

2020

# Annual Report of the Committee Appointed to Monitor the Effectiveness of the Diversion Programme



*Garda Youth Diversion Bureau*

AN GARDA SÍOCHÁNA  
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*A copy of this report is available on the Garda website [www.garda.ie](http://www.garda.ie) and on the Irish Youth Justice Service website [www.iyjs.ie](http://www.iyjs.ie)*

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## **Glossary of Terms**

GYDB	–	Garda Youth Diversion Bureau
GYDP	–	Garda Youth Diversion Project
JLO	–	Juvenile Liaison Officer
DMR	–	Dublin Metropolitan Region
PULSE	–	Police Using Leading Systems Effectively
UTCO	–	Unsuitable This Case Only
CIC	–	Children in Care
ACE	–	Adverse Childhood Experiences
PAF	–	Performance Accountability Framework
KPI	–	Key Performance Indicator
IMS	–	Investigation Management System

Dear Commissioner,

It is my pleasure, as Chairperson of the Monitoring Committee appointed under Section 44 (1) of the Children Act, 2001, to present the Annual Report for 2020. In my first year in this role, I have been given the opportunity to engage with the Section 44 Committee, the Garda Youth Diversion Bureau and external stakeholders in working together to monitor and enhance the effectiveness of the Programme.

The Diversion Programme plays an important role in protecting our youth. Supported by a restorative justice framework, the Diversion Programme provides a vital strategic asset to An Garda Síochána. This approach provides a unique opportunity to An Garda Síochána to engage with young people, and provide guidance and support to them in addressing their behaviour and making positive choices. In my role as Chairperson, I wish to highlight the excellent work being carried out by all those involved in the operation of the Diversion Programme on a daily basis.

The Monitoring Committee provides support to the Diversion Programme by identifying areas for improvement and making recommendations to foster the Programme's effectiveness in diverting children from crime. The Annual Report highlights the developments that occurred during the year, identifies current challenges to the Programme and provides statistics regarding the functioning of the Programme in 2020. Having monitored the effectiveness of the Diversion Programme through our engagement with the Garda Youth Diversion Bureau (GYDB), a number of recommendations have been identified for delivery in 2021.

I wish to extend my appreciation to Chief Superintendent Quinn, Superintendent O'Reilly and the entire staff of the Garda Youth Diversion Bureau, and to each JLO for their continued commitment to keeping people safe during the Covid-19 pandemic. I would also like to extend my gratitude to the Garda Síochána Analysis Service for the provision of the Diversion Programme statistics for 2020. I wish also to extend my appreciation to the staff of the Garda Youth Diversion Projects (GYDPs) and the community based organisations responsible for the delivery of the GYDPs, for their dedication and commitment as displayed in their daily work. I wish to sincerely thank the members of the Section 44 Monitoring Committee for their support and positive contribution to the said Committee; Dr Sean Redmond, Chief Superintendent Quinn and Dr Salome Mbugua – it was a pleasure to work with such fine advocates.

**Paula Hilman – Assistant Commissioner, Roads Policing and Community Engagement**

**Section 44 of the Children Act, 2001** provides that a committee be appointed to monitor the effectiveness of the Diversion Programme. The terms of reference of the committee are to:



**The tasks of the Committee are to:**



**The current members of the Committee are:**



**Assistant Commissioner Hilman** is responsible for Roads Policing and Community Engagement within An Garda Síochána. This includes strategic oversight of GYDB. Assistant Commissioner Hilman was appointed Chairperson of the Monitoring Committee in 2020.



**Dr Sean Redmond** is Adjunct Professor of Youth Justice in the School of Law at the University of Limerick. He is a civil servant employed by the Department of Justice, seconded to the university.



Researcher, gender equality activist and human rights advocate, **Dr Salome Mbugua** is a member of the Irish Human Rights and Equality Commission. She has over 20 years' experience of working with under-represented groups in particular women, children, and the youth, in Europe, Africa and internationally. Dr Mbugua is the founder of AkiDwA, the migrant women's network in Ireland where she works as the Head of Operations and Strategy.



**Chief Superintendent Colette Quinn** has responsibility for GYDB which includes the portfolios of the GYDP Office and the Garda Age Card, and took up her role in January 2018. She previously served as the Director of the Diversion Programme from 2007 to 2017.

### OVERVIEW OF STATISTICS

◆ 2020 saw 16,301 youth referrals to the Diversion Programme. This is a decrease of 12.2% on 2019, which saw 18,657 referrals to the Programme. ◆ The number of children referred was 8,169, a decrease of 17% on the number of children referred in 2019. 78% of children were male and 22% were female. ◆ 1,441 children were deemed unsuitable for admission to the Programme in 2020, a decrease of 10% from 2019. ◆ 5,875 children received formal or informal cautions in 2020, which is down 23% from 2019. ◆ There were 716 restorative cautions in 2020, up from the 125 restorative cautions in 2019, which is an increase of 473% (see page 20).

### GARDA YOUTH DIVERSION BUREAU

GYDB has responsibility for overseeing and developing the Diversion Programme nationally as provided for under Part 4 of the Children Act, 2001. GYDB is headed by a Chief Superintendent and forms part of Roads Policing and Community Engagement.

### GARDA YOUTH DIVERSION PROJECTS (GYDPS)

In 2020, GYDB established a network to examine the needs of children and young people in the communities of two Garda Divisions in the DMR and one in Cork, in response to the Covid-19 pandemic. The aim was to identify potential supports and address gaps in the needs of children and young people in these communities throughout 2020.

Potential barriers for young vulnerable children and their parents/guardians from engaging with the Diversion Programme were identified in the DMR North Central and DMR South Central Divisions. Funding has been approved by the Department of Justice to provide a specific support to this community.

A new Garda Youth Diversion Project (HAY) was created in 2020, aimed at engaging young people aged 15-20 who have already been through the Diversion Programme.

### PULSE IT DEVELOPMENT

A number of PULSE updates to strengthen the administration process were identified by GYDB during 2020. This resulted in two further enhancements as part of PULSE release 7.6 and 7.6.1, both of which went live in October and December respectively.

### GARDA YOUTH DIVERSION PROGRAMME - CHILD IN CARE INITIATIVE

A review of all Children in Care (CIC) referrals was conducted from an administration perspective in 2020, which is supported by the PULSE 7.6.1 release.

### NATIONAL YOUTH REFERRAL EXAMINATION IMPLEMENTATION PLAN

An internal examination of the processing of referrals to the Diversion Programme, which was highlighted in the National Youth Referral Examination Report 2019, continued in 2020, with further recommendations being implemented.

The initial report indicated 39 recommendations to be actioned in 2020 and 2021. The implementation plan has seen 35 recommendations actioned, with four remaining to be actioned in 2021 (see page 23).

### COVID-19

The Covid-19 pandemic presented significant challenges to the work of Juvenile Liaison Officers (JLOs), which saw JLOs continuing to deliver support and cautions under the programme.

JLOs continued to support the Diversion Programme by engaging with children and the community, while being compliant with Covid-19 regulations and guidelines. JLOs utilised technology and socially distant face-to-face meetings in order to provide children and young people with continued support, with wellbeing and safety being key considerations in maintaining contact with vulnerable children and young people during 2020.

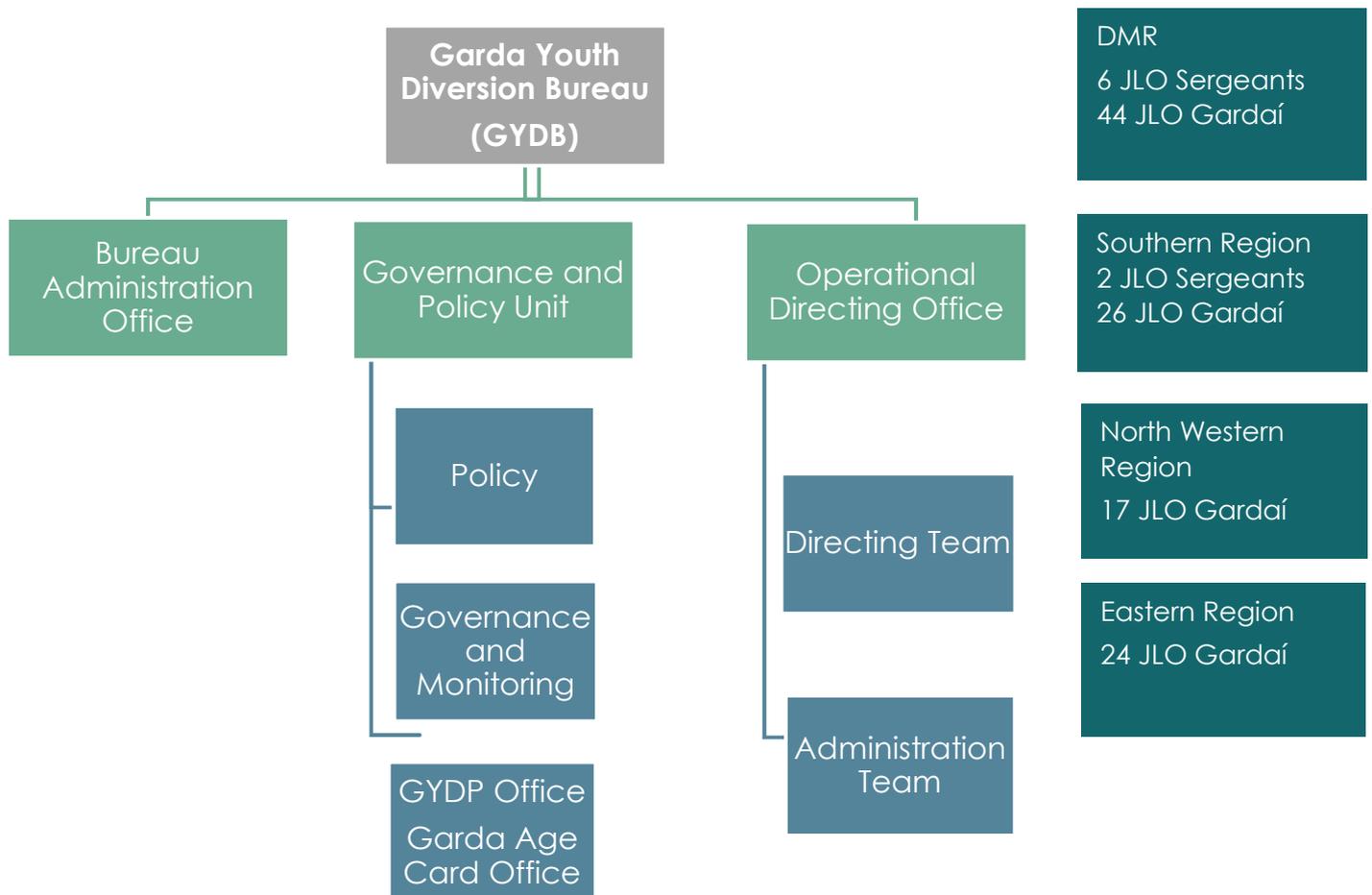
### TRAINING IN 2020

Due to the Covid-19 pandemic, training for facilitators was deferred. A training needs analysis was conducted and the training strategy was updated for delivery during 2021.



- ◆ GYDB is the national office tasked with administration of the Diversion Programme under Part 4 of the Children Act, 2001.
- ◆ A Garda Superintendent is appointed as Director of the Diversion Programme by the Commissioner, with statutory responsibility for deciding on the suitability of a child for admission to the Programme. The Director's role is provided for under Section 20 (1) of the Children Act, 2001.

◆ GYDB continues to work closely with the Irish Youth Justice Service, Department of Children and Youth Affairs, Garda Diversion Projects Best Practice Development Team, youth organisations and other stakeholders, to identify, share and promote best practice in the field of youth justice.



## PURPOSE OF COLLECTING AND REPORTING DIVERSION PROGRAMME STATISTICS

**What is being interpreted?**

- Data on referrals to the Diversion Programme is generated from the Garda PULSE system by the Garda Síochána Analysis Service.

**Why is this data being examined?**

- To report on the number of referrals to the Diversion Programme.
- To assess trends in youth offending.
- To identify interventions needed.

**What is the value of analysing this data?**

- Through examining the statistics on the PULSE system, we can highlight issues and promote more effective practice.

**What are the key performance trends?**

- Key performance trends have been identified in three core areas:
  - Annual Referrals.
  - Children Referred.
  - Number of children deemed suitable or unsuitable for admission to the Programme.

## OVERVIEW OF KEY PERFORMANCE TRENDS IN 2019

**A) Annual Referrals**

- 16,301 referrals in 2020.
- Decrease of 12.2% on 2019.

**B) Children Referred**

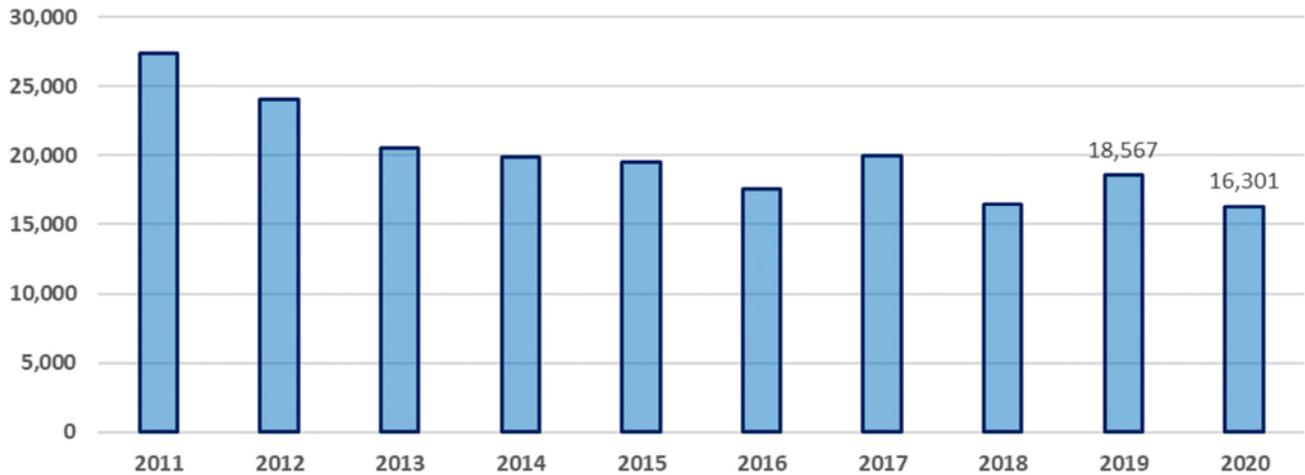
- 8,169 children and young people referred in 2020, a decrease of 1,673 children from 2019.
- 28% of children referred were under 15 years of age in 2020, while 32% were 17 years of age.

**C) Suitability for admission to the Programme**

- There were a total of 1,441 children deemed unsuitable for the Programme in 2020.
- Decrease of 10% compared to 2019.

## A) ANNUAL REFERRALS

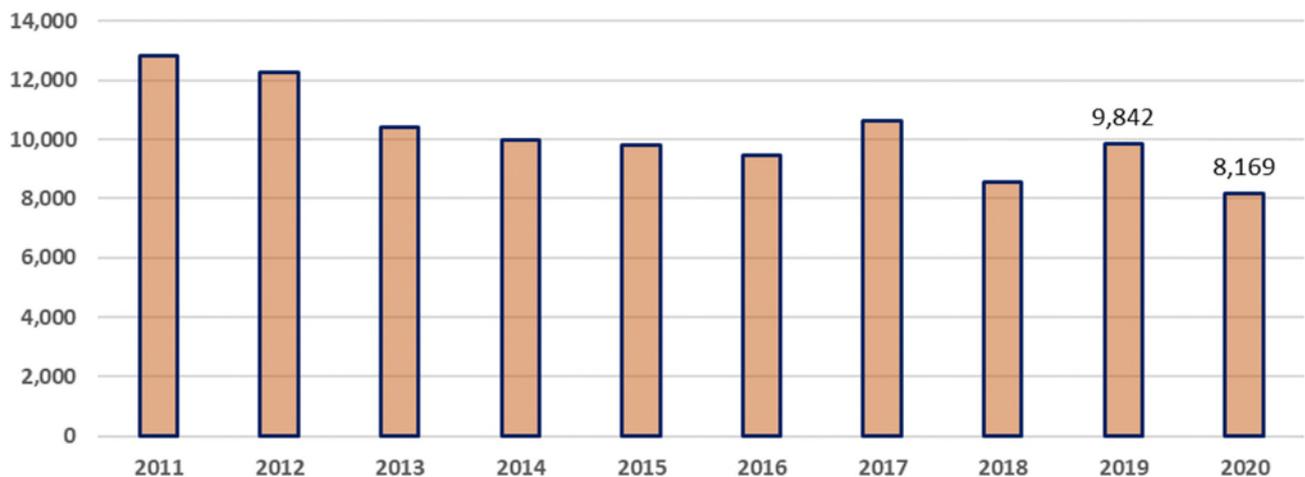
### Number of Referrals 2011 - 2020



◆ There were 16,301 referrals to the Diversion Programme in 2020, which represents a decrease of 12.2% compared to 2019 (18,567 referrals).

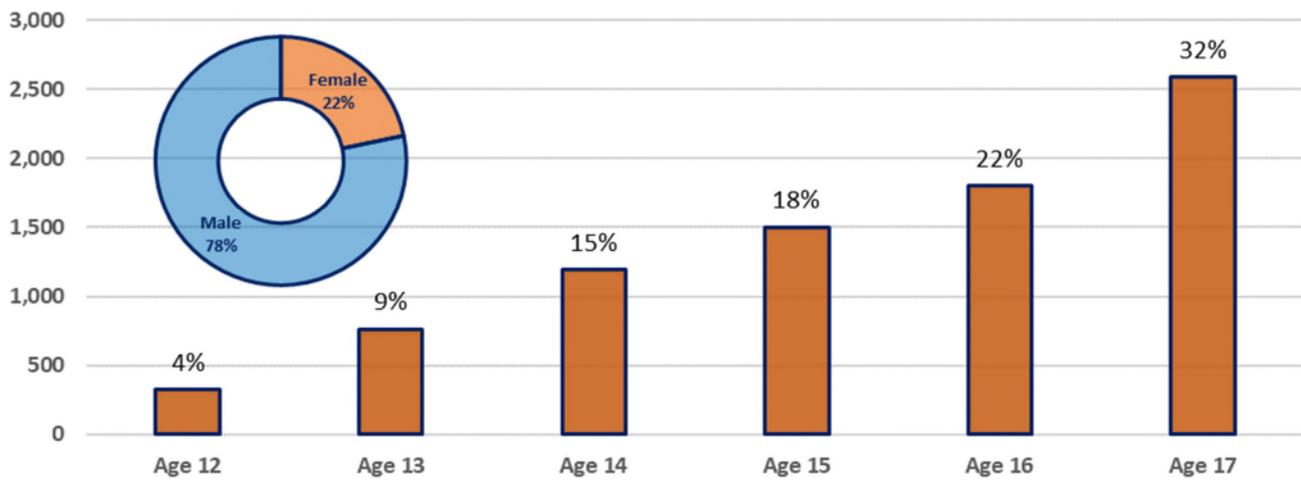
## B) CHILDREN REFERRED

### Number of Children Referred 2011 - 2020



◆ There were 8,169 children referred in 2020, which is 17% fewer than the 9,842 children referred in 2019.

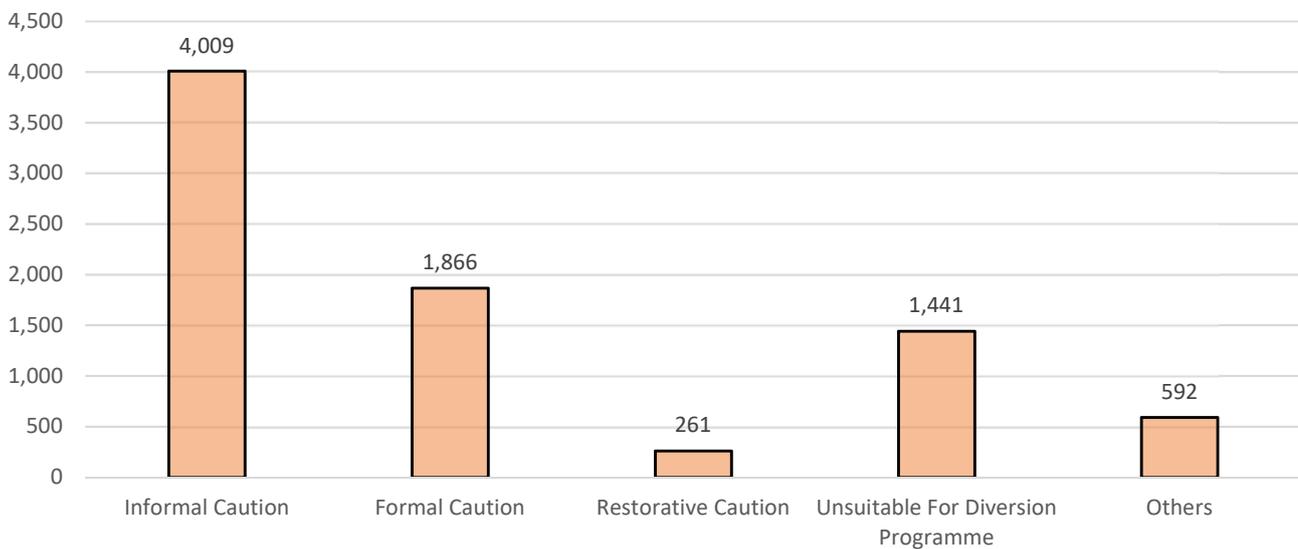
## Age of Children Referred in 2020



◆ 28% of children referred were under 15 years of age in 2020, while 32% were 17 years of age. 78% of children referred were male and 22% were female.

## C) SUITABILITY FOR ADMISSION TO THE DIVERSION PROGRAMME

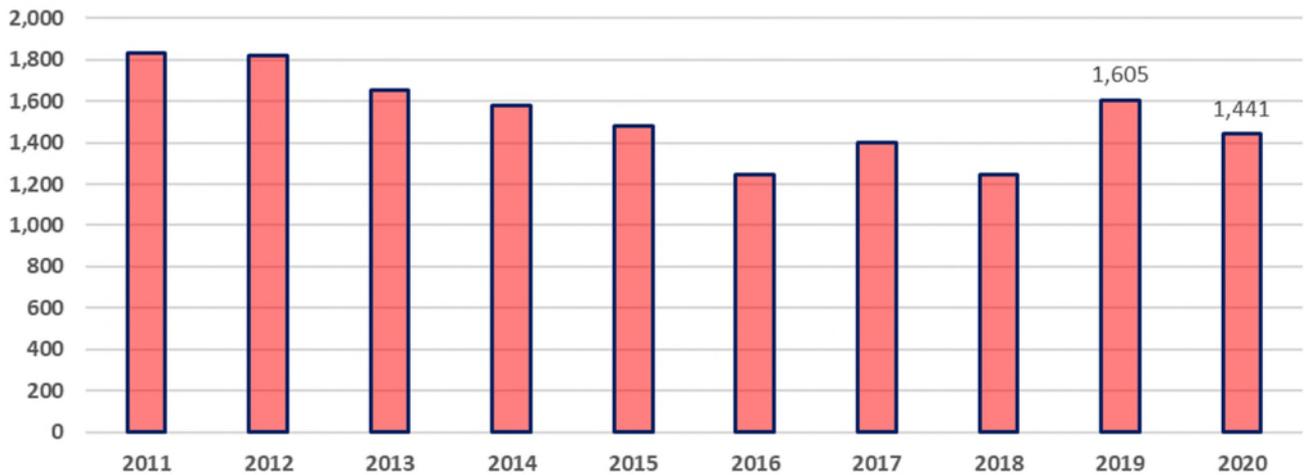
### Referral Recommendations 2020



Recommendations of informal and formal cautions relate to the referrals for which the child has been deemed suitable for admission to the Programme. 'Unsuitable This Case Only'<sup>1</sup> (UTCO) means that the child has been deemed not suitable for the Programme. 'Others' relates to referrals which were created in 2020 and were still being considered at the time the statistics were generated.

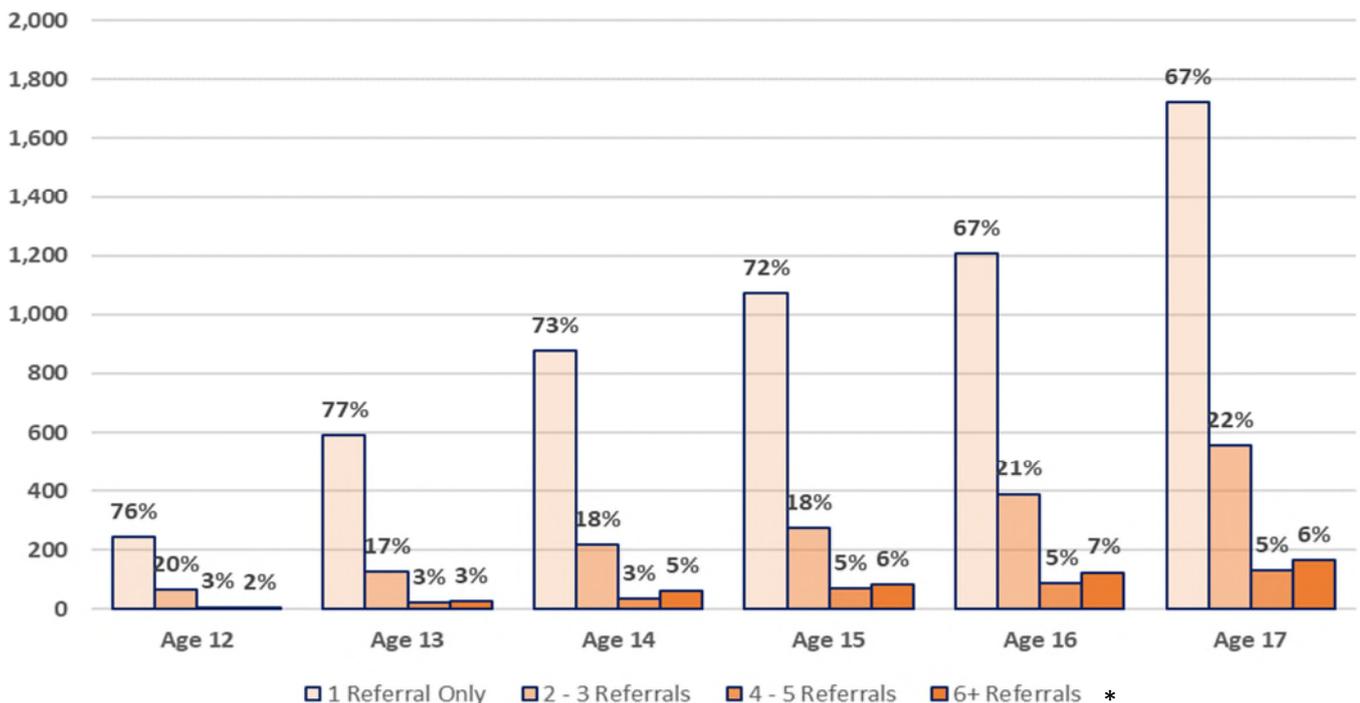
<sup>1</sup> 'Unsuitable This Case Only' is the category assigned to referrals deemed unsuitable for admission to the Programme for the alleged offence.

## Number of Children Unsuitable for Programme 2011-2020



- ◆ 32% of referrals were dealt with by informal caution, 34% were deemed unsuitable for the Diversion Programme and 23% were dealt with by formal caution.
- ◆ The number of children recommended UTCO decreased by 10% from 2019.

## Age Profile by Number of Referrals Received in 2020



\* Percentages in some figures may not total 100% due to rounding of values.

- ◆ 70% of children referred received just one referral in 2020, while 6% have six or more referrals in 2020. Of those referred once in 2020, 75% were male and 25% were female. Children with six or more referrals were predominantly male, with just 11% female.

### COVID-19 RESPONSE TO AT RISK CHILDREN AND YOUNG PEOPLE

GYDB, in partnership with the Department of Justice, worked with community based youth organisations in both Cork and Dublin to examine the specific needs of children and young people in these areas during the Covid-19 pandemic. The aim was to identify potential supports and address gaps in service to meet the needs of children and young people in these communities.

This engagement continues with our partners and has been effective in providing support to children and young people at risk of offending.

### ENGAGEMENT WITH VULNERABLE COMMUNITIES

As an extension of GYDP work, the JLO Sergeant in DMR North Central identified a need for a specific Garda/youth justice response for children and young people at risk in the Division. The goal was to improve awareness of the Diversion Programme and remove barriers so that vulnerable communities will gain an understanding of how the Programme works. Also, to reassure these communities that the aim of the Programme is welfare based, addressing any offending behaviour in the context of the best interest of the child or young person.

Consultations took place with these communities' representatives to scope the needs and challenges faced by children and young people, and their engagement with Gardaí and the Diversion Programme.

The findings of these consultations were presented to the Department of Justice and it was agreed to provide additional resources to meet the needs of this community.

A budget has been approved by the Department of Justice and the additional services will be put in place in 2021.

### GYDP DEVELOPMENT – HARD TO REACH YOUNG PEOPLE – HAY PLUS PROJECT

In 2020, a senior youth justice worker was appointed to lead a new Garda Youth Diversion Project (HAY Plus) based in the DMR North Central. Hay Plus is aimed at engaging young people between the ages of 15 – 20 who have already been through the Diversion Programme / GYDP system and require additional intervention and support, as a crime prevention and youth diversion initiative.

The project supported young people through daily outreach and regular house calls, to engage them and their families in their home environment.

#### **The young people targeted for engagement in the project include:**

- Young people whose parents/guardians are reluctant to engage with youth services.
- Young people who are long term early school leavers.
- Young people in families who are vulnerable to exposure from drugs and organised crime.
- Young people who don't have a stable home environment.

- Young people who have been exposed to adverse childhood experiences (ACE) which have led to trauma.

A referral process for children and young people deemed suitable for this project is in line with the well-established referral process to other youth diversion projects.

**In 2020, HAY Plus achieved the following outcomes:**

- Increase in social skills.
- Improved communication skills.
- Identification of personal goals.
- Development of action plans to reach their goals.
- Six young people were supported to engage with the probation and court services.
- Six young people developed practices and skills to engage with probation orders and bail conditions.
- Five young people engaged in a programme aimed at improving employability prospects.
- Three young people engaged in training aimed at employability readiness.
- Two young people were supported to access drug treatment services.
- Five families received regular support from the project.
- Two young people returned to education.

### DEPARTMENT OF JUSTICE

GYDB continued to work with the Department of Justice on a range of issues, including the Youth Justice Strategy, throughout 2020.

### GYDP STRATEGIC ENGAGEMENT

An Garda Síochána in partnership with the Department of Justice, representatives of senior management of Community Based Organisations funded to manage the projects, the REPPP team from University of Limerick and the GYDPs Best Practice Development team, all form part of the GYDP Advisory Committee. An Garda Síochána membership to the strategic development is performed through participation on the GYDP Advisory Committee sub-committees which include a GYDP Priorities Committee, GYDP Communications Committee and Operational Guidelines Review Committee.

### RESTORATIVE JUSTICE DEVELOPMENT

GYDB commenced the roll out of restorative justice briefings to Garda frontline Inspectors and to Garda JLOs on a regional basis in 2020. This initiative was part of the GYDB commitment to promoting and engaging the use of restorative justice within An Garda Síochána at both frontline and Garda management level within the organisation. This commenced on a regional basis and yielded very positive feedback from members and will remain a key priority for embedding restorative approaches within the Diversion Programme.

### GYDP NETWORK ROLL OUT OF RESTORATIVE PRACTICES

The roll out of a restorative training model for GYDPs led by GYDPs Best Practice Development Team, supported by the University of Ulster and the Restorative Practice Training Team, commenced in 2020.

## TOGETHER STRONGER GUIDELINES – WORKSHOPS FOR GYDP CHAIRPERSONS

GYDPs Best Practice Development Team, partnering with GYDB, commenced the roll out of four workshops with GYDP Chairpersons, and with Community Based Organisation Management focussing on a shared understanding of the roles and work practices, to ensure best possible outcomes for children and young people in GYDPs. This work supports the network of Garda Chairpersons and Community Based Organisation Managers with guidance and ongoing engagement.

## RESEARCH EVIDENCE INTO POLICY PROGRAMMES AND PRACTICE (REPPP) PROJECT

The Research Evidence into Policy, Programmes and Practice (REPPP) project is a joint strategic initiative between the Department of Justice and the University of Limerick. REPPP's mission is to improve the scientific evidence based decision making in the youth justice system, with a particular focus on effectiveness and efficiency. In 2020, the REPPP project continued through the pandemic to work closely with 16 GYDPs to improve the effectiveness of relationship building with young people. This project was significantly informed by a wide-ranging evidence synthesis of the available evidence on effective relationships commenced by REPPP in 2019.

More information on the REPPP Project can be found at:

<https://www.ul.ie/engage/node/4291>



## 1. Implement the National Youth Referral Review Examination Report recommendations within the timeframes as outlined by the Implementation Action Plan [2019-2021].

- ◆ 39 actions were identified from the review of cases deemed unsuitable for the Programme. From the implementation plan, 21 were actioned and completed in 2020. When these are added to the 14 recommendations completed in 2019, a total of four remain outstanding. The four outstanding recommendations are expected to be completed by Q4 2021 and will meet the three-year implementation target.
- ◆ To further enhance the effectiveness and efficiency of the Programme, the Garda Commissioner established a Youth Diversion Bureau whose remit, in addition to other responsibilities, is to support, monitor and guide operational Districts and Divisions in the processing of referrals (deemed unsuitable for admission to the Programme) to final outcome.
- ◆ The new Monitoring Unit continues to oversee and ensure the timely progression of youth referrals nationwide. A 'reminder' system is in place with KPI Reports issued monthly, to support local management governance in the processing of referrals to final outcome.
- ◆ An update of the PULSE IT system for the progression of youth referrals was included as part of the PULSE releases 7.6 and 7.6.1.
- ◆ Additional staff have been appointed to GYDB: Eight new Garda members were assigned to GYDB on a permanent basis; two replacement JLO Sergeants were appointed in Cork and Limerick, and three replacement JLOs were appointed in both Dublin and Galway.
- ◆ An Administrative Officer was added to the Governance and Policy Unit to help address the policy needs of GYDB.

## 2. Maintain promotion and development of understanding of the Diversion Programme within An Garda Síochána through targeted training and briefings to all Garda members and Garda Staff on their respective roles and responsibilities in the administration of the Programme.

- ◆ In 2020, GYDB, GYDPs and Age Card Office Portal pages were updated to ensure that guidance documents, relevant resource material and contact information for JLOs and GYDB personnel on the Portal Team pages were available to the organisation.

- ◆ Youth Referrals UTCO Regional Data Infographic: This is an infographic which provides concise explanations and guidance for progressing youth referrals included in the JLO\_006 Report (UTC0; No charge or summons).
- ◆ A good news story initiative was launched to seek examples of good police work and newsworthy items from JLOs, to show their efforts to support the Diversion Programme despite the challenges faced during the course of the year.
- ◆ The work completed on the Garda Portal and the examples of good police work were also promoted internally on the Garda Portal noticeboard and through the Internal Communications Newsbeat publication, which is disseminated throughout the organisation.
- ◆ GYDB PULSE release 7.6 – Communication to JLOs and JLO Sergeants: The purpose of this document is to inform all JLOs and JLO Sergeants of changes and updates regarding the operation of the Youth Diversion Programme on PULSE and the progression of youth referrals, which were included in PULSE release 7.6 in October 2020.
- ◆ GYDB PULSE release 7.6 – Communication to Performance and Accountability Framework (PAF) Administrators: The purpose of this document is to inform PAF Administrators of changes which are intended to streamline GYDB functionality, as part of PULSE release 7.6 in October 2020 and which may impact on their role. It is a PAF specific version of the document sent to JLOs and JLO Sergeants.
- ◆ GYDB – Information Booklet for PAF Administrators – JLO Reports: This document is intended to assist PAF Administrators to better understand the JLO Reports (what each report means, who the information contained should be forwarded to, how to progress referrals, etc.).
- ◆ Running JLO Reports – How to Guide: This document provides step-by-step instructions to local management regarding how to run reports from PULSE. It is currently under review. It is expected to be completed and approved in Q2 2021.

### 3. Continue to review and develop guideline documents for all staff within An Garda Síochána providing detailed instruction and guidance in respect of the administration of the Diversion Programme.

- ◆ Guideline documents which provided detailed instruction and guidance in respect of the administration of the Diversion Programme were reviewed by GYDB to ensure that they took account of any changes in procedure or updates to PULSE.

- ◆ GYDB also developed and disseminated guideline documents targeting all members of An Garda Síochána covering various aspects of the Diversion Programme and the various roles each Garda member is required to fulfil. This aim is to ensure clarity in the administration of the programme to frontline Gardaí and JLOs.

4. Implement the Restorative Justice Strategy developed in 2019 with continued monitoring to ensure any issues with regard to its implementation and any training requirements are identified to ensure restoration of restorative cautions to 2017 levels.

- ◆ In Quarter 1 of 2020, GYDB organised and facilitated two Restorative Practices Regional Workshops for JLOs across each Division. The intention was to provide Continuous Professional Development (CPD) in restorative practices to the participants, while also discussing the relevance of restorative justice in An Garda Síochána. Presentations were given by Garda members and GYDB staff and case studies were provided by JLOs of restorative events they had prepared, organised, and facilitated. The restorative practices regional workshops for the remaining Divisions were deferred due to the Covid-19 pandemic and will be restarted with the easing of government restrictions.

- ◆ Restorative cautions increased substantially throughout 2020, with 716 restorative cautions administered.

5. Review and reinstate the Garda Youth Diversion - Child in Care Initiative and progress the further development of its scope.

- ◆ A review of all CIC referrals was conducted from an administration perspective in 2020.

6. Assess on an ongoing basis current governance and monitoring functions carried out by GYDB on the administration of the Diversion Programme nationally to identify and address any emerging issues as part of GYDB's Risk Management Strategy.

- ◆ Guideline documents detailing IT changes to youth referral processes on PULSE, with the new PULSE releases in October and December 2020, were disseminated to JLO Sergeants, GYDB Liaison Officers and PAF Administrators.

- ◆ Quarterly reports issued to each region, highlighting the overall number of outstanding referrals requiring progression, trends, timelines and percentage increases and decreases.

◆ Divisional Inspectors were assigned a youth referral portfolio in each Division nationwide. The Monitoring Unit is engaged in direct contact and ongoing monthly consultation with Inspectors, providing advice on the best course of action in respect of local issues in relation to youth referrals. This direct contact includes telephone and email support to any queries raised by the Inspector or by the Inspector on behalf of members who have been tasked with submitting the outstanding information/files/reports and cautions. The reminders that are sent to each Division on a monthly basis for outstanding information/files/reports and cautions, as well as the divisional UTCO data, which are also sent to each divisional liaison Inspector, to allow governance, accountability and progression of these referrals, in a timely manner.

7. Continue engagement with the Investigation Management System Business Support Team to ensure that the requirements of the Diversion Programme are effectively addressed and areas where administrative efficiencies can be improved upon are identified and developed.

◆ The rollout of IMS nationally continues with GYDB processing of referrals and files from the Waterford Division in 2020.

### WHAT IS RESTORATIVE JUSTICE?

◆ Section 26 of the Children Act, 2001 provides for the restorative justice caution under the Diversion Programme to include a victim. Restorative justice is a voluntary process where the young person accepts responsibility for their offending behaviour and becomes accountable to those they have harmed. The victim is given the opportunity to have their views represented, either by meeting the child or young person face-to-face or having their views represented by someone else. This means that instead of focusing on a criminal justice outcome for a child or young person who has admitted an offence, repairing the damage to the victim and reintegrating the child or young person back into the community becomes the primary focus. By validating the victim's experience and by reintegrating the child back into their community, restorative justice is associated with better outcomes for the offender, a reduced risk of re-offending, more positive outcomes for victims and is in practice, more cost effective and better associated with practitioner well-being and improved community relations.

### OBJECTIVE OF RESTORATIVE JUSTICE

◆ Where the Director of the Diversion Programme directs that a restorative caution is to be administered, it is an opportunity for a child or young person's behaviour to be addressed in a way that holds the child accountable, while ensuring that the victim experiences validation and recognition for the harm.

The process is facilitated by a JLO and is usually chaired by another JLO, who are specially trained in restorative practices.

◆ A discussion takes place on how best to meet the needs of the victim and to address the harm and the future behaviour of the young person. Where possible, the meeting will identify supports to be put in place, which will help divert the child or young person from re-offending and will endeavour to assist the child or young person to avoid re-offending through their acceptance that their behaviour caused harm. Importantly, victims get a chance to be heard, to give their side of the story and explain the full impact of the offence on them. They also get a chance to meet the offenders and challenge their behaviour. The meeting may also help them overcome worries about possible future victimisation or to obtain answers to questions that are troubling them. Among options for restorations, victims may also benefit from financial compensation or other forms of restitution.

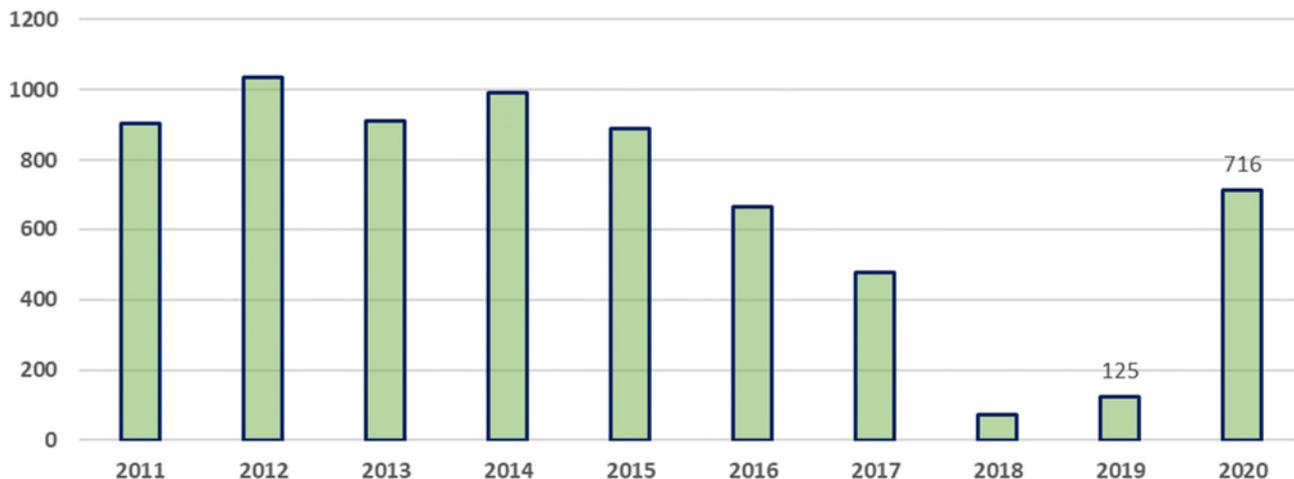
◆ A restorative approach is considered in all interactions with children and young people involved in crime where harm has been caused. The impact of this harm is addressed through a restorative approach.



## 2020 RESTORATIVE JUSTICE STATISTICS

There were 716 restorative cautions in 2020, up from the 125 restorative cautions in 2019, an increase of 473%. The rise in restorative cautions comes as a result of the emphasis on restorative justice at the Q1 regional workshops. The Director of the Diversion Programme focused on increasing the usage of restorative cautions during 2020 where it was deemed suitable.

### Number of Restorative Cautions 2011-2020



- ◆ PULSE release 7.6 went live on 28 October 2020 and fully implemented the IT PULSE changes identified by GYDB.
- ◆ Continuous engagement with stakeholders and project team members was key to generating required data, to aid in measuring the effectiveness of the Diversion Programme's processes and to assess the impact of potential process changes.
- ◆ Some of the most important and useful changes to how the Diversion Programme is administered on PULSE that were implemented in PULSE releases 7.6 and 7.6.1 and which enhanced functionality are as follows;
  - ◆ Suitability reports can now be submitted by a JLO on PULSE. The JLO, JLO Sergeant, GYDB directing office staff and the Director of the Programme, including the Acting Directors can also complete their relevant sections of the report on PULSE. The whole process is now electronic, thereby removing the need for unnecessary hard copies, scanning, assigning files numbers for correspondence registers and photocopying.
  - ◆ There is now a tab on PULSE which lists all of a youth's previous involvement with the Diversion Programme, including all previous youth referrals and the outcomes of each referral.
  - ◆ Charges or summons can now only be created from an incident that relates directly to an offence for which a youth was referred on a youth referral.
- ◆ There is a new tab on PULSE which lists all of a youth's previous suitability reports and when they were created.
- ◆ All GYDB letters and minutes were edited, updated and standardised.
- ◆ Summary offences now have a count of days and are colour coded to show when the offence may become statute barred.
- ◆ A checklist of details of the offence committed is completed at the youth referral creation stage, to ensure prima facie evidence exists and for the inclusion of sufficient information for GYDB to consider a youth for admission to the Diversion Programme.

A draft of the proposed new Youth Justice Strategy for the period from 2021– 2027 was released for public consultation. This strategy aims to reflect Ireland's international obligations and to adopt a rights-based approach to the development of the new Youth Justice Strategy. It aims to provide a lens through which youth justice policy is to be understood, delivered, assessed and monitored.

The objectives and actions to be pursued under the strategy are presented under three broad thematic areas:

### 1. Governance Monitoring and Support

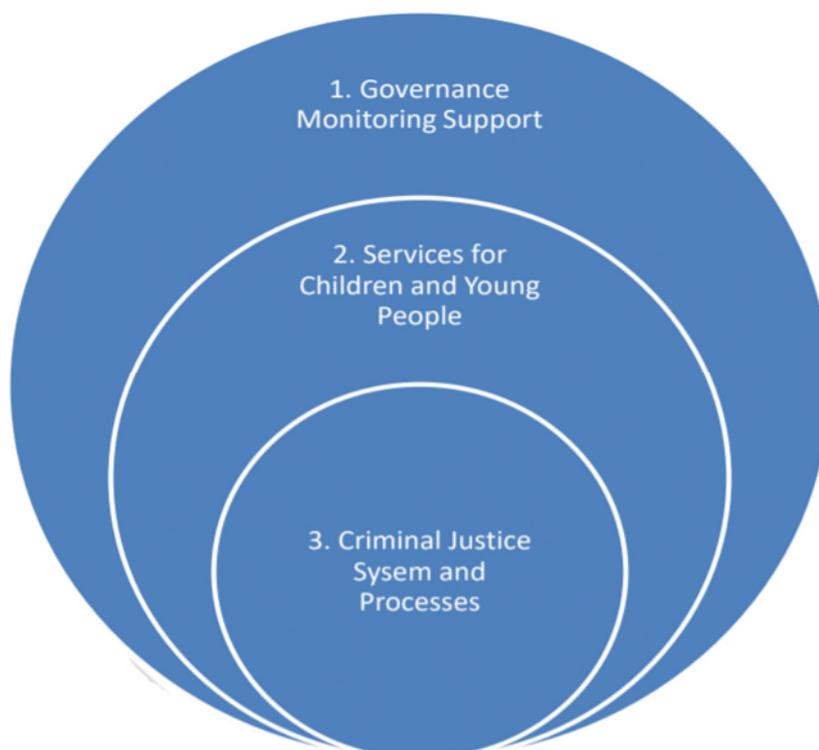
This will provide effective governance, monitoring and support for policy implementation, and the continuing evidence-informed development of practice and programmes.

### 2. Services and Communication with Children and Young People

This will provide services for children and young people who come in contact with the criminal justice system, or who are in situations more likely to give rise to offending behaviour, to support positive life choices and desistance from offending behaviour. This will also ensure ongoing assessment of effective practices as part of dedicated youth justice monitoring systems.

### 3. Criminal Justice System and Processes

This will conduct criminal justice processes to, as far as possible, support children and young people to refrain from offending and make positive life choices.



- ◆ An internal examination of the processing of referrals to the Diversion Programme was highlighted in the National Youth Referral Examination Report 2019, continued in 2020, with further recommendations being implemented.
- ◆ The recommendations of the JLO examination team have been grouped under **six key Categories:**
  1. Governance
  2. Communications
  3. ICT
  4. Policy
  5. Resourcing
  6. Training
- ◆ Of the 39 recommendations made by the JLO Examination Review Team, 21 were successfully completed and actioned in 2020. When these are added to the 14 recommendations completed in 2019, a total of four remain outstanding. The four recommendations are ongoing and regularly monitored. The outstanding recommendations are due for completion in 2021.
- ◆ A bespoke IT system for the progression of youth referrals was developed and launched as part of PULSE releases 7.6 and 7.6.1.
- ◆ Additional staff have been appointed to GYDB: Eight new Garda members were assigned to GYDB on a permanent basis; two replacement JLO Sergeants were appointed in Cork and Limerick, and three replacement JLOs were appointed in both Dublin and Galway.



Following the examination of the Diversion Programme processes and procedures for the period of 2010 to 2017, a Monitoring and Governance Unit was set up in GYDB to monitor and ensure progression of youth referrals, and carry out other governance functions. The main purpose of this unit is to support, remind, advise and assist frontline members in progressing a youth referral to a final conclusion, in a timely and correct manner.

- ◆ The Monitoring Unit's main function is to ensure the timely progression and processing of youth referrals to a final decision, regardless of whether a youth was included in the Diversion Programme or not.

- ◆ The Monitoring Unit runs KPI (Key Performance Indicator) PULSE reports that support the submission of files/reports and the delivery of cautions. The unit also follows any decision where a youth is not included in the Diversion Programme to prosecution or if this is not possible, then adequate reasons for non-prosecution are documented and approved by management in accordance with An Garda Síochána policy.

- ◆ The Monitoring Unit runs and disseminates on a monthly basis a KPI PULSE report for UTCO, to each Garda Region, regarding youth referrals where a child has been deemed unsuitable for admission to the Programme. The report is filtered to only highlight the UTCO cases where prosecution has not taken place to date.

- ◆ The Monitoring Unit runs and disseminates, on a monthly basis to each Garda Division, a KPI PULSE report for outstanding skeleton files and for covering reports, and a KPI PULSE report for outstanding suitability reports and cautions, requesting the outstanding files or reports for a youth referral to be progressed expediently, or the delivery of a caution by a JLO.

- ◆ The Monitoring Unit also runs and disseminates on a monthly basis a KPI PULSE report for unassigned referrals, which documents any referral which has no JLO currently assigned, in order for a JLO to request that GYDB assigns them to a youth referral.

- ◆ In order to assist members when a decision is taken not to include a youth in the Diversion Programme, a number of supporting documents were created and disseminated. An infographic document, which provides practical advice on the progressing of UTCO youth referrals for prosecution or the documenting of the reasons why a referral was not created or updated, have been issued to all Districts and Divisions.

- ◆ A 'How to run reports guide' was also created in 2020 and was disseminated. This guide assists members in running and filtering KPI PULSE reports, thereby allowing members and local management to have oversight of outstanding referrals in their local areas.

◆ An Inspector has been assigned a monitoring and oversight role in each Division. This oversight ensures good governance, accountability, clear reporting lines and the timely progression of referrals, files, reports cautions and prosecutions through the system.

Quarterly and annual reports are sent to these Inspectors to assist with local oversight and governance.



### WELLBEING STRATEGY

In 2020, GYDB developed a Wellbeing Strategy to be implemented at a regional level. The strategy aims to promote the wellbeing of Garda members and staff across Roads Policing and Community Engagement. The strategy will be delivered through three key strands of work which will support a culture, cognisant of employee wellbeing:

- Enabling Resilience
- Enabling Leadership
- Enabling Environment

The strategy is at the final draft stage and is expected to be implemented in Q4 2021. As part of this strategy, staff at GYDB trialled a course developed by Yale University titled “The Science of Wellbeing”, which aims to provide information and techniques to improve user wellbeing. In 2021, a course provided by the Royal College of Surgeons Ireland will be trialled.

### OPERATING MODEL

GYDB and the Strategic Transformation Office engaged in meetings during the course of the year culminating in the completion of an Operating Model Blueprint for GYDB, which will be incorporated into the Regional Blueprint of Roads Policing and the Community Engagement Bureau during 2021.

### THE NATIONAL AGE CARD

The national age card celebrated its 21<sup>st</sup> anniversary during 2020. It was first introduced in 1999 and has proven to be a positive choice as a means of ID among young people. This significant anniversary was promoted by the Age Card Office on the Garda website.

### GYDB CHILDREN IN CARE INITIATIVE

Each CIC case is reviewed and assessed individually, enabling the Director make a decision based on all relevant information. An internal review took place in 2020 in relation to how CIC referrals were processed, to identify the specific needs for each child in care. Part of this process included the identification of CIC, supported by the PULSE 7.6.1 update. Referrals relating to CIC are examined using a holistic method to support children and young people who have presented with multiple referrals.

### SUPPORT PROVIDED TO FACILITATORS

JLOs demonstrated a high degree of agility and were able to deliver cautions and support children and young people during the pandemic. They continued their commitment to the Diversion Programme by engaging with children and young people, families and the wider community while maintaining compliance with Covid-19 guidelines.

### TRAINING IN 2020

Due to the Covid-19 pandemic, training for facilitators was postponed. A training needs analysis was conducted and a training strategy was developed for implementation in 2021.

### TECHNOLOGY PROVIDED TO FACILITATORS

In 2020, all JLOs were provided with smartphones and access to video conferencing facilities. An application has also been made to provide all JLOs with personal laptops with added functionality for implementation in 2021.

### RETIREMENTS OF JLOs IN 2020

The JLOs scheduled to retire in 2020 availed of the one year extension provision as agreed by the Commissioner in 2020, in accordance with Covid-19 regulations and remained in post.

### EMERGING CRIME AREAS

In 2020, detections of youth money laundering increased from 8 to 70 (775%). Children and young people are being targeted by criminal gangs with the offer of easy money and are used as 'money mules'. Their bank accounts are used to launder the proceeds of crime.



1. Complete implementation of the National Youth Referral Review Examination Report Recommendations within the timeframes as outlined by the Implementation Action Plan [2019-2021].
2. Report progress on the promotion and organisational understanding of the Diversion Programme within An Garda Síochána through targeted training and online briefings to all Garda members and Garda staff.
3. Review and consolidate a policy framework and role specific practice guidelines available for all staff within An Garda Síochána.
4. Continue to contribute to the Youth Justice Strategy 2021-2027 at all levels during 2021, focusing on actions specific to the administration of the Diversion Programme.
5. Continue to review and monitor the Garda Youth Diversion - Child in Care Initiative.
6. Utilise the current governance and monitoring functions to mitigate emerging issues and risks in a timely fashion, as part of GYDB's Risk Management Strategy.
7. Examine trends in offences and demographics since March 2020, which may coincide with Covid-19 and explore the impact on young people during the period.
8. Plan and continue to deliver mediation and restorative practice training and induction training to JLOs.
9. Ensure vacancies at JLO Garda and Sergeant are filled as they arise.

## APPENDIX A: DIVERSION PROGRAMME STATISTICS 2020

# Diversion Programme Statistics Report 2020

GARDA SÍOCHÁNA ANALYSIS SERVICE



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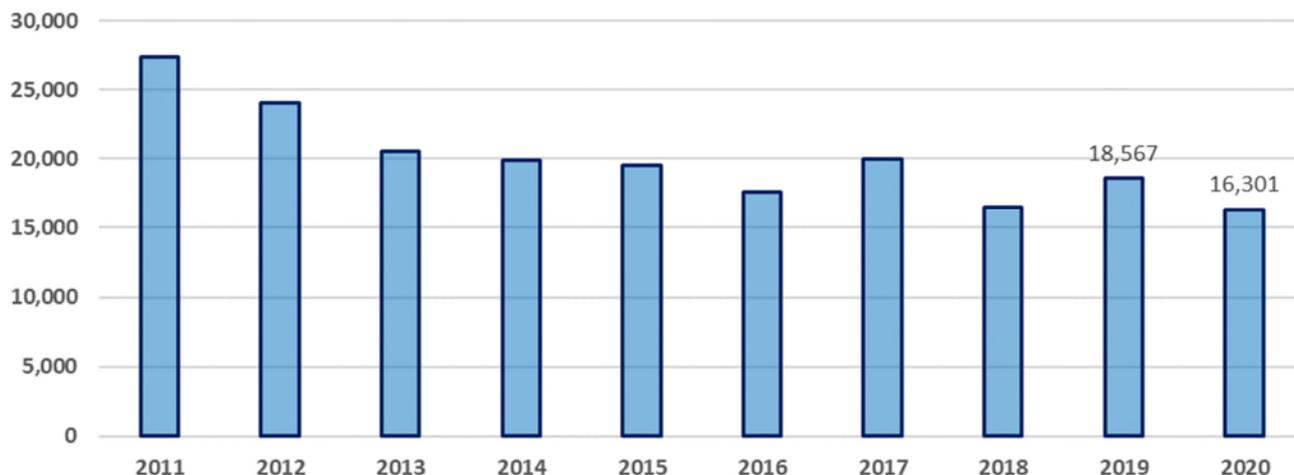
*Figures based on PULSE data as of 19 March 2021.*

*Percentages in some figures may not total 100% due to rounding of values.*

## Referrals

- There were 16,301 referrals to the Diversion Programme in 2020, which represents a decrease of 12.2% compared to 2019 (18,567 referrals).

**Number of Referrals 2011 - 2020**

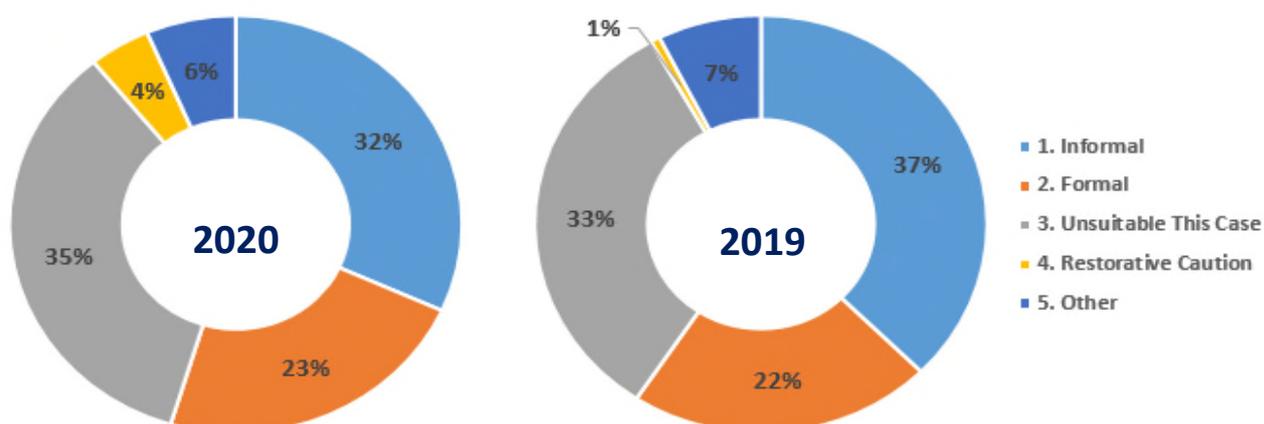


- 32% of referrals were dealt with by informal caution, 23% were dealt with by formal caution and 4% by Restorative Caution. 35% were deemed unsuitable for the Diversion Programme.

Recommendation	Total	%
Informal Caution	5,178	31.8%
Formal Caution	3,732	22.9%
Unsuitable	5,629	34.5%
Restorative Caution	716	4.4%
*Others	1,046	6.4%
<b>Total</b>	<b>16,301</b>	<b>100%</b>

*\* Includes Requests for Additional Information (706), 'Criteria Not Met' (319), 'Section 29 Conference' (9). 12 referrals had no available information regarding referral status at the time of analysis.*

- There was a decrease in the proportion of informal cautions, and an increase in the proportion of Restorative Cautions and UTCO decisions between 2019 and 2020. Restorative cautions increased from 125 cases in 2019 to 716 in 2020.



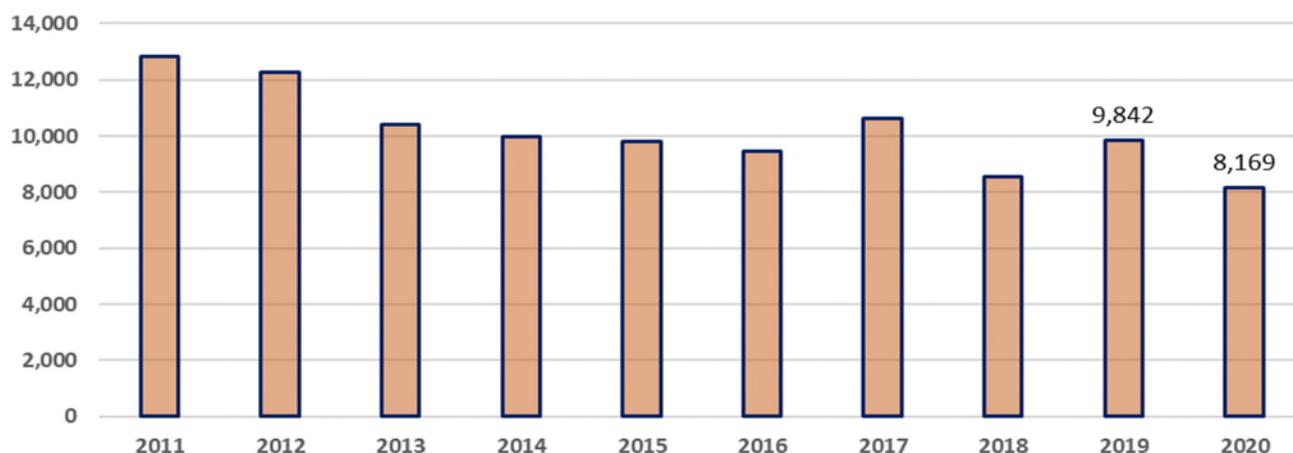
## Referrals by Area

2020 Region / Division	2020 Total	% Change v 2019	Informal Caution	Formal Caution	Unsuitable	Restorative Caution	Others
<b>Dublin Region</b>	<b>6,097</b>	<b>-6%</b>	<b>1,714</b>	<b>1,146</b>	<b>2,495</b>	<b>174</b>	<b>568</b>
D.M.R. Eastern	663	-25%	218	114	232	19	80
D.M.R. North Central	511	-49%	102	74	263	36	36
D.M.R. Northern	1,572	+13%	478	284	648	49	113
D.M.R. South Central	404	-41%	114	85	163	15	27
D.M.R. Southern	1,338	+29%	320	235	617	22	144
D.M.R. Western	1,609	+10%	482	354	572	33	168
<b>Eastern Region</b>	<b>3,774</b>	<b>-14%</b>	<b>1,276</b>	<b>927</b>	<b>1,274</b>	<b>137</b>	<b>160</b>
Kildare	649	-0%	246	193	181	7	22
Kilkenny/Carlow	422	-18%	143	96	156	11	16
Laois/Offaly	486	-32%	156	119	163	23	25
Meath	628	+4%	149	110	313	25	31
Waterford	597	-1%	220	153	180	22	22
Westmeath	368	-17%	86	116	118	32	16
Wexford	275	-31%	143	62	41	11	18
Wicklow	349	-27%	133	78	122	6	10
<b>North Western Region</b>	<b>2,930</b>	<b>-15%</b>	<b>894</b>	<b>820</b>	<b>808</b>	<b>255</b>	<b>153</b>
Cavan/Monaghan	540	-11%	130	133	171	85	21
Donegal	498	-33%	116	171	109	63	39
Galway	565	-29%	215	166	115	58	11
Louth	565	-1%	159	139	203	30	34
Mayo	242	-23%	105	85	36	5	11
Roscommon/Longford	311	+9%	90	81	110	5	25
Sligo/Leitrim	209	-39%	79	45	64	9	12
<b>Southern Region</b>	<b>3,417</b>	<b>-20%</b>	<b>1,251</b>	<b>831</b>	<b>1,025</b>	<b>149</b>	<b>161</b>
Clare	233	-31%	90	85	38	14	6
Cork City	1,032	-14%	331	237	394	38	32
Cork North	452	-14%	214	69	147	13	9
Cork West	256	-1%	94	58	77	21	6
Kerry	406	-9%	146	114	108	20	18
Limerick	694	-11%	245	180	197	24	48
Tipperary	344	-30%	131	88	64	19	42
<i>Not Assigned Region</i>	83	---	43	8	27	1	4
<b>National Total</b>	<b>16,301</b>	<b>-12%</b>	<b>5,178</b>	<b>3,732</b>	<b>5,629</b>	<b>716</b>	<b>1,046</b>

## Children Referred

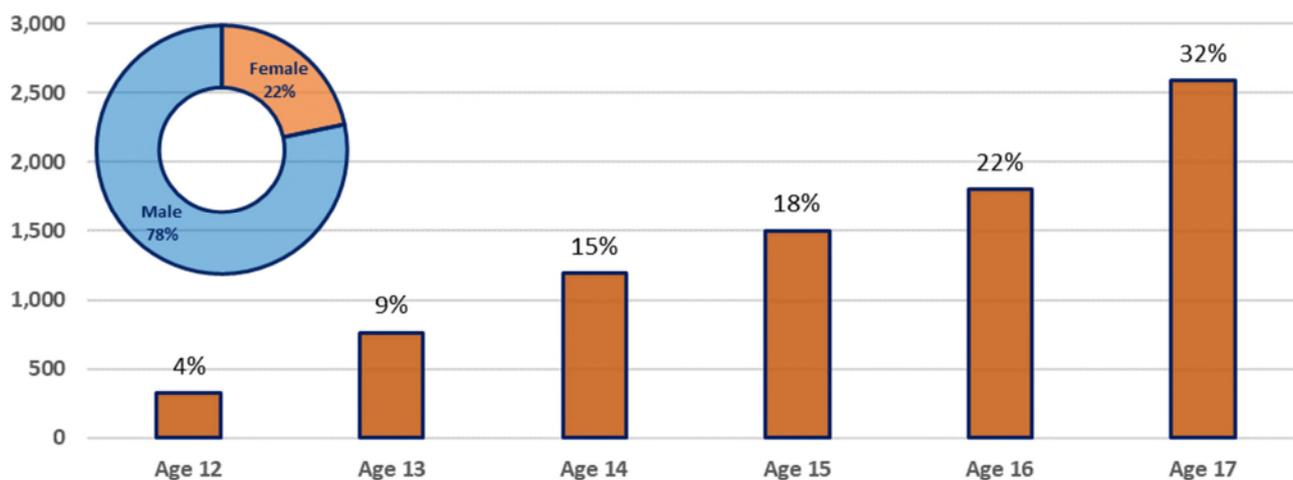
- There were 8,169 children referred in 2020, which is 17% fewer than the 9,842 children referred in 2019.

### Number of Children Referred 2011 - 2020



- 78% of children referred were male, 22% were female.
- 28% of children referred were under 15 years of age in 2020, while 32% were 17 years of age.

### Age of Children Referred in 2020



- 72% of children receiving referrals received an informal or formal caution as *their most recent referral*.
- The majority of children and young people referred under different referral types are male. A larger proportion of those receiving an informal caution are female (30%).

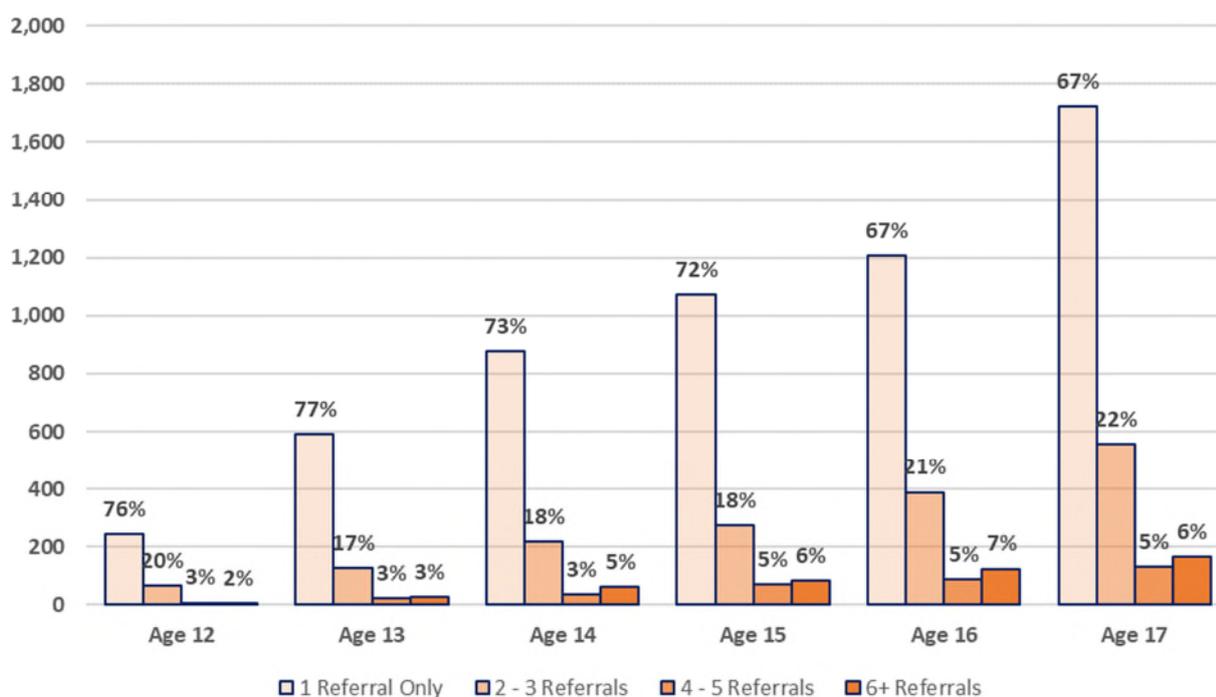
Children (most recent referral)	Total	% of Total	Vs 2019	Male	Female
Informal Caution	4,009	49%	-28%	70%	30%
Formal Caution	1,866	23%	-4%	88%	12%
Restorative Caution	261	3%	+137%	80%	20%
Unsuitable For Diversion Programme	1,441	18%	-10%	86%	14%
Others	592	7%	+3%	83%	17%
<b>Total</b>	<b>8,169</b>	<b>100%</b>	<b>-17%</b>	<b>78%</b>	<b>22%</b>

- 70% of children referred received just one referral in 2020, while 6% have six or more referrals in 2020. Of those referred once in 2020, 75% were male and 25% were female. Children with six or more referrals were predominantly male, with just 11% female.

Referrals in 2020	Total	% Total	Male	Female
1 Only	5,715	70%	75%	25%
2-3 Referrals	1,629	20%	85%	15%
4-5 Referrals	357	4%	87%	13%
6+ Referrals	468	6%	89%	11%

- A greater proportion of referrals relate to older children with those 17 years of age or older making up 32% of those referred, while 12 year olds account for just 4%.
- For all ages, the majority of children received one referral only, but this proportion decreased with age (75% of 12 – 15 year olds, 67% of 16-17 year olds received one referral only)

### Age Profile by Number of Referrals Received in 2020



\* Percentages in some figures may not total 100% due to rounding of values.

- Most informal caution decisions are linked to children with just one referral in 2020. 64% of those deemed unsuitable for inclusion in the Programme had been referred six or more times in 2020.

Referral Type	Proportion of Referrals 2020		
	One Referral	2-5 Referrals	6 or more Referrals
Informal Caution	68%	29%	3%
Formal Caution	29%	48%	23%
Restorative Caution	18%	42%	40%
Unsuitable This Case Only	12%	24%	64%
Others	31%	34%	35%

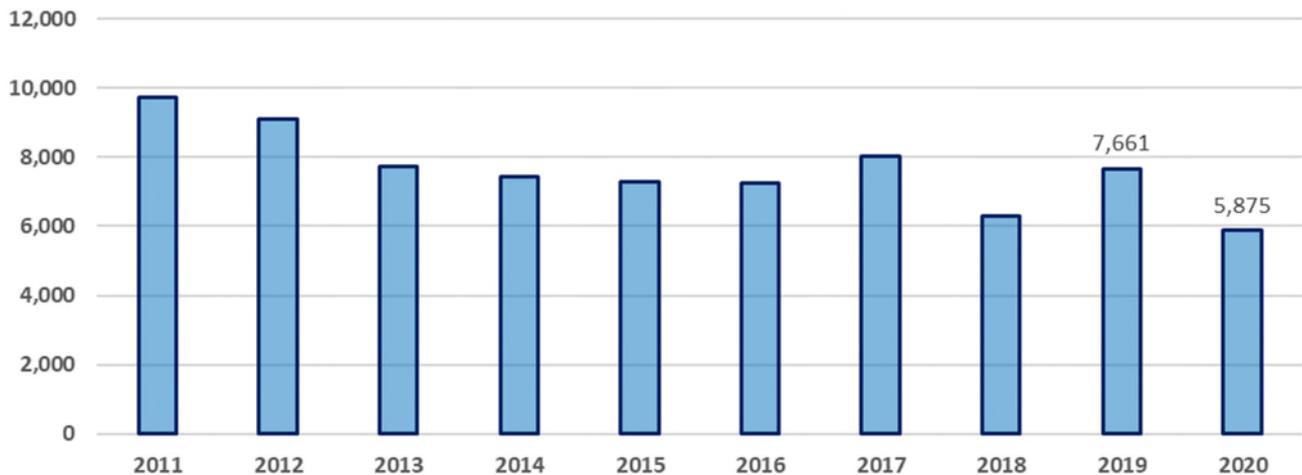
## Children Referred by Area

Region Of Youth	Total	% Change vs 2019	Informal Caution	Formal Caution	Unsuitable	Restorative Caution	Others
<b>Dublin Region</b>	<b>2,771</b>	<b>-11%</b>	<b>1,304</b>	<b>555</b>	<b>565</b>	<b>63</b>	<b>284</b>
D.M.R. Eastern	299	-7%	162	40	54	9	34
D.M.R. North Central	173	-17%	64	30	57	9	13
D.M.R. Northern	766	-12%	383	142	152	24	65
D.M.R. South Central	167	-9%	76	37	36	2	16
D.M.R. Southern	550	-15%	244	106	124	5	71
D.M.R. Western	816	-9%	375	200	142	14	85
<b>Eastern Region</b>	<b>1,923</b>	<b>-11%</b>	<b>989</b>	<b>433</b>	<b>330</b>	<b>62</b>	<b>109</b>
Kildare	364	+1%	202	78	66	3	15
Kilkenny/Carlow	231	-17%	120	53	44	5	9
Laois/Offaly	239	-14%	114	58	35	14	18
Meath	242	-14%	117	49	46	9	21
Waterford	303	-6%	148	78	54	11	12
Westmeath	154	-9%	68	36	28	10	12
Wexford	192	-11%	114	36	24	4	14
Wicklow	198	-23%	106	45	33	6	8
<b>North Western Region</b>	<b>1,552</b>	<b>-24%</b>	<b>698</b>	<b>448</b>	<b>236</b>	<b>79</b>	<b>91</b>
Cavan/Monaghan	215	-32%	100	58	32	12	13
Donegal	258	-35%	97	87	34	22	18
Galway	346	-27%	169	100	43	26	8
Louth	261	-15%	120	62	49	9	21
Mayo	182	-12%	92	55	21	4	10
Roscommon/Longford	160	-6%	69	55	23	1	12
Sligo/Leitrim	130	-26%	51	31	34	5	9
<b>Southern Region</b>	<b>1,855</b>	<b>-21%</b>	<b>981</b>	<b>426</b>	<b>286</b>	<b>56</b>	<b>106</b>
Clare	158	-23%	77	45	25	5	6
Cork City	471	-29%	250	113	78	7	23
Cork North	270	-12%	170	44	41	8	7
Cork West	139	-23%	71	32	20	12	4
Kerry	220	-19%	120	53	30	7	10
Limerick	381	-11%	187	87	70	10	27
Tipperary	216	-28%	106	52	22	7	29
<i>Outside Jurisdiction</i>	68	-54%	37	4	24	1	2
<b>National Total</b>	<b>8,169</b>	<b>-17%</b>	<b>4,009</b>	<b>1,866</b>	<b>1,441</b>	<b>261</b>	<b>592</b>

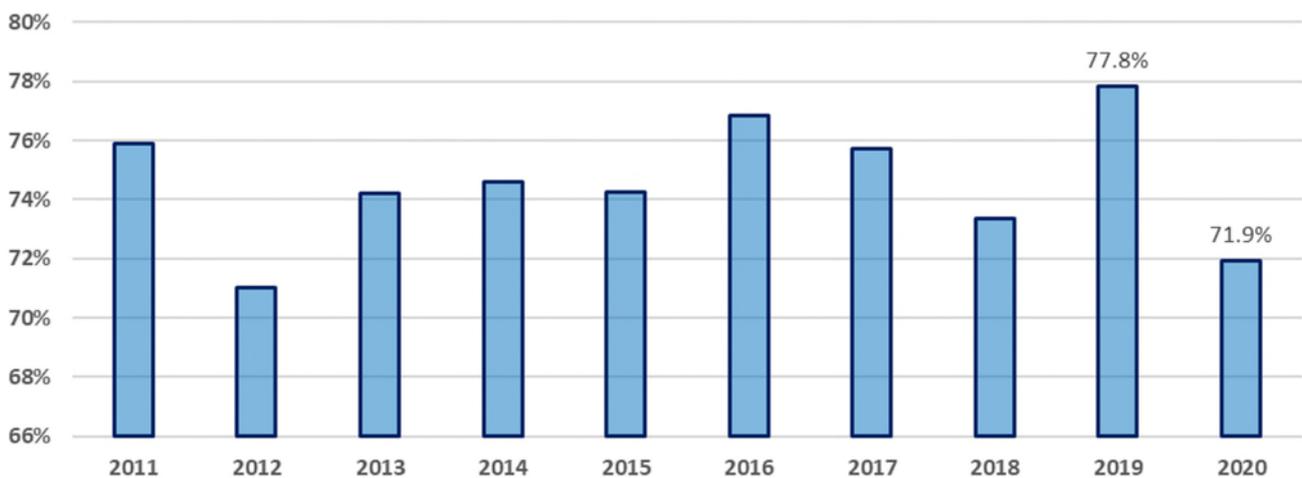
## Children Receiving Formal/Informal Cautions

- There were 5,875 children who received formal or informal cautions in 2020 (based on the most recent referral received). This represents a decrease of 23% from the 2019 total (7,661).
- 72% of children who received a referral were deemed suitable for inclusion on the Programme (received a formal or informal caution as the most recent referral). This represents a proportional decrease from 2019 where 78% of children were deemed suitable.

### Number of Children with Formal/Informal Cautions 2011-2020



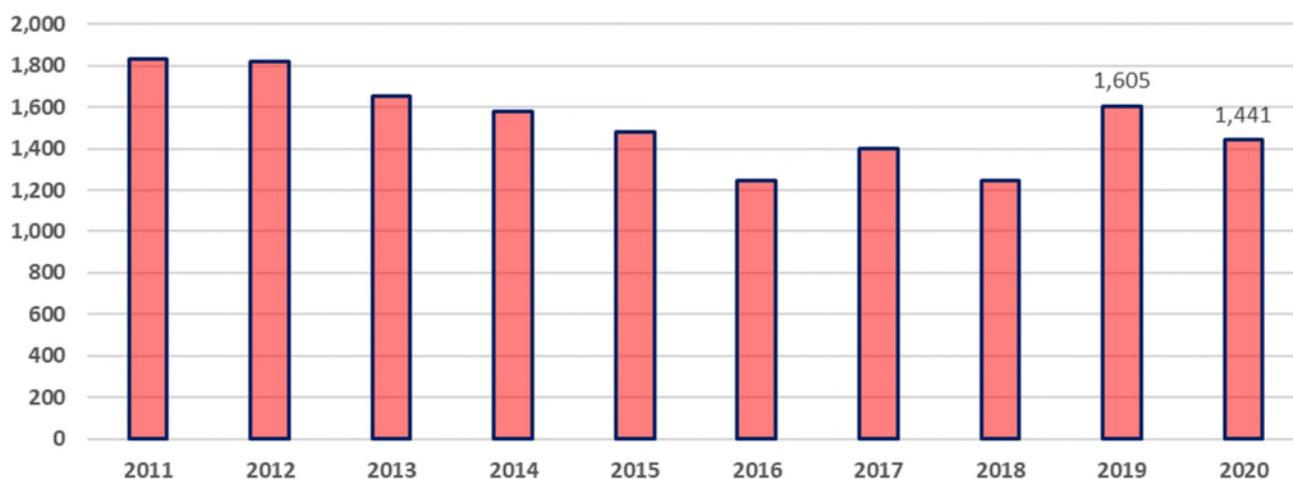
### % Children with Formal/Informal Cautions 2011-2020



## Children Deemed Unsuitable for the Programme

- There were a total of 1,441 children deemed unsuitable for the Programme in 2020 (based on the most recent referral received). This represents a decrease of 10% compared to 2019 (1,605).
- The proportion of children deemed unsuitable for the Programme was 18% in 2020, which is higher than the proportion recorded in 2019 (16%).

### Number of Children Unsuitable for Programme 2011-2020



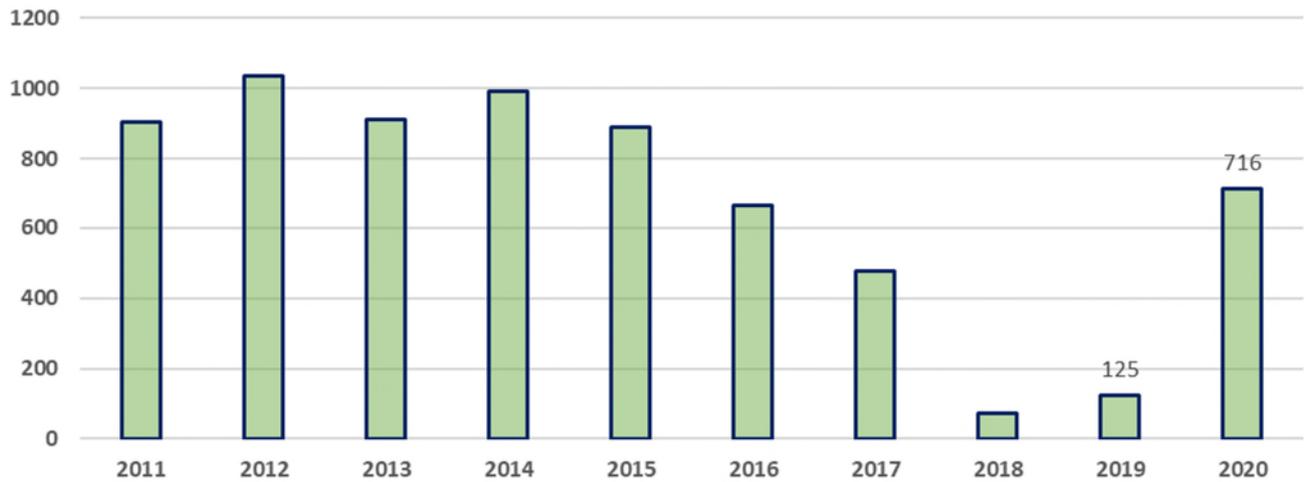
### % Children Unsuitable for Programme 2011-2020



## Restorative Cautions

- There were 716 restorative cautions in 2020, up from the 125 restorative cautions in 2019, an increase of 473%.

## Number of Restorative Cautions 2011-2020



## Restorative Cautions by Area

Region/ Division of Youth	2020	2019	2018	2017	2016	2015
<b>Dublin Region</b>	<b>174</b>	<b>47</b>	<b>20</b>	<b>144</b>	<b>130</b>	<b>237</b>
D.M.R. Eastern	19	0	0	2	4	19
D.M.R. North Central	36	22	8	53	10	8
D.M.R. Northern	49	6	0	48	57	86
D.M.R. South Central	15	0	0	9	6	21
D.M.R. Southern	22	0	0	3	0	27
D.M.R. Western	33	19	12	29	53	76
<b>Eastern Region</b>	<b>137</b>	<b>8</b>	<b>3</b>	<b>66</b>	<b>168</b>	<b>141</b>
Kildare	7	4	0	2	7	16
Kilkenny/Carlow	11	0	0	4	0	21
Laois/Offaly	23	2	1	15	65	17
Meath	25	0	1	21	35	19
Waterford	22	0	0	1	11	15
Westmeath	32	0	0	6	29	31
Wexford	11	2	1	7	14	15
Wicklow	6	0	0	10	7	7
<b>North Western Region</b>	<b>255</b>	<b>45</b>	<b>20</b>	<b>113</b>	<b>179</b>	<b>171</b>
Cavan/Monaghan	85	4	10	20	28	16
Donegal	63	9	7	31	50	64
Galway	58	18	0	16	9	14
Louth	30	6	2	24	64	33
Mayo	5	0	0	14	22	5
Roscommon/Longford	5	5	1	2	3	7
Sligo/Leitrim	9	3	0	6	3	32
<b>Southern Region</b>	<b>149</b>	<b>25</b>	<b>29</b>	<b>153</b>	<b>184</b>	<b>324</b>
Clare	14	2	0	9	24	9
Cork City	38	7	11	33	42	69
Cork North	13	3	0	50	45	79
Cork West	21	4	0	18	19	36
Kerry	20	1	12	18	19	38
Limerick	24	2	5	11	22	38
Tipperary	19	6	1	14	13	55
Others	1	0	0	1	6	18
<b>National Total</b>	<b>716</b>	<b>125</b>	<b>72</b>	<b>477</b>	<b>667</b>	<b>891</b>

## Offence Types

Offence Category/Type	Referrals 2020	% Total 2020	Referrals 2019	% (+/-) v 2019*
<b>Theft and Related Offences</b>	<b>4,005</b>	<b>24.6%</b>	<b>5,680</b>	<b>-29.5%</b>
Theft from Shop	2,505	15.4%	4,026	-37.8%
Theft (Other)	326	2.0%	511	-36.2%
Theft from M.P.V.	288	1.8%	265	+8.7%
Unauthorised Taking (Vehicle)/Theft of Vehicle	288	1.8%	287	+0.3%
Unauthorised Taking (Pedal Cycle)/Theft of Pedal Cycle	271	1.7%	273	-0.7%
Handling / Possession of Stolen Property	241	1.5%	234	+3.0%
Theft from Person	82	0.5%	78	+5.1%
Blackmail / Extortion	3	0.0%	5	-
Post Office Offences	1	0.0%	1	-
<b>Public Order Offences</b>	<b>3,307</b>	<b>20.3%</b>	<b>3,547</b>	<b>-6.8%</b>
Public Order Offences	1,822	11.2%	1,936	-5.9%
Trespassing in Yard or Curtilage	678	4.2%	629	+7.8%
Drunkenness Offences	581	3.6%	773	-24.8%
Affray/Riot/Violent Disorder	152	0.9%	151	+0.7%
Menacing Phone Calls	23	0.1%	15	+53.3%
Public Mischief & Sim. Off. -Sc 12a CL Act	16	0.1%	13	-
Trespass on Lands (Housing Misc. Provisions Act 2002)	15	0.1%	6	-
Begging	10	0.1%	11	-
Offences on the Railway	6	0.0%	8	-
Public Mischief and Similar Offences - Other Offences	2	0.0%	2	-
Prohibition / Incitement to Hatred - Section 2 of 1989 Act	1	0.0%	2	-
Impersonating a member of the Garda Síochána	1	0.0%	1	-
<b>Drugs</b>	<b>1,926</b>	<b>11.8%</b>	<b>1,785</b>	<b>+7.9%</b>
Simple Possession	1,439	8.8%	1,368	+5.2%
Possession of Drugs for Sale or supply	382	2.3%	341	+12.0%
Obstruction under Drugs Act	100	0.6%	70	+42.9%
Cultivate or Manufacture of Drugs	5	0.0%	6	-
<b>Assault</b>	<b>1,523</b>	<b>9.3%</b>	<b>1,705</b>	<b>-10.7%</b>
Assault Minor	870	5.3%	1,078	-19.3%
Assault Causing Harm	470	2.9%	476	-1.3%
Assault / Obstruction / Resist Arrest - Peace Officer	124	0.8%	100	+24.0%
Harassment	33	0.2%	24	+37.5%
Endangerment	18	0.1%	18	+0.0%
False Imprisonment	6	0.0%	9	-
Demanding Payment of Debt Causing Alarm	2	0.0%	0	-
<b>Criminal Damage</b>	<b>1,456</b>	<b>8.9%</b>	<b>1,496</b>	<b>-2.7%</b>
Criminal Damage (Not by Fire)	1,296	8.0%	1,346	-3.7%
Criminal Damage - (by Fire)	147	0.9%	148	-0.7%
Litter Offences	7	0.0%	2	-
Prohibited Burning - Wildlife Acts	6	0.0%	0	-
<b>Burglary</b>	<b>687</b>	<b>4.2%</b>	<b>750</b>	<b>-8.4%</b>
Burglary	615	3.8%	645	-4.7%
Possession of an Article (Burglary Or Theft)	55	0.3%	97	-43.3%

Offence Category/Type	Referrals 2020	% Total 2020	Referrals 2019	% (+/-) v 2019*
Aggravated Burglary	17	0.1%	8	-
<b>Fraud/Economic Crime</b>	<b>443</b>	<b>2.7%</b>	<b>711</b>	<b>-37.7%</b>
Deception/Other	212	1.3%	421	-49.6%
Counterfeiting Notes and Coins	77	0.5%	100	-23.0%
Money Laundering	70	0.4%	8	+775.0%
Business E-Mail Compromise	22	0.1%	11	+100.0%
Shopping/Online Auction Fraud	15	0.1%	1	-
Forgery / False Instrument Offences	12	0.1%	24	-50.0%
Card Not Present Fraud	11	0.1%	141	-92.2%
Account Take Over Fraud	8	0.0%	1	-
Phishing/Vishing/Smishing Frauds	6	0.0%	0	-
Cheque Fraud	6	0.0%	4	-
Insurance Fraud	2	0.0%	0	-
Investment Fraud	1	0.0%	0	-
ATM Fraud/Black Box attacks	1	0.0%	0	-
<b>Firearms/Explosives</b>	<b>537</b>	<b>3.3%</b>	<b>492</b>	<b>+9.1%</b>
Possession of Offensive Weapon	392	2.4%	375	+4.5%
Possession of Firearms	25	0.2%	21	+19.0%
Discharging a Firearm	1	0.0%	0	-
Fireworks Offences	117	0.7%	93	+25.8%
Possession of Explosives	1	0.0%	3	-
Causing an explosion	1	0.0%	0	-
<b>Sexual Offences</b>	<b>336</b>	<b>2.1%</b>	<b>399</b>	<b>-15.8%</b>
Sexual Assault	194	1.2%	227	-14.5%
Rape of a Female	53	0.3%	86	-38.4%
Criminal Law (Sexual Offences) Act 2006	37	0.2%	46	-19.6%
Rape Section 4	34	0.2%	29	+17.2%
Indecency	16	0.1%	9	-
Incest	1	0.0%	0	-
Aggravated Sexual Assault	1	0.0%	2	-
<b>Robbery</b>	<b>299</b>	<b>1.8%</b>	<b>265</b>	<b>+12.8%</b>
Robbery from the Person	270	1.7%	219	+23.3%
Robbery of an Establishment / Institution	29	0.2%	46	-37.0%
<b>Homicide</b>	<b>83</b>	<b>0.5%</b>	<b>58</b>	<b>+43.1%</b>
Murder - Threats to Kill or Cause Serious Harm	74	0.5%	46	+60.9%
Murder - Attempt	5	0.0%	10	-
Murder	4	0.0%	2	-
<b>Court Related Offences/Bail</b>	<b>47</b>	<b>0.3%</b>	<b>79</b>	<b>-40.5%</b>
Breach of Bail	40	0.2%	73	-45.2%
Court Related Offences	7	0.0%	6	-
<b>Liquor Licensing</b>	<b>73</b>	<b>0.4%</b>	<b>123</b>	<b>-40.7%</b>
Purchase or Consumption of Alcohol by Under 18 Year Olds	73	0.4%	123	-40.7%
<b>Animals</b>	<b>25</b>	<b>0.2%</b>	<b>15</b>	<b>+66.7%</b>
Offences Against Animals	10	0.1%	6	-
Control of Horses	9	0.1%	1	-
Dog Offences	6	0.0%	8	-

Offence Category/Type	Referrals 2020	% Total 2020	Referrals 2019	% (+/-) v 2019*
<b>Drivers Under The Influence</b>	<b>14</b>	<b>0.1%</b>	<b>36</b>	<b>-61.1%</b>
Intoxicated Driving a Vehicle	13	0.1%	33	-60.6%
Intoxicated IN CHARGE of a Vehicle	1	0.0%	3	-
<b>Escape/Prison</b>	<b>6</b>	<b>0.0%</b>	<b>9</b>	<b>-</b>
Escape (Rescue) from custody	5	0.0%	5	-
Prison Break	1	0.0%	4	-
<b>Gaming/Betting</b>	<b>5</b>	<b>0.0%</b>	<b>20</b>	<b>-</b>
Collections (House to House)	5	0.0%	20	-
<b>Child Welfare/Tusla Notifications</b>	<b>2</b>	<b>0.0%</b>	<b>0</b>	<b>-</b>
Child Neglect and Cruelty	2	0.0%	0	-
<b>Miscellaneous</b>	<b>85</b>	<b>0.5%</b>	<b>55</b>	<b>+54.5%</b>
Child Pornography - Sc 3,4, 5 & 6 of Child Pornography Act	78	0.5%	55	+41.8%
Fisheries Act - Penalty within District Court Jurisdiction	4	0.0%	0	-
Immigration Offences / Carrier Liability	1	0.0%	0	-
Conspiracy to Commit a Crime	1	0.0%	0	-
Embracery	1	0.0%	0	-
<b>Traffic</b>	<b>1,405</b>	<b>8.6%</b>	<b>1,311</b>	<b>+7.2%</b>
General Road Offences	452	2.8%	430	+5.1%
Dangerous Driving	324	2.0%	311	+4.2%
Driving License	171	1.0%	98	+74.5%
Insurance	88	0.5%	112	-21.4%
Speeding	79	0.5%	62	+27.4%
Interfering with Mechanism of MPV	59	0.4%	74	-20.3%
Tax / Registration	54	0.3%	51	+5.9%
General bye Laws	46	0.3%	50	-8.0%
Hijacking Unlawful Seizure of a vehicle/aircraft/vessel	28	0.2%	14	+100.0%
Endangering Traffic - Section 14 NFOAP Act 1997	27	0.2%	35	-22.9%
Drugs- Driving offences	26	0.2%	12	+116.7%
P.S.V. Regulations	19	0.1%	30	-36.7%
Lighting Regulations	8	0.0%	15	-
Endangering Traffic - NOT Section 14 NFOAP Act 1997	6	0.0%	6	-
Parking Offences	5	0.0%	4	-
Dangerous Driving causing Death	4	0.0%	0	-
Construction and Use of Vehicles	4	0.0%	1	-
Dangerous Driving causing Serious Bodily Harm	2	0.0%	1	-
Motorway Offences	1	0.0%	4	-
Road Transport	1	0.0%	1	-
Identification Markings	1	0.0%	0	-
<b>Covid-19 Infectious Diseases</b>	<b>37</b>	<b>0.2%</b>	<b>0</b>	<b>-</b>
<b>Grand Total</b>	<b>16,301</b>	<b>100.0%</b>	<b>18,567</b>	<b>-12.2%</b>

\* % Change vs 2019 only calculated if the total number of referrals across both years was 30 or higher.

## APPENDIX B: Restorative Practices Case Studies

### **Case Study 1: Assault Causing Harm**

This case regards an assault causing harm by a child, Mary, who assaulted the harmed person, Alice, randomly. Mary was referred through the Garda Youth Diversion Programme. Mary was in care at the time, living in a residential care home with other children. When Mary met the JLO who was trained in restorative justice, she expressed remorse for her actions on the night of the assault. Mary accepted that she had approached Alice and asked her for a cigarette. When Alice said that she did not have a cigarette, Mary punched her several times in the face. Mary was intoxicated at this time, and was arrested and brought to a Garda station. Mary accepted her role in this assault and appeared genuine in this regard. When Mary was asked if she would consider meeting with Alice, she stated that she wanted to do this, as she knew that what she had done was wrong.

Due to Mary being in care, the JLO spoke with her social worker and other keyworkers to get more background. When the Garda did a background check on Mary, it showed that the first time she was put on the police system was as a witness to domestic violence in the home. Mary had since been arrested a number of times for drunk and disorderly conduct, although this assault was her first offence with a clear victim.

The JLO made contact with Alice. She was very traumatised by the assault and was very unsure about whether or not she would meet with Mary. Alice was given a number of weeks to think about it. When contact was made again, she again expressed some reluctance to meet Mary. She asked if her partner, Mike, could also attend and was assured that this would be possible. Alice said that Mike believed that meeting the perpetrator would help her.

Alice insisted that the meeting take place in a Garda station due to some fear of attending the meeting. Mary, whose social worker was now helping her move to a private flat, agreed. On the day, Mary arrived early and was not in good form when met by the Garda facilitator. The facilitator enquired as to what was upsetting her and she stated that she was not feeling well for many reasons. This was worrying. Mary had arrived alone and insisted that she did not want anyone with her. Again, this was of concern to the facilitator. Mary was brought to the room and offered a cup of tea. Alice and Mike had now arrived. They were informed that Mary was not in good form and if they did not wish to take part in the meeting, this would be understandable. The facilitator neither directed nor encouraged them to go ahead with the conference; both parties were reminded of their option of not taking part, but both said that they wanted to go ahead with a meeting. Another Garda had also been asked to take part in the conference as a person who could relate to both sides and give another perspective during the storytelling phase; all had agreed this prior to the meeting.

Mary sat down first with her back to the door of the room. It is important that the perpetrator is seated first, so that the harmed person does not feel stared at when they enter the room. This is a small detail, but needs to be considered. The meeting started with all present sitting in the usual circle formation. The Garda facilitator welcomed everyone to the meeting and thanked them for attending. They were reminded that they could leave at any time because the restorative conference is a voluntary process.

The facilitator started by asking Mary to tell the group what had happened. Mary at this time stated: 'I did nothing wrong and I am not apologising for anything'. The facilitator asked Mary to take a minute to consider this and asked her again if she wished to say anything, which she did not. The facilitator then asked Alice to tell the group what happened on the night. Alice gave an emotional account of what happened. When asked how the offence had affected her and others, Alice stated that when she was a child living in another country, both her parents were alcoholics and beat her regularly. She further stated that she was taken from the family home and had been placed in the care system in her home country. She said that the assault had brought all of this back.

By the time the facilitator had turned to look towards Mary, she was on her knees and started to ask Alice to forgive her. Mary was very remorseful and repeatedly said that she was very sorry for what she did. Both parties began crying. This was a huge moment in the conference. The facilitator continued the conference, asking Alice to complete what she had to say, but that they would come back to the perpetrator to speak soon. Alice continued to tell her story of the emotion and the harm. Mike also told his story and explained who he thought had been affected. Here, he mentioned and empathised with Mary. Mary was then give another chance to tell her story, which was important so that Alice could receive answers as to why the assault had occurred. This was described, with several further apologies given throughout the story.

The other participating Garda was then asked questions about who is affected by assaults like this. Although there had been many apologies, it was important to move the conference into the next phase and allow for an 'official' apology. The facilitator asked Mary whether, after everything she had heard, she wished to say anything else. She gave a heartfelt apology. Both parties were now crying and, again, this was allowed in the space. The facilitator asked if they needed a break but they stated that they did not.

The conference then moved into the repair phase and it was clear that Alice had some needs in relation to the assault. Her main need was to feel safe and she wanted to know that Mary would not do this again to her or anyone else. A conversation flowed between all the parties during this phase, with the facilitator only intervening to help 'reframe' things that were being said, but not

intervening to suggest what repair should look like. Mary again gave a heartfelt undertaking that she would not do this again. She said that she would continue counselling and requested that her counsellor do a session around the meeting. She also agreed to do several other things and explained that she was moving into her own place to live. During the conversation, all parties warmed very much to each other with questions about each other's lives going back and forth.

The conference was then brought to a conclusion with everyone asked if they wished to say anything else. At this time, so much had been said that nothing else was added. At the end of the conference, Mary and Alice hugged. They did so again when they left the station.

The facilitator said:

"Restorative interventions are not counselling sessions but, in this case, some deep issues allowed the wrongdoer and harmed person to connect. Both were swiftly followed up with a phone call offering other support services. The wrongdoer's social work team and key workers were asked to speak with her around any ongoing support. Likewise, the harmed person was offered support from the facilitator to locate counselling services. Both parties were phoned the next week and again a few weeks later. The harmed person was kept informed as to how the perpetrator was doing for the next twelve months, as agreed by the JLO.

I took a risk in going ahead with the conference, as the perpetrator was in bad form and alone upon arrival. Although thorough preparation was done, this proves that it is not known what can potentially happen on the day. The wrongdoer started the conference by stating she had done nothing wrong. I could have panicked, but I was trained to deal with 'unacknowledged harm' and shifted to this model of practice. Training was very important in this regard. Some disturbing issues were touched upon in the conference and when this happens, the facilitator must ensure that he/she follows this up with the parties. Everyone who attends a conference like this actually would have to be supported. Still, the restorative model was able to contain and deal with the harm. It was also important that the parties were not under any pressure to participate – a meeting should not go ahead because a facilitator wants it to happen. The harmed person and wrongdoer must participate in a voluntary way with the right intentions.

Sometimes restorative practice is not perfect. Not everything can be covered in preparation before a meeting takes place. Preparation is necessary, but every conference is a risk to some degree and when you bring offenders and victims together, anything can happen."

## Case Study 2: Assault Causing Harm

This case concerns a child who was referred through the Garda Youth Diversion Programme for an offence of assault causing harm. Another child's jaw was broken in a fight at a disco in an Irish city. The perpetrator and several other young males were arrested at the scene. It emerged that two groups of children fought outside the disco. The harmed person had his jaw broken during the fight and the perpetrator was arrested for striking him in the face.

A JLO, trained in restorative justice facilitation, met with the offending child and his family. By that time, the child was in the care of his grandparents, as both his parents were deceased. He and his grandparents had a strong bond and were very close. They were all slightly apprehensive about meeting with the JLO and enquired as to what was happening with the other young people involved in the assault. This is a common reaction when JLOs call to the homes of children who offend. There also appeared to be an issue of trust between the family and the Gardaí. It was now a matter of building a relationship with the family before the JLO could consider mentioning the possibility of a restorative conference.

The JLO spoke with the family about the assault and the child admitted to being present when the assault took place. He also admitted to striking the other child, but stated that others also struck him. After some time, the facilitator left the family and advised them to seek legal advice. They stated that they knew someone who might advise them. When the JLO met the family again, they stated that the child admitted the offence and wanted to be considered for diversion. The child spoke about the night of the offence: what happened, where they went, how they met the other group. He said that the fight was stupid and should not have happened. The JLO told the child that a report would be done on their suitability for diversion, that this took many things into consideration and that there may be an opportunity to meet the injured child if they would like to consider this. The family asked several questions about such a meeting and the JLO told them that the possibility could be revisited once a decision on the child's diversion was made.

The child was ultimately granted a formal caution on the Garda Youth Diversion Programme. The JLO met the family again and discussed the idea of a restorative conference. The JLO informed the family that a conference would only happen after the JLO had met the other family, and only then if all parties wanted it and were considered suitable for the process. The JLO assured the family that they would not be put in an unsafe situation. The family agreed that the facilitator could contact the other family to see if they were interested in meeting. The JLO noted that they always ask perpetrators first about the possibility of a restorative conference so that the victim does not feel disappointed if they agree to a meeting, but the perpetrator declines.

The JLO arranged to meet with the harmed person and his family, who were much wealthier than the perpetrator's family. They were very quiet about what had happened and there was a solemn mood. It transpired that the mother was diagnosed with a serious illness that week and that they were still dealing with this. The JLO spoke about the assault and Diversion Programme, and what could happen in a restorative conference should they wish to participate. The JLO said that they would return later to discuss this further. Several weeks later, the JLO returned to speak about a potential conference. The harmed boy said that he was willing to attend, as were his parents once they knew it was safe. The JLO reassured the family that the meeting would not take place if it were not safe for everyone. They agreed to meet the other family in a restorative conference.

The harmed person's family asked that the meeting take place away from where they lived. The facilitator found a room that suited all parties. Everyone was informed that the meeting would involve the perpetrating and harmed children, as well as the grandparents of the former and the parents of the latter, and another Garda who would attend in plain clothes.

Consideration was given as to who entered the room first and who sat where: those who entered first would not sit opposite the door so they did not feel that they were being stared at when the other party entered. The conference began with the facilitator welcoming everyone and thanking them for attending. After setting the focus of the meeting, the facilitator asked the perpetrator the restorative questions. He engaged well with the process. He admitted that he assaulted the harmed person by punching him in the face. He stated that he did not know if he had caused the injury but stated that it could easily have been him.

The harmed person was then asked the restorative questions. He spoke about what happened on the night and how he ended up in the fight. He showed courage by saying that he was partially to blame for the fight. The parents of the harmed person were then also asked the restorative questions together. They told their story of what happened. When asked how they felt, they said they were worried about their son. They also disclosed the recent diagnosis and stated that this was a worry for them and their son. This added to the emotion in the room.

The perpetrator's grandparents were then asked the restorative questions. They told the story of collecting their grandson from the police station and their concern that he could be arrested again. They said that they were very worried about him. When asked about who was affected, they mentioned the harmed person and his parents. Crucially, the grandmother mentioned that they felt very sorry for them and for the diagnosis, disclosing that the same illness had affected their own family. This again brought up a lot of emotion in the room, and the harmed person and his parents were very moved.

After the story-telling phase of the conference, the facilitator asked the perpetrator if he believed that harm had been done. He replied that he did. He was asked if he would like to say anything at this time. He said that he was sorry for what he had done and extended his hand to the harmed person, who accepted this and shook his hand. This prompted the grandparents and the parents to stand up and shake hands. This was a powerful 'acknowledgment phase' of the conference, in which the emotion in the room changed from negative to neutral. When everyone retook their seats, the group were asked if anything needed to be done to repair the harm. A conversation started where both families talked freely about their children. The grandparents explained that their grandson was hoping to get an apprenticeship after school. The families wished each other well, with the grandparents wishing the harmed person's mother well with her treatment. There appeared to be no further repair required. The facilitator explained that the perpetrator would be supervised for a period of twelve months as part of his formal caution. Everybody was asked if they wanted to say anything else but, other than wishing each other well, they said that they did not. The conference was finished and, again, people shook hands.

The facilitator stated:

"Some families will not have a trusting relationship with the police. This sometimes needs to be worked on by JLOs so they can trust the diversion process and consider a restorative process. Perpetrators do not always accept full responsibility in the first instance. It may take more than a single conversation to discuss legal, technical and harm-related issues. In this case, the shared illness between the families created a bond, empathy and common ground. Sometimes, even in serious cases, such a meeting – hearing each other's stories, acknowledging what had happened and apologising – can be enough to repair the harm for all concerned. There was no mention of money or compensation, but everyone still seemed to get what they needed. The questions are designed to begin with the negative emotions and then to allow the parties, if they wish, to move to neutral and positive emotions by the time they leave the room."

## APPENDIX C: Interview with a Juvenile Liaison Officer from the Dublin Metropolitan Region

### **What has been the response by the JLOs to the Covid-19 pandemic in their engagement with the local community?**

The JLOs were detailed for community re-assurance duties while also continuing to implement the Garda Youth Diversion Programme when the Covid-19 pandemic first hit the country. There has been tremendous work done with the local community by JLOs, while complying with the existing Covid-19 guidelines. They have done community work on their own initiative, capturing the ethos of the Diversion Programme.

### **Can you provide examples of the community work provided by the JLOs, despite the current restrictions in place due to Covid-19?**

JLOs provided support to the elderly such as grocery shopping, pension collections and prescription collections. They also delivered donations to hospitals, homeless charities and food parcels from schools to families in need. When the need arose, there was involvement by a JLO with local Youth Justice Workers to put supports in place for individuals in their community who were affected by crime. All of this was accomplished while maintaining social distancing and adhering to the Covid-19 regulations.

### **What work has been done to encourage crime prevention with children/young people?**

The JLOs were aware of the importance of continuing to build positive relationships between the children/young people in their local area and the Gardaí during the pandemic. They delivered the Teenagers and Garda (T.A.G.) Programme in conjunction with the local Community Policing Unit in the local schools.

### **What measures were taken to ensure that the children/young people could and would participate in the T.A.G. programme?**

The programme was adapted to keep in line with the various restrictions throughout the year and focused on topics that were relevant to the children/young people during the pandemic. Drugs, internet safety and the 'Use Your Brain Not Your Fists' campaign were examples of the topics covered. The programme allowed the children/young people to interact with their local JLO and Community Gardaí, and encouraged them not to engage in criminal behaviour.

## APPENDIX D: Restorative Justice and An Garda Síochána: taking practice to the next level Dr Ian Marder NUI Maynooth

A girl in the care system seriously assaults a woman in the street, unprovoked. Three people, including a child, burgle a home, causing ongoing anxiety for the homeowners' children. A group of children set fire to a trailer, causing damage. An assault outside a disco results in one child breaking another's jaw.

These cases share two characteristics. First, they are all relatively serious offences in which people were harmed and which were dealt with by the Garda Youth Diversion Programme. Second, in each case, the victims and perpetrators both accepted the offer to meet through restorative justice.

Restorative justice enables those harmed by crime, and those responsible for that harm, to speak to each other, allowing the parties to participate in addressing and repairing harm, and finding a positive way forward. This falls within the broader concept of restorative practice, an approach to policing that aims to involve people in the decisions that affect them, to address and repair harm, and to build the positive relationships that help prevent crime and conflict from happening.

Most of my work consists of supporting the development of restorative justice, including with a project involving police and other agencies in [ten European countries](#). Recently, An Garda Síochána contributed the four examples above to our collection of Irish restorative justice case studies. In [the first](#), a powerful meeting allowed the victim to express the impact of the assault, the parties bonding over the revelation that she, too, spent time in the care system and experienced violence as a child. The [second conference](#) permitted the victims and the young person's mother to express how they felt, and allowed the young person to write to the victims' children to reassure them. The [third case](#) involved 20+ people discussing the offence and determining a compensation agreement to pay for the damage to the trailer, owned by a small business, while [the fourth](#) also ended harmoniously, with handshakes and well wishes all around, despite the injury caused.

These cases demonstrate that Gardaí can use restorative justice to good effect with serious offences, helping them meet victims' needs, as well as respond effectively to youth offending. Research suggests that all parties benefit from restorative justice. In Ireland, a study of Garda restorative cautions found three-quarters of victims agreed to participate, over 90% of victims and offenders were satisfied and 89% of young offenders complied with the outcomes agreed. Yet, since a peak of over 1000 in 2012, restorative cautions declined to 72 in 2018, with a [small uptick to 125 in 2019](#).

JLOs receive mediation and restorative practices training, and can bring cautioned young people together with their victim, family and anyone else who can make a positive contribution. The figures for restorative cautions could improve dramatically if JLOs could offer restorative justice to victims in every case.

Moreover, the Criminal Justice (Victims of Crime) Act 2017 provides for all victims to receive information about restorative justice where available, the Government is [committed](#) to making restorative justice available across the criminal justice process, and all Youth Justice Workers in diversion projects are now being [trained in restorative practices](#). These developments make now the perfect time for An Garda Síochána to build on the work described above, ensuring that victims have the opportunity to decide whether restorative justice is right for them, and ensuring that all Gardaí have the skills and support to deliver restorative conferences in response to crime and conflict, and to use restorative practices right across their day-to-day work.