



Our Children First

A Parent's Guide to the National Child Protection Guidance

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ISBN: 978-1-906004-35-4

Published by

Barnardos

Christchurch Square

Dublin 8

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This booklet does not provide detailed provisions of *Children First: National Guidance for the Protection and Welfare of Children, 2011* or the *Child Care Act, 1991*. It does not purport to be an interpretation of the guidelines or the Act nor is it a document giving legal advice as to the provisions of the legislation. For full legal interpretation of the guidance, professional legal advice should be sought.

While every care has been taken to ensure the accuracy of the booklet no liability is accepted by the author or Barnardos for any errors.

Barnardos supports children whose well-being is under threat, by working with them, their families and communities and by campaigning for the rights of children. Barnardos was established in Ireland in 1962 and is Ireland's leading independent children's charity.

Introduction

This guide aims to provide parents with information on child protection and welfare. The information given is based on **Children First: National Guidance for the Protection and Welfare of Children** produced by the Department of Children and Youth Affairs in 2011.

The following information is included in this guide

- What parents should know about child abuse.
- What the different types of child abuse are.
- What to do if you are worried that a child you know is being abused.
- What you can do to make sure your own children are kept safe when they are in someone else's care.

Section 1

The Irish Child Protection System

There is a lot of legislation surrounding children to help ensure that they are kept safe and protected from harm. This section outlines the main pieces of legislation.

Children's Rights

In 1992, Ireland accepted an international agreement called the United Nations Convention on the Rights of the Child. It is a 'bill of rights' for all children outlining rights to do with every aspect of children's lives, including protection from all forms of mistreatment.

Children are entitled to:

- Care and protection.
- Reasonable standards of living.
- Reasonable standards of health and development.
- Protection from violence, abuse and exploitation.
- Services that respect culture, religion, sexuality and special needs.
- Their views being listened to when services are planned for them.
- Care and protection when parents or others with such responsibilities fail to do so.

The Child Care Act, 1991

The Child Care Act was passed into law in 1991. It is designed to promote the welfare and protection of children (0-18 years). It sets down rules to make sure that all children are brought up in a safe and secure way.

What does the Child Care Act say?

- Children's safety and welfare are the most important thing and come before anything else; everything should be done to protect them.
- Parents are responsible for their children's welfare. You have a right to respect and to be consulted on issues concerning your family.
- Tusla, the Child and Family Agency, and the Gardai have a duty to protect children.
- People from different agencies, e.g. social workers, public health nurses, Gardai, must work together to protect children.
- The Act emphasises the importance of families. Families should be able to get help early to encourage them to look after their children and keep them safe. The family is the best place for a child to grow up and be cared for whenever possible.

Children First: National Guidance for the Protection and Welfare of Children

Children First national guidance assists people in identifying and reporting child abuse.

Children First calls on all professionals who work with children in sports, community and voluntary organisations, and the wider community of relatives, friends and neighbours to be aware of what steps to take if they have a child protection and welfare concern.

Children and families must be at the centre of child welfare and protection.

The welfare of children is the most important thing and must come first.

Who has responsibility for looking after children?

- You as parents have the responsibility of looking after and protecting your children. However, if you cannot keep them safe and protect them or are not able to care for them, then the Child and Family Agency has to step in.
- People who work with children have a responsibility to make sure that they are being cared for. They have to be vigilant in relation to children's protection and welfare and must pass on their concerns or suspicions of child abuse or neglect to the Child and Family Agency.
- Organisations that work with children have a responsibility to make sure that children are safe and that their workers are trained and their backgrounds have been checked out.
- The wider community also has a responsibility for the welfare and protection of children.

Together we can all make a difference in protecting children from neglect and abuse.

Section 2

How Can I Make Sure My Child Is Safe?

There are times when you entrust the care of your children to others. If your child goes to a crèche, childminder, pre-school or a youth/sports club, you need to know who is going to be looking after them and how they are going to keep them safe.

All organisations that provide services for children have an obligation to provide them with the highest possible standards of care in order to promote their well-being and safeguard them from abuse. It is your right to ask questions to satisfy yourself about your child's safety.

You need to know the policies and procedures organisations have in place in order to protect your child. Unfortunately, it is a fact that people who abuse children have a tendency to look for work where they will have contact with children.

Things to look for

- The service or club should be happy to tell you that all staff (voluntary or paid) have gone through Garda vetting.
- You should ask what the organisation's Child Protection Policy is and if the staff have been trained in the policy.
- The Designated Liaison Person is the title given to the person appointed in each organisation to deal with child protection concerns reported by staff, children or others.
- The organisation should keep records on all children. These should include your consent to membership, medical details, information about any special needs and emergency contact details.

Things to look for (continued)

- You should be satisfied that they have guidelines that ensure the best standards have been set for the ongoing delivery of that service. This includes having the recommended numbers of staff to supervise the children.
- Check that staff have an accident/incident book where they write up and tell you about any incident concerning your child on the day it happens.
- It is important to find out how the service deals with challenging or disruptive behaviour and bullying. It is important to know that they will deal with it and have thought about what is acceptable and what is not.
- If your child is going on a trip it is important that you know what their policies are around these trips.
- You should satisfy yourself that the building and facilities are safe and secure and that there is someone trained in first aid on site.
- Opportunities for parents to have both formal and informal meetings should be provided.
- Parents should be advised about all policies and be able to read them if they wish to do so.
- Have you been informed about how to make a complaint? All complaints should be listened to, recorded and acted upon.

As well as talking to the professionals about what they are offering, it is vital that you talk to your child about personal safety. Do they know who they could talk to if they wanted to look for help?

If your child is worried or has a bad feeling about someone who they are in contact with, they should know that they are able to tell you, as their parent, about their concern and know that they won't get in trouble for doing so.

Section 3

What Parents Should Know About Child Abuse

As parents you need to be aware that:

- Children can be severely damaged by abuse.
- They can be hurt physically, emotionally, mentally and socially.
- Their self esteem can be damaged, sometimes permanently.
- The effects can go on for years – long after the abuse has stopped.
- Their relationships with people may be negatively affected by their earlier experiences.
- Children are more likely to be abused by someone they know than by strangers, i.e. someone known to them either within their own family or extended family or by someone in a position of authority over them.
- Sexual abuse happens to both girls and boys.
- Children who live with domestic violence are more likely to be abused.
- Children rarely make false allegations.
- The vast majority of reports to social services do not result in children being taken into care. Government policy is to support children within their families.

Children find it hard to tell that they are being abused, for a number of reasons:

- They may not understand or have the words to describe what is happening to them.
- They may feel afraid or embarrassed about what has happened to them.
- They may have been bribed or blackmailed not to tell.
- They may be very frightened of the abuser.
- They may be afraid of being blamed or punished, or excluded from an organisation.
- They may be afraid of getting the abuser into trouble.
- Children with learning disabilities and young children may not fully understand what is happening to them.

Recognising Child Abuse

For everyone, child abuse is a very difficult and emotional issue. It stirs up different feelings in people – some people feel angry, let down, sad, disappointed and in disbelief when they hear that a child has been abused. Some cannot even imagine that it happens.

Unfortunately, in the past, reluctance to think badly of people has led to child abuse not being recognised in many situations. Lack of understanding and knowledge about abuse has also led to child abuse not being responded to appropriately.

For parents, relatives, neighbours and the wider society, accepting and recognising that child abuse exists is the first step towards preventing further harm being done to children.

Different Types of Abuse

Children can be abused in a number of ways. Children First has outlined four broad definitions of child abuse. They are physical abuse, emotional abuse, sexual abuse and neglect.

It is important that you do not think that the examples below are the only abuses that children suffer from. There are many more examples.

Usually, no one sign in itself means that a child is being harmed, but a few of them together should act as a warning that all is not well for a child. Other explanations for physical or behavioural signs of abuse must always be considered.

Physical Abuse

Physical abuse is any form of non-accidental injury or an injury that happens as a result of failure to protect a child. It may happen because the parent/carer did not know about it or they may have known but did not protect the child. There may be single or repeated incidents.

Some examples of physical abuse:

- Shaking, pushing, throwing, hitting, biting, choking
- Handling a child with excessive force
- Suffocating
- Deliberate poisoning
- Terrorising with threats
- Not protecting a child from a very harmful situation
- Fabricated/induced illness (when a parent/carer pretends that their child is sick by making up stories about their illness or causes physical signs of illness)

Signs and symptoms of physical abuse:

- Non-accidental bruises or burns
- Damage to body organs
- Failure to thrive
- Bites
- Death

Emotional Abuse

Emotional abuse is usually found in the relationship between a parent/ carer and a child. It happens when a child's needs for affection, approval, consistency and security are not met.

Some examples of emotional abuse:

- Constant yelling, being critical and sarcastic
- Threatening, scaring or belittling a child
- Exposing a child to domestic violence
- Not being emotionally available to the child
- Having unrealistic or inappropriate expectations of the child
- Using over-harsh discipline
- Exposing a child to inappropriate or abusive material through technology

Signs and symptoms of emotional abuse:

- Lack of comfort and love
- Lack of praise and encouragement
- Lack of emotional connection
- Serious over-protectiveness

Every child who is abused sexually or physically or is neglected is also being emotionally abused.

Sexual Abuse

Sexual abuse is when a child is used by another person for his or her satisfaction or sexual arousal or for that of others.

Some examples of sexual abuse:

- Obscene exposure, touching of genitals in a sexual way
- Masturbating when a child is present or involving the child
- Intentionally touching or molesting the body of a child for sexual arousal
- Sexual intercourse whether oral, vaginal or anal
- Encouraging or propositioning a child for the act of prostitution
- Showing a child pornography
- Sexual activity between an adult and a child under 17

In criminal law the age of consent to sexual intercourse is 17 years of age for both girls and boys.

Signs and symptoms of sexual abuse:

- Bleeding from the vagina/anus
- Difficulty going to the toilet
- Hints about sexual activity
- Age-inappropriate understanding of sexual behaviour
- Uncharacteristic sexual play with toys or friends
- Uncharacteristic change in behaviour

Neglect

Neglect is when a child's essential needs for things such as food, clothing or warmth are not being met. If this continues for a long time it becomes harmful to the extent that the child's well-being and development can be severely affected. It is about what parents don't do or, in some cases, are not able to do for their children.

Some examples of neglect:

Neglect takes many forms. Some examples are:

- **Physical neglect** – when a child's basic needs for food, clothing and shelter are not met.
- **Medical neglect** – when a parent fails to provide adequate health care, not giving or delaying medication.
- **Supervisory neglect** – when parents leave a child without arranging necessary care, fail to supervise their child or leave them in the care of another child who is not old enough.
- **Educational neglect** – when a child is not provided with learning opportunities.

There are other examples of neglect not listed here.

Bullying

Bullying is repeated aggression – whether it be verbal, psychological or physical – by one person or group of people against another. It includes behaviour such as teasing, taunting, threatening and hitting. With developments in modern technology, children can also be the subject of non-contact bullying, via mobile phones, the internet and other personal devices. **This is called cyber-bullying.**

If a child is bullying, it may be a sign that they are experiencing adult abuse. Both the child (or children) who is carrying out the bullying and the child who is being bullied need support. If the bullying is being carried out by adults, rather than children, this could be regarded as physical or emotional abuse.

Serious instances of bullying behaviour should be referred to the Child and Family Agency.

Section 4

What Do I Do If I'm Worried That a Child I Know Is Being Abused?

Keeping children safe is a concern for everyone. Parents, neighbours, communities, schools and clubs, etc. all want to keep children safe.

If you are concerned or suspect that a child or young person may have been abused or is at risk of abuse then you need to let the Child and Family Agency know without delay.

If you are unsure, talk it through with the Duty Social Worker who will help you decide whether or not to make a report. **Contact numbers for all social work offices nationwide are available on the Child and Family Agency website www.tusla.ie.**

It is important to remember that you are not making a judgement about whether a child has been abused or not, you are simply passing on a concern that you have about a child. It is up to the Child and Family Agency to decide if abuse has taken place when they have gathered as much information as possible.

One incident may not seem very important but it may help to piece together a much bigger picture for a social worker who is working with a child or family to help improve circumstances for them.

When the Child and Family Agency get a report that a child is, or may be, at the risk of harm, they must conduct an investigation and take any necessary action in order to protect the child.

What will I be asked?

In order for the Child and Family Agency to be able to assess the situation, they will need as much information as possible – details about the child, who is harming them, an account of what happened, dates, etc.

Can I make a report anonymously?

The Child and Family Agency will respect your wish to remain anonymous as much as possible, however it cannot be guaranteed that the information would not be given if a case went to court. Making a report anonymously may also make it more difficult for professionals to intervene to protect a child.

What might stop me from reporting?

- Uncertainty or fear.
- Not wanting to interfere.
- Not wanting to acknowledge the existence of abuse.
- No faith in the system.
- Personal experience can get in the way.
- Feeling sorry for the family involved.
- Fear of being sued.

It is important, however, to put the child first. The sooner a report is made, the sooner something can happen to reduce the risk of harm to the child.

If you ignore warning signs and don't do anything to help, the child may be at risk of further harm.

Who can make a report?

Anyone who suspects that a child is being harmed or is at risk of harm has a responsibility to report their concerns to the Child and Family Agency as do organisations.

Every organisation working with children and young people will have appointed a person who has the responsibility to report concerns to the Child and Family Agency.

According to the Protection for Persons Reporting Child Abuse Act, 1998, as long as you report whatever you believe to be true and it is done in good faith, you cannot be sued. It is a criminal offence under this Act to report a person for abusing a child if you know it is not true.

How is a report made?

A report can be made either in writing, in person or by phone.

Every Child and Family Agency area has a social worker on duty for a number of hours each day. Some are there all day; some are only available for half the day.

If it is an emergency situation and a child or young person is in immediate danger and it is outside 9am to 5pm or at weekends then the incident should be reported to the local Garda station.

What if my child tells me they have been abused?

If your child tells you that they have been abused it is important that you stay calm. All disclosures made by a child should be taken seriously.

Listen to your child, give them time to tell as much as they are able and wish to, at their own pace and in their own language. Don't promise to keep secrets.

Ring the Child and Family Agency who will give you advice.

Contact numbers for all Child and Family Agency offices nationwide are available on www.tusla.ie.

If it is an emergency situation and a child or young person is in immediate danger and it is outside 9am to 5pm or at weekends then the incident should be reported to the local Garda station.

What if it is another child who carries out the abuse?

It is important that both children get help. The Child and Family Agency will consider it a child care and protection issue for both the victim and the alleged abuser.

Section 5

Who's Who in Child Protection and What are their Roles?

It is everyone's responsibility to report concerns about child neglect and abuse to the Child and Family Agency.

The role of the Child and Family Agency

The Child and Family Agency has overall responsibility for assessing and managing the concerns people have about children. They carry out assessments of suspected child abuse and take action to promote the welfare of children and families.

Unless it is an emergency, the assessment/investigation will be carried out as quickly as possible in discussion with other professionals and the child and family involved. This will involve interviews and possibly a referral to a medical or specialist service for a more detailed assessment.

The role of the Gardai

The Child and Family Agency notifies cases of sexual, physical abuse and wilful neglect to the Gardai.

The role of the Gardai is to investigate cases of alleged abuse to determine whether a crime has been committed. They are in charge of any criminal investigation that is made.

The Gardai notify the Child and Family Agency if they suspect a child is a victim of any type of abuse. Both organisations work together to protect children.

Useful Contacts

Contact details for the Child and Family Agency can be found on www.tusla.ie

You can find contact details for your local Garda station on www.garda.ie

Barnardos

Christchurch Square, Dublin 8

T: 01 4549699 • **F:** 01 4530300

E: resources@barnardos.ie or training@barnardos.ie

W: www.barnardos.ie

CARI (Therapy and support for children affected by Child Sexual Abuse)

T: 01 8308529 or Lo-call 1890 924 567

E: helpline@cari.ie / info@cari.ie • **W:** www.cari.ie

MCI Ireland (For children and young people affected by domestic abuse and family conflict in Ireland)

T: 094 92 86407

E: olivia@mciireland.ie • **W:** www.mciireland.ie

Parentline

T: 1890 927 277 or 01 8733500

E: info@parentline.ie • **W:** www.parentline.ie

Safe Ireland – The National Network of Women's Refuges and Support Services

T: 090 6479078 • **W:** www.safeireland.ie

Women's Aid

National Freephone Helpline: 1800 341 900

Open 10am to 10pm, 7 days a week, except Christmas Day

E: helpline@womensaid.ie

W: www.womensaid.ie