



Association for Criminal Justice Research & Development
Submission to the White Paper on Crime

The Association for Criminal Justice Research & Development (ACJRD) is an independent organisation that exists to promote reform, development and effective operation of the criminal justice system. It has been invited to make submissions to the White Paper on Crime. This paper outlines the research that the ACJRD has commissioned on the Childrens Court that the council of the ACJRD would like to submit a hard copy of as background information for the White Paper on Crime, as well as the ACJRD Annual Conference Reports of the ACJRD 2007 – 2009 which the Council would also like to submit.

1. Dublin Childrens Court: A Pilot Research Project
2. The Childrens Court: A National Study
3. ACJRD 12th Annual Conference Report: Perspectives on Sex Offending – The Victim & The Offender (2009)
4. ACJRD 11th Annual Conference Report: Minorities, Crime & Justice (2008)
5. ACJRD 10th Annual Conference Report: Community, Custody and Aftercare – The Journey Towards Social Inclusion (2007)

1. Dublin Childrens Court: A Pilot Research Project

This study completed in 2005 was commissioned because while there was much anecdotal evidence of the number of juveniles involved in the Irish criminal law system, little empirical work was in the public domain. A systematic, quantitative review of the juvenile justice system was undertaken in an attempt to identify the number of young people in the system and with respect to as many individual young people as possible identify some or all of the following information as relevant:

- Their situation and background, including education, family background, involvement of the Health Board etc;
- The types and numbers of offences with which they have been charged;
- Outcome of any involvement with the Garda Diversion Programme;
- Outcome of the criminal proceedings on each charge;
- The number of court appearances prior to conviction;
- Details of sentence passed on conviction;
- If detained, where and for how long;
- Any subsequent involvement with the criminal law post-sentence.



The report concluded that the overall results from the CCTS database indicate that large numbers of young people appear before the Dublin Children Court each year. 751 young people had cases completed in the 10 month period between January and October 2004. Over half (54%) were not convicted on any of the charges against them. 9% were committed to detention, 6% were sent forward for trial to the Circuit Court and 31% received non-custodial sanctions.

These results show that the study sample of 50 accounts for only 7% of the total number of young people with cases completed in the Dublin Children Court in the study period. The overall results also suggest that the study sample is under representative of young people not convicted on any charges, and over-representative of young people sentenced to detention.

2. Childrens Court: A National Study

Building on the pilot research "Dublin Children Court: A Pilot Research Project" this was the first piece of empirical research providing nationwide statistics on the phenomenon of young offenders, their backgrounds, education, offending trends and passage through our Courts System. The nationwide project concerns a sample of 400 young people. The terms of reference for the extended study were *"to compile a systematic quantitative review of a representative sample of 400 children appearing before the Children's Court on a nationwide basis in 2004, and to extract relevant information on: their family background and education; involvement of statutory agencies; number and type of offences; outcome of court proceedings; length and number of court proceedings; sentences and detention; paths to court; and specific examples of children from minority groups"*

It is clear from this research that the young people that will become persistent offenders in society will suffer from personal disadvantages, structural disadvantages and a process of socialisation in the criminal justice process.

The report gives several recommendations in the areas of early identification and intervention, co-operations and co-ordination between stakeholders, use of detention, aftercare support systems, training and on-going research.

3. ACJRD 12th Annual Conference Report: Perspectives on Sex Offending – The Victim & The Offender (2009)

The ACJRD's 12th Annual Conference took place on October 16th 2009 at the Castleknock Hotel and Country Club, Dublin. This one day conference explored the rights of the victims of sex offending and the rights of the accused, from international and national perspectives.

The Conference was opened by Barry Andrews TD, Minister for Children & Youth Affairs and the following plenary speeches were given:

- ***Investigation and prosecution of sexual crimes – Scotland's reform***

Derek Ogg QC, Assistant Principal Advocate Depute - The Crown Office and Procurator Fiscal Service in Scotland



- ***Perspectives on Investigation, Conviction and Attrition in Rape Cases***
Professor Michele Burman, Co-Director - The Scottish Centre for Crime and Justice Research (SCCJR) and Co-Convener - The International Centre of Gender and Women's Studies at the University of Glasgow
- ***Formulating policy on the management of sex offenders***
Jimmy Martin, Assistant Secretary - Department of Justice, Equality and Law Reform
- ***The effectiveness of psychological intervention with men who commit sexual offences***
Dr Gary O'Reilly, Senior Lecturer - Doctoral Programme in Clinical Psychology, University College Dublin.

The report details the plenary sessions and also summarises the workshop sessions that took place during the day which covered a range of related topics from Irish and European perspectives.

4. ACJRD 11th Annual Conference Report: Minorities, Crime & Justice (2008)

The ACJRD's 11th Annual Conference took place on October 9th & 10th 2008 at the Tower Hotel, Dublin. This one two-day conference provided an opportunity and a forum to reflect, consider, review and debate the presence or absence of 'tolerance and respect' for various categories of minorities who encounter the Irish Criminal Justice System as either victim or offender.

The conference was opened by Conor Lenihan TD, Minister for Integration and the following plenary speeches were given:

- ***Crime Security and the Irish Immigration System***
Pat Folan, Director General - The Irish Naturalisation and Immigration Service
- ***Minorities and the Police Complaints Process in Ireland***
Commissioner Carmel Foley - Garda Síochána Ombudsman Commission
- ***Crime and ethnic diversity – a discussion of some of the key issues***
Phillip Watt, Director – National Consultative Committee on Racism and Interculturalism
- ***Offences and Penalties in the Immigration, Residence and Protection Bill 2008: Do the punishments fit the 'crimes'?***
Hilkka Becker, Senior Solicitor – Immigrant Council of Ireland
- ***Gender and Crime: A Cautionary Tale***
Professor Frances Heidensohn – London School of Economics



- ***Supporting Victims of Hate Crime – Prevention, Reporting and Practical Action***

Linda Hutchinson, Race Relations – Community Cohesion Unit, NI

- ***Minorities and youth justice – an Irish concern?***

Nicola Carr – Children’s Research Centre Trinity College Dublin

- ***Marginalised Communities and Justice; An Irish Case Study***

David Joyce BL – The Law Library

The report details the plenary sessions and also summarises the workshop sessions that took place during the day which covered a range of related topics.

5. ACJRD 10th Annual Conference Report: Community, Custody and Aftercare – The Journey Towards Social Inclusion (2007)

The Tenth Annual Conference of ACJRD 2007 took place October 11th & 12th 2007 at Castletroy Park Hotel, Limerick. This two-day conference provided an opportunity and a forum to review and debate social inclusion at community level for potential offenders and ex-offenders needing re-integration.

The conference was opened by Seán Aylward, Secretary General, Department of Justice, Equality and Law Reform and the following plenary speeches were given:

- ***A psychological profile of young people who engage in criminal conduct***

Dr Jennifer Hayes, Senior Psychologist - Health Service Executive

- ***Social inclusion, social capital and reintegration***

Dr Fergus McNeill - Scottish Centre for Crime and Justice Research

- ***Homelessness and offending: marginalisation, segregation and the challenges to social inclusion***

Dr Mairead Seymour - School of Social Sciences and Law, Dublin Institute of Technology

- ***Irish detention services for the twenty-first century***

Mary Geaney, National Manager - Detention School Services, Irish Youth Justice Service

- ***Government thinking in Northern Ireland on social inclusion and the way forward under a shared future***

Brian Rowntree, Chairperson - Northern Ireland Housing Executive

- ***A community response – moving forward step by step***

Elaine Slattery - Céim ar Chéim

The report details the plenary sessions and also summarises the workshop sessions that took place during the day which covered a range of related topics.