

Young people and

System still coping with the loss of Spike jail

SINCE the closure of the prison on Spike Island, all young offenders are now sent to Dublin for detention.

The Fort Mitchell prison on Spike — which had spaces assigned for young offenders — was closed permanently in 2004.

The closure of the Shanganagh open prison around the same time meant St Patrick's Institution, which is part of the Mountjoy complex, became the only facility for housing young male offenders. It is run by the Irish Prison Service.

In his 2006-2007 report, the then Inspector of Prisons, Mr Justice Dermot Kinlen, said the open prison in Shanganagh and the prison on Spike were used by offenders who actively wanted rehabilitation.

He said there had been a wonderful, if under-resourced, educational ethos in the Spike Island facility.

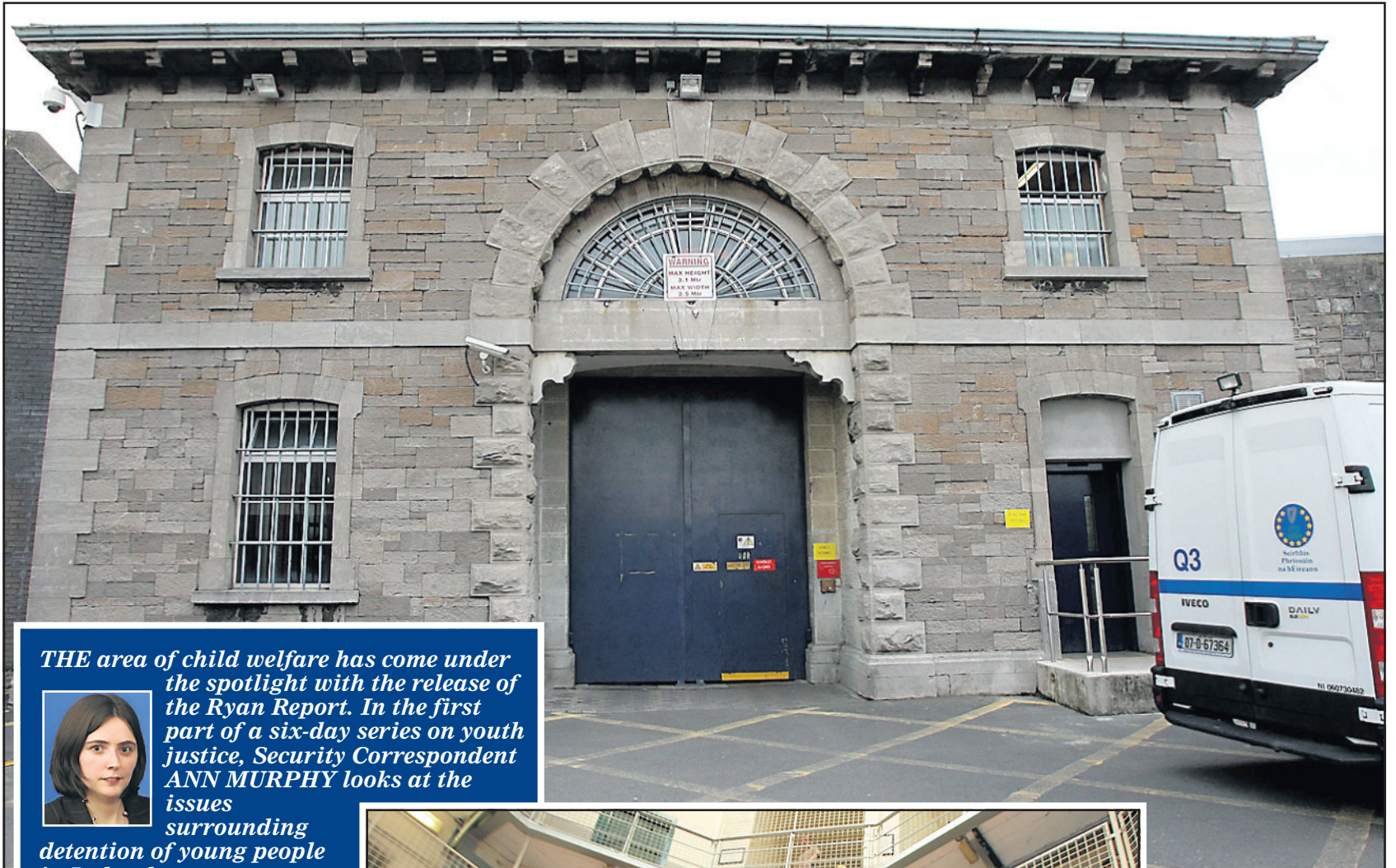
Liam Herrick of the Irish Penal Reform Trust said: "The closure of the prison on Spike Island is a major issue. It was a good facility, particularly for education."

"Any person who is over 16 is being sent to Dublin for detention, with problems for family access."

He said another issue which needed to be addressed was the fact that St Patrick's is a medium security facility, and there is no longer an open facility for young offenders since the closure of Shanganagh.

There had been repeated calls from the Prison Officers Association for the re-opening of the Spike Island prison to help alleviate over-crowding in Cork Prison on Rathmore Road.

There were 102 cells in Fort Mitchell but the site has now been handed over by the Department of Justice to Cork County Council for development as a tourist attraction.



THE area of child welfare has come under the spotlight with the release of the Ryan Report. In the first part of a six-day series on youth justice, Security Correspondent ANN MURPHY looks at the issues surrounding detention of young people in Ireland.



NEW proposals for detaining the country's young offenders will be published next month.

The blueprint will be contained in a report by the Irish Penal Reform Trust (IPRT) following a review of the country's four detention schools and St Patrick's Institution for Young Offenders.

The report comes on top of the Ryan Commission findings, which stated that abuse was endemic in institutions for young people run by 18 religious orders.

The Ryan report shone a spotlight on youth detention in Ireland, and led to a renewed criticism of the ongoing detention of 16 and 17-year-old boys in St Patrick's Institution.

Today, the number of children in detention is under 500, between St Patrick's Institution and four other detention schools, all in Dublin.

The detention schools come under the remit of the Irish Youth Justice Service, which has commissioned a report due out next year on the levels of re-offending by under-18s. It is the first time such research has been done in Ireland.

The report by the IPRT on youth detention is currently being finalised and will look specifically on the detention schools and St Patrick's Institution, where young males aged between 16 and 21 years are currently held.

The detention of 16 and 17-year-olds in St Patrick's is a controversial temporary measure, bridging the gap until a new national detention centre is opened by the Irish Youth Justice Service in Oberstown in Dublin.

Executive director of the IPRT, Liam



LOCKDOWN: Above, an officer on duty inside St Patrick's Institution, top, where young male offenders aged between 16 and 21 years are currently detained. Picture: Maura Hickey

Having under 18s in St Patrick's is totally unsuitable...

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these are children, who are in the care of the State.

-Jesuit priest Fr Tony O'Riordan

Herrick, said the study of the St Patrick's facilities had been undertaken to ensure that the best practices currently in use would be merged with the best international standards in the new centre at Oberstown.

He said: "It will provide a roadmap for child detention in Ireland. There are aspects of the current schools which work very well but also areas which could be improved."

Although the new development will provide a modern centre for young offenders, there are concerns that the measure is not enough.

Jesuit priest Fr Tony O'Riordan is a regular visitor to prisons, including St Patrick's Institution and is concerned at the fact that the new centre will again be in Dublin.

He argues that if there has to be detention of young people, all centres

should not be in Dublin because travelling to the capital places an added burden on the families of offenders.

But he feels even more strongly that young people should not be in detention at all.

Under the Children Act 2001, there is a provision that the detention of children should only be used as a last resort.

Fr O'Riordan said: "Having under-18s in St Patrick's is totally unsuitable and the main issue is the regime — it is effectively a prison regime, but yet these are children, who are in the care of the State."

"Children in St Patrick's are in a regime where their normal rights do not apply because they are in a prison setting."

He said that care of under-18s placed in St Patrick's should be the responsi-

bility of the Office of the Minister for Children, not the Irish Prison Service.

He added that the vast majority of the underage offenders in St Patrick's had been sent there for crimes which were more on the nuisance scale than for serious crimes.

He points out that the 1985 Whitaker Report on the Irish Penal System recommended the closure of St Patrick's — something which is unlikely to take place before a new prison complex is developed at Thornton Hall to replace Mountjoy.

Fr O'Riordan said: "I know there is a plan in place but the deadlines keep being missed."

Plans to develop Thornton Hall received a setback in May, when negotiations between the Irish Prison Service and the Leargas Consortium who were to build the new complex were

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our justice system

Kids, drink and crime linked says report

A CALL has been made for a drink awareness campaign, highlighting the impact of alcohol on young people.

The call has been made by Alcohol Action Ireland in the wake of analysis by the Irish Youth Justice Service of Garda Youth Diversion Projects.

A report on the diversion programme was published last month, showing that more than 50% of youth crime was committed in situations where alcohol had been consumed.

In response to the report, Alcohol Action Ireland hit out at the easy availability of alcohol to underage young people.

Chief executive of the group, Fiona Ryan, said: "This report paints a disturbing picture of easily accessed alcohol by troubled young people. Families and communities where these young people live are paying the price for this easily accessible alcohol at pocket money prices."

She added: "What is really scary for these young people's future is that, in the majority of cases, alcohol is being bought by parents and older siblings, but there is a minority of cases where young people targeted lax off-licences."

She said the report highlighted a need for a serious awareness drive, targeting parents and other adults, to



SHOCKING STATISTIC: A report by the Irish Youth Justice Service revealed that 50% of youth crime is committed in situations where alcohol has been consumed.

Picture: PA Pics/Posed by model

reinforce the impact of alcohol on children.

Ms Ryan added: "While the report specifically dealt with young people in trouble with the law, easy access to alcohol is an issue for young people in general in Ireland."

"Irish teenagers report among the

highest levels of drunkenness in Europe and 16 to 17-year-olds spend on average €145 million a year on alcohol. Three-quarters of 15 and 16-year-olds tell us that it is easy for them to get alcohol."

She called for the commencement of test purchasing of alcohol to estab-

lish where alcohol was being sold to people who are underage.

Minister for Children Barry Andrews said the reduction of alcohol-related crime was the key to reducing anti-social and criminal behaviour by young people.

The report by the Irish Youth Justice Service was one of the actions undertaken as part of the National Youth Justice Strategy 2008-2010.

The strategy was unveiled in March 2008 and focused on children who had some contact with the criminal justice system, with the aim of preventing contact with the system in the future.

The strategy's five goals are:

- To provide leadership and build public confidence in the youth justice system;
- To work to reduce offending by diverting young people from offending behaviour;
- To promote the greater use of community sanctions and initiatives to deal with young people who offend;
- To provide a safe and secure environment for detained children which will assist their early re-integration into the community;
- To strengthen and develop information and data sources in the youth justice system to support more effective policies and services.

Act says detention should be last resort

THE introduction of the Children Act in 2001 brought the area of youth justice under the umbrella of one main piece of legislation.

The focus of the Act is on preventing criminal behaviour by young people by providing, for example, a legislative platform for the juvenile liaison scheme.

The main principles are:

- Any child who accepts responsibility for his/her offending behaviour should be diverted from criminal proceedings, where appropriate.
- Children have equal rights and freedoms before the law to those enjoyed by adults and a right to be heard and participate in proceedings affecting them.
- It is desirable to allow the child's education to proceed without interruption.
- It is desirable to preserve and strengthen the relationship between children and their parents and family members.
- It is desirable to foster the ability of families to develop their own means of dealing with offending by their children.
- It is desirable to allow children to live in their own homes.
- Any penalty imposed on a child should cause as little interference as possible with the child's legitimate activities, should promote the development of the child and take the least restrictive form, as appropriate.
- Detention should be imposed as a last resort and be imposed if it is the only suitable way of dealing with the child.
- There must be due regard to the interests of the victim.
- A child's age and level of maturity may be taken into consideration as mitigating factors in determining a penalty.
- A child's privacy should be protected in any proceedings against him/her.



CALLS FOR CHANGE: Both Liam Herrick, left, of the Irish Penal Reform Trust, and prison visitor Fr Tony O'Riordan, say that the detention of 16 and 17-year-olds in what is, effectively, a prison setting at St Patrick's Institution in Dublin is not appropriate.



broken off because of cost concerns by the Government.

Liam Herrick agrees with Fr O'Riordan and is concerned about the ongoing detention in St Patrick's of offenders who are under the age of 18 years.

He said: "The situation is unacceptable. Young people should not be in a facility which is for people over the age of 18."

He added: "There is the concern that it is exposing young people to serious criminality."

He pointed out that directing money into youth diversion projects would save the State large sums of money because detention came with a high cost.

According to the most recent figure available from the Irish Prison Service, it cost €106,800 to keep one young offender in St Patrick's Institution in 2007 — compared with €97,100 in 2006.

Mr Herrick said: "The cost of detaining a young person in Oberstown is €330,000 a year, which is an incredible amount of money."

"There is a lot of evidence that if you spend \$1 on early childhood services, you will save \$10 in services like prison in later life. Keeping young people out of detention would save a fortune."

He said that alternatives such as the Garda Youth Diversion Programme were extremely important and a cheaper alternative.

Mr Herrick said a conference would be held before the end of the year to look at the issues which led young people into the criminal justice system. The conference is part of a larger exploratory project on this area.

He said: "We are starting a project looking at why young people end up in trouble and what steps can be taken to prevent it. We are hoping to work with Barnardos and the Irish Association of Young People in Care. They work with young people getting into the system. We will be starting that over the next couple of months."

Mr Herrick said there was a range of reasons why young people ended up in trouble, leading them in detention.

He said: "There is an absence of social services and adolescent mental health services are inadequate."

"The problem with out-of-hours social work services must be remembered as well."

"Gardaí often are caught carrying the can, with young people ending up sleeping in garda stations because there is nowhere else for them to go."

Such an incident occurred last year when a 15-year-old boy ended up sleeping in a Cork garda station because officers were unable to contact social workers out of hours.

A pilot nationwide out-of-hours service has been included in the Government's list of 99 proposals, published last week in response to the Ryan Report recommendations.

Fr O'Riordan believes that children who end up in the juvenile justice system are the victims of failures by a range of institutions.

He said: "Most of the children in St Patrick's have been failed by a range of institutions, be it family, schools, social services or other schemes. They are full of potential to be damaged for good."

He added that a proposal in An Bord Snip Nua's report to merge the Office of the Children's Ombudsman with the national Ombudsman Office "makes all the hand-wringing following the release of the Ryan Report a bit hollow."

Minister for Children Barry Andrews has said there is no question of getting rid of the office of the Ombudsman for Children.

TOMORROW: In part two of our series, we meet a mother who feels let down by the juvenile justice system.