

# **ANNUAL REPORT OF THE COMMITTEE**

**Appointed to Monitor the Effectiveness of the**

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# **Diversion Programme**

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**2008**



Prn: A10/0090

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and on the Irish Youth Justice Service website [www.iyjs.ie](http://www.iyjs.ie)

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## FOREWORD



Dear Commissioner,

It is my pleasure to present the 2008 Annual Report of the Committee Appointed to Monitor the Effectiveness of the Diversion Programme as set out in Part 4 of the Children Act 2001.

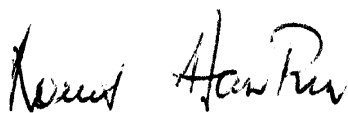
The total number of incidents referred to the Diversion Programme during 2008 was 27,422, a decrease of 431 or 1.5% on 2007. The total number of individual children referred to the programme was 21,412 which was a decrease of 529 or 2.4% from the 2007 total.

The enactment of Sections 125 and 129 of the Criminal Justice 2006 Act in March 2007 means that children below 10 years old are no longer referred to the Diversion Programme. Apart from this there was little change to the age profile of children referred with 16 and 17 year olds making up 24% and 35% of referrals respectively.

Alcohol related offences (19.8%), theft (15.0%) and road traffic offences (15.0%) constitute the three main categories of offence for which children were referred.

The Garda programme of restorative justice continues to evolve with Juvenile Liaison Officers (JLOs) facilitating 422 restorative events, an increase of 12% on the 2007 figure.

I want to thank the committee for their work during the year, the Director of the Diversion Programme and the staff at the National Juvenile Office (NJO) and the JLOs throughout the country for their dedication and work.



\_\_\_\_\_  
Chairperson.

Louis Harkin, Assistant Commissioner

## Executive Summary

- The total number of incidents referred to the Diversion Programme during 2008 was 27,422.
- The total number of individual children referred to the programme was 21,412.
- 15,754 (74%) children were admitted to the Diversion Programme.
- 11,796 (55%) children had their cases dealt with by way of informal caution.
- 3,958 (18%) children had their cases dealt with by formal caution.
- 575 (3%) children had a decision in their case pending.
- 1,666 (8%) children required no further action.
- 3,417 (16%) children were considered not suitable for inclusion in the programme.
- There was no significant change in the types of offences for which children were referred to the programme.
- Alcohol related offences (19.8%), road traffic offences (15%) and theft (15%) constitute the three main categories of offence for which children were referred.
- There were 2,147 referrals from the Fixed Charge Penalty System.
- The Garda programme of restorative justice continues to evolve with JLOs facilitating 422 restorative events an increase of 44 cases from 2007.
- There were 7 new JLO positions created in 2008.
- There are 101 Garda JLOs and 8 JLO Sergeants working on the programme.

## Membership and Terms of Reference of the Committee

In May 2002 a Ministerial Order was signed bringing Part 4 of The Children Act 2001 into operation. This part of the Act deals entirely with the Diversion Programme. In June of 2003, a Committee was appointed in accordance with Section 44 of the Act to monitor the effectiveness of the programme.

The terms of reference of the Committee are to:

- monitor the effectiveness of the Diversion Programme
- review all aspects of its operation
- monitor the ongoing training needs of the facilitators
- make annually a report to the Commissioner of the Garda Siochana on its activities during the year

In general the committee understands its main tasks are to

- examine the management and effective delivery of the Diversion Programme
- identify best practices in the administration of the programme
- assess best practices for the training of facilitators and monitor training delivery
- put in place methodologies for the evaluation and measurement of the programme's effectiveness
- advise on any relevant matters
- prepare an annual report

### Membership

The current members of the Committee are

- Assistant Commissioner Louis Harkin, Chairperson
- Chief Superintendent John O Driscoll
- Ms. Phil Hanna
- Mr Tim Dalton
- Inspector Finbarr Murphy (Secretary)

## The Diversion Programme

Following the introduction of Part 4 of the Children Act 2001 the Juvenile Liaison Officer Scheme came to an end and was replaced by the Diversion Programme, which could be described as a package of measures for dealing with children under the age of 18 who commit an offence or offences. The Diversion Programme retained many of the tried and tested methods for dealing with children who commit offences, as well as introducing a number of new options. The Programme is managed by a Garda Superintendent appointed by the Commissioner and known as the Director of the Programme (Section 20).

The Director must consider all cases and decide on the suitability or otherwise of the child for inclusion in the Programme.

In order to be admitted to the programme a child must

- be over the age of criminal responsibility and under 18 years of age
- accept responsibility for the offence(s) committed
- consent to being cautioned and supervised

If the child is deemed suitable for admission to the programme then s/he is given either a formal or an informal caution. In certain circumstances the victim of the offence may be invited to attend the caution or the JLO may recommend that a family conference be held in relation to the child.

A child given a formal caution is placed under Garda supervision for a period of 12 months. This period of supervision may, in certain circumstances be varied by the Director. The caution will be administered either by a Garda not below the rank of Inspector or a JLO who has received mediation training. An informal caution is administered by a JLO and the child is not normally placed under supervision. In practice, both cautions are formal processes, one accompanied by a period of supervision and the other without supervision.



## Referrals to the Diversion Programme

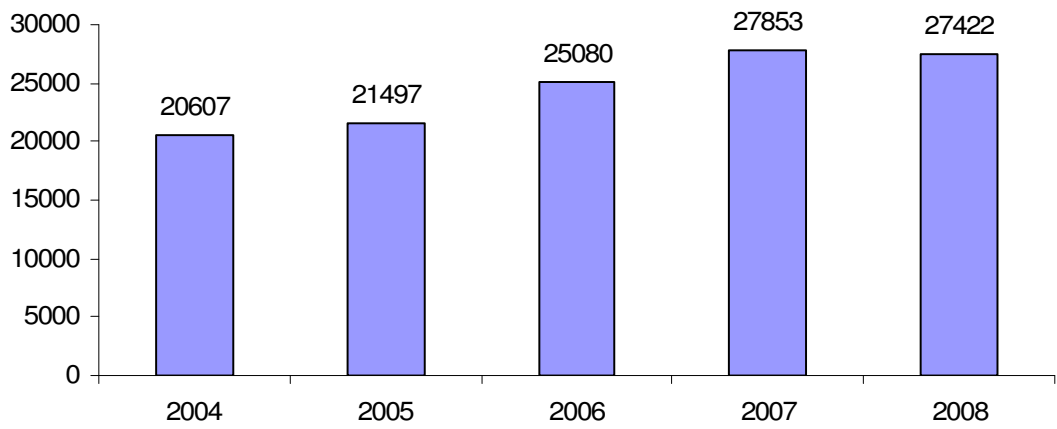
The total number of referrals received in 2008 amounted to 27,422. This is a decrease of 431 (1.57%) on the figure of 27,853 referrals received in 2007.

**Table 1: 2008 Referrals by Region and Division**

	TOTAL	UNSUIT- ABLE	FORMAL	INFOR- MAL	NO FURTHER ACTION	PENDING
<b><u>EASTERN REGION</u></b>						
CARLOW/KILDARE	1067	239	155	611	52	10
LAOIS/OFFALY	905	157	190	490	40	28
MEATH	626	141	155	272	45	13
WESTMEATH	404	68	91	209	20	16
WICKLOW	675	125	135	357	38	20
<b>EASTERN REGION TOTAL</b>	<b>3677</b>	<b>730</b>	<b>726</b>	<b>1939</b>	<b>195</b>	<b>87</b>
<b><u>DUBLIN MET. REGION</u></b>						
EASTERN	860	170	173	431	66	20
NORTH CENTRAL	799	400	76	255	43	25
NORTHERN	2490	745	371	1054	140	180
SOUTH CENTRAL	492	170	76	192	33	21
SOUTHERN	1936	660	227	872	144	33
WESTERN	2399	725	470	955	201	48
<b>DUB. MET. REGION TOTAL</b>	<b>8976</b>	<b>2870</b>	<b>1393</b>	<b>3759</b>	<b>627</b>	<b>327</b>
<b><u>NORTHERN REGION</u></b>						
CAVAN/MONAGHAN	630	115	128	341	37	9
DONEGAL	987	154	250	482	62	39
SLIGO/LEITRIM	659	153	126	329	42	9
LOUTH	480	83	82	270	37	8
<b>NORTHERN REGION TOTAL</b>	<b>2756</b>	<b>505</b>	<b>586</b>	<b>1422</b>	<b>178</b>	<b>65</b>
<b><u>SOUTH EASTERN REGION</u></b>						
TIPPERARY	718	144	159	370	26	19
WATERFORD/KILKENNY	1386	317	261	688	87	33
WEXFORD	604	67	143	331	51	12
<b>SOUTH EASTERN TOTAL</b>	<b>2708</b>	<b>528</b>	<b>563</b>	<b>1389</b>	<b>164</b>	<b>64</b>
<b><u>SOUTHERN REGION</u></b>						
CORK CITY	1971	654	282	879	142	14
CORK NORTH	1017	230	199	532	52	4
CORK WEST	685	113	147	381	39	5
KERRY	804	138	136	413	51	66
LIMERICK	1680	648	487	492	41	12
<b>SOUTHERN REGION TOTAL</b>	<b>6157</b>	<b>1783</b>	<b>1251</b>	<b>2697</b>	<b>325</b>	<b>101</b>
<b><u>WESTERN REGION</u></b>						
CLARE	616	107	130	318	32	29
GALWAY	1266	239	283	633	78	33
MAYO	686	154	84	418	22	8
ROSCOMMON /LONGFORD	477	85	87	255	33	17
<b>WESTERN REGION TOTAL</b>	<b>3045</b>	<b>585</b>	<b>584</b>	<b>1624</b>	<b>165</b>	<b>87</b>
<b><u>OUTSIDE JURISDICTION</u></b>	<b>103</b>	<b>15</b>	<b>5</b>	<b>54</b>	<b>28</b>	<b>1</b>
<b>TOTAL</b>	<b>27422</b>	<b>7016</b>	<b>5108</b>	<b>12884</b>	<b>1682</b>	<b>732</b>

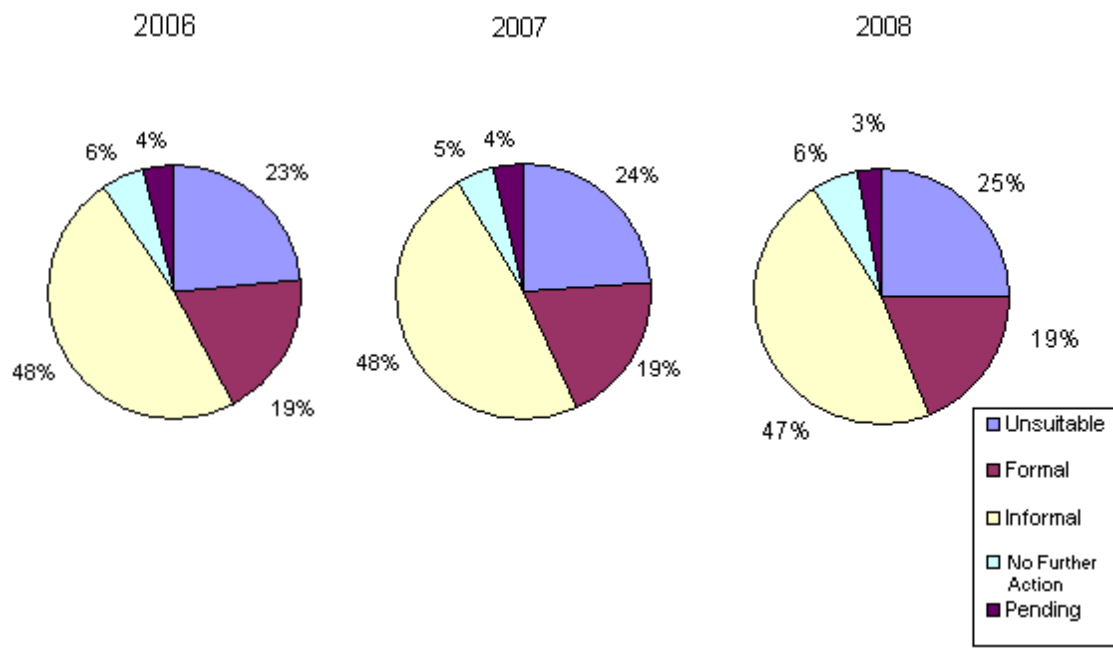
**Figure 1**

**Number of cases referred 2004 – 2008**



**Figure 2**

**Case decisions as a percentage of total referrals 2006 – 2008**



## Children Referred to the Diversion Programme

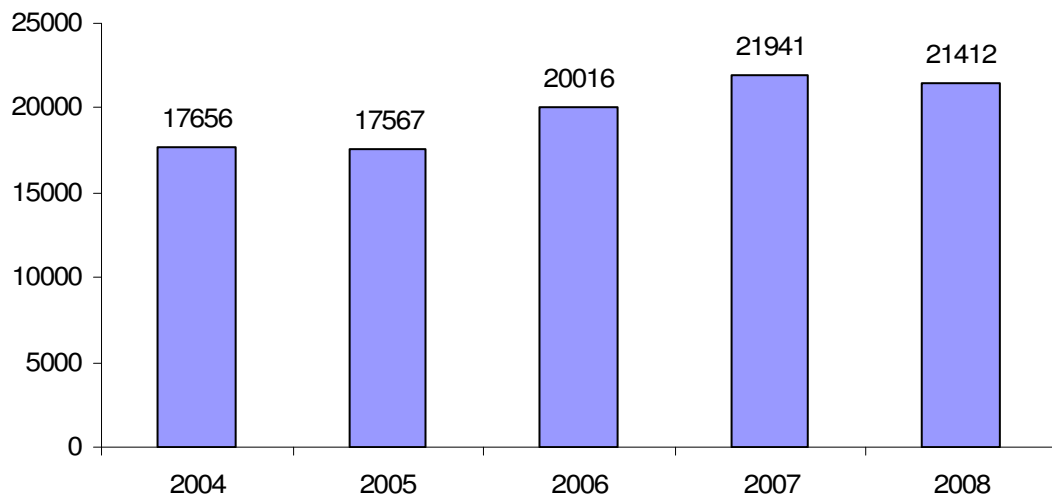
The total number of children referred in 2008 amounted to 21,412. This is a decrease of 529 (2.41%) on the 2007 total of 21,941.

**Table 2: Number of Children Referred in 2008 by Region and Division**

	Total	Prosecuted	Formal	Informal	No Further Action	Pending
<b><u>EASTERN REGION</u></b>						
CARLOW/KILDARE	911	147	131	571	53	9
LAOIS/OFFALY	729	79	144	441	39	26
MEATH	494	83	102	253	44	12
WESTMEATH	318	43	53	191	21	10
WICKLOW	572	72	110	331	39	20
<b>EASTERN REGION TOTAL</b>	<b>3024</b>	<b>424</b>	<b>540</b>	<b>1787</b>	<b>196</b>	<b>77</b>
<b><u>DUBLIN MET. REGION</u></b>						
EASTERN	742	98	145	417	62	20
NORTH CENTRAL	541	192	61	225	41	22
NORTHERN	1855	304	323	962	138	128
SOUTH CENTRAL	385	91	65	180	32	17
SOUTHERN	1496	364	185	785	136	26
WESTERN	1934	414	392	902	187	39
<b>DUB. MET. REGION TOTAL</b>	<b>6953</b>	<b>1463</b>	<b>1171</b>	<b>3471</b>	<b>596</b>	<b>252</b>
<b><u>NORTHERN REGION</u></b>						
CAVAN/MONAGHAN	500	49	99	306	37	9
DONEGAL	814	79	205	447	62	21
SLIGO/LEITRIM	540	85	105	302	39	9
LOUTH	388	36	70	235	39	8
<b>NORTHERN REGION TOTAL</b>	<b>2242</b>	<b>249</b>	<b>479</b>	<b>1290</b>	<b>177</b>	<b>47</b>
<b><u>SOUTH EASTERN REGION</u></b>						
TIPPERARY	581	84	122	333	26	16
WATERFORD/KILKENNY	1083	146	199	624	89	25
WEXFORD	485	32	96	297	49	11
<b>SOUTH EASTERN TOTAL</b>	<b>2149</b>	<b>262</b>	<b>417</b>	<b>1254</b>	<b>164</b>	<b>52</b>
<b><u>SOUTHERN REGION</u></b>						
CORK CITY	1473	298	206	807	148	14
CORK NORTH	773	103	135	479	53	3
CORK WEST	530	48	100	334	43	5
KERRY	619	54	103	371	49	42
LIMERICK	1109	235	369	450	43	12
<b>SOUTHERN REGION TOTAL</b>	<b>4504</b>	<b>738</b>	<b>913</b>	<b>2441</b>	<b>336</b>	<b>76</b>
<b><u>WESTERN REGION</u></b>						
CLARE	472	54	84	279	34	21
GALWAY	1017	99	215	597	76	30
MAYO	552	64	66	389	25	8
ROSCOMMON /LONGFORD	399	51	68	235	34	11
<b>WESTERN REGION TOTAL</b>	<b>2440</b>	<b>268</b>	<b>433</b>	<b>1500</b>	<b>169</b>	<b>70</b>
<b><u>OUTSIDE JURISDICTION</u></b>	<b>100</b>	<b>13</b>	<b>5</b>	<b>53</b>	<b>28</b>	<b>1</b>
<b>TOTAL</b>	<b>21412</b>	<b>3417</b>	<b>3958</b>	<b>11796</b>	<b>1666</b>	<b>575</b>

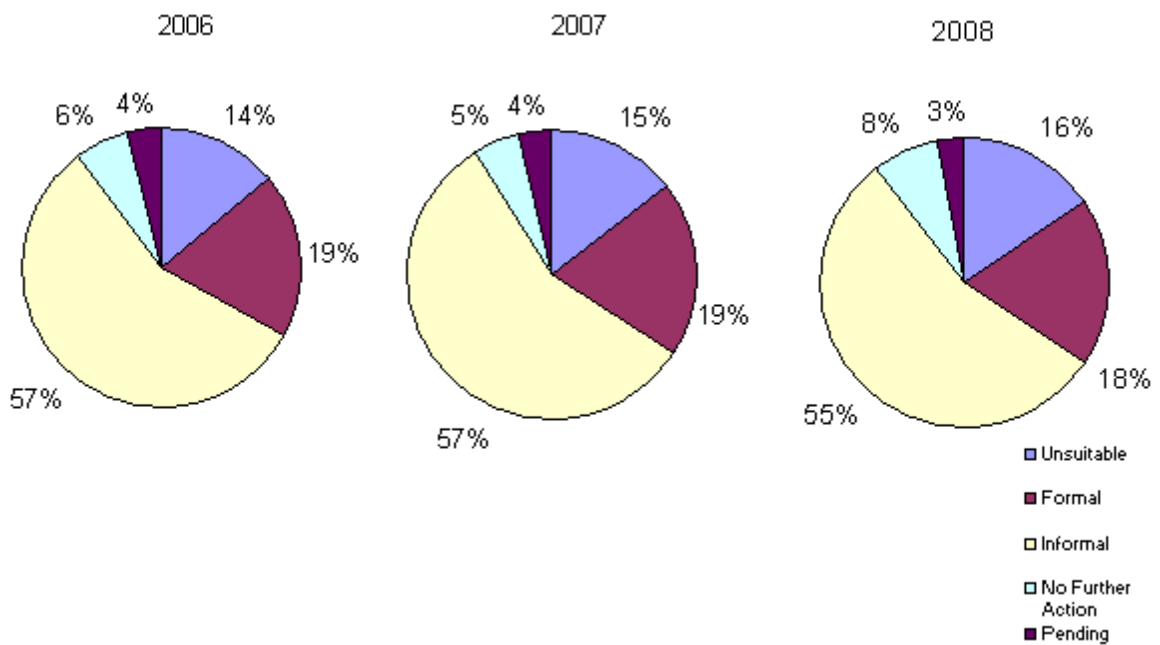
**Figure 3**

**Number of children referred 2004 – 2008**



**Figure 4**

**Case decisions as a percentage of overall number of children referred**



## Children Referred in 2008 by Gender, Region & Division

**Table 3: Gender of Children Referred by Region and Division**

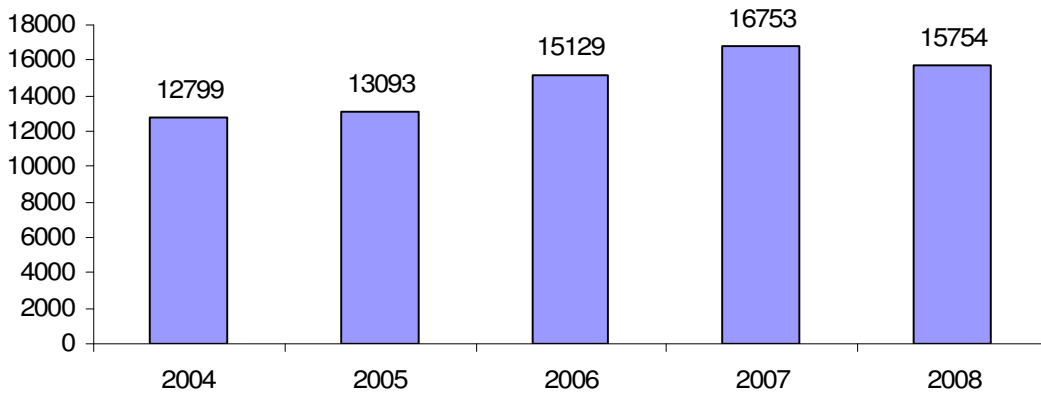
	Total	Prosecuted		Formal		Informal		NFA		Pending	
		Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
<b><u>EASTERN REGION</u></b>											
CARLOW/KILDARE	911	134	13	112	19	448	123	43	10	7	2
LAOIS/OFFALY	729	70	9	133	11	356	85	34	5	23	3
MEATH	494	72	11	89	13	181	72	31	13	7	5
WESTMEATH	318	29	14	40	13	145	46	13	8	10	0
WICKLOW	572	65	7	93	17	245	86	35	4	18	2
<b>EASTERN REGION TOTAL</b>	<b>3024</b>	<b>370</b>	<b>54</b>	<b>467</b>	<b>73</b>	<b>1375</b>	<b>412</b>	<b>156</b>	<b>40</b>	<b>65</b>	<b>12</b>
<b><u>DUBLIN MET. REGION</u></b>											
EASTERN	742	87	11	125	20	318	99	44	18	16	4
NORTH CENTRAL	541	164	28	45	16	171	54	26	15	20	2
NORTHERN	1855	258	46	284	39	747	215	106	32	113	15
SOUTH CENTRAL	385	80	11	54	11	141	39	22	10	12	5
SOUTHERN	1496	300	64	161	24	643	142	100	36	22	4
WESTERN	1934	367	47	344	48	691	211	133	54	32	7
<b>DUB. MET. REGION TOTAL</b>	<b>6953</b>	<b>1256</b>	<b>207</b>	<b>1013</b>	<b>158</b>	<b>2711</b>	<b>760</b>	<b>431</b>	<b>165</b>	<b>215</b>	<b>37</b>
<b><u>NORTHERN REGION</u></b>											
CAVAN/MONAGHAN	500	40	9	94	5	241	65	27	10	7	2
DONEGAL	814	70	9	190	15	377	70	44	18	19	2
SLIGO/LEITRIM	540	81	4	99	6	242	60	31	8	9	0
LOUTH	388	32	4	55	15	170	65	35	4	6	2
<b>NORTHERN REGION TOTAL</b>	<b>2242</b>	<b>223</b>	<b>26</b>	<b>438</b>	<b>41</b>	<b>1030</b>	<b>260</b>	<b>137</b>	<b>40</b>	<b>41</b>	<b>6</b>
<b><u>SOUTH EASTERN REGION</u></b>											
TIPPERARY	581	74	10	108	14	261	72	23	3	12	4
WATERFORD/KILKENNY	1083	117	29	164	35	454	170	69	20	22	3
WEXFORD	485	32	0	81	15	230	67	40	9	10	1
<b>SOUTH EASTERN TOTAL</b>	<b>2149</b>	<b>223</b>	<b>39</b>	<b>353</b>	<b>64</b>	<b>945</b>	<b>309</b>	<b>132</b>	<b>32</b>	<b>44</b>	<b>8</b>
<b><u>SOUTHERN REGION</u></b>											
CORK CITY	1473	268	30	175	31	584	223	101	47	11	3
CORK NORTH	773	92	11	119	16	356	123	40	13	3	0
CORK WEST	530	46	2	90	10	266	68	37	6	5	0
KERRY	619	45	9	89	14	295	76	39	10	38	4
LIMERICK	1109	203	32	307	62	329	121	31	12	9	3
<b>SOUTHERN REGION TOTAL</b>	<b>4504</b>	<b>654</b>	<b>84</b>	<b>780</b>	<b>133</b>	<b>1830</b>	<b>611</b>	<b>248</b>	<b>88</b>	<b>66</b>	<b>10</b>
<b><u>WESTERN REGION</u></b>											
CLARE	472	46	8	64	20	215	64	24	10	11	10
GALWAY	1017	91	8	186	29	446	151	56	20	26	4
MAYO	552	56	8	58	8	276	113	19	6	4	4
ROSCOMMON /LONGFORD	399	48	3	56	12	190	45	30	4	9	2
<b>WESTERN REGION TOTAL</b>	<b>2440</b>	<b>241</b>	<b>27</b>	<b>364</b>	<b>69</b>	<b>1127</b>	<b>373</b>	<b>129</b>	<b>40</b>	<b>50</b>	<b>20</b>
<b>OUTSIDE JURISDICTION</b>	<b>100</b>	<b>12</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>45</b>	<b>8</b>	<b>19</b>	<b>9</b>	<b>1</b>	<b>0</b>
<b>TOTAL</b>	<b>21412</b>	<b>2979</b>	<b>438</b>	<b>3419</b>	<b>539</b>	<b>9063</b>	<b>2733</b>	<b>1252</b>	<b>414</b>	<b>482</b>	<b>93</b>

## Formal and Informal Cautions

As shown in Table 2, the total number of children who were cautioned either formally or informally in 2008 was 15,754. This equates to 73.58% of the total number of children referred. 11,796 (55.09%) received an informal caution and 3,958 (18.48%) received a formal caution. These figures compare with 56.9% and 19.45% respectively for 2007.

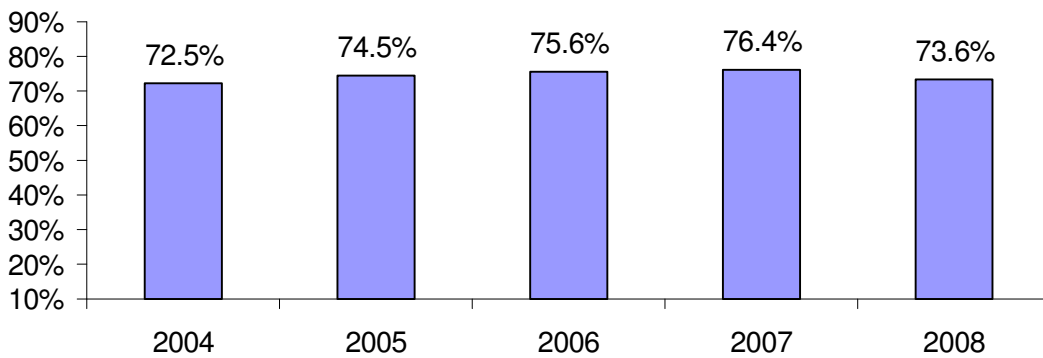
**Figure 5**

**Number of children cautioned 2004 – 2008**



**Figure 6**

**Percentage of children deemed suitable for inclusion 2004 – 2008**



## Garda Restorative Cautions and Conferences

The presence of the victim at a formal caution or at a family conference is provided for in the Children Act 2001 (sections 26 and 29 respectively) and it is here that the concept of restorative justice is introduced.

'Restorative justice' is the term used to describe the process whereby the victim of an offence is given the opportunity to meet or have his or her views presented to the offender. It is hoped that the offender will realise that the offence was not merely an offence against law but against a person or a community. It should be noted that restorative justice applies to the formal caution in accordance with sections 26 and 29 of the Act.

In addition to humanising the harm, the behaviour is challenged and an opportunity is afforded to the offender not only to apologise but to also take some action to repair the harm. This act of "restoration" may be by way of replacing goods stolen, compensating for a loss, mending damage caused or agreeing conditions for future behaviour designed to reassure the victim that the offending will not reoccur.

When the victim is invited to attend at the formal caution of a child it is known as a restorative caution. In certain circumstances victims may prefer to have their views represented by way of letter or recording or by having a friend, supporter or other person represent their perspective.

When the victim is invited to attend a family conference in relation to a child it is referred to as a restorative conference. The restorative conference is similar to a restorative caution in many respects. The victim is given a voice and the impact of the offending behaviour is humanised. Where it differs, is that the conference makes a greater effort to engage a broader range of expertise in an attempt to challenge the child's behaviour and to support any change that might come about as a result of the conference. For instance, those present at the conference might include not only the victim and the victim's supporters but also the child's schoolteacher, social worker, extended family or any other person who may have a positive influence on his or her future behaviour.

Collectively restorative cautions and restorative conferences are referred to as restorative events. A total of 422 restorative events were held in 2008 an increase of 44 on the 2007 total of 378. The 422 events comprised of 417 restorative cautions and 4 restorative conferences. This increase is an indication that the principles of restorative justice are being applied more often by JLO's as a means of processing cases referred to the Diversion Programme. Table 4 shows the number of events on a regional and divisional basis.

Offence types for which restorative events were held included road traffic offences, breaches of public order, assaults, robbery, burglary, theft and criminal damage.

The Committee is satisfied that good progress is being made in the development of the restorative justice element in accordance with Part 4 of the Act.

## Restorative Justice Events 2008 per Region and Division

**Table 4**

	2005	2006	2007	2008
<b>EASTERN REGION</b>				
CARLOW / KILDARE	7	11	8	17
LAOIS / OFFALY	6	8	10	14
LONGFORD / WESTMEATH	6	4	7	-
LOUTH/MEATH <sup>1</sup>	10	14	14	-
MEATH <sup>2</sup>	-	-	-	7
WESTMEATH <sup>2</sup>	-	-	-	11
WICKLOW <sup>2</sup>	-	-	-	5
<b>EASTERN REGION TOTAL</b>	<b>29</b>	<b>37</b>	<b>39</b>	<b>54</b>
<b>DUBLIN MET. REGION</b>				
EASTERN	26	33	34	24
NORTH CENTRAL	6	4	8	15
NORTHERN	12	12	52	46
SOUTH CENTRAL	9	11	12	11
SOUTHERN	21	17	18	18
WESTERN	24	23	16	28
<b>DUBLIN MET. REGION TOTAL</b>	<b>98</b>	<b>100</b>	<b>140</b>	<b>142</b>
<b>NORTHERN REGION</b>				
CAVAN/MONAGHAN	1	6	9	21
DONEGAL	6	3	6	4
SLIGO / LEITRIM <sup>1</sup>	4	0	3	5
LOUTH <sup>2</sup>	-	-	-	9
<b>NORTHERN REGION TOTAL</b>	<b>11</b>	<b>9</b>	<b>18</b>	<b>39</b>
<b>SOUTH EASTERN REGION</b>				
TIPPERARY	3	4	3	14
WATERFORD / KILKENNY	14	10	18	22
WEXFORD / WICKLOW <sup>1</sup>	6	8	16	-
WEXFORD <sup>2</sup>	-	-	-	12
<b>SOUTH EASTERN REGION TOTAL</b>	<b>23</b>	<b>22</b>	<b>37</b>	<b>48</b>
<b>SOUTHERN REGION</b>				
CORK CITY	20	39	47	35
CORK NORTH	13	12	17	19
CORK WEST	29	42	26	19
KERRY	4	8	6	1
LIMERICK	13	11	9	9
<b>SOUTHERN REGION TOTAL</b>	<b>79</b>	<b>112</b>	<b>105</b>	<b>83</b>
<b>WESTERN REGION</b>				
CLARE	0	1	-	2
GALWAY WEST	5	4	12	27
MAYO	8	10	10	3
ROSCOMMON / GALWAY EAST <sup>1</sup>	9	12	17	-
ROSCOMMON / LONGFORD <sup>2</sup>	-	-	-	24
<b>WESTERN REGION TOTAL</b>	<b>22</b>	<b>27</b>	<b>39</b>	<b>56</b>
<b>TOTALS</b>	<b>262</b>	<b>307</b>	<b>378</b>	<b>422</b>

<sup>1</sup> Divisions which are no longer in operation due to boundary re-alignments in 2008

<sup>2</sup> New Divisions created during boundary re-alignments in 2008



## Children Considered Unsuitable for Inclusion

3,417 children were deemed not suitable for inclusion in the Diversion Programme.

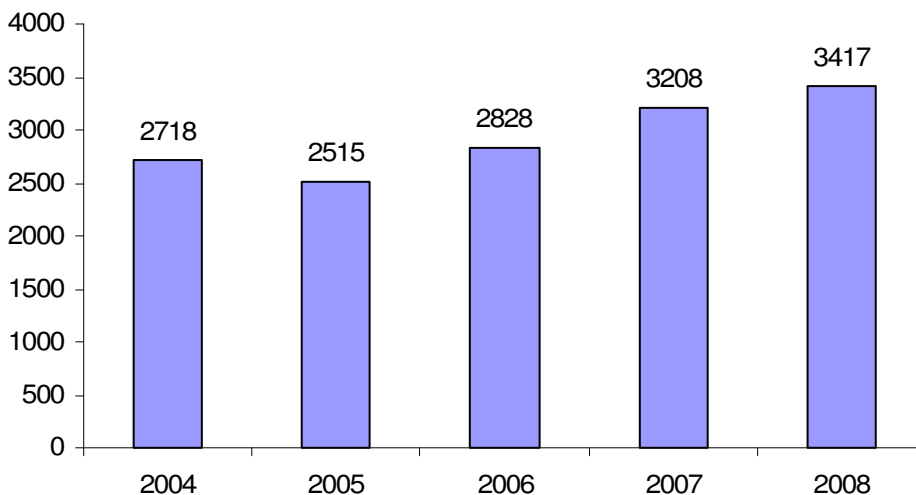
A case is recorded as unsuitable if;

- The child does not accept responsibility for the behaviour
- It would not be in the interests of society to caution the child
- The child is offending persistently

These matters are then returned to local Garda management who decide, following consultation with the Director of Public Prosecutions where appropriate, if a prosecution will be taken.

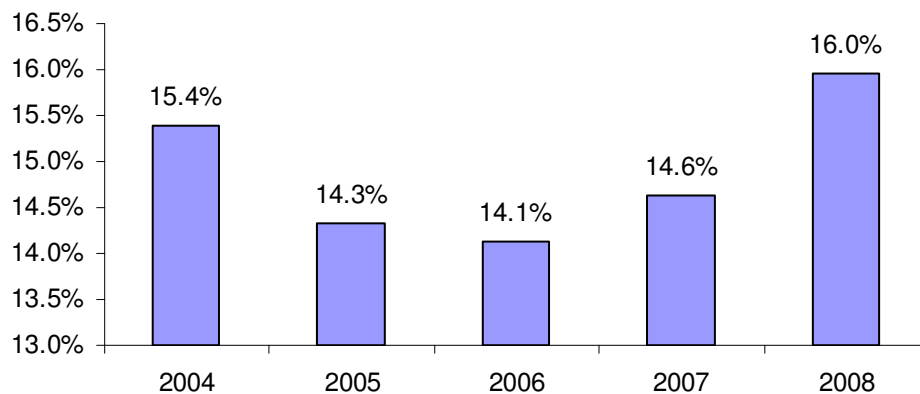
**Figure 7**

**Number of children considered to be unsuitable for inclusion 2004 – 2008**



**Figure 8**

**Percentage of children considered to be unsuitable for inclusion 2004 – 2008**

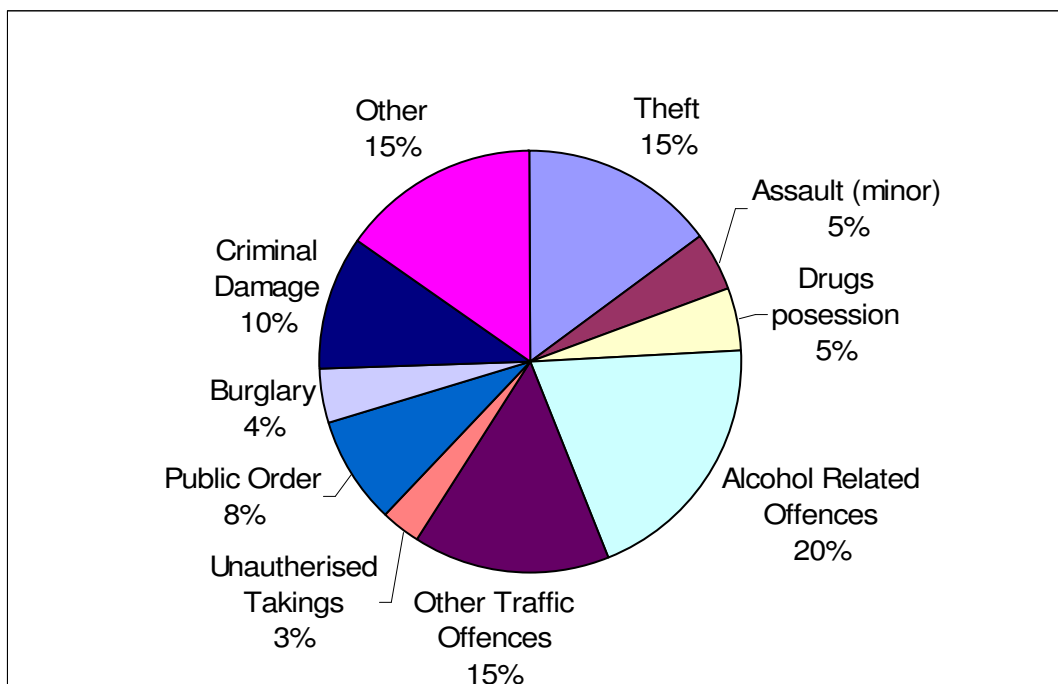


## Types of Offences for which Children were Referred

There is no significant change in the category of offence for which children were referred to the programme. Alcohol related offences 19.8%, road traffic offences 15% and theft 15% are the three most common offences. The level of offending for these three categories has not changed significantly compared with the 2007 figures.

**Figure 9**

### Principle offences in respect of which referrals were made in 2008



The 15% 'other' in the pie chart above is the combined total of other offences, none of which accounted for more than 5% of the overall total. The type of offence and percentage amount can be found in table 5.

The following two tables show the offence category in respect of which children were referred. Table 5 shows the main offence categories and Table 6 gives a more detailed breakdown for selected categories.

**Table 5**

	Number	Percentage
Theft	4,110	15.0%
Fraud related offences (see breakdown 5)	200	0.7%
Possession of articles with intent	61	0.2%
Robbery (incl. demanding money with menaces)	292	1.1%
Burglary	1,147	4.2%
Aggravated burglary	9	..
Handling stolen property	277	1.0%
Criminal damage	2,818	10.3%
Arson	131	0.5%
Unauthorised taking/carriage/interference with M.P.V	792	2.9%
Traffic offences (see breakdown 1)	4,120	15.0%
Alcohol related offences (see breakdown 2)	5,418	19.8%
Public order (see breakdown 3)	2,275	8.3%
Drugs (Possession)	1,290	4.7%
Drugs (Sale/Supply)	209	0.8%
Possession of offensive weapons etc.	440	1.6%
Firearms related offences	49	0.2%
Assault minor	1,236	4.5%
Assault on Garda	30	0.1%
Serious assault (see breakdown 4)	430	1.6%
Begging	2	..
Sexual offences (see breakdown 6)	102	0.4%
Casual trading offences	43	0.2%
Trespass/found on enclosed premises	1,353	4.9%
Railway Acts (trespass line, stone throwing, non-payment of fare)	16	0.1%
Street and house to house collections	60	0.2%
Public mischief (incl. hoax telephone calls)	94	0.3%
False imprisonment	4	0.0%
Offences against animals	7	0.0%
Miscellaneous	407	1.5%
<b>Total</b>	<b>27,422</b>	<b>100.0%</b>

**Table 6**

<b>(A) Other traffic offences</b>	
Insurance offences	740
Dangerous driving	295
Careless driving	227
Pedal cycle offences	5
Holding a mobile phone whilst driving	153
Drunk driving offences	148
No driving licence	263
Hit and run traffic accident	28
No helmet/seatbelt	374
Speeding	692
No road tax	546
Dangerous driving causing death	2
Miscellaneous	647
	<hr/>
<b>Total</b>	<b>4120</b>
<b>(B) Alcohol related offences</b>	
Purchase/possession/consumption of alcohol	188
	4
	348
Intoxication in public place	8
Drunk and disorderly/danger to traffic	4
Simple drunkenness	0
Found on licensed premises	32
Miscellaneous	10
	<hr/>
<b>Total</b>	<b>5418</b>
<b>(C) Public order offences</b>	
Affray	9
Riot	8
Urinate in public	23
Disorderly conduct in public	115
	141
Threatening behaviour etc.	3
Failure to comply with Garda direction/Obstruction	487
Wilful obstruction	21
Violent disorder	28
Other	171
	<hr/>
<b>Total</b>	<b>2275</b>

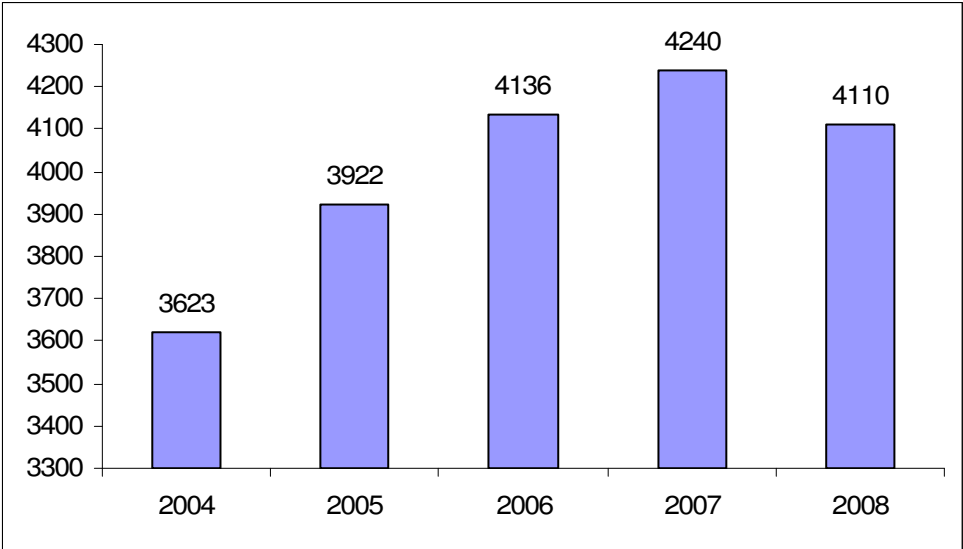
**Table 6 (continued)**

<b>(D) Serious assault</b>	
Murder	3
Assault causing serious bodily harm	12
Assault causing bodily harm	41
Assault with intent	5
	<hr/>
	0
<b>Total</b>	<b>43</b>
	<b>0</b>
<b>(E) Fraud related offences</b>	
Forgery/uttering/fraud	35
	16
Fraud Deception	5
Embezzlement	0
	<hr/>
	20
<b>Total</b>	<b>0</b>
	<b>0</b>
<b>(F) Sexual offences</b>	
Aggravated sexual assault	1
Sexual Assault	60
Indecency	15
Rape/unlawful carnal knowledge (including attempt)	24
Loitering for purpose of prostitution	1
Soliciting for purpose of prostitution	0
Other	1
	<hr/>
	10
<b>Total</b>	<b>2</b>
	<b>2</b>

The following figures show the number of referrals received over the past five years for theft, criminal damage, burglary, public order, vehicle offences, and alcohol related offences.

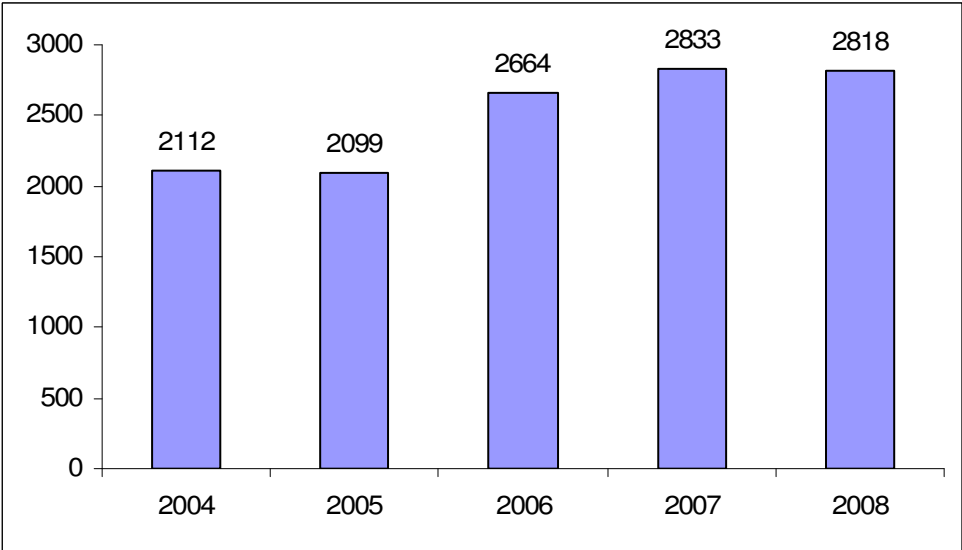
**Figure 10**

**Referrals for theft 2004-2008**



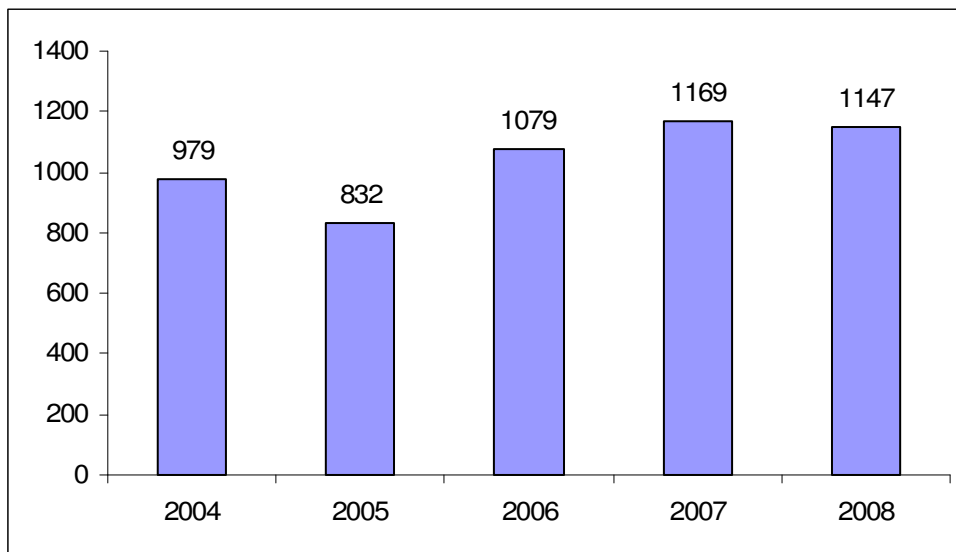
**Figure 11**

**Referrals for criminal damage 2004-2008**



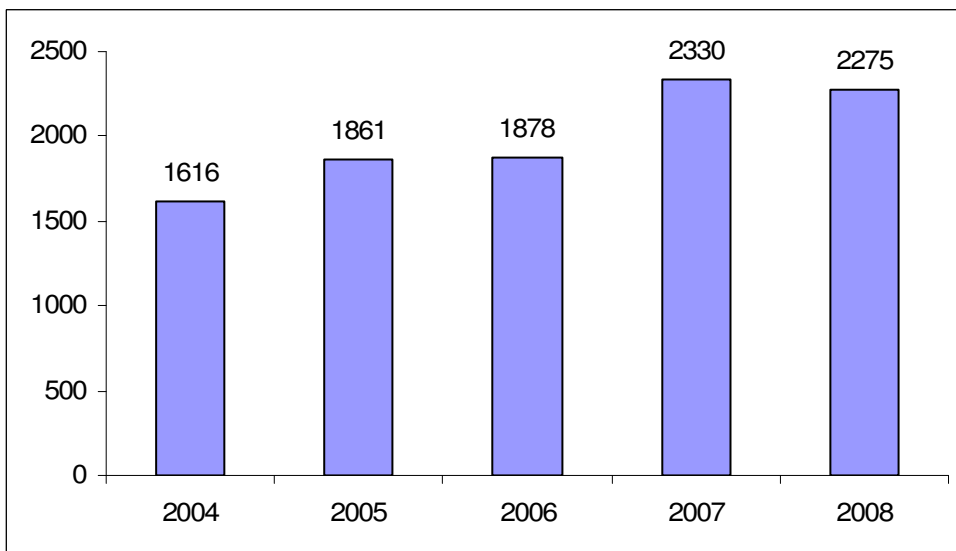
**Figure 12**

**Referrals for burglary 2004 – 2008**



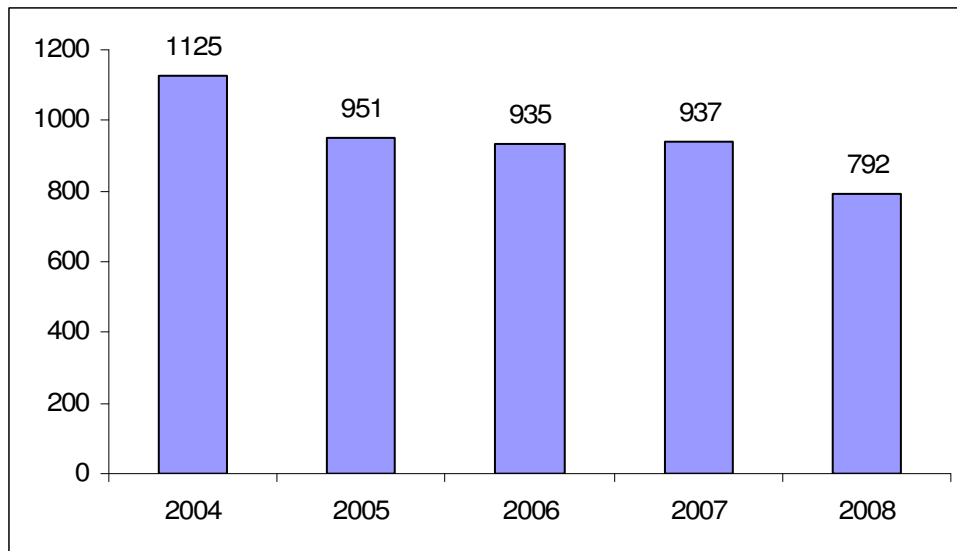
**Figure 13**

**Referrals for public order 2004 – 2008**



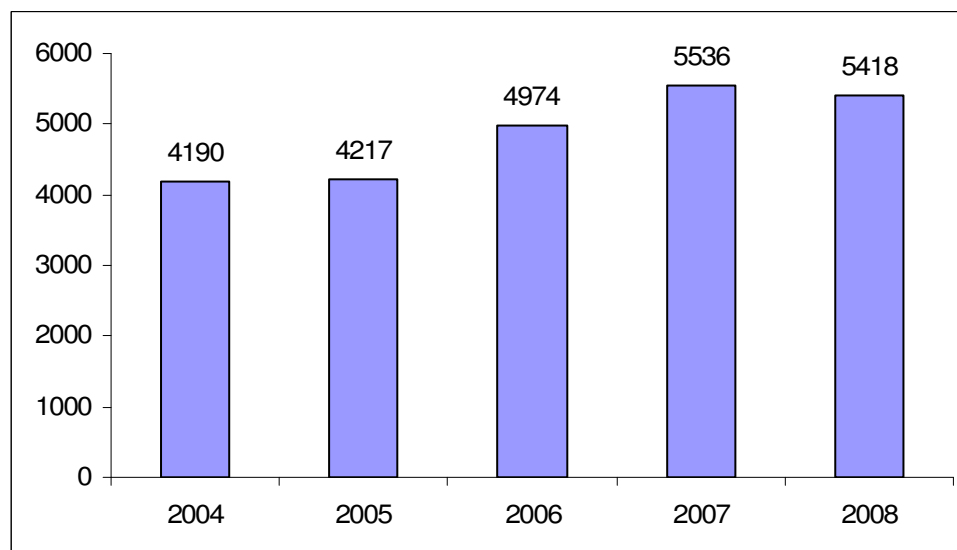
**Figure 14**

**Referrals for vehicle offences 2004-2008**



**Figure 15**

**Referrals for alcohol offences 2004-2008**





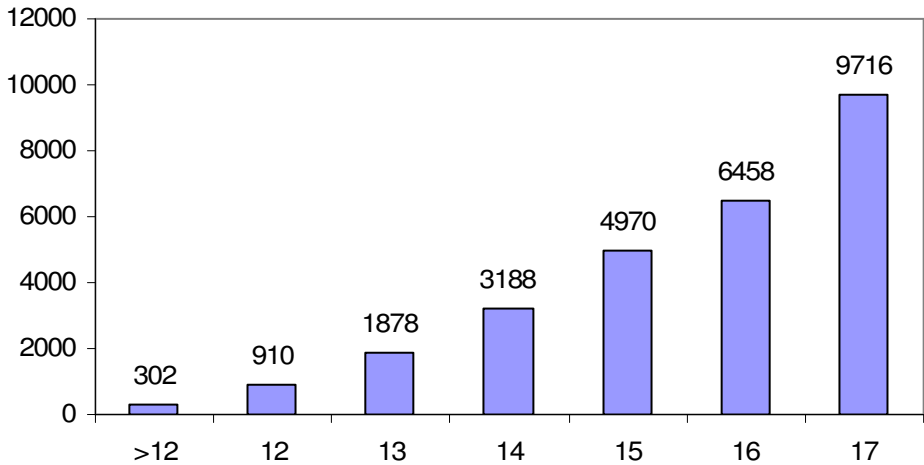
# Age Profile of Children Referred to the Diversion Programme

The chart below outlines the age profile of children referred to the Diversion Programme. Of those referred the following are the percentage of the overall total of children referred in each age category.

- 35% were aged 17 years
- 24% were aged 16 years
- 18% were aged 15 years
- 12% were aged 14 years
- 7% were aged 13 years
- 3% were aged 12 years
- 1% were below the age of 12 years

**Figure 16**

**Age Profile of children referred**



### Training

In 2007 a new training programme for JLOs was introduced by the NJO. The training programme was developed by a working group comprised of JLOs, staff of the NJO and staff of the Garda College.

The programme consists of five modules delivered over an eighteen month period.

1. Introduction to the work of a JLO and appointment of a mentor. Familiarisation visit to the NJO and presentation of training pack and reading material.
2. One week training programme that includes presentations and discussion on The Children Act 2001, Youth Offending, Sexual Offending, Communication Skills, Garda Procedures, Ethics and Best Practices in Youth Justice.
3. Restorative Justice Training; three days training in the 'Real Justice' model of cautioning and the principles of Restorative Justice.
4. Eighty hours mediation training delivered over a four month period. Training is certified by the Mediation Institute of Ireland.
5. A revision module covering all aspects of learning to date.

The Committee is aware of efforts by the NJO to attain a third level accreditation for JLOs on completion of their training. The Committee fully supports the endeavours of the NJO in this regard.

## Observations and Recommendations

The committee is satisfied

- with the leadership shown and the efforts made by the Director of the Programme and the staff of the NJO with regard to the development of the Diversion Programme as set out in the Act.
- from information coming to the Committee that JLOs are operating Part 4 of the Children Act, in particular the concepts of restorative justice and that they are availing of the opportunity to increase their skills by way of additional training.

The Committee recommends that

- The NJO continues with its endeavours to secure 3rd level accreditation for trained JLOs.
- The numbers of JLOs employed in each Garda Division be kept under review.

# Appendix - Human Resource Structure

