

## ***The Irish on probation in England***

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### **Summary**

The paper presents the findings of research on Irish men's experiences of probation supervision and criminal justice, in the context of a discussion of previous research on Irish people in Britain. The Irish sample was found to have lower levels of criminogenic needs than white British men who received the same sentences, and their orders tended to be longer than average. They reported high levels of personal and social problems, particularly in relation to health. In addition to disadvantages they share with other populations on probation, they also reported being the targets of racial discrimination in the criminal justice system, especially by the police. The special vulnerability of Travellers to discrimination and disadvantage is discussed and its practice implications are explored.

**Key words:** probation; Irishness; disadvantage; discrimination; Travellers

### **Introduction**

In this paper we present the main results of research on Irish men's experiences of probation, in the context of a consideration of what it means to be 'Irish' in Britain. The research was funded by the National Probation Service and conducted mainly in the Greater Manchester Probation Area (Merseyside was included in the original research design, but very few Irish offenders were identified there). It was commissioned because of concern among staff in the two areas that Irish people (and especially Irish Travellers) might be subject to discrimination in the criminal justice system, and that this problem had not been recognised because of the 'invisibility' of the Irish compared with other minority ethnic groups (Murphy, 1994).

Murphy, like most writers on the Irish in Britain (Hickman and Walter, 1997; Fletcher et al., 1997; Walter, 1999), claimed that the Irish are the largest minority ethnic group in the country. We regard this claim as doubtful, since it requires that everyone with at least one Irish-born parent should be counted as Irish, and the evidence of the 2001 Census is that most people with this ancestry do not see themselves as Irish, or at least do not declare themselves as Irish for census purposes. The 2001 Census, the first to include a question about Irish 'ethnicity' as well as Irish birth, produced a figure of 641,804 'White Irish' (Office of National Statistics, 2003a), well below the figure anticipated by advocates of the inclusion of an Irish ethnicity question in the census, and well below the figures for 'Indians' and 'Pakistanis'.

Nevertheless, as Walter (1999) argues, national level statistics can be misleading because they conceal local concentrations of minority ethnic groups. For example, in Greater Manchester the percentage of 'Irish' people varied from 0.58% in Wigan to 3.78% in Manchester itself (a higher percentage than for London) (Office of National Statistics, 2003b). Furthermore, census returns are vulnerable to problems of definition. For example, people from the Protestant community in Northern Ireland may define themselves as British, while being as liable as any other

Irish people in Britain to discrimination; and some people who in fact see themselves as Irish may have preferred not to declare themselves as such in their census returns. A more important reservation about the census figures is that they undercount some of the most vulnerable social groups - for example, people in institutional or temporary accommodation, and Travellers. Not surprisingly, there are widely varying estimates of the number of Travellers in Britain, and of the proportion of them who are Irish (see Commission on the Future of Multi-Ethnic Britain (2000); Power (2003); Walter (1999)). From these different estimates it is possible to conclude only that there are probably between 40,000 and 120,000 Travellers in Britain, and that between 13,000 and 40,000 of them are Irish. This gives a maximum figure of 6% for the proportion of the Irish population in Britain who are Travellers.

### **The experience of Irish people in Britain**

Discrimination and disadvantage are recurring themes in the literature on the Irish in Britain. For example, the Commission on the Future of Multi-Ethnic Britain (2000) describes (p. 32) 'a continuing pattern of low achievement for young Irish men and disproportionate ill health in the second generation' and says (p. 81) that '[m]ost of the Irish-born population are concentrated among the most deprived social classes and have lower than average rates of upward mobility'. Although the Irish are more likely to be seen as perpetrators of racism rather than victims of it (p. 61), 'their experience is closer to that of black people than to that of other white people' (p. 130). The Commission also suggests (pp. 178-9) that the Irish in Britain have specific health problems, which make them the only emigrant group whose health declines after migration.

Recent research, and the latest census data, suggest that this account of unrelieved gloom is at best only part of the truth. There is evidence of greater than average upward social mobility among second generation Irish people (Irish Project, 2002). In 2001, a higher proportion of Irish than of British people said that they had a higher educational qualification, and they were more likely to be in higher managerial and higher professional jobs (Office of National Statistics, 2003a). These findings reflect both the skilled professional status of many recent emigrants and upward social mobility on the part of children of Irish parents. The finding on mobility means, of course, that there was room to move up the scale of social status - these were children born into lower socio-economic groups, whose parents had emigrated in the 1950s and 1960s. Since then, the number of emigrants has declined dramatically, which helps to explain the census finding (Office of National Statistics, 2003a) that the Irish in Britain are overall older than the white British (and than any other ethnic group). The findings that the Irish in Britain are more likely than other white groups to have no educational qualifications, and to be disabled or in poor health, need to be interpreted in the light of this difference in the age distribution.

In saying this, we do not deny the importance of the long history of anti-Irish (and anti-Catholic) discrimination in Britain (see, for example, Hickman [1998]), or of a stereotypical image of Irish criminality (Foster, 1993). Our point is rather that it is both empirically inaccurate and practically unhelpful to present Irish people in Britain as if their main defining characteristics were failure and disadvantage. The same point applies to Black and Asian experiences

of racism, as Durrance and Williams (2003) have noted in the context of probation practice. They use Maruna's (2001) analysis of desistance (see also Maruna et al., 2004) to argue for the potential of Black empowerment groups, since if people can see their lives as narratives of redemption, not narratives of condemnation, they are more likely to succeed in stopping offending. Probation staff working with Irish offenders should be aware of possible discrimination and disadvantage, but they should not assume that these follow inevitably from the fact of Irish identity.

### **Irish people and criminal justice**

Writers on Irish people in the criminal justice system tend to argue that here too they experience discrimination and disadvantage. The Commission on the Future of Multi-Ethnic Britain (2000) claims that 'Irish people as well as African-Caribbean people are disproportionately affected' by stops and searches by the police (p. 119), and that (p. 126) there is a widespread 'perception in Asian, black and Irish communities that the criminal justice system is not just'. Since arguably the worst miscarriages of justice in Britain in the past thirty years have involved Irish people (the cases of the Birmingham Six, the Guildford Four, and the Maguire Seven), some feeling of special vulnerability in the criminal justice process would be understandable. There is, however, little evidence that the Irish experience of criminal justice is one of general discrimination. Fletcher et al. (1997) claim that Irish people are disproportionately stopped by the police, disproportionately the victims of street crime, over-represented in remands into custody, and more likely to be jailed than other ethnic groups, but the evidence for this comes mainly from one local study in London, and Fletcher et al. themselves conclude (p. 4) that Irish people 'are not over represented among those convicted of more serious crimes'. Probation-focused research on Irish people is also sparse: Devereaux (1999) examined 35 pre-sentence reports on Irish defendants in Greater Manchester, and concluded (p. 80) that 29 contained irrelevant information, which she judged liable to 'trigger prejudice' in 27 cases. Travellers, as highlighted by Power (2003), are especially vulnerable to discrimination, particularly in respect of their supposed unsuitability for community supervision. Overall, however, our conclusion from a review of the literature is that little is known, though much has been asserted, about Irish experiences of criminal justice in Britain. We hope that this paper provides the beginning of a better understanding of Irish experiences of criminal justice and of what would constitute a helpful probation response to Irish clients.

### **The research project**

The aims of the research were:

- To gain an understanding of 'the Irish identity' and explore definitions of 'Irishness'
  - To examine Irish offenders' experiences of social exclusion
  - To collect systematic information on the criminogenic needs of Irish offenders
  - To explore the views of Irish offenders about their experiences of probation supervision
  - To study Irish offenders' experiences of the criminal justice system, looking in particular at the possible existence of differential sentencing patterns
  - To explore the specific needs of Irish Travellers.
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The Irish sample was to be compared with other samples of probation populations, the predominantly (93%) white sample of Mair and May (1997) and the Black and Asian sample discussed by Calverley et al. (2004). The interview schedule for the project was adapted from that used by Calverley et al., and, as in their study, interviewees were to be paid £15 in recognition of the time and effort they had given to the research.

We conducted 48 interviews, 45 of them in Greater Manchester. We had originally hoped for 75, 56 in Greater Manchester and 19 in Merseyside (proportional to the total Irish population in the two areas according to the 2001 census), but we consistently struggled to turn potential into actual interviewees, and came to rely heavily on the enthusiasm for the research of a few probation officers. We did, however, interview nine men who described themselves as Travellers, without having to resort to over-sampling. This figure (19% of the total) is considerably higher than one would expect from our estimate of the number of Irish Travellers in Britain. While there were various reasons why the number of interviews achieved fell short of the target, the most common was that men recorded as Irish were no longer in contact with the probation service. As in other 'consumer' studies of probation, it is therefore likely that our sample is weighted towards those whose supervision was reasonably successful.

We obtained pre-sentence reports on 30 of the interviewees and 30 reports for purposes of comparison from the three offices that produced the largest number of interviewees. The interview and pre-sentence report material was supplemented by interviews and discussions with acknowledged authorities on the experience of Irish people in Britain, including Colm Power, an expert on Irish Travellers.

### **Characteristics of the sample**

Thirty of the Greater Manchester interviewees came from Manchester itself, and the rest from peripheral towns such as Wigan, Rochdale, Oldham and Bolton. The mean age of the total sample at interview was just over 37. Of the 38 who were on community orders rather than post-custody licences, 30 (79%) were aged 30 or over, compared with 39% of the men in Mair and May's (1997) survey, 43% of the sample obtained by Calverley et al. (2004), and 44% of all those who started community rehabilitation orders in 2002 (Home Office, 2004). Twenty-seven interviewees (56%) were born in either the Republic of Ireland (16) or Northern Ireland (11). Twenty interviewees (42%) described themselves as second-generation Irish, and one had been born in Manchester but brought up in Ireland until the age of 13. Twenty-nine (60%) were judged by their interviewer to have a discernible Irish accent. Thirty-eight (79%) described themselves as Catholic, one described himself as Protestant, and nine (19%) said that they were not religious.

### *Type and length of orders*

We compared the lengths of community rehabilitation orders (CROs) given to the interviewees with those given to all offenders starting such orders in 2002 (Home Office, 2004). None of the interviewees was serving an order of less than 12 months, although 11% of the general probation population received orders of this length. At the other end of the scale, 19% of the inter-

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viewees were serving orders of 25-36 months, compared to just 3% of the general population. The average length of sentence for the Irish offenders was also higher, at 19.11 months compared with 16.3 months. Calverley et al. (2004) found that the average length of order for male Black and Asian probationers was 16.8 months, slightly longer than the overall average but shorter than the average for the Irish sample.

#### *Previous experiences of probation*

Over half (56%) of the whole sample, and 48% of those on CROs, said that they had previous experience of probation supervision. The comparable figure in the study by Calverley et al. (2004) was 56%; the overall figure in Mair and May's (1997) study of 1,213 men and women on probation was 49%, but the figure was higher for men and older offenders. Previous experience of probation cannot, then, explain why both the Black and Asian and the Irish samples tended to have received longer than average orders.

#### *The index (main current) offence*

The interviewees had most commonly been convicted of motoring offences (19 men, 40% of the whole sample); sixteen (33%) had been convicted of violent offences, and five of theft and handling. Compared with Mair and May's (1997) sample, a far larger proportion had been convicted of violent offences, and a far lower proportion of burglary. Since the numbers in the Irish sample are small, these figures should be interpreted with caution, but they raise the possibility that Irish men on CROs may be more likely than probationers generally to have been sentenced for violent offences, which could partly explain why their orders tended to be longer.

#### *Criminogenic needs*

The study aimed to assess the criminogenic needs of Irish offenders, with a view to informing the development of appropriate services. 'Criminogenic needs' are dynamic risk factors (Andrews and Bonta, 1998) that increase the risk of offending, but are susceptible to change. Such needs – which include those that may arise from social exclusion and discrimination – were assessed by the CRIME-PICS II questionnaire (Frude et al., 1994), which has been widely used in probation research and has been shown to produce results related to reconviction risk (Raynor, 1998). On this measure, the level of criminogenic needs in the Irish sample was close to that of Black and Asian offenders (Calverley et al., 2004) and substantially lower than that of the white British sample used by Frude et al. (1994). The Irish interviewees, however, had higher levels of self-reported problems than either group, particularly in the areas of relationships, mental and physical health, self-esteem, confidence, and worrying. The nine Travellers produced overall scores that did not differ significantly from the majority of the group, but the 27 offenders whose orders required them to attend a programme tended to have higher scores (as one would expect if programme resources were targeted at higher risk offenders).

These results suggest that the Irish interviewees had less crime-prone beliefs and attitudes than comparable white British offenders, but higher levels of personal and social problems. One implication for practice is that supervision of Irish offenders should include attention to such

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problems as well as trying to change criminogenic attitudes and beliefs. Another is that Irish offenders may be at risk of receiving higher tariff sentences than they would receive if they were defined as 'white British'. This could help to explain the finding that Irish offenders tended to receive longer than average orders.

### **Pre-sentence reports on Irish defendants**

Thirty pre-sentence reports (PSRs) on interviewees were obtained, and compared with a sample of 30 reports on male, white (non-Irish) offenders from the three offices which had produced the highest numbers of interviewees. The two sets of reports were similar in the range of offence types they dealt with and in their proposals: 25 of the comparison group reports and 28 of the Irish sample proposed a community penalty. Using the Quality Assessment Guide described by Raynor et al. (1995), two assessors independently evaluated the reports and compared their results. The mean combined scores were 34.7 for the Irish sample (the maximum possible score being 40), and 33.9 for the comparison group, so the Irish reports were not judged to be worse overall, although the poorest report was on an Irish defendant. The only aspect of the Irish reports on which they scored significantly worse than the comparison sample was in their tendency to stress background problems unrelated to the offence. Since this is similar to the finding of Devereaux (1999), it suggests that officers writing reports on Irish defendants should pay particular attention to avoiding this kind of irrelevant negative material, which can reinforce the stereotypes and prejudices to which Irish defendants, and especially Travellers, are vulnerable.

### **Experiences of probation**

Asked whether they had seen and agreed a supervision plan, 27 interviewees said that they had not, and nineteen (40%) that they had. Since 66% of Mair and May's (1997) sample and 77% of Calverley et al.'s (2004) said that they had seen such a plan, the figure of 40% is surprisingly low. Apart from this, the evidence of probation practice that emerged from the interviews was mainly positive. The vast majority (92%) said that they had been treated fairly by their supervisor, a result similar to that found by Calverley et al. (2004). In general, interviewees felt they had been helped with needs and problems, that they could talk to their supervisor, and that their supervisor had been helpful and had treated them with respect. There was some indication that Irish offenders were more than averagely likely to have Irish supervisors: ten (21%) were described as white Irish, a figure well above the 5% of probation officers who were Irish according to the area's management statistics. There was some support for such 'ethnic matching' among the interviewees, fourteen of whom said that an Irish supervisor would better understand their experiences, needs, and culture. These findings are similar to those of Calverley et al. (2004) on the views of Black and Asian offenders.

In summary, a good supervisor was someone who was easy to talk to, listened sympathetically, helped with problems, and expressed care and interest. These qualities recall those identified in other research as central to effective helping (Truax and Carkhuff, 1967; Miller and Rollnick, 1991; Dowden and Andrews, 2004) – qualities such as empathy, acceptance and warmth appear to be universally associated with perceived helpfulness: 'It's nothing about being Irish – as long as they

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treat you fairly, they care, are understanding...’ A specific awareness of the problems of Northern Ireland or of the meaning of Traveller identity was, however, important for nine interviewees.

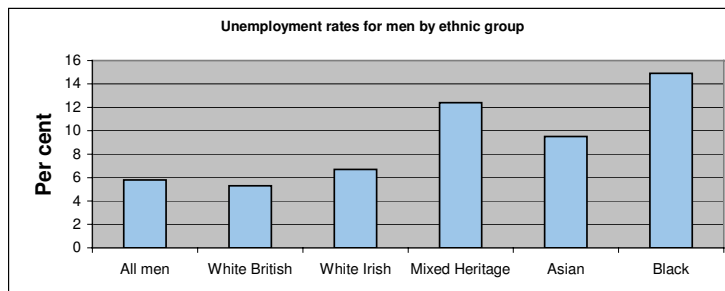
In evaluating their experience of probation overall, interviewees were much more likely to say it had been helpful (69%) than unhelpful (13%) or mixed (18%). ‘Help’ included practical advice and problem-solving, support in staying out of trouble or prison, having a positive PSR, and, once more, having someone to talk to. Among those who had experience of groupwork programmes, there was very little support for the idea of Irish-only groups.

In respect of work with Travellers, Colm Power suggested in interview that probation staff should be aware that Travellers often do not understand the operation of the criminal justice system as a whole, or the part the probation service plays in it. For example, they may not see the importance of the PSR as an influence on sentencing. (Only four of the nine Travellers we interviewed said that they had seen a PSR.) Secondly, probation staff should not assume that a nomadic way of life makes community supervision impossible, particularly in the age of mobile telephony (Power, 2003). Thirdly, Power suggested that it may be helpful for supervisors to show some awareness of the nature of Traveller life and culture. None of the nine Travellers we interviewed said that they had discussed this with their supervisor, and only two thought that such a discussion would have been useful; it may be, however, that some were reluctant to draw attention to their ‘Traveller’ status. The Travellers’ accounts of probation were in any case largely positive: all said they had been treated fairly, and eight had found their contact with probation helpful. Six were on orders requiring attendance at a programme, so it did not appear that they were being excluded from this resource.

## **Social exclusion**

### *Economic disadvantage*

We inferred economic exclusion from unemployment, benefit dependency, and poor health that affected participation in the labour market. The 2001 Census (Office of National Statistics, 2003a) found that Irish men in England and Wales had a slightly higher rate of unemployment than ‘White British’ men, but a substantially lower rate than Asian, Black and Mixed Heritage men. Figure 1 shows the unemployment rates for different ethnic groups.



In our sample, just 27% were in some form of employment, 38% were unemployed, and 35% were unavailable for work. Those with an Irish accent did not seem to be at a greater disadvantage in the labour market: the majority (9 out of 13) of those in work had an Irish accent.

Compared with the samples of Mair and May (1997) and Calverley et al. (2004), the Irish men were much less likely to describe themselves as unemployed and much more likely to say that they were unavailable for work. Given that 11 of the 12 men who were unavailable for work also said that poor health limited the amount or type of work they could do, poor health seems the most likely explanation. Asked about their main source of income, 71% said that they were on state benefits, a figure very close to those found by Mair and May (1997) and Calverley et al. (2004). It is clear that all probationers suffer high levels of disadvantage, as indicated by benefit dependency.

Just under half of those who answered the relevant question said that they had had problems of mental health, of which depression was by far the most common. All had been prescribed medication as a result, and six had been admitted to a psychiatric hospital or similar institution. In contrast, only 14% of Mair and May's (1997) interviewees reported having a long-term mental disorder or depression. The same pattern emerged in relation to physical health: asked whether they had (or expected to have) any long-term physical health problems, half of those who responded, and 63% of the CRO sub-sample, said yes, a figure considerably higher than the 49% reported by Mair and May (1997). Half said that health problems limited the amount or type of paid work that they could do; the comparable figure from Mair and May's sample was 30%. The higher incidence of mental and physical health problems in the Irish sample remains when age is controlled for: 46% of 45-64 year-olds in Mair and May's (1997) sample said that illness limited their capacity to work, compared with 86% of the Irish interviewees in this age group.

### **Educational disadvantage and exclusion**

Twenty-seven (56%) of the whole sample, and 48% of the CRO sample, said they had no educational qualifications, a similar proportion to that found by Mair and May (1997), but higher than the 37% reported by Calverley et al. (2004); many of their interviewees, however, had gained their qualifications after leaving school. In all three samples, qualifications were usually at the most basic level. Asked how they had got on at school, six gave a mainly positive account, 19 a mainly negative one, and ten a mixed account; seven said they did not attend school. Poor educational experiences are strongly associated with an increased risk of offending for all groups, but some Irish people, and especially Travellers, may be particularly disadvantaged:

*"Some [Irish people] get a lot of discrimination. Even at school they get called gypsy this and gypsy that. We used to live in Oldham and my little boy had to fight every day. I had to take him out of school because the teachers wouldn't do anything about it. He hasn't been back since."*



Nineteen (63%) of the 30 men who had spent some time at school in Britain said that they had experienced racism at school, a higher proportion than that found by Calverley et al.:

*“We got called ‘gypos’ and ‘pikeys’ by the kids.”*

*“[They said] go on you Irish bastard. I had lots of fights. My dad said I had to stand up to them.”*

### **Geographical and environmental disadvantage**

Eight interviewees said that they owned or were buying their homes, ten lived in private rented accommodation, 20 were renting from the local council or a housing association, and ten were in temporary accommodation or hostels. The proportion of owner-occupiers (17%) is much lower than for the population as a whole (69%) (Office of National Statistics, 2004), and the proportion in rented accommodation is correspondingly higher (42% were in council or housing association accommodation, twice the national figure). People in hostels or temporary accommodation in effect disappear from the national figures. Thus, on the measure of housing tenure, this was, like other probation populations, a disadvantaged group.

### **Experiences of criminal justice**

#### *Treatment by criminal justice workers*

Asked to comment on their treatment by various criminal justice professionals, interviewees were most often critical of the police. Complaints included the use of unnecessary force (15 respondents), using belittling language or an unpleasant tone of voice, and being rude or unpleasant generally (10 respondents). Ten interviewees said that the police had picked on them because they were Irish, and six mentioned the use of racist language. The following quotations illustrate the kind of behaviour complained about:

*“The police abuse me because of my accent and nationality. They won’t leave me alone. The local neighbourhood cop is always asking me questions.”*

*“The police are very prejudiced and racist – they need some training. They lift an Irish person before they would an English one.”*

It appears that police racism has not been aimed only at Black and Asian people (e.g. Cashmore and McLaughlin, 1991), but has also affected their dealings with the Irish.

One source of a sense of unfair treatment by the police is being unjustifiably stopped and searched, and according to both The Commission on the Future of Multi-Ethnic Britain (2000) and Fletcher et al. (1997), Irish people are disproportionately at risk. Interviewed for this study, Harry Fletcher argued that the crucial factor was an Irish accent, which increased the likelihood that the police would search someone they had stopped. Thirty-two (67%) of the interviewees said that they had been stopped and searched by the police for no reason, com-

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pared with 84% of Black and Asian probationers (Calverley et al., 2004). Interviewees with an Irish accent were slightly less likely than those without a discernible accent to make this claim. We can tentatively conclude that Irish offenders are less likely to be stopped and searched than Black and Asian offenders, and that an Irish accent does not increase the risk of being searched. Political changes may well be relevant here: at the height of Irish paramilitary activity in Britain, an Irish accent may well have been enough to trigger additional suspicion on the part of the police.

A quarter of the sample also said they had been treated unfairly by magistrates, and about a third mentioned unfair treatment by prison staff. The most common complaint about judges and magistrates – not surprisingly – was that they were excessively punitive, as illustrated by the following example:

*“I got three months in prison the first time I was done for driving whilst disqualified. A fellow done for house burglary walked out the same day. I had a bit of a record, but he had a record that would go from here to the end of the corridor...”*

This interviewee went on to say that he felt he had been treated differently because he was Irish, whilst the other offender was English. Prison staff were also severely criticised: 47% of all those to whom this question was applicable reported unfair treatment:

*“I got abuse. One prison officer hit me and my complaint got nowhere. All my kit was taken out of my pad. I broke my finger and it took three weeks before I got taken to hospital.”*

### **Experiences as victims of crime**

The majority of interviewees (33) claimed to have been victims of crime. This is to be expected, given that involvement in offending is recognised as one of the strongest correlates of victimisation and vice versa (e.g. Farrall and Maltby, 2003). Interviewees most often reported having been victims of property crime (19) and violent crime (15). The findings from this study do not support the claim of Fletcher et al. (1977) that the Irish are more likely than any other ethnic group to be victims of street crime: the proportion of Irish interviewees reporting victimisation is only marginally greater than that for Black and Asian probationers (Calverley et al., 2004).

### **The experiences of Travellers**

One source of difficulty for Travellers, according to both Colm Power and Harry Fletcher, is the attitude towards them of settled Irish people. Power spoke of the ‘deep antipathy’ towards Travellers in Ireland, and suggested that this had been imported to Britain. He noted that the settled Irish in Britain have gained acceptance and respectability in recent times, which has further distanced them from the Travelling community. In this context, according to Harry Fletcher, Travellers may be viewed as ‘an embarrassment, letting the side down’. This was indeed the view of some of our settled Irish interviewees:

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*“There are two sets of Irish – Travellers and settled. The majority of Travellers get into trouble and then give us all a bad name. I’ve had English people say ‘are you a Traveller’ and look down on me when they say it.”*

Power (2003, p. 254) describes how from the late 1950s Travellers adapted in urban settings to ‘casual building work, tarmac, market stalls, gardening and scrap metal collection’. They typically remained self-employed, so the use of unemployment as an indicator of social exclusion is problematic for Travellers. Of the nine Traveller interviewees, one was in full-time work, two worked part-time, and one was employed on a temporary or casual basis; three were unemployed, and two were unavailable for work. Scrap collection was the type of work most commonly mentioned, both by interviewees and in PSRs, but this did not necessarily entail a negative account of Travellers’ attitudes to work:

*“I understand that the defendant has acquired a fork lift truck licence which has assisted his efforts to secure employment in the past. It is to his credit, therefore, that the defendant has a positive work ethic and overall supports himself financially.”*

Five of the Travellers were dependent on state benefits. The remaining four said that their income came from some unspecified ‘other’ source, presumably ‘cash in hand’. That none of those who were working said that wages were their main source of income seems to confirm the view that Travellers prefer self-employment to waged labour.

The limited evidence available suggests that Travellers are more likely to be in poor health than other groups in British society, while making less use of health services (South West Public Health Observatory, undated). Three of the nine Travellers interviewed said that they had (or expected to have) long-term health problems; four said that this was not the case, and one refused to comment. Four said that health problems limited the amount or type of paid work that they could do. It is not possible to conclude from these findings, however, that the Travellers in our sample were in worse health than other Irish men on probation.

As with employment, the usual way of treating lack of educational achievement as by definition an indicator of social exclusion may not be appropriate to Travellers. Colm Power said in interview that many Travellers see the value of basic literacy and numeracy, but not of education beyond the primary level. This could put them at a disadvantage in understanding bureaucratic processes, including those of the criminal justice system. None of the Travellers interviewed gave a positive account of their time at school, and three said they had not attended school at all. Those who did attend typically experienced difficulties:

*“I went for about four years ... I couldn’t tolerate school and they couldn’t tolerate me. I was always in fights. As soon as they hear the accent they assume you are a tinker, call you names. I would pick up the nearest chair ...”*

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The meaning of geographical disadvantage is also problematic in relation to Travellers. Many have effectively been forced into settled accommodation as a result of a shortage of officially approved sites for caravans. While enforced settlement could clearly have a negative impact on Travellers' family life and relationships, this did not emerge clearly from our interviews with Travellers. Three were in privately rented accommodation, four were in council housing, one lived on an unauthorised travelling site, and one lived in 'other' accommodation. Most said that they liked their neighbourhood, although five had lived there for less than a year, which may reflect Travellers' tendency to move one from one 'settled' home to another more often than the general population.

According to Power, Travellers often experience particular problems in obeying prison rules, 'which is hardly surprising given the background they come from'. It is also hardly surprising that the Travellers interviewed reported high levels of dissatisfaction in their dealings with the criminal justice system. Eight reported having been stopped and searched for no reason, or having been subject to other unmerited attention from the police:

*"If they don't like your face they don't like you and that's it. Where I'm living now I had a breakdown truck outside my house. The police came to the door and asked for my documents. They had no reason. They done the same to my brother."*

Such police intervention could certainly increase the likelihood that Travellers will become involved in the criminal justice system as a result of relatively trivial offences which might not attract police attention if they were not associated with a Travelling way of life.

### **Discussion**

The evidence from this study provides no easy answer to the question of whether the experience of Irish people in Britain 'is closer to that of Black people than to that of other white people' (Commission on the Future of Multi-Ethnic Britain, 2000, p.130). Amongst the general population, the unemployment rates of white British and white Irish men are considerably lower than those of Black and Asian men, but among the probation population, levels of being 'unemployed or unavailable for work' are very similar for all ethnic groups. On the other hand, it seems that Irish probationers are disproportionately likely to be in poor health, and that their employment prospects suffer as a result, regardless of age. And although the findings on educational experiences and achievements, and on housing, are fairly bleak for both groups, the Irish probationers painted a somewhat worse picture of their education than their Black and Asian counterparts, and a somewhat better picture of their housing status.

In relation to experiences of criminal justice, Irish, Black and Asian probationers were equally likely to be critical of the police, prison staff and the judiciary, and they gave similar reasons for their dissatisfaction. In this study, however, Irish probationers were less likely to have been stopped and searched for no reason than their Black and Asian counterparts, and having an Irish accent did not increase the chance of this occurring. Irish, Black and Asian probationers seem to be equally likely to be the victims of crime.

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Clearly, policies to reduce crime and promote social justice should aim to address the criminogenic needs of probationers regardless of ethnicity. Nevertheless, whilst not automatically conferring victim status on members of minority ethnic groups, criminal justice workers should be aware that minorities might have distinct needs and experiences to which effective practice needs to respond. If the probation service is to take seriously the possibility that Irish offenders may have distinctive needs or problems it must, in the first instance, have an information system which is effective and reliable in identifying Irish offenders. It is also important to consider the implications of the finding that, like Black and Asian men (Calverley et al., 2004), Irish men given community rehabilitation orders tend to receive longer than average sentences. Our findings also suggest that Irish men tend to receive the same (though longer) community sentences as white British offenders with higher levels of criminogenic need, a result that could be explained by differential sentencing. One influence on sentencing is the pre-sentence report, and, while in general PSRs on Irish defendants were not worse than those on the comparison group, they compared badly in their tendency to include material on offenders' backgrounds that was not relevant to an understanding of their offending or a decision on an appropriate sentence. Report-writers need to avoid an irrelevant stress on Irish defendants' 'foreignness' and difference from a supposed 'English' norm.

The accounts interviewees gave of their experiences of probation suggest that their views of what makes a helpful supervisor are very similar to those of the probation population as a whole. Their accounts of disadvantage and social exclusion were also similar in many respects, except that they reported a high rate of mental and physical ill health. This finding, combined with their relatively high level of self-reported problems and experiences of discrimination, suggests that a helpful probation response would be informed by a sense of these personal and social difficulties, and work to alleviate them. In relation to Travellers specifically, it seemed that they were much more likely than other Irish people in Greater Manchester to be subject to community penalties, as one would expect if they are especially vulnerable to police intervention for relatively minor offences (Power, 2003). Travellers if anything reported a more positive experience of probation than did the sample as a whole, and there was no evidence that they were less likely to be proposed as suitable for programmes. It may, however, be useful to explore the potential of ideas on good practice with Travellers such as those suggested by Morran (2001) and Power (2003).

We started by suggesting that it was wrong – and likely to be unhelpful in probation practice – to assume, as many writers have done, that the current – as opposed to the past – experience of Irish people in Britain is predominantly one of deprivation, discrimination and disadvantage. The available evidence does not support this assumption. Instead it suggests that the status of 'Irish in Britain' can mean very different things to different sections of the Irish population. For most, the status is neutral, and for many it may be a positive asset. For Irish men under probation supervision, however, it can sometimes mean exposure to racist discrimination that compounds the disadvantages they share with the probation population as a whole. We hope that this paper will help future discussion of Irish experiences of English criminal justice to be better informed.

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We are grateful to members of the Steering Group which oversaw the research, and to Julie-Anne Conway, Peter McLaughlin and Aine Murphy for their enthusiastic support.

This CRO sub-sample is used for purposes of comparison with studies covering only offenders on probation orders.

Figure 1 was compiled using data from the Office of National Statistics (2003a, p. 134, Table S108, using the International Labour Organisation (ILO) definition of the unemployment rate as a percentage of all those who are economically active. The unemployment figures quoted for the current study give the number of unemployed as a percentage of all interviewees.

This figure is for the whole sample, and includes both male and female interviewees.

See note 4.

Harry Fletcher is Assistant General Secretary of the National Association of Probation Officers, and for many years has argued for anti-Irish discrimination to be taken seriously.

Interviewees with an Irish accent were more likely than those without to complain of unfair treatment by the police, but the finding was not statistically significant.

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Provisions contained in the Criminal Justice and Public Order Act 1994 make it extremely difficult for Travellers to maintain their nomadic lifestyle. The Act criminalised unauthorised stopping on marginal land and roadside verges, and removed the duty on local authorities to provide permanent sites. The Act also extended police powers to order trespassers to leave if they damage land or have too many vehicles, and gave the police new powers to remove vehicles without a court order.

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