

Opening Statement

Oireachtas Committee on Children, Equality, Disability, Integration and Youth

Ms. Kate Duggan

Chief Executive Officer (Interim)

Tusla – Child and Family Agency

25th April 2023

Chair, and members of the Committee, thank you for the invitation to appear before you today in relation to possible enhancement of child protect powers of Tusla and following the recent publication of the *'Independent Review of the Handling of Past Complaints of Abuse in St John Ambulance Ireland'* conducted by Dr Geoffrey Shannon.

I am joined here today by Ms Patricia Finlay (Regional Chief Officer Dublin Mid-Leinster), Mr. Mike Corcoran, (Head of Registration & Regulatory Enforcement, including responsibility for Tusla's Child Safeguarding Statement Compliance Unit), Mr Ger Brophy (Chief Social Worker), and Ms June Boulger, (Office of the CEO).

At the outset, I want to acknowledge and commend the bravery of the survivors that have come forward, that have spoken out and shared their harrowing experiences in St. John Ambulance. The trauma that they have experienced, volunteering in an organisation to whom their care was entrusted, and one in which they trusted and expected to feel safe yet suffered, is clear and they are very much in our thoughts at this time.

Dr Shannon's report, with its comprehensive findings and recommendations, was made possible in large part to their courage.

This report has rightly raised questions about child protection practices in St. John Ambulance and the need for organisation wide change.

Whilst Dr Shannon's report did not make any specific findings or recommendations for Tusla, I welcome the opportunity to discuss Tusla's role in responding to retrospective allegations of abuse, in compliance of child safeguarding statements, and wider child protection matters.

Tusla has a broad remit across many areas relating to child protection and welfare matters. In relation to this case, there are two main areas in which Tusla interacted with the organisation in question, which I will outline further today. These are:

1. Retrospective disclosures:

Retrospective disclosures are where an adult makes a disclosure about something that happened in their childhood. In cases of retrospective abuse, Tusla's statutory responsibility is to ensure that there are no current or existing child protection concerns. If there is a current child protection and welfare risk, Tusla staff work with family members and other professionals to ensure a safety plan is put in place, and also liaise with An Garda Síochána as appropriate.

In relation to retrospective allegations of abuse against members of St John Ambulance, Tusla has to date received a total of 11 referrals relating to abuses that may have occurred during the period between 1960-1990s.

Five of these referrals were received through the helpline set up by Tusla in recent weeks.

2. Children First Information and Advice and Child Safeguarding Statements:

Under the Children First Act 2015, organisations classed as providers of relevant services are required to have Child Safeguarding Statements and have a responsibility to keep children safe from harm. A Child Safeguarding Statement is a written statement that specifies the service being provided and the principles and procedures to be observed in order to ensure, as far as practicable, that a child availing of the service is safe from harm. Tusla's enforcement powers in respect of the Child Safeguarding Statement is limited to maintaining a statutory register of services who have failed to present a Safeguarding Statement compliant with the requirements of the Act. Tusla also has Children First Information and Advice Officers who are available to liaise with voluntary and community organisations and provide advice and guidance on Children First.

In organisations that are funded by Tusla we have a greater role and power in oversight which I will refer to later.

From 2019 to 2022, Tusla's Child Safeguarding Statement Compliance Unit engaged with St John Ambulance, and in December 2019 it was deemed to have a compliant Child Safeguarding Statement in line with the requirements of Children First. During this period, Children First Information & Advice Officers also worked with St John Ambulance to assist them in developing their child protection policies and procedures.

In 2019, Tusla had information relating to three allegations of abuse against one individual, who no longer worked for the organisation. This information did not at that time suggest evidence of systemic abuse across the organisation. In 2020, following two founded outcomes of abuse against this individual, two further reports of abuse by the same individual, and concerns being reported to Tusla regarding the management of disclosure of allegations within the organisation, Tusla engaged with St John Ambulance and recommended the organisation commission an independent report to seek assurances. While we did not have the power to direct them to undertake this investigation, we were satisfied that they had taken this action and pleased with their appointment of Dr Geoffrey Shannon to this role.

Following the publication of Dr Shannon's report, I invited the CEO and Chair of the Board of St John Ambulance to meet with myself and colleagues from the Department of Children Equality, Disability, Integration and Youth. During that meeting, they indicated that they accepted in full the findings and recommendations of Dr Shannon's report and provided a copy of their Response Report. This details the actions the organisation has taken and will take to implement all of the recommendations. They have agreed on a voluntary basis to provide a quarterly update to Tusla and DCEDIY on implementation of these actions.

We also established a helpline following the publication of the report and have received a total of 12 calls to date.

As always, we continue to encourage anyone who has a concern about a child to contact their local duty social work office, or in an emergency to contact An Garda Síochána. Our Child Safeguarding Statement Compliance Unit and Children First Information and Advice Officers also remain available to all organisations working with children that need support with a child safeguarding statement, or policies and procedures relating to Children First.

In addition, we are part of the Children First Interdepartmental Group, chaired by DCEDIY, where all government departments and agencies meet to promote the implementation of Children First, and ensure that collective responsibility for child protection and welfare is taken across Government.

The primary principle of the Children First Act is that all organisations working with children and young people are charged with the responsibility for safeguarding and protecting them from harm.

Where Tusla or another Government Department/Agency funds an organisation, they are required to have policies and procedures in line with Children First to be eligible for funding. Funding can be suspended or ceased through the contracting agreement if we are not satisfied that they meet these requirements. If an organisation is not State funded, we do not have the powers to compel it to comply with these requirements.

We would very much welcome the opportunity to be part of a wider stakeholder engagement as part of the Children First Interdepartmental Group, with a variety of stakeholders including Government departments, funders, service users and regulators to explore how all organisations working with children and young people can both be further supported in meeting their child protection obligations and held accountable for the implementation of child protection policies, procedures, and practices.

I wish to finish by once again acknowledging the courage of the survivors, and their determination to highlight the depth and breadth of the issues within St John Ambulance.

Thank you.