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'The boy shook his head angrily and stared at his solicitor'

THE CHILDREN'S COURT: JUDGE CLARE Leonard sighed as she leafed through the bundle of dog-eared charge sheets.

"There are too many sheets to deal with," she said, looking up from the stack of paper towards the boy in the corner of the room.

He had a fresh face, short cropped hair, a white tracksuit top and a blue T-shirt.

The 16 year old had been picked up by gardaí on foot of a bench warrant for not appearing in court.

It was his seventh time failing to turn up in court for a hearing. He also had 40 charges stretching back at least two years which hadn't been fully dealt with yet by the courts.

Two of the latest involved alleged assaults on people travelling on the Luas last December. They occurred while the boy was out on bail.

One involved a 17 year old being roughed up near Goldenbridge Luas station. The other involved a male who needed hospital treatment for head injuries after being beaten up and robbed of his MP3 player.

The gardaí were in court to ask that the boy be placed in custody on the grounds that he posed a risk to the public.

"The evidence relating to the alleged assaults is very strong, judge," the garda told the judge.

"Why are you seeking custody?" the judge asked.

"Our fears are that since he was released on bail last December, pending a file being sent to the DPP, he's been arrested 12 times, judge."

"Has he been charged for those?" she asked.

"Yes - handling stolen property, public order offences, possession of certain articles . . ." the garda continued, flicking through the pages of charge sheets.

"But he hasn't been convicted of those - just charged?" the judge asked.

"Yes, they all relate to dates since he was arrested in December. Due to the nature of the violence and the robberies, he poses a serious risk to the public."

The boy sat still, his arms folded and his mouth slightly ajar, as he stared fixedly at the garda.

His solicitor, John Quinn, stood up. He said his client should be released on bail given that the offences in question occurred almost seven months ago.

The boy had been released on bail as a result of other matters in the meantime, he said.

"Owing to my client's mother's serious illness, he had asked for that bail.

"She's in intensive care and it's a life-threatening illness, judge. It's important that the court is aware that issues such as the previous bench warrants were considered by Judge Anderson when he gave my client bail."

"These are indictable matters," the judge said.

"Yes, judge. But the State has taken seven months to bring these matters before the court. My client has been given an opportunity and that should be allowed to continue . . . My client's mother is seriously ill. She may well die, judge," Mr Quinn said urgently.

The judge leaned back slightly in her seat.

"For someone so concerned about his mother - and for someone let out on bail - he's been getting around a lot."

Then, she leaned forward.

"Under our justice system, we do not penalise people for crimes they may not have committed. I see I placed him on bail myself last April on two sheets here with consent that he stay at home . . . I'll grant him bail on these sheets as a result. What about the conditions?"

The 16 year old let out a theatrical sigh of relief to himself.

The garda asked that he stay away from the areas where the alleged offences occurred.

The boy suddenly scowled at his solicitor and whispered furiously.

"Shhhshh!" his father said, sitting a few feet away, putting his finger to his lips.

"We would also fear that if he is at home with his mother, it's only his sister, so there would be no one to keep control of him," the garda said.

"So he'll stay with his father," the judge said. "Curfew?"

"9 pm judge," the garda said.

The boy shook his head angrily and stared at his solicitor.

"Anything else?" the judge asked.

"Judge, we would ask that he stay away from the Luas," the garda said.

The boy laughed to himself in disbelief and slumped back in his chair.

"Now," the judge said, turning to the garda, "there is no point making bail conditions aimed at keeping him off the streets if they are not followed up on - and they haven't, since April."

"He has a lot of offences, he's clearly not behaving himself. He needs to be dealt with more firmly.

"And I'm assuming his father won't have any objections to the Garda checking his whereabouts? They won't get any hassle?" she checked.

"No," the father said.

A banging noise from the cells - located beneath the courtroom - rang across the small room.

The boy cleared his throat loudly and stroked his chin, before getting up to leave the court.