

SECTION 1: POLICY DEVELOPMENTS

**GOVERNMENT ANNOUNCES
MAJOR OVERHAUL OF YOUTH
JUSTICE AND OFFICE FOR THE
MINISTER FOR CHILDREN**

Two recent announcements in December, 2005 will have significant impact on the implementation of the Children's Act, 2001 as well as significantly restructuring of the administration of youth justice. The two announcements in question related to the establishment of the **Office for the Minister for Children** and the establishment of the **Youth Justice Service**. The announcement included important clarifications and specific proposals in relation to the **Age of Criminal Responsibility** and the introduction of **ASBOs** (see page 3), to be included as amendments to the Criminal Justice Bill, 2004.

**Establishment of the
Office of the Minister for Children**

The establishment of this Office is designed to bring together the relevant staff working on the range of functions in the Departments of Health and Children; Justice Equality and Law Reform; and Education and Science. The Ministerial responsibilities in this new Office, located within the Department of Health and Children, allow the Minister to attend Cabinet meetings and comprise the following functions:

- The Equal Opportunities Childcare Programme
- The programmes and activities of the National Children's Office
- Policy work on Child Protection

This new office will focus on harmonising policy issues that affect children and will have responsibility for:

- Implementing the National Children's Strategy
- Implementing the National Childcare Investment Programme
- Developing policy on Child Welfare & Child Protection
- Implementing the Children Act, 2001

Establishment of the Youth Justice Service

The Government also approved a number of major youth justice reforms following a review initiated by the Minister for Children and carried out by the Department of Justice, Equality and Law Reform. Among the measures agreed is the establishment of a new Youth Justice Service to be set up in the Department of Justice, Equality and Law Reform but will operate within the new strategic environment of the **Office of the Minister for Children** following the Government's decision on greater

coherence in policies for children generally. The principal measures agreed were as follows:

- Publication of the Report on the Youth Justice Review, available on www.justice.ie
- Setting up of a new **Youth Justice Service** in the Department of Justice, Equality and Law Reform
- Transfer of responsibility for the detention of young offenders under 18 from the Department of Education and Science, and from the Irish Prison Service, to the new Youth Justice Service
- Proposed amendments to the Criminal Justice Bill, 2004 to introduce necessary changes to the Children Act, 2001, **including changes to the age of criminal responsibility and provision for anti-social behaviour orders**
- Establishment within the Health Service Executive of a national management structure for non-offending children in need of special care and support
- Development by the Department of Education and Science of a global strategy on educational services for offending children
- Development, as required, of local youth justice teams to enhance local service delivery around offending behaviour

The specific remit of the **Youth Justice Service** is to:

- Develop a unified youth justice policy to include crime prevention
- Devise and implement a youth justice strategy with links to other children related strategies
- Manage all youth detention facilities
- Manage the implementation of the Children Act 2001 in relation to non-custodial community sanctions, restorative justice and diversion projects
- Establish and administer a national youth justice oversight group

The Government has provided an additional €1.3 million for the commencement of community sanctions in 2006 and a further €1.5 million in capital for the development of these services.

A number of the measures announced were approved amendments to the Criminal Justice Bill 2004 including:

- Provisions to effect the transfer of responsibilities for the detention of young offenders to the new Youth Justice Service
- Provisions to ensure that the child detention school is the model for the detention of all children under 18
- Replacement of the existing provisions in the Children Act 2001 on the age of criminal responsibility so as to prohibit the charging of children under 12 with most offences
- Provisions to ensure that prosecutions of children under 14 years must be sanctioned by the DPP
- New provisions to be added to the 2001 Act to allow for anti-social behaviour orders for 12-18 year olds.

Age of Criminal Responsibility

It is proposed to abolish the common law rule that children under the age of 7 years do not have the capacity to commit offences. The rule will be replaced

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by provisions prohibiting the charging of children under 12 years of age with most offences. An exception will be made in the cases of children aged 10 or 11 years in relation to the very serious offences of murder, manslaughter, rape or aggravated sexual assault. These provisions will be commenced three months after the enactment of the amendments.

A further €8 million has been included in the Health Service Executive Vote for 2006 to further develop child protection and family support services including implementation of the 2001 Act, particularly with regard to changes in the age of criminal responsibility including provisions to ensure that prosecutions of children under 14 years must be sanctioned by the DPP.

Anti-Social Behaviour Orders (ASBOs)

The proposed introduction of ASBOs had been the source of much debate over the past year or so and has undergone several revisions from when they were first proposed. The latest proposals are that ASBOs will apply to **12 to 18 year olds** and will be based on a number of key principles:

- (i) Formal orders are a last resort
- (ii) There is a presumption that the child will be dealt with under the statutory Diversion Programme
- (iii) There is parental involvement from an early stage

Other proposed amendments

There are a number of other significant legislative amendments proposed and they include the following:

- Attendance by the Health Service Executive in court in order to advise on service options
- Application of the same maximum sentence to children as applies to adults
- Obligations to consider educational needs when sentencing
- Extension of detention plus supervision provisions to all ages
- Application of vocational education framework to detention schools
- Provision to allow inspection of detention schools by the Social Services Inspectorate.

For further information contact:

Department of Justice, Equality and Law Reform
94 St. Stephens Green, Dublin 2
Tel: 01 6028202 Fax: 01 6615461
Website: www.justice.ie

840 SCHOOLS TO GET EXTRA SUPPORTS TO TACKLE EDUCATIONAL DISADVANTAGE

The Minister for Education and Science, Mary Hanafin, TD, announced on 27 February that 840 schools around the country are being invited to participate in the new School Support Programme under the DEIS action plan for educational inclusion. 640 primary schools, 320 in rural and 320 in urban areas, and 200 second-level schools will be eligible for additional targeted supports which will see educational needs of young people from disadvantaged areas prioritised including:

- An additional investment of €40m per annum & 300 extra staff in the sector on full implementation
- Greater focus on early childhood education
- Smaller classes for more children in disadvantaged areas
- Extra supports, both academic and non academic, outside of school time
- Increased emphasis on developing literacy and numeracy skills for children
- More guidance counsellors in second-level schools
- Enhanced library facilities in targeted second-level schools
- Greater access to alternative curricula, such as Leaving Cert Applied and the Junior Cert Schools Programme.

The schools identified for inclusion in the new School Support Programme will receive letters inviting them to participate in this programme. Existing schemes and programmes will be integrated into the School Support Programme on a phased basis over the five-year implementation period. For further information contact:

Department of Education and Science
Marlborough Street, Dublin 1
Tel: 01 8896400 Email: info@education.gov.ie
Website: www.education.ie

SECTION 2: FUNDING

NEW ROUND OF DORMANT ACCOUNTS FUND ANNOUNCED

On 4 January 2006, Minister of State, Noel Ahern, announced that the Government had approved €24 million from the Dormant Accounts Fund to be spent in 2006 on *programmes and projects tackling social and economic disadvantage*. It is believed that a total fund of €60 million has been approved for disbursement across the three existing categories in 2006 (those affected by economic and social disadvantage; those

affected by educational disadvantage; and persons with a disability). The €24m will be allocated as follows:

- €11.5 million ring-fenced for additional supports for priority projects in RAPID areas.
- €7.5 million for supporting Priority Themes - specific measures supporting *youth*, older people and other priority themes (including suicide prevention; alcohol

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misuse; supports for immigrant families; supports for offenders/ex-offenders);

- €5 million for supporting Jointly Funded Flagship Projects - funding for innovative measures addressing matters of major public concern, which also involve substantial funding from private, philanthropic or community sources.

Further announcements are expected soon on funding for Educational Disadvantage and Persons with a Disability when ongoing work in the Departments of Education and Science and Health and Children is completed and specific measures are submitted to Government for consideration. For further information on accessing Dormant Accounts funding contact:

**Department of Community, Rural & Gaeltacht Affairs,
Dormant Accounts Section,
43-49 Mespil Road, Dublin 4.**
Tel: 1890 457058 Email: info@dormantaccounts.ie

GRANT FOR DEVELOPING AN EMPLOYMENT EQUALITY POLICY OR EQUAL STATUS POLICY

Your organisation may qualify to have an Employment Equality Policy developed at no cost. Such a Policy will:

- meet your legal obligation under Equality legislation.
- ensure that your staff members are aware of new legislation and what is expected of them
- create a workplace where dignity and respect for different people are a reality in practice
- establish a clear message that discrimination, harassment and victimisation are not acceptable in the workplace.

A comprehensive policy will be developed using a partnership approach that will include input from management, employee representatives and staff.

An Equal Status Policy is a statement of commitment to equality, diversity and non-discrimination for customers and/or service users from across the nine grounds covered by the equality legislation to promote equality in the provision of goods and services. Such a policy will:

- assist in meeting obligations under Equal Status Act.
- promote quality customer service, which takes account of diversity among customers.
- create awareness among staff of diversity and how to meet the challenge it presents.

Funding has now been made available for organisations with less than 250 employees to develop a policy providing up to 5 days of consultancy (depending on no. of employees) at no cost. For more information or to

apply for a grant contact:

Valerie Ni hEideain, Consultants
Tel: 048 30 848088 Mobile: 087 902 6594
Email: ni.heideain@gmail.com

DEVELOPMENT EDUCATION GRANT SCHEME 2006

Development Cooperation Ireland (DCI), the Government's official development assistance programme, invites applications from voluntary organisations and educational bodies for grants for development education projects, which are designed to increase awareness and understanding of development issues. All relevant documentation for prospective applicants is available on the DCI website. The closing date for applications is **5pm, Friday 30 June 2006**. For further information and applications details contact:

**Development Cooperation Ireland
Department of Foreign Affairs
Bishops Square, Redmond Hill, Dublin 2**
Tel: 01 4082096

Email: developmenteducation@dfa.ie
Website: www.dci.gov.ie/grants_education.asp

SECTION 3: ROUND UP

NEW NATIONAL TRAINING AND CONTINUING EDUCATION DIRECTORY

The National Training and Continuing Education Directory is a directory of training programmes, consultancy services, continuing professional development and training facilities in Ireland. It is developed by Training and HR Experts to meet the learning and development needs of organisations. For further information and order details please contact:

**Calmar International Ltd.,
Unit 1, Bolbrook Enterprise Centre,
Tallaght, Dublin 24,**
Tel: 01 4622281 Fax: 01 4909863
Email: ntd@calmar.ie Website: www.calmar.ie

**Copies of all publications and documentation
highlighted in this edition are available for reference
or loan purposes from the Irish YouthWork Centre**