

## Juvenile Justice, Crime and Early Intervention: Key Challenges from the Limerick Context

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**Summary:** This paper outlines the findings of a three-year study on criminal gang participation, anti-social behaviour and systems of intimidation within disadvantaged communities in Limerick city. The research is considered in light of debates about motivations for criminality and the effectiveness of early intervention strategies in tackling juvenile justice issues. It is argued that despite the fact that much social, youth and Probation Service work focuses on convincing the individual of the irrationality of criminal acts, there are strong rational reasons to engage in criminal activity within contemporary Irish society. Participation in a gang can provide a socially excluded young man or woman with a form of fear-based political status that is very powerful in a society where they are otherwise viewed as 'scumbags'. Those associated with criminal gangs in Limerick city also had a very clear vision of the financial rewards linked to gang participation. Given this rational aspect of criminal behaviour, it is argued that those who advocate early intervention strategies as a means of tackling juvenile justice issues must give greater consideration to the reasons why a family enmeshed in criminality might not engage with these programmes and develop appropriate responses.

**Keywords:** Criminal gang, rationality, juvenile justice, early intervention strategies, familial engagement.

### Introduction

Limerick city has long held a negative image in the national and international media linked to the activities of feuding families/criminal gangs who operate out of disadvantaged neighbourhoods in the city. Limerick contains some of the most deprived electoral districts in the

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Republic of Ireland. It has the highest rate of social housing (41%) and the highest rate of suicide and self-harm. The city also has very high rates of lone parenthood and marital breakdown (McCafferty, 2011; Central Statistics Office, 2012). Many of the socially excluded families who live on the margins of Limerick society are concentrated in four neighbourhoods: Moyross, Southill, St Mary's Park and Ballincurra Weston. It is within these socially excluded communities that serious criminal activity began to emerge in Limerick city in the 1980s. As the demand for recreational drugs soared in the Republic during the 1990s, criminal gangs in Limerick became significant players in national and international drugs networks (Duggan, 2009). By 2006, Limerick had more than three times the national rate of firearms offences. In 2007, the murder rate in Limerick city was higher than Dublin North or South Central districts (McCullagh, 2011).

In 2007, the Irish Government launched a major project for the regeneration of disadvantaged neighbourhoods in Limerick city. The report that formed the basis for this plan was written by John Fitzgerald, former Dublin City Manager. Within the report, descriptions of social exclusion are detailed and unequivocal. Fitzgerald concludes: 'The picture that emerged during visits to these estates and discussions with residents and community workers is quite shocking. The quality of life for many people is extremely poor' (Fitzgerald, 2007). However, Fitzgerald seemed unsure how this extreme social exclusion was generating feuding, intimidation and drugs-related organised crime. More importantly, no analysis was presented as to the reasons why residents in these communities might engage in criminal activity.

The ambiguity surrounding the link between poverty and crime was the starting point for my own research on fear, feuding and criminality in the city. This ethnographic research project was conducted over a three-year period (2007–2010). Two hundred and twenty-one interviews were conducted with local residents, those on the fringes of criminal gangs, Gardaí, and social, community and youth workers. In addition, approximately 100 hours of participant observation was conducted in a variety of locations, including streets, pubs, bookies, churches, community centres, playgrounds, shops and local public events. Approximately one-third of the participant observation was conducted at night, while two-thirds was conducted during daylight hours. Finally, the findings of the research were presented to four focus groups of residents from estates across the city.

### **Motivation for participation in gangs**

The key finding of my study was that the political rewards of participation in criminal activity were probably the most significant factor in motivating gang-related criminal behaviour. Sociologist Richard Sennett has described how lack of respect is one of the most significant 'hidden injuries of class' (Sennett and Cobb, 1972; Sennett, 2003). By being a 'hard man' within Limerick's criminal culture, gang participants subvert this process. Citizens of mainstream Limerick society may continue to view these men as 'scumbags', but within their own communities they are deeply feared because they embody a form of masculinity linked to toughness and violence. Seanie describes one of the most feared men in his cul-de-sac in the following terms:

*I don't even want to mention his name or look at him. I get nervous just talking about him.*

For a man who is otherwise despised in Limerick society, eliciting this level of fear in his neighbours confers status and does indeed generate a form of respect – respect based on fear.

The financial and economic rewards that emanate from involvement in drugs distribution are also a very compelling factor motivating rational participation in criminal gang activity. Garda figures for the 1990s provide a good overview of how lucrative this business became during the Celtic Tiger period in Ireland. In 1990, there were 73 drugs seizures in Limerick with a street value of £2000 (€2540). In 1995, the number of seizures had risen to 415 and the value of the drugs had increased to £250,000 (€320,000). In 1999, there were 332 seizures of drugs worth £3,318,150 (€4.2 million) (McCullagh, 2011). A scan of gang-related Internet pages on YouTube, Facebook or Bebo demonstrates how the display of high-status consumer goods including cars, clothing and even guns has become part of Limerick gang culture. When questioned about the moral dimensions of their behaviour, one gang member commented that customers want drugs and they are simply supplying the consumer demand. When the illegality of drug-dealing was raised, he highlighted the evident disrespect for the law among Irish political and financial elites which came to light during the tribunals of the 1990s and more recent banking crises. He comments:

*Why should I give a shit about the law? Look at all those fuckers of politicians and developers creaming it for the last 20 years, what about all those tribunals? Did those fuckers respect the law?*

Therefore, interviewees on the fringe of criminal gangs demonstrated a strong rational understanding of the rewards of criminal activity in the context of broader moral codes in Irish society.

Kelleher and O'Connor's study 'Men on the Margins' (2011), which focused on the experience of men who were trying to 'go straight' in disadvantaged communities, yielded evidence that there were few rational rewards for following this path. Of the 18 men interviewed, all but two were unemployed; none of the men were married or had ever been married although they identified 15 children as theirs. More than half (10) of the 18 were living in their parents' house and a number of them indicated that they were fearful of being seen out in public places locally because they were perceived as 'soft targets'. In contrast, some of the young men participating in criminal gangs were perceived as 'tough' by their peers. They had money because of their gang activities and were perceived as being attractive by the opposite sex as a consequence. Thus, the rational rewards for gang participation were considerable and the benefits of non-participation were relatively muted.

In examining the implications of this research for youth and Probation Service work, it seems there is a need to integrate the contrasting understanding of motivations for criminal behaviour in criminal justice and social policy sectors. The Gardaí and Courts system operate from a legal understanding of criminal behaviour which suggests that those who break the law do so in full rational knowledge of the consequences and, therefore, must experience sanction. While fringe gang members I interviewed were prone to accusing Gardaí of all kinds of corruption, they did at least acknowledge that the law exists and that there were points where they had transgressed it. However, those involved in social/youth work often devote considerable energy to convincing those on the fringes of criminal gangs that their activities are not just wrong but irrational. A number of youth workers I interviewed indicated that the young men they work with had some psychological/family/learning issue which meant that they didn't recognise the very logical reasons why they should abandon their errant ways and integrate into mainstream society. A significant proportion of the fringe gang members I interviewed didn't accept this discourse. Indeed, given their evident understanding of the

rational reasons to participate in gang activity, I began to wonder as the study progressed whether the continuing emphasis on the irrationality of criminal behaviour might be damaging the youth work process.

The need to acknowledge the rationality of participation in criminal gang activity at the micro-level has become more urgent, I would argue, since the introduction of austerity measures by the Irish State in 2010. It is possible to argue that young people have been affected more severely by austerity than any other group, given the deep cuts to jobseeker's benefit for the under-23s, cuts to community employment schemes and welfare reforms targeted specifically at 16–23 age-group (O'Halloran, 2012). Given these cuts, the financial incentives to engage in criminal activity are now greater than they were during the Celtic Tiger period.

During the course of this research, I found a degree of openness among Gardaí and criminal justice practitioners to sociological understandings of criminal behaviour focusing on issues such as masculinity, status and the sensory experience of crime. This openness is reflected to some extent in some scholarly debates. For instance, in a recent article on gun crime in Ireland in the *British Journal of Criminology*, Liz Campbell, writing from a legal perspective, acknowledges the need to recognise that 'violence often represents a means of accomplishing masculinity when other means of doing so are curtailed or unavailable due to the social situation of the actor' (2010, p. 425). She concludes:

An adequate and comprehensive response to gun crime should be cognisant of the link to poverty and the drug market and incorporate educational rather than legal approaches alone. Given that the possession and use of guns are not routine, targeted psychology programmes for 'at risk' young men who come to the attention of the police and for convicted gun offenders may address this violent expression of masculinity. (2010, p. 429)

While social policy practitioners might disagree with this suggested strategy, this acknowledgement does at least indicate an increased openness to social policy understandings of criminal behaviour. Correspondingly, by acknowledging the rationality of criminal activity, there is increasing scope for social policy practitioners to converge their own understandings of criminality with the perspectives of criminal justice stakeholders who characterise these behaviours as illegal and immoral, rather than irrational.

The need for greater inter-agency co-operation has long been identified as one of the most critical factors in tackling juvenile justice issues in Ireland. Essentially, evidence from the Limerick context would suggest that something much more profound is actually required: that the understandings of criminality that underpin the strategies developed by practitioners in the criminal justice and social policy contexts must be integrated in order to deliver more robust and effective responses to criminal gang participation.

### **Family**

The centrality of family in developing strategies to tackle juvenile justice issues was the second critical issue that emerged from the Limerick research. The basic sociological unit of these communities is not the individual but the extended family. Even for individuals who were working, the extended family is generally a more important source of identity and status than their career. Although marriage was a rarity, and adult intimate relationships were often unstable, blood ties between parents and children were of paramount importance in locating each man, woman and child's position within local family hierarchies. Kevin describes 'his buddy' Keith in the following terms:

*when I see a guy like Keith, or any guy on the street, I'm thinking of his family, his brothers, his mother, what crowd he hangs with, I don't really see him as separate, no-one is separate or on their own here.*

An individual can be treated with deference or contempt simply on the basis of their family relationships. It was not uncommon for an innocent family member to be punished for the crimes or debts of a sibling or a cousin.

Family was also the central organising structure of the hierarchies within criminal gangs in Limerick. In American cities, young men and women tend to join gangs as individuals and their status within the gang is largely determined by their own physical toughness (Bourgeois, 1995). However, the status of the individual is not as important in Limerick's gang culture. Because family is at the core of Limerick's organised crime networks, family relationships played a huge role in determining the individual's position in local hierarchies. There are only a small number of really important, powerful families in these neighbourhoods and it

would be almost impossible for an individual with no blood relationship to these families to reach a senior position in the local gangs. Young men who work at foot-soldier level in these criminal hierarchies are often from less powerful families on the margins of kinship groups, with more distance blood relationships to the core criminal families. A minority of foot-soldiers were simply addicts or neglected vulnerable youth on local estates.

Family was also central to understanding the activities of child gang participants who, through their anti-social behaviour, were being used by more senior criminals to maintain control over pockets of estates. A number of these children were either related to or directed by families heavily involved in criminal gang activity. Because they were under the age of 12 and, therefore, below the age of criminal responsibility, they were perceived in some instances to be more useful to undertake small-scale tasks or subtly intimidate neighbours than children over 12. In some cases, local residents indicated that they thought that the anti-social behaviour of local children was being actively encouraged by parents through a process of praise and reward. When victims of their behaviours complained to their parents, the mother or father might react with hostility to the complainant, effectively encouraging the child to continue in the behaviour. Sarah explains:

*If someone complains them, they say 'Don't mind that stupid bastard, son'. Then the child thinks that's an adult and he's a stupid bastard and my mother is telling me to call him a stupid bastard so I can keep doin' what I'm doin' and my mam will think that's fine.*

In other instances, it would appear that parents were too enmeshed in their own addictions and problems to sanction the child or were themselves afraid of the child.

In evaluating how the findings of the research could be integrated into criminal justice and social policy responses, I highlighted the need for more early intervention strategies with children 'at risk'. The theme of inaction by the HSE in terms of children 'at risk' repeatedly cropped up during the research. Ellen, a local teacher, comments:

*I don't know what the HSE is at. I've had kids in my class who are really neglected, dirty, unwashed kids, kids who know they won't be fed all weekend and are asking their six-year-old classmates for food on Fridays. I've had kids*

*who had clearly been beaten. I don't know how many times I've reported suspected abuse. All I hear from the HSE is 'we don't have the power to do anything', or 'we don't have the resources to do anything' or 'we're so overloaded that we won't be able to investigate for months' ... What can they do? That's what I'd like to know.*

The theme of inaction also appeared in interviews with social workers themselves. One senior social worker comments:

*The problem as I see it is simply this: at the moment, within the service, the threshold of intervention is just too high. By the time we get to the point of intervening in a seriously neglected or abused child's life, it is nearly always too late to make any real difference. It becomes a matter for the psychiatric services or the criminal justice system or sometimes, the undertakers ... What we need is preventative action, a system which identifies children at risk and moves in to protect and support before the damage is done, not after. This is the big failure at the moment and it makes me want to pull my hair out.*

A general recognition that the threshold of intervention by child protection services was too high not only was evident in my research but was also the major finding of research conducted for the National Care Planning Project (Brophy, 2005). The pilot research for this project was conducted in Southill in 2004 and the problems linked to late intervention continued to be evident between 2007 and 2010. Sinead Brophy, who evaluated this project on behalf of the HSE, criticised the 'very late interventions with families of concern, which by their lateness then require more radical solutions than may have been necessary with earlier focused preventative interventions' (Brophy, 2005).

The need for more emphasis on early intervention, particularly in the first years and pre-school period, is a theme recently taken up in a report published by the Irish Penal Reform Trust entitled *From Justice to Welfare: The Case for Investment in Prevention and Early Intervention* (Murphy, 2012). Murphy argues that:

Ireland's criminal justice system is wedded to the concept of prison as punishment and this system is not working ... Crime prevention policy in many jurisdictions has focused on targeting those found to be 'at risk' of offending with a view to intervening before the risk materializes. Various programmes and interventions have been designed

to identify those predisposed towards becoming the next generation of offenders.

Murphy's analysis of the cost-effectiveness of early intervention initiatives is persuasive and, in broad terms, I support the call for more early intervention initiatives. However, if we accept the centrality of family to criminal gang hierarchies, the challenges generated by lack of familial engagement with early intervention initiatives must be debated more thoroughly. Murphy acknowledges that lack of engagement is a critical and under-researched issue. She notes: 'there is little if anything specifically reported in the literature evaluating different approaches aimed at those most reluctant to participate in such programmes'. She also acknowledges that 'the difficulty of effectively targeting those "at risk" has also been highlighted in the literature as have the dangers of stigmatizing those so targeted' (2012).

However, if we acknowledge that the family is the central unit at the core of criminal activities in Limerick city and if we acknowledge that there are rational reasons why a family might engage in criminal activity, we must also acknowledge that there may be rational reasons why they might refuse to engage with early intervention strategies. If members of a family are actively involved in the importation and sale of drugs or guns, if they are involved in systematic intimidation of other families in the community and if they have active addictions themselves, they have every incentive to keep social/youth and family support workers at a distance. Thus, the likelihood that these families will voluntarily engage with early intervention strategies, during the early years period, may in some cases be quite small.

In this context, I think those of us advocating early intervention strategies as means of tackling juvenile justice issues need to evince greater realism about the question of familial engagement. While acknowledging the potential dangers of stigmatising a family who are forced to engage with such initiatives, the risks to the community of children who are neglected, abused and engaged in repeated anti-social behaviours are also considerable. The question of linking welfare payments to participation in such programmes has been proposed in other national contexts: while such an approach might be too radical for the Irish context, it would appear that sociologists such as myself and social policy practitioners who seek to promote early intervention strategies will need to tackle the question of familial engagement much more robustly in the future.

## **Implications for the Probation Service**

There is a good deal of potential for the Probation Service to facilitate engagement with early intervention strategies. For women on probation who have children at risk, engagement with early intervention initiatives could be part of the overall intervention of the service with the offender. For male clients of the Probation Service who have children or who are part of extended families where children are at risk, a willingness to participate in positive early interventions and to support younger family members in engaging with these strategies could be part of the overall package of early intervention targeted at families.

The question of how the Probation Service deals with the rational basis of gang participation is more complex. At the moment, cognitive behavioural therapy (CBT) plays a significant role in the work of the Probation Service with offenders. By engaging with CBT, the criminal is supported in acknowledging the deviance of their behaviour. However, the fact that behaviours are deviant in legal terms does not mean that they are irrational.

If we acknowledge that there are strong rational motivations for engaging in criminal activities and few rewards for desisting from crime, then it is possible that the use of CBT needs to be accompanied by a range of additional strategies. These might include addressing the structural and material reasons why families in disadvantaged communities engage in crime. It might also involve acknowledging the considerable stigma that men in disadvantaged communities face when they attempt to 'go straight' while still being viewed as 'scumbags' by mainstream society.

These approaches might also include interventions that acknowledge the agency of offenders as moral actors. Gang members interviewed for this study had an awareness of the difference between right and wrong and could identify periods where they exercised choice in terms of their own behaviour. Given that the primary finding of the Limerick research project was that young men and women in these communities crave 'respect', acknowledging the rationality of gang participation might be the starting point in identifying other routes outside of criminality where 'respect' can be gained.

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