

# **Irish Penal Reform Trust**

## *Detention of Children in Ireland: International Standards and Best Practice*

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## Detention as a Last Resort

- Fundamental principle of international law
- Central to creating a more effective and humane youth justice system
- Underpins that detention be used in limited circumstances – violent offences
- Applies to all forms of detention – including detention on remand

## Irish Law and Policy

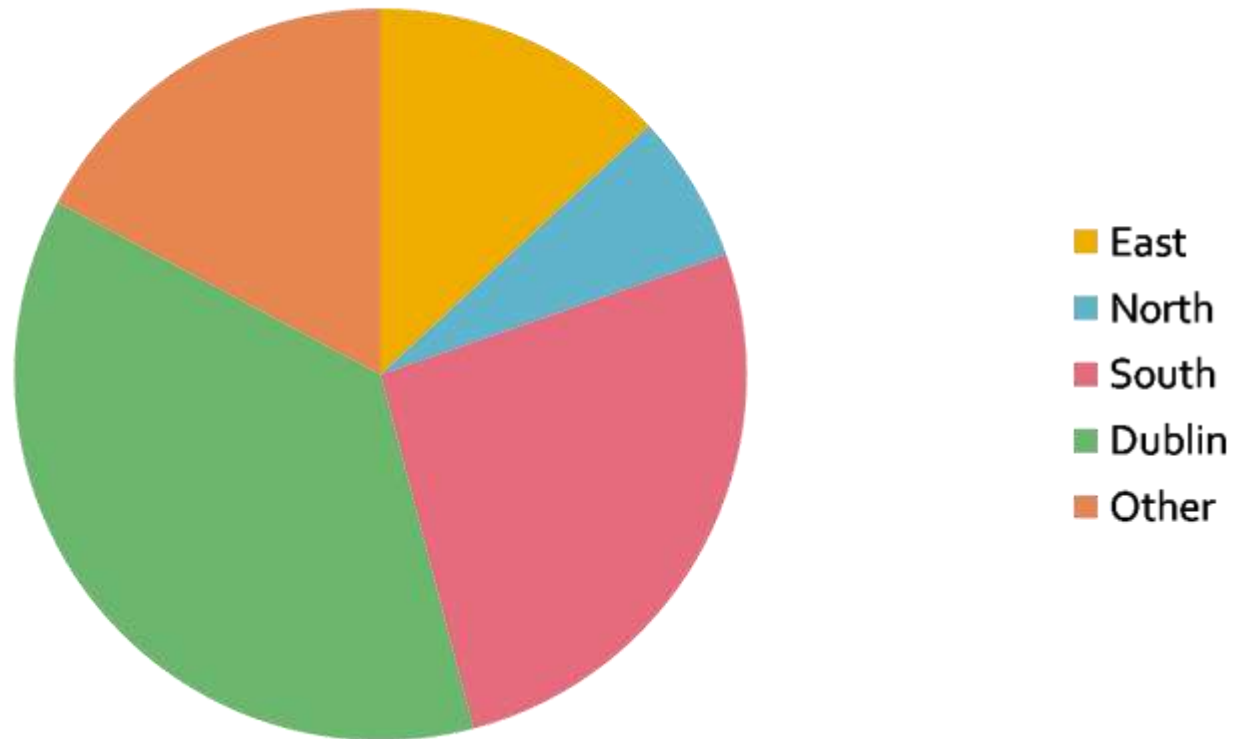
- Children Act 2001, s 96
  - Detention as a last resort as sentencing principle
- Children Act 2001, s 144
  - Detention is the only suitable way for dealing with the child
- National Youth Justice Strategy Goals 08-11
  - Implementation of community-based sanctions
  - Delivery of safe, secure detention for children

## Use of Detention in 2008 - CDS

- 123 children detained in Children Detention Schools (u 16s)
- Average occupancy 46
- 44 received a detention order
- Approx 1/3 on remand - 44% went on to be sentenced to detention

# Origins of Children in Detention

Total: 122



## Use of Detention 2008 – St Patrick's

- **112** 16 year olds and **129** 17 year olds.
  - Total **241** detained in 2008.
- **161** were sentenced to detention
  - Approx 1/3 on remand
- 25% on protection (Inspector of Prisons)

## Transfer to CDS

- Consistent recommendation of national and international monitoring bodies
- Legislative intent in Criminal Justice Act 2006
- 2008 NYJ Strategy – no clear commitment
- Dependent on building of new Detention School – 2012 ?
- Vital that plans are expedited – Plan B



## Use of International Standards

- Detailed and comprehensive standards from UN and Council of Europe
- Blueprint for detention services that are consistent with best practice
- Important benchmark against which to measure progress and reform

## Get Involved with IPRT

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- **Do an internship:** 1-mth summer; 3-6 mths year round