

# **Key characteristics of young people in detention: A snapshot (Q1, 2019)**

**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 2019. 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, 2019. 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 2019, 31 young people were on remand orders, 44 were on detention orders<sup>1</sup>.*

In the first quarter of 2019 there were 75 young people present in the Oberstown Children Detention Campus. Of the 75 young people in detention from January to March 2019, 44 were on detention orders and 31 were on remand orders.<sup>2</sup>

### 1.2 Age & Geography

*45% of young people were 16 or younger upon admission, 27% came from Co Dublin and 96% were male.*

In the first quarter of 2019, 20 young people came from the Dublin area, with the next biggest cohorts coming from Cork (10), Limerick (9), Louth (7) and Meath (5). Three young people were female and 72 were male.

The additional young people came from 11 other counties: Cavan, Clare, Galway, Kildare, Laois, Longford, Monaghan, Westmeath, Waterford, Wexford and Wicklow.

Of the 75 young people in detention:

- 4 were 14 years.
- 13 were 15 years.
- 17 were 16 years.
- 33 were 17 years.
- 8 were aged 18 years.

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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 2019.

Additionally, of the 75 young people:

- 1 was 13 when first sent to Oberstown.
- 8 were aged 14 when first sent to Oberstown.
- 19 were aged 15 when first sent to Oberstown.
- 30 were aged 16 when first sent to Oberstown.
- 14 were aged 17 when first sent to Oberstown.

### 1.3 Offending behaviour

*For 37% of young people, the offence of Theft was a significant factor in their offending pattern.*

Of the 75 young people in Oberstown, 28 had charges of the offence of Theft.<sup>3</sup>

Other headline offences included:

- Offences under the Road Traffic Act<sup>4</sup> – 13.
- Assault – 20.
- Criminal damage – 6.
- Firearms & offensive weapons – 3.

### 1.4 Sentencing

*For 40% of young people it was their first time to serve a detention order (having previously been on remand on one or more occasions).*

Of the young people on detention in Oberstown during Q1 2019:

- 41 had sentence of up to 20 months.
- 3 had sentence of 2 years or more.

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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.

Of the young people on remand:

- 13 young people were on remand for 7 days or less.
- 16 young people were on remand for up to 83 days.
- 2 young people were on remand for more than 100 days.

Additionally, of the 75:

- for 30 young people, it was their first time to serve a detention order (having previously been on remand on one or more occasions.) (40%)
- for 10 young people, it was their first time in Oberstown, either on detention or remand.
- 35 young people had previous remand and/or detention orders.

## **1.5 Release**

***51% of young people in detention were discharged in Q1, 9% of those to the Irish Prison Service.***

Of the 75 young people in detention, 38 were discharged during Q1, and 37 young people continued with their sentences.

Of the young people discharged:

- 28 were discharged to a parent or guardian.
- 7 were discharged to the Irish Prison Service.
- 3 were discharged to Tusla services.

## 2.0 Background

### 2.1 Ethnicity

*19% of young people in detention were members of the Traveller community<sup>5</sup>.*

Of the young people on campus, 53 were Irish, 14 were Irish Travellers or from a Travelling background, (i.e. settled); 4 were EU nationals, 3 were African, and 1 young person was of another ethnicity.

### 2.2 Bereavement and loss

*Of the 75 young people on Campus, 31% had suffered the loss of a parent through either death, imprisonment or no long-term contact.*

Of the 75 young people on Campus, 23 had suffered the loss of a parent (or significant caregiver) either through death, imprisonment or no long-term contact.

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

*41% of young people were either in care or had significant involvement with Tusla<sup>7</sup>.*

- 23 young people were in care prior to detention<sup>8</sup> and a further 8 had significant involvement with Tusla prior to detention.
- 3 young people were in special care prior to detention and a place had been unsuccessfully applied for in respect of one young person.

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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.

## 2.4 Parenthood

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

- 2 young people in detention were parents or parents to be.

## 3.0 Health

### 3.1 Mental Health

*41% of young people in detention had mental health need<sup>9</sup>.*

Of the 75 young people on campus, 31 had a mental health need, while 46 were referred to the Assessment Consultation Therapy Services (ACTS)<sup>10</sup> upon admission to Oberstown. In addition, 23 had been involved with CAMHS<sup>11</sup> at one stage of their lives.

### 3.2 Medication

*25% of young people were prescribed medication for a mental health concern.*

Of the young people on campus, 19 young people had at one time been prescribed medication, 17 of which were for a mental health need.

### 3.3 Substance misuse

*71% of young people were considered to have substance misuse problems<sup>12</sup>.*

Of the young people on campus, 53 had substance misuse problems.

Of the 53 young people who had drug and/or alcohol problems:

- 24 were identified as having a mental health problem.
- 18 were in care or had significant involvement with Tusla.
- 10 had self-harm concerns.

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<sup>9</sup> Mental health data relates to diagnoses young people have received from health professionals, and/or evidence of psychological issues in a young person's file. See appendix for more information.

<sup>10</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>11</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>12</sup> This refers to misused drugs, alcohol or a combination of both.



## **3.4 Physical health**

### ***8% of young people had a physical health concern***

Of the young people on campus, 6 had a physical health problem.

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

## 4.0 Learning

### 4.1 Education

*57% of young people were not engaged in education prior to detention.*

Of the 75 in Oberstown during 2019 Q1:

- 43 young people were not engaging in education prior to detention.
- 7 young people were identified as being in education of some sort prior to admission to Oberstown.
- For a further 24 young people this information was not available or identifiable from their file, while for one young person question was not applicable as he/she had finished school.

Of the 43 young people **not** engaging in education prior to detention:

- 28 had substance misuse concerns.
- 20 were in care or had significant involvement with Tusla.
- 14 were involved with CAMHS.<sup>13</sup>

### 4.2 Learning difficulties

*23% of young people had a diagnosed learning disability.*

Of the 75 young people in detention, 17 had some form of diagnosed learning disability.

Of the young people with diagnosed disabilities:

- 10 were not engaging in education prior to admission to Oberstown.
- 12 Exhibited challenging behaviour.<sup>14</sup>
- 14 had mental health needs.

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<sup>13</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>14</sup> In this context challenging behaviour means where young people had been violent towards family members, care staff or staff in Oberstown.

## 5.0 Risk

### 5.1 Children at risk

*23% of young people were considered to be at risk of abuse or neglect.*

Of the 75 young people in detention, 34 had a social worker and 5 had a GAL.<sup>15</sup>

Prior to detention, there were child protection concerns<sup>16</sup> in respect of 17 of the young people.

Of the 17:

- 11 had mental health concerns.
- 9 exhibited challenging behaviour.

### 5.2 Challenging behaviour<sup>17</sup>

*43% of young people in detention demonstrated challenging behaviour.*

Of 75 young people in detention, 32 demonstrated challenging behaviour either in the past, in Oberstown, or both.

Furthermore, of the 32:

- 20 had mental health concerns.
- 17 were involved with CAMHS<sup>18</sup> in the community at some point prior to detention.
- 20 had been in care and a further 6 had significant involvement with Tusla.
- 7 had self-harm concerns.
- 25 had substance misuse issues.

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<sup>15</sup> A GAL is a court appointed representative who advocates for a young person during court proceedings.

<sup>16</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>17</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>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.

### 5.3 Self-harm

There were concerns about self-harm in respect of 12 young people. Of the 12:

- 11 had diagnosed mental health concerns.
- 10 had diagnosed substance misuse concerns.

## Conclusion

This publication provides information on the needs and risks relating to young people in Oberstown during the first quarter of 2019. 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 2019. 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.