

The Special Residential Services Board Annual Report 2004





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Chairperson's Statement

The Special Residential Services Board was placed on a statutory basis on the commencement of Part 11 of the Children Act, 2001 on 7th November 2003. It is my great pleasure, as Chairperson of the Board, to present its first annual report, as prescribed under section 242(i) of the Children Act, 2001, to the Minister for Health and Children and to the Minister for Education and Science.

This first annual report covers the period from the establishment of the Board on 7th November 2003 to 31st December 2004. Future reports will cover a calendar year, i.e. 1st January to 31st December.

In its first year of operation, the Board recruited and trained its core staff. The Board, during the period, developed its working protocol for interaction with the Courts and with the statutory agencies involved in providing residential placement for children in children detention schools and special care units.

Dr. Bill Lockhart, OBE resigned from the Board in July 2004, in order to take up a position as Chief Executive, Youth Justice Agency, Northern Ireland. On behalf of the Board, I would like to put on record the invaluable contribution and commitment made by Dr. Lockhart during the interim and statutory period of the Board's existence.

I wish to put on record my appreciation of the work performed by the Board members, the Chief Executive and his staff during the period under review.

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



Maureen Lynott
Chairperson

30th June 2005

Chief Executive's Report



I am pleased to introduce the first Annual Report of the Special Residential Services Board. The Board was placed on a statutory basis on 7th November 2003. I was appointed Chief Executive on the 11th November 2003.

The report sets out the goals and achievements from the date of commencement to the end of 2004.

Following the agreement of the Department of Finance and the approval of the Ministers for Health and Children, Education and Science, the Board has recruited a number of key staff with broad and varying backgrounds to fulfil the legal remit of the board. To-date, 12 staff have been recruited and further recruitment is planned in 2005 which will bring the overall approved staffing complement to 22.

This recruitment process means that key Board staff are now available on a daily basis to the courts in identifying suitable placements for the detention of children in children detention schools. It is a fundamental principle of the Board that the detention of a child should only be considered as a measure of last resort and should be for the shortest time possible.

At a national level, it has been a crucial year in communicating the role and functions of the Board, to the Courts Service and other agencies in the State. The links with the courts have been both positive in terms of advice requested and in particular, regarding the identification of appropriate placements of children in the five children detention schools. During 2004, the typical child who is either remanded or detained by the courts in detention schools is aged 15 years, with crimes ranging from theft to assault.

The SRSB 24/7 on-call system rolled out in 2004, has proved effective in the co-ordination and delivery of placements in the five children detention schools¹, and in ensuring that children are appropriately placed in these schools. In addition, the facility is available to the three special care units, as and when required. The

on-call system is utilised by the Courts Service and the other key agencies involved in the delivery of the Children Act 2001.

The Board has been involved in supporting alternative provision to detention for children experiencing difficulty. Since the commencement of the Children Act 2001, the number of placements of under 16-year-olds in detention schools is decreasing. This may be attributed to a number of factors including the intervention of the Board, improved inter-agency co-operation and to the range of services and supports now available in the community to support children and families.

There are a number of children, albeit small, of concern to the Board, who are classified as welfare cases but who are for short periods detained in children detention schools, by High Court orders. This is primarily for safety reasons, due to the non-availability of immediate placements in other special residential settings. The introduction of interim special care orders (under section 23 (C) (inserted by section 16) of the Act of 1991) should eliminate the needs for such placements. The Board monitored specific cases through the High Court in 2004, so that detention was for the shortest time possible and that the necessary services were made available away from the juvenile justice system. The Board's interest in these cases is primarily to ensure that they are speedily dealt with to the benefit of the children concerned.

It is a concern to the Board that there are no separate male/female facilities available or in place for children between the ages of 16 years and under 18 years as envisaged in the Children Act 2001. In particular, females between these ages are not catered for in terms of detention facilities. Furthermore, regarding children under 16 years, it may be some time before there will be fully functioning schools with separate facilities for both remand and committed children as envisaged under Part 10 of the Act. Taking into account these factors, and others, the best interests of the children are not always being fully served.

¹ Reference to children detention schools is as contained under Part 10 of the Children Act 2001, but not yet commenced. These schools are currently designated as either Industrial or Reformatory Schools under the Children Act 1908.

With regard to infrastructure, the Board is concerned about the Lusk Campus (comprising three children detention schools). Certain buildings are out-dated and not suitable for placement purposes for the effective delivery of services for children. A new proposed Campus comprising 88 beds is mooted taking into account the requirements under the Children Act 2001 and the likely demand going forward into the future. However, any development will take time to move through the planning, budgetary and construction process.

It is of concern to the Board that there is no independent inspectorate currently in place for children detention schools. Under Part 10 of the Children Act 2001 there is a provision for an Inspector of children detention schools which remains to be implemented.

During 2004, Coovagh House, Special Care Unit, Limerick closed due to staffing shortages. This reduced the bed placement numbers catering for males aged under 18 years by five. The Board is monitoring the usage of secure care facilities to ensure there is a requirement and an ongoing demand for such facilities.

A key function of the Special Residential Services Board is to collect, maintain, research and evaluate statistics and other data relating to the remand and detention of children. Monthly statistics are collated and analysed to ensure that places are being appropriately and efficiently utilised.

During the period of this report, the Centre for Social and Educational Research reported on "*The Impact of Placements in Special Care Unit settings on the wellbeing of Young People and their Families*" and highlighted the necessity of having fully developed, fully functioning aftercare services for children (regarded as being out of control/non-offending) in these specialised units.

The Board has been actively examining special residential care practices in other EU countries as well as building up a network of contacts both at home and abroad in order to ensure the development and adoption of best practice for troubled children.

The research function of the Board is progressing and will be a major feature of the Board's work into the future.

During the period of this report the Children Act 2001 [total of 13 Parts] is not yet fully commenced and it may take a number of years for its full implementation. The non-implementation of certain parts of the Act remains of concern to the Board. However, on balance the commencement of additional parts of the 2001 Act during 2004 has resulted in an improved service to children, by way of additional options open to the courts and an improvement in inter-agency co-operation. The Board looks forward in the future to the full implementation of the Act.

Legal access to court reports as envisaged under sections 103 and 104 Children Act 2001, is not yet commenced, and remains an important area for implementing the Board's legal role in fully advising and liaising with the courts.

The Board would like to recognise the professional work being carried out by care staff and teachers in the children detention schools, special care units and high support units in providing quality services and protection to children in a challenging environment.

The Board is looking forward in 2005 to further developing its role based on the overall functions of the Board and the ethos of the Children Act 2001.

I want to conclude by expressing my gratitude to the members of the Board and to each member of the staff of the Board for their commitment and wholehearted endeavours in pursuing its aims.



Roger Killeen
Chief Executive

30th June 2005

- The initial recruitment of 12 staff took place during 2004, and involved planning and organising an office structure to provide assistance to the Children's Court.
- The 24/7 on-call system has been in operation since May 2004 and has proved both efficient and effective in the co-ordination and delivery of services to children placed by the courts in children detention schools.
- The SRSB and the Health Service Executive agreed special care criteria in order to facilitate the most appropriate use of special care units.
- The SRSB set up an in-house administrative system to facilitate the advisory role of the board under s. 23A (2) (b) (inserted by s. 16) of the Act 1991, in the processing of special care applications, taken by the Health Service Executive.
- Preparatory work has been completed in the development of the SRSB's three-year strategy for the period 2005-2007.
- An SRSB network has been set up which includes a cross section of practitioners and management in the broad residential care sector who meet bi-annually to discuss topics of a cross-sectoral interest.
- An audit of programmes in the children detention schools and special care units is at a preliminary stage taking into account the development of educational, cultural, linguistic, child care and other programmes for children, the required staff training and infrastructural needs.
- The SRSB has been involved with the children detention schools and the Department of Education and Science in preparing a plan of action on a building programme to up-grade the Lusk Campus [Oberstown Girls & Oberstown Boys, Trinity House]. This plan takes into account the current infrastructural needs, the mix of places required going forward and the overall changes envisaged from the commencement of Part 10 of the Children Act 2001.
- During 2004, the SRSB commissioned research into the "Review of Admission Criteria and Processes for Special Care". The report will be available in the second half of 2005. The results will provide further commentary on the overall demand for and effectiveness of special care as a secure residential setting. This will complement an earlier completed report (2004) by the Centre for Social and Educational Research into the "Impact of placement in Special Care Unit settings on the Wellbeing of Young People and their Families".
- In 2004, the Board agreed to the funding of postgraduate courses at Masters and Doctoral level, in the area of special residential care for children. The fellowships will be advertised in early 2005 for courses commencing in the latter half of that year.
- Missions took place to Sweden and the United States, to identify international best practice in the area of specialised residential care. Both learning visits proved to be beneficial in terms of examining the two systems, the models and programmes. Arrangements have been agreed to have reciprocal visits to Ireland during 2005.
- The SRSB liaised and advised the courts on request in a number of cases involving children, primarily those aged under 16. A number of interventions proved positive in terms of the court approving options other than detention.
- Some cases before the High Court were monitored to ensure inter-agency co-operation and co-ordination in the delivery of services and the identification of suitable alternative care options.
- During 2004, the SRSB organised a national conference entitled "Education in Care" where key presentations were made by national and international speakers on topics of particular interest to organisations providing additional educational services to children in residential settings.
- The SRSB produced two important bulletins in 2004 dealing with various topics including family conferencing and a report on the conference "Education in Care".
- There are ongoing discussions with the Probation and Welfare Service, to develop a memorandum of understanding between both organisations, in order to promote the key tenets of the Children Act 2001 and to enhance inter-agency co-operation.

Functions of the Board

The functions of the Board are contained in section 227 of the Children Act 2001.

This section requires the Board to advise the Ministers on policy relating to the remand and detention of children and ensure the efficient, effective and coordinated delivery of services to children in respect of whom children detention orders or special care orders are made. The legal remit of the Board could be classified under five key areas, as follows:

- (1) Advising the Ministers on policy issues.
- (2) Liaising with and advising the courts, on request, on appropriate placements for offending and non-offending children.
- (3) Giving the Board's views to the courts on special care applications.
- (4) Assisting in the development of the necessary programmes, research and collection and evaluation of statistics, to inform policy.
- (5) Arranging seminars and conferences to promote agency co-ordination and the use of best practice.

The children who currently come within the remit of the SRSB are mainly under 16 years. The Board advises the Minister of State with special responsibility for Children, at the Department of Health and Children, the Department of Education and Science and the Department of Justice, Equality and Law Reform.

Members of the Board

Ms. Maureen Lynott, Chairperson [expert in child care]
Management Consultant

Dr. Helen Buckley [expert in child care]
Senior Lecturer, Trinity College

Dr. Bill Lockhart OBE [expert in child care] – resigned from the Board in July 2004
Former Chief Executive, Extern

Mr. Ger Crowley [representing the chief executive officers of health boards]
Asst. CEO, Mid-Western Health Board.

Mr. Aidan Browne [representing the chief executive officers of health boards]
Asst. CEO, North Eastern Health Board.

Ms. Anne Wall [representing the chief executive officers of health boards]

Director, Crannog Nua High Support Unit

Mr. Michael Donnellan [representing the children detention schools]

Director, Trinity House

Ms. Patricia Flynn [representing the children detention schools]

Director, Oberstown Girls Centre

Mr. Liam Hickey [representing the children detention schools]

Director, St. Joseph's, Clonmel

Ms. Lee MacCurtain [representing the educational needs of detained children]

Director, National Educational Psychological Service

Mr. Michael Travers [representing the educational needs of detained children]

Senior Inspector, Department of Education & Science

Mr. Cathal Flynn [representing the educational needs of detained children]

Former Chief School Attendance Officer

Ms. Suzanne Vella [representing the probation and welfare service]

Asst. Principal Probation and Welfare Officer

Sub-Committees Structure

In order to fulfil its obligations, the SRSB has operated a sub-committee structure. The content of this Report reflects this structure and the priorities of each sub-committee for the period November 2003 to December 2004. These committees cover a broad remit which includes:

- Strategy and Policy;
- Programmes and Training;
- Quality Information and Research;
- Special Care and the use of High Support;
- Liaising with the Courts;
- Finance and Human Resources
- Communications and Seminars.



Maureen Lynott



Dr. Helen Buckley



Dr. Bill Lockhart



Mr. Ger Crowley



Mr. Aidan Browne



Ms. Anne Wall



Mr. Michael Donnellan



Ms. Patricia Flynn

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Mr. Liam Hickey



Ms. Lee MacCurtain



Mr. Michael Travers



Mr. Cathal Flynn



Ms. Suzanne Vella



1. Strategy and Policy

- S. 227 (1) "The Board shall advise the Ministers on policy relating to the remand and detention of children and ensure the efficient, effective and coordinated delivery of services to children in respect of whom children detention orders or special care orders are made..."
- (1) (f) "monitor and regularly review the level and nature of such residential accommodation and support services, having regard to the current and anticipated demand for them, and recommend to the Ministers any adjustments in the provision of such accommodation or services which the Board considers to be necessary"
- (2) "Where the Board considers there is a lack of coordination in the provision of residential accommodation to children detained in children detention schools and special care units or that the support services to such children are not being utilised in an appropriate or efficient manner, it shall make appropriate recommendations to the Ministers for the improvement of such coordination or utilisation".

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A Strategy and Policy Sub-Committee was established to provide advice and direction to the Board in fulfilling its responsibilities as outlined under Part 11 of the Children Act 2001. The Sub-Committee has particular responsibility, as follows:

- To maintain an awareness of Government policies and objectives in relation to children detained in children detention schools and special care units and those receiving other forms of high support intervention;
- To assist the Board in its role of advising Ministers on the development of the necessary strategic framework which will support the Government in achieving its objectives;
- To ensure the appropriate and efficient utilisation and coordination of such services.

The Sub-Committee set itself the following tasks for 2004:

- To prepare special care criteria;
- To clarify the implications for the Board and other parties of the enactment of s. 23 A (2) (b) (as inserted by section 16) of the Act of 1991,

requiring the views of the SRSB on a Health Service Executive application for a special care order;

- To facilitate the Board to develop a Strategy Statement 2005-2007;
- To agree the nature of the monitoring information and reporting required on a monthly basis on the usage of special residential care settings including high support.

1.1 Special Care Criteria

The Sub-Committee consulted with the Health Service Executive² and the special care units at Ballydowd, Co. Dublin, Gleann Álainn, Cork and Coovagh House, Limerick in drawing together the criteria for admittance to special care. The special care discharge procedures for each were examined and discussed. The Sub-Committee has incorporated the best practices of each unit into its overall criteria for the appropriate use of special care units.

1.2 Implications of s. 23 A (2) (b) (as inserted by s. 16) of the Act of 1991

Following on agreed best practice, the Board decided to put a number of specific working structures in place in

² From 2005, the Health Boards are now re-structured and referred to as the Health Service Executive.

order to effectively carry out its responsibilities under the above legislation.

- A Special Care Order Review Panel was set up comprising of a mix of professionals who would assist the Board in making its views known to the courts, on proposed applications for special care orders.
- A Board member would chair the Special Care Order Review Panel.
- The Chief Executive [SRSB] on behalf of the Board would give its "views" for any proposed application by the Health Service Executive, following on individual case examination and based on the agreed special care criteria.
- The Executive would nominate officers to liaise with and communicate on an ongoing basis with nominees in the Health Service Executive based on a geographical and regional spread.

1.3 Facilitate the Development of a Strategy for the Board

In preparation for the development of the Board's strategy, a number of civil and public sector bodies were consulted, in order to draw up a framework and process that best suited the needs of the organisation going forward. A draft strategy document was prepared and presented to the Board members, for discussion and comment. Subsequently a facilitator and a workshop were arranged for early 2005, to discuss and finalise a strategy for the Board for 2005-2007. When published, this will be a key driver of the Board going forward, and will detail how it will deliver on the functions assigned to the Board based on existing staffing resources.

1.4 Monitoring Information and Reporting

At present monthly statistics are presented to the Board for the children detention schools, special care units and high support units. These outline the availability of beds and their occupancy rates, for the previous month.

Over the year there were comparisons made on the overall usage and any specific issues arising that require explanation or further information are followed up. This may involve a decision to advise the relevant Ministers.

While there are highs and lows in occupancy within the various residential settings, by and large, over the period under review, there was sufficient accommodation available to effectively deal with the demand made on the systems. During 2004, Coovagh House, Special Care Unit, Limerick [Mid Western Health Board] advised the Board that due to staffing difficulties, this five bed (male) unit was closed. To date the unit has not re-opened.

During 2004, a review was carried out on Finglas Child and Adolescent Centre. The Donnellan Review (29th April 2004), made a number of recommendations, one of which resulted in the bed occupancy numbers being reduced from 26 to 12, pending a number of short and long term changes to be made in the operation of the centre. It is expected that as a result of subsequent changes made by management, the bed numbers will increase into the future.

There is a Business IT Consultancy Project, to be undertaken in early 2005, to enable the SRSB to have access to real time information on bed occupancy levels across at least two of the specialised sectors. If the recommendations are agreed, and taking account of cost factors, this will allow for better analysis of the three sectors (children detention schools, special care units and possibly high support) in terms of usage, efficiency and effectiveness.

2. Programmes and Training

S. 227 (1) (i) ensure a coordinated approach to

- (i) the development and provision of educational, cultural and linguistic, child care and other programmes for children detained in such schools and units,
- (ii) the development and provision of the physical infrastructure necessary to support the programmes and services provided by those schools and units, and
- (iii) the training of the staff of children detention schools and special care units.

A Programmes and Training Sub-Committee was established to look at aspects of service delivery, as outlined in Part 11 of the Children Act 2001 specifically.

The Special Residential Services Board recognises that the services to the group of young people in its remit are currently delivered across three government departments: Department of Health and Children (via Health Service Executive), Department of Education and Science, and the Department of Justice, Equality and Law Reform.

The Children Act 2001 clearly delineates two pathways in which children can be detained by the State: via the juvenile justice system or special care. However, there is a recognition that there is a need to look at areas of commonality and challenges across these services. The SRSB is committed to promoting good practice and openly discussing both the challenging nature of this work and the child care expertise required from staff working in this area. It is also committed to the sharing of ideas and the promotion of evidence based best practice.

For these reasons the SRSB established the Special Residential Services Board Network. This Network comprises of professionals from across the specialist residential services allied professions. The Network events are organised on specific themes relating to practice and have included the following topics:

- Working with Substance Misuse Issues;
- Positive Approaches to Challenging Behaviour;

- Care Planning;
- Therapeutic Crisis Intervention;
- Children Act 2001 – Implications for Practice.

The Network events have been held throughout the year at suitable locations across the country and have attracted a mix of practitioners and management to these fora. These events have promoted a cross-fertilisation of ideas and exchange of views on childcare practices.

The Sub-Committee has also been involved in looking at areas of practice and programmes in the various schools. It is examining the use of Therapeutic Crisis Intervention and discussing difficulties in dealing with challenging behaviour with senior representatives from across the agencies and government departments.

2.1 Audit of Programmes, Training and Building Infrastructure

An audit of programmes in the children detention schools and special care units commenced in 2004 and is ongoing. A broad outline of the audit programmes undertaken are as follows:

2.2 Children Detention Schools

The five schools³ are under the control of the Department of Education and Science. Children are referred to the schools on the orders of the courts. There is a strong educational focus and children are required to attend school on-site, to be taught a range of subjects. Children are encouraged to study for

³ The reference to Detention Schools is contained in Part 10 of the Children Act 2001, but not yet commenced. The five Schools are currently classified as Industrial (St. Joseph's Clonmel, Finglas Child & Adolescent Centre), and Reformatory (Trinity House, Oberstown Boys, Oberstown Girls) under the Children Act 1908.



State examinations. The schools run various individual programmes, for example, Oberstown Boys is currently developing a programme on 'Sexually Reactive Behaviour' which recognises that this is a component in some of the offending behaviour by children.

There is a strong focus on preparing young people to develop independent living skills for when they leave the schools. Trinity House and Oberstown Girls have developed 'Step Down' units to support the children in their transition back to their communities.

There are Board concerns about the capacity of the schools to fulfill their role given the out-dated nature of the facilities available. A re-structured campus has been proposed for Lusk which houses the three detention schools. Nonetheless, the schools continue to innovate and adapt to the complex and changing needs of their clients.

Some of the key issues identified in respect of the delivery of programmes were (i) the need for programmes to be gender and culturally appropriate and (ii) the need for a body that provides quality assurance for programmes. There are a series of meetings planned for 2005 between the SRSB and the directors of the children detention schools to examine the areas of programme co-ordination that covers

the Board's remit and the necessary staff training requirements.

2.3 Special Care Units

The three units which operate both at a national (Dublin) and regional (Cork, Limerick) level are under the control of the Health Service Executive. The children referred to special care units are generally aged between 11 to 17 years and are subject to High Court Orders where it is deemed that they are in need of special care or protection. Children placed in special care units come from a diverse range of backgrounds and experiences. The nature of each individual's specific needs determine the care plan and responses.

Ballydowd special care unit (Dublin) is the largest and caters for both males and females. It has specialised programmes as well as a range of multi-disciplinary responses to meet the needs of the resident children. Gleann Alainn special care unit (Cork), catering for females, operates with a Clinical Psychologist, who works with the children and advises the care staff on the appropriate interventions or programmes.

The SRSB will liaise with the directors of special care units during 2005, to ensure a coordinated approach to the various programmes and staff training requirements.

3. Quality, Information and Research

S. 227 (1) (h) "collect, maintain, research and evaluate statistics and other data relating to the detention of children, and ..."

The Quality, Information and Research Sub-Committee meets on a regular basis to coordinate and guide the Board's Research and Information functions, as set out in the Act.

The initial work of the Sub-Committee focused on the formulation of a research strategy for 2004. This incorporated the Mission Statement of the Board and the initial priorities for the Board, as set out at the launch of the Board as a statutory agency on 7th November 2003.

In tandem with the development of a research strategy, the Sub-Committee also devised a protocol on Research Ethics, to guide future research the Board may conduct or commission. This protocol recognises the particularly vulnerable group of young people with whom the service providers work, and has as its guiding principle, the incorporation of the views of service users in a meaningful way in research projects. The Sub-Committee recognised the importance of linking its objectives to the National Children's Strategy, in order to focus on the integrated nature of service delivery for children.

3.1 Research Projects

In 2004, the Centre for Social and Educational Research, Dublin City University produced a report commissioned by the SRSB on "*The Impact of Placement in Special Care Units on the Wellbeing of Children and their Families*".

The report represents an important contribution to the knowledge base on the impact of placement in special care for children and their families. Special care units are a relatively recent service provision in Ireland, and the Board recognises the importance of further research in this area to develop the knowledge base in this country.

The initial findings indicate that some children benefit from periods of stabilisation in special care units. However, the researchers emphasise the importance of a continuum of care and services being available to the young person, particularly to support children in their return to their community and to their families.

The SRSB is part-funding research being carried out in Trinity House on '*The Review and Adaptation of an Appropriate Physical Restraint Model*'. The research being conducted by child care personnel with an independent coordinator is to undertake a comprehensive review of current physical restraint systems, both nationally and internationally and to adapt a physical restraint model that is most appropriate to the needs of children and staff in secure residential child care settings. This project is due to be completed in 2005.

In November 2004, the Board tendered and commissioned Social Information Systems (U.K.) to carry out research on '*Review of Admission Criteria and Processes for Special Care*'.

This research is ongoing, and is seeking to explore the appropriateness of the current criteria and the demand for special care provision in 2004. It is due to be completed in June 2005 and it is hoped it will ascertain the level of need and demand for these specialist services across the country.

3.2 Research Fellowships

The Board is dedicated to broadening the knowledge base and research carried out in the specialist residential services. The Board has examined other countries for examples of best practice and innovation, there are however many examples of good practice and experience among professionals in the specialist residential area in this country.



The Board aims to promote research that recognises the positive aspects of Irish services. In 2004, the Board decided to fund Research Fellowships for Postgraduate (Masters) and Doctoral (Phd) students conducting research in this area. The Board advertised these fellowships during 2005, and it is proposed that a panel of experts from across the services and academia will assess the applications in May 2005. The Board intends to have an ongoing programme, funding two fellowships (comprising one Postgraduate, one Doctoral) at any one time.

3.3 Interagency Collaboration

The SRSB through the development of its role and services is building up a range of data and knowledge in the specialist residential services. This enables the board to contribute to research in allied areas.

The SRSB is represented on the Research and Statistics, Communications and Conferencing sub-groups of the National Children's Office. The SRSB has provided assistance to research being undertaken by the Irish Association for the Study of Delinquency (IASD) on the tracking of a defined number of children cases through the Dublin Children's Court.

4. Special Care and the use of High Support

S. 227 (1) (e) "give its views on any proposal of a health board, pursuant to section 23A (2) (b) (inserted by section 16) of the Act of 1991, to apply for a special care order under Part IVA of that Act"

The legislation defines the grounds for making a special care order as *"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 such an order"*. A court can make an interim special care order based on the same criteria, the only difference being the immediacy of the case circumstances.

There is a capacity of 30 beds in the special care units, situated in Ballydowd, Co. Dublin [18], Gleann Alainn, Cork [7], Coovagh House, Limerick [5]. These units are managed by the regional Health Boards (now Health Service Executive).

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In order to fulfill this function, the SRSB has established a Special Care Order Review Panel. This Panel will make a recommendation to the Board on any proposed applications by the Health Service Executive. The Board will then advise the Health Service Executive on the proposed application. The SRSB is undertaking the revision of the criteria for appropriate use of special care units, based on Regulations and Orders made in September 2004, in conjunction with nominees of the Health Service Executive.

The Board will review each case file forwarded by the Health Service Executive and will consider the case based on the Special Care Criteria and the guiding principles that:

- The best interest of the child is paramount;
- Placement in a secure special care unit is a measure of last resort and for the shortest time period;
- Alternatives have been assessed and considered.

The role of the Special Care Order Review Panel is to provide an audit ensuring that the criteria for

placement and the respective reports support the application for special care. In order to ensure that the SRSB receive all of the relevant information relating to an application for a special care order, procedures and protocols have formed part of ongoing discussions between the SRSB and the Health Service Executive. To guarantee that all members of the Special Care Order Review Panel are familiar with the criteria, training commenced on a number of prepared cases studies in order to assist the Board in preparing for proposed special care applications. Part 3 of the Children Act 2001 is not yet fully in place in order for District Courts to operate the new statutory scheme.

4.1 Special Care Units

There are three special care units in the State, namely Ballydowd in Dublin, Gleann Álainn in Cork and Coovagh House in Limerick, these three units have a total bed capacity of 30. While Ballydowd caters for a mix of males and females, Gleann Alainn and Coovagh House cater for females and males respectively.

These units provided special care and accommodation for 55 young people in the period under review.

Detention Period	
Average length of stay (months)	5
Longest Stay (months)	29
Shortest Stay (months)	1
Average Age on Admission (years)	15
No. of Males	21
No. of Females	34

Children are referred to a special care unit by their regional Health Boards (now Health Service Executive), on foot of a comprehensive assessment of their needs and a court order from the High Court. The majority of these children (51% or 28 children) were from the Dublin area.

The majority (78%) of children requiring special care were detained in Ballydowd. There were ten young females detained in Gleann Álainn in 2004. Coovagh House provided special care for two males in 2004. The overall occupancy rate for all three special care units in 2004 was 52%.

Unit Data	M	F	Total	%
Ballydowd	19	24	43	78%
Gleann Álainn	0	10	10	18%
Coovagh House	2	0	2	4%
	21	34	55	100%

4.2 High Support Units

There are 13 high support units located throughout the State which were opened between 1997 and 2002. Almost all are managed by the new Health Service Executive. The delivery of high support services is covered by the Child Care Act, 1991, and its operation is relatively new in Ireland. The development of high support units [residential] is best understood as a response to the needs of a minority of highly troubled children. These children who need intensive support away from home, cannot be supported in mainstream residential care settings. However, these children do not require secure care as provided by the special care units.

According to Giller, H 2003, "Definition and Usage of High Support in Ireland", high support remains an evolving concept which has both changed from its original conception and continues to develop. Giller identifies two service trends:

- Residential high support;
- High support as a methodology (delivered in the community, for example, by Extern or a Youth Advocate Programme).

A recent 'Review of the Need of High Support Care' [Eastern Regional Health Authority 2004] concurs with this view and defines high support as: "An individualised programme of support for children and young people with exceptional needs through the provision of a time-limited, therapeutic intervention in a non-secure environment".

The two largest high support units in the State are located in Dublin and Castleblaney, Co. Monaghan, with a total of 18 beds available during the period under review. Both units opened in 2002, and are purpose built to take into account the needs and the services required for the children placed in these settings.

There was an occupancy rate of 72% in all high support units during the period under review. The Board continues to keep the monthly statistics of placements and trends in high support units under review.

5. Liaising with the Courts

- S. 227 (1) (a) coordinate the delivery of residential accommodation and support services to children detained in children detention schools and special care units,
- (1) (b) ensure the appropriate and efficient utilisation of such schools and units, having particular regard to the principle that detention of children in children detention schools or special care units is a measure of last resort,
- (1) (c) liaise with courts in relation to the level and nature of services available for children who are charged with offences or in need of special care or protection,
- (1) (d) in particular, assist the courts, on request, in identifying suitable places in children detention schools for children found guilty of offences and for that purpose liaise with the directors of those schools,
- (1) (e) give its views on any proposal of a health board, pursuant to section 23A (2) (b) (inserted by section 16) of the Act of 1991, to apply for a special care order under Part IVA of that Act.

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The Board has assigned six Court Officers (to the Board) who both liaise with and advise the Children's Court⁴, on request, regarding children mainly aged under 16 years of age who come before the courts on criminal matters. The overriding principle is that detention is a measure of last resort and that there is appropriate and efficient utilisation of these schools.

The main focus of activity is in the Dublin Children's Court which sits daily and thereafter, Waterford, Cork, Limerick and Galway. In terms of communicating the Board's role, the Board visited and attended the Dublin Children's Court and the other 22 District Courts areas in the State which operate at various times as a Children's Court. The Board's Court Officers have been assigned to specific court areas in order to communicate the functions and role of the board and to convey an understanding of the ethos of the Act.

When Part 3 of the Children Act 2001 is fully operational the views of the Board will be required to be available to the courts, on foot of all applications for a special care order made to the District Court by the Health Service Executive, (S 23 A (2) (b) (inserted by section 16) of the Act of 1991 refers).

On day-to-day operations, Court Officers have advised the courts since May 2004 on various cases, for example, appropriate placements in children detention schools, cases that have a welfare background, and issues relating to support services generally. The Board monitors specific cases through the High Court of concern to the Board.

During 2004 the Court Officers became more familiar with court practice, case procedures and the interaction with other key stakeholders. Individual cases before the court are selected based on background information regarding the child's circumstances, offences and contacts made by various agencies/services. Court officers liaise with the courts, and advise the courts, on request, on a selected case-by-case basis. There have been a number of cases where alternatives to detention have been approved by the courts, based on the overall ethos of the Act that detention is a measure of last resort. In certain cases before the courts during 2004 the underlying problem was welfare, and while section 77 of the Act [referral of a criminal case to health board to convene a Family Welfare Conference] has not yet commenced, the assistance of the Health Service Executive in certain cases has enabled options other than detention to be considered.

⁴ The official name of the Court is the Children Court, however for ease of fluency, the term Children's Court is used throughout this report.

Case Example:

A 13 year old boy was before the Children's Court in 2004 on a number of charges and faced a two year committal to a children detention school. Based on the ethos of the Act, the court asked the Board for advice regarding options open to it.

- A plan was proposed which involved a psychological assessment in a children detention school which recommended a period of residential care with frequent reviews of the progress being made on the selected programmes including education and guidelines around acceptable behaviour.
- The necessary supports were considered for the child by the Health Service Executive while on home leave and included assistance for the mother of the child.
- The court approved the plan of action with review dates built in.

The child has been in the programmes for a number of months and there has been positive feedback to the court from the various agencies.

This case demonstrates the success of inter-agency co-operation and the opportunity presented to the child who agreed with the court conditions (including programme involvement) as laid down.

The Board held meetings with legal practitioners, to outline the functions of the Board, and to examine and explore issues around the best needs of the child. On other occasions there have been round table discussions with those involved in the Children Act 2001, including representatives from the Courts Service, Probation and Welfare Service, Health Service Executive, An Garda Síochána and the legal profession. Other such meetings held in Limerick and Portlaoise, were chaired by the local District Judges.

The Board operates an on call 24 hour seven day system, available to the relevant agencies, which coordinates the placement of children if requested

by the courts, ensuring the appropriate and efficient utilisation of such schools or units.

Meetings have been held with the voluntary sector, to promote co-operation and an understanding of the Board's role as well as with representatives of the Guardian ad Litem.

There have been ongoing discussions with the Probation and Welfare Service, to develop a memorandum of understanding between both organizations, in order to enhance inter-agency co-operation and promote the overall ethos of the Children Act 2001.

5.1 Children Detention Schools

Part 10 of the Children Act 2001 sets out a detailed framework for the schools regarding management, inspections and operations. To date, there has been no commencement on Part 10 of the Act. It is of concern to the Board that while there is a provision for an Inspector of Children Detention Schools, [under Part 10] there was no mechanism in place in 2004 for an independent inspection of these schools by an appropriate body.

There are regular meetings with the directors of the children detention schools (and their deputies), to discuss appropriate placements, operational and planning matters, and legal issues relating to the detention of children, in particular having regard to the principle that detention of children is a measure of last resort.

The following table illustrates the numbers of licensed and available beds in each of the children detention schools. During the period under review there were eight children detained on High Court Orders in children detention schools, of which five were subsequently convicted of criminal offences by the lower courts.

CDS	Available Beds	Occupancy Rate
Trinity House	27	68%
Oberstown Boys School	20	96%
Oberstown Girls School	15	49%
Finglas Child and Adolescent Centre	12*	75%
St. Joseph's, Clonmel	40#	65%
Totals	114	

*Beds reduced from 26 to 12 in June 2004

In the case of St. Joseph's, Clonmel, the majority of the beds are occupied by non-offending children who are placed there for their own care or protection via referrals from the Health Service Executive.

These units provided education and accommodation for 211 children in 2004. There were 170 individual children (comprising 24 females, 146 males) admitted during 2004. The placements were based on court orders of the District Court, the Circuit Court, the High Court and from Health Service Executive referrals. The average age on admission is 15 years for males and 16 years for females.

The following table shows the numbers of children detained (remanded and committed) in each of the children detention schools in 2004. It should be noted that the figures contain a small number of children who were detained in more than one school during the year.

Unit Data				
	M	F	Total	%
Trinity House	50	0	50	22%
Oberstown Boys	70	0	70	31%
Oberstown Girls	0	28	28	13%
Finglas	68	0	68	30%
St. Joseph's	8	0	8	4%
	196	28	224	100%

Analysis of Offences resulting in Detention:

The Dublin area accounts for 44% of all offences relating to children detained in children detention schools.

The following table outlines the main category of offences for which children were detained in the children detention schools in 2004.

Offences	
Robbery and Theft	34%
Car Theft	17%
Criminal Damage	17%
Assault	15%
Burglary	8%
Public Order	7%
Other	2%

Location of detained Children (Dublin and Provincial):

Children who were detained in 2004 came from the following regions:

Dublin (City & County)	38%
Rest of Leinster	26%
Munster	26%
Connacht	7%
Ulster	3%

6. Communications and Seminars

S. 227 (1) (g) "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 Communications and Seminars Sub-Committee developed work priorities and programmes in order to fulfill various functions within this section of the Act.

6.1 National Conference:

The Board organised a national conference entitled "Education in Care" on 30th and 31st March 2004 in Athlone. The conference dealt with various issues surrounding children in residential care and their education. The key note speaker, Dr. John Visser, School of Education, University of Birmingham spoke about the type of children in care. He discussed how children learn and adults teach, and also explored universal truths that lie at the core of meeting children's needs, such as boundaries and challenges, empathy and equity and transparency in education.

Other issues considered were legislation that has affected education and care throughout the years, prevention and early intervention, school ethos and its impact on attainment. Several other speakers gave their own professional perspectives on the topic, including the National Education and Welfare Board, Child Care Services, Health Service Executive, Oberstown Education Centre, and the Extern Organisation. The conference concluded with a plenary session entitled "Personal Experience", comprising a school principal, a child care leader, two parents whose children have been through education in care, and finally a past service user spoke of her experiences within the system.

6.2 SRSB Newsletters

Since its establishment on a statutory footing, the Special Residential Services Board has published two newsletters. The December 2003 Bulletin discussed the Expert Panels (now known as the Special Care Order Review Panel) and their function and purpose. The bulletin gave an overview of a seminar organized by the SRSB on "Prevention & Management of

Challenging Behaviour, Towards Best Practice" held on 16th June 2003. The bulletin also outlined the three types of family conferencing convened by the now Health Service Executive, An Garda Síochána, and the Probation and Welfare Service. The work undertaken by our practice forum, the Special Residential Services Network was also highlighted, where several meetings/seminars and workshops have been organised, dealing with an array of issues concerning child care best practice.

The October 2004 Bulletin gave an overview of the conference on "Education in Care" as mentioned earlier. Various other articles were published concerning "Workplace Violence" by Kevin McKenna, "The Assessment and Treatment of Juvenile Sex Offenders in Ireland", by Alan Carr and Dr. Gary O'Reilly, and "Developing Special Care-A View Point" by John Martin. The SRSB has commissioned research examining the criteria used for admission to special care units, and the Bulletin outlines the background to this research and its objectives. An update on the Special Residential Services Network and their most recent Network event is also discussed. The Bulletin also looked at alternatives to care. This included the Youth Advocate Programme (YAP) and Multisystemic Therapy Programme (MST).

6.3 Mission to Sweden

In November 2004, Board members visited Sweden to look at international best practice in the provision of specialist care for children in the criminal justice and welfare system. The key areas that are focused on in terms of such studies are any special developments from which services in Ireland can learn. They also present an opportunity for services in other countries to learn from our experience – and as a result of the Board's visit, two Swedish delegations are expected to visit Ireland in 2005.

The age of criminal responsibility in the Swedish criminal justice system is 16. This is significantly higher than Ireland, even with the change in age of criminal responsibility from seven to 12 as provided for in the Children Act 2001. There is one central organisation which coordinates the secure placement of young people in Sweden (*Statens Institutions Styrelse (SIS) National Board of Institutional Care*). In a distinction from the Irish services, this organisation has operational control for all of the secure facilities. SIS have a total of 35 institutions across Sweden with 700 places, 500 of which are secure. It also operates 14 institutions for substance misusers with 330 places.

The Admission Unit of SIS carries out the Central Placement Function and is staffed by six officers who deal with the referrals and carry out assessments using a standardised tool which enables them to identify where a young person will be most appropriately placed. Integral to this process is the differentiated nature of the services. All referrals are recorded and input on the central database which is linked to all of the units. This also facilitates the follow-up statistics function, where every person is surveyed with regard to:

- Services received;
- Views of the local authority;
- Views of the young person.

Each person is interviewed on arrival, when leaving and in a one year follow up study. SIS also commission independent research, for example into the effectiveness of cognitive behavioural programmes, the profile of young people, the outcomes for young people etc. There are two routes into secure care in Sweden, through the welfare system – which is operated by the civil courts – or through the criminal justice system (which only becomes operational after the age of 16).

SIS deals with approximately 1,100 committals each year, 90 of these through the criminal courts.

- Average age is 16;
- Average stay is 165 days;

- 50% discharged after 65 days.

Some of the key trends identified in the Swedish system are:

- That there is a high demand for placements, with an increasing demand for more secure placements;
- The numbers of young women in the system is rising;
- There are more young people presenting with problematic drug use at an earlier age;
- There is an increasing prevalence of young people presenting with psychiatric difficulties.

Key Learning Points and Future Developments

The services in Sweden that were visited focused on the needs of the young people, rather than clear delineations between the routes into care i.e. the welfare and justice distinctions. There was also a mix of secure and non-secure placements within facilities, whereby if necessary a young person could be securely contained for a period of crisis, rather than moved to another facility. There was a great emphasis on research and outcomes, with statistical analysis greatly enabled by the database which was integrated across the services. As part of our future learning the SRSB is involved with SIS in organising an exchange programme to Sweden for staff from the units. The pilot programme will take place in 2005, and it is planned that this will become an invaluable source for future learning and development in both countries.

6.4 Mission to the United States

In November 2004, Board staff carried out a study visit to Girls and Boystown (Omaha and Orlando), better known as Boystown. The background to Boystown is that it was established in Omaha, Nebraska in 1927 by a Father Flanagan, originally from Ballymoe, Co. Roscommon. This organisation is a national, non-profit, non-sectarian organisation with funding coming from the federal states and long established investments. There are 12 locations in the USA dealing with over 35,000 young people in any

one year. The key focus of Boystown is based around the well established model which has five key elements on the theory of behaviour, as follows:

- Teaching skills;
- Building healthy relationships;
- Supporting moral and spiritual development;
- Creating a family-style environment;
- Promoting self-government and self-determination.

One of the keys to the motivation system for the young people is based on structure, primarily involving the family and containing the factors of consistency, documentation, assessment, daily points and overall achievement. Omaha, which is the largest Boystown campus in the United States, comprises 69 residential homes, and a system of services available to meet the particular needs of the individual young person. These homes and schools include:

- Family-style homes;
- Therapeutic group homes;
- Residential treatment centre;
- Specialised treatment group homes;
- Respite and assessment homes.

The focus is on a continuum of care, and the overall results have proved to be a turning point for the young persons in re-integrating into society with a more positive attitude and confidence.

6.5 Special Residential Services Board Network

The SRSB Network was set up in July 2002 as a practice forum for individuals working with juvenile offenders and non-offenders with challenging behaviour. Representatives from all of the secure units contribute to the forum. The initial purpose of the network was to formulate a learning strategy for the residential child care sector that would consider the needs of both the staff and the children. Various seminars and workshops

have taken place since its inception that have examined an array of issues facing individuals working in this area.

6.6 Recruitment of a Public Relations Company

During 2004, the SRSB employed the services of Montague Communications in order to provide public relations support to the Board. Through close collaboration with the Executive and adherence to the functions within the Children Act, 2001, a provisional communications plan for 2005 was agreed with the Board following an audit of the key stakeholders.

6.7 Recruitment of a Legal Firm

During 2004, the SRSB employed Lavelle Coleman Solicitors, as the legal advisors to the Board.

6.8 Presentations made at Conferences/Seminars

- Rath Na nÓg, High Support Unit, Monaghan on "Where lies our Responsibility".
- Resident Managers Association Annual Conference, Portlaoise on "Evolving models of Reflective Practice in Social Care Management".
- Barnardos Conference, Wexford on Inter-Agency roles.
- International Conference on Restorative Justice at Ottawa, Canada.

6.9 Key Conferences Attended

- 7th Annual Conference by the Irish Association for the Study of Delinquency, in Cavan on "Positive Interventions and Effective Use of Sanctions for Offenders".
- Conference on Juvenile Justice, Cardiff [Biennial conference comprising practitioners from Republic of Ireland, Northern Ireland, England, Scotland and Wales].

7. Financial Statement

Provision for the Special Residential Services Board's budget is made from within the budget allocated to the Department of Health and Children. The allocation to the Board for November and December 2003 was €200,000 and the allocation for 2004 was €1.979m. 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. A separate Audit Committee will be set up during 2005.

Under s. 241 (2) (a) of the Children Act 2001, the Special Residential Services Board is obliged to submit accounts to the Comptroller and Auditor General annually. In July 2004, the Comptroller and Auditor

General examined the accounts of the Board for the period November and December 2003, and in February 2005 for the year ended 31st December 2004. The report on the 2003 accounts was finalised in September 2004 with the report on the 2004 accounts being finalised in early June 2005. The Comptroller and Auditor General's reports stated that in his opinion "proper books of account have been kept by the Board and the financial statements, which are in agreement with them, give a true and fair view of the state of affairs of the Board at 31 December 2003 and 31 December 2004 and of its income and expenditure for the periods then ended".

Chairperson's Statement on Internal Financial Control

The Board is responsible for The Special Residential Services Board's systems of Internal Control. Such systems can only provide reasonable and not absolute assurance against material misstatement or loss.

Management are responsible for the identification and evaluation of significant risks applicable to their areas of business and for the design and operation of suitable internal controls. These risks are assessed on a continual basis and may be associated with a variety of internal or external sources including control breakdowns, disruption in information systems, natural catastrophe and regulatory requirements. Where weaknesses in the system are discovered, improvements are implemented.

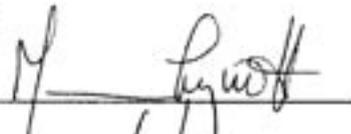
The Chief Executive reports to the Board on significant changes in the work of The Special Residential Services Board and on the external environment which affects significant risk. The Manager of Corporate Affairs, Policy & Research provides the Board with monthly financial information, incorporating budget variance analysis which is carefully monitored to ensure control over budget targets.

An appropriate control framework is in place with clearly defined matters which are reserved for Board approval only or, as delegated by the Board, for appropriate approval of the Chief Executive. The Board has delegated the day to day management of the budgets and established appropriate limits for expenditure authorisation to the Chief Executive who is responsible for implementation of internal controls, including internal financial control.

The Board did not carry out a formal review of internal controls in 2004. But it is the intention that the Board will formally carry out this function in 2005.

The Board intends to establish a procedure to identify and evaluate business risks and expects to implement this procedure as soon as possible.

Signed :

Chair: 

Date: 26/5/05

8. Executive Staff

Staffing levels have been approved to a total complement of 22 staff; however recruitment during the period from November 2003 to December 2004 was capped at 12 and comprised of the following:

Chief Executive;

Deputy Chief Executive (incorporating Manager of Court Services);

Manager of Corporate Affairs, (incorporating Policy and Research);

Six Court Officers;

Two Case Officers;

One Personal Assistant to the Chief Executive and Board.

It was decided initially to recruit grades at these levels so that the Board would be in a position to fulfill its core obligations under the Children Act 2001, to liaise with the courts and to provide advice on request.

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Roger Killeen
Chief Executive



Finbarr O'Leary
Deputy Chief Executive
& Manager of Court
Services



Jane Craig
Manager of Corporate
Affairs, Policy and
Research



Rose Sweeney
Court Officer



Jim McGuirk
Court Officer



Nicola Carr
Court Officer



Deborah Mulvany
Court Officer



Olwyn Beatty
Case Officer



Ciarán Ó Searcaigh
Case Officer



Grainne McGill
Court Officer



Bronagh Gibson
Court Officer



Clodagh Thorne
PA to CE & Secretary
to the Board

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