

A NEW FRAMEWORK FOR JUVENILE JUSTICE

Eoin O'Sullivan

Testimony to the official neglect of children and young people in Ireland is that the primary legislation governing young offenders remains the 1908 Children Act. This is despite numerous reports highlighting that the Act is unsuitable to the modern era and is in urgent need of replacement, **not modification**. It is understood that a new Juvenile Justice Bill will be brought before the Oireachtas later this year. It is expected that this Bill will repeat a number of archaic practices such as allowing for the whipping of young people deemed guilty of minor offences and the abolition of the option of sending children to adult prisons. However, the new Bill must not simply repeat some outdated sections of the 1908 Act, and leave much of the 1908 Act incorporated into a new Bill, but **must be a manifesto for change in the manner in which we conceptualise and address young offenders**.

Despite ongoing concern regarding juvenile offenders in Irish society, little research has been conducted on the process by which children are labelled as delinquent and committed to secure units or prisons. Little empirical data has been collected on the social characteristics of young offenders in Ireland and no research has been conducted on what happens to young people after they leave reformatory/special school system. The conclusion to be drawn from the limited information we have available to us highlights emphatically, that the majority of young offenders are from backgrounds of deprivation and poverty, and as a recent report on Juvenile Offenders in Britain concluded "It is clear that economic and social disadvantage, whether in family background, employment or housing, is intertwined with the roots of criminal behaviour by young people."

Thus, responses to crime amongst juveniles must be located in the socio-economic environment which they inhabit. Building more prison's, custodial units, increases in the number of Gardai on the Streets etc. cannot prevent crime from occurring, although it may control it at an exceedingly high cost to the state. The recent First Report of the Select Committee on Crime - *Juvenile Justice - Its Causes and Remedies*, highlighted that homelessness, personal and family problems of certain young people. Truancy, educational failure, unemployment, child abuse and drug problems all contribute to offending by young people. If society is serious about preventing crime, its first step must be to prevent the conditions for crime from existing in the first place. On a practical policy level, it is clear that policies that aim to eliminate poverty, homelessness, inadequate health care services, the provision of equitable educational opportunities etc. reap a more benefi-

cial response in terms of ending juvenile crime than the building of additional prison cells and detention units. It would appear that the state has no problem providing funding for the building of an additional 200 prison cells in Wheatfield prison, yet cannot find funding to alleviate youth homelessness.

It is strongly recommended that as a starting point, the blueprint for crime prevention outlined in the recent Report of the Interdepartmental Group on Urban Crime and Disorder be applied to all areas in Dublin. In particular, the principles of this blueprint must be built into the policy framework and inform all decision making in this area. The following observations of the Interdepartmental Group must be viewed as integral to developing a new conceptualisation of juvenile justice.

*It will not be possible to make progress in this area unless some additional resources are provided.

*Special care and attention must be directed towards children at risk.

*Employment opportunities must be created.

*The causes of crime and disorder are multi-factoral and it is necessary, therefore, in looking for solutions to the problem to address a range of socio-economic issues as well as what would be generally be seen as 'law and order' matters.

In conclusion, only through a sustained commitment to producing a more egalitarian Irish society can the destructive impact of youthful crime on the perpetrator and the victim be alleviated. Micro-level interventions in this area, such as the provision of more Neighbourhood Youth Projects may control youthful crime, but cannot produce a society in which the fatalism and alienation that currently is pervasive amongst the working class young is eliminated.

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DOES YOUR COMMUNITY ORGANISATION NEED HELP?

Many organisations have difficulties with management, organisation and planning. With the advent of County Enterprise Boards and the proliferation of schemes directed at the voluntary sector, these problems are becoming more pressing. Although a lot of expertise is available at community level, it is sometimes a good idea to bring in an outsider to take a fresh look at the situation. The Jesuit Centre for Faith and Justice offers an affordable consultancy service in the areas mentioned. Staff from the Centre, who have experience in community work, planning and management, can visit your area, meet representatives and advise on strategy and implementation.

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