

# **Key characteristics of young people in detention: A snapshot (Q1, 2017)**

**Oberstown Children Detention Campus**

## Introduction

The data presented here provides an overview of the characteristics of young people detained in Oberstown Children Detention Campus during the first quarter of 2017. 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, 2017. As well as offering insights into offending and sentencing, the data highlights the level of adversity and trauma young people have experienced, including the loss of parents, neglect and abuse, and multiple care placements. 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<sup>1</sup>

*52% young people were on remand orders, 48% were on detention orders<sup>2</sup>*

In the first quarter of 2017, there were 69 individual young people present in the Oberstown Children Detention Campus. Of the 69 young people in detention from January to March 2017, 36 were on remand orders and 33 were on detention orders.<sup>3</sup> All of the young people were male.

### 1.2 Age & Geography

*45% of young people were 16 upon admission and 35% came from Co Dublin*

In the first quarter of 2017, 24 young people came from the Dublin area, with the next biggest cohorts coming from Limerick (9 young people) and Cork (6 young people). The additional young people came from 13 other counties: Cavan; Galway; Kerry; Laois; Longford; Louth; Meath; Westmeath; Offaly; Tipperary; Waterford; Wexford; Wicklow.

Of the 69 young people in detention:

- 3 were 14 years of age upon admission. (4%)
- 7 were 15 upon admission. (10%)
- 31 were 16 upon admission. (45%)
- 28 were 17 upon admission. (41%)

Additionally, of the 69 young people:

- 5 were aged 13 when first sent to Oberstown. (7%)
- 14 were aged 14 when first sent to Oberstown. (20%)

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<sup>1</sup> Remand orders refers to young people who have been ordered to spend time in detention on remand or awaiting trial; detention orders refers to young people who have been committed or sentenced to a period of detention following conviction.

<sup>2</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>3</sup> This reflects the legal status of the young person on the last day of March 2017.

- 17 were aged 15 when first sent to Oberstown. (25%)
- 15 were aged 16 when first sent to Oberstown. (22%)
- 8 were aged 17 when first sent to Oberstown. (11%)

For ten young people, it was their first time in detention. (15%)

### 1.3 Offending behaviour

***For 54% of young people, the offence of Theft & Fraud was a factor in their offending pattern.***

Of the 69 young people in Oberstown, 37 had multiple charges of the offence of Theft & Fraud.<sup>4</sup>  
(54%)

Other common offences for which young people were in Oberstown included:

- Offences under the Road Traffic Act<sup>5</sup> – 10 young people (14%).
- Assault (including sexual assault) – 16 (23%).
- Criminal damage – 10 (14%).
- Firearms & offensive weapons – 6 (9%).

### 1.4 Length of Order

**19% of young people received a detention order of one year or more**

Of the 69 young people in detention, 13 received a detention order of one year or more, (19%) and 5 young people received a detention order in excess of four years. (7%)

Additionally:

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<sup>4</sup> Criminal Justice (Theft and Fraud Offences) Act 2001.

<sup>5</sup> Offences under the Road Traffic Act 2010 include: dangerous driving, drunk driving, driving without tax, insurance, false registration.

- Of the 36 young people on remand orders, 11 had a remand order of more than 30 days; 3 of those were for more than 90 days.
- 32 young people had been in Oberstown more than four times previously.<sup>6</sup> (46%)
- 16 young people had been in Oberstown more than 6 times.<sup>7</sup> (23%)

## 1.5 Discharge from Oberstown

### 68% of young people in detention were discharged in Q1

Of the 69 young people in detention, 47 were discharged during Q1 (68%) and 22 young people continued with their sentences (32%).

Of the 47 young people discharged:

- 35 were on remand orders (74.5%) and 12 were on detention orders. (25.5%)
- 16 returned home. (34%)
- 4 were transferred to prison.<sup>8</sup> (8%)
- 9 were discharged either to residential care or community treatment programmes. (19%)
- Destination after discharge from Oberstown was not provided to the Campus for 18 young people. (26%)

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<sup>6</sup> This figure relates to both remand and committal orders accrued by young people.

<sup>7</sup> This figure relates to both remand and committal orders accrued by young people.

<sup>8</sup> Once they turn 18, young people must by law be transferred to adult prison. However, young people can request to stay in Oberstown for six months past their 18<sup>th</sup> birthday if they so wish.

## 2.0 Background

### 2.1 Ethnicity

#### *23% of young people in detention were members of the Traveller community<sup>9</sup>*

Of the 69 young people, 46 were Irish (66%), 16 were Irish Travellers (23%); 4 were EU nationals (6%); two were African and one was of mixed ethnicity.

### 2.2 Loss of parent

#### *A parent (both in one case) of 19% of young people was deceased*

Of the 69 young people on campus, 37 had suffered the loss of one or both parents either through death, imprisonment or no long-term contact. (54%)

- A parent (both parents in one case) of 13 young people was deceased. (19%)
- 8 young people had a father in prison currently or previously. (12%)
- 16 young people had no contact with one or both parents over a long period. (22%)

### 2.3 Children in Care<sup>10</sup>

#### *54% of young people were either in care or had significant involvement with Tusla<sup>11</sup>*

- 31 young people were in care prior to detention<sup>12</sup> (45%)

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<sup>9</sup> The Irish government has recognised Travellers as an ethnic minority group.

<sup>10</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>11</sup> Significant involvement with Tusla means that there was clear evidence of a long history with either the young person or their family.

<sup>12</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.

- a further 6 young people had significant involvement with Tusla prior to detention. (9%)

Of the 31 young people in care:

- 18 young people had been in three or more care placements. (58%)
- 4 young people had been in 7 or more care placements. (13%)
- 21 were involved with CAMHS.<sup>13</sup> (68%)
- 12 had a Guardian Ad Litem.<sup>14</sup> (38%)
- 17 had child protection concerns.<sup>15</sup> (55%)

Furthermore, prior to detention, applications were made by Tusla for 9 young people to be placed in Special Care<sup>16</sup> (13%). Of those, 8 were placed into Special Care while one application were refused.

All of the special care applications occurred within the past three years.

## 2.4 Parenthood

### *7% of young people in detention were parents or parents to be*

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

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

<sup>15</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>16</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

#### *55% of young people in detention had mental health need<sup>17</sup>*

Of the 69 young people on campus, 38 had a mental health need. (55%)

In addition, of the 38:

- 22 had a past/current diagnosis of Attention Deficit Hyperactivity Disorder (ADHD).<sup>18</sup> (58%)
- 32 had been involved with CAMHS<sup>19</sup> at one stage of their lives. (84%)
- 24 were referred to ACTS<sup>20</sup> while in Oberstown. (63%)
- 21 had been in care, and a further 4 had significant involvement with Tusla. (66%)
- 17 were classified as having child protection concerns. (45%)

### 3.2 Medication

#### *32% of young people were prescribed medication for a mental health concern*

Of the 69 young people, 22 young people had at one time been prescribed medication (almost exclusively for ADHD).

Of the 22:

- 3 were taking medication at the time the data was collected. (14%)

### 3.3 Substance misuse

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<sup>17</sup> Mental health data relates to actual diagnoses young people have received from health professionals during their lives, or in a smaller number of cases where there is clear evidence of psychological concerns in a young person's file. See appendix for more information.

<sup>18</sup> Attention Deficit Hyperactivity Disorder was often part of a number of diagnoses the young person had received.

<sup>19</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>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](http://Tusla.ie) for more information.



***78% of young people were considered to have substance misuse problems<sup>21</sup>***

Of the 69 young people, 54 young people had substance misuse problems. (78%)

Of the 54 young people who had drug and/or alcohol problems:

- 33 were identified as having a mental health problem. (61%)
- 27 were in care. (50%)
- 20 had self-harm concerns. (37%)

### **3.4 Physical health**

***88% of young people had no physical health concerns***

Of the 69 young people on campus, 8 had a physical health problem. (12%)

The issues identified ranged from asthma to a brain injury to a skin condition. All young people were medically assessed and treated as part of their care in Oberstown.

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<sup>21</sup> This refers to misused drugs, alcohol or a combination of both.

## 4.0 Learning

### 4.1 Engagement in Education

#### *14% of young people were engaged in education prior to detention*

Of 69 young people:

- 49 young people were not engaging in education prior to detention. (71%)
- Just 10 young people were identified as being in education prior to admission to Oberstown. (14.5%)
- For a further ten young people this information was not available. (14.5%)

Of the 49 young people **not** engaging in education prior to detention:

- 24 were in care and a further 5 had significant involvement with Tusla. (59%)
- 32 exhibited challenging behaviour.<sup>22</sup> (65%)
- 26 were involved with CAMHS.<sup>23</sup> (53%)
- 41 had substance misuse concerns. (84%)

### 4.2 Learning difficulties

#### *36% of young people had a diagnosed learning disability*

Of 69 young people in detention, 25 (36%) had some form of diagnosed learning disability, and for a further 16 young people (23%), there was evidence of learning difficulties.<sup>24</sup> (59%)

Of the 25 young people with diagnosed disabilities:

- At least 18 were not engaging in education prior to admission to Oberstown. (72%)

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<sup>22</sup> In this context challenging behaviour means where young people had been violent towards family members, care staff or staff in Oberstown.

<sup>23</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>24</sup> Learning difficulties range from speech and language difficulties to learning disabilities such as dyslexia, to intellectual disability.

- 20 exhibited challenging behaviour.<sup>25</sup> (80%)
- 20 had mental health needs. (80%)

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<sup>25</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

#### *42% of young people were considered to be at risk of abuse or neglect*

Of the 69 young people in detention, 40 had a social worker (58%) and 14 had a GAL.<sup>26</sup> (20%)

Prior to detention, there were child protection concerns<sup>27</sup> in respect of 29 of the 69 young people. (42%)

Of the 29 young people with child protection concerns, for 25 the risk came from within their own families.

Furthermore, of the 29 young people at risk:

- 17 were in care, and 3 had significant involvement with Tusla. (69%)
- 23 had a social worker. (79%)
- 8 had a GAL.<sup>28</sup> (27%)

### 5.2 Challenging behaviour<sup>29</sup>

Of 69 young people in detention, 47 demonstrated challenging behaviour either in the past, in Oberstown, or both.

Of the 47:

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<sup>26</sup> A GAL is a court appointed representative who advocates for a young person during court proceedings.

<sup>27</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>28</sup> A GAL is a court appointed representative who advocates for a young person during court proceedings.

<sup>29</sup> In this context challenging behaviour means where young people are or have displayed aggressive and/or violent behaviours towards family members, care staff or staff in Oberstown. This section is further broken down into historical (young person in the past displayed aggressive and/or violent behaviours) and current (young person displayed such behaviours while in Oberstown).

- 27 had in the past displayed aggressive and violent behaviour prior to their entry to detention.
- 17 had displayed aggressive and violent behaviour while in Oberstown, and while in the community
- 3 young people with no recorded history of displaying aggressive and violent behaviour in the community engaged in such behaviour in Oberstown.

Furthermore, of the 47:

- 32 had mental health concerns. (68%)
- 32 were involved with CAMHS<sup>30</sup> in the community at some point prior to detention. (68%)
- 24 had been in care and a further 4 had significant involvement with Tusla. (60%)
- 19 had self-harm concerns. (40%)
- 38 had substance misuse issues. (80%)

### **5.3 Self-harm**

There were concerns about self-harm in respect of 22 young people. (32%)

- Of the 22, 20 had mental health concerns. (90%)
- all 22 had substance misuse concerns. (100%)

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<sup>30</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 of the young people in Oberstown during the first quarter of 2017. The report is the first step in an ongoing process to provide contemporaneous data about young people in detention and provides a baseline to build on with a view to tracking trends and patterns in the future. The findings here confirm that young people in detention have a wide range of complex needs often 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 2017. 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.