PERCEPTIONS OF THE CRIMINAL JUSTICE SYSTEM AND ITS ASSOCIATION WITH WELL-BEING FOLLOWING A REPORT OF CHILD SEXUAL ABUSE.


Excerpts from original research reproduced with permission and approval of the aforementioned authors.

This research was completed in 2007 by the Children's University Hospital, Temple Street; Our Lady's Children's Hospital, Crumlin and The School of Psychology, University College Dublin and was funded by the Children's University Hospital. The research was divided into separate studies, the first of which looked at what children and parents thought about the justice system. In this first study, nineteen people (nine children and ten parents) talked with the researchers in great detail about their experiences of the criminal justice system. They talked about their experiences from the time they first told the Gardaí about what happened, through to the final day when they finished with the criminal justice system. In a second study, one hundred and twenty-five people (thirty-seven children and eighty-eight parents) answered questions about the criminal justice system, and about the way this system affected them.

Their research found particular themes emerging such as: all children had both good and bad things to say about the Irish Criminal Justice System; people do not hold simple views of this system; and most recognised that the system could do good and/or do harm, depending on circumstances.

When speaking about what children and parents did not like about the criminal justice system, some of the issues which emerged were: their general upset if they felt their case was not investigated properly by the Gardaí; if they felt they were not treated with enough respect by all the people that they met, or if their case was not prosecuted when they wanted action to be taken. Many conveyed that they did not like delays or continuances connected to their proceedings. Participants also conveyed that they did not like being cross-examined and that some had felt unprepared for what would happen in Court. Also people described that going to Court could be scary, exciting, or just normal.

When talking about what people liked about the criminal justice system, some of the issues which emerged were that people appreciated being treated with proper consideration and of cases being brought to Court when they wanted to take action. Children who went to Court and who could use the video link facility said that they liked having that facility available to them. People who were happy with their experiences indicated they felt they were helped by the justice system, as opposed to people who were unhappy felt they had lost faith in the criminal justice system.

In exploring children and parents well-being, the study revealed that most children were not clinically affected by the criminal justice system in the long run, but that children who were most likely to be negatively affected in the long run, were more likely to say that they were very affected at the time they had contact with the criminal justice system. Additionally, more parents than children reported problems with their well-being and how they felt the justice system affected them and/or their families.

In another study conducted by the above researchers, they explored what professionals thought about the justice system. In this study, eighty-eight professionals (thirty-two Mental Health Workers, twenty-seven Gardaí, and twenty-one lawyers) spoke with researchers about what they believed children thought about the justice system. Professionals who participated in the study indicated that they thought that children thought it was a bad experience to find out that their case would not be prosecuted, that children thought that waiting for Court was a bad experience, and that children thought most aspects of the criminal justice system were negative and that most aspects of Court attendance were negative.

Researchers also provided participants with the opportunity to express what changes families would like to make to the criminal justice system. Their research revealed that participants most often wished for special allowances for victims, such as special courts, quicker prosecutions, better surroundings and extra support. Participants expressed a wish for better preparation around court procedures, and there was a wish for a change to Irish laws and procedures, such as replacing the adversarial system with an inquisitorial system.