

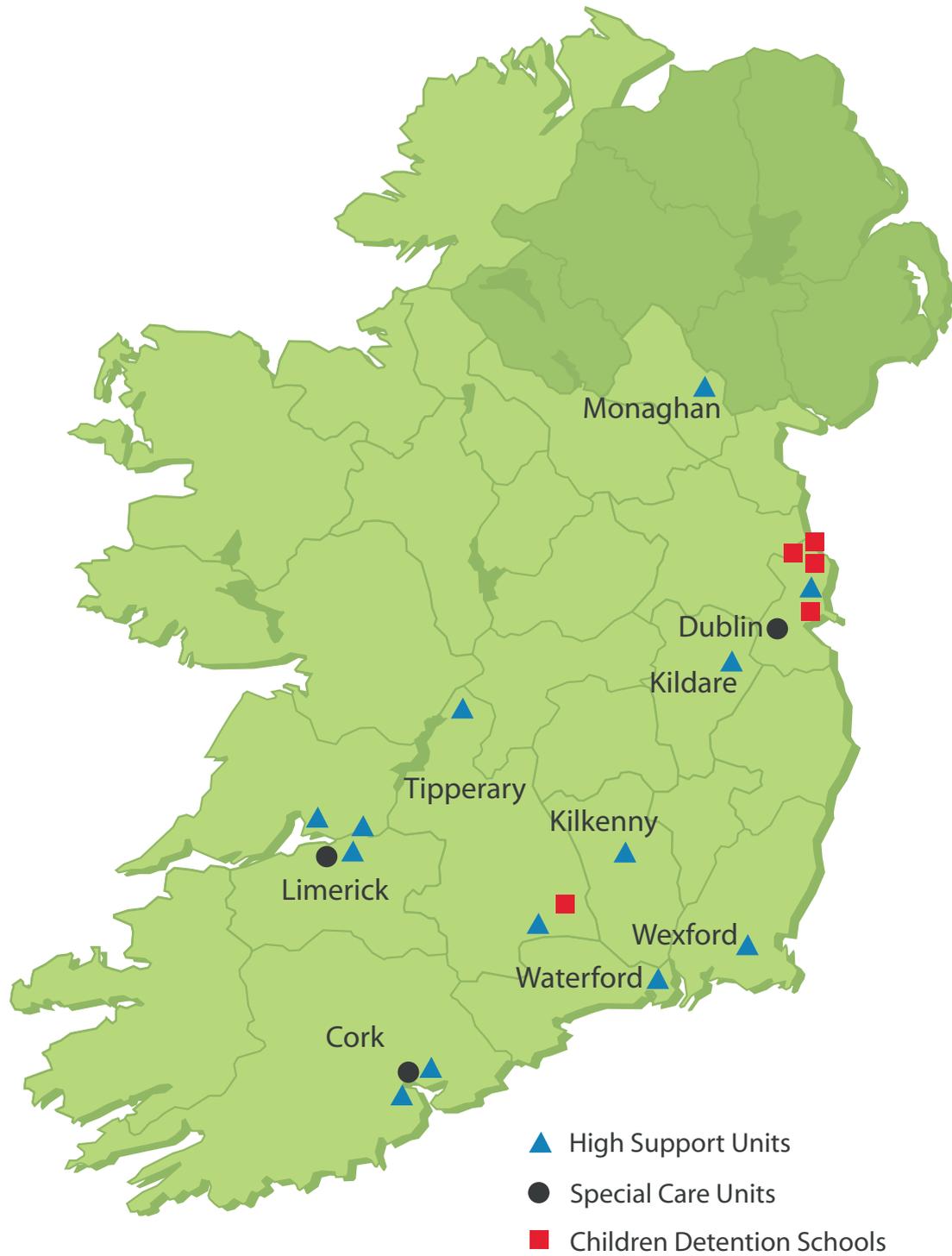
# The Special Residential Services Board Annual Report 2006



*Accepting as a founding principle that the detention of children is a matter only of last resort and that it should be for the shortest period of time possible the Special Residential Services Board, working in close co-operation with all relevant bodies, will facilitate and ensure the co-ordinated provision of child care, therapy and education in the best interest of children in special care and children detention school placement.*

# Location of Children Detention Schools, Special Care and High Support Units

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**Child** – means a person under the age of 18 years.

**Children Act, 2001** – sets out responsibilities for the care, support, protection and control of juvenile offenders and further amends and extends the Child Care Act 1991<sup>1</sup>.

**Children Detention School** – A children detention school is a secure residential unit set up to care for juvenile offenders. Children (aged under 16 years) are referred to the schools on the order of the courts, i.e. those who have been convicted of an offence or are on remand. These schools are managed by the Department of Education and Science. As part 10 of the Children Act, 2001 had not been fully enacted during 2006, the term Children Detention School (or school) is used as shorthand for the formal designation of the centres under the Children Act, 1908, i.e. as certified industrial schools and certified reformatory schools.<sup>2</sup>

**Committal** – a child or young person can be committed to a children detention school for a defined period under the Children Act, 1908, following conviction in a Children Court or higher court.

**Health Service Executive (HSE)** – set up under the Health Act 2004 (in place of the Health Boards).

**High Support Unit** – an open residential unit set up as a response to the needs of a minority of highly troubled children and managed by the HSE. Children placed in high support need intensive support away from home for a period and other placement options are not viable at the time. High support units are part of the welfare system and care for non-offending children.

**Minister for Children** – refers to the Minister of State with responsibility for Children at the Departments of Health and Children; Justice, Equality and Law Reform; and Education and Science.

**Remand** – a child or young person can be remanded to one of the children detention schools under the Children Act, 1908 pending finalisation of a criminal charge.

**Special Care Unit** – a secure unit managed by the HSE for a small number of young people who require protection because of a real and substantial risk to their health, safety, development or welfare. The Special Residential Services Board and the HSE have agreed criteria for admission to and discharge from special care units, to assist in relation to special care applications. Currently, a child/young person may only be placed in a special care unit on foot of a High Court Order.

**Special Care Order** – When Part 3 of the Children Act, 2001 is fully implemented, a special care order detaining a child in a special care unit will be made by the District Court operating as a Children Court. The court may make such an order where the behaviour of the child is such that it poses a real and substantial risk to his or her health, safety, development and welfare and the child requires special care or protection.

**Step Down** – a child who has been detained in a school or special care unit and is due for final discharge may be placed in an open unit, for a short period, to assist with the future return to family and community.

**Occupancy Rate** – the rate of usage of places available in schools, special care units and high support units.

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<sup>1</sup> *The Children Act, 2001 has now been amended by part 12 of the Criminal Justice Act 2006.*

<sup>2</sup> *The Irish Youth Justice Service in the Department of Justice, Equality and Law Reform, have taken over responsibility for the management of the Children Detention Schools from 1st March 2007.*

# 1. Chairperson's Statement



I am very pleased as the newly appointed Chairperson of the SRSB to present this third Annual Report to the Minister for Children as prescribed under section 242(1) of the Children Act, 2001.

This was a very challenging year for the Board who continued to carry out its statutory function while many elements of the sector were engaged in extensive and significant reform. The key element of the Board's work over the past year was that of advising the courts in the co-ordination of placements in children detention schools. The Board also undertook and participated in key research projects, hosted educational and information sharing events and generally provided guidance and support to those engaged in delivering a wide range of services to children involved with the care and welfare and justice services. The Board also evaluated current trends and experiences within the services and advised the Minister accordingly.

As a new Board comes in to office it is important that the significant contribution of the outgoing Board members and their chairperson, Maureen Lynott are acknowledged. Since the establishment of the Board in 2003 much work has been done to ensure that the best interests of children are being served by services appropriately designed and effectively managed. During 2006, the first Chief Executive of the Board, Roger Killeen, retired. Roger's dedication to the development of a strong and influential Board was total as had been his commitment throughout his career to ensuring that children and young people were given the best support available.

The coming year promises further changes and improvements in how services are organised and delivered. With these changes will also come a new role for the Board. I look forward to working with the new Board and Executive in charting a way forward which truly ensures that the best outcome for our children is always central to our endeavours.

It is my privilege to present this report to the Ministers.

A handwritten signature in black ink, appearing to read 'Jacinta Stewart'.

**Jacinta Stewart**  
*Chairperson*

March 2007

## 2. Executive Summary

- 170 individual children (143 males and 27 females) were placed in the schools during 2006.
- 49% of all children placed in the schools were from Dublin (city and county).
- Children were primarily detained for the headline offences of (i) car-related offences (26%), (ii) robbery and theft (19%), (iii) assault (17%) and (iv) criminal damage (16%).
- The average age of children remanded/committed was 15 years.
- The bed capacity remained at 114 in 2006.
- 45 children were placed in special care units on orders of the High Court.
- The number of beds available in special care units was 23.
- The available bed capacity in high support units was 61.
- 13 non-offending children were placed, for some time, in schools on orders of the High Court, during 2006.
- The Board assisted Gardai in a pilot training programme on human rights in the context of dealing with juveniles in the Dublin North Central Division.
- The Board published and launched national guidelines on the use of physical restraint, together with key agencies.
- Agreement was reached between the SRSB and HSE on a review of criteria for the appropriate use of special care units (signed 24th November 2006).
- Planning for the full implementation of Part 3 of the Children Act, 2001.
- Board presentations were made at key national and international conferences.
- Annual Conference and two national network events were organised by the Board.
- On 1st December 2006, certain functions of the Board changed with the enactment of the Criminal Justice Act, 2006 giving the Board a new and positive focus in relation to policy and research to ensure the best outcome for children in detention or special care.
- Further changes in line with Government policy are due in 2007, which will allow the Board to enhance its role in the child care sector and to promote inter-agency co-operation.

### 3. Chief Executive's Report



I am pleased to introduce the third Annual Report of The Special Residential Services Board. The report reflects the goals and achievements from the calendar year 1st January 2006 to 31st December 2006.

ensure that available places were appropriately utilised based on the case requirements and services necessary for the individual children. There were occasions during the year that placements (and options) for the courts were at a premium and the specific reasons for this are dealt with in the body of this report. The placement issues were dealt with by the Board in cooperation with the Courts Service and the directors of the schools. An issue of concern during 2006 was the non-availability of a third unit in Finglas detention school which was temporarily closed in 2004. While this matter has been the subject of a number of specific requests to the Department of Education and Science, the unit remained closed thus at certain times militating against early and timely assessments of children following on court enquiries. I am pleased to note that the Irish Youth Justice Service intend to review operating capacity across the detention school system in 2007.

With regard to special care units, under the management of the HSE, the Board was concerned that the overall capacity has been reduced, albeit temporarily, from 30 places to 17 on average during 2006. This was attributed to capacity issues surrounding the unit in Ballydowd, Co. Dublin, the re-opening of the unit in Coovagh House, Limerick and the requirement to have available step-down facilities for children leaving special care. The implementation of a national management structure for special care and high support within HSE which did not come on stream until year end was showing evidence of tackling this issue.

The statistics on High Court orders indicate that during 2006, a total of 13 non-offending children were placed in detention schools on orders of that court, following on HSE applications. This is a similar number to 2005. The Board's stated view is that these placements are in principle not appropriate for a number of reasons, in particular, vulnerable children in need of special care or protection are being placed alongside children in the criminal justice system.

8 This year has been a time of significant change and reform within the sector. The reforms include the establishment of the Office of the Minister for Children (late 2005), the establishment of the Irish Youth Justice Service, the bedding down of new structures within the Health Service Executive resulting in a national structure for Special Care and High Support, key legislative change increasing the age of criminal responsibility to 12 years, and latterly legislative change resulting in a change in function of the Board. Within this reform programme the future role of the Board was not yet clear. In setting out its Business Plan for the year the Board was cognisant of the emerging changes in the landscape and responded accordingly. The focus of the Board was on the coordination of placements in children detentions schools; advising the courts on request; promoting and arranging for targeted national networking events; supporting research; re-launching the annual conference, and preparing for the full commencement of Part 3 of the 2001 Act (statutory scheme on special care). A review of staffing and the replacement of key posts intended could not take place in the absence of clarity on the Boards future role. The plan and the timetable was challenging but achievable over the period now under review.

The main advisory role is to the Ministers in relation to the remand and detention of children and ensuring the efficient and effective delivery of services to children. During 2006, a total of 170 individual children were placed on foot of court orders to the detention schools. The SRSB 24/7 On-Call service was involved in the coordination of these placements, to

Again there was evidence by year end that the national management was focused on this problem and the number of these specific applications to the High Court lessened significantly in the last quarter of 2006. There have been a number of cases before the High Court during 2006, where this board has been a specific Notice Party to proceedings where capacity has been a key overarching issue as well as applications for the placement of non-offending children in detention schools. The board continues to monitor the required demand/availability of beds in the system.

During 2006, the Board approved a key research project, to be undertaken by Social Information Systems, which has been tasked to carry out a study of a specific number of cases under the statutory scheme of special care [Part 3 of the 2001 Act]. The Board co-funded with the Department of Justice, Equality and Law Reform a national research project undertaken by the Association for Criminal Justice Research and Development (former IASD) into a study of around 400 cases in the Children Courts. This report, "The Childrens Court: A National Study", was launched in March 2007.

During previous annual reports, the Board drew attention to a number of key issues that required to be addressed at a departmental level, viz, the proposed new Lusk Campus, independent inspectorate (Part 10 of the 2001 Act), provision of separate facilities for young persons between 16 years and under 18 years away from adults. I am pleased to note that the Irish Youth Justice Service has the objective of addressing these issues both from a policy and legislative perspective.

Some of the legislative changes to the Children Act 2001 (as amended) refer to the age of criminal responsibility (as of 1st October 2006) where children under 12 years (subject to certain crimes involving children aged between 10 and 12 years) will not be prosecuted. From 1st March 2007, the legislation provides for the introduction of Anti-Social Behaviour

Orders (ASBOS). Both measures will have an impact on children detention schools and on early intervention, diversion away from crime and the delivery of services.

I would like to recognise the professional work being carried out by care staff and teachers in the schools, special care units and high support units in providing quality services and protection to children in a challenging but regarding environment. The cooperation across all agencies involved in the delivery of services and implementation of the Children Act 2001 has been very encouraging during 2006

I would like to take the opportunity to thank the retired chief executive Roger Killeen, for the work and commitment to the board since 2002. Roger set the standard and the working structure of the board during 2002/2006, and the current executive staff have reflected this in their commitment to delivering on the functions of the board in these challenging times. I am very pleased that Roger will continue to serve as a member of the new Board.

I wish to conclude by expressing my gratitude to the chairperson and members of the Board and to the staff for their commitment, loyalty and endeavours during 2006.

I look forward to the future role of the Board, renamed as the Children Acts Advisory Board under the Child Care (Amendment) Act 2007, as an enhanced advisory and enabling body.



**Aidan Browne**  
*Chief Executive*

1st June 2007

## 4. Functions of the Special Residential Services Board

The Board is a statutory body which advises the government and relevant Ministers on policy across a broad range of functions relating to the remand and detention of young people and alternatives to detention.

The functions of the Board, contained in Section 227 of the Children Act, 2001, require the Board to ensure the efficient, effective and co-ordinated delivery of services to children in respect of whom children detention orders or special care orders are made.

These functions may be classified under six key areas, as follows:

- (1) To advise the Ministers on policy issues;
- (2) Liaise with and advise the courts, on request on appropriate placements for offending and non-offending children (to 30th November 2006);<sup>3</sup>
- (3) Give the Board's views to the courts on special care applications;
- (4) Assist in the development of programmes in residential care;
- (5) Commission research, collect and evaluate statistics to inform policy;
- (6) Arrange seminars and conferences to promote agency co-ordination and the use of best practice.

The Board is not directly responsible for the provision of beds in residential care, but monitors the level or provision and use of placement beds in children detention schools, special care and in the context of the overall continuum of care will monitor the provision and use of high support units. The children who currently come within the remit of the Board are mainly under 16 years. The Board reports to the Minister for Children.

With the changes to the legal functions of the Board the key focus is now on advising the Minister across the core functions, as outlined previously, with the co-ordination of placements and the advisory role to the court becoming an administrative function of the Irish Youth Justice Service (with the assistance of the Probation Service). The Board has an additional role in preparing and publishing criteria for the admission to and discharge from special care units of children subject to special care and interim special care orders.

The Board composition of 12 members (including a chairperson) consists of three nominations from the Minister for Justice, Equality and Law Reform, three members having relevant experience in dealing with issues of educational disadvantage or exclusion, three child care experts and three nominations from the Health Service Executive and the Office of the Minister for Children.

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<sup>3</sup> *The remit of the Board changed on 1st December 2006 with the amendments to the Children Act, 2001 by Part 12, of the Criminal Justice Act, 2006.*



# 5. Strategy and Policy

## KEY POINTS

- Delivery on key corporate priorities for 2006
- Implementation of business plan during 2006
- Legislative changes to Part 11 Children Act (The SRSB) commenced as of 1st December 2006
- New Board members appointed as of 1st December 2006
- Strategic re-focusing of the Board to be undertaken in 2007

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The mission statement of the Board states that the detention of children is a measure of last resort and that, where appropriate, detention should be for the shortest possible time. This overarching founding principle is also a fundamental tenet of the Children Act, 2001. Since the Board's establishment on a statutory basis on 7th November 2003, it has contributed to the effective implementation of the Children Act, 2001 under its functional remit.

For the period 2005-2006, the following high level goals were endorsed by the Board:

- Effective co-ordination and deployment of quality residential services for children;
- Effective liaising and advising of the courts;
- Professional research, evaluation and development of support services;
- A responsible, adaptable and effective organisation.

### Overview of key corporate (and business) delivery for 2006

The Board advised the Children and High Courts in children cases throughout 2006. The Board's focus continued to be on the needs of the children, a consistency of approach and appropriateness in detention placements. Where detention was the option directed by the court, the Board sought to ensure that the placement was made in a school best positioned to meet the child's needs and for the shortest time possible. The Board adopted a multi-agency approach involving all the key agencies, to provide the optimal solutions to assist young persons.

During 2006 the Board has continued to work, in co-operation with the HSE (and special care units), to agree a working process and to review criteria and procedures for the detention of a young person in a special care unit. Relevant training is ongoing with the Special Care Review Panels (to assist the Board) in preparation for the full introduction of Part 3 of the Children's Act 2001. Criteria for the appropriate use of special care units was agreed between the SRSB and HSE and signed-off on 24th November 2006.

The SRSB launched "*Best Practice Guidelines in the use of Physical Restraint*" in April 2006. This was the culmination of co-ordinated research with expertise drawn from a number of agencies. In addition, the Board co-sponsored research with the Department of Justice, Equality and Law Reform on a selected number of cases nationally before the Children Courts. This was undertaken by the Association for Criminal Justice Research and Development Ltd. (formerly the Irish Association for the Study of Delinquency). In 2006, research undertaken by Social Information Systems on the statutory scheme for special care commenced planning and preparation for the full commencement of Part 3 Children Act, 2001. Information on all research to date is available on the Board's website at [www.srsb.ie](http://www.srsb.ie).

An oversight audit of the programmes available in the children detention schools and special care units was completed in 2006.

The Board organised its 2006 Annual Conference in Galway on the theme '*Stepping Out – Young People Leaving Care/Custody*'. This conference was addressed

by national and international experts in child care and related fields, and was well attended by child care professionals, managers, academics and practitioners. In addition, the Board organised two national network seminars involving key social care professionals covering the topics of *"Programmes in Care"* and *"Working with Young People who do not Engage"*.

During 2006, the Board met with the Minister for Children and the Director-General, Office of the Minister for Children, on a number of occasions to discuss policy issues. In addition, regular meetings were held with the Departments of Health and Children, Education and Science and the Irish Youth Justice Service.

### Government policy and legislative changes

The government continued its programme of legislative and other changes throughout 2006 which resulted in amendments to the Children Act, 2001 by the Criminal Justice Act 2006. The legislative impact on the Board's operations has been as follows:

- Clear focus on the Board providing an advisory role to the Ministers in the remand and detention of children and in the co-ordinated delivery of services.
- The deletion of sub-sections (S. 227) dealing with the co-ordination of placements in children detention schools and the advisory role to the courts. From 2nd January 2007 the Irish Youth Justice Service and the Probation Service assumed responsibility for placements of children before the children courts who are charged with offences. The Probation Service will have an advisory role on the matter in the courts. This board will assist the new regime in a shadowing capacity, to ensure continuity of services in the courts.

- The Board, in consultation with the HSE, prepared, agreed, published and trialled criteria for children subject to special care and interim special care orders in preparation for statutory implementation.

A number of the issues raised by the Board in previous reports are due to be addressed by the new government reforms:

- The inspection of detention schools to be carried out by the Irish Social Services Inspectorate.
- A future plan to develop and improve the infrastructure of the Lusk Campus, which currently accommodates three schools and to facilitate the long term aim of having all children under 18 years managed in a distinct care and educational setting.
- A future plan allowing for children aged between 16 years and under 18 years to be detained separately from adults.

The Minister for Children appointed a new 12 member board as of 1st December 2006, under chairperson Ms. Jacinta Stewart (Chief Executive, City of Dublin VEC). For a listing of all Board members see Appendix I.

### Future direction

The Board has set its key business priorities for 2007 as:

- Provide advice to the Ministers;
- Review of Board functions and responsibilities in light of imminent legislative changes;
- Planning for the full implementation of Part 3 of the Children's Act 2001 (Special Care);
- Targeted research in special residential care and the criminal justice system;
- Development of an information function;
- Organising an Annual Conference and network events.



# 6. Children Detention Schools

## KEY POINTS

- Total of 170 individual children were placed in schools in 2006
- Gender breakdown 84% male 16% female
- Average bed occupancy in schools 74%
- Average age on admission 15 years
- Average length of remand 7 weeks
- Average length of committal 18 months (between 2005/6)
- 49% of children detained in schools were from Dublin
- Car related incidents represent 25% of offences

## Background

There are five children detention schools in the State. These remain legally certified under the 1908 Children Act as 'industrial schools' (i.e. St Joseph's, Clonmel and Finglas Child and Adolescent Centre) and 'reformatory schools' (i.e. Trinity House, Oberstown Boys and Oberstown Girls, all based in one campus in Lusk, Co. Dublin). Part 10 of the Children Act, 2001 sets out in detail the role of the children detention schools and full commencement is expected in 2007.<sup>4</sup> During 2006 the schools were under the remit of the Department of Education and Science. From 1st March 2007, the schools will be under the remit of the Department of Justice, Equality and Law Reform (specifically under the aegis of the Irish Youth Justice Service). St. Joseph's, Clonmel will come under the remit of the HSE on 1st March 2007.

The principal objective of children detention schools is to provide appropriate educational and training programmes and facilities for offending children referred by the court. In particular, the children detention schools aim to promote the re-integration of children into society by having regard to their health, welfare and personal interests; providing care,

guidance and supervision; preserving and developing relations between them and their families; exercising proper moral and disciplinary influences on them and recognising their personal, cultural and linguistic identity. These guiding (non-punitive) principles are set out in section 158 of the Children Act, 2001.

In 2006, the Board liaised with the courts and directors of the schools to ensure that, in relation to court orders, the child/young person is placed in a school that is appropriate to meet the child's background and service needs. The schools have varying functions and accommodate children with differing requirements. With regard to overall capacity and policy issues, the Board had ongoing contact with the Department of Education and Science during 2006.

The Children Act, 2001, imposes a responsibility on the Board to ensure a co-ordinated approach to the development of educational, cultural and linguistic programmes for children detained in the schools and units.

<sup>4</sup> Part 10 as amended was commenced on 1st March 2007.

### Programmes of education and care

The children detention schools provide a number of programmes to meet the collective and individual needs of the children placed by the courts. These programmes concentrate primarily on health care and education. They also focus on assisting the individual child to address any behavioural problems they may present with. There is a strong focus on the development of independent living skills to prepare young people for discharge from the schools.

Education is provided on site, following a primary school model of delivery, and covers the curriculum to both primary and secondary levels. Individual educational plans are developed for the young people and goals and objectives are identified which are designed to meet their specific needs. Class sizes are small and, where needed, one to one tuition is provided. The subjects are delivered by qualified teachers in a school setting within each unit. Children may study for Junior Certificate, FETAC and Leaving Certificate qualifications.

### National trends during 2006

Under Part 11 of the Children Act, 2001, the Board is required to 'collect, maintain, research and evaluate statistics and other data relating to the detention of children'.

The Board has noted the following trends in 2006.

- The overall bed capacity has remained at 114 places in 2006. Over the previous decade (1995-2005) bed capacity has reduced by 50%.
- The occupancy level of 74% during 2006 is an increase from 2005 (69%).
- A total of 13 non-offending children were subject to High Court children detention school placements during 2006, the same number as 2005. Taking a number of factors into account including the ethos of the Act and the rights of children the number and the length of placements of non-offending children remain of concern to the Board.
- Non-offending young males were detained for an average of 21 weeks and young females for an average of 7 weeks on foot of High Court Orders.
- The average period on committal for children released from children detention schools in 2006 was 18 months and for remand was 7 weeks. However, with regard to remands generally, and the ethos of the Act, the Board's evidence is that there are cases where the average of seven weeks was exceeded. This was due to a number of reasons, for example, awaiting onward placement options where welfare was the overriding reason, court procedures, and practices involving the key stakeholders.

### Policy (and operational issues)

The SRSB worked in close co-operation with the Directors of all the children detention schools. This included monthly meetings with the deputy directors of the children detention schools regarding capacity, operations, legal and individual case issues.

In 2006 Court Officers attended over 30 individual case conferences, on request by the detention schools (or other agencies).

The reduction of available beds (from 26 to 12) in the Finglas Child and Adolescent Centre since 2004 has had an effect on the availability of assessment beds for young males in the system. To fully deliver on requests/enquiries by the courts, there have been on-going discussions with the Department of Education and Science to consider the re-opening of another unit on campus. There has been positive feedback from the courts in the quality of the assessment reports prepared by Finglas Child and Adolescent Centre over the last two years.

The six-bed purpose built unit on the Lusk campus remained unopened in 2006. During 2006, the Board recommended to the relevant government department that the trends of offending, appropriate school placements and the national locations involved, required policy consideration including opening

**Table 1 – Availability and occupancy in children detention schools 2004-2006**

Schools	2004		2005		2006	
	Available Places	Occupancy Rate	Available Places	Occupancy Rate	Available Places	Occupancy Rate
Trinity House	27	68%	27	73%	27	68%
Oberstown Boys School	20	96%	20	82%	20	89%
Oberstown Girls School	15	49%	15	43%	15	35%
Finglas Child and Adolescent Centre	12*	75%	12*	80%	12*	113%
St. Joseph's, Clonmel	40#	65%	40#	67%	40#	63%
<b>Totals</b>	<b>114</b>	<b>73%</b>	<b>114</b>	<b>69%</b>	<b>114</b>	<b>74%</b>

\* Finglas Child and Adolescent Centre has approval to accommodate 12 children (down from 26), but temporarily opened another unit to accommodate placements of non-offending children following on High Court Orders, hence an occupancy rate >100%.

# In the case of St. Joseph's, Clonmel, the majority of beds are occupied by non-offending children who are placed there for their own care or protection either voluntarily or through the courts via referrals from the HSE.

Taking into account many factors and variables the placement of children is dependent on the orders of the court and over a 12 month period is cyclical in nature.

the new unit. The discussions included consideration of an overall risk management of the Lusk Campus and it is understood that plans are in place for the opening of the new unit in 2007.

The policy and the implementation of the Children Act, 2001 is based around community sanctions as an alternative option to detention. When the Act is fully implemented this should have an impact on requests for detention school placements into the future. In addition, the commencement of Part 9 (s.149) of the 2001 Act<sup>5</sup> will allow the courts to consider shorter committal periods, as distinct from the current legal requirement of a minimum two years detention for reformatory schools. The Board will continue to monitor the overall placement trends and the capacity issues throughout 2007.

**Table 2 – Average age on admission to schools**

The average age of children on their first admission to a children detention school is 15 years. Boys were on average 14 years 11 months with girls being 15 years 3 months. The youngest person detained in a children detention school was 11 years 8 months on admission. The oldest person detained was 16 years 11 months on admission.

Average Age on Admission*	Remand	Committal	Total
Boys	14 yrs 10 months	15 yrs 2 months	14 yrs 11 months
Girls	15 yrs 4 months	15 yrs 9 months	15 yrs 3 months
Boys and Girls Combined	14 yrs 11 months	15 yrs 3 months	15 yrs

<sup>5</sup> Part 9 as amended by the section 141 of the Criminal Justice Act, 2006.

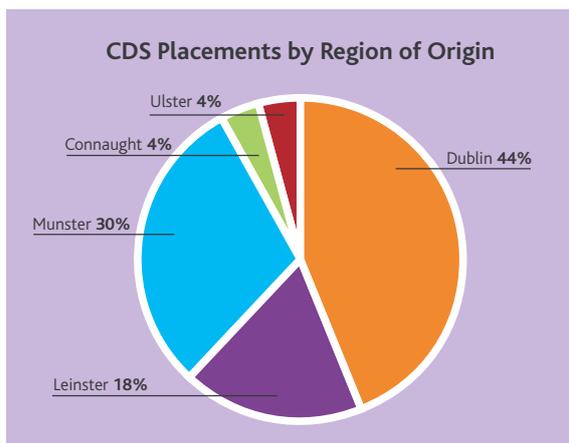
**Table 3 – Gender breakdown in schools**

The overall number of placements for all five detention schools was 221 comprising some 170 children. There were 143 boys and 27 girls detained during 2006. Of the 143 boys 39 were placed in two or more schools at various times during 2006.

Schools	2006			
	Male	Female	Total	%
Trinity House	50	0	50	23%
Oberstown Boys School	69	0	69	31%
Oberstown Girls School	0	27	27	12%
Finglas Child and Adolescent Centre	69	0	69	31%
St. Joseph's, Clonmel *	6	0	6	3%
<b>Total</b>	<b>194</b>	<b>27</b>	<b>221</b>	<b>100%</b>

**Table 4 – Location of children: Dublin and provinces**

Children subject to detention orders (remand and committal) were living in the following geographical regions prior to their placement in a CDS.

**Table 5 – Type of offences (by headline type)**

The following table outlines the main offences (taken from data on the court orders) for which children were detained in detention schools in the period 2004 to 2006.

Offence	2004 (N=301)	2005 (N=252)	2006 (N=252)
Car Related	17%	17%	25%
Robbery and Theft	34%	27%	20%
Assault	15%	14%	18%
Criminal Damage	17%	15%	16%
Public Order	7%	14%	13%
Burglary	8%	7%	5%
Other	2%	5%	3%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

**Table 6 – Transfers from schools to special care units**

The following table shows the number of children who had been detained in a children detention school and who, after release, were subsequently detained in a special care unit.

Transfers from CDS to SCU	2004	2005	2006
Boys	6	1	6
Girls	3	3	2
<b>Total</b>	<b>9</b>	<b>4</b>	<b>8</b>

It may also have been the case that the courts decided, where criminal charges were pending, that special care was the most appropriate option for the child, taking into account a number of factors including the overall ethos of the Children Act, 2001.



# 7. Special Care and the Use of High Support Units

## KEY POINTS

- 45 children placed in special care units during 2006
- Number of available beds in special care units – 23
- Level of occupancy in special care units – 74%
- Coovagh House (special care unit, HSE Western Region) remained closed during 2006
- Revision of criteria for special care agreed between SRSB and HSE (dated 24th November 2006)
- Number of available beds in high support units – 61
- Occupancy of available beds in high support units – 79%
- Temporary closure of some high support units in HSE Western Region

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Legislation defines the grounds for making a special care order as where *“the behaviour of the child is such that it poses a real and substantial risk to his or her health, safety, development or welfare and the child requires special care or protection which he or she is unlikely to receive unless the court makes an order”*. The court can make an interim care order based on the same grounds, the only difference being the immediacy of the case circumstances.

The Board has been active in its consultation with the HSE to develop criteria, for the admission to and discharge from special care units, in order to assist with and advise where special care interventions are being considered.

There are currently three purpose-built special care units with a total national capacity of 30 beds. These units are managed by the HSE. The largest of these is Ballydowd Young People’s Centre, Dublin [HSE Dublin Mid-Leinster Region] with a capacity of 18 beds for both young males and females, followed by Gleann Álainn, Cork [HSE Southern Region], with seven beds for young girls and Coovagh House, Limerick [HSE Western Region] with a capacity of five beds for young males. The latter unit has remained closed since April 2004, however, it is proposed to re-open the unit during 2007.

## Objectives of special care

- Provide a short-term period of safe and secure care;
- Stabilise an “extreme” risk;
- Provide a controlled and safe environment;
- Improve the welfare and development of the young person.

At present orders for the placement of children in special care units are made under the jurisdiction of the High Court. All applications for detention in a special care unit are made by the HSE. When Part 3 of the 2001 Act is fully operational, a special care order detaining a child in a special care unit will be made by the District Court.

## Role of the SRSB in relation to special care

The Board will have a future role to give its views on HSE applications on all proposed special care placements under the statutory scheme. These views will be available to the court where an application by the HSE for special care is sought in relation to a young person aged between 12 and 17 years of age. The SRSB will act in the best interests of the child to ensure the detention of children is a measure of last

resort and where a detention is ordered that it be for the shortest period necessary with an agreed exit plan.

In preparation the Board has established a number of Special Care Review Panels comprised of professionals from the child care sector and related disciplines. These panels will review the case history for every child for which the HSE intend to make an application to the courts for a special care order. The SRSB will ensure that each application is audited against the agreed criteria and will make its views known to the HSE and the court on a case by case basis.

To test and enhance procedures and documentation a number of training events for Special Care Review Panel members were held in 2006. This ensured a planned and robust assessment of all applications for special care placements. Training will continue to be undertaken in 2007 in anticipation of the full operation of Part 3 of the Act, and it is planned to operate the scheme with the co-operation of the HSE on a pilot basis in 2007.

An amendment to the Children Act, 2001 provides for the SRSB, in consultation with the HSE, to prepare and publish criteria for the admission to and discharge from special care units of children subject to special care and interim special care orders. This amendment (s. 156 (d) Criminal Justice Act 2006) commenced on 1st December 2006.

In July 2005, the SRSB in conjunction with the HSE developed and agreed criteria to ensure that appropriate use was made of the specialised care unit facilities and that the principle of detention as a measure of last resort was a fundamental concept. During 2006, the SRSB and HSE reviewed the criteria for the placement of a child in special care and as a result of this review; modifications were made to the criteria and agreed on 24th November 2006. A full copy of the agreed criteria is available on the SRSB website at [www.srsb.ie](http://www.srsb.ie). These criteria will be reviewed again in 2007 as part of the Board's continuous monitoring programme.

The year also saw the establishment of a HSE National Special Care Admissions and Discharge Committee for the current and future full implementation of Part 3 of the Children Act, 2001. This committee is co-ordinating the processes and procedures for the sharing of information. The onus is on the HSE to obtain the views of the SRSB in relation to applications for special care orders.

In tandem with ongoing developments and preparations, the SRSB contracted Social Information Systems, to carry out research into a number of cases taken under the new statutory scheme. Preliminary work has been undertaken during 2006, for example, the consolidation of the three distinct special care unit application forms into one national application process. A proposed 'trial' process between the HSE and SRSB is due to commence on 2nd January 2007.

### Special care units: statistics

*The data relating to availability and occupancy below refers only to Ballydowd Young People's Centre, Dublin and Gleann Álainn, Cork.*

**Table 7 – Occupancy rate in the special care units**

Special Care Units	Approved	Available	% of Available Places occupied
2004	30	25	59%
2005	30	23	60%
2006	30	23	74%

*The approved figures include five beds in Coovagh House, Limerick. The available bed numbers will increase by five when Coovagh House re-opens in 2007.*

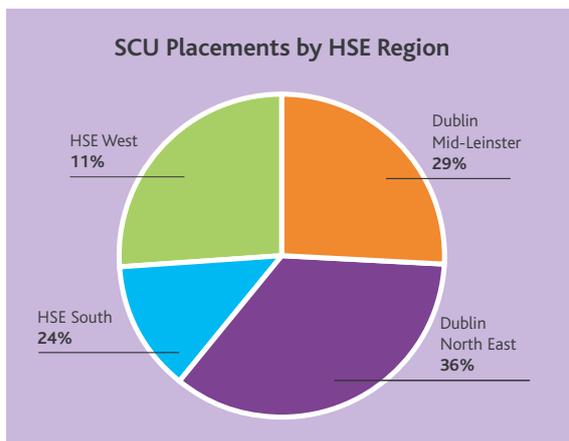
**Table 8 – Length of detention and child information**

45 young people were detained in special care units in 2006. There has been a decline in numbers placed in special care between the years 2004 and 2006. This may be attributed more to a decline in capacity as distinct from a lower demand for these specialised services. The data indicates a higher number of young females being placed in detention in comparison to young males. During the years 2004 to 2006 this female to male ratio has been close to 2:1. The length of stay has dropped over the years 2004 to 2006. This is a welcome trend as the detention of children in special care is intended to be for a short period, with community supports available on discharge, as part of the overall continuum of care.

Detention Period	2004	2005	2006
Average Length of Stay (months)	5	4	5
Longest Stay (months)	29	12	13
Shortest Stay (months)	1	2	1
Average Age on Admission	14 yrs 8 mths	15 yrs 2 mths	15 yrs
No. of Males	21	15	16
No. of Females	34	34	29
<b>Total No. of Children</b>	<b>55</b>	<b>49</b>	<b>45</b>

**Table 9 – HSE placement source regions**

Children subject to special care orders were living in the following HSE regions prior to their placement in a Special Care Unit.



**Table 10 – Transfers from special care units to children detention schools**

There are a number of children whose cases straddle both the welfare and criminal justice systems. The table demonstrates the numbers of children who were resident in special care units and later came before the courts on criminal charges resulting in a period of detention in a children detention school.

Transfers from SCU to CDS	2004	2005	2006
Boys	4	3	2
Girls	2	4	2
<b>Total</b>	<b>6</b>	<b>7</b>	<b>4</b>

**Programmes**

Special care units provide specialised programmes, based on a therapeutic model, as well as a range of multi-disciplinary responses to meet the needs of the resident children. Both special care units, Ballydowd (Dublin) and Gleann Álainn (Cork) operate with a clinical psychologist, who works with the children and advises the care staff on the appropriate interventions or programmes.

The Board continued to liaise with the HSE concerning special care units during 2006. A co-ordinated approach was taken in the development of programmes with the associated staff training requirements. An audit of programmes in the detention schools and special care units has been carried out to obtain the most up to date information, in order to ensure that the necessary programmes are effective and to benchmark against both national and international standards.

**High support units**

There are a total of 13 designated high support units operating nationally, which are managed by, or on behalf of the HSE. Two of these units were closed temporarily during 2006.

High support is used for a small number of children who need intensive support within a residential setting away from their home. Placement within mainstream residential settings would not be deemed appropriate for these children. The provision of such support is required to facilitate children and young people remaining within their communities and returning to their families. Moreover, high support is used as a follow on (step-down) placement for a young person leaving special care. It is also common that young people admitted to special care have had experience of being in a high support care unit. High support has proven very effective where services are provided to maintain a young person within his/her local community.

**Table 11 – Occupancy rate in the high support units**

High Support Units	Approved Number of Places (Beds)	Available Places	% of Available Places occupied
2004	93	73	72%
2005	93	65	72%
2006	85	61	79%

*The numbers of approved places reduced from 93 to 85 beds in 2006. This was due to the reduction in capacity in Crannóg Nua, High Support Unit (HSE Dublin North East Region).*



## 8. Liaising with the Courts

### KEY POINTS

- National 24/7 On-Call service available to the key stakeholders
- Regular advice available to the Children Courts and High Court, on request
- 13 non-offending children placed in children detention schools
- Changes to the legal remit of the Board, in liaising and advising the courts, as of 1st December 2006

During 2006, a key priority of the Board was to both liaise with and advise the Children Courts and High Court on the placement of children in children detention schools or other alternatives to detention. Advice in the best interest of the child was considered and made available to the court following consultation with all the relevant agencies. The key focus was to ensure that detention was used as a measure of last resort and that detention, if required, was for the shortest time possible and was in the best interests of the child/young person.

Cases come before the District Courts (operating as the Children Court) in the juvenile justice area where criminal proceedings may result in a remand in custody or in a committal to a detention school. The main focus of activity was in the Dublin Children Court which sits daily. The other main areas of focus were Waterford, Cork, Limerick and Galway. However, the Board's officers have also advised courts outside of the main cities. For operational reasons, court officers (to the Board) are assigned to the 23 District Court Areas throughout the State. These officers liaise with the Courts Service, HSE, An Garda Síochána (primarily, Juvenile Liaison Officers), Probation Service, National Educational Welfare Board, legal practitioners, and non-governmental agencies. The Board also provided advice to the High Court in a number of applications made by the HSE where a non-offending child is in need of special care or protection and requires to be detained on orders of the High Court.

The Board operated a national 24/7 on-call service during the year which was available to key stakeholders such as the Courts Service, Probation Service, An Garda Síochána and the HSE. After-hours calls generally related to a special court sitting where the court required the placement of a child in a detention school.

Feedback obtained during regular discussions and meetings with key agencies on this service was positive. In addition, the on-call service assisted with monitoring the efficiency and effectiveness of placements and ongoing matters relating to children, whether offending or non-offending.

### District Court

The Board's officers visited the various District Court areas in the State, to communicate the role of the Board and to assist in identifying appropriate places in the detention school system. These on-going visits enabled feedback to be obtained on the Board's work and the practical operations of the Children Act, 2001. With regard to the juvenile justice cases heard by the Children Court, the Board's resources were concentrated mainly in Dublin, Cork and Limerick where nationally the majority of cases of children (under 16 years) are processed. Court officers advised the courts on appropriate placements, taking into account the circumstances of the child and the nature of the offences. In addition, where children's cases before the courts were identified as being of a welfare nature, based on background data/information, the Board liaised with the relevant HSE area to

identify appropriate community services and programmes available in order to deflect the child, if possible, away from the criminal justice system.

It is important to the efficiency and effectiveness of the detention schools that identified criteria is used in placing children in an appropriate detention school, and which includes:

- The type of offence and the behaviour of the child;
- The background details of the child (e.g. age or previous conflict with the law);
- Any previous interaction with the HSE or other agency (for example, educational background, previous care orders);
- Knowledge of other placements in the detention schools that would affect an additional placement;
- Any other data relevant to the detention school that would be of assistance in any placement.

When children are placed in a detention school following a court order an SRSB court officer is assigned to the individual case. The court officer obtains up-to-date information on the child in consultation with all the key stakeholders and in particular with the director of the detention school. The Board liaised with the court to facilitate the timely hearing of proceedings to ensure that the detention schools are utilised both efficiently and effectively and that the best interests of children is the overriding concern.

In 2006, the Board had a co-ordinating and advisory role in more than 166 cases before the Children Courts. Information supplied to the courts includes letters of advice sent for the attention of the presiding Judge in instances where it was not practical, necessary or possible to be in attendance.

During 2006, the Board assisted in arranging visits to the detention schools by the judiciary (District Judges). These proved to be of practical benefit to the judges and the detention schools in outlining the ethos, programmes and workings of the individual detention schools.

On 1st December 2006, the Board function of liaising with, and advising the courts, passed to the Irish Youth Justice Service (IYJS) in co-operation with the Probation Service. However, in discussions with the IYJS, the Board agreed to continue the role on an administrative basis until 2nd January 2007. During the intervening period, the Board assigned an officer to liaise with the new service in providing information on the systems and procedures in place, the monitoring and practical involvement to ensure the continued appropriate use of detention schools. This allowed for a controlled handover between agencies and a continuity of delivery to the existing service. All the key stakeholders were notified of the changes.

The Board attended High Court sittings which specifically dealt with minors. This is primarily to monitor cases under the Board's legal remit and to advise and liaise with the court as requested.

In a small number of cases, the Board is a named Notice Party in proceedings. This has allowed the Board to obtain access to all case reports and other relevant documentation, to ensure that all information was available to enable the Board to deliver the most comprehensive advice to the courts. The key focus of the Board was to ensure that detention of non-offending children in detention schools is for the shortest time possible and that any discharge of the order is in the best interests of the child. There were other occasions where the court sought the advice of the Board in cases where onward placement of a child had become an issue between the parties concerned. While the legal remit of the Board has changed from 1st December 2006, proceedings initiated prior to that date remain open to the Board, to comment, as necessary, where the Board was an original notice party.

As a general statement of principle, the detention of a non-offending child in a detention school is an inappropriate placement and identifies the child as part of the criminal justice system. There is also an implication that the necessary interim detention facilities for non-offending children requiring immediate secure care or protection is not immediately available. This leaves the court with limited options when the safety of the child is of paramount importance. On application, primarily by the HSE, the High Court will issue an order for a placement in a detention school, in particular circumstances where a child is at serious risk.

**Table 12: Placements in children detention schools 2004/2006**

High Court ordered placements in children detention schools	2004	2005	2006
Boys	6	9	8
Girls	2	4	5
<b>Total</b>	<b>8</b>	<b>13</b>	<b>15</b>

*The placement data shows that there has been no change from 2005 in terms of the number of children placed in detention schools. For example, one child placed by the High Court in 2005 remained in that placement throughout 2006. The number of High Court ordered placements in 2006 represents 8% of all individual placements in children detention schools. However, the SRSB notes the decline in the number of HSE applications to the High Court for placement in detention schools, in the last quarter of 2006.*



### KEY POINTS

- Publication and formal launch of “*Best Practice Guidelines in the Use of Physical Restraint*” during 2006
- Research project on special care cases ongoing (Part 3 Children Act, 2001)
- Co-funding of research with the Department of Justice, Equality and Law Reform of a national case study of the Children Courts

The Board has a function to advise the Minister for Children on policy relating to the detention of children. This includes children detained in the schools and special care units. The Board fulfils this obligation by the commissioning of research and has focussed on areas where there has been limited or no previous research and which would assist in overall national policy.

This research is undertaken either in-house, in partnership with other organisations, through the contracting of professional research agencies or through sponsorship of postgraduate level student research.

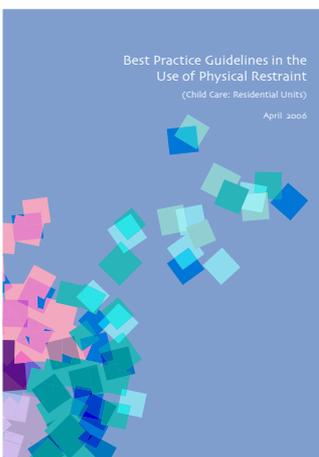
The SRSB is committed to keeping an up-to-date library of research and publications regarding children and criminal justice. This library was expanded and improved in 2006 to provide a comprehensive collection of information and knowledge on a wide variety of topics published in book, journal, electronic, DVD and other media formats.

Over a number of years practitioners working in the residential child care sector have highlighted issues relating to the use of physical restraint and the absence of detailed guidelines in this area. Identifying that there was a need, a sub-committee of the Board undertook to bring together a steering committee and developed terms of reference for a working group.

The aim of the research was to provide guidance in the use of physical restraint, where a child or young person’s behaviour presents a serious risk of harm. The research highlights that physical restraint carries inherent risks. However, failure to restrain a child, where there is a serious risk of harm, could amount to a failure in the duty of care. With the risks associated with physical restraint in mind, residential units should ensure that there is an individualised assessment for each child and young person as to the suitability and appropriateness of using physical restraint as an intervention. The guidelines outline how to write an Individual Crisis Management Plan (ICMP), which identifies potential difficulties and outlines the most appropriate course of action staff and managers should take to reduce harm. When making a judgement about whether to physically restrain a child, care staff and Managers need to take into account relevant factors outlined in the “*Best Practice Guidelines in the Use of Physical Restraint*”.

### Published research

The *Best Practice Guidelines in the Use of Physical Restraint* was published by the SRSB in April 2006. The guidelines were published as part of an inter-agency project with the Departments of Health and Children, Education and Science, the HSE and the Irish Social Services Inspectorate (ISSI).



The guidelines were written to assist in the development of best practice across the sector. They are a response to concerns raised requesting guidance in this area. It is important to critically review practice. With this in mind, it is intended that the guidelines are reviewed no later than two years from the date of issue.

The SRSB and the ISSI co-launched the “*Best Practice Guidelines in the Use of Physical Restraint*” and “*The Management of Behaviour: Key Lessons from the Inspector of High Support Units*” on 10th April 2006 at the National Concert Hall, Dublin. Mr Brian Lenihan, T.D., Minister for Children, formally opened the joint launch.

The publication “*Best Practice Guidelines in the Use of Physical Restraint*” is available from the SRSB or may be downloaded from the website – [www.srsb.ie](http://www.srsb.ie).

### Current research

The SRSB is conducting research with Social Information Systems with regard to the statutory scheme on a number of special care cases. The project, entitled “*Evaluation of the Operations of Special Care Orders and Interim Special Care Orders under the Children Act, 2001*”, will look at the age and gender of the child. It will explore the route children took prior to an application for special care, what interventions they received, the outcome of the application process and the length of time it took to access a placement. Equally it will look at what alternatives were put in place for children who could not access special care immediately or who did not, based on the information provided, meet the criteria for special care. The results emanating from this research will inform national and service provision policy.

In 2004, the Board provided funding for phase one of a pilot project being carried out in Trinity House, entitled *The Review and Adaptation of an Appropriate Physical Restraint Model*. The study review was completed in 2005 and a pilot training

programme is currently being developed in Trinity House. The results of this study will feed into a comprehensive review of both national and international systems of physical restraint to be undertaken by the Irish Youth Justice Service.

### Co-sponsored research

In 2005, the ACJRD (formerly the IASD) undertook a pilot study on a sample of young people appearing in the Dublin Children Court [McPhillips, S., *Dublin Children Court: A Pilot Research Project*]. The report involved a sample of 50 young people with cases completed before the Dublin Children Court in 2004. The report confirmed that many of the young people in the sample had suffered from educational disadvantage, came from a difficult family background and that many had problems with drug or alcohol misuse. It also showed that some of the young people had multiple charges and had first come into contact with An Garda Síochána at a very early age. Some of the young people experienced significant delays in the courts system, for a variety of reasons. 36 of the 50 young people in the study were convicted on at least some charges, and half of those convicted were sentenced to detention. Theft and robbery offences together with public order offences accounted for half of the total charges faced by the young people.

The pilot project was extended to a larger sample of 400 young people on a nationwide basis in September 2005, co-funded by the Special Residential Services Board and the Department of Justice, Equality and Law Reform. The study involves a sample of 400 young people with cases concluded before the Children Courts in 2004. The report will focus on issues such as the number and types of charges which the young people commit, the types of penalties imposed and the length of court proceedings. This report, “*The Nationwide Children Court Study*” will be launched in April 2007.

### Research fellowship

In 2005 the Board awarded a postgraduate fellowship to Mr. Andrew D. Denton, HSE Southern Region through University College, Cork. The thesis, entitled *"Responding to Risk Behaviour in a Special Residential Care Setting"*, was completed in 2006. The study investigated which professional methods and interventions used in a special care programme were effective in assisting young women to reduce high risk behaviour.

In 2006 the Board awarded funding for a 4-year PhD in Trinity College Dublin to Ms. Mary Louise Corr. The theme of the research is *"Homeless Adolescents: the relationship between homelessness and crime"*.

It is the Board's intention to award further postgraduate fellowships in 2007.

### Future direction

In line with the SRSB strategy for the medium term the Board proposes to further develop its research capabilities in 2007. A number of short and long term projects are under active consideration. The recruitment of a researcher during 2007 will form part of the overall strategic focus of the Board.



# 10. Conferences and Communications

## KEY POINTS

- SRSB Annual Conference organised in 2006
- Regular publication of SRSB Bulletins
- Presentations made at key international conferences

The Board, in fulfilling its statutory obligation to advise the Minister, will collect, maintain, evaluate and disseminate information to the Ministers, agencies and the public. This includes the launch of annual reports, regular reporting to the Ministers, bulletins, presentations at conferences, hosting conferences with national and international speakers, use of the media and the Board's website.

### SRSB Annual Conference

The 2006 Annual Conference, *'Stepping Out' – Young People Leaving Care or Custody*, was held in Galway during May. The conference focussed on young people leaving care in either a secure unit or a residential setting in the community. Overall co-ordination is poor in the delivery of aftercare services and it is an area where the responsibility for the provision of aftercare services is not clearly defined, particularly in the case of young people with a history in both the juvenile justice and welfare systems.

The conference was well attended by 130 delegates from the schools, special care and high support units, various departments, courts service, HSE, public and private residential units, care workers, solicitors and other associated professionals.

The conference was opened by Ms. Sylva Langford, Director General, Office of the Minister for Children, and was addressed by Mr. Frank Fahey, Minister for State, Department of Justice, Equality and Law Reform (with special responsibility for Equality issues) with various speakers from the Scottish Throughcare and Aftercare Forum, The Irish Association of Young People in Care, the Probation Service, Extern, Crosscare, Trinity College, Oberstown Girls School, Trinity House School, The Life Centre (Dublin) and the HSE.

### Other key conferences

Representatives of the SRSB also attended key conferences during 2006 organised by the Secure Accommodation Forum – *"Managing Change and Improving Outcomes for Young People"* (Belfast), the Resident Manager Association – *"Working for Young People, Working with Young People"* (Belfast) and Trinity House School Conference – *"Shaping the Future"* (Malahide).

### International conferences

A Biennial conference on Youth Justice, titled *Getting the Balance Right* was held in Belfast from 16th to 18th May 2006. This international conference involved delegates from England, Scotland, Wales, Northern Ireland and Ireland. The conference is funded by government departments and agencies across the five countries. The SRSB are represented on the steering committee. This was the 5th in a series of conferences which Ireland previously hosted in 2000.

The main theme of the Conference focused on (i) human rights, with the issue of raising the age of criminal responsibility and (ii) allowing a child-centered approach to dealing with children and young people.

It is very clear that new tools and techniques are being deployed and that there are:

- (1) Paradigm shifts in how young people are viewed;
- (2) Data and research are being used to influence policy and procedures;
- (3) Clear frameworks are being established to measure outcomes;

- (4) Long term holistic strategic approaches are being adopted;
- (5) Restorative practices are being developed and
- (6) The principles of inclusion and partnership are being encouraged.

Michelle Shannon, Director, Irish Youth Justice Service gave an overview of youth justice in Ireland and the role of the new service in the future.

A workshop presentation was made by Ms. Nicola Carr, Court Officer, SRSB examining the evidence that Irish Travellers are over represented in the secure care system, how being in secure care impacts on these young people and how services adapt to meet their needs.

At a subsequent conference de-brief, the steering committee decided to hold the next conference in 2008, to be hosted by Scotland.

The EU Forum for Restorative Justice organised an international conference in Barcelona 15th to 17th June 2006 on the topic *Restorative justice and beyond – An agenda for Europe*. The conference explored the usage of restorative justice conferencing techniques both in victim/offender mediation and in broader social contexts such as in schools and community conflict zones. The SRSB facilitated a workshop entitled *Interagency Co-Operation – The Way Forward*. The focus of the workshop was on the benefits which could be achieved when, for example, An Garda Síochána (Juvenile Liaison Office), SRSB, agencies and the community, working in co-operation with each other to achieve the best outcomes for children at risk. Participants at the conference, representing police, judiciary, probation, community and state organisations, came from European countries and other non-European countries.

In August 2006, the Northern Ireland Courts Service, under the Congress Chairman, The Hon. Mr Justice John Gillen hosted the *XVII World Congress of the International Association of Youth and Family Judges and Magistrates*. This is a prestigious quadrennial

Congress which was hosted in Belfast. The next such event will be held in 2010. The plenary address was given by President Mary McAleese. Other key note speakers during the week long event were drawn from the international legal and judicial professions. The delegates were representative of all the continents. The Congress in *“putting the pieces together again”* focused on the Convention on the Rights of the Child and its protocols. A total of 17 statements were made reflecting the key issues emerging from the deliberations and discussions during this Congress. While it is not intended to refer to the entire key international issues, a short commentary in relation to detention and restorative justice will provide some insight to the conclusions drawn from the discussions, as follows:

1. Detention should be used only in exceptional cases.
2. Alternative measures should be developed and used allowing for the youth to remain in his/her family or, if necessary in family type placements.
3. Judicial delays should be reduced to a minimum; in particular, attention should be given to reduce court delays in cases where young people are remanded in custody, pending their trial.
4. Alternative diversion measures for children who come into contact with the criminal justice system.
5. Minors should be detained only in centres separate from any adult prison.
6. An interdisciplinary approach which fully involves children, the family and community.
7. A restorative justice system which should include a meaningful partial transfer of power to communities, victims, offenders and their families to produce a restorative response to offending.

During the Congress, Finbarr O’ Leary, Deputy Chief Executive, SRSB, made a workshop presentation on *Children in Custody* under the broad heading of *“Too Young to go to Jail”*. The other presenters at

this workshop were Judge John Gillen, Senior Family Law Judge, Northern Ireland – ‘*One Family, One Judge*’ and Ann Skelton, University of Pretoria, Republic of South Africa – ‘*Sentencing Young Children convicted of Murder*’.

“*The Next Step, Developing Restorative Communities, Part 2*” organised by the International Institute for Restorative Practices (IIRP) which was held in Bethlehem, Pennsylvania, over 3 days from 18th to 20th October 2006. The Board plus a nominee from An Garda Síochána (Juvenile Liaison Officer) were represented.

The IIRP is the world’s first graduate school wholly dedicated to the emerging social science of restorative practices, exploring restorative practices in the criminal and youth justice system, and how it may help in the workplace, in schools, dealing with an array of issues such as bullying, drugs and alcohol use, and crime.

The conference explored the development of “restorative communities”, where restorative practices are the primary modality for dealing with wrongdoing and conflict, and how they can be used to build community more effectively, address wrongdoing and conflict, and empower people to make decisions about issues that affect them.

tool of the Board and is distributed to a wide range of audiences including policy makers, psychologists, social workers and child care workers. The bulletin is available in hardcopy and on the website – [www.srsb.ie](http://www.srsb.ie).

There were 27,500 visits to the SRSB website in 2006. This was an average of 2,292 per month or 75 visits per day. Visits are primarily from the professional child care and student sectors.

Visits to Website



Jan 01/01/06 – Dec 31/12/06 (1 year scale)

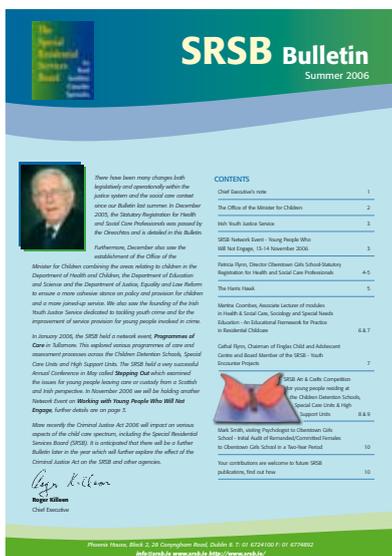
**Future plans**

In line with the SRSB strategy for the medium term the Board proposes to further develop its communications strategy in 2007. This will include a proposed change of name for the Board, to fully reflect its current and future role. There will also be a re-design of its website together with web access to research, publications and other documents.

The SRSB Bulletin will be re-designed and re-focused to provide quality information in a timely manner to a broader range of stakeholders, the media and the public.

**Other communications**

The Board publishes a regular bulletin, the aim of which is to provide updates on developments within the residential child care sector. The bulletin is an important communication





## KEY POINTS

- Two national Network Seminars organised during 2006
- Garda social training placement in children detention school
- Restorative justice international training provided to Kenyan agencies
- National training support undertaken with various agencies

The remit under the Children Act, 2001 of the SRSB is to “*promote, organise or take part in seminars, conferences, lectures or demonstrations (whether in the State or elsewhere) relating to the detention of children or delinquent behaviour by children.*” The focus of the Board is also to ensure a co-ordinated approach to programmes, services and training of staff in children’s detention schools and special care units.

The Board is committed to promoting good practice and recognises both the challenging nature of working with detained children, and the specialist child care expertise required from staff working in this area. The Board regularly provides networking opportunities for both the staff of the schools and units, and for other organisations to exchange views and encourage best practice.

### **SRSB Network Seminars:**

The Board is also committed to the sharing of ideas and the promotion of evidence-based best practice. Two seminars were organised and funded by the SRSB in 2006. The first, entitled “*Programmes in Care*”, was held in Tullamore, and the second, “*Working with Young People who will not Engage*”, took place in Athlone.

The Network Seminars were attended by a variety of representatives, including delegates from the residential high support services, the judiciary, the Probation Service and the courts service. Other representatives were present from the National Educational Welfare Board, the National Educational Psychological Service and the HSE Family Welfare Conference Service.

### **Programmes in Care**

Presentations were provided by practitioners working with children in need of specialist interventions and assessment. Some of the topics covered were; Working with the Travelling Community; Adventure Therapy; the importance and process of Assessment for both offending and non-offending children; Interdisciplinary Working and Support work with Sexually Aggressive Young People.

### **Working with Young People who will not Engage**

The presentations covered many of the barriers to engagement such as a child’s past experiences, inflexible working systems and approaches to working with these young people. The seminar highlighted how service providers need to re-evaluate their working practices in relation to the growing challenge of increasingly marginalised and disadvantaged groups of young people. There was an emphasis on what barriers the service providers themselves create such as inaccessibility, exclusionary practices and stigmatisation.

### International training undertaken by the SRSB

The SRSB were invited to Kenya by DKA Support. The SRSB made a series of presentations on the application in Ireland of the Family Welfare Conference model, the principles of restorative justice, models of conflict resolution and policy development in strategic management and planning. These presentations were attended by over 45 people representing the teaching profession, childcare professionals and community groups from Nairobi. This visit was made in the spirit of sharing best practice with those less well off and to experience the impact of the programmes, given the cultural differences in the Kenyan society. These differences will become more important in the future in Ireland as we move to a more multi-cultural society.

### National support training

In 2005, the SRSB initiated a training project, in co-operation with Garda Sergeant Barry Moore (Juvenile Liaison Officer) from the North Central Division on the numbers of children appearing before the Court. This training project was ongoing throughout 2006. As a result of this detailed analysis a proposal was made to the Garda management which, if implemented, could lead to a significant reduction in the number of court appearances for both children and Garda Officers. The project involved individual child profiling in conjunction with the Garda Síochána in the Dublin North Central Division. This project identified the most prolific young defendants, from the locality, appearing before the Children Court in 2006. The project identified the offending patterns of these young people, their social and personal backgrounds, and the supports needed to deter them from these criminal behaviours. Targeted interventions were put in place to assist these young people. The results of these interventions will be further evaluated during 2007.

A pilot inter-agency conference was held in Letterkenny, Co. Donegal, in 2006. The purpose of the SRSB organised event was to provide a forum for each of the State agencies, tasked with dealing with "at risk" and offending children, to meet and to explore options for dealing with these children in a focussed and holistic way. The meeting was attended by representatives of the Garda Síochána, Probation Service, HSE, the local Judge, government departments, the Courts Service and other non-government organisations. Arising from the meeting further discussions took place with the key agencies in relation to promoting inter-agency co-operation. It is planned to further explore the opportunities to host a series of similar inter-agency meetings in other regions in 2007.

In co-operation with Finglas Child and Adolescent Centre and An Garda Síochána, North Central Division, the SRSB initiated a social placement programme for trainee Gardaí in 2006. The placement involves trainee Gardaí spending a period of time working alongside child care workers in the Finglas children detention school. The purpose of the programme is to provide the Garda with an opportunity to work with young offenders in order to gain a better understanding of their backgrounds and to explore how the school assists them prepare for a return to their communities. The feedback to date from the training Garda Sergeant has been very positive. The programme will be continued and may be expanded to other detention schools and other residential settings.

A series of presentations on children's human rights and on the implications for Garda practices arising from them was given in partnership with the JLO Sergeant to Gardaí over a period of three months. This training was part of the Human Rights training in the Dublin North Central Division. The presentation was developed in co-operation with the divisional Garda Training Unit. The reaction to the training programme was positive. It is planned that the Human Rights training will be provided within all Garda divisions nationally during 2007.



# i. Members of the Board

## Outgoing Board Members



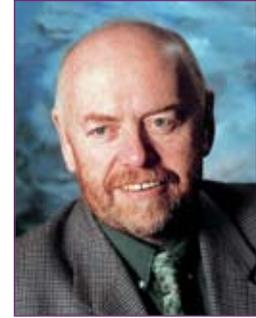
**Ms. Maureen Lynott**  
*Chairperson,  
Management  
Consultant*



**Dr. Helen Buckley**  
*Senior Lecturer,  
Trinity College*



**Ms. Liz Cuddy**  
*Chief Executive, Extern*



**Mr. Ger Crowley**  
*Assistant  
National Director,  
HSE Western Area*



**Mr. Aidan Browne**  
*National Director of  
Primary, Community and  
Continuing Care, HSE*



**Ms. Anne Wall**  
*Director, Crannog Nua,  
High Support Unit*



**Ms. Suzanne Vella**  
*Asst. Principal  
Probation and  
Welfare Officer*



**Ms. Patricia Flynn**  
*Director, Oberstown  
Girls Centre*



**Mr. Liam Hickey**  
*Director, St. Joseph's,  
Clonmel*



**Ms. Lee MacCurtain**  
*Former Director,  
National Educational  
Psychological Service*



**Mr. Michael Travers**  
*Senior Inspector,  
Department of  
Education & Science*



**Mr. Cathal Flynn**  
*Former Chief School  
Attendance Officer*

**The Special Residential Services Board – appointed as Board Members on 6th December 2006**



**Ms. Jacinta Stewart**  
*Chief Executive Officer,  
City of Dublin Vocational  
Education Committee*



**Dr. Dermot Stokes**  
*National Coordinator,  
Youthreach*



**Mr. Roger Killeen**  
*Former Chief Executive,  
SRSB*



**Ms. Philomena Hanna**  
*Solicitor*



**Ms. Michelle Shannon**  
*Director, Irish Youth  
Justice Service*



**Mr. Michael Donnellan**  
*Director, Probation  
Service*



**Garda Inspector  
Finbar Murphy**  
*National Juvenile  
Office*



**Mr. Gerry O'Neill**  
*Local Health Manager,  
HSE Dublin Mid  
Leinster*



**Ms. Cathleen Callanan**  
*Child Care Manager,  
HSE Southern Region*



**Mr. Charlie Hardy**  
*Principal Officer,  
Department of Health  
and Children*



**Ms. Nuala Doherty**  
*Director of Education  
and Welfare, National  
Education Welfare  
Board*



**Mr. Cathal Flynn**  
*Chair of Finglas Child  
and Adolescent Centre*

## ii. Executive Staff

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Standing *left – right*: Rose Sweeney, Grainne McGill, James McGuirk, Aidan Browne, Finbarr O’Leary, Nessa Ronayne. Sitting *left – right*: Jennifer Russell, Anita Heffernan, Jane Craig, Clodagh Thorne, Bronwyn Conway.



Bronagh Gibson



Ciaran O’Searcaigh



Errol Gannon

The staff complement of the Board is 22, comprising Chief Executive; Deputy Chief Executive (incorporating Manager of Court Services); Manager of Corporate Affairs, (incorporating Policy and Research); Court Officers; Case Officers; administrative staff and a Personal Assistant to the Chief Executive and the

Board. It is intended to fully review our requirements and to fill current vacancies when the amendments to the Children’s Act 2001 (during 2006) are fully implemented and the proposed legislative changes during 2007 are enacted.

# iii. Financial Statements and Accounts

The Minister for Health and Children with the approval of the Minister for Education and Science provided the annual allocation to the Special Residential Services Board out of monies voted by the Oireachtas in the Health Vote. A sub-committee of the Board monitors the financial and human resource activities of the Board. This sub-committee reviews the financial accounts of the Board prior to each Board meeting. The Audit Committee advises the Board on internal control including corporate governance.

In 2006 the Board appointed a firm of accountants to carry out the Board's internal audit function. Two reviews were undertaken in 2006 with further reviews planned for 2007. These reviews provided the Board with assurances on the adequacy and effectiveness of the systems of control and governance.

In February 2007, the Comptroller and Auditor General examined the 2006 Financial Statements of the Board and the report stated that in his opinion 'proper books of account have been kept by the Board and that the financial statements are in agreement with the books of account'.

The Special Residential Services Board complies with Government procurement policies and the provisions of the Prompt Payment of Accounts Act, 1997.

Total expenditure during 2006 was €1.867 million, of this expenditure €1.035 million was incurred in staff costs and €0.832 million in administrative and other costs.

**The Special Residential Services Board**  
**STATEMENT ON THE SYSTEM OF INTERNAL FINANCIAL CONTROLS**

**Responsibility for system of Internal Financial Control**  
On behalf of the Board, I acknowledge our responsibility for ensuring that an appropriate system of internal financial control is maintained and operated. The system can only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded and that material errors or irregularities are either prevented or would be detected in a timely period.

**Control Environment**  
The following steps have been taken by the Board to ensure an appropriate control environment:

- 1 Management responsibilities are clearly assigned, with corresponding accountability.
- 2 Formal procedures for reporting significant control failures and ensuring appropriate corrective action are in place
- 3 An audit committee of the Board has been established. Its terms of reference include ensuring systems that guarantee internal financial control.
- 4 The Board in 2006 appointed a firm of chartered accountants to perform this function.

**Risk Management**  
The Special Residential Services Board has established processes to identify and evaluate financial and business risks by:

- 1 Identifying the nature and extent of financial risks and business risks facing the Special Residential Services Board.
- 2 Assessing the likelihood of identified risks occurring.
- 3 Assessing the Special Residential Services Board's ability to manage and mitigate the risks that do occur.

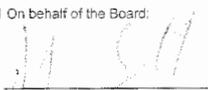
**Control Mechanism**  
The system of internal financial control is based on a framework of regular management information, administrative procedures including segregation of duties; and a system of delegation and accountability. In particular it includes:

- 1 Appropriate budgeting system with an annual budget which is reviewed regularly by the Board.
- 2 Regular review by the Board of periodic and annual financial reports which indicate financial performance against forecasts.
- 3 Regular senior management team meetings.

Mechanisms for ensuring the adequacy of the security of the Information and Communication Technology (ICT) systems that include the establishment of appropriate policies and control procedures have been established.

I confirm that in the year ended 31 December 2006 The Special Residential Services Board conducted a review of the systems of internal financial control during 2006.

Signed On behalf of the Board:

  
Ms. Jacinta Stewart  
Chairperson

Date: 

Special Residential Services Board  
An Bord Seirbhísí Cónaithe Speisialta

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