

Irish Times -25th July 2008 by Carl O'Brien

'She grabbed me by the hair and was hitting me and I hit her back. Then a copper arrived and I was being abusive then'

THE CHILDREN'S COURT THE 15-YEAR-old girl fidgeted nervously as the garda read through the charge sheet.

"I observed the defendant on Westmoreland Street in a fight with another lady on the ground," the garda said. "She was volatile and aggressive and had to be restrained, just a small bit, judge."

Judge Clare Leonard looked puzzled. "Could you tell more about the woman?" she asked.

"She was fighting with a woman in her mid-40s. She seems to be homeless and couldn't be contacted to make a complaint. She received multiple blows to her body and head. The defendant claims it was self-defence," the garda said.

"I'm told she's pleading guilty to this offence, so obviously it wasn't self-defence. Did she know the other woman?" the judge asked.

"Apparently she didn't, judge."

"Did the woman appear injured to you?" the judge asked.

"She received blows to the body and head . . . I advised her to seek medical attention, but she headed away," the garda said.

"Any previous convictions?" the judge asked.

The girl, dressed in a grey hoodie and blue jeans, looked worriedly at the garda.

Her mother sat a few feet away, neatly dressed in a black and silver blouse, clutching a small black handbag tightly.

"Two, judge," the garda said, flicking through some papers. "Section six public order, and a non-fatal offences against the person."

She had been let off under the Probation Act, he added.

The judge turned to the girl.

"So, what's the explanation?" the judge asked.

"She has given me the same explanation she gave to the garda," her solicitor John Quinn said. "She's pleading guilty to the matter, nonetheless."

"She's either pleading guilty or not," the judge said frustratedly. "She's charged with abusive and threatening behaviour which has caused a breach of the peace."

The judge continued: "The garda said she was raining multiple blows on this woman."

"That's not what the garda said," the solicitor interrupted.

"What was her behaviour like?" she said, turning to the garda.

"Of a violent nature, judge. On arriving at the scene, the defendant had her leg on the ground and was pulling her hair. She received several blows."

"It's either a plea of guilty or not guilty. She's either accepting responsibility or not," the judge said. "I'll put it to second calling."

The girl stormed out and sighed loudly as she checked her mobile phone.

After an adjournment of half an hour, the case resumed.

"She's accepting some guilt," her solicitor said. "She says the person attacked her first; but she accepts she stayed involved in the incident."

"What was she doing on Westmoreland Street at 10.30pm?" the judge asked.

"I was allowing her to meet another friend, but she stayed out," her mother said.

"Judge," the garda replied, "there is a public order and assault on May 6th - this was a fortnight before this incident."

"So she's out and commits an offence like this?" the judge said indignantly. "And she commits another within a fortnight?"

The girl suddenly exploded into a torrent of words.

"Judge, I was at the bus stop and a man asked me for a cigarette and I said, yeah. It was my last one, but then this other woman asked me for one. I said no, she started calling me names and grabbed me by the hair and was hitting me and I hit her back. Then a copper arrived and I was being abusive then."

Her mother intervened in a calm voice.

"I have her on a curfew, judge, nine o'clock. A curfew, is that what you call it?"

The girl's solicitor intervened.

"Her mother has been ill, judge," he said. "She had brain surgery earlier this year. And she has a hospital appointment this afternoon and may have emphysema," the solicitor said.

The girl had been going to school in the midlands, he said, and was due to attend a Youthreach course this September.

"I'd respectfully suggest you mind her more closely," the judge said, looking at the girl's mother. "She shouldn't be let near Westmoreland Street."

"Or town, judge," the mother suggested.

"Obviously it's of concern that she's reoffended in the same fashion so quickly . . . I'll put it back for a probation report. I'll give it six weeks."

The girl sighed quietly to her herself.

"Is she on drink or drugs?" the judge asked.

"No. She does have ADHD," the girl's mother said. "She's on medication for it."

"Ritalin?" "No, Concerta."

"Then I think the Probation Services might be in a position to assist . . . For her, this is a management issue, and perhaps her medication needs to be reviewed."

"It just was," the girl said. "I was on 18, now I'm up to 36."

The judge nodded.

"These weren't nice incidents. She has to co-operate fully. Otherwise, there will be no mercy for her."

"Yes, judge," the mother said.

The girl nodded her head, not looking the judge in the eye.