

Pre-sentence Reports in the Irish Youth Justice System: A Shift to Risk-Oriented Practice?

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Summary: A pre-sentence report is ordered by the court to assist in relation to the sentencing process. In cases involving child offenders these reports are prepared by Young Persons' Probation (YPP) Officers. YPP is a specialised division of the Probation Service established to work with young people aged 12–18 years. The information presented in the report assists the judge in court in determining the most appropriate means of proceeding with the case. Commentators argue that reports increasingly refer to the risk of reoffending and offender management, and are less concerned with the background, personal circumstances and attitude of the young person to the offence. This paper draws on research exploring contemporary policy and practice in the Irish youth justice system to identify any ideological shifts. It focuses primarily on accounts by YPP Officers of report preparation and how they define their role and daily practice. The findings are discussed with reference to penal policy and practice in other jurisdictions.

Keywords: Youth justice, Ireland, Children Courts, young offenders, probation, penal policy, sentencing, pre-sanction reports, risk, compliance, penal policy, risk assessment.

Introduction

This paper aims to examine the preparation of pre-sentence reports in the Irish youth justice system in relation to perceived changes in penal policy and practice in Anglophone countries.

The origins of pre-sentence reports can be traced to the work of John Augustus in the US during the mid-1800s (Panzarella, 2002), and to the

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