

**Annual Report of the Committee  
Appointed to Monitor the Effectiveness of the  
Diversion Programme**

**2011**

## CONTACT

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Copy of this report are available on the Garda Website [www.garda.ie](http://www.garda.ie)  
and on the Irish Youth Justice Website [www.iyjs.ie](http://www.iyjs.ie)

Garda Office for Children and Youth Affairs  
An Garda Síochána  
Harcourt Square  
Harcourt Street  
Dublin 2

Tel: (01) 666 38 31/2/3/4

Fax: (01) 666 38 27

Email: [childrenandyouthaffairs@garda.ie](mailto:childrenandyouthaffairs@garda.ie)

## FOREWORD

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**Dear Commissioner,**

It is my pleasure as chairman of the Monitoring Committee appointed under section 44(1) Children Act 2001 to present the 2011 Annual Report.

The report reflects the activities of the Monitoring Committee and the Diversion Programme during 2011 and sets out recommended actions for 2012.

The number of referrals to the Diversion Programme during 2011 was 27,384 and the number of individual children referred was 12,809. Of those referred 9,721 (76%) were admitted to the Programme.

During 2011, the Programme administered 903 cautions by way of Restorative Justice. This is indicative of the increased use of Restorative Justice and Restorative Practices when interacting with children who come in conflict with the law. In 2012 we will continue to progress the use of Restorative Justice as part of the Diversion Programme.

2011 was the third and final year of the first Garda Children and Youth Strategy. A second strategy has been developed for the years 2012 – 2014 inclusive.

The number of Juvenile Liaison Officer (JLO) posts remains at 123, and there are 6 outstanding vacancies at this time.

I would like to extend my sincere thanks to the Monitoring Committee for their work during 2011. In particular, I would like to thank the Director of the Programme, Superintendent Colette Quinn and her staff at the Garda Office for Children and Youth Affairs and Juvenile Liaison Officers throughout the country for their dedication, commitment and excellent work during 2011.

A handwritten signature in blue ink, appearing to read 'AJ Nolan'.

**Assistant Commissioner**

**AJ Nolan**

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## EXECUTIVE SUMMARY

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- The total number of incidents referred to the Diversion Programme during 2011 was 27,384.
- The total number of individual children referred to the Programme was 12,809.
- 9,721 (76%) of the children referred were admitted to the Diversion Programme.
- 6,944 (54%) children had their cases dealt with by way of an informal caution.
- 2,777 (22%) children had their cases dealt with by way of a formal caution.
- 515 (4%) children have a decision in their case pending.
- 738 (6%) children required no further Garda action to be taken.
- 1,835 (14%) children were considered not suitable for inclusion in the Programme.
- 25% of children who were referred to the Programme were female while 75% were male.
- The Garda Programme of Restorative Justice continued to develop and involved Juvenile Liaison Officers using Restorative Justice in 903 referrals.
- Public order (28.86%), theft and related offences (23.69%) and damage to property and to the environment (11.31%) constitute the three main categories of offences for which children were referred.
- The total number of JLO posts is 123 including 8 JLO Sergeants.

## THE DIVERISON PROGRAMME

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The Diversion Programme is a statutory option provided for under the Children Act 2001 to address the offending behaviour of children between the age of 10 years and 18 years. The Programme is managed by a Garda Superintendent appointed by the Commissioner of An Garda Síochána and is known as the Director of the Programme. The Director must consider all cases and decide on the suitability or otherwise of the child for inclusion in the Programme.

### **In order to be admitted to the programme a child must:**

- be between the age of 10 years and 18 years.
- accept responsibility for his/her criminal behaviour.
- consent to being cautioned and where appropriate, supervised.

A child deemed suitable for admission to the Programme will receive either a formal or an informal caution. Cautions are administered either by a Garda not below the rank of Inspector or a JLO who has received mediation training. In practice, both cautions are formal processes, one accompanied by a period of supervision and the other without supervision, although there is provision under the Act to supervise for an informal caution.

An informal caution is administered where the offending is at the lower end of the spectrum and usually there is no supervisory period.

A formal caution is administered for more serious offences or where the child has been referred previously and the circumstances warrant a formal caution. The child is placed under the supervision of a JLO for a period of 12 months. This period of supervision may, in certain circumstances, be varied by the Director of the Programme.

Supervision is provided for under the Act and in practice this means that a JLO will administer the caution to the child in the presence of his/her parent or guardian and will stay in contact with the child and family providing support thus diverting the child from getting involved in further offending.

The Children Act 2001 provides for the inclusion of the victim in certain circumstances and through the use of restorative practices a victim may be invited to attend and participate in the administration of the caution. This is referred to as a restorative caution. The restorative caution allows the victim to be heard and the young person is confronted with the harm caused by his/her behaviour. The process allows the young person make amends to the victim by apologising or undertaking to do something for the victim that will repair the harm done and reassure the victim that it won't happen again.

## TRAINING

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The Children Act 2001 places an onus on the Garda Commissioner to provide training to those concerned with facilitating the Diversion Programme. An Garda Síochána provides specific training to JLOs to include; 1. JLO Induction Training, 2. Mediation Training 3. Restorative Practices Training, 4. Children First Training, 5. Risk Assessment Training.

## MEMBERSHIP AND TERMS OF REFERENCE OF THE COMMITTEE

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The Children Act 2001 at section 44, provides that a Committee be appointed to monitor the effectiveness of the Diversion Programme.

The terms of reference of the Committee are to:

- monitor the effectiveness of the Diversion Programme.
- review all aspects of its operation.
- monitor all ongoing training needs of the facilitators.
- present an annual report to the Commissioner of the Garda Síochána on its activities during the year.

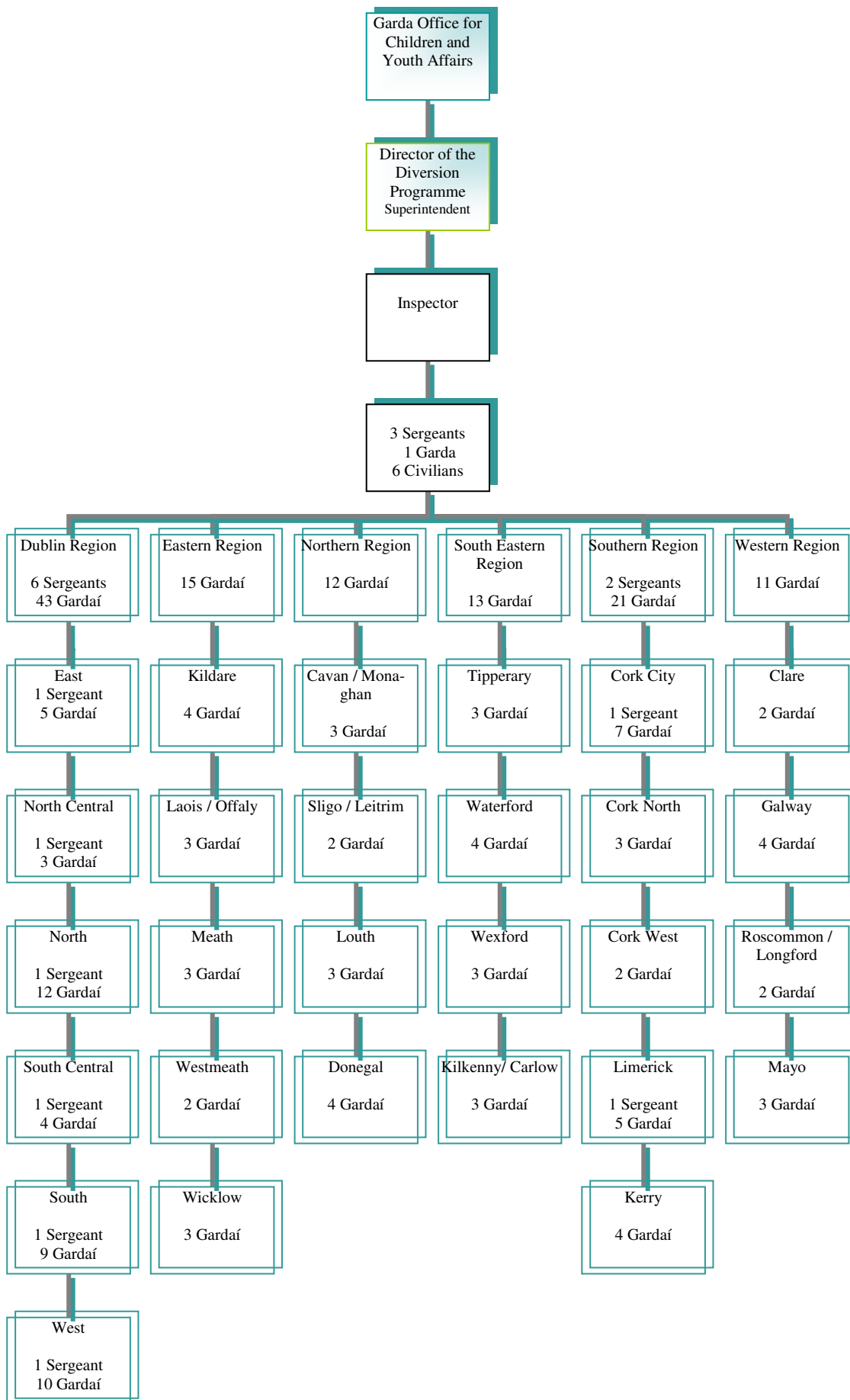
The tasks of the Committee are to:

- examine the management and effective delivery of the Diversion Programme.
- identify best practices in the administration of the Programme.
- assess best practices for the training of facilitators and monitor training delivery.
- put in place methodologies for the evaluation and measurement of the Programme's effectiveness.

The current members of the Committee are:

- Assistant Commissioner Jack Nolan, Chairperson
- Chief Superintendent Anne Marie McMahon
- Ms. Norah Gibbons
- Mr John Cheatle BL

## HUMAN RESOURCE STRUCTURE





## REFERRALS TO THE DIVERSION PROGRAMME

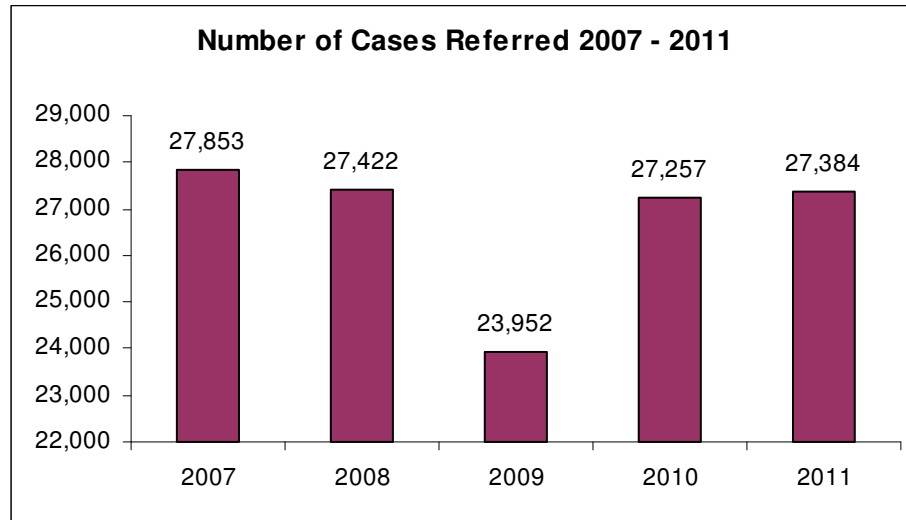
The total number of referrals received in 2011 amounted to 27,384. This is an increase of 127 (0.5%) on the figure of 27,257 referrals received in 2010.

**Table 1: Number of Referrals in 2011 by Region and Division**

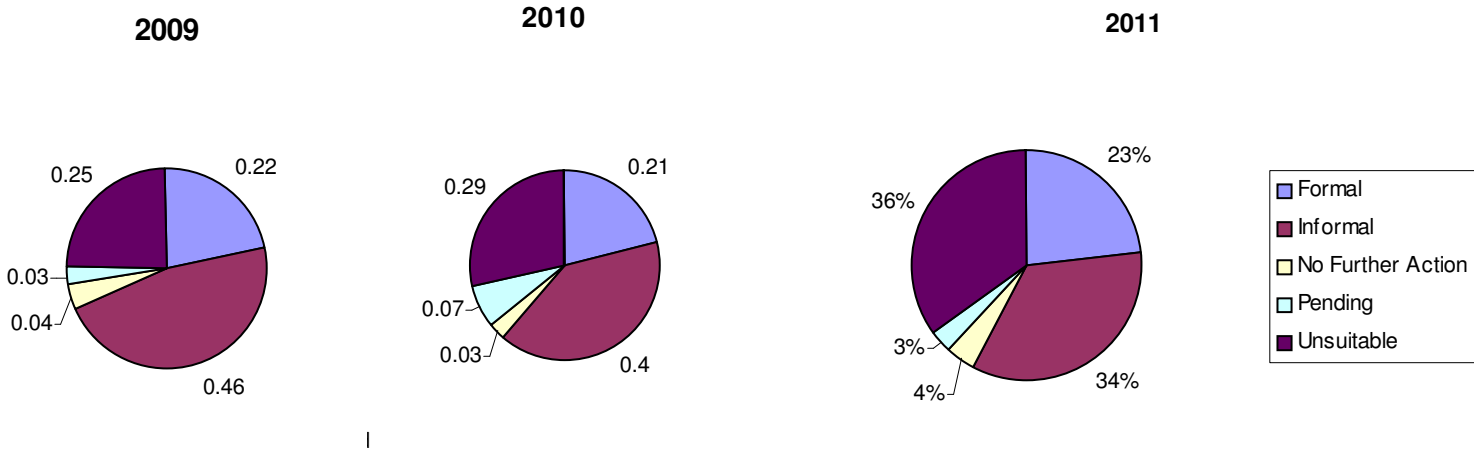
	Total	Formal	Informal	NFA	Pending	Unsuitable
<b>EASTERN REGION</b>						
KILDARE	836	178	330	58	45	225
LAOIS / OFFALY	678	154	241	37	21	225
MEATH	647	186	241	19	12	189
WESTMEATH	601	173	165	9	45	209
WICKLOW	660	158	272	40	53	137
<b>Total</b>	<b>3422</b>	<b>849</b>	<b>1249</b>	<b>163</b>	<b>176</b>	<b>985</b>
<b>D.M.R. REGION</b>						
D.M.R. EAST	913	173	258	40	56	386
D.M.R. NORTH CENTRAL	1147	107	183	41	63	753
D.M.R. NORTH	2228	391	747	71	94	925
D.M.R. SOUTH	1889	278	598	130	62	821
D.M.R. SOUTH CENTRAL	649	91	155	40	19	344
D.M.R. WEST	2531	625	649	131	86	1040
<b>Total</b>	<b>9357</b>	<b>1665</b>	<b>2590</b>	<b>453</b>	<b>380</b>	<b>4269</b>
<b>NORTHERN REGION</b>						
CAVAN / MONAGHAN	752	213	291	36	19	193
DONEGAL	839	256	350	24	37	172
LOUTH	675	199	288	20	9	159
SLIGO / LEITRIM	455	79	140	17	26	193
<b>Total</b>	<b>2721</b>	<b>747</b>	<b>1069</b>	<b>97</b>	<b>91</b>	<b>717</b>
<b>SOUTH EASTERN REGION</b>						
KILKENNY/CARLOW	928	167	381	28	45	307
TIPPERARY	836	216	333	11	13	263
WATERFORD	1006	271	349	23	21	342
WEXFORD	728	205	362	31	23	107
<b>Total</b>	<b>3498</b>	<b>859</b>	<b>1425</b>	<b>93</b>	<b>102</b>	<b>1019</b>
<b>SOUTHERN REGION</b>						
CORK CITY	1525	332	503	75	20	595
CORK NORTH	746	196	334	27	7	182
CORK WEST	607	127	281	24	14	161
KERRY	737	215	287	17	17	201
LIMERICK	1780	443	426	40	36	835
<b>Total</b>	<b>5395</b>	<b>1313</b>	<b>1831</b>	<b>183</b>	<b>94</b>	<b>1974</b>
<b>WESTERN REGION</b>						
CLARE	657	191	247	38	21	160
GALWAY	1069	255	477	41	34	262
MAYO	661	160	312	34	6	149
ROSCOMMON / LONGFORD	474	130	172	31	9	132
<b>Total</b>	<b>2861</b>	<b>736</b>	<b>1208</b>	<b>144</b>	<b>70</b>	<b>703</b>
OUTSIDE JURISDICTION	130	23	34	36	14	23
<b>Overall Total</b>	<b>27384</b>	<b>6192</b>	<b>9406</b>	<b>1169</b>	<b>927</b>	<b>9690</b>
	100%	23%	34%	4%	3%	35%

**REFERRALS TO THE DIVERSION PROGRAMME**

**Figure 1 : Number of Cases Referred 2007-2011**



**Figure 2 : Case Decisions as a percentage of total referrals 2009 - 2011**



\*Figures have been rounded to the nearest percentage point

## CHILDREN REFERRED TO THE DIVERSION PROGRAMME

The total number of children referred in 2011 amounted to 12,809. This is a decrease of 5,177 (28.8%) on the 2010 total of 17,986.

Table 2 : Number of Children Referred in 2011 by Region and Division

	Total	Formal	Informal	NFA	Pending	Unsuitable
<b>EASTERN REGION</b>						
KILDARE	440	73	250	46	23	48
LAOIS / OFFALY	329	66	180	22	12	49
MEATH	328	100	167	14	5	42
WESTMEATH	244	70	117	8	26	23
WICKLOW	356	66	195	28	30	37
<b>Total</b>	<b>1697</b>	<b>375</b>	<b>909</b>	<b>118</b>	<b>96</b>	<b>199</b>
<b>D.M.R. REGION</b>						
D.M.R. EAST	443	86	200	32	39	86
D.M.R. NORTH CENTRAL	333	37	137	20	32	107
D.M.R. NORTH	976	186	534	44	50	162
D.M.R. SOUTH	820	101	424	75	29	191
D.M.R. SOUTH CENTRAL	245	32	112	30	13	58
D.M.R. WEST	1143	289	507	73	52	222
<b>Total</b>	<b>3960</b>	<b>731</b>	<b>1914</b>	<b>274</b>	<b>215</b>	<b>826</b>
<b>NORTHERN REGION</b>						
CAVAN / MONAGHAN	341	90	199	15	12	25
DONEGAL	461	116	264	14	21	46
LOUTH	334	78	204	16	6	30
SLIGO / LEITRIM	197	32	113	13	8	31
<b>Total</b>	<b>1333</b>	<b>316</b>	<b>780</b>	<b>58</b>	<b>47</b>	<b>132</b>
<b>SOUTH EASTERN REGION</b>						
KILKENNY/CARLOW	441	68	288	17	24	44
TIPPERARY	417	99	247	7	10	54
WATERFORD	490	122	274	17	13	64
WEXFORD	371	61	258	18	18	16
<b>Total</b>	<b>1719</b>	<b>350</b>	<b>1067</b>	<b>59</b>	<b>65</b>	<b>178</b>
<b>SOUTHERN REGION</b>						
CORK CITY	738	164	366	48	12	148
CORK NORTH	421	95	264	17	3	42
CORK WEST	325	60	210	18	2	35
KERRY	354	97	204	7	9	37
LIMERICK	682	228	329	18	20	87
<b>Total</b>	<b>2520</b>	<b>644</b>	<b>1373</b>	<b>108</b>	<b>46</b>	<b>349</b>
<b>WESTERN REGION</b>						
CLARE	326	91	161	29	12	33
GALWAY	595	121	366	30	19	59
MAYO	341	81	206	21	3	30
ROSCOMMON / LONGFORD	235	50	138	15	4	28
<b>Total</b>	<b>1497</b>	<b>343</b>	<b>871</b>	<b>95</b>	<b>38</b>	<b>150</b>
<b>OUTSIDE JURISDICTION</b>	<b>83</b>	<b>18</b>	<b>30</b>	<b>26</b>	<b>8</b>	<b>1</b>
<b>Overall Total</b>	<b>12809</b>	<b>2777</b>	<b>6944</b>	<b>738</b>	<b>515</b>	<b>1835</b>
	100%	22%	54%	6%	4%	14%

## CHILDREN REFERRED TO THE DIVERSION PROGRAMME

Figure 3 : Number of Children Referred 2007-2011

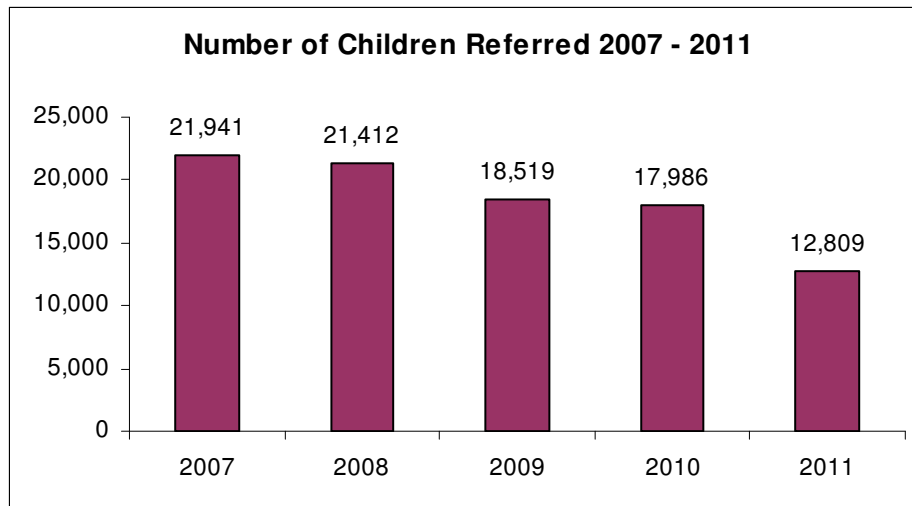
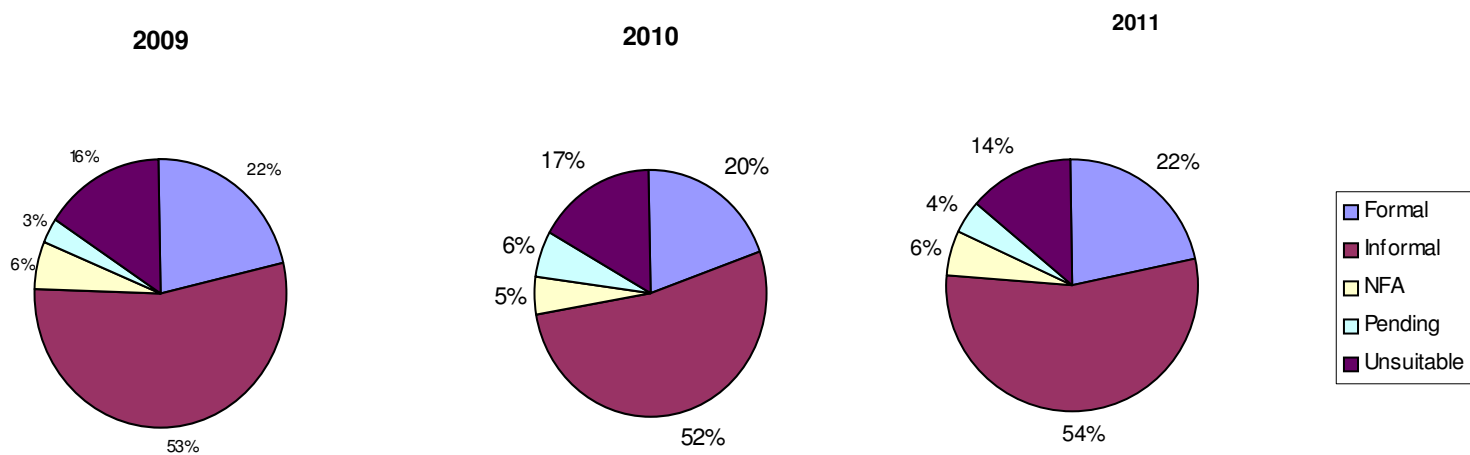


Figure 4 : Case decisions as a percentage of overall number of children referred



\* Figures have been rounded to the nearest percentage point

## CHILDREN REFERRED BY GENDER, REGION AND DIVISION

In 2011 3,182 (25%) of the children referred to the Programme were female while 9,627 (75%) of the children referred were male.

**Table 3: Gender of Children referred by Region and Division**

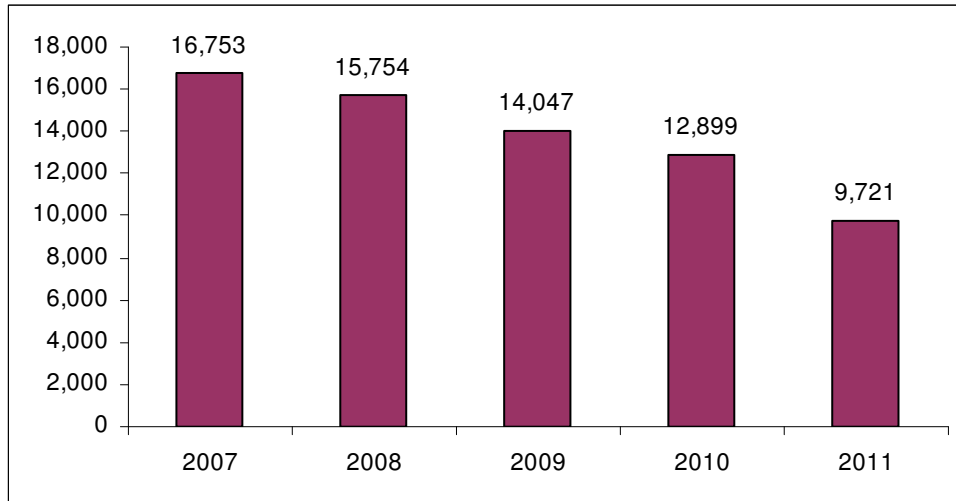
	Formal		Informal		No Further Action		Pending		Unsuitable		
	F	M	F	M	F	M	F	M	F	M	
<b>EASTERN REGION</b>											
KILDARE	13	60	82	168	20	26	2	21	7	41	440
LAOIS / OFFALY	11	55	57	123	9	13	3	9	12	37	329
MEATH	11	89	38	129	3	11	0	5	8	34	328
WESTMEATH	11	59	38	79	4	4	1	25	6	17	244
WICKLOW	12	54	51	144	10	18	4	26	4	33	356
<b>Eastern Total</b>	<b>58</b>	<b>317</b>	<b>266</b>	<b>643</b>	<b>46</b>	<b>72</b>	<b>10</b>	<b>86</b>	<b>37</b>	<b>162</b>	<b>1697</b>
<b>D.M.R. REGION</b>											
D.M.R. EAST	19	67	54	146	11	21	9	30	12	74	443
D.M.R. NORTH	25	161	154	380	25	19	17	33	20	142	976
D.M.R. NORTH CENTRAL	11	26	51	86	6	14	14	18	14	93	333
D.M.R. SOUTH	15	86	125	299	31	44	4	25	35	156	820
D.M.R. SOUTH CENTRAL	7	25	30	82	7	23	3	10	6	52	245
D.M.R. WEST	45	244	172	335	18	55	6	46	25	197	1143
<b>DMR Total</b>	<b>122</b>	<b>609</b>	<b>586</b>	<b>1328</b>	<b>98</b>	<b>176</b>	<b>53</b>	<b>162</b>	<b>112</b>	<b>714</b>	<b>3960</b>
<b>NORTHERN REGION</b>											
CAVAN / MONAGHAN	19	71	49	150	5	10	4	8	3	22	341
DONEGAL	14	102	70	194	0	14	9	12	3	43	461
LOUTH	11	67	51	153	3	13	3	3	5	25	334
SLIGO / LEITRIM	3	29	32	81	3	10	0	8	4	27	197
<b>Northern Total</b>	<b>47</b>	<b>269</b>	<b>202</b>	<b>578</b>	<b>11</b>	<b>47</b>	<b>16</b>	<b>31</b>	<b>15</b>	<b>117</b>	<b>1333</b>
<b>SOUTH EASTERN REGION</b>											
KILKENNY/CARLOW	19	49	80	208	4	13	5	19	6	38	441
TIPPERARY	13	86	74	173	0	7	1	9	11	43	417
WATERFORD	25	97	100	174	7	10	1	12	12	52	490
WEXFORD	12	49	54	204	3	15	1	17	2	14	371
<b>South Eastern Total</b>	<b>69</b>	<b>281</b>	<b>308</b>	<b>759</b>	<b>14</b>	<b>45</b>	<b>8</b>	<b>57</b>	<b>31</b>	<b>147</b>	<b>1719</b>
<b>SOUTHERN REGION</b>											
CORK CITY	27	137	139	227	18	30	0	12	15	133	738
CORK NORTH	15	80	88	176	6	11	0	3	7	35	421
CORK WEST	12	48	71	139	5	13	0	2	6	29	325
KERRY	15	82	68	136	1	6	1	8	7	30	354
LIMERICK	39	189	107	222	5	13	7	13	17	70	682
<b>Southern Total</b>	<b>108</b>	<b>536</b>	<b>473</b>	<b>900</b>	<b>35</b>	<b>73</b>	<b>8</b>	<b>38</b>	<b>52</b>	<b>297</b>	<b>2520</b>
<b>WESTERN REGION</b>											
CLARE	23	68	45	116	7	22	4	8	3	30	326
GALWAY	13	108	112	254	9	21	2	17	15	44	595
MAYO	8	73	63	143	6	15	0	3	4	26	341
ROSCOMMON / LONGFORD	6	44	43	95	3	12	1	3	5	23	235
<b>Western Total</b>	<b>50</b>	<b>293</b>	<b>263</b>	<b>608</b>	<b>25</b>	<b>70</b>	<b>7</b>	<b>31</b>	<b>27</b>	<b>123</b>	<b>1497</b>
<b>OUTSIDE JURISDICTION</b>											
	2	16	7	23	16	10	0	8	0	1	83
<b>TOTAL</b>	<b>456</b>	<b>2321</b>	<b>2105</b>	<b>4839</b>	<b>245</b>	<b>493</b>	<b>102</b>	<b>413</b>	<b>274</b>	<b>1561</b>	<b>12809</b>

## CAUTIONS—FORMAL AND INFORMAL CAUTIONS

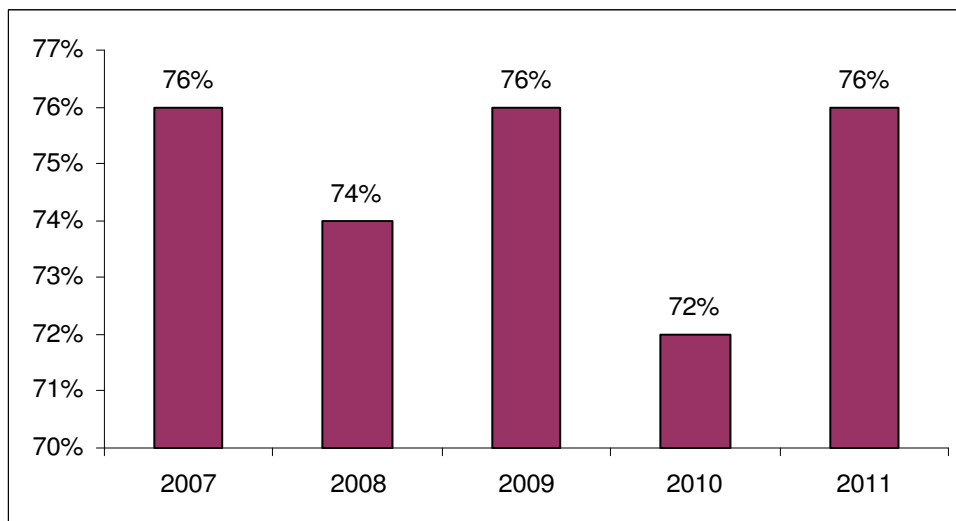
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In 2011 the total number of children who were cautioned either formally or informally was 9,721. This equates to 76% of the total number of children referred. Informal cautions accounted for 6,944 (54%) while 2,777 (22%) received a formal caution, comparing with 52% and 20% for 2010.

**Figure 5 : Number of Children Cautioned 2007 - 2011**



**Figure 6 : Percentage of Children Deemed Suitable for Inclusion 2007 -2011**



## RESTORATIVE JUSTICE

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Restorative justice is the term used to describe the process whereby the victim of an offence is given the opportunity to meet with or have his / her views presented to the offender. Restorative justice is provided for in the Children Act 2001 by way of having the victim present at a formal caution or at a family conference. It is hoped that the offender will realise that the offence was not merely an offence against law but also against a person or a community. It should be noted that restorative justice applies to the formal caution in accordance with sections 26 and 29 of the Children Act 2001.

In addition to humanising the harm, the offending behaviour is challenged and an opportunity is afforded to the offender not only to apologise but to also take some action to repair the harm. This act of reparation may be by way of replacing goods stolen, compensating for a loss, mending damage caused or agreeing conditions for future behaviour designed to reassure the victim that the offending will not recur.

When the victim is invited to attend at the formal caution of a child it is known as a restorative caution. In certain circumstances victims may prefer to have their views represented by way of letter or recording or by having a friend, supporter or other person represent their perspective.

When the victim is invited to attend a family conference in relation to a child it is referred to as a restorative conference. The restorative conference is similar to a restorative caution in many respects. The victim is given a voice and the impact of the offending behaviour is humanised. The caution and conference differs, in that the conference makes a greater effort to engage a broader range of expertise in an attempt to challenge the child's behaviour and to support any change that might come about as a result of the conference. For instance, those present at the conference might include not only the victim and the victim's supporters but also the child's schoolteacher, social worker, extended family or any other person who may have a positive influence on his or her future behaviour.

Juvenile Liaison Officers used Restorative Justice Practices to deal with 903 referrals in 2011. Many of the cases in which restorative interventions were used were serious cases of assault, assault on Gardaí, robbery, arson, burglary, harassment and public order.

Since 2010 eight Garda JLOs qualified as trainers in restorative practices and have collaborated with local communities and other agencies in particular the Probation Service in delivering training and developing restorative practice communities.

A pilot road safety restorative justice programme in partnership with the Garda Office for Children and Youth Affairs and the Garda Road Safety Unit is underway in 10 Garda Divisions. Young drivers who have committed road offences are challenged about their behaviour using a restorative approach.

The Garda Office for Children and Youth Affairs, Gardaí in Tallaght and The Children Development Initiative Tallaght West are currently collaborating in an extensive Community Restorative Practices project. This project involves training 800 people within the community in the principles of restorative practices and promoting the use of these principles when dealing with young people in the Tallaght West area.

The Committee is satisfied that good progress is being made in the development of restorative justice in accordance with Part 4 of the Act.

## RESTORATIVE JUSTICE 2011 PER REGION AND DIVISION

Table 4: Restorative Justice 2007-2011

	2007	2008	2009	2010	2011
<b>EASTERN REGION</b>					
CARLOW / KILDARE <sup>1</sup>	8	17	-	-	-
KILDARE <sup>2</sup>	-	-	10	11	26
LAOIS / OFFALY	10	14	9	28	19
LONGFORD / WESTMEATH <sup>1</sup>	7	-	-	-	-
LOUTH/MEATH <sup>1</sup>	14	-	-	-	-
MEATH <sup>2</sup>	-	7	12	11	23
WESTMEATH <sup>2</sup>	-	11	6	38	15
WICKLOW <sup>2</sup>	-	5	8	2	4
<b>Eastern Region Total</b>	<b>39</b>	<b>54</b>	<b>45</b>	<b>90</b>	<b>87</b>
<b>DUBLIN MET. REGION</b>					
DMR EAST	34	24	16	31	18
DMR NORTH CENTRAL	8	15	13	20	21
DMR NORTH	52	46	54	59	82
DMR SOUTH CENTRAL	12	11	10	10	21
DMR SOUTH	18	18	13	16	14
DMR WEST	16	28	32	44	56
<b>DMR Total</b>	<b>140</b>	<b>142</b>	<b>138</b>	<b>180</b>	<b>212</b>
<b>NORTHERN REGION</b>					
CAVAN/MONAGHAN	9	21	10	5	10
DONEGAL	6	4	3	8	31
SLIGO / LEITRIM	3	5	4	3	10
LOUTH <sup>2</sup>	-	9	10	17	26
<b>Norther Region Total</b>	<b>18</b>	<b>39</b>	<b>27</b>	<b>33</b>	<b>77</b>
<b>SOUTH EASTERN REGION</b>					
KILKENNY/CARLOW <sup>2</sup>	-	-	14	10	16
TIPPERARY	3	14	7	48	40
WATERFORD <sup>2</sup>	-	-	11	13	21
WATERFORD / KILKENNY <sup>1</sup>	18	22	-	-	-
WEXFORD / WICKLOW <sup>1</sup>	16	-	-	-	-
WEXFORD <sup>2</sup>	-	12	12	13	11
<b>South Eastern Region Total</b>	<b>37</b>	<b>48</b>	<b>44</b>	<b>84</b>	<b>88</b>
<b>SOUTHERN REGION</b>					
CORK CITY	47	35	57	162	102
CORK NORTH	17	19	34	54	115
CORK WEST	26	19	25	32	44
KERRY	6	1	1	5	47
LIMERICK	9	9	10	42	49
<b>Southern Region Total</b>	<b>105</b>	<b>83</b>	<b>127</b>	<b>295</b>	<b>357</b>
<b>WESTERN REGION</b>					
CLARE	-	2	-	4	4
GALWAY	12	27	22	67	26
MAYO	10	3	5	17	6
ROSCOMMON / GALWAY EAST <sup>1</sup>	17	-	-	-	-
ROSCOMMON / LONGFORD <sup>2</sup>	-	24	8	22	46
<b>Western Region Total</b>	<b>39</b>	<b>56</b>	<b>35</b>	<b>110</b>	<b>82</b>
<b>Overall Total</b>	<b>378</b>	<b>422</b>	<b>416</b>	<b>792</b>	<b>903</b>

<sup>1</sup> Divisions which are no longer in operation due to boundary re-alignments in 2008 and 2009

<sup>2</sup> New Divisions created during boundary re-alignments in 2008 and 2009

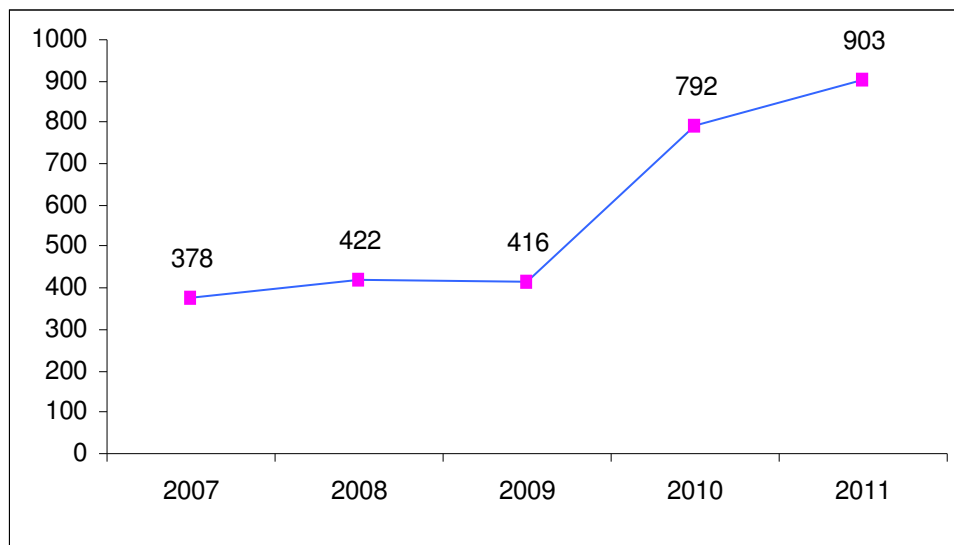


## RESTORATIVE JUSTICE 2011

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Figure 7 below illustrates the number of referrals dealt with using restorative justice from 2007 to 2011 inclusive.

**Figure 7: Number of Referrals dealt with using Restorative Justice 2007-2011**



## CHILDREN CONSIDERED UNSUITABLE FOR INCLUSION IN THE DIVERSION PROGRAMME

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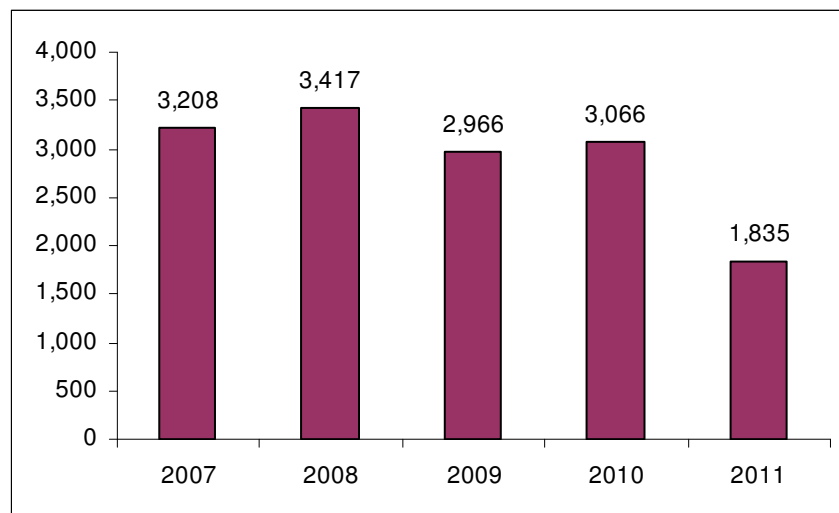
In 2011 1,835 (14%) children were deemed not suitable for inclusion in the Diversion Programme.

A case may be recorded as unsuitable if any of the following are present:

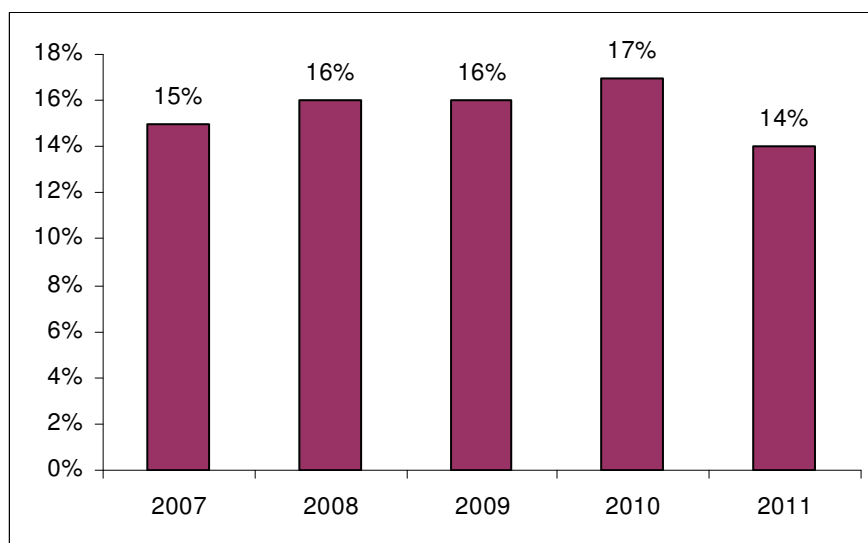
- The child does not accept responsibility for their behaviour.
- It would not be in the interests of society to caution the child.
- The child is offending persistently.

These matters are then returned to local Garda management certifying that the child is unsuitable for inclusion in the Diversion Programme. Cases deemed unsuitable are returned to local Garda management with a view to initiating a prosecution before the Courts.

**Figure 8: Number of Children Considered Unsuitable for Inclusion 2007-2011**



**Figure 9: Percentage of Children Considered Unsuitable for Inclusion 2007-2011**



## CRIME TYPE FOR WHICH CHILDREN WERE REFERRED

Table 5 illustrates the crime type for which Children were referred to the Diversion programme in 2011.

**Table 5: Crime type for which Children were referred 2011**

Crime Type	Number of Referrals	% of Total
<b>Homicide Offences</b>		
Murder / Manslaughter / Infanticide	1	0.00%
Dangerous Driving Leading to Death	1	0.00%
<b>Sexual Offences</b>		
Rape of a Male or Female	85	0.31%
Defilement of a Boy or Girl less than 17 Years Old	33	0.12%
Sexual Offence involving a Mentally Impaired Person	0	0.00%
Aggravated Sexual Assault	1	0.00%
Sexual Assault ( Not Aggravated)	112	0.41%
Other Sexual Offences	19	0.07%
<b>Attempts / Threats to Murder, Assaults, Harassments and Related Offences</b>		
Murder- Attempt	0	0.00%
Murder - Threat	10	0.04%
Assault Causing Harm - Poisoning	502	1.83%
Other Assault	1487	5.43%
Harassment and Related Offences	34	0.12%
<b>Dangerous or Negligent Acts</b>		
Dangerous Driving Causing Serious Bodily Harm	0	0.00%
Driving / In Charge of a vehicle while over the legal alcohol Limit	75	0.27%
Driving / In Charge of a vehicle under the influence of Drugs	17	0.06%
Dangerous / Careless Driving and Motorway Offences	386	1.41%
Speeding	144	0.53%
Endangerment with Potential for Serious Harm / Death	23	0.08%
Abandoning a Child, Child Neglect and Cruelty	0	0.00%
Dangerous Use of a Vessel ( Air, Sea) or Facilities	0	0.00%
Endangering ( Road) Traffic	90	0.33%
<b>Kidnapping and Related Offences</b>		
False Imprisonment	9	0.03%
Abduction of Person Under 16 Years of Age	0	0.00%
<b>Robbery, Extortion and Hijacking Offences</b>		
Robbery of an Establishment or Institution	59	0.22%
Robbery of Cash or Goods in Transit	0	0.00%
Robbery from the Person	455	1.66%
Blackmail or Extortion	0	0.00%
Carjacking, Highjacking / Unlawful Seizure of an Aircraft / Vessel	11	0.04%

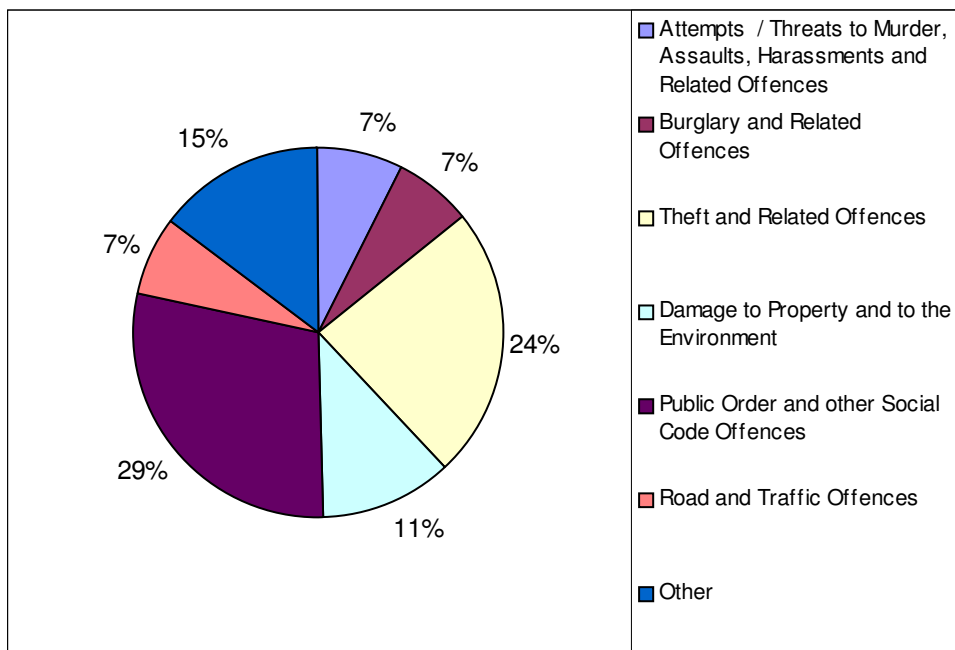
## CRIME TYPE FOR WHICH CHILDREN WERE REFERRED

<b>Burglary and Related Offences</b>		
Aggravated Burglary	30	0.11%
Burglary (not aggravated)	1750	6.39%
Possession of an Article (with Intent to Burgle, Steal, Demand)	156	0.57%
<b>Theft and Related Offences</b>		
Theft / Taking of Vehicle and Related Offences	956	3.49%
Theft from Person	174	0.64%
Theft from Shop	3541	12.93%
Theft from Vehicle	383	1.40%
Other Thefts	1153	4.21%
Handling Stolen Property	279	1.02%
<b>Fraud, Deception and Related Offences</b>		
Fraud, Deception and Related Offences	185	0.68%
Other fraud	0	0.00%
Counterfeiting Currency and Related Offences	39	0.14%
Corruption	0	0.00%
<b>Controlled Drug Offences</b>		
Importation of Drugs	0	0.00%
Cultivation or Manufacture of Drugs	17	0.06%
Possession of Drugs for Sale or Supply	196	0.72%
Possession of Drugs for Personal Use	1046	3.82%
Other Drug Offences	31	0.11%
<b>Weapons and Explosives Offences</b>		
Explosives, Chemical Weapons Offences	6	0.02%
Firearm Offences	23	0.08%
Offensive Weapons Offences	484	1.77%
Fireworks Offences	145	0.53%
<b>Damage to Property and to the Environment</b>		
Arson	278	1.02%
Criminal Damage ( Not Arson)	2812	10.27%
Litter Offences	6	0.02%
<b>Public Order and other Social Code Offences</b>		
Disorderly Conduct	5604	20.46%
Trespass Offences	1418	5.18%
Liquor Licensing Offences	786	2.87%
Prostitution Offences	0	0.00%
Regulated Betting / Money, Collection / Trading Offences	78	0.28%
Social Code Offences	18	0.07%
<b>Road and Traffic Offences</b>		
Driving Licence / Insurance Offences	376	1.37%
Vehicle Tax / Registration Offences	172	0.63%
Roadworthiness / Regulatory Offences	1288	4.70%
Road Transport / Public Service Vehicles Offences	74	0.27%

## CRIME TYPE FOR WHICH CHILDREN WERE REFERRED

<b>Offences against Government, Justice Procedures and Organisation of Crime</b>		
Offences Against Government and its agents	68	0.25%
Organisaion of Crime and Conspiracy to Commit Crime	2	0.01%
Perverting the Course of Justice	0	0.00%
Offences while in Custody, Breach of Court Orders	228	0.83%
<b>Offences Not Elsewhere Classified</b>		
Importation / Control / Welfare of Animals Offences	20	0.07%
Fissheries / Maritime Offences	7	0.03%
Use of Data, Electronic Counterfeit and Broadcasting	1	0.00%
Miscellaneous Offences	0	0.00%
<b>Overall Total</b>	<b>27384</b>	<b>100.00%</b>

Figure 10: Crime Type as a percentage of Total Referrals 2011



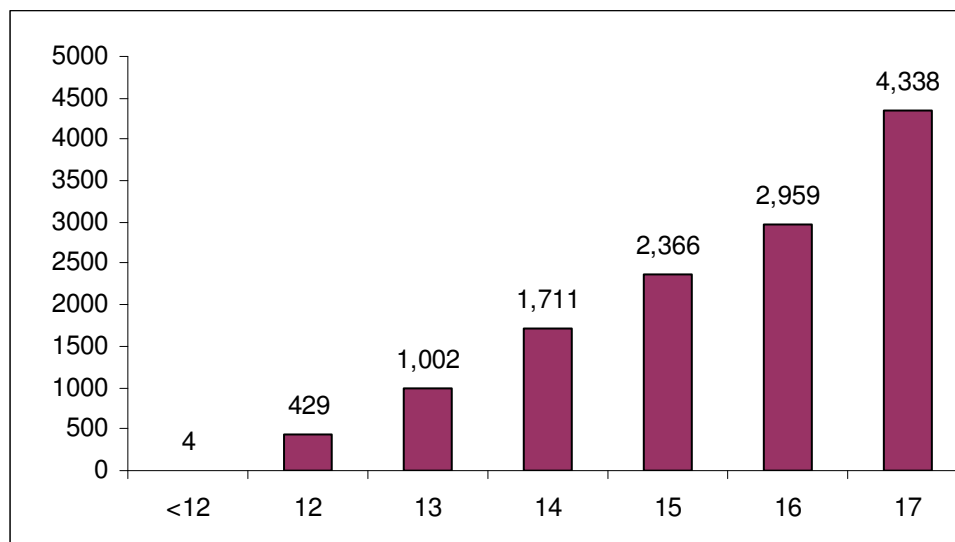
## AGE PROFILE OF CHILDREN REFERRED TO THE DIVERSION PROGRAMME

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Figure 10 illustrates the age profile of children referred to the Diversion Programme. Of those children referred

- 33.9% were aged 17 years (2010; 32.4%)
- 23.1% were aged 16 years (2010 ; 23.8%)
- 18.5% were aged 15 years (2010; 19.5%)
- 13.4% were aged 14 years (2010;13%)
- 7.8% were aged 13 years (2010; 7.8%)
- 3.3% were aged 12 years (2010; 3.4%)
- 0% were aged below 12 years (2010; 0.1%)

**Figure 11: Age Profile of Children Referred 2011**



## GARDA YOUTH DIVERSION PROJECTS

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Garda Youth Diversion Projects (GYDPs) reflect An Garda Síochána's corporate commitment to a multi-agency partnership approach in tackling youth crime and anti-social behaviour at community level. GYDPs are funded by the Community Programmes Unit of the Irish Youth Justice Service (IYJS) under the Department of Justice and Equality.

The projects are community based, multi-agency youth crime prevention initiatives which primarily seek to divert young people who have been involved in anti-social and/or criminal behaviour by providing suitable activities to facilitate personal development, promote civic responsibility and improve long-term employability prospects. The projects may also work with young people who are significantly at risk of becoming involved in anti-social and/or criminal behaviour. By doing so, the projects contribute to improving the quality of life within communities and enhancing Garda/community relations.

The role of the community and other locally based agencies as partners is vital in the implementation and delivery of the projects. The projects assist An Garda Síochána and Garda Juvenile Liaison Officers in particular, in the implementation of the Diversion Programme as set out in Part 4 of the Children Act, 2001.

GYDPs work with young people primarily aged between 12 and 18 years who have come in conflict or are at risk of coming in conflict with the law. The child is referred to a project primarily by a JLO, however a child can also be referred by another Garda, another agency, by a community worker or a family member.

The project works with the child and sets an individual plan of intervention for him/her which seeks to assist the child to examine their decision making process focusing on the decisions that led them to offend and on the need for change. Motivational interviewing techniques are used by project staff to facilitate this change and pro-social modelling is used to challenge individual participant's attitudes and behaviours.

Assistance and support is also provided to the participant's family recognising that any changed attitudes and behaviours in the participant must be positively re-enforced at home, in school, within peer groups and in the community.

All project staff and JLOs have received familiarisation training in pro-social modelling and motivational interviewing techniques designed to enhance the skill set of those working on the projects. Furthermore, a number of Project staff have received Restorative Practices Training.

Throughout 2010 the GOCYA have worked closely with the IYJS to improve interventions provided by projects. In particular the work has focussed on realigning the project outcomes with local crime trends. This involved local Garda management identifying the key issues relating to youth offending in their Districts and working with the project to design and implement appropriate interventions to challenge the identified offending behaviour.

There are currently 100 Garda Youth Diversion Projects throughout the country working closely with Garda management to challenge offending behaviour and anti-social behaviour in the community and to assist children in conflict with the law to change their patterns of behaviour.

An Garda Síochána management of the GYDPs is underpinned by the Garda Children and Youth Strategy (2012 - 2014) "our promise to children and young people that we will work to ensure their protection and we will be professional and respectful to them; we will be sensitive to their rights and needs if they come in conflict with the law or require our assistance".

## OBSERVATIONS AND RECOMMENDATIONS

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The committee acknowledges:

- The work of the Garda Office for Children and Youth Affairs and Juvenile Liaison Officers throughout the country in the delivery of the Diversion Programme.
- The ongoing efforts to promote restorative justice and restorative practices.
- The interagency work between the Garda Office for Children and Youth Affairs and the Irish Youth Justice Service, the Department of Children and Youth Affairs, the Department of Education and Skills, the Health Service Executive and Non Governmental Organisations.
- The role of the Garda Youth Diversion Projects in supporting the Diversion Programme.
- The importance of the Garda Schools Programme in supporting children and building relationships with young people.

The committee recommends that:

- The Garda Analysis Service continue to work with the Garda Office for Children and Youth Affairs to profile high crime areas in order to target more effective and efficient responses and interventions for young people.
- The Garda Office for Children and Youth Affairs utilise the expertise of the Garda Analysis Service to enable tracking of children through the system in support of the National Strategy for Research and Data on Children's lives 2011– 2016.
- The extension of Restorative Justice and Restorative Practices to staff working with young people in the Garda Youth Diversion Projects.