

Children First on a statutory basis

The Children First guidelines were established in 1999. These national guidelines provide a framework to assist individuals and agencies working with children to identify incidences of child abuse and the procedures to follow to report any concerns by the relevant authorities. Overall they provide clear duties and roles to all professionals in the interests of protecting children.

The Children First guidelines are currently undergoing a review. Barnardos made a submission and based on our experience of working with children and families, identified a number of concerns regarding the implementation of Children First. These included:

- Despite the guidelines setting out clear roles and responsibility, their implementation is varied across the country leading to issues of inconsistency, confusion and delay. As a result Barnardos has found that children presenting with the same situation in different regions of the country will have different experiences regarding thresholds for intervention, professional assessment, intervention and follow up.
- The issue of joint working and partnerships between professionals in the interest of protecting the child is again varied across the country and appears to be influenced more by personal relationships than on structures and systems to facilitate co-operation. This has led to the provision and sharing of information being patchy and decisions being made without reference to the other professionals involved in the child's life.
- Inadequate involvement of children and parents in the decision-making procedures. This absence of the voice of the child can result in the child's interests and wishes not being given the importance it deserves.
- The guidelines affect all professionals and volunteers working with children and while some professionals have received training, Barnardos believes more needs to be done in this area to increase awareness of the responsibilities outlined in the Guidelines, thereby increasing consistency of standards.

Barnardos welcomes the review of Children First and strongly recommends that they be placed on a statutory footing to ensure the highest level of protection for our children. It would remove the element of discretion, as professionals who are reluctant to report would be able to do so with the support of the law. Already, the Protections for Persons Reporting Child Abuse Act, 1998 provides clear legal protection for anyone reporting child abuse "reasonably and in good faith"

Such action would assist in tackling the issue of inconsistent or under reporting of abuse. Also those undertaking the investigations into the reports would do so in more consistent approach and increase the public confidence in the child protection system. It would equip those who interact with children with a clear course of action that puts children first.

The placing of any revised Children First guidelines on a statutory basis would have resource implications, as it would lead to an increase in the number of cases reported. While additional resources would be needed to deal with the cases administratively, it should not take from the delivery of immediate social services to intervene thereby reducing the child's risk to harm/neglect.

The placing of a legal obligation on professionals to report child protection or abuse concerns could affect the professional / client relationship. Barnardos, however, believes the relationship does not need to be compromised if the limits of the principle of confidentiality are explained from the outset.

There are already exceptions to the principle of confidentiality e.g. criminal cases. It is important to highlight that confidentiality is not a legal concept but rather an ethical mandate.

Barnardos believes that we as a society have a responsibility to protect our children and young people from harm and ultimately, the disclosure of child protection concerns or abuse would lead to the prevention of further abuse, as the abuser would be investigated.