

Youth Justice Strategy Steering Group Meeting 12 June 2019

In attendance:

Minister of State	David Stanton TD (chair)
Deaglán O Briain	Department of Justice and Equality
Brendan Sheehy	Department of Justice and Equality
Tony O'Donovan	Department of Children and Youth Affairs
Martin Shiel	Department of Education and Skill
Prof. Ursula Kilkelly	University College Cork
Dr Sean Redmond	University of Limerick
Eddie D'Arcy	Solas project
Berni Donovan	Tusla
William O Rourke	Tusla
Síle Loughrey	Probation Service
Tanya Ward	Childrens Rights Alliance
Collette Quinn	Garda National Bureau for Child Diversion
Peter Burke	Garda National Bureau for Child Diversion
Michael Murchan	Department of Health
Kevin Stewart	Department of Justice and Equality
Dr Louise Forde	University College Cork
Jennifer Malone	Department of Justice and Equality
Aideen Clery	Department of Justice and Equality

Apologies:

Dr Katharina Swirak	University College Cork
Mary Cregg	Department of Education and Skills
Pat Bergin	Director, Oberstown Children Detention Campus

1. Introduction

Minister of State Stanton welcomed everybody to the meeting and a round of introductions took place.

2. Minutes of the previous Meeting

A change to the minutes of the previous meeting (in relation to out-of-school provision) suggested by Mary Cregg (D. Education) was agreed, and the minutes were amended accordingly.

3. Public information and consultations on the development of the strategy

It was agreed that the minutes and other documentation produced during the development of the Youth Justice Strategy would be made publically available. This documentation is to be published on the Irish Youth Justice website, and a dedicated webpage for the Strategy is being prepared.

4. Diversion

Brendan introduced a discussion document, (and provided a summary presentation) together with a chart outlining possibilities for the development of the Diversion system.

Diversion was discussed as the range of measures which might be taken after a child/young person becomes involved in offending behaviour. An expanded concept of Diversion was suggested which would be more than simply an alternative to prosecution and what the Gardai are mandated to do under legislation. Diversion could encompass not only Garda Youth Diversion Projects but also the work of a range of state agencies and community partners which would seek to address the range of factors underlying a young person's involvement in offending behaviour through a holistic child-centred process.

Therefore, there would be considerable similarities in the issues to be addressed in relation to Prevention and Early Intervention and Diversion, particularly with regard to collaboration and information sharing.

Other points made were

- Diversion needs investment and effective structures to deliver the combined efforts of state agencies
- Diversion should include young people under the age of 12
- More support and resources are needed for harder to reach young people

The group discussed the idea of having three main levels of diversion that could potentially be implemented -

- **Light touch**, minor offences with a low risk of recidivism (first or second offences probably).
- **More serious or repeated offending**, Young people who have committed a number of offences and/or more serious offences who may benefit from a programme of intervention.
- **Hard to reach young people**, Young people who are heavily involved in criminal activities and who are not easily reached by relevant services.

In relation to the Hard-to Reach group it was discussed that Diversion interventions should be multifaceted and sustained. Existing initiatives like the Solas Rua project and Y-JARC may provide a foundation to build future programmes.

It was discussed that in other jurisdictions that there can be number of different opportunities for diversion before being brought forward for prosecution. The Bail supervision scheme was acknowledged as

being an example of an “extra chance” within the Irish system, which has been very successful in its early (pilot) stage.

Information sharing issues were raised particularly the impact that the lack of current data sharing has on casework for young people. It was stated that GDPR should not be a barrier to this sharing of information, and that it should be possible to address and perceived difficulties in this regard.

It was acknowledged that there are limits to what An Garda Síochána can do in relation to young people who may be on the fringes of criminality but where sufficient evidence to sustain a prosecution is not available. While these young people might benefit from Diversionary measures they cannot be admitted into the formal Diversion programme, as a *prima facie* case is required before this can be done.

The need for a Garda overview of what was happening to young people in the system was discussed and C/Supt. Quinn outlined that the Garda Diversion Office is implementing enhanced monitoring procedures in this regard and that there is scope for continuing enhancement, including in relation to IT systems, to achieve a more rounded view of each case.

It was acknowledged that there can be significant delays in progressing cases through the youth justice system, and that this was not in the interest of young offenders of anyone else.

The group agreed that a more collaborative approach needs to be taken, involving national and regional coordination including in relation to resources. The concept of integrated regional teams comprised of members from An Garda Síochána, Tusla, Probation,

Irish Youth Justice Service and other relevant bodies was discussed as an enhanced coordination and case management structure.

It was agreed that An Garda Síochána should not be the sole organisation involved in Diversion, rather, that a broad continuum of services should be available for An Garda Síochána to refer young people to. The Juvenile Liaison Officers could be the lead person for many cases offences but in cases with more complex backgrounds there is a clear need for more specialised (therapeutic and welfare) involvement.

The group discussed the need for more dedicated supports for schools to help keep “at risk” young people in mainstream education. An example might be the provision of additional training to teachers/SNAs. It was pointed out that school Boards of Management are independent which could impact on achieving uniformity of approach.

5. Next meeting

Scheduled for 25 September 2019