

# **Key characteristics of young people in detention: A snapshot (Q1, 2018)**

**Oberstown Children Detention Campus**

## Introduction

The data presented here provides an overview of the characteristics of young people in detention during the first quarter of 2018. The information is derived from a set of questions answered by reviewing the files of each young person in detention in the Oberstown Children Detention Campus from January 1 to March 31, 2018. As well as offering insights into offending and sentencing, the data highlights the level of adversity and trauma young people have experienced, including neglect and abuse, high levels of substance misuse and disengagement with the education system. It also demonstrates the multiple overlapping risks and needs young people in detention have, and the many professionals and services they have been involved with. By publishing this data it is hoped that stakeholders, politicians, media, researchers – and indeed the general public, are better informed about the characteristics of young people detained by the courts.

## Profile Information

### 1.1 Remand & Detention Orders

*During Q1 2018, 43% of young people were on remand orders, 56% were on detention orders<sup>1</sup>*

In the course of the first quarter of 2018 (January to March), a total of 92 young people were on the Oberstown Children Detention Campus. Of these 92 young people, 52 were on detention orders and 40 were on remand orders.<sup>2</sup>

### 1.2 Age & Geography

*41% of young people were 16 upon admission and 30% came from Co Dublin*

In the first quarter of 2018, 28 young people came from the Dublin area, with the next biggest cohorts coming from Cork (15), Meath (7), Limerick (6), Galway (6), Louth (6) and Cavan (5).

The additional young people came from nine other counties: Carlow, Clare, Kildare, Leitrim, Longford, Westmeath, Waterford, Wexford and Wicklow.

Of the 92 young people in detention:

- 2 were 14 years of age upon their most recent admission.
- 16 were 15 upon their most recent admission.
- 38 were 16 upon their most recent admission.
- 36 were 17 upon their most recent admission.

Additionally, of the 92 young people:

- 4 were aged 13 when admitted to Oberstown.

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<sup>1</sup> Young people before the courts are sometimes remanded in custody until their next court date, usually because they are denied bail while awaiting trial. Detention on remand accounts for a significant cohort of the Oberstown population.

<sup>2</sup> This reflects the legal status of the young person on the last day of March 2018.

- 11 were aged 14 when admitted to Oberstown.
- 31 were aged 15 when admitted to Oberstown.
- 30 were aged 16 when admitted to Oberstown.
- 16 were aged 17 when admitted to Oberstown.

### 1.3 Offending behaviour

*For 48% of young people, the offence of Theft & Fraud was a significant factor in their offending pattern.*

Of the 92 young people in Oberstown, 44 had multiple charges of the offence of Theft & Fraud.<sup>3</sup>

Other headline offences included:

- Offences under the Road Traffic Act<sup>4</sup> – 14.
- Assault (including sexual assault) – 28.
- Criminal damage – 20.
- Firearms & offensive weapons – 6.

### 1.4 Sentencing

**29% of young people had a sentence of between 2 and 12 months**

Of the 52 young people on detention orders:

- 27 young people had a sentence of between 2 and 12 months.
- 17 young people had a sentence of between 12 and 18 months.
- 6 young people had a sentence of between three and six years.

Of the 40 young people on remand orders:

- 35 young people were on remand for up to 61 days. (87%)

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<sup>3</sup> Criminal Justice (Theft and Fraud Offences) Act 2001

<sup>4</sup> Offences under the Road Traffic Act 2010 include: dangerous driving, drunk driving, driving without tax, insurance, false registration.

- 5 young people were on remand for between 100 and 183 days. (12%)

Additionally of the 92:

- for 29 young people, it was their first time to serve a detention order (having previously been on remand on one or more occasions.) (31%)
- for 28 young people, it was their first time in Oberstown, either on detention or remand. (30%)

## 1.5 Release

### **52% of young people in detention were discharged in Q1**

Of the 92 young people in detention, 48 were discharged during Q1 and 44 young people continued with their sentences.

Of the young people discharged:

- 26 were on remand orders and 22 were on detention orders.
- 30 returned home and a further two went to extended family
- 2 were discharged to residential placements
- Information regarding onward movement was not available to the Campus for 14 young people.

## 2.0 Background

### 2.1 Ethnicity

*22 % of young people in detention were members of the Traveller community<sup>5</sup>*

Of the young people on campus, 65 were Irish, 20 were Irish Travellers or from a Travelling background, (i.e. settled); 5 were EU nationals, were 2 were of African ethnicity.

### 2.2 Bereavement and loss

*Of the 92 young people on Campus, 33 had suffered the loss of one or both parents either through death, imprisonment or no long-term contact. (36%)*

Of the 92 young people on Campus, 33 had suffered the loss of one or both parents either through death, imprisonment or no long-term contact. A further four young people had suffered significant loss, i.e. close family members where the death substantially impacted the young person.

- A parent (both parents in one case) of 17 young people was deceased. (18%)
- At least 13 young people had no contact with one or both parents over a long period. (14%)

### 2.3 Children in Care<sup>6</sup>

*40% of young people were either in care or had significant involvement with Tusla<sup>7</sup>*

- 26 young people were in care prior to detention<sup>8</sup> (28%) and a further 11 had significant involvement with Tusla prior to detention. (12%)

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<sup>5</sup> The Irish government has recognised Travellers as an ethnic minority group.

<sup>6</sup> This covers all forms of care as outlined in the Child Care Act, 1991, namely voluntary, foster, residential, special care or emergency care.

<sup>7</sup> Significant involvement with Tusla means that there was clear evidence of a long history with either the young person or their family.

<sup>8</sup> Due to the chaotic nature of these young peoples' lives, the care placements they resided in varied greatly and may not always have been active immediately prior to detention.

In some cases, the young people in question had multiple placements over a number of years, while in others young people were under long-term full care orders. Others still had just recently come to the attention of the care services.

Of the 26 young people in care:

- 13 young people had been in three or more care placements.
- 20 had mental health needs.<sup>9</sup>
- 2 had a Guardian Ad Litem.<sup>10</sup>
- 9 had child protection concerns.<sup>11</sup>
- 17 exhibited challenging behaviour.<sup>12</sup>

Furthermore, five young people were in Special Care<sup>13</sup> prior to detention, while an application was made for Special Care in respect of a further one young person.

## 2.4 Parenthood

### *3% of young people in detention were parents or parents to be*

- 3 young people in detention were themselves parents or parents to be.

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<sup>9</sup> Child and Adolescent Mental Health Services is the HSE's community-based service providing assessment and treatment for young people experiencing mental health difficulties.

<sup>10</sup> A GAL is a court appointed representative who advocates for a young person during court proceedings.

<sup>11</sup> Child protection concerns refers to young people who are at risk of abuse/neglect. See Tusla, <http://www.tusla.ie/services/child-protection-welfare/>

<sup>12</sup> In this context challenging behaviour means where young people had been violent towards family members, care staff or staff in Oberstown. See section 5.2 for further information.

<sup>13</sup> Special Care is short term, stabilising and safe care in a secured therapeutic environment. A placement in Special Care can only be made pursuant to an Order of the High Court.

## 3.0 Health

### 3.1 Mental Health

#### *52% of young people in detention had mental health need<sup>14</sup>*

Of the 92 young people on campus, 48 had a mental health need, (52%) and 43 young people were referred to the Assessment Consultation Therapy Services (ACTS)<sup>15</sup> or the National Forensic Mental Health Service (NFMHS).<sup>16</sup>

In addition, of the 48:

- 22 had a past/current diagnosis of Attention Deficit Hyperactivity Disorder (ADHD).<sup>17</sup>
- 35 had been involved with CAMHS<sup>18</sup> at one stage of their lives.
- 25 were referred to the NFMHS team<sup>19</sup> or ACTS<sup>20</sup> while in Oberstown.
- 20 had been in care, and a further 3 had significant involvement with Tusla.
- 10 were classified as having child protection concerns.
- 26 exhibited challenging behaviour.<sup>21</sup>
- 8 were on medication, and a further 16 previously had been.

### 3.2 Medication

#### *27% of young people were prescribed medication for a mental health concern*

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<sup>14</sup> Mental health data relates to actual diagnoses young people have received from health professionals, or refers to evidence of psychological issues in a young person's file. See appendix for more information.

<sup>15</sup> ACTS is a small national specialised clinical service that provides multidisciplinary consultation, assessment and focused interventions to young people who have high risk behaviours associated with complex clinical needs. See Tusla.ie for more information.

<sup>16</sup> The National Forensic Mental Health Service provides care for people with mental illness in a secure setting, including in Oberstown.

<sup>17</sup> Attention Deficit Hyperactivity Disorder was often part of a number of diagnoses the young person had received.

<sup>18</sup> Child and Adolescent Mental Health Services is the HSE's community-based service providing assessment and treatment for young people experiencing mental health difficulties.

<sup>19</sup>

<sup>20</sup> ACTS is a small national specialised clinical service that provides multidisciplinary consultation, assessment and focused interventions to young people who have high risk behaviours associated with complex clinical needs. See Tusla.ie for more information.

<sup>21</sup> In this context challenging behaviour means where young people became violent towards family members, care staff or staff in Oberstown. See 5.2 for more information on challenging behaviour.

Of the young people on campus, 25 young people had at one time been prescribed medication (almost exclusively for ADHD). (27%)

Of the 25:

- 9 were taking medication at the time the data was collected. (10%)

### **3.3 Substance misuse**

*72% of young people were considered to have substance misuse problems<sup>22</sup>*

Of the young people on campus, 66 young people had substance misuse problems. (72%)

Of the 66 young people who had drug and/or alcohol problems:

- 38 were identified as having a mental health problem.
- 23 were in care.
- 34 exhibited challenging behaviour.<sup>23</sup>
- 17 had self-harm concerns.

### **3.4 Physical health**

*7% of young people had physical health concerns*

Of the young people on campus, six had a physical health problem. (7%)

The issues identified ranged from diabetes to epilepsy. All young people were medically assessed and treated as part of their care in Oberstown.

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<sup>22</sup> This refers to misused drugs, alcohol or a combination of both.

<sup>23</sup> In this context challenging behaviour means where young people had been violent towards family members, care staff or staff in Oberstown.

## 4.0 Learning

### 4.1 Education

#### *49% of young people were not engaged in education prior to detention*

Of the 92 in Oberstown during 2018 Q1:

- 45 young people were not engaging in education prior to detention. (49%)
- 18 young people were identified as being in education of some sort prior to admission to Oberstown. (20%)
- One young person was recorded as working and another had his Leaving Cert completed.
- For a further 27 young people this information was not available. (29%)

Of the 45 young people **not** engaging in education prior to detention:

- 17 were in care and a further 8 had significant involvement with Tusla.
- 22 exhibited challenging behaviour.<sup>24</sup>
- 16 were involved with CAMHS.<sup>25</sup>
- 32 had substance misuse concerns.

### 4.2 Learning difficulties

#### *20% of young people had a diagnosed learning disability*

Of young people in detention, 18 had some form of diagnosed learning disability. (20%)

Of the young people with diagnosed disabilities:

- 12 were not engaging in education prior to admission to Oberstown.

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<sup>24</sup> In this context challenging behaviour means where young people had been violent towards family members, care staff or staff in Oberstown.

<sup>25</sup> Child and Adolescent Mental Health Services is the HSE's community-based service providing assessment and treatment for young people experiencing mental health difficulties.

- 7 Exhibited challenging behaviour.<sup>26</sup>
- 13 had mental health needs.
- 11 were referred to ACTS.
- 9 were involved with CAMHS<sup>27</sup> in the community.

## 5.0 Risk

### 5.1 Children at risk

#### *20% of young people were considered to be at risk of abuse or neglect*

Of the 92 young people in detention, 33 had a social worker (36%) and 2 had a GAL.<sup>28</sup> (2%)

Prior to detention, there were child protection concerns<sup>29</sup> in respect of 18 of the young people. (20%)

Of the 18 young people with child protection concerns, for eight the risk came from within their own families.

Of the 18:

- 10 had mental health concerns
- 12 exhibited challenging behaviour

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<sup>26</sup> In this context challenging behaviour means where young people had been violent towards family members, care staff or staff in Oberstown.

<sup>27</sup> Child and Adolescent Mental Health Services is the HSE's community-based service providing assessment and treatment for young people experiencing mental health difficulties.

<sup>28</sup> A GAL is a court appointed representative who advocates for a young person during court proceedings.

<sup>29</sup> Child protection concerns refers to young people who are at risk of abuse/neglect. See Tusla, <http://www.tusla.ie/services/child-protection-welfare/>

## 5.2 Challenging behaviour<sup>30</sup>

### *47% of young people in detention demonstrated challenging behaviour*

Of 92 young people in detention, 43 demonstrated challenging behaviour either in the past, in Oberstown, or both. (47%)

Of the 43:

- 11 displayed challenging behaviour in Oberstown and prior to their entry to detention.
- 22 had in the past displayed challenging behaviour, but did not in Oberstown.
- 9 young people with no recorded history of challenging behaviour engaged in such behaviour in Oberstown.

Furthermore, of the 43:

- 26 had mental health concerns.
- 15 were involved with CAMHS<sup>31</sup> in the community at some point prior to detention.
- 17 had been in care and a further 6 had significant involvement with Tusla.
- 11 had self-harm concerns.
- 34 had substance misuse issues.

## 5.3 Self-harm

There were concerns about self-harm in respect of 21 young people. (23%)

- Of the 21, 17 had mental health concerns.
- 17 had substance misuse concerns.

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<sup>30</sup> In this context challenging behaviour means where young people are or have been violent towards family members, care staff or staff in Oberstown.

<sup>31</sup> Child and Adolescent Mental Health Services is the HSE's community-based service providing assessment and treatment for young people experiencing mental health difficulties.

## Conclusion

This publication provides information on the needs and risks relating to young people in Oberstown during the first quarter of 2018. The report is part of an ongoing process to provide contemporaneous data about young people in detention with a view to tracking trends and patterns. The findings here once again demonstrate that young people in detention have a wide range of complex needs requiring a holistic, multi-agency response. By understanding the origins, needs and trajectories of these young people, it is hoped that the necessary services and interventions can assist them to move on from their offending behaviour.

## Appendix

### Methodology

The methodology involved reviewing the file of each young person in detention during the first quarter of 2018. A template was designed with a series of questions to be answered from each file.

The information was collated and analysed using Excel spreadsheets. This allowed for cross-referencing of data for analytical purposes.

Regarding mental health data, the threshold for a 'yes' answer to the question of whether or not a young person had a mental health need/concern was as such:

- a. If the young person had in the past been diagnosed with a mental health disorder, for example: ADHD, ODD, or other disorders.

And/or

- b. If a young person was suffering emotional and/or psychological distress requiring therapeutic intervention.

