life which contribute to his/her criminal behaviour (Rhatigan, 1995).

5.2   Limited synergy between the strands in the criminal justice system
The complexity of the criminal justice system has made the development of policy responses to crime more challenging. Within this system there are several independent strands: the Gardaí, the courts and the prison service. To date there has been a lack of synergy at a national level between the various organisations engaged in combating crime. This is evident in the limited exchange of information and co-ordination between the prison system, probation and welfare, courts and the Gardaí (NESC, 1996).   One of the results from this is the development of several disconnected intervention programmes within the community and rehabilitation programmes within prisons which operate independently of one another.

5.3   The use of community based intervention as alternatives to prison
Over the last ten years, community based interventions have been created as alternatives to prison in the management of offenders. The responsibility for these programmes falls primarily with the Probation and Welfare Service. Many of these projects are developed through the collective efforts from local formal and community organisations and have focused on young offenders and those at risk of becoming involved in crime (Probation and Welfare Branch of Impact, 1996).

Initiatives such as the Bridge Project in Dublin and the Grattan House project in Cork have provided community based alternatives for those young adults who are at risk of offending. The projects which were developed to suit the Irish context by the Probation and Welfare Service are structured around programmes including elements in personal development, training and
re-skilling the participant for employment. However, these two centres have a limited number of places which inevitably leads to a pressure on the system(Probation and Welfare Branch of Impact, 1996).

The second alternative to prison, is the use of community service. This mechanism operates through the Probation and Welfare Service. Community service emerged in response to the concerns over the use of prison for minor crimes. Community service orders may be used by a Judge in lieu of a prison sentence. They are, however, considered to be appropriate for certain types of offenders. They are considered to be unsuitable for serious offenders and for those who are at high risk of reoffending, e.g. drug addicts who are not on any treatment programme.

Their effectiveness is apparent in the management of low risk offenders and can actually provide for many offenders their first experiences of participating in something positive. In addition they are a less expensive alternative to a custodial sentence. The average cost of placing an offender under a community service order was less than £ 2,000 per annum, in contrast to £46,000 per annum per person in custody. (Department of Justice, 1997).

5.4   Crime prevention

In addition to the management of crime and offenders, commentators have also focused on crime prevention and its detection. The primary state tool to facilitate this process is the Gardaí. In recent years, the Garda Juvenile Diversion Programme has assisted upwards of 77,000 young offenders to reach their 18th birthday without being prosecuted for a criminal offence (Garda Síochána Annual Report, 1996, p. 51).

However in certain communities the presence of the Gardaí generates mixed emotions where their role is associated with crisis responses rather than community policing. While the majority of residents in disadvantaged communities where crime is high are supportive of the Gardaí, there have been occasions where tension between both sectors has arisen. This was evident in the late 1980s and more recently when several disadvantaged communities in Dublin, who felt isolated and unsupported in the midst of an epidemic of drug abuse rallied residents together in a self policing exercise (Connolly, 1997). The formation of groups like Concerned Parents Against Drugs while cautiously received within the structures of law and order, was welcomed by communities who had suffered under the threat of criminal activity associated with dealing illicit drugs.

In light of this attempts have been made by the Gardaí to engage and work with the community, for example through programmes like Operation Dóchas. It would appear, however, that there is still a need for stronger links and more co-operation between both sectors if crime is to be prevented (Interdepartmental group on urban crime and disorder, 1992).

Alternative strategies to crime prevention include the development of diversional programmes, such as those supported by the Department of Justice, which are aimed at young people.

Although there has been no documented evaluations of the total range of such actions and projects currently in existence, it would appear from anecdotal information concerning their structure and framework, that many tend to operate on an *ad hoc* basis, lacking long term planning, funding and synergy with one another.

5.5 The role of the community in crime prevention
Increasingly, the community has been flagged as a primary player in preventing crime at a local level.

> *Low crime society's are societies where people do not mind their own business, where tolerance of anti-social behaviour has defined limits and where communities prefer to handle their own crime problems… When people become involved and work together the immediate effect is that the community becomes more integrated. Furthermore, crime is reduced because all forms of anti-social behaviour are checked by those community pressures toward what is broadly acceptable* (Connolly, 1997, p. 33).

This extract highlights the positive role played by the community in assisting the prevention of local crime. By international comparions, Irish local authority housing estates have a lower level of crime than their European counterparts. This is in part due to the 'homogenous nature' of the population residing in many of these estates (Power, Irish Times, 1998, p. 8). It is also due to the social capital already there within the community. This social capital involves networks of neighbours, families, community groups that are underpinned by trust and have emerged to bring about coordination and cooperation between members for mutual benefit (Commission on Social Justice, 1994).

High profile examples of community action were apparent within disadvantaged communities in the late 1980s in the form of the Concerned Parents Against Drugs (CPAD). More signficantly, the community groups and services which were formed to address local concerns have emerged s a result of the social capital that exists within many disadvantaged communities.

To date, there has been no significant attempt to utilise this local resource as a means of preventing crime. As Connolly highlighted in the previous quote, this form of social capital can be used to support community based measures designed to reduce crime. Where this resource is not used, the ability of such projects to produce effective results significantly deminishes.

<u>**6. Recommendations**</u>
In light of the limitations of the existing systems to address the underlying causes of crime and to reduce the incidence of crime, the Agency considers that a more effective response to crime should contain the following elements:

6.1 Reduce the extent of poverty, with a particular focus on disadvantaged communities
The previous sections have highlighted the linkages between disadvantage and crime. Commentators from community, statutory and business sectors have called for a more holistic response to crime which tackles its root causes. Key business people such as John Hynes

(An Post) and Michael Smurfit (Smurfit Group) have remarked that society can no longer ignore the levels of disadvantage in certain marginalised communities and people from these communities must be given the prospect of a future.

The Agency would therefore recommend the implementation of the National Anti-Poverty Strategy and in particular the following elements:

- ensuring an adequate income;
- tackling educational disadvantage;
- reducing unemployment, long term and youth unemployment;
- supporting urban regeneration.

In marginalised communities where crime is rife, it is even more important to support the efforts of members to create a safe environment. This process requires communities to 'regenerate from the bottom up', that is to engage in a process of community development. By building strong community foundations, people within disadvantaged areas can work together with statutory and other voluntary organisations to reduce the level of local crime and assist in preventing further crime. It is therefore recommended that resources and support are provided to strengthen the social capital within disadvantaged communities.

The development of community based interventions modelled around community development should also focus on the needs of particularly vulnerable groups in society who are often subjected to crime and violence, such as women and children, travellers and the gay community.

6.2.   Prioritise the rehabilitation and subsequent reintegration of offenders
In order for ex-offenders to become fully re-integrated into society, it is important that they participate in suitable rehabilitation programmes which will equip them with the skills necessary to rebuild their lives. Effectives models of rehabilitation programmes within prisons include those which address[3]:

- The actual offending behaviour. This involves the offender exploring when and why they engage in certain anti-social behaviour.

- The offenders own personal problems and needs. This involves exploring the social and personal problems experienced by the offender, such as family problems, financial, alcohol/drug related, unemployment and educational.

- The promotion of community re-integration. Attempts at linking the offenders into the support services which exist in the community have been shown to reduce the likelihood of re-offending (McIvor, 1991).

It is important that the rehabilitation programmes have an aspect of community re-integration to support ex-offenders in training and securing employment upon release. Organisation such as PACE currently assist ex-offenders with these matters but additional specialist support is still required. There is also a role to be played by existing services, such as the Local Employment Services, FAS, VEC in tailoring their services to meet the needs of ex-offenders. By targetting and supporting ex-offenders, within mainstream services, the offender has a greater chance of re-integrate into society again. In addition, by providing offenders with an integrated

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[3] Extracts from recommendations forwarded by Gill McIvor, 1995

rehabilitation programme and supporting their re-integration into the community, they are less likely to re-offend again.

Supporting the re-integration of offenders back into the community must also include their who may also require support. For many offenders their families are the only resource to help them to rebuild their lives again. This places considerable stress and pressure on the family unit which may well be experiencing its own problems created as a result of their relative's prosecution. Consequently, it is important that sufficient support is made available to the families of offenders throughout the term of the sentence and particularly in the period after release.

6.3.   Expand diversion programmes for groups at risk of crime

The current range of pilot diversion programmes funded by the Department of Justice, Equality and Law Reform in conjuction with other statutory and community would appear to be assisting potential young offenders to remain away from criminal activities. The   successes of these interventions should be built upon through mainstream community based projects. In the Interdepartmental group's report on Urban Crime and Disorder, a suggestion was made by the Probation and Welfare services that there was a need for 'day' projects, aimed at 15- 18 year olds who have dropped out of school and at risk of becoming involved in criminal activity.   The Agency would support the development of projects aimed at this group, which seek to empower and skill the participants to move away from anti-social activities.

6.4   Enhance community-based anti-crime initiatives

As highlighted in section 5.5, the community is one of the most important sectors to be included in the development of anti-crime responses and in the prevention of further crime.

Projects such as Crime Concern in Britain has been instrumental in linking the efforts of local police, social services, community members, schools and the local authorities in an effort to reduce the crime in local authority areas. Although the results from this collaborative approach are not fully measured, it would appear that fewer complaints about the young people in the participating communities have been made to the police (Commission on Social Justice, 1994).
The objective in these projects is the incorporation of a community development approach in preventing crime. The Agency believe that such strategies can provide a meaningful way forward in assisting communities to address and prevent local crime problems.

It is also important for the community and the Gardai to create stronger linkages and co-operation with one another. This will ensure that 'vigilante' movements can be avoided and a crime prevention service which is more than community policing can be created.

The Agency suggests that the creation of task forces, within disadvantaged communities may provide an opportunity to enable community members and local Gardai to examine ways in which they can communicate and co-operate with one another in preventing crime locally.

6.5   Increase the range of alternatives to custody

The use of custodial sentences as a reponse to crime was reviewed earlier in this document. It would appear from this review, that as a mechanism to 'treat' crime,

prison is a costly option. In addition, the effectiveness of prison as a mechanism to prevent recidivism is also questionable Consequently, there is a clear need for the development and resourcing of alternative strategies to prison, when prison is recognised as an unsuitable option for the offender and for the offence committed.

Alternative strategies can include the use of community based projects which seek to curtail re-offending through a focused and tightly structured programme. The content of these programmes includes an exploration of the root causes of the offending behaviour and seeks to address these through reskilling and personal development. It would appear that the use of community based programmes are more cost effective than institutionally based programmes (O' Dea, 1995).

6.6   Invest in the knowledge base on crime and anti-crime measures
One of the issues highlighted in this submission is the dearth of research concerning crime - its causes and patterns - and the effectiveness of existing and alternative responses to crime. It is suggested, therefore, that resources should be made available to undertake quality research on the topic of crime and measures used to prevent or treat it. This body of knowledge would be used by the policy makers to effectively plan and develop new and existing strategies. It is recommended that the Garda Research Unit and independent research centres are resourced and supported in the undertaking research into socio-criminological issues.The Agency in particular would encourage and support undertaking of more extensive examination of the factors which link disadvantage and crime together.

6.7.   Uphold the civil and social rights in responding to crime.
In responding to crime, attention must focus on the victims who have been personally affected. It is important that adequate compensation and support should be available to those who have suffered as a result of crime.

 In managing offenders, it is essential that existing and new interventions respect and protect the civil and social rights of those who have been prosecuted. The Department of Justice have themselves highlighted that the development of prison policies must be based upon 'morality and a respect for basic human rights (Rhatigan, 1995, p. 30). These values should permeate all of the community and institutionally based responses to crime and should documented in criminal justice legislation.

6.8.   Improve the focus and coordination of policy
It is important that the focus of policy and legislative decisions concerning criminal justice and law and order at a national level should be balanced so that the 'treatment' of crime does not continue to detract attention and resources away from the prevention of further crime. To enable this, it is advisable that there are greater linkages and exchanges of information within the criminal justice system (Gardai, courts and the prisons) and between the relevant Government departments and organisations and experts that contribute to the development of policy. This will require the development of a synergy between policies and actions both at a national administrative level, and a local operational level. The latter will also involve the development of greater synergy between the activities undertaken at the community and statutory sector.

The Agency recognises that the development of a Crime Council will provide a significant opportunity for the emergence of more focused and co-ordinated policy development.

7.   Community-based crime council

The Agency welcomes the decision to establish a permanent community-based crime council. This is envisaged as a forum for debate on crime and anti-crime responses, with a direct link to the policy-making process through the Department of Justice, Equality and Law Reform. This approach is in keeping with the model of social partnership that has become an important mechanism for responding to difficult socio-economic. The proposed council should have the following features:

7.1 *Membership*

Membership of the council should be cross-sectoral to include representation from the community and voluntary sectors, in particular from the national anti-poverty networks and representatives of the Community Platform. It is considered important that the role of the community within the council should be supported.

7.2 *Structure*

The structure of the council should reflect the following model:

- core committee involving sectoral representation from various organisations, departments and interest groups;

- sub-committees comprising of individuals and organisations with specific expertise in particular aspects of crime, including possibly the Agency;

- network of local crime taskforces in areas with high levels of crime, comprising community based organisations, Gardaí and other relevant interests.

7.3 *Links to other policy fora*

The proposed council should link up with existing national fora in order to develop complementarity and co-ordination between the common goals and objectives. In particular, it is envisaged that the existing national fora can provide the council with expertise on issues that have repercussions for its work.

7.4 *Resources*

The crime council should be properly resourced in terms of a secretariat and an ability to commission research and evaluation on specific policy issues relating to crime.

8. Conclusion

In conclusion, the Agency welcomes the development of a National Crime Council to inform policy responses concerning crime in Ireland. In this document, we have highlighted the ways in which crime is linked with poverty and disadvantage. In particular the focus of this document has been to highlight the need to expand the debate about crime beyond its manifestations towards its causes.

In closing, it is important to reiterate a point made in the introduction to this submission. In addressing the issue of crime there is a need for a balance between punishment and prevention. In discussing crime prevention, attention must be paid to the underlying causes of crime. In view of the linkages of crime with poverty and disadvantage,the Agency would welcome the inclusion of the National Anti Poverty Strategy, in deliberations of the Forum and its subsequent Crime Council.

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