

# **ANNUAL REPORT OF THE COMMITTEE**

**Appointed to Monitor the Effectiveness of the**

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# **Diversion Programme**

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**2009**



**Prn: A10/0993**

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and on the Irish Youth Justice Service website [www.iyjs.ie](http://www.iyjs.ie)

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## FOREWORD



Dear Commissioner,

It is my pleasure to present the 2009 Annual Report of the Committee Appointed to Monitor the Effectiveness of the Diversion Programme as set out in Part 4 of the Children Act 2001.

The total number of incidents referred to the Diversion Programme during 2009 was 23,952, a decrease of 3,470 or 13% on 2008. The total number of individual children referred to the programme was 18,519 which was a decrease of 2,893 or 14% from the 2008 total.

There is no change to the age profile of children referred to the programme with 16 and 17 year olds making up 24% and 35% of referrals respectively.

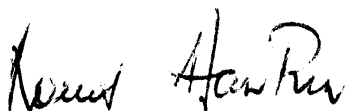
Alcohol related offences (18%), theft (17%) and road traffic offences (13%) constitute the three main categories of offence for which children were referred.

The Garda programme of restorative justice continues to evolve with Juvenile Liaison Officers (JLOs) facilitating 416 restorative events.

There have been a number of divisional boundary changes which does not facilitate easy comparison with last year's statistics. These changes are initially indicated on page 7 and at other points throughout the report where appropriate.

In October 2009 the organisation's first Youth and Children Strategy was launched. This three year strategy outlines how An Garda Síochána will deliver a quality service to children and young people in our community. It is reflective of the fact that the majority of young people do not come into conflict with the law and that young people are often the victims of crime and/or in need of Garda assistance. In keeping with the broadening role that the strategy aims to provide, the National Juvenile Office changed its name to the Garda Office for Children and Youth Affairs (GOCYA).

I want to thank the committee for their work during the year, the Director of the Diversion Programme, the staff at the GOCYA and the JLOs throughout the country for their dedication and work.



*Chairperson*

*Louis Harkin, Assistant Commissioner*

## Executive Summary

- The total number of incidents referred to the Diversion Programme during 2009 was 23,952.
- The total number of individual children referred to the programme was 18,519.
- 14,047 (76%) children were admitted to the Diversion Programme.
- 10,059 (54%) children had their cases dealt with by way of informal caution.
- 3,988 (22%) children had their cases dealt with by formal caution.
- 482 (3%) children had a decision in their case pending.
- 1,024 (6%) children required no further action.
- 2,966 (16%) children were considered not suitable for inclusion in the programme.
- The types of offences for which children were referred to the programme were similar to those of 2008.
- Alcohol related offences (17.6%), theft (16.6%) and road traffic offences (13%) constitute the three main categories of offence for which children were referred.
- There were 1,401 (5.8%) referrals from the Fixed Charge Penalty System.
- The Garda programme of restorative justice continues to evolve with Juvenile Liaison Officers facilitating 416 restorative events.
- There were 7 new Juvenile Liaison Officer posts created and filled in 2009.
- There are 108 Garda Juvenile Liaison Officers and 8 Juvenile Liaison Officer Sergeants working on the programme.

# 1. Membership and Terms of Reference of the Committee

In May 2002 a Ministerial Order was signed, bringing Part 4 of The Children Act 2001 into operation. This part of the Act deals entirely with the Diversion Programme. In June 2003, a Committee was appointed, in accordance with Section 44 of the Act, to monitor the effectiveness of the programme.

## **The terms of reference of the Committee are to:**

- monitor the effectiveness of the Diversion Programme
- review all aspects of its operation
- monitor the 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
- advise on any relevant matters
- prepare an annual report

## **Membership**

The current members of the Committee are

- Assistant Commissioner Louis Harkin, Chairperson
- Chief Superintendent Clare O'Sullivan
- Ms. Phil Hanna
- Mr Tim Dalton
- Inspector Finbarr Murphy (Secretary)

## 2. The Diversion Programme

The Diversion Programme is a package of measures for dealing with children between the ages of 10 and 18 years, who commit an offence or offences. These measures include such interventions as administering a caution, placing the child under Garda supervision, placing the child on a Garda Youth Diversion Project, facilitating a meeting between the child and any victim of their offending behaviour or engaging in counselling or other appropriate intervention.

The Programme is managed by the Director of the Programme (Section 20) who is a Garda Superintendent appointed by the Commissioner of An Garda Síochána.

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 and 18 years
- accept responsibility for his/her criminal behaviour
- consent to being cautioned and where appropriate, supervised

If a child is deemed suitable for admission to the programme then s/he is given either a formal or an informal caution. In certain circumstances the victim of the offence may be invited to attend when the caution is given. This is referred to as a restorative caution. The JLO may also recommend that a family conference be held in relation to the child.

A child given a formal caution is placed under Garda supervision for a period of 12 months. This period of supervision may, in certain circumstances, be varied by the Director. The caution will be administered either by a Garda not below the rank of Inspector or a JLO who has received mediation training. An informal caution is administered by a JLO and the child is not normally placed under supervision. In practice, both cautions are formal processes, one accompanied by a period of supervision and the other without supervision.

## 3. Referrals

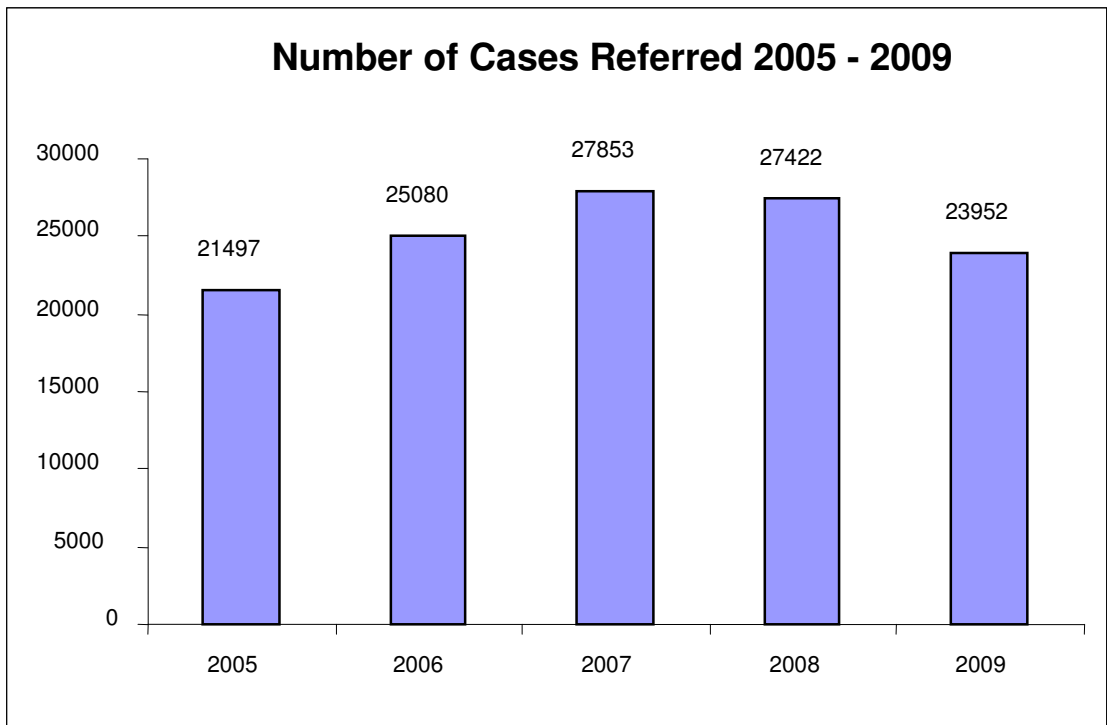
### 3.1 Number of Referrals to the Diversion Programme

The total number of referrals received in 2009 was 23,952. This was a decrease of 3,470 (12.65%) on the figure of 27,422 referrals received in 2008.

**Table 1: Number of Referrals in 2009 by Region and Division**

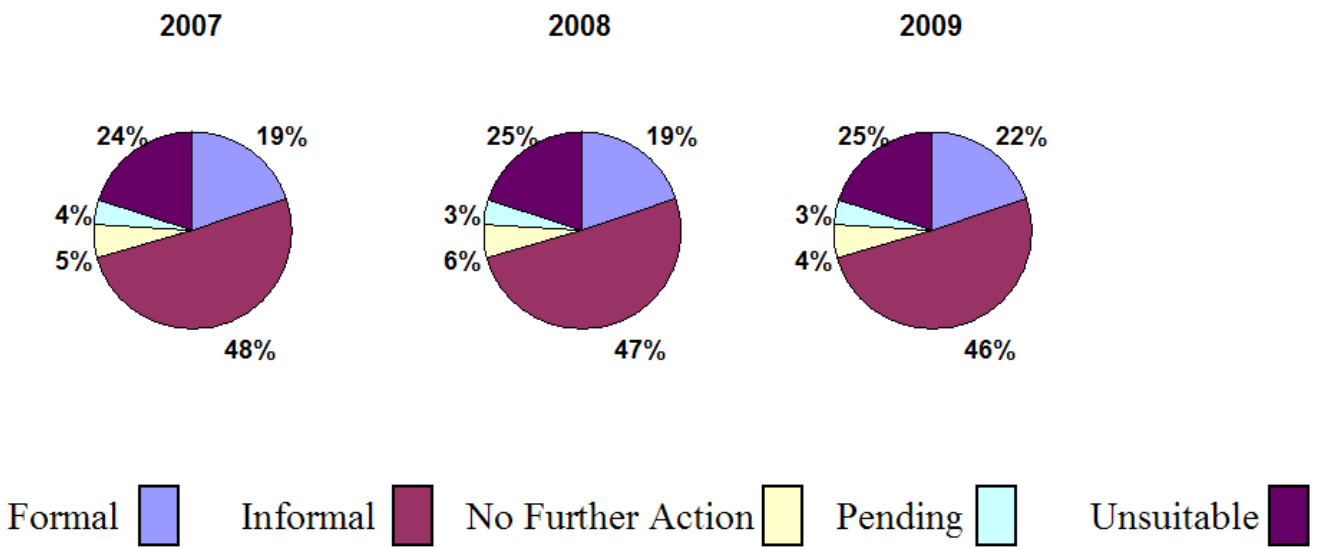
	Total	Formal	Informal	No Further Action	Pending	Not Suitable
<b>EASTERN REGION</b>						
KILDARE	670	117	383	35	11	124
LAOIS / OFFALY	744	194	364	28	7	151
MEATH	618	104	306	30	13	165
WESTMEATH	450	89	245	25	8	83
WICKLOW	681	152	383	16	42	88
<b>Total</b>	<b>3163</b>	<b>656</b>	<b>1681</b>	<b>134</b>	<b>81</b>	<b>611</b>
<b>D.M.R. REGION</b>						
D.M.R. EAST	735	159	364	41	18	153
D.M.R. NORTH	2086	427	838	66	148	607
D.M.R. NORTH CENTRAL	676	72	192	18	14	380
D.M.R. SOUTH	1708	322	609	108	59	610
D.M.R. SOUTH CENTRAL	464	76	173	22	21	172
D.M.R. WEST	2100	507	758	95	77	663
<b>Total</b>	<b>7769</b>	<b>1563</b>	<b>2934</b>	<b>350</b>	<b>337</b>	<b>2585</b>
<b>NORTHERN REGION</b>						
CAVAN / MONAGHAN	672	171	347	18	11	125
DONEGAL	778	219	391	17	11	140
LOUTH	720	171	365	30	10	144
SLIGO / LEITRIM	335	69	178	13	4	71
<b>Total</b>	<b>2505</b>	<b>630</b>	<b>1281</b>	<b>78</b>	<b>36</b>	<b>480</b>
<b>SOUTH EASTERN REGION</b>						
KILKENNY/CARLOW	641	179	297	10	14	141
TIPPERARY	737	163	381	24	18	151
WATERFORD	919	189	430	27	11	262
WEXFORD	603	186	328	21	3	65
<b>Total</b>	<b>2900</b>	<b>717</b>	<b>1436</b>	<b>82</b>	<b>46</b>	<b>619</b>
<b>SOUTHERN REGION</b>						
CORK CITY	1595	293	768	89	2	443
CORK NORTH	844	168	421	37	7	211
CORK WEST	603	142	280	26	1	154
KERRY	653	158	324	17	68	86
LIMERICK	1314	355	532	27	11	389
<b>Total</b>	<b>5009</b>	<b>1116</b>	<b>2325</b>	<b>196</b>	<b>89</b>	<b>1283</b>
<b>WESTERN REGION</b>						
CLARE	462	109	198	28	17	110
GALWAY	1021	248	569	22	14	168
MAYO	665	196	307	18	8	136
ROSCOMMON / LONG-FORD	397	108	222	12	4	51
<b>Total</b>	<b>2545</b>	<b>661</b>	<b>1296</b>	<b>80</b>	<b>43</b>	<b>465</b>
<b>Outside Jurisdiction</b>	<b>61</b>	<b>2</b>	<b>26</b>	<b>26</b>	<b>-</b>	<b>7</b>
<b>Total by COLUMNS</b>	<b>23952</b>	<b>5345</b>	<b>10979</b>	<b>946</b>	<b>632</b>	<b>6050</b>

**Figure 1**



**Figure 2**

**Case decisions as a percentage of total referrals 2007 – 2009**



\*Figures have been rounded to the nearest percentage point

### 3.2 Children Referred to the Diversion Programme

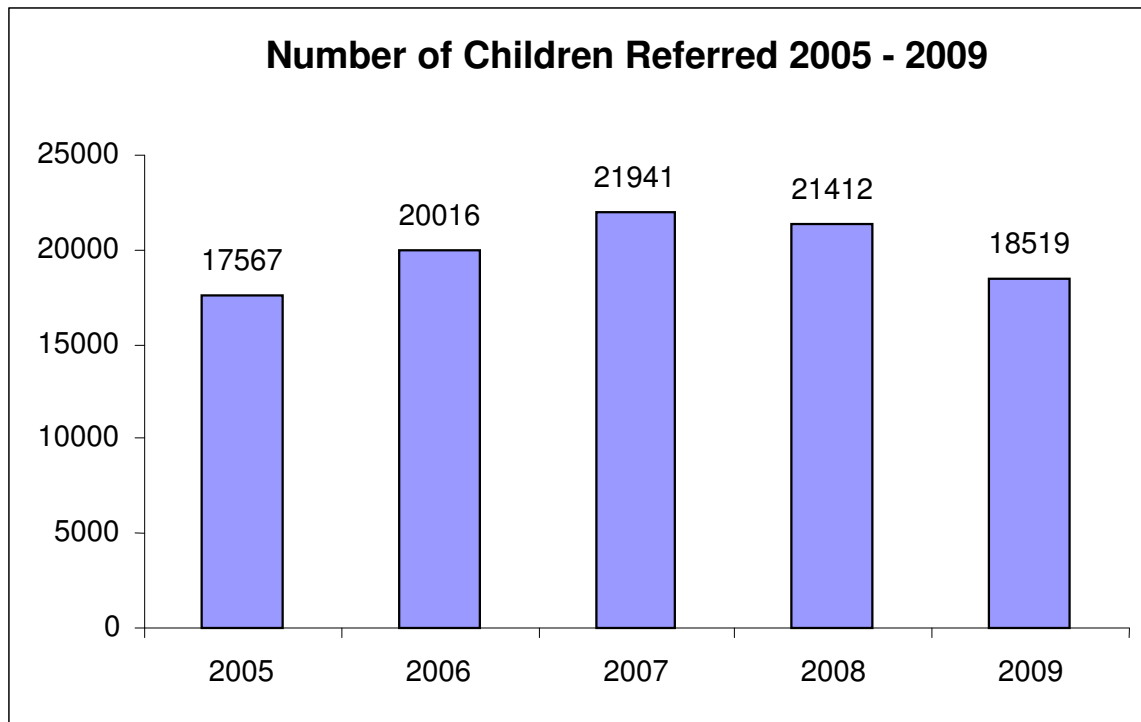
The total number of children referred in 2009 amounted to 18,519. This is a decrease of 2,893 (13.51%) on the 2008 total of 21,412.

**Table 2: Number of Children Referred in 2009 by Region and Division**

	Total	Formal	Informal	No Further Action	Pending	Not Suitable
<b>EASTERN REGION</b>						
KILDARE	546	97	340	32	10	67
LAOIS / OFFALY	574	141	325	25	7	76
MEATH	472	83	273	27	10	79
WESTMEATH	339	59	207	28	7	38
WICKLOW	557	123	340	20	26	48
<b>Eastern Total</b>	<b>2488</b>	<b>503</b>	<b>1485</b>	<b>132</b>	<b>60</b>	<b>308</b>
<b>D.M.R. REGION</b>						
D.M.R. EAST	610	121	352	45	13	79
D.M.R. NORTH	1633	353	798	80	108	294
D.M.R. NORTH CENTRAL	451	65	171	20	9	186
D.M.R. SOUTH	1309	252	581	113	45	318
D.M.R. SOUTH CENTRAL	358	66	164	21	17	90
D.M.R. WEST	1645	404	704	108	51	378
<b>D.M.R. Total</b>	<b>6006</b>	<b>1261</b>	<b>2770</b>	<b>387</b>	<b>243</b>	<b>1345</b>
<b>NORTHERN REGION</b>						
CAVAN / MONAGHAN	518	121	310	20	11	56
DONEGAL	626	171	355	17	11	72
LOUTH	537	108	329	29	10	61
SLIGO / LEITRIM	280	59	164	13	4	40
<b>Northern Total</b>	<b>1961</b>	<b>459</b>	<b>1158</b>	<b>79</b>	<b>36</b>	<b>229</b>
<b>SOUTH EASTERN REGION</b>						
KILKENNY/CARLOW	486	123	271	14	13	65
TIPPERARY	557	117	329	30	18	63
WATERFORD	670	137	390	28	10	105
WEXFORD	446	100	289	24	2	31
<b>South Eastern Total</b>	<b>2159</b>	<b>477</b>	<b>1279</b>	<b>96</b>	<b>43</b>	<b>264</b>
<b>SOUTHERN REGION</b>						
CORK CITY	1230	226	692	92	2	218
CORK NORTH	657	132	382	42	6	95
CORK WEST	432	79	260	27	1	65
KERRY	510	107	294	18	44	47
LIMERICK	951	269	497	30	11	144
<b>Southern Total</b>	<b>3780</b>	<b>813</b>	<b>2125</b>	<b>209</b>	<b>64</b>	<b>569</b>
<b>WESTERN REGION</b>						
CLARE	379	88	191	35	14	51
GALWAY	844	180	534	33	11	86
MAYO	510	126	286	20	7	71
ROSCOMMON / LONGFORD	339	79	205	13	4	38
<b>Western Total</b>	<b>2072</b>	<b>473</b>	<b>1216</b>	<b>101</b>	<b>36</b>	<b>246</b>
<b>Outside Jurisdiction</b>	<b>53</b>	<b>2</b>	<b>26</b>	<b>20</b>	<b>0</b>	<b>5</b>
<b>Total by COLUMNS</b>	<b>18519</b>	<b>3988</b>	<b>10059</b>	<b>1024</b>	<b>482</b>	<b>2966</b>

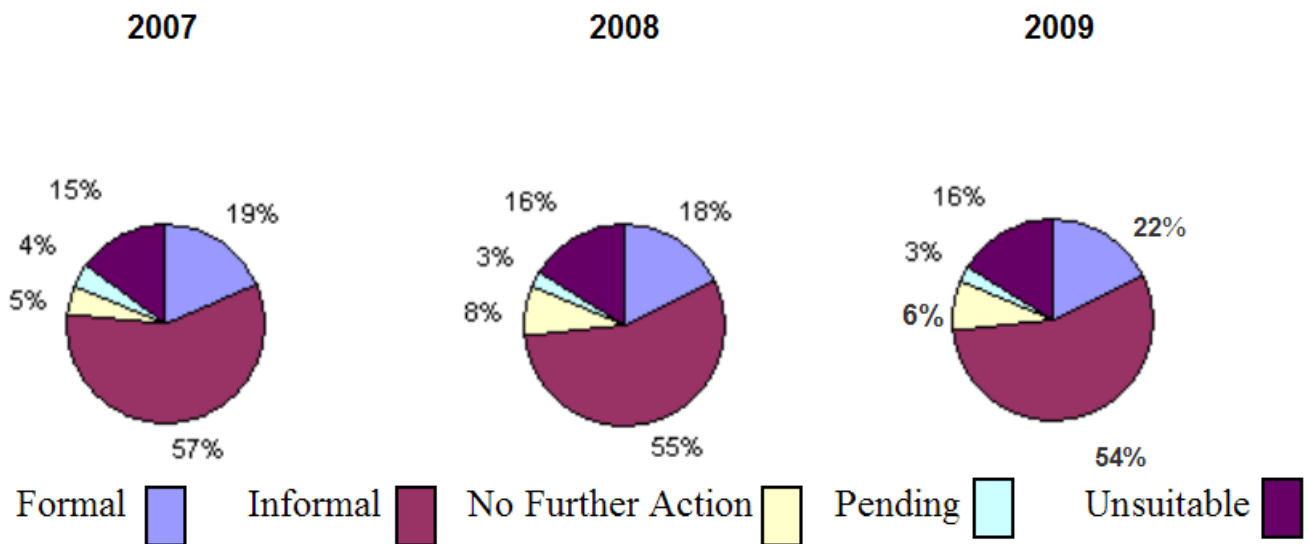
\* The impact of divisional boundary changes in the following districts does not facilitate direct statistical comparison with previous years; Kildare, Meath, Westmeath, Wicklow, Louth, Kilkenny / Carlow, Waterford, Wexford and Roscommon / Longford.

**Figure 3**



**Figure 4**

**Case decisions as a percentage of overall number of children referred**



\*Figures have been rounded to the nearest percent point

### 3.3 Children Referred in 2009 by Gender, Region and Division

Table 3: Gender of Children referred by Region and Division

	Formal		Informal		No Further Action		Pending		Not Suitable		Total
	F	M	F	M	F	M	F	M	F	M	
<b>EASTERN REGION</b>											
KILDARE	13	84	68	272	8	24	-	10	11	56	546
LAOIS / OFFALY	15	126	79	246	5	20	3	4	7	69	574
MEATH	13	70	63	210	2	25	2	8	14	65	472
WESTMEATH	11	48	44	163	10	18	2	5	9	29	339
WICKLOW	15	108	67	273	2	18	3	23	6	42	557
<b>Eastern Total</b>	<b>67</b>	<b>436</b>	<b>321</b>	<b>1164</b>	<b>27</b>	<b>105</b>	<b>10</b>	<b>50</b>	<b>47</b>	<b>261</b>	<b>2488</b>
<b>D.M.R. REGION</b>											
D.M.R. EAST	14	107	78	274	7	38	5	8	10	69	610
D.M.R. NORTH	46	307	190	608	21	59	17	91	33	261	1633
D.M.R. NORTH CENTRAL	8	57	51	120	7	13	1	8	16	170	451
D.M.R. SOUTH	19	233	138	443	21	92	3	42	42	276	1309
D.M.R. SOUTH CENTRAL	13	53	45	119	2	19	2	15	13	77	358
D.M.R. WEST	57	347	176	528	29	79	7	44	34	344	1645
<b>D.M.R. Total</b>	<b>157</b>	<b>1104</b>	<b>678</b>	<b>2092</b>	<b>87</b>	<b>300</b>	<b>35</b>	<b>208</b>	<b>148</b>	<b>1197</b>	<b>6006</b>
<b>NORTHERN REGION</b>											
CAVAN / MONAGHAN	10	111	54	256	5	15	2	9	7	49	518
DONEGAL	18	153	66	289	1	16	3	8	3	69	626
LOUTH	12	96	69	260	9	20		10	4	57	537
SLIGO / LEITRIM	5	54	28	136	2	11	1	3	2	38	280
<b>Northern Total</b>	<b>45</b>	<b>414</b>	<b>217</b>	<b>941</b>	<b>17</b>	<b>62</b>	<b>6</b>	<b>30</b>	<b>16</b>	<b>213</b>	<b>1961</b>
<b>SOUTH EASTERN REGION</b>											
KILKENNY/CARLOW	18	105	71	200	2	12		13	10	55	486
TIPPERARY	19	98	58	271	6	24	4	14	7	56	557
WATERFORD	33	104	91	299	10	18	1	9	15	90	670
WEXFORD	12	88	62	227	1	23		2		31	446
<b>South Eastern Total</b>	<b>82</b>	<b>395</b>	<b>282</b>	<b>997</b>	<b>19</b>	<b>77</b>	<b>5</b>	<b>38</b>	<b>32</b>	<b>232</b>	<b>2159</b>
<b>SOUTHERN REGION</b>											
CORK CITY	49	177	199	493	25	67		2	29	189	1230
CORK NORTH	18	114	104	278	10	32	1	5	9	86	657
CORK WEST	14	65	60	200	7	20		1	7	58	432
KERRY	10	97	60	234	4	14	2	42	11	36	510
LIMERICK	51	218	148	349	4	26		11	18	126	951
<b>Southern Total</b>	<b>142</b>	<b>671</b>	<b>571</b>	<b>1554</b>	<b>50</b>	<b>159</b>	<b>3</b>	<b>61</b>	<b>74</b>	<b>495</b>	<b>3780</b>
<b>WESTERN REGION</b>											
CLARE	14	74	43	148	2	33	3	11	3	48	379
GALWAY	19	161	145	389	8	25	3	8	11	75	844
MAYO	14	112	77	209	4	16		7	17	54	510
ROSCOMMON / LONGFORD	13	66	40	165	2	11	2	2	5	33	339
<b>Western Total</b>	<b>60</b>	<b>413</b>	<b>305</b>	<b>911</b>	<b>16</b>	<b>85</b>	<b>8</b>	<b>28</b>	<b>36</b>	<b>210</b>	<b>2072</b>
<b>Outside Jurisdiction</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>24</b>	<b>4</b>	<b>16</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>53</b>
<b>Total by COLUMNS</b>	<b>553</b>	<b>3435</b>	<b>2376</b>	<b>7683</b>	<b>220</b>	<b>804</b>	<b>67</b>	<b>415</b>	<b>353</b>	<b>2613</b>	<b>18519</b>

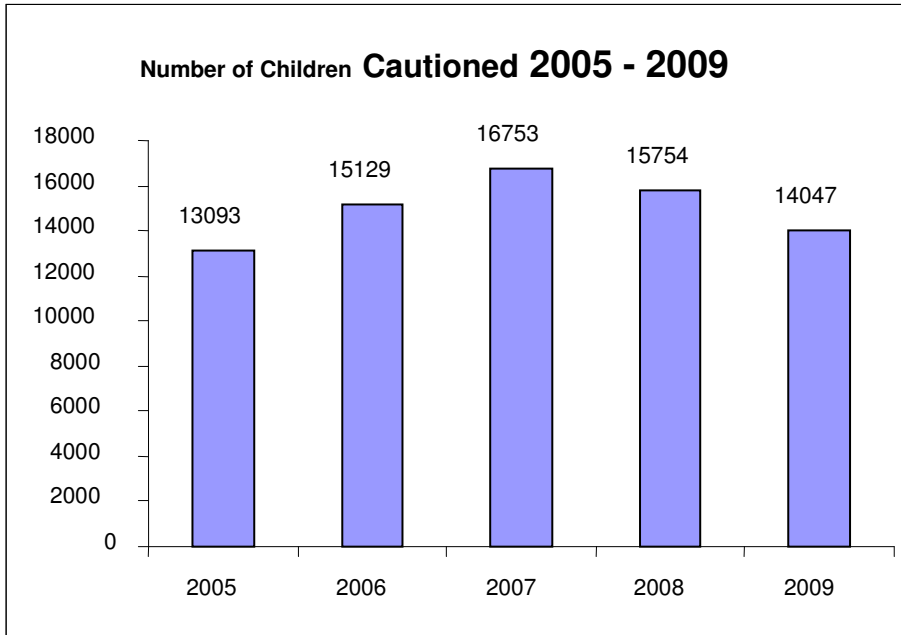
\* The impact of divisional boundary changes in the following districts does not facilitate direct statistical comparison with previous years; Kildare, Meath, Westmeath, Wicklow, Louth, Kilkenny / Carlow, Waterford, Wexford and Roscommon / Longford.

## 4. Cautions

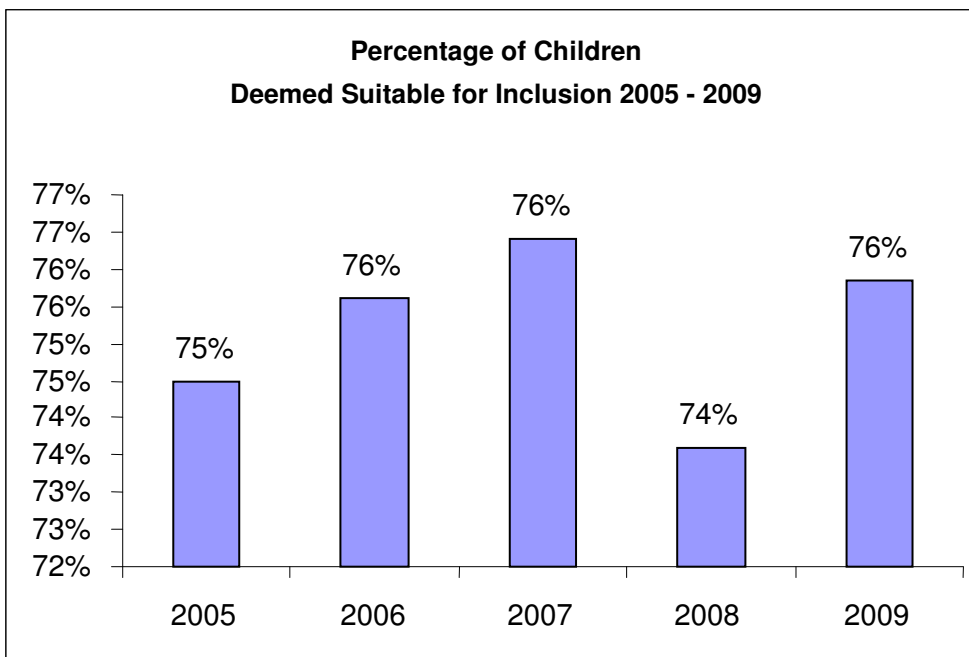
### 4.1 Formal and Informal Cautions

As shown in Table 2, the total number of children who were cautioned either formally or informally in 2009 was 14,047. This equates to 76% of the total number of children referred. 10,059 (54%) received an informal caution and 3,988 (22%) received a formal caution. These figures compare with 55% and 18% respectively for 2008.

**Figure 5**



**Figure 6**



## 4.1 Garda Restorative Cautions and Conferences

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.

In addition to humanising the harm, the 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 “restoration” 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 reoccur.

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. Where it differs, is 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.

Collectively, restorative cautions and restorative conferences are referred to as restorative events. A total of 416 restorative events were held in 2009 a decrease of 6 (1.4%) on the 2008 total of 422. The 416 events comprised of 411 restorative cautions and 5 restorative conferences. These figures show that the number of restorative events in 2009 was not significantly different from 2008. Table 4 shows the number of events on a regional and divisional basis.

Offence types for which restorative events were held included road traffic offences, breaches of public order, assaults, robbery, burglary, theft and criminal damage.

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

### 4.3 Restorative Justice Events 2009 per Region and Division

Table 4

	2006	2007	2008	2009
<b>EASTERN REGION</b>				
CARLOW / KILDARE <sup>1</sup>	11	8	17	-
KILDARE <sup>2</sup>	-	-	-	10
LAOIS / OFFALY	8	10	14	9
LONGFORD / WESTMEATH <sup>1</sup>	4	7	-	-
LOUTH/MEATH <sup>1</sup>	14	14	-	-
MEATH <sup>2</sup>	-	-	7	12
WESTMEATH <sup>2</sup>	-	-	11	6
WICKLOW <sup>2</sup>	-	-	5	8
<b>EASTERN REGION TOTAL</b>	<b>37</b>	<b>39</b>	<b>54</b>	<b>45</b>
<b>DUBLIN MET. REGION</b>				
EASTERN	33	34	24	16
NORTH CENTRAL	4	8	15	13
NORTHERN	12	52	46	54
SOUTH CENTRAL	11	12	11	10
SOUTHERN	17	18	18	13
WESTERN	23	16	28	32
<b>DUBLIN MET. REGION TOTAL</b>	<b>100</b>	<b>140</b>	<b>142</b>	<b>138</b>
<b>NORTHERN REGION</b>				
CAVAN/MONAGHAN	6	9	21	10
DONEGAL	3	6	4	3
SLIGO / LEITRIM	-	3	5	4
LOUTH <sup>2</sup>	-	-	9	10
<b>NORTHERN REGION TOTAL</b>	<b>9</b>	<b>18</b>	<b>39</b>	<b>27</b>
<b>SOUTH EASTERN REGION</b>				
KILKENNY/CARLOW <sup>2</sup>	-	-	-	14
TIPPERARY	4	3	14	7
WATERFORD <sup>2</sup>	-	-	-	11
WATERFORD / KILKENNY <sup>1</sup>	10	18	22	-
WEXFORD / WICKLOW <sup>1</sup>	8	16	-	-
WEXFORD <sup>2</sup>	-	-	12	12
<b>SOUTH EASTERN REGION TOTAL</b>	<b>22</b>	<b>37</b>	<b>48</b>	<b>44</b>
<b>SOUTHERN REGION</b>				
CORK CITY	39	47	35	57
CORK NORTH	12	17	19	34
CORK WEST	42	26	19	25
KERRY	8	6	1	1
LIMERICK	11	9	9	10
<b>SOUTHERN REGION TOTAL</b>	<b>112</b>	<b>105</b>	<b>83</b>	<b>127</b>
<b>WESTERN REGION</b>				
CLARE	1	-	2	-
GALWAY	4	12	27	22
MAYO	10	10	3	5
ROSCOMMON / GALWAY EAST <sup>1</sup>	12	17	-	-
ROSCOMMON / LONGFORD <sup>2</sup>	-	-	24	8
<b>WESTERN REGION TOTAL</b>	<b>27</b>	<b>39</b>	<b>56</b>	<b>35</b>
<b>Totals</b>	<b>307</b>	<b>378</b>	<b>422</b>	<b>416</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

## 5. Children Considered Unsuitable for Inclusion

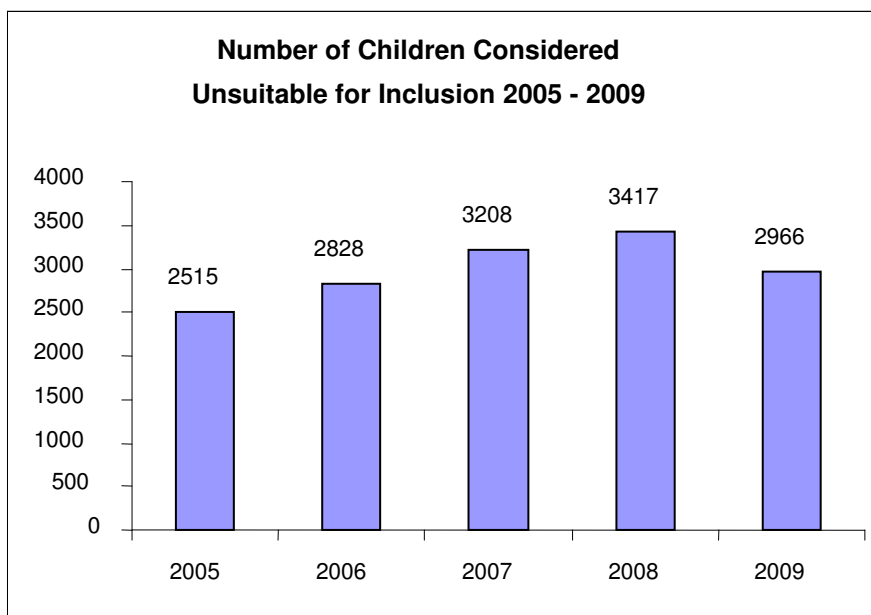
2,966 (16%) children were deemed not suitable for inclusion in the Diversion Programme.

A case is recorded as unsuitable if;

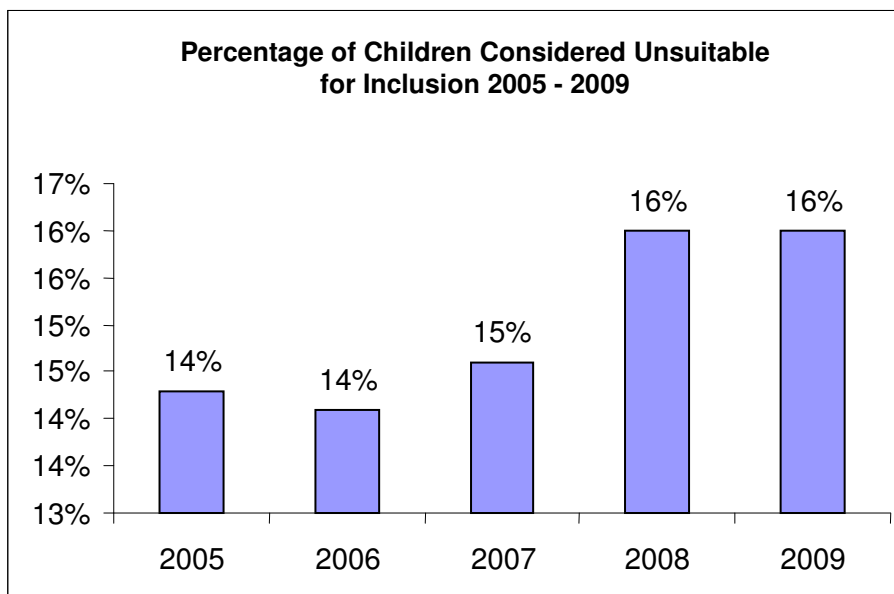
- The child does not accept responsibility for the behaviour
- It would not be in the interests of society to caution the child
- The child is offending persistently

These matters are then returned to local Garda management who decide, following consultation with the Director of Public Prosecutions where appropriate, if a prosecution will be taken.

**Figure 7**



**Figure 8**



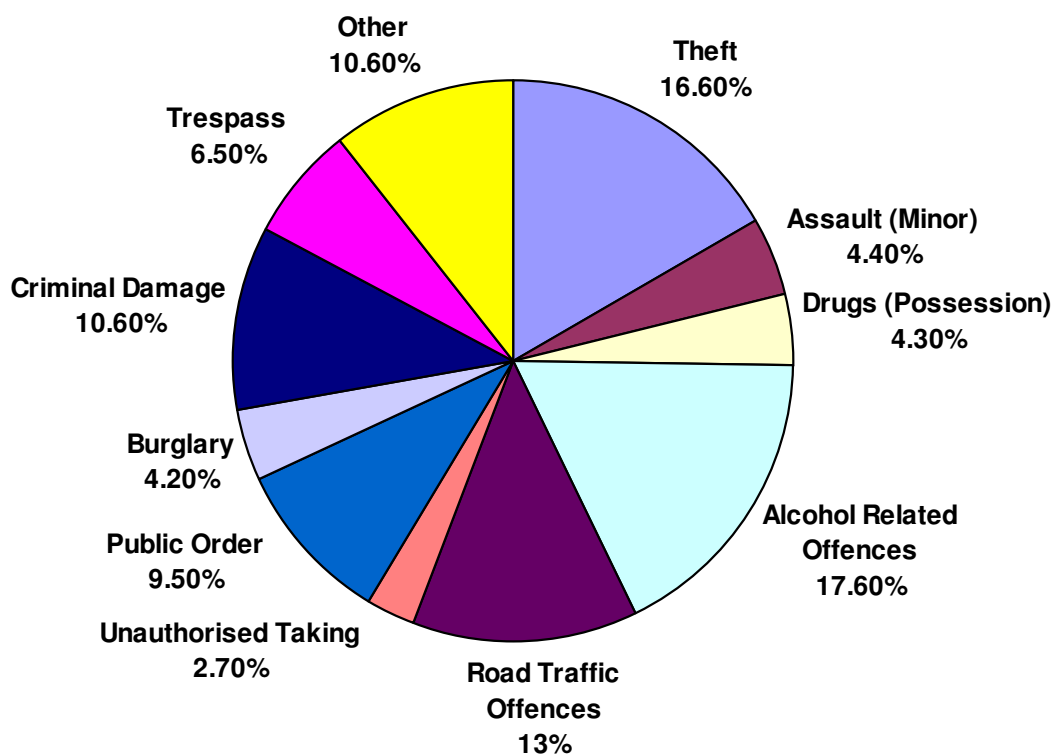
## 6. Offences for which Children were Referred

### 6.1 Principal Offences for Which Children were Referred

The types of offences for which children were referred to the programme are similar to those for which children were referred in 2008. Alcohol related offences 17.6%, theft 16.6% and road traffic offences 13% are the three most common offences.

Figure 9

#### Principle offences in Respect of which Referrals were made in 2009



The 10.6% 'Other' in the pie chart above is the combined total of other offences, none of which accounted for more than 5% of the overall total. The type of offence and percentage amount can be found in table 5.

## 6.2 Offences Categories 2009

The following two tables show the offence category in respect of which children were referred. Table 5 shows the main offence categories and Table 6 gives a more detailed breakdown for selected categories.

**Table 5**

	Number	Percentage
Theft	3967	16.60%
Fraud related offences (see breakdown A)	119	0.50%
Possession of certain articles with intent	25	0.10%
Robbery (incl. demanding money with menaces)	246	1%
Burglary	1012	4.20%
Aggravated burglary	19	0.10%
Handling / possession of stolen property	220	0.90%
Criminal damages (not arson)	2539	10.60%
Arson	110	0.50%
Unauthorised taking/carriage/interference with M.P.V	643	2.70%
Road Traffic offences (see breakdown B)	3100	13.00%
Alcohol related offences (see breakdown C)	4252	17.60%
Public order offences (see breakdown D)	2264	9.50%
Drugs (possession)	1027	4.30%
Drugs (supply)	174	0.70%
Possession of offensive weapon	378	1.60%
Possession of firearms	32	0.10%
Assault minor	1062	4.40%
Assault on peace officer	36	0.10%
Serious assault (see breakdown E)	406	1.70%
Sexual offences (see breakdown F)	74	0.30%
Street trading	26	0.10%
Trespass	1550	6.50%
Railway acts (trespass line, stone throwing, non-payment of fares)	44	0.20%
Street and house collections	9	0.05%
Public mischief (incl. hoax phone calls)	58	0.25%
False imprisonment	5	0.05%
Offences against animals	21	0.10%
Miscellaneous	534	2.25%
<b>Total</b>	<b>23952</b>	<b>100.00%</b>

## 6.3 Breakdown of Selected Categories 2009

Table 6

<b>Fraud Related Offences (A)</b>	
Fraud deception	106
Forgery/uttering/fraud	13
<b>Total</b>	<b>119</b>

<b>Other Road Traffic Offences (B)</b>	
Insurance	702
Dangerous Driving	220
Careless Driving	35
Pedal cycle offences	4
Holding mobile whilst driving	100
Drunk driving offences	118
No Driving Licence	178
No helmet/seatbelt	226
Speeding	460
No road tax	336
Dangerous driving causing death	2
Miscellaneous	719
<b>Total</b>	<b>3100</b>

<b>Alcohol (C)</b>	
Purchase/possession/consumption of alcohol	1144
Drunk and a danger to traffic	4
Intoxication in public	3079
Found on licensed premises	25
<b>Total</b>	<b>4252</b>

**Table 6 (continued)**

<b>Public Order (D)</b>	
Affray	16
Riot	1
Urinate in public	9
Disorderly conduct in public	118
Abusive and threatening behaviour	1435
Failure to comply with Garda direction/obstruction	528
Violent disorder	45
Other	112
<b>Total</b>	<b>2264</b>

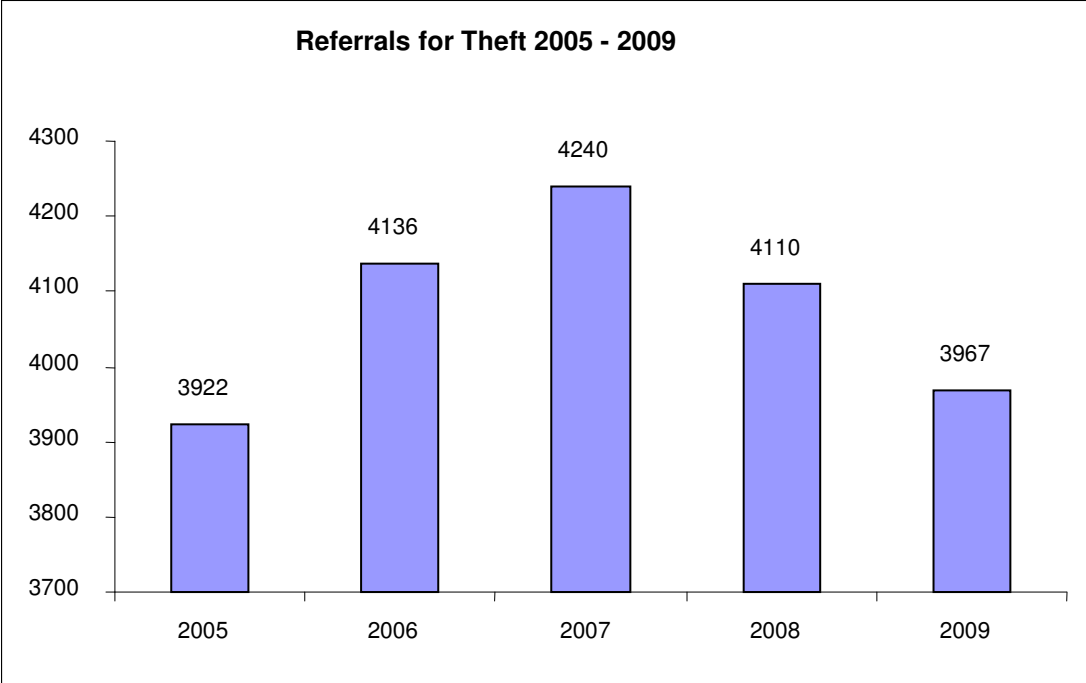
<b>Serious Assault (E)</b>	
Murder	2
Assault causing serious bodily harm	12
Assault causing bodily harm	392
<b>Total</b>	<b>406</b>

<b>Sexual Offences (F)</b>	
Sexual assault	40
Indecency	4
Defilement	9
Rape	17
Prostitution (loitering)	1
Buggery	2
Child pornography	1
<b>Total</b>	<b>74</b>

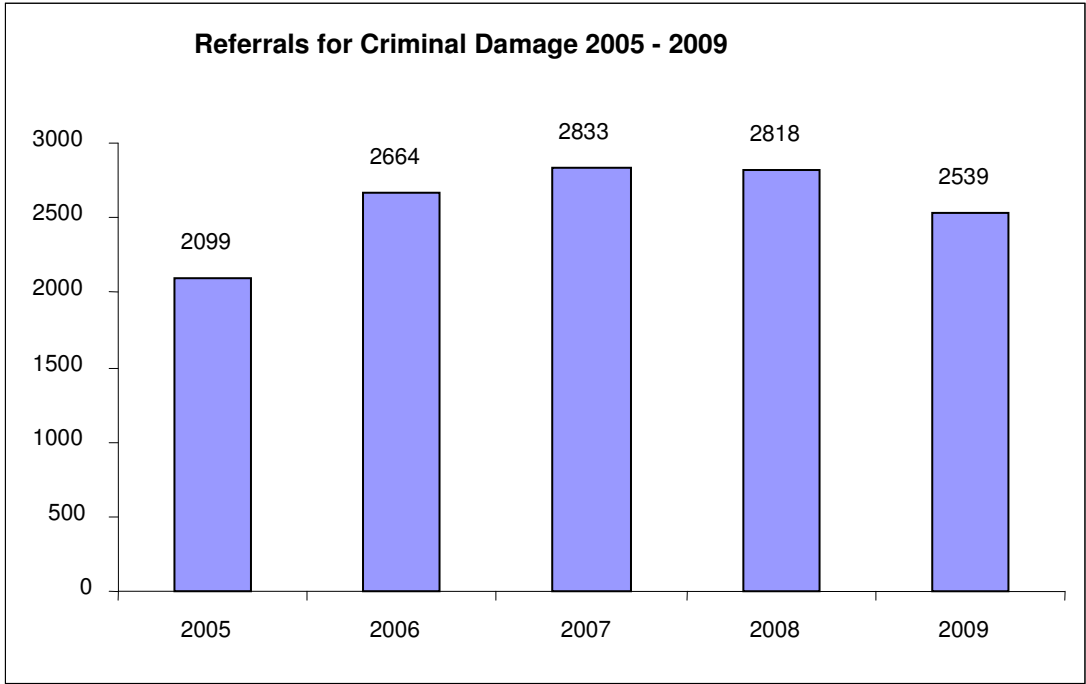
### 6.4 Referrals 2005-2009

The following figures show the number of referrals received over the past five years for theft, criminal damage, burglary, public order, vehicle offences, and alcohol related offences.

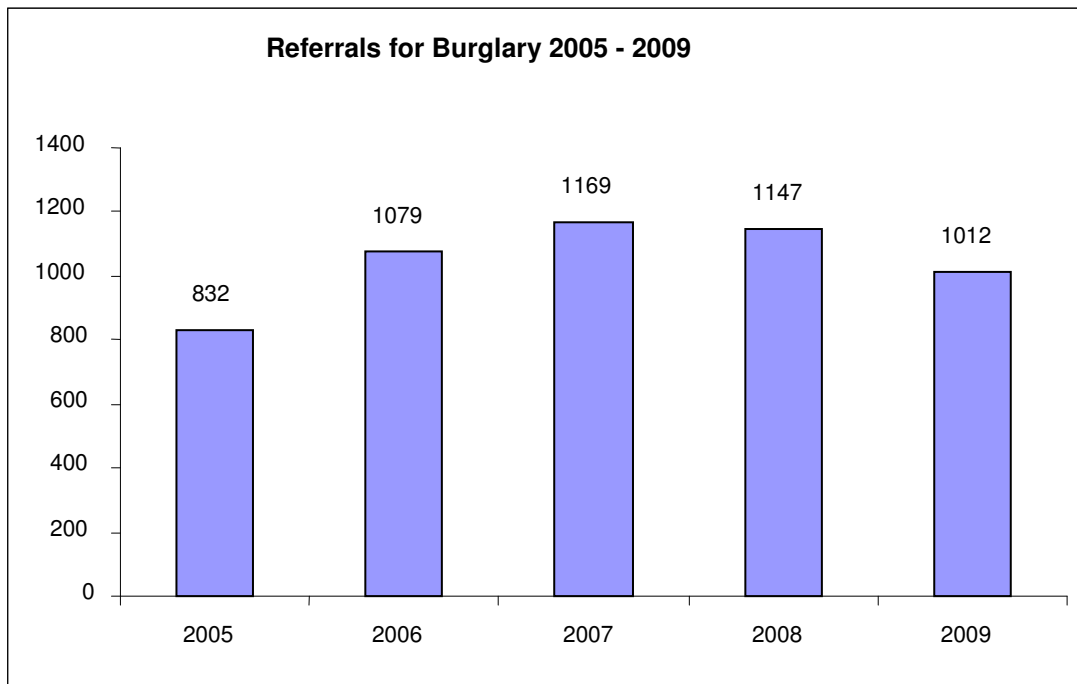
**Figure 10**



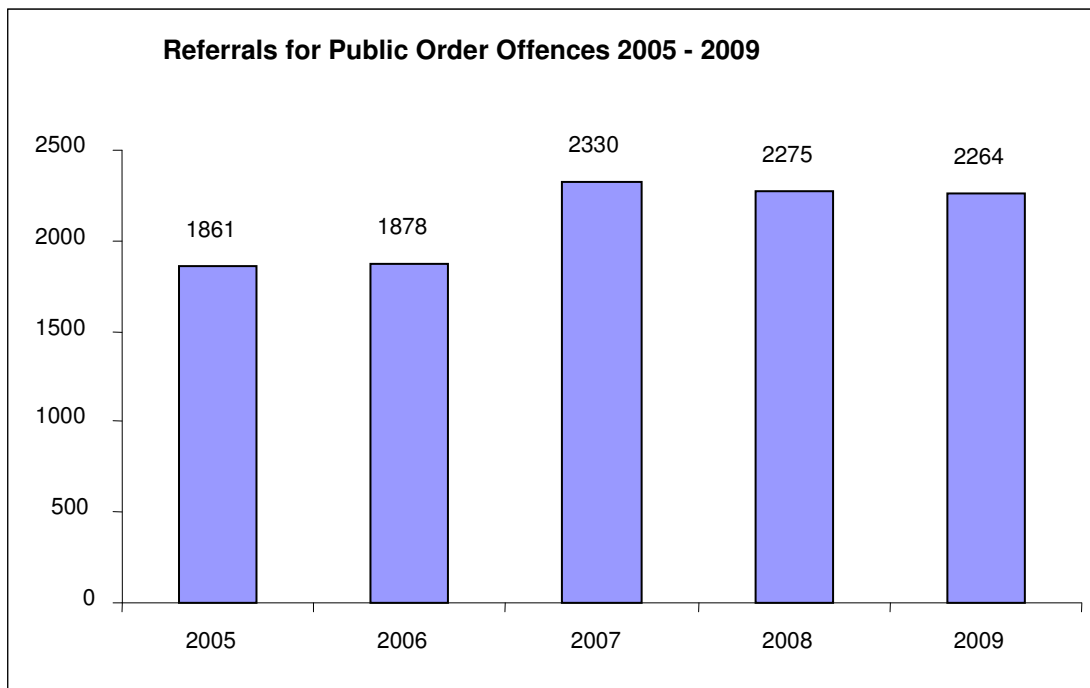
**Figure 11**



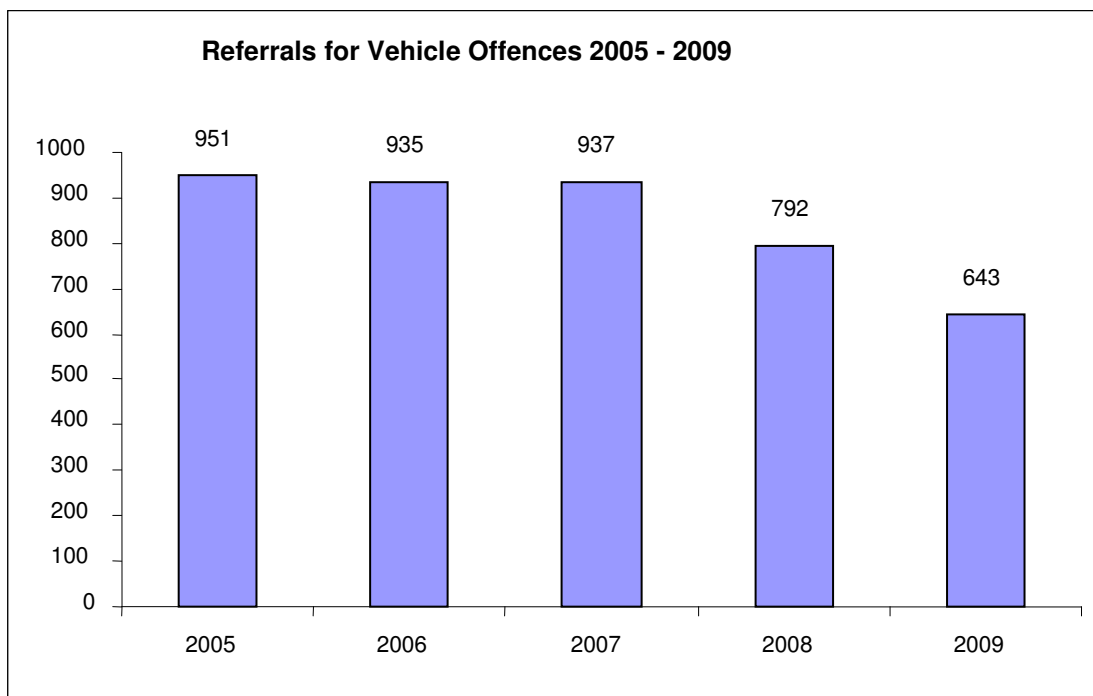
**Figure 12**



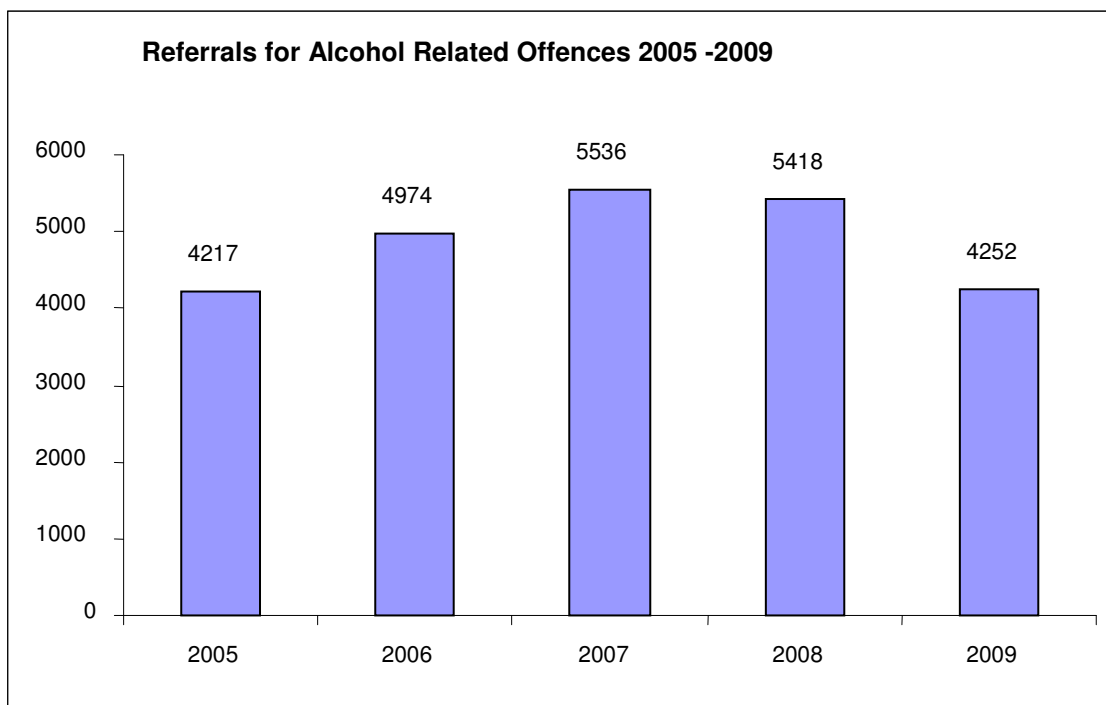
**Figure 13**



**Figure 14**



**Figure 15**

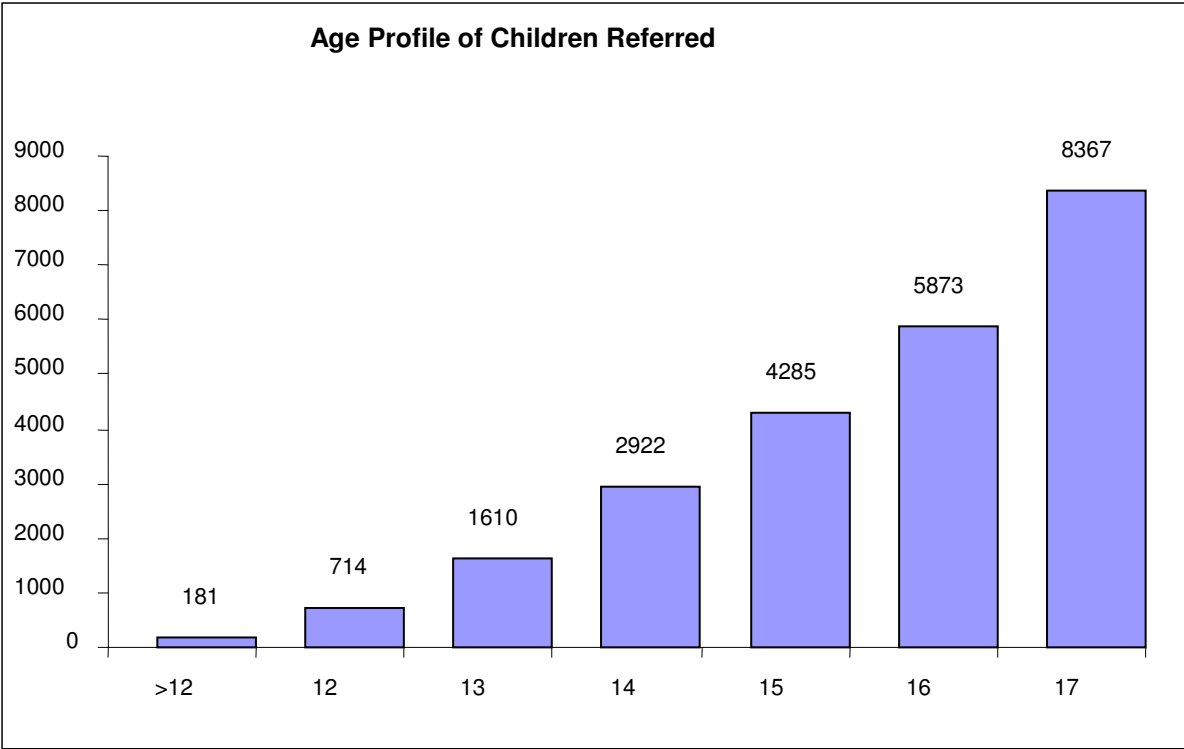


# 7. Age Profile of Children Referred to the Diversion Programme

Figure 16 outlines the age profile of children referred to the Diversion Programme. Of those referred the following are the percentage of the overall total of children referred in each age category.

- 35% were aged 17 years
- 24% were aged 16 years
- 18% were aged 15 years
- 12% were aged 14 years
- 7% were aged 13 years
- 3% were aged 12 years
- 1% were below the age of 12 years

**Figure 16**



## 8. Training and Development

In 2007 a new training programme for Juvenile Liaison Officers was introduced by the GOCYA. The training programme was developed by a working group comprised of Juvenile Liaison Officers, staff of the GOCYA and staff of the Garda College.

The programme consists of five modules delivered over an eighteen month period.

**Module 1:** Introduction to the work of a JLO and appointment of a mentor, a familiarisation visit to the GOCYA and presentation of training pack and reading material.

**Module 2:** A one-week JLO development course that includes presentations and discussion on the Children Act 2001, Youth Offending, Sexual Offending, Communication Skills, Garda Procedures, Ethics and Best Practices in Youth Justice.

**Module 3:** Restorative Justice Training: three days training in the 'Real Justice' model of cautioning and the principles of restorative justice, certified by the International Institute for Restorative Practices.

**Module 4:** Eighty hours mediation training delivered over a four month period. Training is certified by the Mediation Institute of Ireland.

**Module 5:** A revision module covering all aspects of learning to date.

The Committee is aware that progress has been made by the GOCYA in their efforts to attain third level accreditation for Juvenile Liaison Officers. The Development Course has been evaluated by the Training Development Unit (TDU) at the Garda College, Templemore. The GOCYA at Community Relations together with TDU are now working on formulating a package for third level accreditation for Juvenile Liaison Officers. The Committee fully supports the endeavours of GOCYA in this regard.

The Committee commends the work of the GOCYA in their current project to integrate the GOCYA data base with the PULSE information system. This will streamline and expedite the work of processing referrals, will facilitate improved data analysis, will provide a single source of data relating to youth offending and will assist in improving the overall management of the diversion programme.

## 9. Observations and Recommendations

### **The committee is satisfied**

- with the leadership shown and the efforts made by the Director of the Programme and the staff of the Garda Office for Children and Youth Affairs with regard to the development of the Diversion Programme as set out in the Act.
- from information coming to the Committee that Juvenile Liaison Officers are operating Part 4 of the Children Act, in particular the concepts of restorative justice and that they are availing of the opportunity to increase their skills by way of additional training.

### **The Committee recommends that**

- the Garda Office for Children and Youth Affairs continues with its endeavours to secure 3rd level accreditation for trained Juvenile Liaison Officers.
- The numbers of Juvenile Liaison Officers employed in each Garda Division is kept under review. The number of Juvenile Liaison Officer posts currently stands at 116 which include 108 Gardai and 8 Sergeants. The number of posts has increased by 21 over the last 3 years and it is planned that the number of posts will increase by a further 7 in 2010.

### **The Committee will**

- review the format of the annual report and canvas stakeholders to ascertain what additional information they would find useful.
- meet with JLOs around the country to hear from them about the nature of the work that they are doing and discuss issues that may arise or be of concern to them.
- carry out a review of the PULSE/GOCYA database integration project.
- compile a collection of anonymised restorative stories that reflect the work of JLOs in that field.

# Appendix - Human Resource Structure

