

3rd of February

NYCI's Child Protection Programme

Update on Developments in Child Protection for the Youth Work Sector

Child and Family Agency/Tusla (commenced Jan 2014)

The Agency was established with effect from 1 January 2014. The Department of Children and Youth Affairs will oversee this agency. The agency has responsibility for key services relevant to children and families, including:

- Child protection and welfare services (previously operated by HSE)
- The Family Support Agency
- The Education and Welfare Board (NEWB)

Please see DCYA website for additional information

<http://www.dcy.gov.ie/viewdoc.asp?fn=%2Fdocuments%2FChildFamilySupportAgency%2FAgencyMainPage.htm>

Children First Legislation – Pending

The Heads of Children First bill were published in 2012. Following consultation period, a revision process is underway. It is expected to be commenced in 2014.

The aim of this proposed legislation is to provide for: raising awareness of child abuse and neglect, mandatory reporting for key groups, improve organisations child protection procedures, and improved interagency work and communication. The intention is that the legislation will operate alongside Children First National Guidance 2011.

Please see DCYA website for additional information

http://www.dcy.gov.ie/viewdoc.asp?fn=%2Fdocuments%2FChildren_First%2FChildrenFirstLegislation.htm&mn=chib&nID=1

National Vetting Bureau (Children and Vulnerable Persons) Act 2012 – due to be commenced 2014

This was enacted in December 2012 and is due to be commenced in 2014. The purpose of this Act is to provide a legislative basis for the vetting of persons who seek positions of employment relating to

children or vulnerable persons. Previously, persons applying for such positions were vetted on a non statutory basis. This Act makes **vetting mandatory**.

Please see NYCI's Child Protection Programme <http://www.childprotection.ie/vetting> for additional information on the **impact of the legislation** for the youth work sector.

Some **amendments** to the Act are currently being considered by Government, including those related to the non disclosure of minor offences.

NYCI is a member of the **e-vetting** pilot group which is currently working on the rolling out of e-vetting (submitting vetting applications on line) and it is expected to be introduced, on a phased basis, throughout 2014 and 2015.

Developments in Child Protection Training Provision

The **CPAP** (available through NYCI's Child Protection Programme) is the recognised child protection training programme for the youth work sector and it fulfils the child protection training requirement under Children First and also the National Quality Standards Framework.

Also available from NYCI is a three day **Designated Person Training**, for those with this area of responsibility.

NYCI's Child Protection Programme have designed a new 3.5 hour **Websafety** training which is supported by our website resource <http://www.websafety.youth.ie/> for youth workers who want to educate young people about staying safe on line.

Note: The HSE's / Agency's contract with 'Keeping Safe' training has ended since December 2013. The Agency's Children First team are currently developing the **Children First training strategy** that will guide the support of existing CF training programmes (such as the CPAP) and provide access to training development for those who have not yet initiated their own CF training.

Children's Referendum November 2012 – Legislation pending

All legislation needed to implement to referendum result is effectively stalled until the judgment in the current Supreme Court challenge.

On the 8th November 2012 *McCrystal* case challenged the spending of public money on referendum materials promoting a yes vote. The court found that although there was a breach, Government had acted in good faith and did not order the caseation of the publication of the materials as the Government had already done so.

10th November 2012 –Polling day the Amendment was carried with 58% of the electorate voting in favour.



In October 2013, the *Jordan* case presented a legal challenge to the referendum. It argued that the materials complained about in the *McCrystal* case unfairly prejudiced the referendum result. This was defeated in the High Court.

Judgment from the *Jordan* case is being appealed to the Supreme Court and is due to be heard in early 2014. As a result, all legislation needed to implement the referendum result is effectively stalled until the judgment in this case.