

# **Introductory Statement to the Oireachtas Joint Committee on Children, Equality, Disability, Integration and Youth**

**Koulla Yiasouma - 23<sup>rd</sup> May 2023**

## **Introduction**

I would like to thank the Committee for the invitation to engage with you today. It is an honour to be Chair designate of the Board of Management of Oberstown Detention Campus.

I am a qualified social worker initially working as a probation officer in England and then ,briefly in Northern Ireland where I have lived for 29 years. I continue to be registered with the NI Social Care Council.

Over the last 25 years I have worked to realise the rights of children and young people in Northern Ireland particularly those involved with the criminal justice system. I led an NGO (Include Youth) for 17 years supporting young people who were care experienced and/or had been involved in the criminal justice system to improve their employability through work experience, training and education. We were also the primary policy and advocacy organisation for young people in the criminal justice system and engaged with all relevant decision makers in NI, UK and Europe to ensure that best practice was implemented, and the voice of young people was heard.

In 2015 I was appointed by the First and Deputy First Ministers to be the NI Commissioner for Children and Young People and my term ended in March of this year. Like the Ombudsman for Children, it was my role to safeguard the rights of children and young people, monitoring and advising every aspect of government. Inevitably I continued to work with the youth justice system supporting young people with individual complaints, conducting formal investigations and policy advocacy.

My career goal has always been to demonstrate that being child rights compliant is essential to an effective youth justice system - one that keeps the community safe, is able to respond to the needs of victims and enables young people to overcome the consequences of adverse childhood experiences through interventions supporting them to develop alternative behaviours. Rights compliant youth justice legislation, policy and services use international frameworks and robust evidence to inform how it responds to children in conflict with the law.

Robust evidence requires drawing on academic research and often the first port of call for me over the last 2 decades has been the work of Professor Kilkelly, my predecessor in this role. Her work and advice have been key in informing my advocacy on issues particularly the best interest principle and custody for children. It is therefore a huge honour to be succeeding Ursula in this role and to progress the work that has been taking place in Oberstown over the last decade.

## **International Standards**

Incorporating the Havana Rules on Juveniles Deprived of their Liberty, the UNCRC General Comment 24 states that where detention is unavoidable the state should make detention count for children – to address their educational and training needs, improve their health and well-being, support relationships with their family and community, provide an environment for leisure, social and sporting activities. Systems, policies and procedures should be in place to ensure that detention is a safe place for young people and that restrictive practices are used sparingly. Finally international standards require that there are independent and rigorous monitoring, supervision and complaints mechanisms to protect the rights of children in detention, to hold the detention system accountable on behalf of society, for the care of children there.

The reason I applied for this role is that there is clear evidence that Oberstown under the leadership of Professor Kilkelly, the Board of Management, the Director, Damien Hernon and his predecessor, and the wider staff and management teams, has made significant progress to ensure that the Centre complies with these standards for which Oberstown has gained an international reputation. My ambition is to build on the work already begun.

## **Oberstown Children Detention Campus**

As you will be aware Ireland ratified the UN Convention on the Rights of the Child in 1992, which (along with other rights instruments) is explicit that detention must be a measure of last resort, imposed only for the shortest appropriate period of time. This provision is explicitly recognised in s96 of the Children Act 2001 and a range of community-based sanctions are now in place to divert young people from offending and from detention in particular. The Children Act makes clear that for children for whom no suitable alternative is available, and who are placed on a detention or remand order in Oberstown, are entitled to a placement that provides for their needs across the key areas of care, education, health, work on offending behaviour and preparation for leaving. Indeed, these are the goals of Oberstown under the legislation and they form the basis for the model of care – CEHOP (Care, Education, Health, Offending Behaviour and Preparation for leaving) – which is designed to ensure that child-centred and integrated placement planning is core to the time young people spend in detention.

More recently, and building on this approach, the Oberstown Board of Management adopted the Children's Rights Policy Framework with the consent of the Minister for Children, Equality, Disability, Integration and Youth under the Children Act. The Framework sets out the Rules that govern the Campus, the rights to which all young people are entitled while in Oberstown, and the duties on staff, management and the Board to meet those needs. Importantly, this Framework informed the new judgement framework adopted by HIQA, who inspect Oberstown annually.

The continuous and substantive improvements in the care provided to young people in Oberstown achieved through the work of staff and management on the Campus is evidenced in the HQIA reports. These reports are published annually and thus stand as a detailed and objective record of all that has been achieved over several years in this most challenging of environments. Of course, they also highlight where progress still needs to be made.

The Board of Management comprises 12 members with representation and nominations from staff, the local community, relevant government departments and agencies and five members, appointed through public appointment. It is apparent that the Board is hard working and an independent review concluded that it demonstrates the highest standards of compliance with the Code of Practice for the Governance of State Bodies and governance standards more generally. I am looking forward to leading and working with them as we build on this progress.

Oberstown has a budget of €27m with a staff of 266 (FTE) including residential social care workers and night supervising officers who bring exceptional care and skill to their work with the young people. The Campus has an occupancy certificate of 46 young people (40 boys and 6 girls) and in 2021, there were 102 young people on Campus with an average daily population of 31. While the numbers vary, the majority of these young people are on detention orders.

### **Way forward**

Oberstown has a statutory obligation to “provide educational, training and other programmes and facilities for children referred to them by the court” in a manner that embeds an ethos focused on the care, health, education and long-term welfare of the children placed there by the courts on remand or detention orders.

Oberstown records show that whilst children are there because of their offending they often have adverse childhood experiences such as abuse, trauma, domestic abuse, parental mental ill-health and parental drug and alcohol misuse which have been failed to be addressed throughout their lives. To do so requires a multi-agency wraparound service of which Oberstown. The campus is in a unique position to be able to give young people the building blocks so that they can re-enter their communities and families where possible. This unique insight into the lives of the young people and the effectiveness of policies, legislation and services can support the wider children’s system to change and progress.

Through the Strategy (2022-2027) published last year Oberstown will continue to develop its model and will publish outcomes that demonstrate the impact that it makes in the areas of:

- Safe and Effective care of children – CEHOP model
- Successful partnerships
- Young people’s voice

- Staff enjoy their work, are safe and supported
- Sufficient resources and that they are used effectively
- Governance that adheres to best practice
- Campus that is sustainable

It will continue to demonstrate it's effectiveness.

I look forward to engaging with the committee throughout my tenure as Chair.