

INDIGENOUS AND MINORITY ETHNIC GROUPS IN PRISON

It is recognised that Travellers are significantly over-represented within the prison system. Although only accounting for 0.7% of population in the Republic of Ireland, Travellers account for an estimated 10% of the entire prison population and 15% of the female prison population (based on a census of Travellers in prison undertaken by the Irish Prison Service in 2018).

This over-representation is not unique to Ireland; the same trend is found amongst indigenous and minority ethnic groups in other countries. In this briefing sheet, we present some key statistics from New Zealand, Australia, Canada, and England & Wales. The statistics reveal that the over-representation is increasing and is – in some instances – almost double that of ten years ago. They are even more acute for indigenous women, and for juveniles.

This briefing sheet also provides an overview of the factors giving rise to this over-representation, as well as some of the recommended measures to address this situation.

1. AT A GLANCE...THE OVER-REPRESENTATION OF MINORITY ETHNIC GROUPS IN PRISONS

The table below provides an overview of how over-represented various groups are in prisons in Ireland, England/Wales, Australia, Canada and New Zealand. This over-representation is particularly high for women and young people (juveniles).

As the prison population changes all the time, these figures provide estimates and can slightly change from time to time.

Country	Group	% total pop	% prison pop	% female prison pop	% juvenile prison pop
New Zealand	Maori	12.5%	51%	56%	61.2%
Australia	Indigenous	2.8%	27%	34%	51%
England & Wales	Black/Black British	3.3%	13%	8%	47%
Canada	Indigenous	4%	28%	43%	47% male 60% female
Ireland	Travellers	0.7%	10%	15%	19%

2. COMMON EXPERIENCES IN THE CRIMINAL JUSTICE SYSTEM

Indigenous offenders are less likely to be granted early release from prison ('parole'), are more likely to return to prison (if released early) when compared to the general population of offenders.

While in prison, indigenous people are more likely to experience segregation, forced interventions, higher security classifications, involuntary transfers, physical restraints and self-harm.

Indigenous children in contact with the criminal justice system are more likely to be charged, more likely to be refused bail, more likely to end up in detention.

3. COMMON CAUSES

International research has found that the causes leading to high levels of imprisonment include:

Effects of colonisation/forced assimilation

- The legacy of stripping indigenous people of their land, their culture, laws and customs, language and customs (forced assimilation)
- Disruption of culture and traditions (urbanisation, colonisation, discrimination)
- Denial of identity

Effects of poverty and exclusion	<ul style="list-style-type: none"> • High levels of unemployment (intergenerational unemployment) • Lack of access to housing, and to land for housing • Educational disadvantage and low education attainment • Poor health • Mental health problems
Discrimination and oppression	<ul style="list-style-type: none"> • Experience of discrimination in accessing goods and services • Description in media as criminals • A justice system with conscious and unconscious racism • The effects of oppression: including addiction, use of alcohol and other drugs
Gender dimension	<ul style="list-style-type: none"> • Indigenous women in prison are more likely to struggle with housing insecurity, poverty, mental illness and the effects of trauma.
Early years' experience	<ul style="list-style-type: none"> • Removal of children from their homes, families and culture and placing them in institutional care and resulting traumatic experiences • Indigenous children are more likely to drop out of education, have mental health issues and thoughts of suicide, and are more likely to be in foster care or institutions.

4. RECOMMENDATIONS FOR ACTION FROM OTHER COUNTRIES TO ADDRESS OVER-REPRESENTATION

The Australian Law Reform Commission's Inquiry recommended:

- Greater support for indigenous Australians in the criminal justice system to improve health, social and economic outcomes for the community
- More use of community-based alternatives to prison
- Invest in community-led, place-based initiatives that address the causes of crime and imprisonment

In Canada:

- Judges are urged to take into account the history of abuse and displacement experienced by Indigenous people, as well as the history of the offender during pre-sentencing and bail hearings
- The prison services agree that it needs to provide culturally appropriate supports in prison, and the Canadian government has allocated 43 million euro between 2017-2022 to help reverse the high rates of imprisonment of Indigenous Canadians
- The Truth and Reconciliation Commission in Canada¹ has called for community sanctions that will provide realistic alternatives to imprisonment for Aboriginal offenders and respond to the underlying causes of offending.

In New Zealand:

- Māori-led initiatives are fundamental to reducing the imprisonment of Māori. Rebuilding the community, its traditions and restoring pride in its cultural identity is acknowledged as crucial in reducing imprisonment.

THIS BRIEFING SHEET WAS PRODUCED BY THE TRAVELLERS IN PRISON INITIATIVE (TPI)

The Travellers in Prison Initiative (TPI) was developed in 2014 as a response to the particular needs and circumstances of Travellers in prisons in the Republic of Ireland. It is a programme of the St Stephen's Green Trust, which is also funded by the Irish Prison Service (IPS) and the Probation Service. It is governed by a steering group, which is chaired by the National Traveller Women's Forum (NTWF) and includes the membership of: Pavee Point, the NTWF, the Irish Traveller Movement, IASIO, the Irish Prison Service, the Probation Service, the Irish Penal Reform Trust, Mincéirs Whiden, Exchange House, Traveller Counselling Service, the Irish Red Cross, HSE (Social Inclusion), the Education and Training Board, National Traveller MABS, the Traveller Mediation Service and Parish of the Travelling People.

¹ Truth and Reconciliation Commission of Canada (2015): *Calls to Action*

² *They're our Whanu – A community-powered and collaborative research project on Maori perspectives of New Zealand's Justice System* (2018)