

Youth Custody and Children's Rights

Summary

Studies carried out by Ulster University from detailed serious breaches of children's rights while in custody at juvenile centres in NI. These poor regimes included over-use of physical restraint, isolation, limited health and education provision compounded by undertrained and demoralised staff.

The research undertaken in this area has significantly influenced rights compliance in policy, legislation and practice regarding youth custody in Northern Ireland and beyond. Most notably, it has impacted decisively on the development of regimes and policies at Woodlands, Northern Ireland's only custodial centre for children.

Impacts

The research was based on primary qualitative interviews with imprisoned children, custodial staff and policymakers. Published by the Northern Ireland Human Rights Commission (NIHRC), it made recommendations based on international children's rights standards.

The research has had impact in six distinct areas.

1. Regimes and policies within Woodlands

The research has been widely credited as having helped create a regime at Woodlands JJC, which has an international reputation for excellence and best practice. Custodial staff have also benefited, by way of an improved environment and enhanced training.

2. Influencing Youth Justice Policy

The Head of the Department of Justice Youth Justice Unit has acknowledged that the research contributed substantially to the development of children's rights, compliant policies and practices. The evidence base of the work underpinned the campaign to remove girls under 18 from the prison system in 2009, and more recently, boys under 18. All children in custody are now accommodated in Woodlands.

3. The juvenile justice system and the Hillsborough Agreement

The research is recognised as having provided a strong platform for children's rights organisations to advocate for the inclusion of a review of children and criminal justice within the multi-party Hillsborough Agreement (2010).

4. Lobbying locally and internationally

The evidence base of the research has been used by children's rights and human rights organisations lobbying on national and international levels, for example in reports to the UN Committee on the Rights of the Child and in submissions to the Youth Justice Review. It has also been referenced in the NIHRC submission to the Youth Justice Review Evidence, and acknowledged by the Children's Law Centre for its positive role in advocacy and engagement with monitoring bodies.

5. Extending the powers of the Human Rights Commission

Under the Northern Ireland Act 1998, the NIHRC had authority to conduct investigations but no powers of entry or disclosure. In 2005, the NIHRC came to an out-of-court settlement with the NIO that granted access to conduct the research. The NIHRC's powers were extended in 2007 to include access to places of detention and to compel evidence.

6. Beyond Northern Ireland

The international standing of Woodlands significantly extends the influence of the research beyond Northern Ireland. The research has been presented at a range of conferences across Europe open to youth justice practitioners, including representatives from children's rights organisations and policy-makers.