

**Older Committal Typology: a socio-demographic and criminological profile of  
people sent to prison aged over fifty in Ireland.**

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Masters in Applied Social Research

Under the supervision of Dr. Eoin O'Sullivan

## **DECLARATION**

I declare that this thesis is entirely my own work. It has not been submitted to this or any other institution for degree or publication.

I authorise the University of Dublin to lend this thesis to other institutes or individuals. I further agree that this thesis may be copied at the request of other institutes or individuals for the purpose of scholarly work.

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## **Abstract**

The annual number of people aged over fifty (hereafter, 'older') committed to prison in Ireland has more than doubled since 2007 (from 403 to 1031 in 2013), representing the fastest growing age cohort among committals during this time. While overall prison numbers appear to have stabilised since 2010, more older people continue to be committed while other age groups' imprisonment declines. The increasing numbers of older committals to prison raise questions about patterns of criminal offending, sentencing practices and prison policy implications in Ireland. International research estimates older prisoners cost up to three times more than their younger counterparts, due to resource-intensive health and social care needs. Using Irish Prison Service committal data, this study describes the socio-demographic and criminological characteristics of older people sent to prison during a twelve month period (2013). Based on these findings, an *Older Committal Typology* was constructed and suggests five different types of older committal – Sex Offenders, Short Termers, Non-Payers of Fines, Medium/Long Termers and Unsented. These groups present age, offence and sentence related implications for existing prison policy. 'Older old', those who more than likely present the most complex care needs, are mostly Sex Offenders, who have additional offence-related implications for prison management. However, non-violent short-sentenced offences such as those resulting from non-payment of fines comprise the bulk of older committals. Recent sentencing and prison policy attempts to reduce the volume of short-term and fine-related imprisonment have yet to be reflected in older committals. The study illustrates the merits of a committal-centred typology to complement existing research that tends to focus on prisoner population snapshots.

**Keywords:** ageing prisoner, custodial sanction, committal, typology.

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## **Chapter One: Introduction**

An increasingly older population is arriving to prison in Ireland. The annual number of people aged over fifty (hereafter, 'older') committed to prison in Ireland has more than doubled since 2007 (from 403 to 1031 in 2013), representing the fastest growing age cohort among committals during this time (Irish Prison Service, 2008-2014). The proportion of older people among committals rose from four per cent to eight per cent, and coincided with growth in committals of people aged forty to fifty (from 11 to 14 per cent). Despite this trend, little research on older prisoners has been carried out to explore the reasons behind the growing numbers, and knowledge is scant about the characteristics of older prisoners in Ireland. This study examines Irish Prison Service data on older committals over a twelve-month period and attempts to build a criminological and socio-demographic profile upon which an *Older Committals Typology* can be produced. This chapter will discuss the background, aims and rationale of the research, as well as outlining the layout of study.

### ***1.1 Background to the study***

#### *Global context*

Recent shifts in the demographic profile of prisons in some countries have prompted increased attention from policymakers, human rights organisations, criminologists and gerontologists (Rothman et al., 2000; Wahidin and Powell, 2004; Maschi, Morrissey and Leigey, 2013). Thirty years of harsher sentencing and release policies have caused imprisonment rates and average sentence lengths to rise in the United States, United Kingdom and, it appears, Ireland (Wahidin and Aday, 2010; Griffin and O'Donnell, 2012). General population ageing and increased numbers of older people committing serious offences are also factors in the demographic change within prisons (Aday, 2006; Miller, 2011). In the United States, sixteen per cent of prisoners are aged over fifty (Carson and Sabal, 2012). The older prisoner population in the US is now fourteen times the size it was in 1981, and by 2030 it is estimated that one third of all prisoners will be over fifty-five (Yates and Gillespie, 2000; American Civil Liberties Union, 2012). Similarly, the older prisoner population in England and Wales rose from 3,000 in 1999 to 8,125 in 2011 (Wahidin and Aday, 2010; Prison

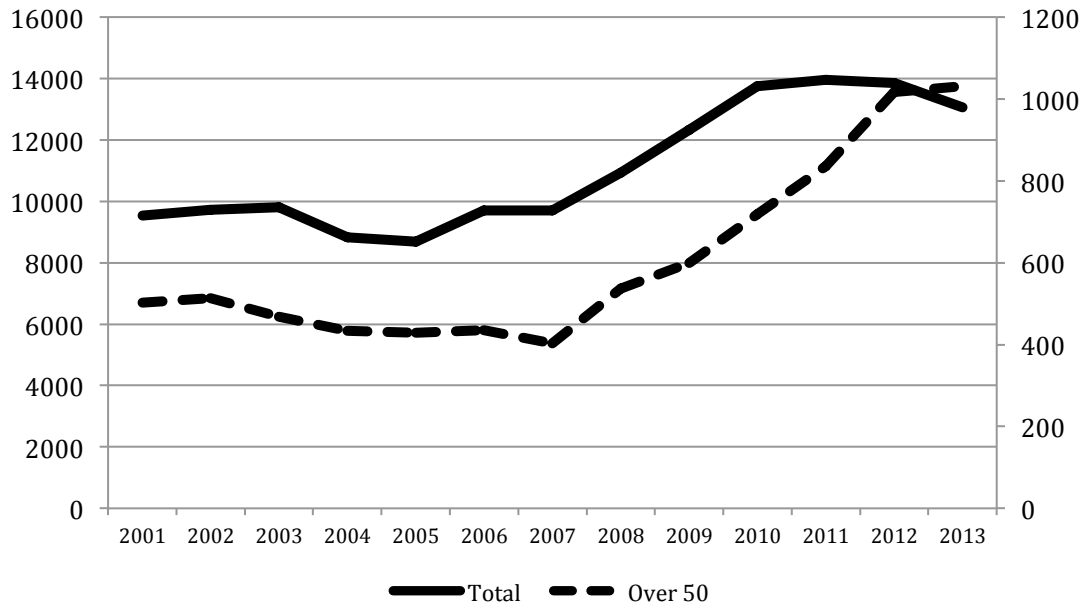


Reform Trust, 2012). Eleven per cent of prisoners are older and are increasing at a faster rate than any other age group in England and Wales (Prison Reform Trust, 2012). The cost of providing care to older prisoners is one of the key challenges for prison management and justice departments (Yates and Gillespie, 2000; Aday, 2006). Medication, staffing of care services, escorted transportations of prisoners to hospitals, and adapting the prison environment are costly. Estimates indicate that older prisoners are two to three times more expensive to accommodate than their younger counterparts (Aday, 2006; ACLU, 2012).

### *Irish context*

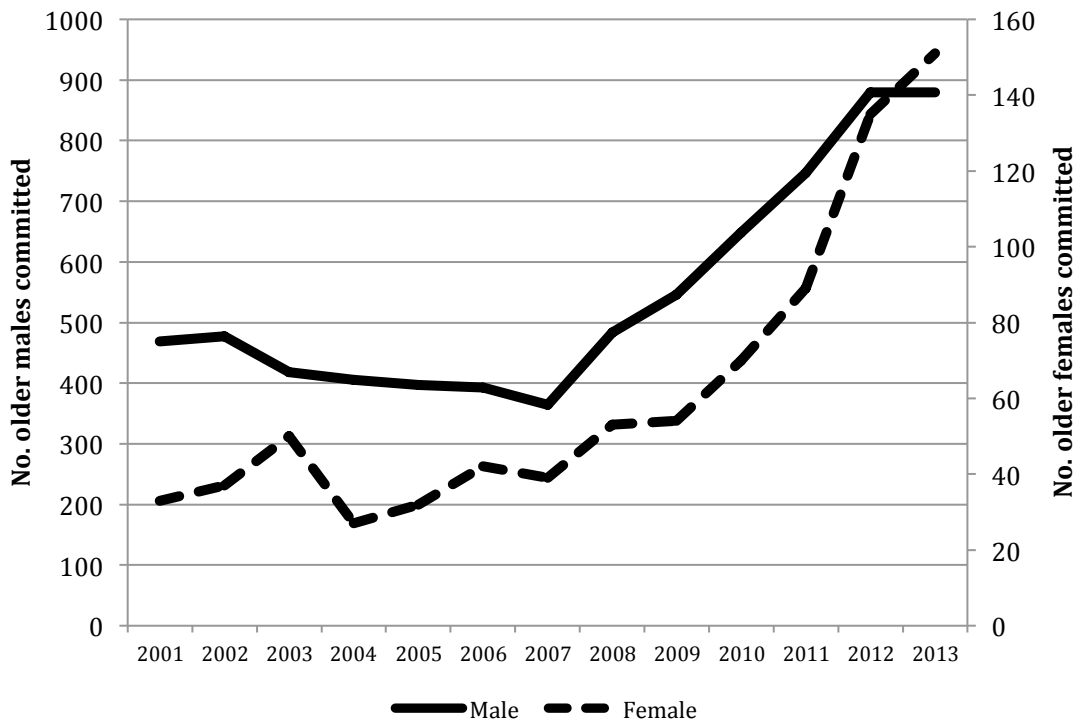
In 2012, the Irish Prison Service (IPS) published its *Three Year Strategic Plan 2012–2015*, in which it acknowledged that ‘a greater number of older people with complex health and social needs are in prison than ever before’ (Irish Prison Service, 2012a: 49). More than one thousand older people were committed to prison in Ireland in 2013, compared with 502 in 2001 (see Fig. 1.1). Although the majority of people sent to prison are young males aged between 21 and 30 years old, over the past decade a shift in the demographic profile of prisons is apparent. Not only are larger numbers of older people being sent to prison each year in line with the overall imprisonment rate, they are also the *fastest* growing group among new committals, rising by 67 per cent in the last decade (Irish Prison Service, 2001-2014). From 2001 to 2007, the number of older people committed to prison dropped 3 per cent on average every year, but since 2008, numbers have grown every year. In 2013, older people accounted for eight per cent of total committals compared to four per cent in 2007. The number of older women sent to prison increased fourfold from 2001 to 2013, and continued to grow over the past two years, despite older male committals remaining more steady (see Fig. 1.2) (Irish Prison Service, 2014a).

**Fig. 1.1 Number of persons committed to prison annually  
(Total and Over 50s)**



(Source: Irish Prison Service, 2002-2014)

**Fig. 1.2 Older committals by gender**



(Source: Irish Prison Service, 2002-2014)

## ***1.2 Research questions***

Two main research questions are posed in this study. Firstly, what are the socio-demographic and criminological characteristics of older people sent to prison in Ireland? Irish Prison Service committal data of older people within a twelve-month period (2013) will be analysed according to age, nationality, occupational status, offending and sentencing profile. Secondly, can a meaningful *Older Committal Typology* be produced to describe the core characteristics of this cohort? This typology will help explore the policy implications of different types of older committals to prison.

## ***1.3 Research aims & rationale***

The lack of research and criminological data in Ireland is often cited, as is the need for an evidence base for policy formation (Rogan, 2012). No socio-demographic or criminological profile of older prisoners has been conducted in Ireland. Increasing average life sentence lengths, general population ageing and the increased committal of older offenders suggests the number of older prisoners in Ireland will continue to rise. Despite the levelling off of prison numbers since 2010, the increasing committal of people aged over fifty continues. The development of a socio-demographic and criminological profile of the fastest growing age cohort among committals will allow a more nuanced understanding of the trend. It can also explore the impact of sentencing practices in relation to older offenders on the size and shape of the prison population. Little is known about the range of ages within older committals, nor the kind of offence and sentence length associated with each particular age group. Irish Prison Service Annual Reports provide an aggregated overview of offence and sentence type according to age, but the level of detail reported can vary from year to year (Rogan, 2012).

A descriptive typology can help identify similarities and differences within groups (Gottfredson, 2005), and meaningful classification of these groups can contribute to our understanding of the implications of such differences (Maschi, Morrissey and Leigey, 2013). An *Older Committal Typology* will allow an exploration of the different types of age, offence and sentencing profiles of older people being sent to

prison, and therefore let us examine the policy implications of these groups. Rather than taking a snapshot of older people currently in custody, classifying the throughput of older committals in a twelve month period will give a more accurate representation of who is sent to prison aged over fifty in Ireland.

#### ***1.4 Outline of the study***

Chapter Two will review existing research findings and literature on ageing and crime, older prisoner typologies and the policy implications of an ageing prison population. Chapter Three describes the process of accessing and analysing the quantitative committal data, and the ethical considerations encountered during research design. Chapter Four presents the findings of the quantitative analysis of the committal data and builds an *Older Prisoner Typology*. The final chapter will discuss the policy implications of the research findings, limitations of the study and identifies future areas of research worth pursuing.

## **Chapter Two: Literature Review**

### ***2.1 Introduction***

This chapter provides an overview of existing research on older prisoners in relation to three areas –the implications of an ageing prison population, the relationship between ageing and crime, and older prisoner typologies. These three themes help contextualise the policy significance of increasing numbers of older committals in Ireland. Firstly, existing prison research suggests that care provision, sentence management and prison conditions are the most salient implications for criminal justice policy of an older prisoner population. Secondly, developmental and life-course theories of crime posit that the negative relationship between age and criminal offending is one of the most well-established in criminology, raising questions about why older committals to prison are rising in Ireland. Finally, older prisoner typologies will help to identify different groups among older committals, as well as clarifying how meaningful classification can best be developed. Existing research predominantly attends to prisoner rather than committal data, thus tending to focus on those who remain in prison long-term rather than those who pass in and out of the system more quickly.

### ***2.2 Implications of an older prison population***

#### ***2.21 Defining 'old'***

How older prisoners are defined has implications for prison healthcare, regime and resettlement policy planning (Morton, 1992). There is a lack of consensus about how to define 'old' in prison, and academics and policymakers use ages ranging from 50 to 65 (Moll, 2013). Some determine 55 as old age for prisoners (Mann, 2012), 60 (Fazel et al., 2004; Prison Reform Trust, 2008) or 65 (Crawley and Sparks, 2005). Marquart et al. (2000), Codd and Bramhall (2002), Aday (2006), Wahidin (2011) and Hayes et al. (2012) among others used 50 years, and this is the most common threshold used in prison research according to Loeb and AbuDagga's (2006) integrative review. According to the Irish Prison Service *Three Year Strategic Plan 2012-2015*, older prisoners are those aged over 60, thus excluding those aged 50 to 60 from any specific strategy designed for older prisoners. Physical and mental morbidity in older

prisoners has been found to be worse than older people living in the community (Fazel et al. 2001). Whether due to stressful living conditions, poor health before imprisonment, or other causal factors, a process of accelerated ageing in prison may be apparent (Maschi, Morrissey and Leigey, 2013). Setting the threshold of 'old' at fifty years allows inclusion of those who are serving long sentences, those who enter prison for the first time in old age, those who have been in and out of prison throughout their lives, and older female prisoners, most of whom tend to be younger than sixty (Loeb and AbuDagga, 2006; Hayes et al., 2012; Wahidin, 2011; Williams et al., 2012).

### *2.22 Older prisoner health*

Little is known about the health of older prisoners in Ireland (Darker, 2012). However, a study by the National Forensic Mental Health Service found that between 16 and 60 per cent of all prisoners in Ireland had a mental illness, and between 61 and 79 per cent had substance abuse problems (Kennedy et al., 2005). The most recent Arbour Hill Prison Visiting Committee Annual Report (2013) highlighted,

Medical services includes 24 hour nursing cover, dental care, visiting Psychiatrist/ Psychiatric Nurse, Psychotherapist, Psychologists, Chiropodist, and optical services as required. The Committee notes that there are a number of very elderly and feeble prisoners who require constant medical attention and very high medical support. There is a concern that some infirm prisoners here in Arbour Hill only survive in this environment thanks to great humanity shown by Officers and indeed fellow prisoners. (Arbour Hill Prison Visiting Committee, 2013:6)

Prevalence of physical and mental illness in older prisoners internationally has been found to be worse than that of older people living in the community, with up to 85 to 90 per cent of older prisoners reporting at least one major illness (Fazel et al., 2001; Hayes et al., 2012). Chronic illnesses most prevalent in older prisoners include hypertension, cardiovascular diseases, osteoarthritis, diabetes and respiratory conditions (Fazel et al., 2001; Hayes et al., 2012). Colsher et al. (1992) found that rates of chronic illness were highest in the over 60 age group and this cohort was most likely to report incontinence and hearing problems than any other age group. Hayes et

al. (2012) found that ‘older old’ prisoners (above 59 years) were more likely to experience genitourinary disorders and sensory impairment, but that ‘younger old’ (50 to 59 years) were more likely to present with a mental disorder or mental illness. Studies indicate that prisoners report worse general health than people of the same age in the community, and morbidity levels among prisoners also exceed non-prisoners (Loeb, Steffensmeier and Lawrence, 2008; Fazel et al., 2001).

Multiple studies have found that approximately half of older prisoners show depressive symptoms and/or a psychiatric disorder (Fazel et al., 2001; Murdoch et al., 2008; Le Mesurier et al., 2010; Hayes et al., 2012). Rates of psychosis and major depressive illness are two to four times higher in prison than in general populations (Fazel and Danesh, 2002). Harner et al. (2013) found that 44 per cent of the female prisoners they studied met the diagnostic criteria for Post Traumatic Stress Disorder. Aday (2006) found that older prisoners indicated high levels of ‘death anxiety’ compared to those of the same age living in the community. Prevalence rates of dementia in older prisoners are difficult to assess, though prisoners may be at a higher risk because prison limits protective factors like mental stimulation, social connection, and physical activity, and prisoners present many risk factors such as poor physical health, smoking and depression (Maschi et al., 2012; Belluck, 2012; Williams et al., 2012). A strong relationship between mental health and improved general health has been demonstrated, and many prison studies have attempted to show how improving prisoners’ mental health could be a key factor in reducing medical costs (Loeb, 2003; Maschi et al., 2011). Maschi et al. (2011) found that depressed mood, loneliness and low valuation of life was significantly correlated with poor health in prisoners.

### *2.23 Role of prison in older prisoner health*

Prison regimes are ‘the physical conditions under which prisoners are held in custody and the way they are treated’ (Committee of the Inquiry into the Penal System, 1985: 60). Most prisons have been designed and built to accommodate young males, and many fail to provide appropriate accommodation for older prisoners with limited mobility (Mann, 2012). For example, handrails may be needed in shower facilities, higher seats on toilets, appropriate provision of heat in cells, wider cells doors to allow wheelchair access and use allocation of ground floor cells

and bottom bunks for older prisoners are important (Her Majesty's Inspectorate of Prisons (HMCIP), 2004; Aday, 2006). Some jurisdictions have developed segregated accommodation for older prisoners to target resources, improve privacy, and lessen noise and fears of bullying from younger inmates (Marquart et al., 2000; Aday, 2006; Williams et al., 2012). Segregation, however, risks institutionalizing inmates even further (Aday, 2006).

Mixed evidence exists to determine whether prison plays a mostly positive or negative effect on general health (Williams et al., 2006; Spaulding et al., 2011). Lewis and Hayes (1997) compared ex-prisoners and non-prisoners with similar socioeconomic characteristics, and found worse health in those who had spent time in prison. Spaulding et al. (2011) analysed prisoners' standardized mortality rates (SMRs) over a fifteen year period and found that SMRs varied according to race, and that mortality rates were higher after release from prison compared to during incarceration. In light of their findings, perhaps a 'protective' effect of imprisonment exists? Spaulding et al. (2011) argue that the frequent assertion that prisoners age at least ten years faster than community residents is an oversimplification. While in prison, some may have greater access to psychologists, GPs and nurses than before incarceration (Merten et al., 2012). Heigel, Stuewig and Tangney (2010) found that prisoners reported fewer general health issues when they were leaving prison compared to when they entered. Merten et al. (2012) also suggest that ageing in prison is less straight forward as the common 'accelerated ageing of 10 – 15 years' thesis. They find that the impact of imprisonment depends on age, race, and internalizing behaviours (such as loneliness, depressed mood and valuation of life) (Merten et al., 2012). Although prisoners present with high prevalence of depression, Mourdoch, Morris and Holmes (2008) found no significant relationship between the length of time served and the strength of depression. Rather, they found that chronic illness and age explained depression scores (Mourdoch, Morris and Holmes, 2008).

#### *2.24 Sentence management*

Sentence management includes planning and provision of work, education, recreation, rehabilitative programmes, visits, and pre-release supports. Older prisoners challenge the standard services for many reasons (HMCIP, 2004; Mann, 2012). Firstly, physical and mental illness may prevent participation, particularly if services are located on



upper landings (Mann, 2012). Secondly, the advanced age of some older prisoners means standard rehabilitative programmes' aims are not relevant; many will never gain employment after release from prison, and some will never leave prison (Mann, 2012).

### *2.25 Re-settlement*

Older prisoners' post-release needs can be complex due to health and social care needs, as well as increased likelihood of institutionalisation compared to younger prisoners (Crawley and Sparks, 2005). It can be a source of acute anxiety, particularly when family relationships have broken down and housing must be found on older prisoners' behalf (Crawley and Sparks, 2005). Mayock and Sheridan's (2013) study of homeless women's experience of and paths in and out of incarceration found most had experienced trauma and deprivation, and that prison is part of a cyclical institutionalisation throughout their lives. Without multidisciplinary planning in advance, Mann (2012) found that some older sex offenders planned on living with other sex offenders they had formed friendships with in prison, posing concerns in relation to risks of re-offending. Older sex offenders may also have high media profiles, and media intrusion can be a significant barrier to re-settlement and release planning (Hough, 2012). Seymour and Costello (2005) found that sex offenders in Ireland were unlikely to be homeless upon committal, but very likely to be homeless upon release. The Multi Agency Group on Homeless Sex Offenders was established in 2004 to ensure a more 'tailored housing responses in individual cases...for those who are currently hard to place' (Department of the Environment, Heritage and Local Government, 2008:46). High risk sex offenders are particularly difficult to house, and last year a step-down facility for the management of this group was closed (Hough, 2012). According to the Dóchas Centre Prison Visiting Committee (2013), there are concerns in relation to homeless female prisoners, some of whom end up remaining in custody past their release date, due to a lack of appropriate post-release accommodation services.

### *2.26 Prison conditions in Ireland*

In 1958, just over 300 people on average were held in prison custody every day in Ireland and three prisons were in use at the time (O'Sullivan and O'Donnell, 2007).

Five decades later, 3,852 prisoners were in custody across fourteen custodial institutions (on 18/08/14) at a cost of €65, 404 per annum (2012 most recent available figure) per available staffed prison space (Irish Prison Service, 2014a). The prison population and the prison estate in Ireland have been expanding since the 1970s, and the imprisonment rate increased from 25 prisoners per 100,000 population in 1970 to 60 in 1990. Now at 100, it is just below the average 106 among EU-15 states (Kilcommins et al., 2004; Walmsley, 2012). Overcrowding at various levels has existed in Irish prisons since 1983, when prison governors were given sanction to ‘double up’ prisoners in cells (Kilcommins et al., 2004). Recent policy efforts to reduce the prison population include the *Fines (Payment and Recovery) Act 2010*, allowing court imposed fines be paid in instalments to avoid imprisonment for non-payment of fines. This policy effort has yet to have a significant impact on the numbers of people being imprisoned due to non-payment of fines. In 2013, 8,121 people were sent to prison for non-payment of fines. The Sub-Committee on Penal Reform was also established in 2011 to examine the use alternatives to custodial sanction and to examine ‘back door’ strategies to reduce the prison population such as systems of early release. Another recent attempt to reduce prison numbers was the *Criminal Justice (Community Service) (Amendment) Act 2011*, requiring District Court judges consider community service orders for offences that would in otherwise lead to a period of imprisonment for less than six months. In July 2014, the United Nations Human Rights Committee (2014) urged action in relation to overcrowding and the practice of ‘slopping out’ (prisoners having to use empty buckets due to lack of in-cell toilet facilities),

The State party should step up its efforts to improve the living conditions and treatment of detainees and address overcrowding and the practice of “slopping out” as a matter of urgency in line with the Standard Minimum Rules for the Treatment of Prisoners (U.N. Doc. E/5988 (1977)). (United Nations Human Rights Committee, 2014)

The Committee also noted the practice of accommodating unsentenced, immigration-related detainees and sentenced prisoners together,

[The State party] should establish a concrete timeline for the achievement of complete separation of remand and sentenced prisoners, juvenile and adult prisoners and detained immigrants and sentenced prisoners. (United Nations Human Rights Committee, 2014)

Concerns have been expressed in relation to overcrowding in both female prisons (Inspector of Prisons, 2011). In Limerick's female prison, the Inspector of Prisons found,

The toilets are not covered. I have observed food trays and towels being used as toilet covers. When there is more than one prisoner in a cell a prisoner attending to her sanitary or washing requirements does so within feet of and in full view of her fellow prisoner. The situation is far worse when there are three prisoners in the cell.

(Inspector of Prisons, 2011:15).

Overcrowding remains most evident in Dochas Centre and Cork prisons, and slopping out remains in practice in certain areas of Cork, Limerick and Portlaoise prisons (Irish Prison Service, 2014b). Where in-cell sanitation is provided, over one quarter of prisoners across the estate must do so in the presence of others rather than in private (Irish Prison Service, 2014b). Older people are therefore being committed to prisons where conditions of accommodation and sanitation may be not be appropriate for their needs.

*Existing research indicates that older prisoners have specific needs that challenge standard care provision, sentence management and prison conditions. Older old prisoners are more likely to bring more complex care and re-settlement needs than younger older inmates. The increasing numbers of older committals in Ireland therefore have potential resource and policy implications across the prison estate.*

## **2.3 Crime and ageing**

### *2.3.1 Age-crime curve*

Developmental and life-course criminology are concerned with the relationship between individual and cohort engagement in offending throughout the life span, and aim to explain the factors involved (Loeber, 2012). It is widely recognised that a negative relationship between age and offending exists, and an age-crime curve indicates peak offending in adolescence that trails off in adulthood (Farrington, 1986). According to Osgood (2012:6), the age crime curve is ‘one of the strongest, most consistent and longest standing findings in criminology’. Male peak offending occurs earlier than female, and serious offending tends to take place in the latter half of the age-crime curve (Loeber, 2012). So age seems to effect serious crime less than non-serious crime. The reasons explaining the relationship between crime and age are less well founded, and psychological, sociological, biological and ecological theories of initiation into and desistance from offending have emerged. Developmental theories of crime argue certain groups of offenders share common causal factors that explain their pattern of offending over time. Much attention has been paid to the events and transitions that occur as people age, with evidence that some desistance can be explained by marriage, becoming a parent and gaining employment (Osgood, 2012). Sampson and Laub’s (2005) life-course perspective on crime suggests that lifetime criminal offending can be explained by informal social controls that increase as we age. They argue that at different stages in life, forms of social control change from parents, peers, employers, spouses, and so on. They found that social ties in adulthood had a stronger impact on offending/delinquency than childhood factors, and that it is these ‘turning points’ in adulthood that explain continuity/discontinuity of offending (2005: 16). Sampson and Laub (2005:12) suggest offending and desistance involve ‘constant interaction between individuals and their environment, coupled with random developmental noise and a purposeful human agency’. Individuals are influenced but not pre-determined by these controls, and Sampson and Laub (2005) emphasise the importance of human agency in any explanation of offending trajectories. Farrington (1986) points out that period and cohort effects should not be mistaken for age effects. For example, period effects may be increases in offending during a particular time period such as during an economic depression, and the fall in this offending may be due to changes in economic climate rather than any age effects. Similarly, cohort effects refer to particular birth groups in society, such as those born during a certain year or decade. Changes in offending in these groups may have more to do with cohort effects than age effects.

A less straight forward age/crime relationship exists when offence type is examined (Steffensmeier, 1999). The rate of change over time differs according to age group and crime type, with public order offences flattening out later in life than other crimes (Steffensmeier, 1999). While not necessarily involving offending in *old* age, late onset offending (starting to offend after the age of 21) has been found more common among those committing sex offences, fraud, and vandalism (Zara, 2012). Zara (2012) argues that certain factors, such as social isolation and internalised psychological problems, that make early initiation into criminal offending unlikely can lead to a ‘delayed criminal career’. However, the most chronic and late desistance offenders are those who begin committing crime in early adolescence.

### *2.32 Irish context*

A recent Irish recidivism study supports evidence of a negative relationship between crime and ageing, with 38 per cent of those aged 51 to 60 years reconvicted after three years following release from prison, compared with 69 per cent of those under aged 21 years (Irish Prison Service, 2013b). Earlier research by O’Donnell et al. (2008) found that 40 per cent of people aged over 30 were re-imprisoned within four years, compared with 60 per cent of those aged under twenty-one (O’Donnell et al., 2008). O’Donnell et al. (2008) also found that almost half of those released from prison were re-imprisoned within four years, and serving a three month sentence or less significantly increased levels of recidivism.

Although age has been found to negatively correlate with re-imprisonment, it is not a straightforward relationship (Sampson and Laub, 2005; O’Donnell et al., 2008). As mentioned earlier, offending seems to slow down at different stages for different types of crimes (Steffensmeier et al., 1989). O’Sullivan and O’Donnell’s (2003) study on crime and imprisonment in Ireland found that prison had no impact on levels of violent offences against the person and a temporary positive impact on the reduction of violent property crime and larceny. In their research on recidivism in Ireland, O’Donnell et al. (2008) found that 18 per cent of sex offenders were re-imprisoned within three years compared with an average recidivism level of 45 per cent in the sample studied. Increases in age upon release of prisoners committed for a sexual offence indicate increased levels of desistance from offending behaviour,

but interacting variables may include engagement with therapeutic programmes and type of sexual offender (Doren, 2006; Thornton, 2006).

*From existing research on crime and age, it is anticipated that some older committals will be those who have offended since youth and have not desisted, unlike most offenders who do stop offending over the life course. Different patterns of recidivism are expected across different offence and sentence types and according to gender.*

#### **2.4 Older prisoner typologies**

Criminological typologies can serve many purposes such as description, prediction and explanation of behaviour, risk, needs, and so on (Byrne and Roberts, 2007). Driver (1968) emphasises the need for strong logical and methodological coherence in a typology, which should centre around one core concept. Existing older prisoner typologies are largely conceptualised around age of onset of offending, incarceration history, or length of time imprisoned. Offence type is not usually one of the criteria employed to develop these classifications. Older prisoner typologies tend to be based on cross-sectional prison population data, rather than on committal data. This means that typologies tend to reflect those older offenders who remain in prison medium or long-term, and less attention is afforded the short-term prisoners who may seem small in numbers when a once-off snapshot of the older prison population is taken. Some typologies by Goetting (1984), Aday (2006), Wahidin (2006), Greiner and Alleny (2010) and Maschi, Morrissey and Leigey (2013) will now briefly be examined.

##### *Goetting (1984)*

One of the earliest older prisoner typologies was developed by Goetting (1984), based on the 1979 Survey of the Inmates of State Correctional Facilities in the United States. Personal interviews were conducted with a random sample of 248 inmates aged over 55 years of age. A typology based on incarceration was developed and described four kinds of older prisoners: Old Offenders (incarcerated for the first time after age 55), Old Timers (imprisoned before age 55 and have grown old in prison), Career Criminals (first imprisoned before aged 55 and have been in and out of prison before) and Young Short-Term First Offenders (in prison and offended for the first

time before 55, serving a short sentence). Little detail is provided to explain the significance of these types of older prisoners, nor how the typology was developed.

*Greiner and Allenby (2010)*

Greiner and Allenby (2010) developed a typology of older female offenders within prisons and in the community in Canada, based on offence histories of 160 women over 50 in the Offender Management System, the offender database of the Correctional Service of Canada. They argue that male offender typologies do not always represent or account for female offending in an appropriate manner, and that offending histories tend to vary according to gender. They find evidence of four types of older female offenders: Older First-Time Offenders (commit first offence after 50), Middle-Age First-Time Offenders (commit first offence before 50), Recidivists (repeat offenders) and Long-term First-Time Offenders (serving a sentence of more than 10 years). Eighty per cent of their sample were Older or Middle-Aged First-Time Offenders, with just 20% of female offenders being Recidivists.

*Wahidin (2006)*

Wahidin (2006) also focuses on female older prisoners, and found evidence of five different types of older female inmates: Older First-Time Offenders (offend for first time after 50), Older Offenders (have previous convictions but haven't served prison before), Recidivists (have been in and out of prison throughout their lives), Life Sentenced (grow old in prison), Long-term Inmates (grow old in prison). Wahidin's (2006) research included qualitative interviews with older female prisoners in the United Kingdom, and finds that the types of offences committed by older and younger female prisoners is similar, but that care needs of older females is greater and more complex.

*Aday (2006)*

Aday (2006) distinguishes between New Elderly prisoners, who have offended and been imprisoned for the first time after age 50, and Long-Term Inmates, who offend earlier in life and are serving at least a 20 year sentence, thus growing old in prison. Aday (2006) finds that between 40 and 45 per cent of United States federal and state prisoners are New Elderly prisoners. According to Aday (2006), adaption to

institutional life and re-settlement upon release differ according to the two types of older prisoners.

*Maschi, Morrissey and Leigey (2013)*

Maschi, Morrissey and Leigey (2013) developed an Ageing Prisoner Typology from a sample of 2,913 inmates over 50 and argue three distinct groups exist within the older prisoner population: Life-course Older Adults (serving long sentences, are sent to prison before age 50, and reach old age in prison), Acute and Chronic Recidivists (tend to have multiple short prison sentences, most first entered prison when younger) and Late-Onset Offenders (are in prison for the first time after the age of 50). Again, classification is based on onset of offending or sentence length. Unlike most typologies, Maschi, Morrissey and Leigey's (2013) study also comprised a strong theoretical framework. They combine life-course theories, ecological systems theories, critical theory, and action and recovery theory to build a conceptual model explaining the ageing prison population and older offending trajectories.

This study aims to construct a committal typology that will describe the different types of older committals based firstly, on their unique impact on prison policy and resources, and secondly, according to what they tell us about different sentencing practices in Ireland. Having explored the above typologies, and considering the aims of this research (to build of profile of older people who are sent to prison, i.e. committals), it seems that a committal typology, based on official prison data rather than prisoner survey data may be more limited in the extent to which age of onset of offending and recidivism can be examined. Official data is not designed for research purposes and the level of detail available from the Irish Prison Service will have a significant impact on how a committal typology will be developed. It is expected that annual committals will display more heterogeneity than prisoner populations used in existing prisoner typologies, where short-term inmates are fewer in number and serious offenders prevalent among older inmates.

## **2.5 Conclusion**

Older prisoners have significant implications for prison policy due to their complex care and re-settlement needs, particularly given the standard design of prison building



and regimes. The literature on crime and ageing suggests offenders tend to reduce or stop offending as they age. Ireland's committals to prison seem to raise questions about this age/crime relationship, given that older committals are increasing faster and more consistently than younger committals. It may be that the trend is policy-driven rather than age-driven. Looking at snapshots of prisoner populations fails to give a whole picture of the kinds of older offenders who are sent to prison. Having explored existing research on age and crime, policy implications of an ageing prison population and older prisoner typologies, it seems there is merit in examining committals rather than prisoners and this gap is apparent in the literature reviewed.

## **Chapter Three: Methodology**

### ***2.1 Introduction***

This chapter discusses the methodological decisions and approaches employed at each stage of the study. The study aims to describe older committals to prison, in terms of socio-demographic and criminological characteristics, in order to help understand the policy implications of the increasing numbers of this cohort being sent to prison in Ireland. In order to achieve this, a case study research design was employed, using quantitative methods. Secondary analysis of anonymised committal data of all males and females aged over 50 years committed to prison in 2013 was conducted. Firstly, the rationale, advantages and disadvantages of secondary analysis of official prison data will be outlined. Secondly, the process of research approval, access to data and ethical considerations will be described. Finally, data analysis will be discussed.

### ***2.2 Research design***

According to De Vaus (2001:9), ‘the function of a research design is to ensure that the evidence obtained enables us to answer the initial question as unambiguously as possible’. A case study design lends itself to understanding the ‘specific, unique, bounded system’ of a case (Stake, 2005: 445), and provides the opportunity to focus on a single age cohort within committals. A case study aims to understand ‘complex social phenomena’ (Yin, 2014:4), and prison committals are indeed complex, the result of many stages and processes within the criminal justice system. As a piece of applied research, the quantitative approach of the study aims to begin to answer policy questions (Maxfield and Babbie, 2009) such as, *what might the impact of different types of older committals be for prison policy? What is the largest offence type within older committals, and what does this imply for prison policy or tell us about sentencing policies?* So the case study design and quantitative methods employed are guided by the research questions outlined in Chapter One. It could be argued from an epistemological point of view, that a prisoner survey rather than use of official prison data would give a richer and more authentic account of committal characteristics (Byrne, 2004). However, the advantages of using official rather than survey data are discussed below.

This research involves quantitative secondary analysis of anonymised committal data of all males and females aged over fifty years committed to prison in 2013. The study will be analysing committal data for a twelve-month period, thus taking a cross-sectional approach. Because this involves a snapshot rather than longitudinal analysis, it will not be possible to generalise the research findings. Although the study aims to contribute to understanding the trend of increasing older committals, a cross-sectional design does not allow any inference about long-term trends or prediction about offending behaviour (Semmens, 2011).

### *2.21 Advantages of quantitative analysis of official data*

One of the advantages of using official records is that the data has already been collected, making the process of data collection more efficient for the researcher. In this case, committal data is captured and stored by the Irish Prison Service, some of which is published in its annual reports. However, this published data is usually aggregated, with age-related analysis limited to offence and sentence types. Another advantage of using official data in research is that often, official data would otherwise be left unexamined (Arber, 2001), so secondary analysis of IPS data is contributing to criminal justice research in Ireland, where room for more is often cited (Rogan, 2012). It is likely that research approval and access to prisoners for survey research would take longer to secure, and would not necessarily be guaranteed. Use of official data also means no unnecessary burden is put on prisoners to be survey respondents.

### *2.22 Disadvantages of quantitative analysis of official data*

This study has a descriptive aim, to illustrate a socio-demographic and criminological picture of older committals to prisons in Ireland. Committal data is collected to serve administrative rather than research purposes, and the study is then limited to examine variables for which information is available (Maxfield and Babbie, 2009; Semmens, 2011). One key areas of interest that is not recorded in PRIS is ethnicity in relation to Irish Travellers. A prisoner survey would facilitate a wider range of variables to be examined, and for more detailed personal and offending characteristics to be analysed. Instead, PRIS categories will dictate the scope of the study. Reliability of official data depends on individual input, and some variability in accuracy may exist across the 14 prisons in the estate. Some information is based on self-reported

information from prisoners (e.g. age left school, occupational status), and may not be reliable due to social desirability bias or recall problems.

### ***2.3 Research approval and ethical considerations***

Research approval was granted by the Irish Prison Service and the School of Social Work and Social Policy Research Ethics Committee. Application for approval to the IPS Research Office was made on 19<sup>th</sup> May 2014, approval was granted on 20<sup>th</sup> June 2014, and access to the dataset was provided on 30<sup>th</sup> July 2014. A two-month turnaround from application to access is efficient under most circumstances, but was a difficulty considering the short time-frame allocated to complete this dissertation. Criteria for approval from IPS include the value of the research to IPS and the demand that the research may have on staff or prisoner time and resources. Both research applications required consideration of ethical implications involved in the research, which are outlined below.

#### ***2.31 Protection of anonymity***

No contact with prisoners was required at any stage during the research. An anonymised dataset was provided by IPS containing demographic and offence related information on all committals involving a person aged 50 or over during 2013. Only de-identified data was accessed by researcher. Researcher's laptop computer and files storing the data are password protected, and the data will not be transferred to any other portable device. According to the Masters in Applied Social Research policy, data will be destroyed two years after the completion of the course (August 2016) unless the dissertation supervisor needed to retain it for publication purposes. Data will only be accessed and used by the researcher and dissertation supervisor (Dr Eoin O'Sullivan).

By nature the data is sensitive and individual privacy must be paramount. Although data had been de-identified before receipt, it is arguable that certain characteristics could lead to identification of individuals. The only risk in the context of anonymised dataset would be if two or three individual level variables were described that sufficed to make a person identifiable. For example, an 81 year older prisoner from Leitrim convicted of a sexual offence may be identifiable based on these characteristics alone.

In order to protect anonymity, no individual level description or analysis was carried out. Consideration of this was made throughout the data analysis and reporting stages, and was paramount in ensuring all reported findings protect anonymity. The purpose of this research does not include descriptive analysis at the level of the individual, but seeks to identify group characteristics and perform descriptive statistical analysis to build a socio-demographic and criminological profile/typology. Findings do not discuss individual cases.

#### ***2.4 Source of data***

The Prisoner Records Information System (PRIS) was introduced across all prisons in 2001, computerising all data held on new committals to prison since then (Expert Group on Crime Statistics, 2004). PRIS holds information on demographic characteristics, offence type, criminal justice record, visitations, disciplinary matters, temporary release, parole hearings, appeals and other administrative details. De-identified data on male and female committals to prisons during 2013 was extracted from PRIS by the IPS Statistical Unit and provided to the researcher in an Excel file. Twenty variables were included (detailed in section 2.52 below). This was then transferred to SPSS Version 20 for analysis. It is important to understand how official data such as that compiled under PRIS is compiled, in order to avoid misinterpreting data and to know how to recognise errors (Maxfield and Babbie, 2009). After receiving the dataset from the IPS, further contact was made with the Statistical Unit to clarify the meaning of and difference between certain variables. The Research Office and Statistical Unit accommodated any queries and gave clarity on variables where needed.

#### ***2.5 Data Analysis***

The dataset was provided by the IPS Statistical Unit in an Excel file which was then transferred to SPSS Version 20 for analysis. Steps were then taken to prepare the data for analysis – errors were checked for and corrected, string variables were recoded into numerical variables, variables were named and labelled, and finally some variables were recoded to allow more efficient and effective descriptive analysis

(Pallant, 2010). Twenty variables were provided for 1,031 cases (committals), listed below.

1. Committal prison
2. Current committal status
3. Sentence description
4. Warrant type
5. Committal reason
6. Gender
7. Nationality
8. Nationality group
9. Age on committal
10. Age group
11. Most Serious Offence (MSO) offence description
12. MSO total days
13. MSO warrant overall length group
14. Previous custodial periods
15. Prisoner county
16. County
17. Level of education
18. Read and Write
19. Age Left School
20. Occupational status
21. Occupational status description

#### *Checking and correcting errors*

In order to check the dataset for errors and missing data, frequencies were run on all variables. Knowing 1,031 cases were in the dataset, any variables that had less than 1,031 outcomes were then looked at more closely. For example, there were 104 missing cases in 'Age Left School', 15 cases where 'County' was 'Not stated', and 148 cases of 'Other' in 'Level of Education'. 'Not stated' and 'Other' were treated as missing data, and missing cases were not included in reported descriptive statistics, with valid percentages reported. In continuous variables such as 'Age on Committal' and 'Age Left School', descriptive statistics were produced to check for any obvious

input errors such as an extra '0' or very high numbers. The process of checking the data was also helpful to become familiar with the variables and to look into which variables needed to be re-coded for ease of analysis.

### *String variables and labelling*

When the Excel file was exported into SPSS, all non-continuous variables were automatically defined as string variables by SPSS. In order to allow a greater range of analysis be carried out, these variables were recoded into numeric variables. This allowed values to be assigned to categorical and ordinal variables, that were not originally in the Excel file, facilitating easier interpretation of statistics and the use of syntax in re-coding. Variables were then labelled and values assigned to ordinal and nominal variables.

### *Re-coding*

It was essential to recode some variables into few categories and to transform some continuous variables into categorical variables. For example, Level of Education was originally categorised into 15 groups on PRIS, and this was re-coded into four categories (see Table A1 in Appendix A). Sentence length was re-coded from 10 categories to three (Table A2 in Appendix A). Re-coding was also carried out for occupational status, age group and warrant type (Tables A3, A4 and A5 in Appendix A). The re-codings were recorded in a Syntax file to keep track of all changes made and to remember how and when the new variables were produced.

## **2.52 Descriptive analysis**

This study aims to describe a population rather than to explain it, so basic descriptive univariate and bivariate statistical tests were performed to explore the social, demographic and criminological characteristics of older committals in Ireland. Inferential statistical tests were not performed because cases in the dataset refer to committals rather than individuals, and one individual may have been committed more than once in 2013. Independence of observations is required for inferential tests to be performed meaningfully, and this dataset is not guaranteed to be comprised of independent observations or unrelated pairs (Field, 2009; Pallant, 2010). Not all variables were needed and included in the analysis. For example, it was felt that

‘Level of Education’ and ‘Occupational Status’ were more meaningful proxies for social class compared to ‘Age Left School’ or ‘Read and Write’.

#### *Building a socio-demographic profile*

The dataset was analysed according to Age, Gender, County of residence, Country/region of origin, Level of education, Age left school, and Occupational status. Frequencies were run and crosstabulations were performed across non-continuous variables, and frequencies and statistics of central tendency, dispersion and distribution were produced for continuous variables.

#### *Building a criminological profile*

The dataset was then analysed according to Age, Gender, Warrant type, Offence type, Sentence length, and Number of previous periods in prison. Frequencies were run and crosstabulations were performed across non-continuous variables, and frequencies and statistics of central tendency, dispersion and distribution were produced for continuous variables.

#### *Building an Older Committal Typology*

Having become familiar with the socio-demographic and criminological profile of older committals, the task of producing a typology based on these characteristics was attempted. The goal of the typology was not only to describe different types of older committals, but to help understand how these differences matter for prison policy and criminal justice policy in general. An initial attempt to create a typology was based on two things – previous periods in custody and sentence length. This was following the lead of existing prisoner typologies discussed in Chapter Two, where categorisation was largely based on incarceration history and length of time in prison. Committals were divided into first time prisoners and recidivists, and these two types broken down into short, medium and long-term sentences. However, this classification proved little benefit. Identified types that shared characteristics across these two variables did not necessarily represent coherent or meaningful groups upon which to base a typology. The groups in this initial typology didn’t seem to help understand older committals and their policy implications. So, referring back to the study’s research questions and aims, a different approach to the typology was made, focusing on the implications of older prisoners found during the literature review. For example,



based on the literature review, some groups of older prisoners present more resource-intensive needs than others. ‘Older old’ prisoners have distinct needs compared to ‘younger old’ inmates. Sex offenders present certain challenges that other prisoners do not, such as the need for protection or behavioural therapy. A second attempt to build a typology instead began with the question – what groups within the committals have the most impact on prison policy (e.g. because they account for the largest proportion of committals, or are the oldest groups of offenders), and what groups tell us something about sentencing policy? These two questions led to the five-fold typology detailed in Chapter Four. Each of the 1,031 cases fits into one typology group only.

## **Chapter Four – Findings**

### ***4.1 Introduction***

This chapter details the results of the descriptive analysis of IPS committal data of all older people sent to prison in 2013. Two research aims are addressed – the compilation of a socio-demographic and criminological profile of older committals, and the construction an *Older Committals Typology*. Firstly, older committals will be explored in terms of gender, age, education, occupational status and residency. Then, previous prison experience, warrant types, offences and sentencing characteristics will be detailed. Where possible, comparison will be made between older and total committal figures. Finally, these socio-demographic and criminological characteristics will be used to create a typology that will help describe different kinds of older committals. The *Older Committal Typology* comprises five categories – Sex Offenders, Medium/Long-Termers, Non-Payers of Fines, Short-Termers and Unsented. These five types are distinct in terms of age, previous prison experience, offence types and sentence length. The typology contributes to our understanding of the use of custodial sanction in Ireland, and Chapter Five will illustrate the implications of different types of older committals for prison resources, management, and penal policy in general.

### ***4.2 Socio-demographic profile***

In 2013, there were 1,301 committals to prison of people aged over 50. As mentioned in Chapter Three, this number represents committals rather than people, and some committals may involved the same person if they have been sent to prison more than once in that year.

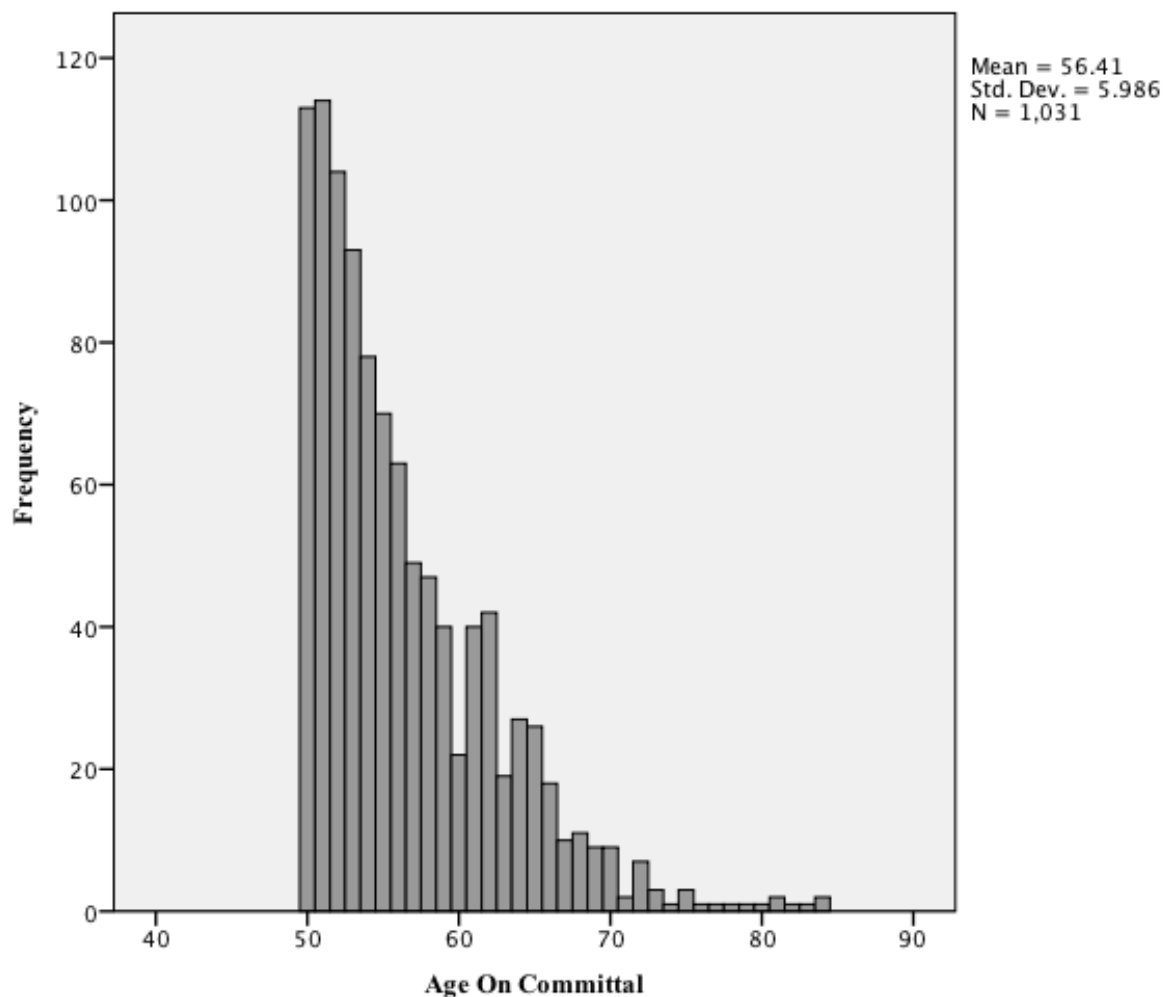
#### ***4.21 Gender***

The vast majority of older committals in 2013 were male (85%, N=880), a slightly higher proportion than in total prison committals (83% male).

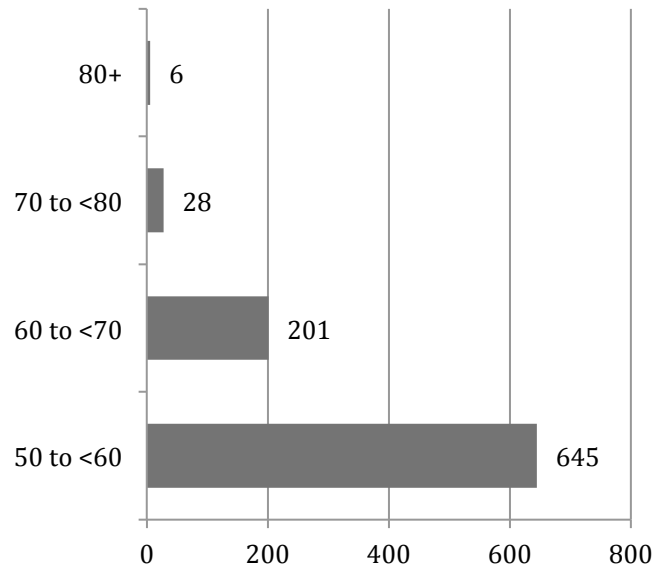
#### ***4.22 Age***

The mean age of committals is 56 (SD=5.98); 55 (SD=4.59) for women and 57 (SD=6.16) for men, and the distribution of ages is positively skewed (see Fig. 4.1). Age upon committal ranges from 50 to 84. Seventy-five per cent of older committals are aged between 50 and 60, 22% between 60 and 70, and the remaining 3% aged over 70. Seven committals are aged over 80. The age profile of female committals is slightly younger than males (see Figs. 4.2 and 4.3) - a greater proportion of females are within the 50 to 60 age group compared to men. Four per cent of male committals are aged over 70, compared to 1% of female committals.

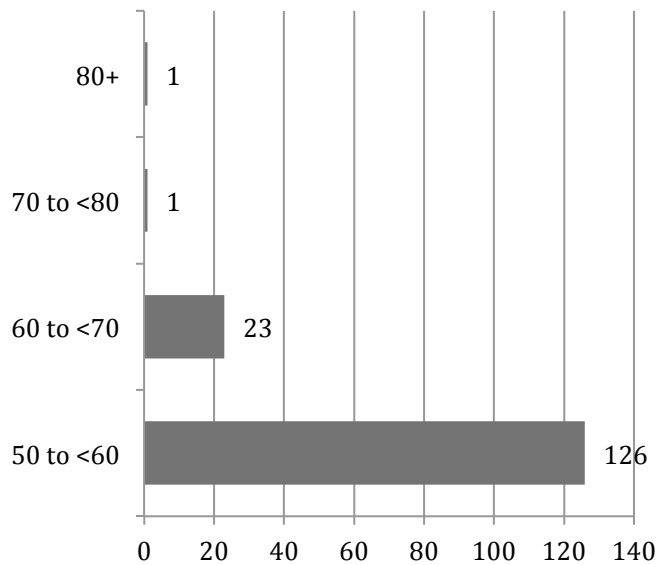
**Fig. 4.1 Age upon committal**



**Fig. 4.2 Male committals**



**Fig. 4.3 Female committals**

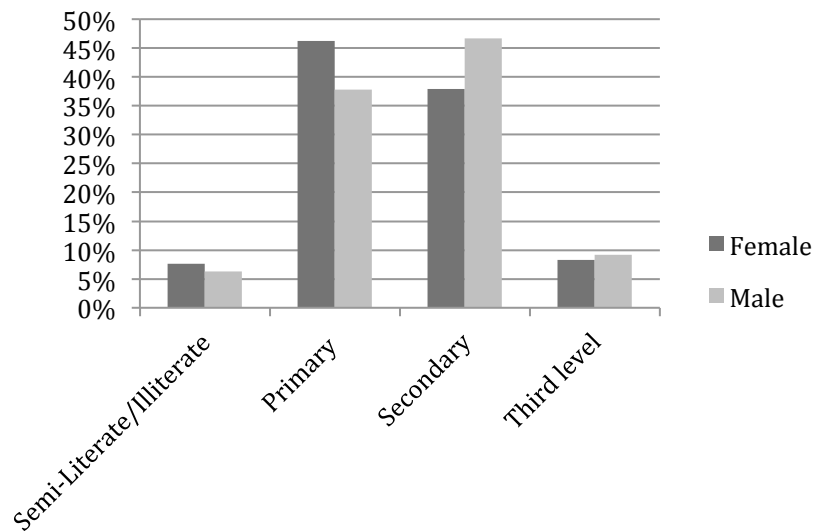


#### *4.23 Education*

Upon committal, prisoners are asked to indicate their level of education and the age at which they left school. Where this information was not captured or classified as ‘Other’, those cases (N=148) were treated as missing in the educational analysis. As with all self-reported data, caution is required in terms of accuracy due to memory recall and/or social desirability bias (Cannell et al., 1981).

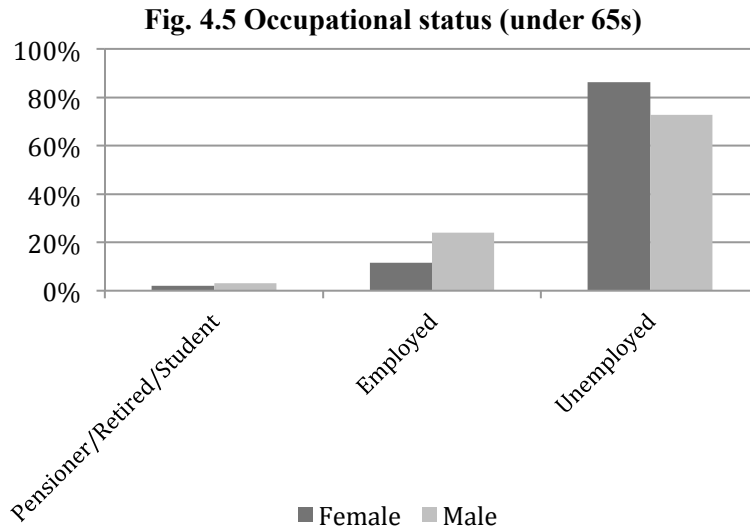
A large proportion of older committals have primary education only (39%) or secondary education only (45.4%). Less than 10% of older committals have received Third Level education (see Fig. 4.4) and 6.5% report themselves as semi-literate or illiterate. Lower levels of education are found among female committals. The average age at which older committals left school was 15.6 (SD=2.72), and a quarter of them left school at age 14 or less.

**Fig. 4.4 Level of education**



#### 4.24 Occupational status

Upon committal, prisoners are asked to indicate whether they are employed, unemployed, retired, a pensioner or a student. Here, occupational status of those aged under 65 is examined. Seventy-five per cent of under 65s are unemployed, 22% employed and 3% pensioners, retired or students. Higher rates of unemployment are found among women (86.3%) than men (72.8%) (see Fig. 4.5).



#### 4.25 Region/nationality

Most committals (86%) are Irish, with Other EU (6.6%) and UK (3.3%) the next largest groups. Table 4.1 outlines the range of regions and nationalities of older committals in 2013.

*Table 4.1 Country/region of nationality*

	N	%
Irish	886	85.9
Other EU	68	6.6
UK	34	3.3
Asian	18	1.7
African	7	0.7
North American	7	0.7
Other European	4	0.4
South American	4	0.4
Australasian	2	0.2

#### 4.26 County of residence

The highest proportion of older committals came from Dublin (21%, N=209), Cork (17%, N=172), Limerick (7%, N=69) and Galway (6%, N=58) (see Table B1 in Appendix B). One per cent report themselves as ‘No fixed abode’ and 1% live outside

the country. Within Dublin, over half report living in County Dublin, with Dublin 1, 7, 17 and 24 each representing 5% of committals (see Table B2 in Appendix B).

#### *Summary of socio-demographic profile of older committals*

Most older committals are Irish (from Dublin or Cork), male, aged between 50 and 60, have primary or secondary education only, and are unemployed. Female committals are slightly younger, more likely to have primary education only and to be unemployed than males.

### **4.3 Criminological profile**

#### *4.3.1 Prison committed to*

There are fourteen carceral institutions in Ireland, two of which accommodate females. Dochas Centre, in the Mountjoy campus in Dublin accommodates all female prisoners living outside Munster, and Limerick Prison houses female prisoners from the six counties of Munster. Table 4.2 details the prisons that male and female committals were sent to in 2013. However, transfers to other prisons may have taken place after initial committal. Males are largely committed to Cork (22%) and Castlerea (17%) prisons. The largest proportion (N=435) of older committals are sent to prisons in Dublin, and twice as many women are imprisoned in the Dochas Centre than in Limerick female prison (Table 4.2).

*Table 4.2 Prisons to which older committals are sent*

<i>Male committals</i>	N	% of males
Cork Prison	190	21.6%
Castlerea Prison	146	16.6%
Limerick Prison (Male)	116	13.2%
Cloverhill Remand Prison*	115	13.1%
Mountjoy Prison (Male)*	114	13.0%
Wheatfield Place of Detention*	106	12.0%
Midlands Prison	89	10.1%
Portlaoise Prison	4	0.5%
<i>Female committals</i>	N	% of females

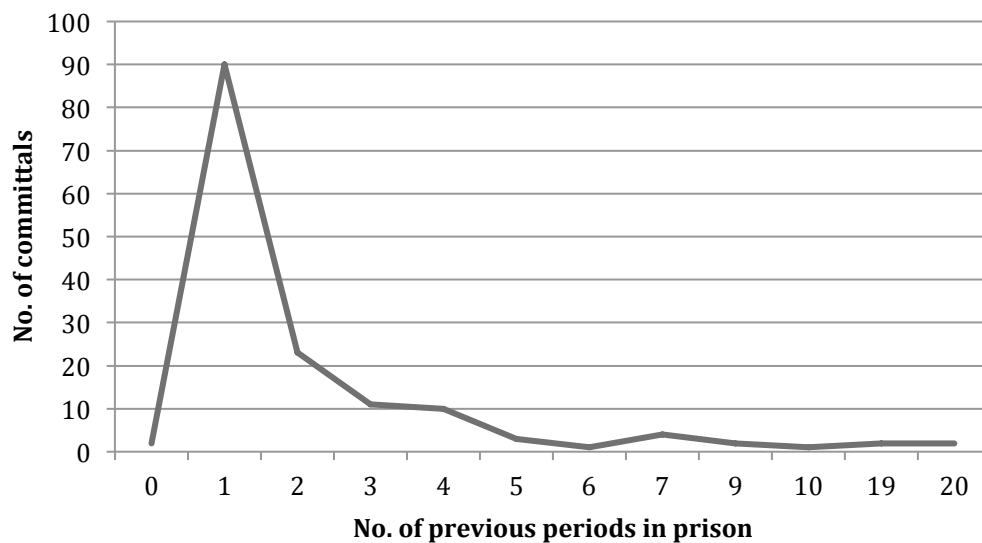
Dochas Centre*	100	66.2%
Limerick Prison (Female)	51	33.8%

\**Dublin prisons*

#### 4.32 Previous custodial periods

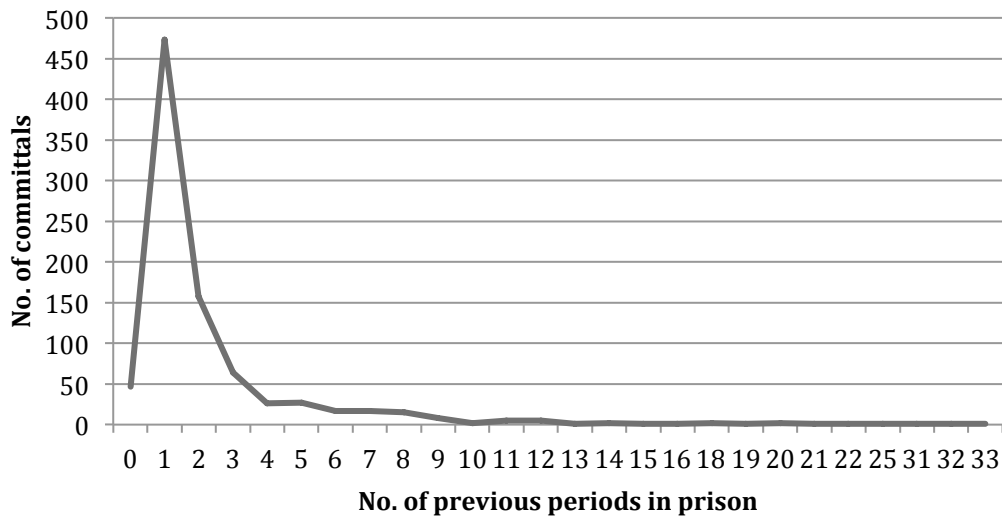
Just 1.3% (N=2) of female and 5.3% (N=47) of male committals were first time custodial periods, meaning that the vast majority of older committals were in prison at least once before. The average number of previous custodial periods for female committals was 2.41 (SD=3.32), slightly higher than 2.39 (SD=3.34) for males (see Figs. 4.6 and 4.7). The highest number of previous custodial periods was 20 among women and 33 among men, and 5% of female and male committals had 8 previous custodial periods or more. The most common number of previous custodial periods was one - 60% of female and 54% of male committals had been in prison once before. Previous prison experience will be discussed further in relation to the *Older Prisoner Typology* in section 4.3 of this chapter.

**Fig. 4.6 Female committals - Previous custodial periods**





**Fig. 4.7 Male committals - Previous custodial periods**



*4.33 Warrant type*

Committals are classified by IPS according to the warrant under which the committal took place – Fines, Sentenced, Remand/Trial, European Arrest/Trial, Deportation/Immigration Order, Contempt of Court and Debtor (see Table 4.3). Those imprisoned on Remand/Trial, Deportation/Immigration Order, European Arrest/Trial Warrants are unsentenced prisoners, meaning no definite length of imprisonment is known upon committal. Most male (64%) and female (72%) committals are due to Fines, meaning a custodial sanction was imposed for non-payment of a court-ordered fine arising from a previous conviction. Sentenced and Remand/Trial warrants account for the next largest proportion of committals. A greater proportion of males than females are committed on Remand/Trial, and Deportation/Immigration orders are more common in female than male committals.

*Table 4.3 Warrant type*

<i>Male</i>	<i>Older N</i>	<i>%</i>	<i>Total N</i>	<i>%</i>
Fine	562	64	6227	49
Sentenced	159	18	3519	27
Remand/Trial	126	14	2667	21
European Arrest Trial/Extradition Warrant	17	2	86	1
Deportation/Immigration Order	7	1	306	2
Contempt of Court	5	1	6	.04

Debtor	4	1		
<i>Female</i>	<i>N</i>	<i>%</i>		
Fine	109	72	1894	69
Sentenced	19	13	371	14
Deportation/Immigration Order	12	8	90	3
Remand/Trial	9	6	369	14
Contempt of Court	1	1	2	.1
Debtor	1	1		
European Arrest Trial/Extradition Warrant	0	0	3	.1

#### 4.34 Sentenced committals

Most older sentenced committals are short-term (less than 12 months), and 98% and 90% of female and male sentenced committals are short-term respectively (see Table 4.4). Almost 90% of older short-term sentenced committals were for less than three months (Table 4.5). Ten per cent of male and two per cent of female sentenced committals are medium (1-<5 years) or long-term (>5 years).

Table 4.4 Sentenced committals

<i>Male</i>	N	%
Short-term (<12mths)	655	89.8
Medium-term (1 - <5yrs)	57	7.8
Long-term (>5yrs)	17	2.3

<i>Female</i>	N	%
Short-term (<12mths)	126	97.7
Medium-term (1 - <5yrs)	2	1.6
Long-term (>5yrs)	1	0.8

Table 4.5 Short-term sentenced committals

	<i>Female</i>		<i>Male</i>	
	N	% of short-term	N	% of short-term
<3mths	112	88.9	572	87.3

3 to <6mths	8	6.3	59	9.0
6 to <12mths	6	4.8	24	3.7

#### 4.35 Offence type

Tables C1 and C2 in Appendix C outlines the offences for which older committals are imprisoned. Almost 60% of sentenced female committals were for Road and Traffic Offences (29.1%) and Offences Not Elsewhere Classified (29.1%). Male sentenced committals are more heterogeneous. Like female committals, Road Traffic Offences represent a large proportion of male sentenced committals (25.9%), followed by Public Order and Other Social Code Offences (10.9%), and Offences Not Elsewhere Classified (10.6%). Road and Traffic Offences (RTOs) do not include dangerous driving or driving while over the legal alcohol limit; in the case of older committals in 2013 RTOs refer to offences such as not having insurance/tax/driving licence, holding a mobile phone while driving and not wearing a safety belt (full Crime Classification System is included in Appendix). Offences Not Elsewhere Classified mostly included ‘Alien failing to have valid passport/visa/registration certificate’, ‘No TV licence’ and ‘Illegal oil’. Twenty seven female and 19 male committals were for not having a TV licence. This represents a substantial proportion (18%) of the total 151 female committals. Public Order and Other Social Code Offences mostly comprised ‘Intoxication in a public place’ (N=50) and ‘Threatening/abusive/insulting behaviour in a public place’ (N=29).

Sexual Offences, Dangerous or Negligent Acts (e.g. dangerous driving causing serious bodily harm, driving while over the legal alcohol limit, speeding), Fraud, Deception and Related Offences and Offences Against Government, Justice Procedures and Organisation of Crime (e.g. breach of bail or court order, non-compliance with Garda Siochana) each accounted for between 8 and 9% of male sentenced committals.

#### 4.36 Committal for non-payment of fines

The majority of older committals to prison in 2013 were for non-payment of court ordered fines, accounting for 72.2% (N=109) of female and 63.9% (N=562) of male committals. For female committals the most common reasons for the original court-ordered fine were Road and Traffic Offences (N=42), Offences Not Elsewhere

Classified (N=32), Dangerous or Negligent Acts (N=9) and Offences Against Government, Justice Procedures and Organisation of Crime (N=8). Male committals were mostly due to Road and Traffic Offences (N=213), Offences Not Elsewhere Classified (N=75), Fraud, Deception and Related Offences (N=71), Dangerous or Negligent Acts (N=67) and Public Order and Other Social Code Offences (N=66). Imprisonment for non-payment of fines is discussed further in section 4.3 below.

#### *Summary of criminological profile*

Over half of older committals are in prison for the second time, and just one and five per cent of female and male committals are in prison for the first time, respectively. Most sentenced committals arise from non-payment of court ordered fines, and sentences tend to be short-term, in particular for periods of less than three months. Nine per cent (N=77) of male sentenced committals were for Sexual Offences, and smaller numbers of committals are for other violent offences such as Homicide (Female N=3, Male N=2) and Attempts/Threats to Murder, Assaults, Harassments and Related Offences (Female N=4, Male N=25). Therefore, most older committals are for less than three months and in relation to non-violent offences.

#### **4.4 Older Committal Typology**

As mentioned in Chapter Two, some criminological typologies have been accused of lacking a stated internal logic and purpose (Driver, 1968; Byrne and Roberts, 2007). The purpose of this *Older Committal Typology* is descriptive rather than analytic, and it must be emphasised again that the classification refers to committals rather than persons. This typology outlines the characteristics of all older committals in 2013, and helps clarify the reason behind these incarcerations. It also allows us explore the different policy implications of each type of committal, which are discussed in Chapter Five. Unlike prisoner typologies, this committal typology represents the total input of older people into prison in a twelve month period, giving a more accurate representation of who is sent to prison aged over fifty in Ireland, rather than giving a snapshot of those in prison at a given point in time.

The *Older Committal Typology* comprises five categories – Sex Offenders, Medium/Long-Termers, Non-Payers of Fines, Short-Termers and Unsentenced (see

Table 4.6 and Figs. 4.8 and 4.9). These five types are distinct in terms of age, previous prison experience and offence types, and present different challenges to prison resources and management. The types vary in terms of the length of time they are committed to prison for, leading to different levels of impact on prison resources such as varying levels of demands for healthcare, employment/education programmes, and reintegration planning to name a few. Each committal type will now be discussed in more detail.

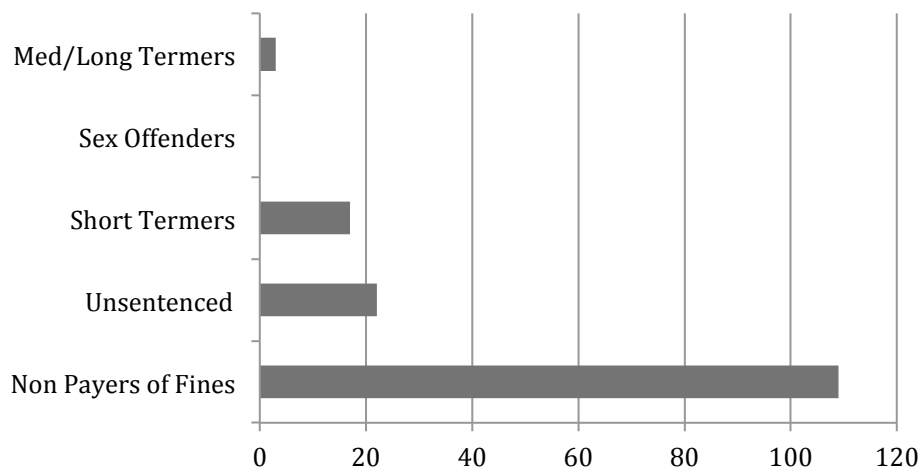
*Table 4.6 Older Committal Typology*

	N	% of older committals
Non Payers of Fines	671	65.1%
Unsentenced	159	15.4%
Short Termers	95	9.2%
Sex Offenders	77	7.5%
Med/long termers	29	2.8%

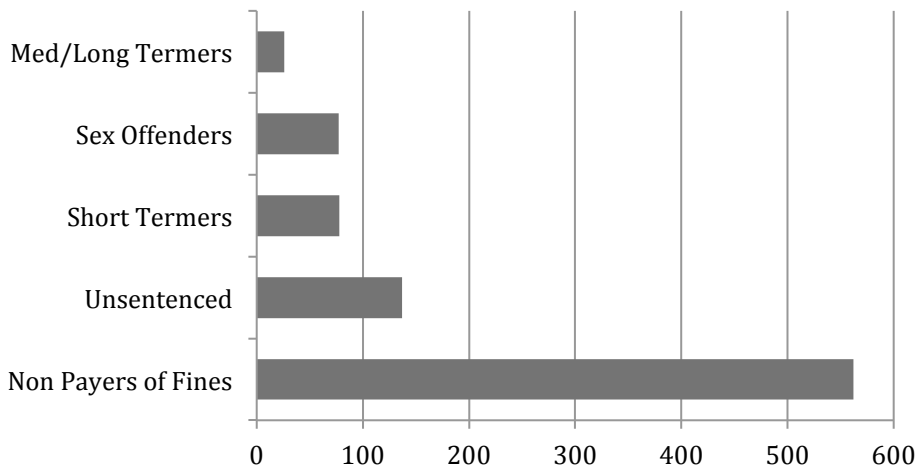
*Table 4.7 Older Committals Typology – age groups (%within type, N)*

	50 to <60	60 to <70	70 to <80	80+
Sex Offenders	53% (41)	33% (25)	9% (7)	5% (4)
Non-Payers of Fines	76% (507)	22% (147)	2% (15)	0.3% (2)
Short Termers	81% (77)	14% (13)	4% (4)	1% (1)
Medium/Long Termers	72% (21)	21% (6)	7% (2)	0% (0)
Unsentenced	79% (125)	21% (33)	1% (1)	0% (0)

**Fig. 4.8 Older Committal Typology - Female (N)**



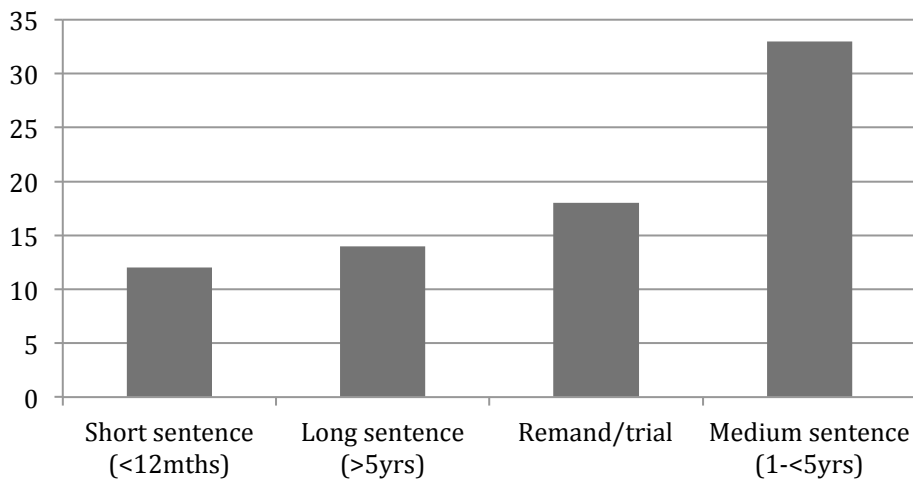
**Fig. 4.9 Older Committal Typology - Male (N)**



#### **4.41 Sex Offenders**

Though accounting for just seven per cent (N=77) of older committals, Sex Offenders are a significant cohort due to their age, offending and sentencing profile. The majority of Sex Offenders are committed under sentence, and these are mostly for medium (N=33, 43%) or long (N=14, 18%) sentences, though some are sent to prison for less than twelve months (N=12, 16%) (see Fig. 4.10). Twenty-three per cent (N=18) of Sex Offenders are unsented (i.e. on remand during trial or awaiting trial).

**Fig. 4.10 Sex Offenders - Sentence type**



Most (92%) Sex Offenders are Irish. All Sex Offenders are male, and on average 60 years old (SD=8.99) upon committal, the eldest among the typology. Most (53%) are aged between 50 and 60, however this is lower than in the other groups within the typology where at least 72% are aged between 50 and 60 (see Table 4.7). Thirty-three per cent are aged between 60 and 70, 14% are over 70 and five per cent are over 80. Sex Offenders have the lowest proportion of unemployed (56%) and the highest proportion of retired/pensioners (18%) within the typology (see Fig. 4.14).

Sex Offenders have a mean 1.04 (SD=1.631) periods of previous prison experience, the lowest within the typology, and 35% (N=27) have never been in prison before (see Table 4.8). Just under half have been in prison once before, 13% twice before and three per cent four times or more. Table 4.9 outlines the offences and sentence lengths for which sentenced Sex Offenders were committed. The most common offences are Indecent assault, Rape and Non-aggravated sexual assault.

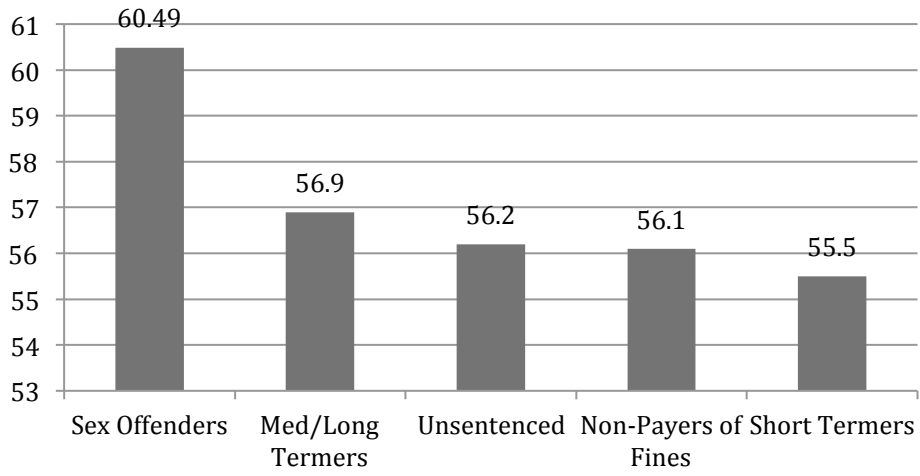
*Table 4.8 Previous prison experience among Sex Offenders*

No. of previous periods in custody	Frequency	% of Sex Offenders
0	27	35.1
1	37	48.1
2	10	13
4	1	1.3
5	1	1.3
12	1	1.3

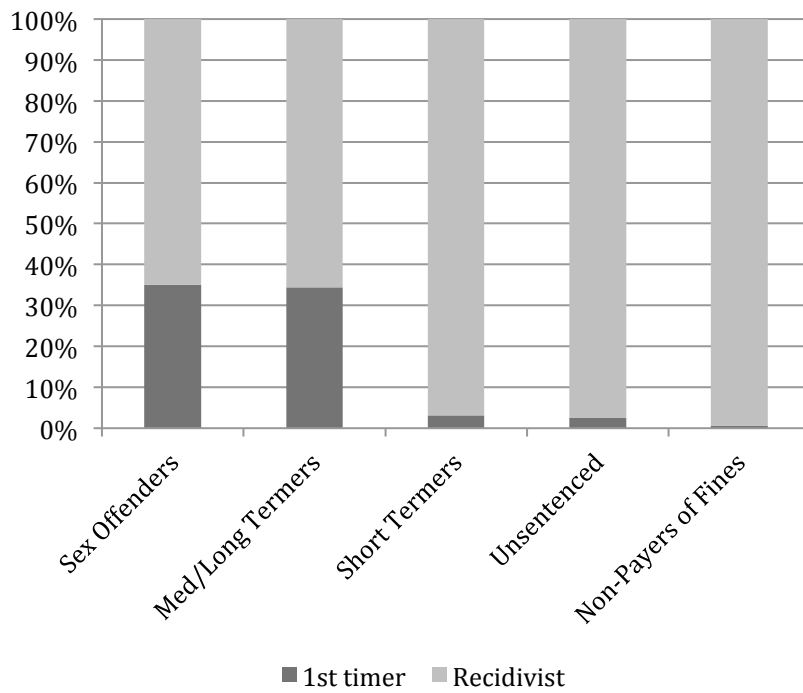
*Table 4.9 Sentenced Sex Offenders – sentence length and offence description*

	Short term	Medium term	Long term	Total
Indecent assault	6	13	1	<b>20</b>
Rape	1	9	7	<b>17</b>
Sexual assault (not aggravated)	1	9	4	<b>14</b>
Indecency	2			<b>2</b>
Child pornography offence	1	1		<b>2</b>
Fail to notify name and address	1			<b>1</b>
Defilement of a child under 15 years old		1		<b>1</b>
Sexual offence involving mentally impaired person			1	<b>1</b>
Aggravated sexual assault			1	<b>1</b>
<b>Total</b>	<b>12</b>	<b>33</b>	<b>14</b>	<b>59</b>

**Fig. 4.11 Mean age on committal**

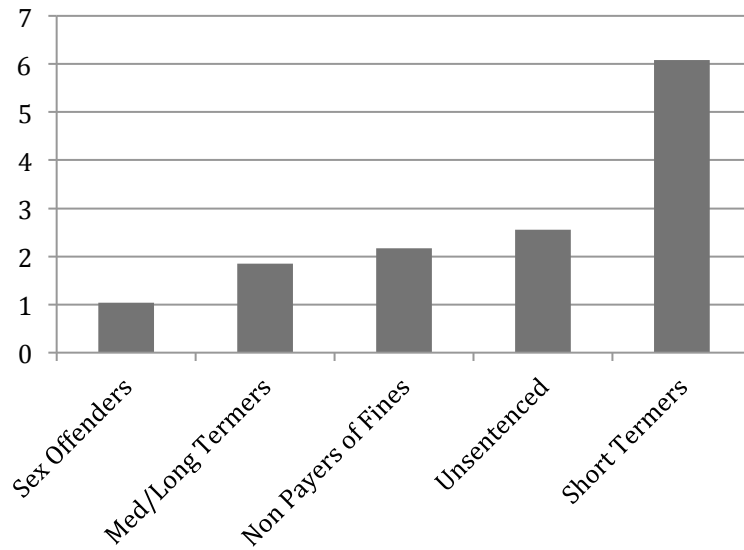


**Fig. 4.12 Previous periods in custody**

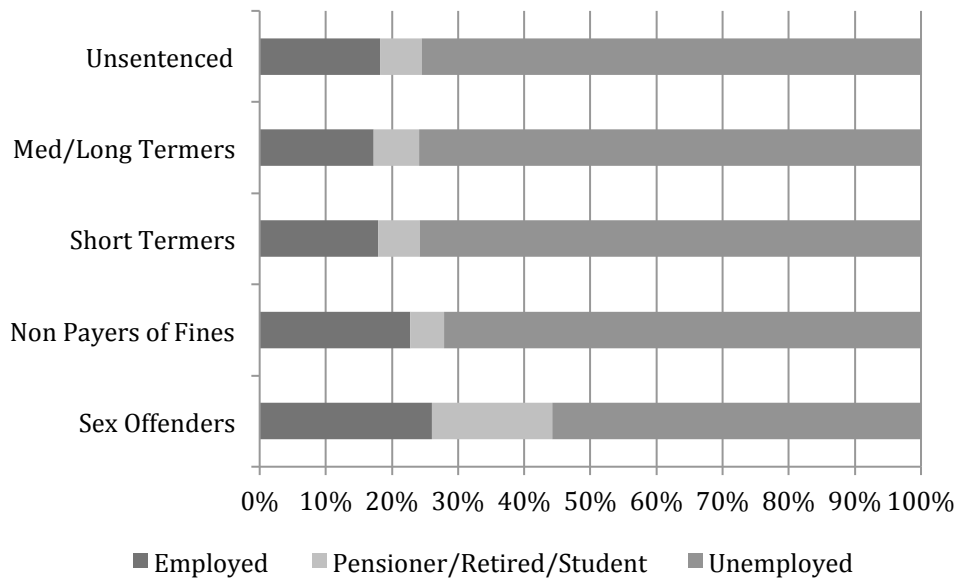




**Fig. 4.13 Mean previous periods in custody**



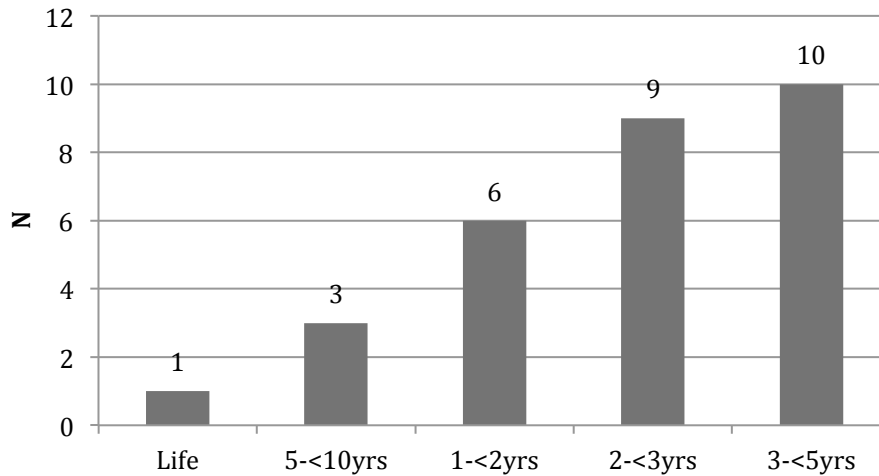
**Fig. 4.14 Occupational Status**



**4.42 Medium/Long Termers**

Medium/Long Termers are those older offenders committed under sentences for more than 12 months, but not including Sex Offenders. They account for three per cent (N=29) of older committals, but their age and sentence length make them likely to present a significant impact on prison resources.

**Fig. 4.15 Medium/Long Termers - sentence length (N)**



The average age of Medium/Long Termers on committal is 56.9 (SD=6.94), making them the second eldest group within the typology. Most (72%) are aged between 50 and 60, with seven per cent over the age of 70. Irish Medium/long Termers account for 76% of the group, with the UK (10%) and Other EU (7%) making up the next largest proportion. On average, they have 1.85 previous periods of imprisonment (SD=2.70), the second lowest within the typology and like Sex Offenders, 35% have never been in prison before. Table 4.14 details the sentencing length profile of Medium/Long Termers. Most of them are committed for sentences of two to three years (N=9), or four to five years (N=10). Only one Life sentence and three 5 to <10 year sentences are among the Medium/Long Termers.

They have a higher unemployment rate than Sex Offenders; 76% are unemployed on committal, 17% are employed and 7% are retired/pensioners. The most common offences for which they are imprisoned are Controlled Drug Offences (N=11) and Attempts/Threats to Murder, Assaults, Harassments and Related Offences (N=6) (see Table C3 in Appendix C).

#### **4.43 Non-Payers of Fines**

Committal for non-payment of fines arise when a person has been convicted for an offence for which a court imposed a sanction involving the payment of a fine. If the offender subsequently fails to pay that court-ordered fine, the court may impose a custodial sanction. Those sent to prison for non-payment of a court ordered fine

account for the largest share of older committals (65%, N=671), and account for 72% of all older female committals. 92% are Irish. The average age of Non-Payers of Fines on committal is 56.1, and 2% are above age 70. Almost all (99%) are recidivists, and the average number of previous periods of imprisonment is 2.17 (SD=2.45). They have the second highest level of employment (23%), 72% are unemployed and the lowest proportion of retired/pensioners (5%) among the typology.

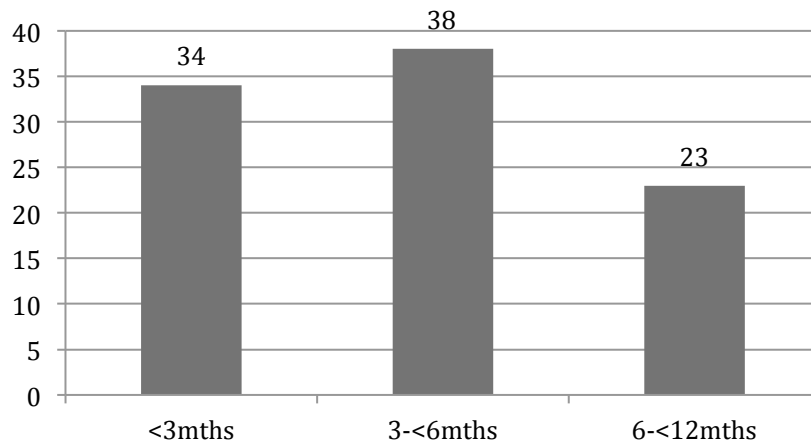
All Non-Payers of Fines are sentenced committals, the majority of which are short sentences for less than three months (96%, N=646), with the remainder for between three to six months. The main offences for which the original fine was given include Road and Traffic Offences (N=255, 38%) and Offences Not Elsewhere Classified (N=107, 16%), and the remaining others arose from ten other offence types (see Table C4 in Appendix C).

#### ***4.44 Short-Termers***

Short-Termers are sentenced committals for less than 12 months, but not including Non-Payers of Fines or Sex Offenders. Nine per cent (N=95) of older committals are Short-Termers; 81% are Irish and 82% are male. The mean age on committal is 55.16 (SD=5.44), the youngest of all groups within the typology; 81% are aged between 50 and 60 and 5% are aged over 70 years. Most Short-Termers (97%) have been in prison before and they have the highest average number of previous periods in custody (6.08, SD=6.86). Eighteen per cent of Short-Termers have been in prison ten times before. Most Short-Termers are sentenced to 3 to 6 months (N=38, 40%) or less than three months (N=34, 36%).

In terms of occupational status, 76% are unemployed, 18% employed and 6% retired/pensioner. The most common offences for which Short-Termers are committed include Theft and Related Offences (N=17), Public Order and Other Social Code Offences (N=15), and Road and Traffic Offences (N=13) (see Table C5 in Appendix C).

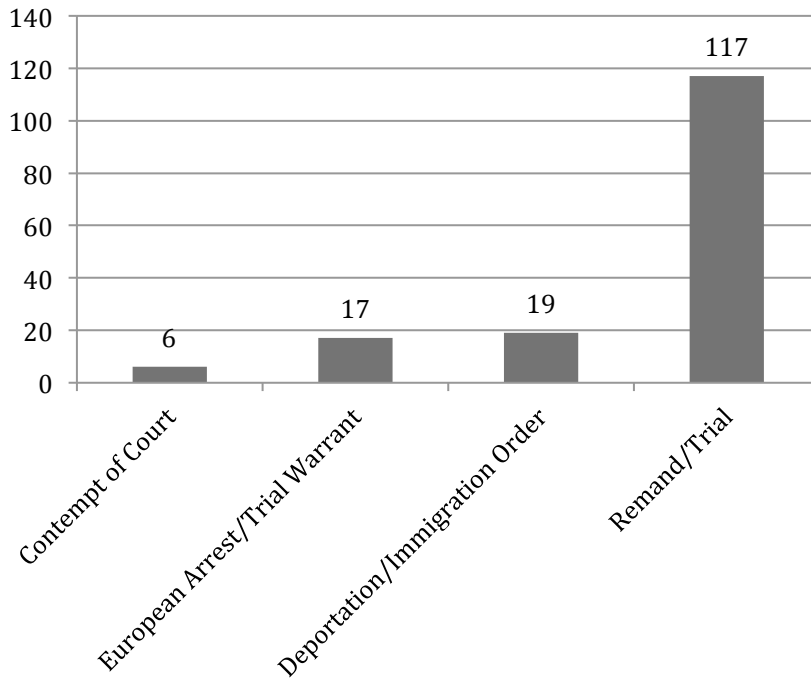
**Fig. 4.16 Short-Termers - sentence length (N)**



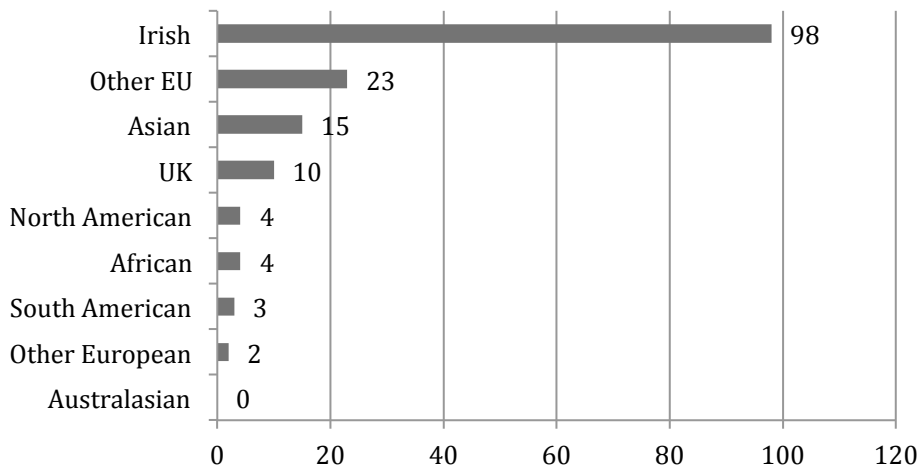
#### ***4.45 Unsented***

Those committed to prison without having been sentenced are termed Unsented, and include those on remand, on trial, European Arrest/Trial Warrants, Deportation/Immigration Orders, and some of those imprisoned for Contempt of Court. Sex Offenders are not included in this group. Fifteen per cent (N=159) of older committals are Unsented. The average age on committal is 56.2 (SD=4.92), 79% are aged between 50 and 60, with just 1% aged over 70. Most are recidivists (98%), with an average 2.55 (SD=3.68) previous periods of custody. This group has the lowest proportion of Irish (62%), with Other EU (15%), Asian (9%) and UK (6%) comprising the next largest groups of Unsented committals (see Fig. 4.16 ). Seventy-six per cent are unemployed, 18% employed and 6% retired/pensioners.

**Fig. 4.17 Unsented - warrant type (N)**



**Fig. 4.18 Unsented - nationality/region**



Most (74%) Unsented are in custody on remand or on trial; 12% are Deportation/Immigration Orders, 11% European Arrest/Trial Warrants, and 4% for Contempt of Court (see Fig. 4.17). Table C6 in Appendix B details the offences for which Unsented are sent to prison. These include Offences Against Government, Justice Procedures and Organisation of Crime (26%, N=41), half of which are in relation to European Arrest/Trial Warrants. Offences Not Elsewhere Classified (16%,

N=26) are mostly (18 out of 26 cases) due to failure to produce a passport or visa, leading to a Deportation/Immigration Order. Controlled Drug Offences (14%, N=22) and Public Order and Other Social Code Offences (11%, N=18) together account for a quarter of Unsented committals.

Based on the *Older Committal Typology*, Chapter Five will discuss the policy implications of the different groups of older people sent to prison in Ireland.

## Chapter Five: Discussion

### 5.1 Introduction

Examination of official criminal justice data remains limited in Ireland. Despite being the fastest growing age cohort among committals since 2007, little is known about older prisoners and why they end up in custody. In 2012, the Irish Prison Service outlined its *Strategy for the Management of Older Persons*, and acknowledged the increasing numbers of older prisoners, with an emphasis on ensuring healthcare services equivalent to community standards. Existing international research suggests ageing prison populations present significant challenges to standard prison regimes and care provision, costing up to three times more than younger inmates (ACLU, 2012). This study aimed to contribute to our understanding of this growing cohort within Irish prisons by asking some basic questions such as *What are the main offences for which older people are sent to prison? What is the demographic spread of older committals? How long do older prisoners get sent to prison?* Using official data provided by the Irish Prison Service, this study provided a descriptive account of older committals to prison during a twelve month period in Ireland. Using socio-demographic and criminological characteristics, an *Older Committals Typology* was constructed. The typology aimed to identify different groups within older committals with distinct penal policy implications and sentencing salience.

Having described the characteristics of older committals in Chapter Four, this chapter will discuss the implications of those findings. Using the *Older Committals Typology*, the policy and sentencing significance of each kind of older committal will be explored. The socio-demographic and criminological characteristics of different types of older committals impact prison policy in relation to regimes, care provision, sentence management and re-settlement. Older committals also shed light on sentencing practices in Ireland, particularly the use of sentences of less than three months and custodial sanction for non-payment of fines. Finally, limitations of the study and avenues worth further research are outlined.

### 5.2 Sex Offenders

The age, sentencing and socio-economic profile of Sex Offenders present distinct challenges for prison regime, care and post-release policies. Though not the largest group, they are arguably the group with the highest impact on prison policy among older committals, due to their older age profile and the nature of their offending.

### *5.21 Age-related implications*

Sex Offenders are the oldest group among older committals. On average they arrive to prison aged 60.49 years, five years older than Short-Termers. Almost one third are over 65 years, and four Sex Offenders were committed at age 80 or older. It is known from Prison Inspector Reports and Prison Visiting Committee Annual Reports on Arbour Hill that some older prisoners have high levels of physical and mental care needs, met largely by the assistance of prison officers and fellow prisoners. High profile historical sex offence cases over the past decade have also drawn attention to the committal of older Sex Offenders with complex care demands. Based on the international research outlined in Chapter Two, older prisoners can cost up to three times more to accommodate than younger prisoners and some of the unique policies required for an ageing prison population include end-of-life care, medical compassionate release and chronic disease management. As well as arriving to prison older than other committals, Sex Offenders will also remain longer in prison. Those arriving to prison for medium or long sentences with high level needs will require long-term care. Of those who have been sentenced, over half (56%) are sentenced to between one and five years and 24% for more than five years. This means that some Sex Offenders will remain in prison well into their 70s and 80s, and some may die in custody. However, the socioeconomic profile and high proportion of first-time committals of Sex Offenders may mean better health prior to imprisonment. Sex Offenders have the lowest proportion of unemployed than all types of older committals. One in three Sex Offenders are in prison for the first time, the highest level of first-timers (along with Medium/Long Termers) in the typology. These two findings suggest higher socio-economic status among Sex Offenders than other types of older committals, and as a result their lifestyle and health outcomes prior to imprisonment may be better than non-Sex Offenders. Aday (2006) found the first time prisoners tend to adjust well but become institutionalised more than recidivists.



### *5.22 Offence-related implications*

Due to the nature of their offence, and particularly in high profile cases, Sex Offenders may need to be ‘on protection’ while in custody. Protection prisoners are those who must be segregated from the general prison population for their safety, and most protection prisoners request that status voluntarily and are restricted to their cells for between 19 to 23 hours a day (Irish Prison Service, 2014b). As the National Centre for imprisoned sex offenders, no protection takes place at Arbour Hill. However, no older committals in the 2013 dataset were sent to Arbour Hill upon committal (though subsequent transfer may have been made). It is not clear how many older prisoners or sex offenders across the estate are on protection.

Sex Offenders represent one of the most difficult types of prisoners for whom to secure temporary release (Smith, 2013). The decision to grant temporary release (TR) lies with the Minister for Justice. Although the *Criminal Justice (Temporary Release of Prisoners) Act 2003* does not preclude the Minister granting TR to sex offenders and specifies that TR may be allowed on health or humanitarian grounds, it is rarely granted for them or any prisoner with a high media profile. This makes sentence management and preparation for release difficult to plan. It also means that hospital visits by Sex Offenders must be staffed at all times, no matter how low risk or infirm the prisoner is. Securing accommodation upon release from prison for this group of offenders is also significant challenge, due to lack of appropriate facilities and media intrusion in high profile cases (Seymour and Costello, 2005).

### *5.3 Medium/Long Termers*

Just three per cent of older committals are Medium/Long Termers, but like Sex Offenders, one third are in prison for the first time, and they spend longer in prison than other types of older committal. Most are sent to prison for between two to five years, and a minority (N=4) for five to 10 years or a Life sentence. They are both violent and non-violent offenders, mostly Controlled Drugs Offences and Attempts/Threats to Murder, Assaults, Harassments and Related Offences. Three Medium/Long Termers are female, one committed as a result of a Homicide Offence and two due to Controlled Drug Offences. They have long-term implications due to

their sentence length, and though younger, they may have worse health than Sex Offenders (three quarters of under 65s are unemployed upon committal). Medium/Long Termers will therefore require sentence management, access to work, education or training and, in some cases, long-term care provision.

#### ***5.4 Non-Payers of Fines***

At 65% of older committals, Non-Payers of Fines account for the largest proportion of older people sent to prison, and represent almost three quarters of all female older committals. The volume of this kind of committal and the short sentences associated with them make Non-Payers of Fines a significant insight into criminal justice policy and sentencing practices in Ireland.

The imprisonment of Non-Payers of Fines is associated with an offence that was originally not deemed serious enough for a custodial sanction, but a fine instead. It is arguable that the subsequent custodial sanction imposed for non-payment of that fine is excessive and an unnecessary use of the 'sanction of last resort'. The most common offences for which Non-Payers of Fines were originally fined are Road and Traffic Offences (not having insurance/tax/driving licence, holding mobile phone while driving), Offences Not Elsewhere Classified (no television license, illegal oil), Dangerous and Negligent Acts (drunk driving, driving over the legal speed limit), Fraud, Deception and Related Offences (failure to file tax returns), and Public Order and Other Social Code Offences (intoxication in a public place, threatening/abusive/insulting behaviour in a public place). Their socioeconomic profile suggests inability rather than refusal to pay the original court-ordered fine. Nine out of ten Non-Payers of Fines are aged under 65, though only a quarter of these are employed upon committal. Almost all (99%) have been in prison before.

The vast majority on Non-Payers of Fines (96%) are sentenced to less than three months in prison, and over half are sentenced to a custodial period of 7 days or less. At an annual cost of €65,404 per staffed prison place (2012 figure), a Non-Payer of Fines in custody for one week costs €1,254. The short length of time spent in custody may mean they have little long-term impact on regime or care resources, however Non-Payers of Fines add volume to an already overcrowded and expensive prison

estate. As mentioned in Chapter Two, the *Fines (Payment and Recovery) Act 2010* was intended to reduce the numbers of people being sent to prison for non-payment of fines by allowing fines be paid in instalments or to allow a community service order for those who the court finds unable to pay. According to the *White Paper on Crime Discussion Document No. 2* (Department of Justice, Equality and Law Reform, 2010: 24), imprisonment more than any other sanction ‘provides for incapacitation and provides a punitive ‘bite’. It is unlikely that imprisonment of Non-Payers of Fines serves any incapacitation function, but may be accused of being excessively punitive.

### ***5.5 Unsented***

Unsented committals account for the second-largest proportion of older committals (15%), and are significant due to the range of nationalities among them, and the fact that they are in prison without having been sentenced. The United Nations Human Rights Committee has highlighted the practice of remand prisoners and immigration detainees being held in facilities alongside sentenced prisoners, and have called for a timeline to be put in place for separate detention of these types of committals. Almost half of Unsented committals are sent to Cloverhill, the only remand-only prison in Ireland. Those held elsewhere are not guaranteed to be separated from convicted prisoners.

Like most other groups, Unsented are mostly male (86%) and have high numbers of unemployed (76%). Three quarters are on remand for a range of offences, and the rest are in custody for Deportation/Immigration Orders, European Arrest/Trial Warrants and Contempt of Court. With just two thirds of Unsented being Irish or British, some level of language support is required for Immigration detainees to ensure that rules and rights in relation to legal advice visits are understood (Irish Council for Civil Liberties, 2012).

### ***5.6 Short-Termers***

Combining Short-Termers and Non-Payers of Fines, all of whom have been imprisoned for less than 12 months, three quarters of older committals are as a result of short sentences. Policy attempts have been made to reduce the number of short

sentenced committals to prison. The *Criminal Justice (Community Service) (Amendment) Act 2011* requires District Court judges consider community service orders for offences that would otherwise lead to a period of imprisonment for less than six months. A Community Service Order involves between 40 and 240 hours of unpaid work within the community, and an average Community Service Order costs €1500. So, in the case of three-quarters of Short-Termers, the court would have had the opportunity to impose a community service order instead of a custodial sanction. However, we know that sentencing disparity between judges exist (Maguire, 2010). Geographic inconsistency in the number of Community Service Order (CSO) supervisions is evident in the *Probation Service Annual Report 2013* - Dublin and Cork have less than 60 CSOs per 100k population, Longford and Louth have more than 80 CSOs per 100k population, and Monaghan and Cavan have more than 100 CSOs per 100k population.

Accounting for just nine per cent of older committals, Short-Termers represent the youngest and most recidivist group among older committals. They are sentenced to less than three months (36%), three to six months (40%) and six to twelve months (24%). They have been in custody an average six times before, and almost one in five have been in prison ten times before. Most Short-Termers (93%) are aged under 65, and three quarters of those are unemployed upon committal. The kinds of offences for which Short-Termers are imprisoned include Theft and Related Offences, Public Order and Other Social Code Offences and Road and Traffic Offences. High unemployment, high levels of recidivism and a significant proportion of theft and burglary (24%) suggest Short-Termers are a more disadvantaged group than others within older committals. It may be that Short-Termers represent those offenders on the age/crime curve who do not desist from offending over the life course (Osgood, 2012).

### ***5.7 Limitations of the study***

Methodological limitations: Firstly, the study's cross-sectional design prevents any generalisation or explanation of the trend of increasing older committals, instead providing a descriptive account of a specific period of time (Semmens, 2011). Secondly, the IPS dataset was fully anonymised and did not include any unique

identifier codes, thus preventing the ability to identify multiple committals for the same person during the 12-month period. It would be useful, given the large size of the dataset, to test for statistically significant relationships between age and offence type, sentence type, and previous periods of recidivism.

Theoretical limitations: given that offending history and socio-economic variables were limited to those captured by PRIS, there was little scope in the study for development of theoretical interpretations of the findings. A prisoner survey designed to explore social and criminological backgrounds could contribute to understanding theories of crime and ageing and social theories of ageing. Focussing on committals to prison rather than arrests, convictions or self-reported offending means we cannot make assumptions about patterns of older offending or whether late-onset offending is a possible explanation for increasing older committals in Ireland.

## ***5.8 Avenues for further research***

### *5.81 Crime and ageing*

The 2007 to 2014 trend in older committals is worth further exploration. Since 2009, steady increases in the number of older committals, in particular female older committals, coincide with a levelling off among all other age groups. A longitudinal analysis of IPS data, comparing younger and older committals may help explain this trend. Additionally, examination of Garda convictions over this period may give insight into offending patterns between age groups. Since committal to prison is the final stage in the criminal justice process, conviction data, gives a more accurate picture of offending (albeit detected, not actual offending). Is there evidence of greater levels of offending in the older population? (If not, how do we explain the increasing older prison committals?) How do the kinds of offences differ according to age groups?

### *5.82 Female older committals*

This study found just one per cent of older female committals were first-time periods of imprisonment. Further research is needed in relation to older women's experience of prison in Ireland, to find out the extent of age and gender-specific needs and challenges they face during incarceration. Mayock and Sheridan's (2013) study of

homeless women's experience of and paths in and out of incarceration found most had experienced trauma and deprivation, and that prison is part of a cyclical institutionalisation throughout their lives. The most recent Dochas Centre Prison Visiting Committee Annual Report (2013) raised concerns for women who were experiencing homelessness and how this delayed their release from custody.

#### *5.83 Older prisoners' needs*

There is a need for prisoner-based research to look at the experiences and needs of older prisoners across the estate in Ireland. Based on the different types of older people identified in the *Older Committals Typology*, it is important that Unsentenced, Short-Termers and Non-Payers of Fines are included in any study, as they can be overlooked in prisoner typologies and studies due to their small numbers within the older prisoner population on any given day, compared to Sex Offenders and Medium/Long Terms. A qualitative or quantitative survey of older prisoners should attempt to include male and female prisoners, and where possible cover a range of age groups and nationalities. In their Strategy for the Management of Older People, the IPS categorise as older those aged over 60 – a prisoner survey would contribute towards the debate on how to define older in prison and whether those aged 50 and above should be included in the IPS strategic plans.

### **5.9 Conclusion**

The increasing numbers of older committals to prison raise questions about patterns of criminal offending and sentencing in Ireland. While overall prison numbers appear to have stabilised since 2010, more older people continue to be committed while other age groups' imprisonment declines. This study attempted to explore the socio-demographic and criminological characteristics of older committals, with a view to understanding their potential policy implications. During the course of the research, the data also provided an insight into sentencing practices in Ireland. 'Older old', those who more than likely present the most complex care needs, are mostly Sex Offenders, who have additional offence-related implications for prison management. However, non-violent short-sentenced offences such as those resulting from non-payment of fines comprise the bulk of older committals. Sentencing and prison policy

attempts to reduce the volume of short-term and fine-related imprisonment have yet to be reflected in older committals.

This study demonstrates the merits of including a committal-centred approach to understanding older prisoners. It emphasises the heterogeneity of offence and sentence types among older people sent to prison in Ireland, compared to snapshot data of the 'older prison population' who remain in custody on a given day. Similar but more in-depth longitudinal age-related analysis of official prison data is both feasible and warranted to fully understand prison population trends in Ireland.

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## Appendix A: Re-coding of variables in SPSS

*Table A1 Re-coding 'Level of Education'*

<i>Original variable</i>	<i>New variable</i>
Write name only	Semi-literate/Illiterate
Semi-literate	Semi-literate/Illiterate
Illiterate	Semi-literate/Illiterate
Primary level	Primary
Primary certificate	Primary
Secondary – no certificate	Primary
Junior/Intermediate certificate	Secondary
Group certificate	Secondary
Senior/Leaving certificate	Secondary
3 <sup>rd</sup> level certificate	Third level
3 <sup>rd</sup> level diploma	Third level
3 <sup>rd</sup> level degree	Third level
Masters	Third level
Doctorate	Third level
Other	Missing

*Table A2 Re-coding 'Sentence length'*

<i>Original variable</i>	<i>New variable</i>
<3 months	Short-term
3 to <6 months	Short-term
6 to <12 months	Short-term
1 to <2 years	Medium-term
2 to <3 years	Medium-term
3 to <5 years	Medium-term
5 to <10 years	Long-term
>10 years	Long-term
Life	Long-term

*Table A3 Re-coding 'Occupational status'*

<i>Original variable</i>	<i>New variable</i>
Employed	Employed

Pensioner	Pensioner/Retired/Student
Retired	Pensioner/Retired/Student
Student	Pensioner/Retired/Student
Unemployed	Unemployed

*Table A4 Re-coding 'Age group'*

<i>Original variable</i>	<i>New variable</i>
50 to <55	50 to <60
55 to <60	50 to <60
60 to <65	60 to <70
65 to <70	60 to <70
70 to <75	70 to <75
75 to <80	70 to <75
80 to <85	>80

*Table A5 Re-coding 'Warrant type'*

<i>Original variable</i>	<i>New variable</i>
Contempt of Court	Contempt of Court
Debtor	Sentenced
Deportation/Immigration Order	Deportation/Immigration Order
European Arrest Extradition Warrant	European Arrest /Trial Warrant
European Arrest Trial Warrant	European Arrest /Trial Warrant
Fine	Fine
Fine Already Served	Fine
Remand	Remand/Trial
Sentenced	Sentenced
Trial	Remand/Trial

## Appendix B

*Table B1 County of residence*

	N	%
Dublin	209	20.6%
Cork	172	16.9%
Limerick	69	6.8%
Galway	58	5.7%
Wexford	40	3.9%
Clare	37	3.6%
Tipperary	37	3.6%
Wicklow	33	3.2%
Kildare	32	3.1%
Kilkenny	29	2.9%
Louth	28	2.8%
Meath	26	2.6%
Offaly	23	2.3%
Kerry	22	2.2%
Donegal	20	2.0%
Mayo	20	2.0%
Cavan	18	1.8%
Waterford	18	1.8%
Laois	16	1.6%
Roscommon	16	1.6%
Westmeath	15	1.5%
Carlow	14	1.4%
Monaghan	12	1.2%
No Fixed Abode	11	1.1%
Outside Country	10	1.0%
Sligo	9	0.9%
Longford	8	0.8%
Leitrim	7	0.7%
Armagh	4	0.4%
Fermanagh	2	0.2%
Derry	1	0.1%



*Table B2 Dublin residents*

	N	%
Dublin County	107	51.2%
Dublin 1	11	5.3%
Dublin 17	11	5.3%
Dublin 24	10	4.8%
Dublin 7	10	4.8%
Dublin 5	8	3.8%
Dublin 8	8	3.8%
Dublin 13	7	3.3%
Dublin 2	7	3.3%
Dublin 15	6	2.9%
Dublin 12	5	2.4%
Dublin 11	4	1.9%
Dublin 3	3	1.4%
Dublin 6	3	1.4%
Dublin 10	2	1.0%
Dublin 18	2	1.0%
Dublin 22	2	1.0%
Dublin 16	1	0.5%
Dublin 4	1	0.5%
Dublin 9	1	0.5%

## Appendix C: Offence types

Table C1 Female sentenced committals – offence type

	N
Road and Traffic Offences	44
Offences Not Elsewhere Classified	44
Offences Against Government, Justice Procedures and Organisation of Crime	13
Dangerous or Negligent Acts	11
Theft and Related Offences	10
Public Order and Other Social Code Offences	8
Controlled Drug Offences	5
Damage to Property and to the Environment	5
Attempts/Threats to Murder, Assaults, Harassments and Related Offences	4
Homicide Offences	3
Fraud, Deception and Related Offences	3
Weapons and Explosives Offences	1

Table C2 Male sentenced committals – offence type

	N
Road and Traffic Offences	228
Public Order and Other Social Code Offences	96
Offences Not Elsewhere Classified	93
Sexual Offences	77
Dangerous or Negligent Acts	76
Fraud, Deception and Related Offences	76
Offences Against Government, Justice Procedures and Organisation of Crime	74
Damage to Property and to the Environment	41
Controlled Drug Offences	37
Theft and Related Offences	33
Attempts/Threats to Murder, Assaults, Harassments and Related Offences	25
Burglary and Related Offences	10
Weapons and Explosives Offences	8
Robbery, Extortion and Hijacking Offences	3
Homicide Offences	2
Kidnapping and Related Offences	1

Table C3 Medium/Long Termers – offence types

	N
Controlled Drug Offences	11
Attempts/Threats to Murder, Assaults, Harassments and Related Offences	6
Theft and Related Offences	3
Damage to Property and to the Environment	2
Homicide Offences	1
Robbery, Extortion and Hijacking Offences	1
Burglary and Related Offences	1
Fraud, Deception and Related Offences	1
Weapons and Explosives Offences	1
Public Order and Other Social Code Offences	1
Offences Against Government, Justice Procedures and Organisation of Crime	1
Dangerous or Negligent Acts	0

Kidnapping and Related Offences	0
Road and Traffic Offences	0
Offences Not Elsewhere Classified	0

*Table C4 Non-Payers of Fines – offences from which court-ordered fine arose*

	N
Road and Traffic Offences	255
Offences Not Elsewhere Classified	107
Dangerous or Negligent Acts	76
Fraud, Deception and Related Offences	73
Public Order and Other Social Code Offences	70
Offences Against Government, Justice Procedures and Organisation of Crime	34
Damage to Property and to the Environment	28
Theft and Related Offences	13
Controlled Drug Offences	7
Attempts/Threats to Murder, Assaults, Harassments and Related Offences	4
Burglary and Related Offences	2
Weapons and Explosives Offences	2
Kidnapping and Related Offences	0
Robbery, Extortion and Hijacking Offences	0
Homicide Offences	0

*Table C5 Short-Termers – offence types*

	N
Theft and Related Offences	17
Public Order and Other Social Code Offences	15
Road and Traffic Offences	13
Offences Against Government, Justice Procedures and Organisation of Crime	11
Attempts/Threats to Murder, Assaults, Harassments and Related Offences	9
Dangerous or Negligent Acts	8
Burglary and Related Offences	6
Damage to Property and to the Environment	6
Offences Not Elsewhere Classified	4
Weapons and Explosives Offences	3
Controlled Drug Offences	2
Robbery, Extortion and Hijacking Offences	1
Kidnapping and Related Offences	0
Fraud, Deception and Related Offences	0
Homicide Offences	0

*Table C6 Unsentenced – offence types*

	N
15 Offences Against Government, Justice Procedures and Organisation of Crime	41
16 Offences Not Elsewhere Classified	26
10 Controlled Drug Offences	22
13 Public Order and Other Social Code Offences	18
03 Attempts/Threats to Murder, Assaults, Harassments and Related Offences	10
08 Theft and Related Offences	10

12 Damage to Property and to the Environment	10
09 Fraud, Deception and Related Offences	5
01 Homicide Offences	4
14 Road and Traffic Offences	4
04 Dangerous or Negligent Acts	3
11 Weapons and Explosives Offences	3
05 Kidnapping and Related Offences	1
06 Robbery, Extortion and Hijacking Offences	1
07 Burglary and Related Offences	1

## **Appendix D**

### **IRISH CRIME CLASSIFICATION SYSTEM**

#### **01 HOMICIDE OFFENCES**

- 011 MURDER/MANSLAUGHTER/INFANTICIDE
- 0111 Murder
- 0112 Manslaughter
- 0113 Infanticide
- 012 DANGEROUS DRIVING LEADING TO DEATH
- 0121 Manslaughter (traffic fatality)
- 0122 Dangerous driving causing death

#### **02 SEXUAL OFFENCES**

- 021 RAPE AND SEXUAL ASSAULT
- 0211 Rape of a male or female
- 0212 Defilement of a boy or girl less than 17 years old
- 0213 Sexual offence involving mentally impaired person
- 0214 Aggravated sexual assault
- 0215 Sexual assault (not aggravated)
- 022 OTHER SEXUAL OFFENCES
- 0221 Incest
- 0222 Child pornography offences
- 0223 Child pornography - obstruction of warrant
- 0224 Gross indecency

#### **03 ATTEMPTS/THREATS TO MURDER, ASSAULTS, HARASSMENTS AND RELATED OFFENCES**

- 031 ATTEMPTS/THREATS TO MURDER
- 0311 Murder-attempt
- 0312 Murder-threat
- 032 ASSAULTS
- 0321 Assault causing harm
- 0322 Poisoning
- 0323 Assault or obstruction of Garda/official, resisting arrest
- 0324 Minor assault
- 033 HARASSMENT AND RELATED OFFENCES
- 0331 Harassment, stalking, threats
- 0332 Coercion
- 0333 Menacing phone calls
- 0334 Incitement to hatred offences
- 0335 Demanding payment of debt causing alarm

#### **04 DANGEROUS OR NEGLIGENT ACTS**

- 041 DANGEROUS OR NEGLIGENT OPERATION OF A VEHICLE
- 0411 Dangerous driving causing serious bodily harm
- 0412 Driving/In charge of a vehicle while over legal alcohol limit
- 0413 Driving/In charge of a vehicle under the influence of drugs
- 0414 Dangerous/careless driving and motorway offences
- 0415 Speeding
- 042 OTHER DANGEROUS OR NEGLIGENT ACTS
- 0421 Endangerment with potential for serious harm/death
- 0422 Abandoning a child, child neglect and cruelty
- 0423 Unseaworthy/Dangerous use of boat or ship
- 0424 False alarm/Interference with aircraft or air transport facilities
- 0425 Endangering traffic offences

#### **05 KIDNAPPING AND RELATED OFFENCES**

- 051 FALSE IMPRISONMENT, ABDUCTION

0511 False Imprisonment 0512 Abduction of person under 16 years of age

**06 ROBBERY, EXTORTION AND HIJACKING OFFENCES**

**061 ROBBERY**

0611 Robbery of an establishment or institution

0612 Robbery of cash or goods in transit

0613 Robbery from the person

**062 EXTORTION OFFENCES**

0621 Blackmail, extortion

**063 HIJACKING OFFENCES**

0631 Carjacking, hijacking/unlawful seizure of aircraft/vessel

**07 BURGLARY AND RELATED OFFENCES**

**071 BURGLARY**

0711 Aggravated burglary

0712 Burglary (not aggravated)

0713 Possession of an article (with intent to burgle, steal, demand)

**08 THEFT AND RELATED OFFENCES**

**081 THEFT/TAKING OF VEHICLE AND RELATED OFFENCES**

0811 Theft/Unauthorised taking of vehicle

0812 Interfering with vehicle (with intent to steal item or vehicle)

**082 THEFT (NOT VEHICLE)**

0821 Theft from person

0822 Theft from shop

0823 Theft from vehicle

0824 Theft/Unauthorised taking of a pedal cycle

0825 Theft of, or interference with, mail

0826 Theft of other property

**083 HANDLING STOLEN PROPERTY**

0831 Handling or possession of stolen property

**09 FRAUD, DECEPTION AND RELATED OFFENCES**

**091 FRAUD, FORGERY AND FALSE INSTRUMENT OFFENCES**

0911 Fraud, deception, false pretence offences

0912 Forging an instrument to defraud

0913 Possession of an article for use in fraud, deception or extortion

0914 Falsification of accounts

0915 Offences under the Companies Act

0916 Offences under the Investment Intermediaries Act

0917 Offences under the Stock Exchange Act

**092 OTHER FRAUD**

0921 Money laundering

0922 Embezzlement

0923 Fraud against the European Union

0924 Importation/Sale/Supply of tobacco

**093 COUNTERFEITING CURRENCY AND RELATED OFFENCES**

0931 Counterfeiting notes and coins

**094 CORRUPTION**

0941 Corruption (involving public office holder)

**10 CONTROLLED DRUG OFFENCES**

**101 IMPORTATION/MANUFACTURE OF DRUGS**

1011 Importation of drugs

1012 Cultivation or manufacture of drugs

**102 POSSESSION OF DRUGS**

1021 Possession of drugs for sale or supply

1022 Possession of drugs for personal use

**103 OTHER DRUG OFFENCES**

1031 Forged or altered prescription offences 1032 Obstruction under the Drugs Act

## **11 WEAPONS AND EXPLOSIVES OFFENCES**

### **111 EXPLOSIVES, CHEMICAL WEAPONS OFFENCES**

1111 Causing an explosion

1112 Making of explosives

1113 Possession of explosives

1114 Chemical weapons offences

### **112 FIREARMS OFFENCES**

1121 Discharging a firearm

1122 Possession of a firearm

### **113 OFFENSIVE WEAPONS OFFENCES (NEC)**

1131 Possession of offensive weapons (not firearms)

### **114 FIREWORKS OFFENCES**

1141 Fireworks Offences (for sale, IGNITING etc.)

## **12 DAMAGE TO PROPERTY AND TO THE ENVIRONMENT**

### **121 CRIMINAL DAMAGE**

1211 Arson

1212 Criminal damage (not arson)

### **122 ENVIRONMENTAL DAMAGE**

1221 Litter offences

## **13 PUBLIC ORDER AND OTHER SOCIAL CODE OFFENCES**

### **131 DISORDERLY CONDUCT**

1311 Affray/Riot/Violent disorder

1312 Public order offences

1313 Drunkenness offences

1314 Air rage-disruptive or drunken behaviour on aircraft

### **132 TRESPASS OFFENCES**

1321 Forcible entry and occupation (not burglary)

1322 Trespass on lands or enclosed areas

### **133 LIQUOR LICENSING OFFENCES**

1331 Liquor licensing offences

1332 Registered clubs offences

1333 Special restaurant offences

### **134 PROSTITUTION OFFENCES**

1341 Brothel keeping

1342 Organisation of prostitution

1343 Prostitution, including soliciting etc.

### **135 REGULATED BETTING/MONEY, COLLECTION/TRADING OFFENCES**

1351 Offences under the Betting Acts

1352 Collecting money without permit, unauthorised collection

1353 Offences under Gaming and Lotteries Acts

1354 Permit/License offences for casual/street trading

### **136 SOCIAL CODE OFFENCES (NEC)**

1361 Bestiality

1362 Indecency

1363 Allowing a child (under 16 years) to beg

1364 Bigamy

1365 Begging

## **14 ROAD AND TRAFFIC OFFENCES (NEC)**

### **141 DRIVING LICENCE/INSURANCE OFFENCES**

1411 Driving licence-failure to have, produce, etc.

1412 Insurance-failure to have, produce, display, etc.

### **142 VEHICLE TAX/REGISTRATION OFFENCES**

1421 No tax, non-display of tax, unregistered vehicle etc.

1422 Misuse of Trade Licence

### **143 ROADWORTHINESS/REGULATORY OFFENCES**

1431 Misuse of trailers, weight and other offences

- 1432 Obstruction under Road Traffic Acts
- 1433 Other road offences
- 144 ROAD TRANSPORT/PUBLIC SERVICE VEHICLE OFFENCES
- 1441 Road Transport - carriage of goods offences
- 1442 Public Service Vehicle offences
- 1443 Light rail offences (Luas)

## **15 OFFENCES AGAINST GOVERNMENT, JUSTICE PROCEDURES AND ORGANISATION OF CRIME**

- 151 OFFENCES AGAINST GOVERNMENT AND ITS AGENTS
  - 1511 Treason
  - 1512 Breaches of Offences Against the State Acts
  - 1513 Breaches of Official Secrets Act
  - 1514 Impersonating member of An Garda Síochána
  - 1515 Electoral offences including personation
  - 1516 Public mischief-annoying phone calls, wasting police time
  - 1517 Criminal Assets Bureau offences
  - 1518 Non compliance with Garda direction
- 152 ORGANISATION OF CRIME AND CONSPIRACY TO COMMIT CRIME
  - 1521 Criminal organisation offences (organised crime)
  - 1522 Conspiracy to commit a crime
- 153 PERVERTING THE COURSE OF JUSTICE
  - 1531 Perjury 1532 Interfering with a jury (embracery)
  - 1533 Assisting offenders
  - 1534 Public mischief, pervert course of justice, conceal offence
- 154 OFFENCES WHILE IN CUSTODY AND RELATED OFFENCES
  - 1541 Escape or help to escape from custody
  - 1542 Prison offences
- 155 BREACH OF JUSTICE/COURT ORDER
  - 1551 Breach of Domestic Violence Order (protection, safety, barring)
  - 1552 Breach of bail
  - 1553 Failure to comply under Sex Offenders Act
  - 1554 Breach of order under Family Law Act
  - 1556 Other failure to comply with court order, jury summons, warrant etc.

## **16 OFFENCES NOT ELSEWHERE CLASSIFIED (NEC)**

- 161 IMPORTATION/CONTROL/WELFARE OF ANIMALS OFFENCES
  - 1611 Illegal importation of animals
  - 1612 Control of horses offences
  - 1613 Dog ownership offences (licence, control etc.)
  - 1614 Offences against animals
- 162 FISHERIES/MARITIME OFFENCES
  - 1621 Breaches of EU fishing quota/related EU regulation
  - 1622 Merchant shipping/Maritime safety offences
- 163 USE OF DATA, ELECTRONIC COUNTERFEIT AND BROADCASTING OFFENCES
  - 1631 Unauthorised accessing of data
  - 1632 Recording, possession, distribution of counterfeit material
  - 1633 Unauthorised broadcasting and illegal signal reception
- 164 MISCELLANEOUS OFFENCES
  - 1641 Abortion 1642 Procuring or assisting in abortion
  - 1643 Concealment of birth
  - 1644 Destroying/Disposing of a dead body
  - 1645 Pawnbroking offences
  - 1646 Offences in connection with rail travel
  - 1647 Employment permit offences (relating to non-Irish national)
  - 1648 Immigration offences/carrier liability



