

DÁIL ÉIREANN

AN COMHCHOISTE UM LEANAÍ AGUS GNÓTHAÍ ÓIGE

JOINT COMMITTEE ON CHILDREN AND YOUTH AFFAIRS

Dé Céadaoin, 13 Márta 2019

Wednesday, 13 March 2019

The Joint Committee met at 10 a.m.

MEMBERS PRESENT:

Deputy Lisa Chambers,	Senator Joan Freeman,
Deputy Denise Mitchell,	Senator Catherine Noone,
Deputy Tom Neville,	Senator Fintan Warfield.
Deputy Anne Rabbitte,	
Deputy Sean Sherlock,	

In attendance: Deputy Donnchadh Ó Laoghaire

DEPUTY ALAN FARRELL IN THE CHAIR

Business of Joint Committee

Chairman: Apologies have been received from Deputy Tom Neville. I propose we now go into private session to deal with some housekeeping matters. Is that agreed? Agreed.

The joint committee went into private session at 10.05 a.m., suspended at 10.15 a.m. and resumed in public session at 10.20 a.m.

Governance and Child Safeguarding Issues in Scouting Ireland: Tusla and Scouting Ireland

Chairman: We are back in public session. I welcome members and viewers who may be watching our proceedings on Oireachtas TV to the public session of the Oireachtas Joint Committee on Children and Youth Affairs. The purpose of today's meeting is to have a discussion with representatives of Tusla of governance and child safeguarding issues in Scouting Ireland and in the second session to meet representatives of Scouting Ireland to discuss the same topic.

I advise members that while there have been reports in the media it is important to note that the committee cannot discuss individual cases, should avoid naming individuals, whether these names are in the public domain or not and not to discuss anything which is or is likely to be the subject of court proceedings.

On behalf of the committee I welcome Tusla's interim chief executive, Mr. Pat Smyth, the chief operations officer, Mr. Jim Gibson, the director of quality assurance, Mr. Brian Lee and service director, Linda Creamer. Before we commence, and in accordance with procedure, I am required to draw the attention of the witnesses to the fact that by virtue of section 17(2)(I) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of their evidence to the committee. However, if they are directed by the committee to cease giving evidence on a particular matter and they continue to so do, they are entitled thereafter only to a qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and they are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable.

Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the House or an official either by name or in such a way as to make him or her identifiable. I remind members, witnesses and those in the Gallery to please switch off their mobile telephones as they might interfere with the sound system even in silent mode. I advise that any submission or opening statement provided to the committee will be published on the committee website after this meeting. After the opening presentation, there will be engagement from the members of the committee. I call Mr. Pat Smyth. He is welcome and I thank him for accepting our invitation to discuss this important matter.

Mr. Pat Smyth: I will go through my opening statement briefly. I thank the committee for

the invitation to attend today and provide an update on Tusla's ongoing engagement with Scouting Ireland. I am joined by my colleagues Mr. Jim Gibson, chief operations officer, Ms Linda Creamer, the service director for Dublin north east and national lead for Children First, and Mr. Brian Lee, director of quality assurance.

At the outset, I would like to acknowledge the important work done by Scouting Ireland, those involved in scouting locally across the country and in other organisations in the voluntary sector that provide valuable activities and outlets for children and young people. To give some background on Children First, the Children First Act 2015 was enacted in November 2015 and commenced in full in December 2017. The Act places a number of statutory obligations on specific groups of professionals and on particular organisations providing services to children. Through the provisions of the Act, it is intended to raise awareness of child abuse and neglect, provide for mandatory reporting by key professionals, improve child safeguarding arrangements in organisations providing services to children and provide for co-operation and information sharing between agencies when Tusla is undertaking child protection work.

The policy intent is that the Children First legislation will operate side by side with the existing non-statutory obligations provided for in the Children First national guidance for the protection and welfare of children. The Children First Act 2015 places specific obligations on organisations that provide services to children and young people. These include requirements to keep children safe from harm while they are using the service, to carry out a risk assessment to identify whether a child or young person could be harmed while availing of the service, to develop a child safeguarding statement that outlines the policies and procedures in place to manage the risks that have been identified and to appoint a relevant person to be the first point of contact in respect of the organisation's child safeguarding statement.

I will give some detail on summary role of our child safeguarding statement compliance unit, CSSCU. The Children First Act 2015 requires organisations that are providers of relevant services to prepare a child safeguarding statement. A "relevant service" is any work or activity in an organisation or centre that results in a person or persons having access to or contact with children. This is a universal requirement and the list of relevant services is detailed in Schedule 1 to the Act. The CSSCU was established in March 2018 in Tusla to monitor, support and, where necessary, enforce compliance with this requirement. It is underpinned by sections 10 to 13, inclusive, of the Children First Act 2015. The unit only acts on the receipt of unsolicited information that a relevant service does not have a child safeguarding statement in place. The CSSCU has been engaged with Scouting Ireland since November 2018. This engagement culminated in the child safeguarding statement being deemed compliant in February 2018.

I now want to outline the role of our child protection services. This is pertinent to our discussions today. Tusla's child protection and welfare teams have primary responsibility to promote the safety and well-being of children. In this respect, Tusla receives referrals in respect of children under 18 years of age and also referrals in respect of adults disclosing childhood abuse. In the context of the emergence of a significant number of retrospective allegations of abuse by adult complainants alleging they were abused by scout leaders as children, an analysis of current cases referred to Tusla by Scouting Ireland was undertaken.

This gave rise to concerns regarding the management of current cases of child protection referrals within Scouting Ireland. Tusla communicated with Scouting Ireland on 18 February regarding these concerns and in respect of the organisation's policies, procedures and practice and overall compliance with Children First. This communication to the chief executive officer, CEO, of Scouting Ireland set out eight recommendations for Scouting Ireland. These were the

recommendations published in the letter last week and read into the record of the Dáil by the Minister.

I will turn to subsequent communication with Scouting Ireland. This letter of 18 February 2019 was sent to the CEO of Scouting Ireland. It advised that Tusla was available to meet and discuss the issues raised. For clarity, the letter was not copied or issued to any person outside of Scouting Ireland or Tusla, certainly not by Tusla. On Wednesday, 27 February 2019, Tusla received a request from the Department of Children and Youth Affairs to provide a copy of the letter. The Department had received a direct communication from Scouting Ireland's interim safeguarding manager in connection with this letter. At the request of the Department, Tusla provided the letter to the Department and the Minister. As stated, the recommendations were published on the Department's website and the Minister read those recommendations into the Dáil record.

For further clarification, Tusla did not have any direct contact from Scouting Ireland from the date of issue of the letter on 18 February 2019 until the chairperson of Scouting Ireland wrote to the chair of Tusla on 28 February. Subsequently, after a request was issued by us for a meeting, the CEO of Scouting Ireland and I had a discussion last Monday week and agreed to set up a meeting to be held last Thursday. Scouting Ireland and Tusla then met on Thursday, 7 March 2019, and agreed to address the issues raised in the letter of 18 February 2019 through an action plan. A copy of this action plan was sent to the committee last night. I do not know if the members of the committee have it, but I can summarise the actions at the end of this note. This work will be progressed over the coming weeks to put in place improvements to policy, procedure and practice and to provide assurance to Tusla in respect of the concerns raised.

It is worth noting the action plan. I am not sure if that document has gone to members.

Chairman: It has been circulated. It would be helpful if Mr. Smyth could go through it.

Mr. Pat Smyth: Actions were agreed at the meeting last Thursday in respect of addressing the concerns raised and on how this matter was to be progressed between Scouting Ireland and Tusla. Tusla and Scouting Ireland's board of directors are to meet. Tusla will make a presentation on the Children First legislation and safeguarding at the next meeting. I understand that is scheduled for April. Scouting Ireland is recruiting a safeguarding manager to be directly managed by the CEO. The safeguarding manager role will date from 14 March, that is, this week, and he or she will be the liaison person with Tusla. Scouting Ireland will share its updated implementation plan with Tusla regarding implementation of a range of items in respect of Children First.

This strategy will include mechanisms to review the implementation of Scouting Ireland's child safeguarding statement, the updating of policies and procedures and supporting the subsequent implementation of these measures throughout the organisation. The strategy will also include mechanisms for monitoring and quality assuring safeguarding policies and procedures in place and the implementation of those aspects. Scouting Ireland will meet with Tusla and An Garda Síochána to discuss the management of the allegations regarding the samples that were outlined and referred to in the letter of 18 February. Scouting Ireland will review its safeguarding risk assessment and the relevant procedures, particularly its code of behaviour regarding overnight trips and jamborees in collaboration with Tusla. Scouting Ireland also agreed to the independent evaluation of its helpline and it will draw learning from this. It will apply the same approach to current and future policies, procedures and practice relevant to the helpline.

Mr. Jim Gibson: The committee does not have the current version of action No. 6.

Mr. Pat Smyth: That is a fair point. The version of the document that the committee has states in action No. 6 that Tusla has “requested that Scouting Ireland agree to an independent evaluation”. Scouting Ireland has agreed to that. Actions Nos. 1 to 6, inclusive, therefore, are agreed between Tusla and Scouting Ireland. Tusla’s approach with Scouting Ireland has been one of offering support and information to ensure that its policies, procedures and practice meet its obligations and requirements with regard to child protection. It was and remains Tusla’s intention that the matters raised with Scouting Ireland as part of this process will be dealt with between both organisations to ensure improvements to policies, procedures and practice will be made. Following a productive meeting with Scouting Ireland last Thursday, I am satisfied progress is being made towards addressing the concerns raised.

Chairman: I thank Mr. Smyth and appreciate the detail in his opening statement. His concluding remarks prompted a question that is pertinent to our overall discussion. They reflect a remark made to me by the public and by a journalist. There are two parts. Was it ever Tusla’s intention that the letter written by the Children First information and advice officer, CFIAO, would enter the public domain? If so, that is fine. If not, what would Tusla not have made available? The observation made to me by members of the scouting movement in Ireland, as distinct from Scouting Ireland, was that individuals are identifiable in the three examples provided. It is fair for this committee to ask about that. Could Mr. Smyth address it?

Mr. Pat Smyth: I agree that is a fair question. Regarding the first case, it is important to say that. Regarding issues concerning child protection, Children First and working with organisations, it is always Tusla’s intention to work directly with those organisations. The letter sent to Scouting Ireland was addressed to it. Our expectation was that Scouting Ireland would respond directly to Tusla on the matter. In the first case, it is not, and was not, our intention for the letter to make its way into the public domain because we would have expected it would have been worked through, and that the issues in it would have been worked through in the normal course of business. That underlies part of the answer to the second question. In this case, the detail in the letter was especially for the benefit of Scouting Ireland. It was aware of these cases. The matters raised in those cases were about trying to point to the seriousness of the concerns of the people who wrote the letter. That is the reason for the detail. It pointed directly to those cases.

Chairman: It was useful to put that on the record from the outset.

I invite Senator Noone to commence.

Senator Catherine Noone: I thank Mr. Smyth for his presentation and for attending this morning. No more than any organisation, Scouting Ireland is full of good people who work very hard with children and do amazing work. I do not have children myself but friends whose children are involved with Scouting Ireland have had a predominantly positive experience. It is important to state that. The issues that have been brought to light are serious and need to be dealt with in a serious and thorough way. Is Mr. Smyth satisfied his handling of this and his recommendations in the letter are appropriate and sufficient? Does he believe that perhaps in some instances the recommendations may be over the top or insufficient?

Mr. Pat Smyth: I will answer that. Mr. Jim Gibson, our head of operations, and Ms Linda Creamer are both social workers. I shall ask them to assist with some of the answers by providing their view, as professionals, on some of the matters.

At a high level, the demands the public have placed on all organisations regarding child protection are extremely high in Ireland. We are certainly at the top in terms of the demand, at least. I accept it is difficult for Tusla and other organisations to put in place measures that are constantly sufficient to meet that. That is the demand we have been set.

With regard to the engagement with Scouting Ireland, the matters raised are in the context of social workers and practice experts knowing there are other issues. The engagement initially was retrospective engagement on abuse cases. Looking at the current cases was a normal process to determine whether current referrals are meeting the standards required. It was in that context that the letter was issued. I am satisfied that our approach was the right one in that case.

Senator Catherine Noone: The overnight trips, in particular, is the area that has received the most attention. Is Mr. Smyth satisfied with Tusla's interactions, or at what stage are they in terms of what would be deemed appropriate? I have heard and read stories that parents have to stay up all night to supervise children when asleep. That seems at least somewhat over the top. Could Mr. Smith shed more light on that aspect of the concerns raised?

Mr. Pat Smyth: I shall ask Mr. Jim Gibson, chief operations officer, to give the Senator some insight into that because it relates to practice.

Mr. Jim Gibson: I shall refer to the eight recommendations in the letter of February. Being clear about the wording and terminology used would greatly assist us. Ultimate responsibility lies with organisations to have in place safeguarding measures that assure them that children and other young people are safe from harm. Recommendation No. 6 states clearly there should be an immediate review. We were asking Scouting Ireland to review the current arrangements across its organisation. I am referring to the service in totality and the number of dens in every county and community. We were asking the organisation to review the supervision in scouting. Second, because of the current referrals, reviews and the incidence of child-to-child inappropriate sexualised behaviour in the confines of sexual abuse, we were also asking Scouting Ireland to consider the viability of continuing with overnight trips given the concerns outlined. If one reads into that, the communication probably voices professional language within the context of how one needs to communicate with organisations. If Scouting Ireland reads into that, it again needs to look into its overnight camping trips and what safeguarding measures are in place. We would possibly have a view on that given the concerns flagged by Scouting Ireland and formal referrals to our child protection services across the country. We were saying it was for a Scouting Ireland to examine the viability.

It is also a matter of parental responsibility. If I had a son or daughter who wanted to go to Scouting Ireland, I would want to talk to the scout leader about what measures were in place that would assure me, as a parent, that I could allow him or her to go on a scouting trip.

Senator Catherine Noone: I am sorry to interject. Is it not fair to say that many of the volunteers are parents of children involved?

Mr. Jim Gibson: Absolutely. It is a matter of how they are deployed, particularly at jamborees and on overnight trips. In that correspondence, we asked Scouting Ireland to look at that. We had a very fruitful meeting last Thursday where there was clear collaboration and partnership with Scouting Ireland. I chaired that meeting. We had a very specific agenda, which created a space where we could have an open discussion about the issues and concerns we raised. This led us to an agreed action plan that the interim CEO read into the record here. This is where Tusla and Scouting Ireland want to be because notwithstanding where we got to

in the political and public arena, it was never the intention of Tusla to go there. As Mr. Smyth outlined, the correspondence about our concerns was directly to the CEO. We did not see these concerns as insurmountable because if they were insurmountable, it would have been a different type of correspondence. We knew progress was being made and that Scouting Ireland had been very transparent and had integrity regarding historical abuse but we were looking at the overall landscape in the context of the concerns. We feel it is a work in progress. I am very satisfied with the engagement I had with Scouting Ireland last week, that there is partnership and collaboration going forward and that Scouting Ireland has agreed the action plan, which addresses the issues. It sets Scouting Ireland in a good place in terms of us working with it to ensure it is not just compliant with the statement of intent, which is the safeguarding statement, but that it works with us in assuring us that practice in the organisation mirrors its policies and procedures and that we look at the issues of the helpline. We have reached a good space where there will be an independent review, which I will commission. I will be collaborative in respect of its commissioning. I will go to one of the stated universities that has a track record of doing good research on that.

Senator Catherine Noone: It goes without saying that all of us - the members of the committee, Tusla and Scouting Ireland - want children to be safe. It is important to bring into the debate the balance that needs to be struck. It goes without saying that in the vast majority of cases children have had very positive experiences on overnight trips. A knee-jerk reaction that involves stopping all such trips is probably a step too far. I would be very interested to hear how the interactions go and what is concluded in that regard.

Mr. Jim Gibson: The correspondence in February that set out the recommendations was not a knee-jerk reaction. The knee-jerk reaction might have been somewhere else.

Senator Catherine Noone: I am not suggesting that it was a knee-jerk reaction on the part of Tusla. It was the public-----

Mr. Jim Gibson: I stated clearly, and I am sure Scouting Ireland will confirm what I about to say, that we see Scouting Ireland as an essential organisation within the fabric of Irish society. It sits in the realms of universal family supports-----

Senator Catherine Noone: It is second only to the GAA in terms of positivity for children.

Mr. Jim Gibson: Absolutely. It is a great support to mums, dads, children and young people across the country. I was a scout once upon a time. Tusla never set out to deconstruct a really good organisation that has much to offer children and young people across the country. Senator Noone can have a copy of the meeting's agenda. The meeting was about creating space where we could have a good conversation, which led us to a good place in agreeing an action plan. Again, there was a bit of toing and froing on that but we came to an agreement on the action plan and sent it today. This sets the scene for us to go forward, as I am sure Scouting Ireland will agree. We can provide an update on that to the committee.

Deputy Denise Mitchell: I thank the witnesses for coming before us today and for the opening statement. I have a few questions about the letter. We are getting conflicting stories in the media. This letter refers to cases A and B. Are they recent cases? By recent, I mean whether are we talking-----

Ms Linda Creamer: The cases are from 2018.

Deputy Denise Mitchell: In that case, we have contradictions on both sides. I am happy

that Ms Creamer clarified that we are talking about 2018.

The eight recommendations were mentioned. For the benefit of members of the public, will the witnesses walk us through the process when an allegation is made? What should Scouting Ireland do and what does Tusla do thereafter?

Mr. Pat Smyth: I will respond to that in a moment. Ms Creamer is responsible for services in Dublin north east. It is important to state that the referrals were being reviewed within Scouting Ireland because of the historical, retrospective cases. The examination of current referrals was done in that context. I will ask Ms Creamer to outline the process involved.

Ms Linda Creamer: In 2018, we had 56,000 referrals. They come from mandated persons, members of the public and people working with children. They come in through the front door, which is our duty service. When they come in at that point, they are screened in terms of meeting the threshold for harm or significant cause for concern. If a referral does not involve child protection and family support is needed, it would go through another part of our services. All the referrals are screened at the front door. We then contact the family and get the details of the allegation. We might visit the family or ask it to come in. If there is anything involving sexual abuse or high-level harm, An Garda Síochána will be notified as well. An intake record would be written up. This would provide all the details. Anybody involved with the family would get involved in that assessment. If it meets the threshold, we would move to carry out an initial assessment, if required. A case could be closed very quickly. If a child says something in school, for example, that something happened to him or her the night before, it would get an immediate response. Alternatively, we could get a call from a member of the public saying that he or she saw something happening such as children being hit and that will get an immediate response. They are all screened and prioritised. We have immediate responses where duty workers would go out and then we also have cases where we would gather more information and make a decision within five days as to whether to do a more comprehensive assessment.

Deputy Denise Mitchell: What about case A?

Ms Linda Creamer: They would come under a standard reporting form so Scouting Ireland would report to us through a standard reporting form, which it did.

Deputy Denise Mitchell: Does Tusla think it incredible that a child would be interviewed on three occasions?

Ms Linda Creamer: Again, that is one of the challenges in terms of making sure we are where we want to be regarding policies and procedures. Best practice would be that one would not interview children. There are many reasons for that. Social workers are professionals and are clearly trained to do that. Many members of An Garda Síochána are trained in specialist interviewing so they work together in interviewing a young person. Best practice is that the smaller the number of interviews, the better.

Deputy Denise Mitchell: That particular case seemed to be handled pretty badly. Did Tusla have any concerns at the time that Scouting Ireland was setting up a helpline?

Ms Linda Creamer: Initially, we did not have concerns. In respect of the Children First information officers beginning to do their work, we must remember the context, as Mr. Smyth has already noted. This came out of the retrospective work. Scouting Ireland is working very closely with us and An Garda Síochána in terms of retrospective cases. Given the fact that an independent review of Scouting Ireland commissioned by the Minister was published in June

2018 and the serious concerns within that review about processes and how complaints were managed, the Children First information officers were urgently allocated to work with Scouting Ireland to bring the policies and procedures up to date. In our view, they were not up to date in terms of Children First in 2015 or in terms of guidance and practice. This guidance and practice is there for all organisations that are producing their safeguarding statements and their policies and procedures. Within that, there is guidance over ratios when travelling away with children, supervision, etc. That is all there.

We felt an urgency to get their attention, given the report that we had last year and given the concerns that we had in the six referrals. There were 21 referrals altogether involving 13 separate instances. Six of those, including one in the recent helpline, are very concerning, and the impact on those young people can be quite significant at an emotional level. That is why it was urgent to meet.

When we met on 8 January, a plan was agreed. However, it took four weeks for them to come back and we had to write to the CEO because the CEO, under Children First, is responsible. The CEO is the person who must delegate this work. That is why we would go and talk to the CEO. It is standard that we would talk to the CEO or that we would go in to the board and make a presentation to bring it up to scratch.

What we have asked for is the implementation plan of the safeguarding statement. That is where the difficulties are because there are lots of blanks in that and there are lots of matters on hold. Since we met on Thursday last, I understand there is a more up-to-date plan. The team is meeting them tomorrow in terms of getting more up to date. Given the concerns that these cases involve young people late at night in fields, and they are very serious allegations, we felt an urgency. We were not getting this response as quickly as we wanted and hence we wrote to the CEO.

Deputy Denise Mitchell: I will draw Tusla's attention back to the helpline itself. Scouting Ireland set up a helpline and Tusla had no concerns. Tusla stated it is looking at such matters as legacy cases. Then Tusla set up a helpline. How many calls were received by the Tusla helpline?

Ms Linda Creamer: The Tusla helpline received 23 calls in the past couple of weeks.

Deputy Denise Mitchell: No. I refer to the one that it opened.

Ms Linda Creamer: The first one received 45.

Deputy Denise Mitchell: Why did Tusla close the helpline? Was it closed before Christmas?

Ms Linda Creamer: Yes. We closed it at the time. There were not any more calls coming. We were talking to Scouting Ireland on Thursday. Our concern is about best practice. Individuals are ringing up about something that happened to them when they were young. They are quite traumatised by it and then there is all the media attention. It brings up a lot of emotional feelings. They ring Scouting Ireland's helpline. We are not saying that the team in Scouting Ireland is not able to do its job. We are not undermining them by any sense of the imagination but we are asking, in terms of the sensitivity of it, whether it is appropriate and transparent enough for Scouting Ireland to be providing the helpline.

Deputy Denise Mitchell: My concern is that there were 23 calls to the Tusla helpline to

date and the one before Christmas received 45 calls. It seems that the Scouting Ireland helpline received a large number of calls. This is where I am concerned. If the State agency only had 45 calls and Scouting Ireland was getting more than 100 calls, what was happening with that information? Was Scouting Ireland passing its calls on to Tusla?

Ms Linda Creamer: Scouting Ireland is working closely with us on the retrospective cases.

Deputy Denise Mitchell: Is there full co-operation? Has Tusla been getting all that information?

Ms Linda Creamer: On all those, there is.

Mr. Jim Gibson: There is a difference of view with Scouting Ireland and Tusla in respect of the working of the helpline. We have come to an agreement that we will get an independent evaluation of that and be guided by the independent evaluation going forward. That addresses the issue, here and now. In fairness, we acknowledge Scouting Ireland's work in putting in place arrangements to deal with historical and retrospective cases and trying to facilitate past members of the scouting movement to be looked after.

In our meeting last week, the CEO outlined how Scouting Ireland feels it is best placed to deal with that. It feels a commitment to that but it also feels that it has a knowledge of where scouting movements existed and how it could quickly identify areas, etc. We would have a concern that independence is possibly needed because someone who has had an experience of historical abuse may need to have someone independent to talk to more freely. We came to a place of understanding and agreement that we will have an independent review. I have asked Scouting Ireland also-----

Deputy Denise Mitchell: When will that take place?

Mr. Jim Gibson: I have asked Scouting Ireland to do the initial draw on the terms of reference and the methodology and then we will work with a university. We have a working relationship with NUI Galway's institute for lifecourse and society. It has a lot of research on social care. We will possibly look to that university to undertake that independent evaluation review.

Deputy Sean Sherlock: I will start with the helpline, as we are on that theme and to follow-on from Deputy Mitchell. There seems to be, if I am interpreting it correctly, common ground emerging between Scouting Ireland and Tusla in respect of the helpline. Will Mr. Gibson help me to understand what the independent review will mean in real terms? If they go to an academic institution, what will it be tasked with doing? Will it examine every case and does it have the statutory authority to be able to examine every case? Is it a logging and documenting exercise? What is the nature of the independent review? If there are clear statutory obligations in respect of the historical cases - I make the distinction between the historical and contemporary - I still do not understand from what Mr. Gibson stated how that process will be managed. If Mr. Gibson can enlighten me on that in the first instance, I would be grateful.

Mr. Jim Gibson: The university of choice would not be solely academic. The lifecourse institute in NUI Galway is proactive in research and members of its staff would have come from practice as well. It is highly recognised for good research into practice.

The purpose of the independent evaluation would be to tell us that this is fit for purpose and it is working in a way that it is able to receive conversations and to be astute in how it manages that information and when it passes on that information. It is about being fit for purpose. It is

about its ethos. It has a shared ethos because it is not only Scouting Ireland that has an interest in this. Government has an interest in it. Tusla has an interest in it. Adult counselling services have an interest in it as well. An Garda Síochána may as well.

Where we have a difference of opinion about who should be doing it, I, as the chief operations officer, COO, introduced the concept of having someone independently evaluate the current helpline and make recommendations on how to adjust that if required on the basis of ensuring that a citizen of this country is dealt with in a right and proper manner if he or she had an alleged historical abusive experience in Scouting Ireland.

Deputy Sean Sherlock: On that, Scouting Ireland will tell us that it has a team of professional staff who have listened and engaged and it would have notified Tusla to that effect. Personally, as one member of the committee, I take in good faith that a process is under way in respect of the historical cases, notwithstanding the fact that Mr. Elliott, who has a strong track record on this, is also involved in that process and has good form in respect of Cloyne and other issues. I take that in good faith and I am satisfied with that.

I refer to the 18 February letter from Tusla to Scouting Ireland. The explosive line in that letter relates to the overnights. Did Tusla have any sense of the hurt and shock that it would cause when that letter went into the public domain in respect of the thousands of volunteers and parents who have gone through Garda vetting and child protection training and would see themselves as being protective and compliant in every way? Did Tusla have any sense of the sheer hurt and the magnitude of that statement, as well as of the potential effect of closing down an organisation in one fell swoop? One of the main *modus operandi* of scouting is that children experience overnight camping. The letter was devastating to the thousands of innocent and decent people who give hours of their time to Scouting Ireland, who are dedicated to this lifestyle, and do so for the common good and the purpose of bringing benefit to society. Does Tusla feel any regret for including that in its letter of 18 February?

Mr. Jim Gibson: We outlined at the start that Scouting Ireland, like many other voluntary agencies, does an immense amount of work with children on behalf of society. We need to outline again that Tusla's role, from a practice perspective, has been clearly about trying to ensure best standards are met across all organisations in terms of that difficult area which is ensuring all children are protected as best we can. The letter from Tusla was to Scouting Ireland. It was not a letter to the public.

Deputy Sean Sherlock: With respect, the letter came into the public domain via the Minister herself on foot of a Topical Issue matter which Deputy Rabbitte and I put down. I will not go into the modalities of that now. The fact is that the letter is in the public domain and was put there by the Minister herself.

Notwithstanding the child safeguarding statement and the Safety First legislation, Tusla is stating there is a job of work to be done in respect of compliance with the safety statement. That is the role of the professional staff in Scouting Ireland. I want to make a distinction between the role of the professional staff regarding their obligations. It is mapped on to the letter Tusla sent. In three – certainly two - of the cases, a professional person in Scouting Ireland made an intervention that could be deemed to be inappropriate in respect of whether it was compliant with the child safeguarding statement. We need to make the distinction between that and those episodes. One could argue that when those incidents occurred, that the volunteers who were on the ground came in straight away and notified the relevant person in charge of safeguarding. It was thereafter that there might have been a failure of process.

It is important to make the distinction that the volunteers on the ground, who go through the child protection training and receive their instructions from the professional staff as to their obligations, are without blemish in this instance.

I want an understanding of that dynamic from Tusla. If it acknowledges this distinction today, that will go some way towards assuaging the thousands of people who perceive that Tusla came down heavily on volunteers. One has to accept there is always risk but, in the main, the bulk of volunteers across the country are compliant and *au fait* with their obligations as parents and volunteers.

Mr. Pat Smyth: I absolutely acknowledge that, in the main, the intention of those who work with any voluntary agency, be it a parent or anybody responsible for children, are absolutely right. What is at the heart of this is the role that was set out. There is that difficult and demanding but necessary issue in ensuring the practice around child protection meets the standards at which all of us want it to be. That is core to this. I will let my colleagues on the practice side respond to that a little more.

Ultimately, the letter from Tusla was about identifying practice issues and the need to improve them. I understand the Deputy's subtle distinction between-----

Deputy Sean Sherlock: It is not subtle. It is obvious.

Mr. Pat Smyth: In terms of any organisations, that is the challenge all of us have as citizens. I am a citizen, a parent and a member of voluntary organisations. I understand and feel the difficulty all of us have in terms of ensuring we try to do the right thing all the time. That is the standard we are asking of everybody. It is something that every one of us as citizens recognises we have to do. Every organisation in which we are involved has that necessity to train and ensure all staff involved and, more importantly, volunteers involved are aware of the practice of the policy and the procedures.

Deputy Sean Sherlock: The bottom line is that, as a layperson, I interpreted the letter from 18 February as stating there were to be certain actions to be carried out by the person in charge of safeguarding within the organisation. It is clear from the letter that certain matters were not dealt with. Again, that is at the professional staff level. I reiterate there is a difference between that level of engagement and a parent's or a volunteer's level of engagement on the ground on a typical weekend. As a parent, I would have no hesitation in sending a child off to a camp with Scouting Ireland. I am happy and satisfied that the volunteers are compliant with their obligations.

The committee needs to be satisfied that the process under way with Scouting Ireland is actually addressing the issues of the letter of 18 February, that there is a cascade effect regarding Children First and that Tusla is satisfied that a process is under way which will give confidence to everybody, particularly those outside of Scouting Ireland who are not necessarily *au fait* with policies, procedures, practices or the culture which exists within the scouting family. It is the public which needs to have confidence on this matter.

Mr. Pat Smyth: The process that is under way is about addressing those issues. As Mr. Jim Gibson and Ms Linda Creamer said, the engagement with Scouting Ireland has been positive. The action plan is fundamentally about addressing those issues and concerns.

Deputy Sean Sherlock: When is Tusla meeting Scouting Ireland next?

Mr Jim Gibson: Tomorrow.

Senator Joan Freeman: I know how difficult Tusla's work is but it is obviously important we question the agency as well as Scouting Ireland. I know Tusla will have the helpline evaluated. In its letter of 18 February, it stated how it was a significant conflict of interest. I do not agree with Tusla. The most important people to answer that helpline are Scouting Ireland. They are the people who understand scouting much more than Tusla or the Garda. Although it is important that they are very much involved, of course, they must be supervised because of the information they receive which needs to be passed on to Tusla management.

I get a different tone on this issue from the Tusla representatives today than at the last meeting of the committee, or in the letter, for example. The letter was very serious, critical and straight to the point. Why is the tone now different? Why did the Minister believe she had to read the letter in the Dáil? Was she advised to do so? There are a couple of issues mentioned in the letter on which Scouting Ireland stated it had no information and which had not been discussed. Why were such issues included in the letter before Tusla had discussed them with Scouting Ireland? To me, it seems that Tusla had to cover itself by putting together a very strict and difficult letter that was going to be made public. What happened in that regard? Why is the tone of the Tusla representatives so different today? Tusla and Scouting Ireland seem to be delighted with each other now. Is that the case?

Mr. Pat Smyth: My colleague Mr. Gibson will respond to some of the details raised by the Senator. As I stated, the letter sent on 18 February was a direct letter to Scouting Ireland about our understanding of an ongoing process to improve its policies, procedures and practice. It addressed our concerns in that regard.

Senator Joan Freeman: Mr. Smyth did not think the letter would be made public.

Mr. Pat Smyth: That is not the way this business is improved on an ongoing-----

Senator Joan Freeman: Mr. Smyth did not think it was going to be made public.

Mr. Pat Smyth: I did not. The issues that emerged would have been dealt with differently if they were to be addressed in public. In the engagement between Tusla and Scouting Ireland which involves an ongoing process of examining retrospective cases it is very clear that the need to look at current practice is the priority. As interim CEO and an employee of Tusla for the past six years, I know that the underlying question for any Tusla employee is whether we are doing enough to protect the children who need our services. That is the key value or motivation which informs every action taken by the organisation.

Senator Joan Freeman: Why did the Minister read the letter?

Mr. Pat Smyth: That is a question for the Minister, but I suspect-----

Senator Joan Freeman: Does Mr. Smyth know why she did so?

Mr. Pat Smyth: On the letter being read in public, the issue from the Minister's perspective is that the concern was expressed directly to her by Scouting Ireland. The Minister who needed to answer a separate question believed she needed to bring the letter to the attention of the public. I did not speak directly to her, but we did speak to the Department.

Senator Joan Freeman: Was Mr. Smyth surprised that it had been read?

Mr. Pat Smyth: That was the Minister's decision. Whether I am surprised is irrelevant. We expected a direct response to the letter from Scouting Ireland. We did not get it, which was a bigger surprise.

Senator Joan Freeman: The tone between Tusla and Scouting Ireland is now different.

Mr. Pat Smyth: My colleagues who are involved in practice may wish to address that issue. The key aspect from everyone's perspective is that we are dealing directly with Scouting Ireland in a very productive way on these matters.

Senator Joan Freeman: That is important. However, one would expect it to respond extremely well and that should be made clear. I apologise if I am asking bullet like questions, but it strikes me that there is a significant amount of firefighting. Ms Creamer mentioned the policies and procedures all organisations should have in place. Is there any monitoring to ensure organisations are sticking to those policies and procedures? This issue would probably not have come to light were it not for the emergence of the retrospective issues.

Mr. Pat Smyth: That is correct.

Senator Joan Freeman: It seems that Tusla is firefighting. Is there an officer tasked with checking that organisations are sticking to its policies and procedures?

Mr. Jim Gibson: The correspondence and the tone thereof are reflective of the legislation and the requirement for the Child and Family Agency to respond to the organisation in a specific manner when there are concerns about compliance. We are duty bound to lay out those concerns, as we did in comprehensive correspondence, to which there is a formal tone. That tone is needed to communicate key messages about concerns and issues that arose. However, the letter was solely intended for the CEO of Scouting Ireland and his management team whom we expected to revert to us and formally address the issues raised. The sole role of Tusla's Children First information and advice officers is to work with community and voluntary organisations to help them to achieve compliance. Another unit mentioned in the opening statement looks at compliance in the context of safeguarding statements. A safeguarding statement represents a position of intent. Underneath it may be the policies and procedures required to dictate good practice.

I am delighted that the tone has changed in working alongside Scouting Ireland. It is the tone that is set by Tusla at this juncture in dealing with any organisation in which there are concerns. We do not get business done by having a dogfight; rather, we do so by finding common ground and being collaborative and supportive. We have demonstrated and specifically stated to Scouting Ireland and the media that we value Scouting Ireland and want to assist and support it to be compliant. We are in a good space with it. It is clear that the agenda for the meeting on 7 March was set to create an opportunity to have an open discussion behind closed doors between Scouting Ireland and Tusla on the issues and concerns which had been raised. There are differences of opinion, but we have agreed an action plan to satisfy Tusla, Scouting Ireland, the volunteers, the Government and everyone else with an interest in this matter that we are on the right road. Scouting Ireland has demonstrated a collaborative and partnership approach in its achievements since the historical abuse that was uncovered retrospectively. There are some current issues. As chief operations officer, I am satisfied that we are in a good place, talking to one another, have good engagement and will resolve issues.

The letter was communicated in the context of other information we had on Scouting Ire-

land that heightened our awareness and capacity to communicate. However, any organisation with similar deficits or concerns would receive such correspondence. To some extent, it comes back to Tusla and the reasons for its establishment - we are damned if we do and damned if we do not. The letter was sent to the CEO of Scouting Ireland. The intention was that we would meet Scouting Ireland to get the business done. As a State agency, we are not involved in trying to undermine Scouting Ireland.

Deputy Anne Rabbitte: I thank the representatives for appearing before the committee. It is good that we waited for two weeks before having this meeting because sometimes one needs the heat to be taken out of a situation in order that everybody can approach it in a fresh and balanced way. My understanding from what has been said is that Tusla is looking at current cases. Its role is to examine current safeguarding measures. As Mr. Gibson stated, it must learn from the past to ensure there are proper compliance measures in place. How many cases are in the books of Tusla?

When Scouting Ireland was before us on 21 November, I asked its representatives how many files had been sent to the DPP in the past ten years. The question was never answered so I am hoping our guests can shed some light on the matter. On what date in 2018 did the three cases referred to in the letter come to light?

Mr. Jim Gibson: There has been commentary to the effect that the cases in question are identifiable but I caution against divulging any more information that might lead to-----

Deputy Anne Rabbitte: We can do it in quarters. Was it in the first, second, third or fourth quarter of 2018?

Ms Linda Creamer: In 2018, 21 cases were referred into our portal system by Scouting Ireland, using the standard reporting form, but there were 13 instances because in some cases there was more than one child. At the moment, Tusla has six cases that are still open. The inappropriate behaviour cases have, in many cases, been closed while the open cases are those about which there are more serious concerns.

Deputy Anne Rabbitte: What about 2017?

Ms Linda Creamer: We have a new portal system.

Deputy Anne Rabbitte: Tusla must have kept records for 2017.

Ms Linda Creamer: I do not have them in front of me but I would be able to get them for the Deputy.

Deputy Anne Rabbitte: Ms Creamer cannot provide the information I requested on 21 November.

Mr. Jim Gibson: Back then, the information was gathered without an IT system but we now have an IT system. We can go back, discuss the question with Scouting Ireland and cross-reference with 2017 to generate a report for the Deputy.

Deputy Anne Rabbitte: Ultimately, the responsibility of Tusla is to safeguard. Mr. Lee's role is in risk and quality assessment. It has been evident for a long time that Scouting Ireland did not have a proper safeguarding officer in place and this was clear from an earlier appearance by the organisation in May or June of last year. What did Tusla do when it received that information, which was in the public domain?

Mr. Pat Smyth: The implementation of the Children First legislation has been driving the demand for this. The child safeguarding unit, which was set up in 2018, is the commencement of that process and Mr. Lee can give more details on how it works. The process of identifying these cases is relatively new. I agree that the agency has a very challenging ongoing role in ensuring that all organisations in the country working with children have these processes in place.

Deputy Anne Rabbitte: Can Mr. Lee explain the statement that the CSSCU had been engaged with Scouting Ireland since 27 November 2018, which culminated in the child safeguarding statement being deemed compliant on 13 February 2018. I do not understand the statement.

Mr. Brian Lee: Every relevant organisation that works with children is required to have a child safeguarding statement. In March last year, Tusla set up the compliance unit for this and when we made contact with Scouting Ireland in November 2018 we received its child safeguarding statement. My team did an assessment of the statement and there were some gaps in its risk assessments, as well as missing information. The philosophy of the team is to bring services to compliance. It is about supporting organisations to improve their safeguarding practices, etc. In the months after this, Scouting Ireland improved its safeguarding statement and we were able to deem it compliant. It is important to state the difference between compliance with the statement and compliance in terms of practices on the ground. The Children First Act specifies compliance with a statement of intent and every organisation that works with children has been required to be compliant with that since March last year. It is like a health and safety statement on the wall of an organisation's offices - it does not necessarily affect practice on the ground.

Deputy Anne Rabbitte: I understand that the statement of intent was compliant. Is Scouting Ireland compliant in terms of child safeguarding as of today?

Mr. Brian Lee: It is compliant in terms of the compliance statement. My colleagues will answer the question.

Deputy Anne Rabbitte: The statement is one thing-----

Mr. Pat Smyth: A plan is in place to allow Scouting Ireland to assure everybody that it will be compliant. It is the responsibility of Scouting Ireland to ensure that it has the processes in place. We have identified gaps in policy, procedure and practice and brought them to its attention in our letter. Scouting Ireland is working towards the delivery of that.

Deputy Anne Rabbitte: If I hear Mr. Smyth correctly, the statement of intent is compliant but it is not wholly compliant in terms of delivery.

Mr. Pat Smyth: We are working with Scouting Ireland to allow it to take on the recommendations in the letter. I expect the organisation to bring itself to compliance with them pretty shortly.

Deputy Anne Rabbitte: Timelines are missing from the statement and action plan. I read the presentation before our guests arrived. The only question a professional would have of Tusla, if he or she could sit here and ask it, would be whether Scouting Ireland was compliant or not compliant. I understand that everybody is working on the statement of intent but I do not see any timelines. The only date contained in the six points Tusla made for us was for a meeting tomorrow. Why has Tusla failed to provide us with dates and timelines for the delivery of actions?

Mr. Jim Gibson: The Deputy stated that two weeks would create a bit of space for people to establish communications and collaboration. There is a briefing note on the action plan and more detail will be agreed tomorrow. Point 6, on the adjustment to the action plan, was only agreed last night. It is a work in progress and we will define the interaction with Scouting Ireland, agreed on Thursday of last week. We will draw up a timetable and a methodology for reviewing and reflecting on the actions and for monitoring them going forward. One of the actions is to be achieved on 14 March. That is the way we do business. We now have an agreement on the six points and we will have a further engagement tomorrow to put in place a service improvement plan.

Deputy Rabbitte also asked what we did in the area of roles and responsibilities within Scouting Ireland. In the letter, we raised issues regarding Children First and safeguarding within the organisation. Scouting Ireland is working on those and has assured us that a safeguarding manager will be appointed this week.

Deputy Anne Rabbitte: The advertisement had gone into the paper the day before our previous meeting with Scouting Ireland. It is unfortunate that we are having another meeting now but the safeguarding officer has still not been appointed. I accept that, following all the furore about this, it would have been difficult to recruit such a person. I would welcome an announcement on that tomorrow. I am also reassured when the witnesses say there will be collective and collaborative working between Tusla and Scouting Ireland and that it is going to be dated. What happened on that particular week left a very sour taste in the mouth for the vast majority of the 40,000 volunteers and parents in the various clubs and dens around the country. They felt very let down and that each one of them had been tarnished with the one brush, which was highly unfortunate. As Deputy Sherlock noted, as far as they were concerned they were compliant and were doing what was asked of them. That must be acknowledged. I believe that Tusla must be stronger on that point.

Mr. Jim Gibson: I believe that we have shown empathy with regard to that situation, which was not of our doing. We also need to reaffirm with parents that they must assure themselves there are good safeguarding measures in place where their child is going. The ultimate responsibility lies with parents and with organisations to ensure there are good safeguarding measures in place in order that children will not be harmed. This is a big question for all of us in society. If a parent or guardian is letting a child, or a niece or a nephew off to an activity then the adult needs to be clear that despite having all the policies and best practice in place, those who are intent on harming children can get themselves into positions to do that. It must be at the forefront of everybody's mind to ask those clear questions. We say this to all organisations. This is not just about Scouting Ireland. Any organisation that provides services for children needs to do its utmost to protect them. We need to make that distinction. It is not just about Scouting Ireland. It applies to all other organisations in our communities that provide such services.

Deputy Anne Rabbitte: I have one last brief question for Mr. Smyth about his conclusion. Perhaps Mr. Smyth could expand a little on that. Mr. Smyth said: "It was and remains Tusla's intention that the matters raised with Scouting Ireland as part of this process will be dealt with between both organisations to ensure improvements to policies, procedures and practice will be made." What is the role of the Department of Children and Youth Affairs in all of this? As the funding agent and as the overall body, has the Department of Children and Youth Affairs any role here at all?

Mr. Pat Smyth: The responsibility with regard to Children First and with child protection rests with Tusla. As the funding body that funds many organisations, the Department has a role

around the funding and this is the case with regard to Scouting Ireland. The divisions are clear and are relatively clear in my mind. Will the Deputy clarify?

Deputy Anne Rabbitte: The Department of Children and Youth Affairs uses taxpayers' money and we need to ensure it is being well spent and is going to organisations that are compliant and that achieve the policies and procedures as set out by the legislation. The watchdog for the legislation and the children is Tusla. I would have thought that the Department of Children and Youth Affairs is very much part of that triangle.

Mr. Pat Smyth: It is, in terms of the funding piece, but the role of Tusla is about child protection and the implementation of Children First. The Department has an ongoing process with Scouting Ireland. The Department funds Scouting Ireland directly and that is the engagement it has. As we said this morning, from Tusla's perspective we have set out to ensure that Scouting Ireland's procedures, policy and practices are compliant and sufficient to assure everybody that, as with other organisations, children are safe.

Deputy Anne Rabbitte: Does Mr. Smyth think that if there was more communication between the Department of Children and Youth Affairs and Scouting Ireland - who are all part of this - then perhaps what happened two weeks ago could have been avoided?

Mr. Pat Smyth: I cannot comment on that, other than what was said earlier: the communication between Tusla and Scouting Ireland was directly between those two organisations.

Deputy Lisa Chambers: I thank the witnesses for coming before the committee today. It is unfortunate that we are where we are and that two organisations that work quite well together have found themselves in a highly public conflict on a very serious matter. I agree with Deputy Mitchell that there have been conflicting reports around how things happened, what transpired and who said what and when. When something is put on paper and when Tusla wrote that letter it must have known it would go into the public domain. That is how the world works even if the intention was that it would stay private. When one sends a letter to a large organisation, knowing it is probably not going to be received too well and might cause some upset, it is not surprising that it would enter the public domain in some way. It is also not surprising that the Minister requested the letter the moment she discovered the letter existed. Given the pressures of this particular job, the immediate thing to do was to publish and put it out there. The minute that pen was put to paper and there were words on a page, it was going to become public at some point. That is just the reality. Even if it had not been published, the letter would have been the subject of a freedom of information request at some point.

That letter had quite a significant impact on many thousands of volunteers across the country. There was concern among parents who wondered if they had sent their children to an organisation that is not safe. They wondered if they had asked the right questions or if they had been too trusting. There was a direct and significant impact on a very large organisation and on many families across the country. Perhaps it might have been handled in a different way. I acknowledge that hindsight is great. It is easy for us to sit here and say that we might have done things differently, with the benefit of hindsight. I appreciate that Tusla was in a particular position where it had to take action and that there were genuine concerns on its side.

Tusla is a very good organisation. At times it becomes mired in controversy because it deals with historic legacy issues, which is a difficulty for the organisation. I have said before in this committee that Tusla needs to do a little bit more around putting out the good work it does, highlighting the positive impact of Tusla and all of the really good stuff that comes out of it.

With regard to the safeguarding statement issued in February around Scouting Ireland being compliant, there was a perception - even for those of us who are active on this committee and who deal with Tusla regularly - that the organisation was fully compliant right across the board, and that the procedures and practice on the ground were compliant. Perhaps communications need to be looked at for future situations so that what is actually meant is explained better. I refer to Mr. Lee's example that having a health and safety statement in a building or an organisation does not mean that health and safety practice is up to scratch, and that perhaps we need to explain ourselves a little bit better.

I take on board that Scouting Ireland was taken aback and very upset by the letter sent to it on 18 February. Can the Tusla representatives talk the committee through what led it to compile that letter? Where did Tusla get the information? It appears that there were no conversations with Scouting Ireland before the letter was sent. Where did Tusla get the information? Were there any phone calls, interactions or advance warnings with Scouting Ireland to indicate that Tusla was looking into the organisation and at its processes and that Tusla was probably going to have to draft a serious letter and seek further engagement? Did any of that happen or was it just drafted within Tusla without any outside interaction at all?

Mr. Pat Smyth: I will ask my colleague Ms Lisa Creamer to address the detail of that. It is important to say that the engagement with Scouting Ireland was quite different to engagement with lots of other organisations in that we were dealing with retrospective issues of abuse going back. The position of Children First information officers was in that context. The idea that there had not been contact on issues regarding practices, policies and procedures would not be the case. I will now ask Ms Creamer to go into the detail of what work was done before the letter was sent.

Ms Linda Creamer: Two Children First information officers were allocated to work with Scouting Ireland late last year. This was in response to another part of our organisation working on the retrospective cases. In addition, we had concerns about the independent review. We were supporting the organisation in that regard. All of the Children First information officers support agencies to develop their policies and practices. That happened last year. We had a meeting on 8 January this year to discuss how we were going to move forward. Scouting Ireland had an implementation plan but there were holes in the plan and we asked it to fill them. In fairness, the organisation was waiting on the safeguarding person to come into post. However, many things can be done without having that person in place. A subgroup made up of members from around the country was to be established to discuss Children First and what the policies and procedures are, for example, ratios of adults to children and who will supervise where children are sleeping overnight in fields of tents at a jamboree. We need the detail behind that and that was the kind of detailed information we wanted at the meeting of 8 January. At that meeting, there were certain things the Children First information officers and Scouting Ireland were to do. These included talking to the board about the roles and responsibilities. Under Children First, there are designated liaison persons who are nominated and should be in all the dens, as I am sure they are. We need to be sure, however, that a designated liaison person is in each den and everybody in the den knows who that person is and what his or her role is under Children First. Should something happen, people could then go and talk to that person.

At the meeting of 8 January last, we also asked Scouting Ireland to look at its code of practice, which does not meet the needs of Children First. We wanted it to get together this subgroup together, with young people, and have young people contribute towards developing that code of practice. There would then be ownership by young people. We want Scouting Ireland

to talk to young people about how to behave and not to behave and to tell them that if something bad happens in a tent, they should not be afraid and should talk to the designated person. There are suggestions that some children are intimidated by other children. We wanted these documents to include a great deal of practical material, including den-related matters, as well as the broader picture and bigger issues.

The meeting was held on 8 January and we communicated with Scouting Ireland several times in January to elicit a response on some of these pieces of work. We had still not received a response by 14 February when Scouting Ireland came back and said it was working on the various issues. We wanted to meet it again given the concerns clearly outlined in the 2018 review around confidentiality, trust in the different layers of the organisation, and the way in which information filters down from senior management to ground level. There were serious concerns in this regard and we put Scouting Ireland under pressure to move faster because it could not wait for the safeguarding person to come in and noting that there was other expertise in the organisation that could help do it. We needed to get to a place very quickly where the dens and volunteers all knew what was expected. It has comprehensive induction but even with that, we needed improvement. All of the policies and procedures in place in Scouting Ireland were out of date and we needed it to bring them into line with the Children First Act.

Deputy Lisa Chambers: Was Ms Creamer somewhat surprised that Scouting Ireland was surprised to receive the letter?

Ms Linda Creamer: We were very surprised that it was surprised.

Deputy Lisa Chambers: That is fine. I am sure we will hear more from Scouting Ireland and its view as to how all of that developed. There are probably two interpretations of how this issue unfolded.

Ms Linda Creamer: What we want to do is work together and get this done as quickly as possible.

Deputy Lisa Chambers: Was the request from the Department of Children and Youth Affairs just a simple request that the letter be provided or was there anything further on that?

Ms Linda Creamer: That request came into Mr. Gibson's office.

Mr. Jim Gibson: That was a telephone conversation made from the Department on foot of the correspondence that Ian Elliott had made to the Department on receipt of the Tusla correspondence. If the Department of Children and Youth Affairs and Minister ask for something, as a public servant one gets it. That is the bottom line. The letter was transferred. If the Chairman was sitting in my position, he would understand that. The Department is our governing body and if it asks for material, as it frequently does, we have to provide information that is required.

Deputy Lisa Chambers: What was the content of the telephone conversation? Was it simply a request for a copy of the letter?

Mr. Jim Gibson: It was a request for the correspondence on foot of the email had been received from Ian Elliott who was working with Scouting Ireland.

Deputy Lisa Chambers: Were there any further discussions during that conversation about the issue?

Mr. Jim Gibson: My response was that I needed to check what the correspondence was

and what the issues were, and I would come back to the Department with the correspondence. On foot of that conversation, Ms Creamer, who was in the building in which I am based, and I discussed the matter. The correspondence was generated from Dublin north-east, where Ms Creamer, who holds the lead role for Children First in Tusla across the country, is based.

Deputy Lisa Chambers: When the correspondence was received by the Department, were there any follow-up conversations by telephone or email or was that the last Mr. Gibson heard on that?

Mr. Jim Gibson: No, there was conversation regarding the intent of the Minister and what would happen with the correspondence.

Deputy Lisa Chambers: Who were these conversations between?

Mr. Jim Gibson: These were between civil servants and me.

Deputy Lisa Chambers: What were these conversations about?

Mr. Jim Gibson: Is that a place I need to go?

Deputy Lisa Chambers: What I am trying to get to-----

Mr. Jim Gibson: It was basically informing me that the Minister was concerned, she would be in the Dáil and she would be asked questions and needed to have relevant information at hand to respond. That was the gist of it - end of.

Deputy Lisa Chambers: Was Mr. Gibson informed about the intention of the Minister to publish the letter on the website?

Mr. Jim Gibson: Yes, this was advised through our communications department.

Deputy Lisa Chambers: Mr. Gibson was aware in advance that the letter would be published and a statement would be made in the Dáil.

Mr. Jim Gibson: Yes, absolutely.

Deputy Lisa Chambers: Was Mr Gibson happy enough with that practice? The reason I ask is that Mr. Gibson has told committee it was never intended to publish that letter, Tusla did not want it in the public domain and it was meant to be between Tusla and Scouting Ireland. Tusla was then in a position where the Department requested the correspondence and had informed Mr. Gibson that it would be published and there would be statements in the Dáil. The matter escalated very quickly from-----

Mr. Jim Gibson: We were aware that this would be an issue. Our communications department was in communication with the Minister's communications people. That is the prerogative of the Minister. We were clear about our position and our concerns in relation to Scouting Ireland and the content of the letter. That was the end of the conversation. The Minister was in the Dáil that afternoon.

Mr. Pat Smyth: It is fair to reiterate that the letter went to the CEO of Scouting Ireland. In the normal course of business, it is understood and it would be expected that when a letter goes to the CEO the correspondence back to Tusla would be from the organisation. That is not the space we wanted the letter to be in and there are definitely challenges to us in doing our business. Ultimately, we know that every document we have is subject to the Freedom of Informa-

tion Act and will be out there at some stage.

As to the immediate actions and the need to get something moved on, the expectation always is that we can do that with the organisation. With any organisation we are writing to, we always want to be in a space where the actions are back to us and it is not the case, as occurred here, that the body writes to the Minister and puts the matter into a completely different space.

Deputy Lisa Chambers: That is the point I was making the outset. The minute Tusla is asked for that letter, it knows it will become public at some point. It is part of the responsibility and one of the challenges of doing the job.

Mr. Jim Gibson: We have had this conversation with Scouting Ireland to the extent that our correspondence was directly to it. It would have been a better place if Mr. Elliott's correspondence had been to me, as the chief operations officer, to start that discourse and get to that place of understanding and collaboration to resolve whatever issues had been flagged. Scouting Ireland has explained to me that it was duty-bound to share that correspondence with the Minister because it was requested to do so if there were any other concerns.

Returning to our correspondence and interaction with the Department and Minister, the bottom line is that they shared our concerns in response to the correspondence that we sent to Scouting Ireland. We did not receive a response from Scouting Ireland. Our Chairman was on various media and gave a good account when asked about the *modus operandi*. It should have come straight back to us and we could have been doing our business. It may never have ended up in the public domain at all.

Deputy Lisa Chambers: I take the point. My final question relates to the action plan and the six points therein. I appreciate that this is just a summary and that the plan is much larger. When will the action plan be reviewed and who within Tusla is responsible for reviewing it and ensuring its implementation?

Mr. Jim Gibson: I will be delegating that function to Ms Creamer, the service director with lead responsibility for Children First. I will have oversight of that and will have ongoing discussions with Ms Creamer and with Scouting Ireland on it.

Ms Linda Creamer: We will have our first meeting tomorrow with a more comprehensive action plan, with targets.

Deputy Lisa Chambers: Tomorrow Ms Creamer will be setting out the dates for reviewing the plan on an ongoing basis. Is that correct?

Mr. Jim Gibson: Yes, absolutely.

Ms Linda Creamer: Every action will be itemised and dated.

Deputy Lisa Chambers: Perfect. I thank the witnesses.

Chairman: There are two remaining speakers, myself and Senator Warfield. From my perspective, the clarifications and commentary provided by the witnesses today have been very helpful in terms of enabling us to tease out what both organisations need to be doing. Obviously, the emphasis is on Scouting Ireland but I have a few queries relating to the points raised in the letter from Tusla to Scouting Ireland in February. We have established the where and the why of its publication but in terms of the recommendation on the phone line, it is not clear what was the catalyst for Tusla's concern. I ask the witnesses to put that in the public domain.

Mr. Pat Smyth: There was a concern about some evidence that had come to Tusla relating to the experience of a caller to the line.

Chairman: Was it a specific incident?

Mr. Pat Smyth: Yes, it was a specific incident.

Chairman: Tusla was satisfied with the service that was being provided. That was implied, regardless of any utterances it may have made. The fact that it closed down its own helpline was a tacit acceptance that what Scouting Ireland was doing was acceptable to Tusla, as the child and family agency. We must make it clear that Tusla received a complaint from a member of the public. I presume that Tusla is engaged, through its work plan, with Scouting Ireland, to tease out that complaint and to ensure that the operation of the helpline is in the best interests of the individuals who are calling. Would that be an accurate assessment?

Mr. Pat Smyth: Absolutely and it is fair to say, as Mr. Gibson outlined previously, we wanted to review it. That was in the context of ongoing learning for everybody, not just for Scouting Ireland. In terms of future issues that can arise with any organisation, we want to find the best way to address them. Unfortunately, whether we like it or not, a lot of the development of services in these areas is relatively new territory for lots of people. Getting the best practice in place is what we are trying to do with this.

Chairman: I accept that and thank Mr. Smyth for his response. Recommendation No. 4 relates to the child safeguarding statement. Scouting Ireland has said publicly that it was compliant with the requirement for such a statement and that Tusla had told the organisation that it was compliant. However, the document before us today infers that Scouting Ireland was not compliant. Mr. Smyth has said that the organisation is not compliant with the Children First guidelines. There is a massive gulf here. I respect entirely what Ms Creamer said about the surprise on all sides but my surprise, as Chairman of this committee, is that Scouting Ireland, according to Tusla, is not compliant with child safety guidelines. That is a surprise to me, as Chairman of this committee. It was probably a surprise to other members of this committee too. Scouting Ireland was informed that it was compliant with the Children First guidelines but now Tusla is saying that it is not. When did that change happen? I would like to understand how we came to that point at this meeting, rather than over a period of weeks and months, if not years, of working with an organisation such as Scouting Ireland or any other volunteer-led organisation for that matter.

Mr. Pat Smyth: I will try to clarify the issue first before asking my colleagues to elaborate further. There are two elements to this. The one the Chairman is referring to, namely, the child safeguarding statement, involves, as the director of quality assurance outlined, a very specific process. It is a statement of intent and there is a legal requirement for all organisations involved with children to have that statement in place. Mr. Lee's unit has been working with Scouting Ireland and all other organisations in the country to bring their child safeguarding statements up to a level of compliance. What is at issue with Scouting Ireland is the practice. We looked at the underlying policies, procedures and, most importantly, practices that support the way that children are protected in the organisation. That part of it was dealt with through the Children First information officers and because of the fact that we have historically been involved with Scouting Ireland on retrospective cases, the close reviewing of practice, policies and procedures was probably more intense than would be the case for a lot of other organisations. It is that part that we have been trying to address. That was the part that was the subject of the letter of 18 February. I understand the challenge here. The child safeguarding statement is, as Mr. Lee de-

scribes it, a little bit like the health and safety statement required for building. It is a statement of intent but does not mean that the underlying policies and procedures meet the requirements.

Mr. Jim Gibson: In our communication and interaction with Scouting Ireland, we received the organisation's safeguarding implementation action plan, which was dated February 2019. In that action plan, points 10 to 13, inclusive, were "on hold". They were primarily dealing with the safeguarding structure and policy as well as monitoring and compliance within Scouting Ireland. On that basis, we-----

Deputy Sean Sherlock: I am sorry to interrupt but I must ask Mr. Gibson to repeat what he has just said as I could not hear him.

Mr. Jim Gibson: Certainly. Through our interactions and work with Scouting Ireland, we received an action plan that was dated February 2019. In terms of the Chairman's question as to why we were concerned that Scouting Ireland was not compliant, in the organisation's own documentation, actions Nos. 10 to 13, inclusive, were marked as being "on hold". These related to safeguarding structures and policy and the organisation's own monitoring of and compliance with same. Those issues, along with other issues that we have discussed here today, resulted in the correspondence that we issued on compliance and non-compliance. It is a question of compliance with policy, procedures and practices but let us not throw the baby out with the bath water. We must have a balanced approach. Scouting Ireland is demonstrating progress in all areas. There is a very comprehensive safeguarding statement there but when our staff looked at the action plan, they had concerns around it.

Chairman: I thank Mr. Gibson for that reply. Scouting Ireland will be appearing before the committee later this morning. There will be an opportunity for the organisation to go through this and to put its position on the public record. We are questioning Tusla now. We are dealing with public perception, as a result of statements that were made in the public domain. As an organisation, Scouting Ireland was told that it was compliant with the requirements for a voluntary organisation until it was not. That happened because of Tusla's letter which, as the representatives have outlined, was not designed to be put into the public domain.

Mr. Jim Gibson: Correspondence-----

Chairman: Leaving that matter aside, we are dealing with facts.

Deputy Sean Sherlock: Chairman-----

Chairman: I am sorry, Deputy-----

Deputy Sean Sherlock: I am helping the Chairman. It is on his point.

Chairman: Go on.

Deputy Sean Sherlock: The Chairman has raised a pertinent issue. To follow on from what he said about Scouting Ireland's update on its action plan, it acknowledged issues related to structural policy monitoring and what else?

Mr. Jim Gibson: Compliance.

Deputy Sean Sherlock: Scouting Ireland is acknowledging they are on hold. I deduce from that that they are being actively worked on.

Mr. Jim Gibson: I need to come back to the issue of compliance and what was communicated. The member of staff from Mr. Lee's directorate was at the meeting last Thursday with Scouting Ireland and quite clear in stating the correspondence from the compliance unit was specifically to the effect that Scouting Ireland should be compliant with its safeguarding statement. That was communicated by Tusla. All other compliance issues were about policies, procedures and practices. The letter of 18 February outlined where we had concerns.

Chairman: I will ask about the child safeguarding statement and the application of child safeguarding procedures across the organisation. Most of us are confident about the ability of individual units of the organisation to be compliant, insofar as is possible, with child safeguarding procedures to ensure children are not put at risk. How would Tusla recommend that Scouting Ireland, as a movement across the country, universally apply the child safeguarding statement? As Mr. Gibson appears to be implying that is not the case, I would like to understand how the organisation is going to do so or achieve it.

Mr. Jim Gibson: The implementation of the safeguarding statement should be reflected in each den.

Chairman: Of course, as Mr. Lee has outlined.

Mr. Jim Gibson: The member of staff from Mr. Lee's directorate spoke to Scouting Ireland last Thursday to say that, while we had the safeguarding statement, we needed it to be applied consistently in all dens to represent implementation of the national safeguarding statement.

Mr. Brian Lee: Section 11 of the Children First Act requires implementation of a safeguarding statement. It is the responsibility of the organisation to implement the safeguarding statement across it. From that perspective, an organisation such as Scouting Ireland needs to have systems and processes in place to implement it, be it having particular leaders, managers or senior staff responsible for implementing the safeguarding statement completely in every part of the organisation, particularly in each den. It should also have a system whereby it can evaluate and audit the systems and processes in place to assure itself that it is fully compliant with all aspects of the safeguarding statement and that, if it identifies gaps, it can put implementation plans in place to address them. Full responsibility for compliance with the safeguarding statement lies with the organisation which needs to be assured that it is in place.

Chairman: I repeat what Mr. Gibson said about the interactions between Scouting Ireland and Tusla and attempts to improve the voluntary organisation. He has said that we are in a good place and there is evidence that, given Tusla's engagement with Scouting Ireland in the past couple of weeks, that is accurate. We await what Scouting Ireland has to state.

Are there implications for other organisations of similar size across the State such as the GAA, as mentioned, soccer clubs or any other sports organisation or comparable voluntary organisation? Mr. Smyth has said Scouting Ireland is and has been under intense scrutiny since the beginning of 2018. Other members of the committee can speak for themselves, but I have found Scouting Ireland, right down to local dens, to be very receptive to engagement and its representatives have been in contact quite a lot.

Many things have been said by many people. It is difficult for committee members, as it is for Tusla, to work out what is and is not worthy of being picked up on. I am trying to understand if Scouting Ireland's receptiveness is due to it being under an incredible microscope or it being an organisation that is apart from its contemporaries within the voluntary sporting or

non-sports sector?

Mr. Pat Smyth: That is a good question. All of the large organisations in Ireland such as the ones to which the Chairman referred have engaged on Children First. Some of them have been exemplary in the way they have done so. The Chairman is correct in saying no other organisation is under the intense level of scrutiny Scouting Ireland has been under. That is because, as we said, the retrospective cases have led us into this space. The challenge for any organisation is to ensure practice, policy and guidelines are sufficient to meet the demands we are all placing on organisations, as well as being members and expecting services from them.

Mr. Jim Gibson: It is relevant to state Scouting Ireland has demonstrated a willingness to make significant changes. It has brought in an independent child protection consultant who is guiding it through what is a very complex subject matter. It has engaged with Tusla and demonstrated a willingness to put in place those policies, procedures and practices. My first engagement with it last week, at which difficult issues had to be discussed, was completed in a professional and collaborative way and came to the end game. We now have an action plan that will help it and assure the Child and Family Agency, Tusla, that things have moved on significantly and that there are good processes in place. We have engagement at different levels, which is vitally important. The scrutiny of Scouting Ireland is unique. It is proactively dealing with the historical abuse that occurred in scouting in Ireland. Credit should be given to it for doing so. It is a difficult place to be.

Chairman: My final question before I hand over to Senator Warfield is related to what Tusla has learned from the events of the past two weeks and specifically for Ms Creamer. Does she think it has had a chilling effect on how Tusla will approach any other organisation about which it has concerns in the light of the fact that any document or utterance from it may become public? Has it affected how it might write or structure a letter or engage with an organisation, given that it appears it will be normal for such letters to get into the public domain?

Mr. Jim Gibson: We would be foolish not to reflect on the experience to date. We are open to looking at that matter internally. As I said, sometimes we are damned if we do and damned if we do not. Some of these issues have to be communicated clearly to leave no-----

Chairman: Let me encapsulate the matter in an important sense. Does it serve the children of Ireland to put something into the public domain to let people make up their own minds, or is it better for Tusla to deal with the organisation with which it is engaged in a constructive and proactive way without unnecessary noise?

Mr. Jim Gibson: I wish to reiterate that it was never our intention for that correspondence to go into the public domain. It was correspondence directly to the organisation that would set the agenda with regard to service improvement. We feel that would serve the children of Ireland had we got into the latter part of the discussion with Scouting Ireland, and not been distracted with the noise that came around this matter. We are there now with Scouting Ireland from our engagement last week and, as I said, we have agreed an action plan. We need to get on with our business. That is what we want to do.

Mr. Brian Lee: It is important to say on the child safeguarding statement that Tusla engaged with hundreds of organisations on this. There have been issues of compliance with various organisations but we have taken every organisation to compliance. No organisation is on the register of non-compliance on this. We regularly correspond and engage with organisations to take them to compliance, therefore Tusla is already doing this. We do engage with these organi-

sations in a professional manner to bring them to compliance because that is our philosophy. We would rather have a really good child protection process in place than get into conflict with organisations.

Chairman: I understand and accept that. I call Senator Warfield.

Senator Fintan Warfield: Many areas have already been covered. The public funding of Scouting Ireland brings the matter into the public sphere and gives politicians a place in the process. Is it fair to suggest that the letter should not have been read on the floor of the Dáil? The Minister, Deputy Zappone, says that she felt a responsibility to communicate it directly to parents. Is it correct to take from what the representatives here have said that it was not an appropriate place to make the letter public? We often speak about best practice. Has the issue become overly politicised by the Minister reading the letter to the Dáil? There may be people trying to make political capital, while the Minister is trying to protect her political career.

Mr. Pat Smyth: We have covered that several times in our responses. For clarity, at the risk of repeating myself too many times, the engagement that Tusla expected was the direct communication back from Scouting Ireland. As Mr. Gibson said, we cannot do business like this. The key objective of Tusla and every other organisation is around ensuring that child protection is at the highest level possible in Ireland. We will not do that if we have a situation where, when we correspond with organisations, we do not get a response back but that it goes somewhere else. The challenge for the Department and the Minister was that having had sight of the correspondence, they were in a very difficult position not to give that information publicly. I have no comment other than that is what happened. On Tusla and any other organisation doing business, it is about ensuring that we can look each other in the eye, try to address the issues and put plans in place. We must do that ourselves in ensuring that we meet our requirements with HIQA and other organisations. These are challenges that we have but we must do that straight across all organisations.

Senator Fintan Warfield: I have two questions about the letter. I refer to p.3, part C. Who was present for those interviews? Were those interviews all held in a way that was appropriate and sensitive for juveniles? Were gardaí present? If not, was there a social worker present?

Mr. Pat Smyth: I must ask that we respect the challenge of those cases. They are open cases and it would not be correct to go into detail around them.

Chairman: Rather than the Senator's question, what would be best practice in such a scenario?

Mr. Pat Smyth: I will ask Ms Creamer to outline best practice.

Ms Linda Creamer: If a young person wants to make an allegation they can tell their leader or someone within their space, such as their teacher. It is then for them to contact Tusla or the Garda. Then the Garda will come immediately.

Senator Fintan Warfield: Is that with a social worker?

Ms Linda Creamer: If there is a social worker, yes. We do joint interviews.

Senator Fintan Warfield: Would a garda ever be present alone with a juvenile?

Ms Linda Creamer: No. The Garda have a specialist child protection unit. They would work in pairs.

Senator Fintan Warfield: Tusla contends that the highest level of safeguarding positions within Scouting Ireland would be internally appointed and operated. Would it be wise for those safeguarding positions to be run externally with no connection to the organisation?

Mr. Pat Smyth: Scouting Ireland's governance is not something under question here. It would be wrong to say that Scouting Ireland should not be able to determine who is appointed to positions. Were any organisation to reach that stage, things would be at a very challenging point. That is not what is on the table here. Scouting Ireland has been open, and I expect it will continue to be very open, with Tusla in going forward with this. It is Scouting Ireland's responsibility to assess the right person to appoint to any of these roles. Meeting the standards required should be transparent and obvious when someone is in a role over a period. I would never ask that the organisation would not be responsible for appointing its own people to those roles.

Deputy Tom Neville: I was going to ask a question on the lines of that asked by Deputy Rabbitte about the implementation of the eight point plan, the timeline and the deliverables. I do not want to repeat that but I want clarification. Has a specific process been established? What kind of interaction or communication process will be there? When has it been agreed that the outcomes will be achieved?

Ms Linda Creamer: There is an implementation plan for the safeguarding statement which contains all the detailed procedures. We will meet tomorrow to sign off on it, agree timelines and dates and then set targets.

Deputy Tom Neville: Can we be furnished with the implementation plan? Is it within the committee's remit to ask for that? Then we could have an indication of the timeline.

Ms Linda Creamer: We can do that.

Chairman: Everything is in our remit until it is not. I welcome Deputy Ó Laoghaire to the meeting as a non-member of this committee.

Deputy Donnchadh Ó Laoghaire: It is important that I declare an interest, as I did previously, as a registered, if not particularly active member, of Scouting Ireland. I have not been in a position to follow the entire debate as I was at a meeting of the Joint Committee on Justice and Equality until about half an hour ago. I will not go over any of the questions again. I wish to say that any child protection concerns that exist must be taken extremely seriously. Tusla must take every action within its scope to ensure that they are rectified. That must be the No.1 priority and I support that absolutely. I hope the lines of communication that are now there, including the meeting that took place last week, will lead to all the concerns which have been identified being resolved and that from there Scouting Ireland will continue in a manner where child protection is its foremost priority and that it continues to offer a high quality service for the benefit of communities across the island.

My question might dovetail with that of Deputy Neville's. What progress has been made on the eight recommendations? It may come up in tomorrow's meeting. Is any completed or are they all in progress?

Ms Linda Creamer: That is for tomorrow. The fact that safeguarding managers will start is a big plus.

Mr. Jim Gibson: The eight recommendations have been collapsed into six points on an

action plan which will be elaborated on in the meeting tomorrow. That might go some way to answering the question.

Deputy Sean Sherlock: On point 4 of that, relating to historical cases and the agreed action plan, if there is some articulation back to us about how the historical cases are being dealt with, that would be very helpful. My last question relates to the interaction between Tusla and the Department. Tusla issued a letter on 18 February which clearly outlined specific issues about the adherence to Children First, the legislation, and so on. On 21 February, the Minister announced through *The Irish Times* that State funding for child protection improvements would be increased and that €220,000 was received by Scouting Ireland. I am trying to reconcile the concerns of Tusla as of 18 February, addressed in the witnesses' letter, and the vote of confidence of the Minister about safeguarding procedures. It seems to be incongruous that the Minister or her spokesperson said it was on the right path. Was there a line of communication between Tusla and the Minister's Department, officials or office about concerns that Tusla had on safeguarding issues?

Mr. Pat Smyth: If Tusla was at a point where it felt that it was not getting a response from Scouting Ireland, then there would have been direct communication with the Department to alert it. That is not the stage we were at on 18 February. The communication to Scouting Ireland was to elicit a response from it to Tusla. Depending on how Scouting Ireland would have engaged with those concerns, there would have been a question as to where it went after that. That is not where we were at that stage.

Deputy Sean Sherlock: Had Deputy Rabbitte and I not raised this as a Topical Issue matter and if Mr. Elliott had not put the correspondence from Tusla in front of the Minister, which she then put on the public record, we would not be sitting here today.

Mr. Pat Smyth: Not about that letter. I would have expected engagement from Scouting Ireland on those issues.

Deputy Sean Sherlock: The Minister would have been none the wiser and would have continued in good faith to restore the funding and make funding available.

Mr. Pat Smyth: Unless we felt that there was specific non-engagement or non-application of some of the actions, yes.

Mr. Jim Gibson: One of the difficulties that Scouting Ireland had was, I assume, withholding of funding. I cannot speak for Scouting Ireland with regard to its communication and discussion with the Department on that basis but on the issues in the action plan that I mentioned, a contributory factor to it being on hold was funding issues. I am sure Scouting Ireland will elaborate on that.

Deputy Sean Sherlock: Specific funding, some €220,000, was made available for safeguarding and that is the question here. We are trying to understand this. I speak as a former Minister. Protocols relating to letters of this nature, that relate to a public issue which affects thousands of people, are a key component of Tusla's statutory work. Tusla is a statutory agency with the power of legislation behind it. We have to acknowledge that one would have thought there would be a clear line of communication to the Minister's officials, if not directly to the Minister's office, for a response to the granting of an extra €220,000 for safeguarding, which was reported on 21 February, when clear concerns were raised by Tusla on 18 February.

Mr. Pat Smyth: That is a classic chicken and egg situation where Scouting Ireland had a

number of issues on hold, dependent on funding. We needed to have those issues progressed so funding was going to have to go to address those anyway.

Chairman: I thank Deputy Sherlock and the witnesses from Tusla. We are in the third hour. I have an anecdotal observation based on criticisms that are frequently levelled at Tusla, relating to the public's trust in the organisation in light of recent events, including Mr. Justice Charleton's view on the matter. I am sure the witnesses, and especially their communications team, are aware of it. I want to give them an opportunity to address the concerns of the public relating to how, when Tusla makes an observation such as this, a cohort of people simply does not believe it. It is important that I, as Chairman, give the witnesses the opportunity to address the practices, procedures and professionalism of the organisation and how it deals with these matters of critical importance for the children of Ireland.

Mr. Pat Smyth: That is an important point. As I said earlier, the fundamental value of how we operate is to try to ensure that every child in Ireland who needs the services of Tusla and those safeguarding protections to be in place has them. When any of us look back at whether we did right or wrong, it will be viewed in the context of whether we did enough for those who needed us. The underlying challenge behind that is that this is a difficult area of business. The establishment of Tusla was a very strong statement by the State that it took this area seriously. Today, we are challenged by the failures of years of neglect of child protection and welfare systems in the State. We are all citizens of the State, so we all have to take some responsibility for that. I think we are in an era where we as citizens and the wider public demand very high standards of child protection. We in Ireland have had incredibly difficult episodes relating to the failures of that in the past.

Tusla tries to carry out the State's desire to ensure that those services are sufficient and good enough as we move forward. It will take us a number of years to get to a place where that is sufficient. Last time we were here, we talked about the difficulties with regard to resources and the key professionals, which is to say social workers, and their availability. That is an ongoing challenge which we are faced with trying to improve and make changes around. All this means that the responsibility for protection is down to every one of us as citizens and parents. I do not think we can easily overcome the fact that there are doubters but the value of this organisation is to try to do our best for the children of today.

Chairman: I thank Ms Creamer, Mr. Gibson, Mr. Smyth and Mr. Lee for their presentation and answering members' questions. I propose that we suspend for 15 minutes, given that we are in our third hour. I am sure that members of the public in the Gallery also wish to take a break.

Sitting suspended at 12.30 p.m. and resumed at 12.45 p.m.

Chairman: On behalf of the joint committee, from Scouting Ireland I welcome to our second session Mr. Adrian Tennant, chairman of the board of directors; Dr. John Lawlor, chief executive officer; and Mr. Ian Elliott, interim safeguarding manager. By virtue of section 17(2) (I) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of their evidence to the committee. However, if they are directed by it to cease giving evidence on a particular matter and continue to do so, they are entitled thereafter only to qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable.

Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the Houses or an official, either by name or in such a way as to make him or her identifiable.

I ask members and delegates to switch off their mobile phones as they interfere with the broadcasting and sound systems, even when left in silent mode, and make it difficult for the parliamentary reporters to report the proceedings of the meeting.

I advise delegates that any submission or opening statement made to the committee will be published on its website after the meeting. After the presentation members will engage with the delegates in a question and answer session.

I understand those following the proceedings online are having difficulties and that the connection has dropped a couple of times. They can be viewed on Saorview, RTE News Now, Sky and other service providers.

I invite Mr. Tennant to make his opening statement.

Mr. Adrian Tennant: I thank the Chairman and members of the joint committee for giving us the opportunity to appear before them again. I am the chairperson of the board of directors. With me today is Dr. John Lawlor, chief executive officer of Scouting Ireland and Mr Ian Elliott, independent safeguarding consultant who has been working with Scouting Ireland since 2017, acting as the interim safeguarding manager for the past year.

Let me begin by confirming that Scouting Ireland is a safe organisation. The letter received by Scouting Ireland on 22 February last, dated 18 February, from the child and family agency, Tusla, shocked Scouting Ireland to the core. I read this letter, not only as a scouter but also, like so many other volunteers, as a parent of three daughters, aged from ten to 17, all of whom enjoy the adventure that is scouting. As such I was shocked by the letter, the content of which concerned me greatly. Scouting Ireland has a track record of working with Tusla and I reaffirm that Scouting Ireland is not in conflict with Tusla. We value co-operation with Tusla and will work closely with it so that confidence in Scouting Ireland as the largest non-formal education provider on the island is restored.

I would like to demonstrate the progress that Scouting Ireland has made since last we met on a number of the key issues that have been discussed here before. In respect of governance, we are finalising our plans regarding the oversight and executive function of the organisation. The current board, most of whom are here in the Visitors Gallery today, is now fully disentangled from the executive function, which had not been the case with preceding boards. It is now well-established and regarded as a board of oversight. We have sought expert advice that will see us fully compliant with the governance code for type C organisations. We are announcing our new structure in the coming weeks and have briefed the transition implementation monitoring group in that regard.

In regard to our membership, the majority of groups have now transferred to membership of the company rather than the outgoing association, with the remaining groups being captured in a mopping-up exercise. This is a significant development and is a practical demonstration of the progress to date in the change over to the company-only format for Scouting Ireland.

The committee will be aware that the independent barrister report completed by Ms Lynch BL was received by Scouting Ireland some weeks back. This report, commissioned by the national management committee, NMC, of the association, has been received by the NMC and

reviewed by a sub-committee which has accepted the report in full and determined that the four respondents in this matter be subject to disciplinary procedures. The board will consider the outcome of the disciplinary procedure and, once complete, come to a view with regard to future membership.

On accountability, Scouting Ireland has worked hard at developing the good working relationship with the Minister for Children and Youth Affairs, Deputy Zappone, and the Department of Children and Youth Affairs. We recognise and are grateful for the Minister's commitment to scouting. Following the recommendations of Ms Jillian van Turnhout in her review of Scouting Ireland at the request of the Minister, Scouting Ireland is pleased to be able to inform this committee that we will be submitting quite a positive final progress report to the Minister later this month. We have completed all of the recommendations set out. Those elements that were of concern due to lack of funding can now be addressed due to the Minister's indication of improved financial support. A key element, the recruitment of a permanent safeguarding manager, has been completed. The new safeguarding manager is due to begin his employment with Scouting Ireland on 5 April and Scouting Ireland will shortly make an announcement on this appointment.

The element of scouting under most scrutiny is our safeguarding capability and practice. As chairperson of Scouting Ireland, I confirm that Scouting Ireland is a safe organisation for our young people and adult volunteers. Our safeguarding team, who have worked over and above the call of duty in recent months, have provided their regular service to the organisation while at the same time operating our successful helpline for survivors of historic abuse. The committee might wonder why I would refer to a helpline, set up under such circumstances, as being successful. The answer is quite simple. Tusla had received 49 calls and closed down its helpline before Christmas. An Garda Síochána received five calls. Scouting Ireland has received 180 individual calls to date. Those who wished to tell their story had options for whom to speak to. Most spoke to us and we do not accept the criticism of Tusla regarding our helpline. We have a team of professional staff who have listened, respected and assisted 180 individual callers to tell their story and feel that they had been heard. They have provided heartfelt individualised apologies on behalf of Scouting Ireland for the wrongs in our legacy organisations, and all have been offered an opportunity to engage in counselling.

Notwithstanding the great courage shown by survivors in coming forward to tell their story and the recognition by Scouting Ireland and our professional staff of how difficult this can be, it may at times help those so badly hurt and betrayed by former members to tell their story to someone who can understand how the former organisations operated. At the time of this committee meeting, the most recent case that has come to Scouting Ireland's attention has been in 1998. The majority of cases still refer to the decades between the 1960s and 1990s, with a smaller number either side of that. It is very humbling to note that the majority of our survivors still hold a high regard for scouting, recognise that Scouting Ireland is not the legacy organisation in which they were badly treated, and wish no harm to our organisation that continues to do so much good for young people in our communities across the island of Ireland.

I now want to address the letter received from Tusla. Our relationship with Tusla is a professional one and we are constantly engaged with it on all aspects of safeguarding. We received a letter from Tusla on 22 February which, as stated, caused us serious shock and concern. Many of the issues raised in the letter had not been brought to our attention previously. The following working day, 25 February, Scouting Ireland hosted an inter-agency meeting with Tusla and An Garda Síochána where Scouting Ireland's representatives asked the parties present if they

were content with Scouting Ireland's engagement with them and the provision of information to them. It was confirmed that they were. Following receipt of the letter, Scouting Ireland requested an urgent meeting with Tusla, which took place on Thursday, 7 March last. This was a productive meeting and concentrated on Scouting Ireland's efforts to understand Tusla's concerns. During this meeting, we outlined the dedication of our safeguarding team and our adult volunteers and reiterated our absolute commitment as a child-centred organisation to safeguarding. We further reaffirmed our commitment to continuing to work with Tusla in a positive and collaborative way, as we have always done since its inception, and with all relevant statutory authorities.

We have over recent days agreed on a joint action plan which includes a number of actions. These include the following: Tusla representatives will make a presentation to our board of directors on Children First and safeguarding; Scouting Ireland's new safeguarding manager will be our liaison person with Tusla; and we will share our updated implementation strategy with Tusla, which includes mechanisms to review the implementation of Scouting Ireland's child safeguarding statement, updated policies and procedures, and supporting implementation of same throughout the organisation. This strategy will also include mechanisms for monitoring and quality assurance of safeguarding policies and procedures and the implementation of these. Further, we have committed to engaging with An Garda Síochána and Tusla to discuss the management of allegations regarding the case samples outlined within the letter. Specific to this, Scouting Ireland would like to reassure our members and the public that we do not, and have never, investigated claims. Scouting Ireland is a child-centred organisation. We have always listened and will continue to listen to our young people. This extends to our safeguarding team when a youth member presents with a concern, and this is done where the welfare of the child is paramount. Scouting Ireland is, as ever, committed to reviewing our safeguarding risk assessment and relevant procedures with a specific focus on our code of behaviour regarding overnight trips and jamborees.

Finally, Scouting Ireland is constantly aiming to improve and develop its safeguarding practice. To that end, the board of directors will consider how best to draw learning from the successful provision of a dedicated helpline over recent months, by way of the independent evaluation, thus ensuring professional development within Scouting Ireland. However, we assure our members and the public that at no time have any of Scouting Ireland's safeguarding team been compromised in the delivery of the helpline. Scouting Ireland chose to face the difficult problems within our former organisations. We chose to do this in as open and transparent a manner as possible. This is further evidenced by our continual reporting of our updated figures and the development of a victim support programme.

I would like to conclude by telling the committee about the dedication of our youth members, their parents, our adult volunteers and professional staff team. The 14,000 adult volunteers who have kept scouting going in this country in their communities through difficult times are the unsung heroes. They have helped our numbers to grow and provided quality programmes in a safe environment. Young people are always to the fore. Our groups are supported to do what they do best by a small but very dedicated and highly effective staff team. Our staff members keep the children at the centre of everything they do in carrying out their roles. As the committee will be aware, scouts are brave. We will climb any mountain, cross any sea and weather any storm to ensure our way of life and reason for being and the mission we share with 50 million fellow scouts throughout the world will not falter or be taken from us. We will scout another day and do it together.

Chairman: I thank Mr. Tennant. Before I invite members of the committee to ask questions, I propose to reverse the order from the earlier session, if that is okay with the delegates.

Mr. Adrian Tennant: Of course.

Chairman: Deputy Neville will be followed by Senator Warfield, Deputy Lisa Chambers, Deputy Rabbitte, Senator Freeman, Deputy Sherlock, Deputy Mitchell and me. Before I ask Deputy Neville to open the questioning, as Chairman of the committee and an ordinary Member of the Oireachtas, I wish to make it clear that Scouting Ireland is an invaluable organisation and acknowledge the significant steps it has taken in the past 12 months or so under the watchful eye of the general public. I note the invaluable work of Mr. Elliott, Dr. Lawlor, Mr. Tennant and his predecessor and the many others who have put so much time and effort into bringing Scouting Ireland out of the crisis in which it has found itself. It is fair to call it a crisis. It should be acknowledged that Scouting Ireland is an extraordinarily invaluable organisation across all strands of life in this country, not only for people who are able-bodied but also for individuals who are not so able-bodied. I acknowledge that very few organisations in the State offer the level of engagement it offers to people with particular needs, special or otherwise. In the light of the transformational change it is going through, it is appropriate for me to say that yesterday when I was chatting to a former scout leader from Cork, the way in which volunteers had dealt with issues that can be alarming for ordinary members, particularly those which have ended up on the front pages of newspapers, was acknowledged. I am sure my colleagues, like me, come across ordinary members when knocking on doors and chatting to people. They always have questions. It is important for me to say I have absolutely no doubt in my mind that volunteers from the local den to the board offer their services in an effort to improve Scouting Ireland as an organisation and the lives of children throughout the country.

I ask Deputy Neville to commence the questioning of Scouting Ireland.

Deputy Tom Neville: I thank the delegates for coming. Representatives of Tusla have been before the committee before. I would like to hear the delegates' rationale for, take on or perception of the communication process that took place when Scouting Ireland's communication with Tusla, the Department and the Minister was being initiated. What was the rationale behind it? It has been highlighted that one of the reasons we are discussing this matter is that it has been brought into the public domain. Will the delegates take me through the rationale from Scouting Ireland's point of view? Why did it make the decisions it made? I would also like them to take me through the procedures which apply to Scouting Ireland's helpline. I refer, for example, to the training provided for individuals, the communication process, the referral types and the interaction with Tusla in that respect. Perhaps they might give me an outline. I might ask some follow-on questions to probe these matters further, depending on the answers I receive.

Mr. Adrian Tennant: I will address the Deputy's question about communication before asking my colleague Mr. Elliott to answer the question about the helpline. Dr. Lawlor may also come in on some of these issues.

The letter from Tusla to Scouting Ireland, dated 18 February, was received on Friday, 22 February. We had given the Minister, Deputy Zappone, and the Department of Children and Youth Affairs a commitment that we would be very open and transparent with them to ensure any information that came our way would be relayed to them. It is a two-way street. It is very important that nothing blind-side either side. We have made that commitment and stick to it. On the Monday morning, the first available working day, communications were made to the

Department. It is important to note that we did not provide and have still not provided a copy of the letter for the Department. We let it know that such a letter had been received and that we were managing the matter. At the last session there was no discussion of the fact that a meeting with representatives of Tusla and An Garda Síochána had taken place on the Monday. I referred to that meeting in my opening statement. Mr. Elliott may come in on this issue. As we were all shocked by the letter, the pertinent question we asked at that meeting was whether the representatives of both agencies - An Garda Síochána and Tusla - were happy with the interactions between Scouting Ireland and their respective agencies. We also asked whether they were happy with our level of commitment and the progress we were making and whether they had particular concerns. They confirmed that they had no burning issues and no particular concerns. The issue with the helpline was also mentioned, albeit to a lesser extent. Mr. Elliott will confirm the details in that respect. We subsequently came to the opinion that we were dealing with the letter. The letter had arrived on the Friday and this was on the Monday morning. By Monday afternoon we had met Tusla and mentioned the letter. We asked it to confirm whether there was anything outstanding or anything with which it was not happy. It confirmed that everything was fine. The Tuesday was a quieter day in the office in that respect.

On the Wednesday the Department made contact with us about the letter. I made it clear that we would be greatly concerned if some of its content was to get into the public domain. I was thinking, in particular, of the content related to cases A, B and C because the children involved were still members of our organisation and had a duty to protect them. Those concerns were made known and, in fairness to the Department, they were accepted. By no means, was there a standoff between Scouting Ireland and the Department in that regard. I received a further communication later that day informing me out of courtesy that the Minister would be raising the issue in the Dáil and would read the letter. That communication also confirmed that the letter would be published later that evening. There was no argument, discussion or anything more about it. In fairness to the departmental officials, they were letting us know out of courtesy that this was coming and we accepted it as such.

On the Wednesday we immediately sought a meeting with Tusla. I sent a letter on behalf of Scouting Ireland to the chairman of Tusla - my reciprocate in that organisation - to try to organise a meeting as a matter of urgency. It was as a result of those communications that the meeting of 7 March was constituted. It is not the case that there were no discussions between that time and 7 March. There was constant communication during that time and there has been constant communication since the meeting. Tusla and Scouting Ireland have a track record of working together on a number of fronts, including on the historical cases with which we are dealing, our ongoing review of compliance with Children First and the current cases being examined.

Does that answer the Deputy's question?

Deputy Tom Neville: I have a question which follows on from it.

Mr. Adrian Tennant: No problem.

Deputy Tom Neville: To the best of Mr. Tennant's knowledge, from his point of view or in his opinion, was Tusla aware of the communication commitments Scouting Ireland had given to the Department, in which it stated any such communication would be forwarded to it? Was Tusla aware of the commitment that Scouting Ireland gave to communicate with the Department, where any such correspondence would be forwarded to the Department?

Mr. Adrian Tennant: That was covered by Tusla in the previous session. The Department

and Scouting Ireland have a relationship because the former is a primary funder and taxpayers' money comes our way. We have a commitment to transparency and ongoing communication with the Department. This was not the first time we discussed matters with the Department. It is a regular occurrence. We have a good relationship with the Department and we have had a number of issues, not least of which was the reason we last appeared before the committee. We discuss many issues with the Department regularly.

Deputy Tom Neville: The previous practice had been that when correspondence of that nature was received from Tusla, it would be given to the Department.

Mr. Adrian Tennant: Yes, it is a well-established mechanism. I might defer to Mr. Elliott in respect of the helpline.

Mr. Ian Elliott: On the communication with Tusla, there is an active working relationship. Our understanding of the situation prior to receiving the letter was that we had a good, solid, open, transparent working relationship with all the statutory agencies, not just with Tusla but also with the Garda Síochána and those in the Northern jurisdiction. We were actively committed to that and when the letter was received, it was a shock but it was not dismissed. It was accepted, seriously considered and examined to determine how we should respond or understand it. One must understand that the issue was completely unknown to us.

The helpline has been in operation since the day following our last appearance before the committee, which was 21 November. We set up the helpline and made it clear what we were doing, how we were doing it and what we sought to achieve. It was not intended to exist on its own but rather in the context of two other helplines that were run by two statutory agencies, namely, the Garda Síochána and Tusla. The Garda helpline is staffed by Garda personnel, the Tusla helpline is staffed by Tusla personnel, while ours is staffed by Scouting Ireland personnel. I undertook to supervise the creation and operation of the helpline. I have relevant experience in the area from my career, given that I was the responsible director for the National Society for the Prevention of Cruelty to Children and oversaw the provision of its 24-hour child helpline, which was a national service with more than 200 members of staff and which responded to several thousand calls. We also provided specific helplines for specific situations that arose. I had relevant experience, therefore, and I applied it to the task that lay before us at Scouting Ireland. It is important to understand that it was a helpline and it was designed for that purpose, namely, to be available to those who wished to speak to us, with a view to accessing help that Scouting Ireland could provide.

We made it clear that, overall, the organisation felt a great deal of sadness and disappointment because the legacy organisations which had preceded the establishment of Scouting Ireland had not performed well and that a number of children and young people had been abused through contact with them. Scouting Ireland felt a responsibility to those individuals and wanted very much to provide help to them. That the issue is in the public domain is as a result of work undertaken by Scouting Ireland and not as a result of anything done by An Garda Síochána or Tusla. We have done this. We have shared with the committee that information as well as our commitment to addressing those issues and doing what we can today to try to ensure that those who have been hurt are helped. The helpline was part of that provision.

There was an issue with the limitation of resources but we and I provided not only training for the individuals involved but also live supervision for a number of calls that were received. I listened to the service in practice, therefore, and to how calls were being received and engaged. I ensured that the practice met the requirements and expectations I held as a supervisor. I also

supervised individual members of staff and took a number of calls myself. I answered the phone and responded to individuals because there were days on which we were under a great deal of pressure. It was very hard because such calls are challenging to manage. It is emotionally draining, as an individual, to receive and engage with somebody who is perhaps speaking about something that happened to him or her many years ago but he or she may be speaking about it for the first time, which is challenging. There are only a certain number of those calls that one can take in any working day. I had a responsibility to manage that and ensure that every call was answered, appropriately recorded and dealt with in a way that was not only satisfactory to me but which also met the expectations of Scouting Ireland.

As the committee will know, we had a large number of calls - approximately 180 - and a great deal more than the other agencies. Every call was recorded and every situation was shared with the statutory authorities. To ensure that happened, we set up an inter-agency meeting involving Tusla, An Garda Síochána and us. We regularly checked with them as to whether they were satisfied with the responses we made to the situations, particularly victim disclosures, which presented themselves to us, and it was always confirmed to us that they were. We corresponded with them and shared with them the information we had gathered. It was a surprise, therefore, to find ourselves in the situation where suddenly there appeared to be issues because we had never been aware of those issues. There were concerns about the service which had been in place since November but there had never been any mention to us of any such concerns.

We are anxious to learn from the situation and we want to hear the detail of where the information has come from. Tusla has shared with us that it received a complaint but, despite our request, it is not in a position to give us any detail about the complaint on the grounds that it is concerned about the breach of confidentiality, although I do not fully understand that. It is difficult for us to address issues when we do not know what those issues are, which is our apparent problem.

Deputy Tom Neville: The eight-point recommendation has been broken down into six action tasks. I was told by Tusla that it will meet Scouting Ireland tomorrow in respect of timelines and deliverables. As part of Scouting Ireland's preparation for that meeting, does it have timelines or deliverables in place to outline when the recommendations will be up and running, or is it still at a discussion phase?

Mr. Ian Elliott: The meeting tomorrow was agreed on 8 January. A number of tasks which involved the sharing of information were set out. A number of those tasks have been completed and, therefore, the information has been shared.

Deputy Tom Neville: Tusla mentioned three points or areas.

Mr. Ian Elliott: Timelines are ongoing but there is a significant timeline to which we committed, namely, the provision of an update to the Minister, which is to be completed by the end of March or the beginning of April. The update will set out the progress that we have made in implementing all the changes to which we have committed, and we will provide it on time.

Deputy Tom Neville: Does Scouting Ireland expect to have a final timeline on the implementation of that programme? In any scheme of work, there will be a broader view of whether it will take six or eight months, but deliverables within that will be outlined. Is that set out?

Mr. Ian Elliott: We do have that set out but, this is also important, it is not fixed. This is a process which will be ongoing indefinitely for as long as Scouting Ireland exists and is engag-

ing with young children. As long as it is dealing with these issues, it will be evaluating its performance, learning from that evaluation process and applying that learning to its practice. That is what we do. We do it as a matter of course. We are not doing it just as a result of everything that has happened in recent weeks.

Deputy Tom Neville: How can Scouting Ireland’s relationship with Tusla be described?

Mr. Adrian Tennant: I will answer that, if it is okay. I would just like to round off the questions on communication and I think that will answer that question for the Deputy. I know my colleague, Dr. Lawlor, wants to come in on that.

On our relationship with Tusla, I will start with our response when this letter went public. People are not used to or do not consider it normal for Scouting Ireland representatives to be on something like television or radio shows and come out as robustly as we did. However, it is very important for everybody to understand that we are not in conflict with Tusla. That is a very important message here. In the radio and television interviews that Mr. Elliot and I did on the day, we were coming from a position where we just did not understand where this was coming from. We had to respond publicly because it was put in the public domain. I am sure everybody in the room and at home would understand that parents in a community in Kerry, Donegal or Athlone whose children were going to an activity that weekend, to scouts that night or to beavers the following morning, were wondering whether Scouting Ireland was on top of this. We were very shocked and concerned by the detail in the letter. We would have preferred not to have hit the airwaves. In the interviews Mr. Elliot and I did, we made it clear that we are not in conflict with Tusla. We just wanted to understand what was informing the content of its letter. That is very important.

Scouting Ireland is not afraid of criticism. We have a system in scouting called “plan, do, review”. With everything from our beaver lodges all the way up to us as adults, we plan, do and review everything. We are quite honest with each other and we have consulted other people. An organisation like Scouting Ireland cannot be described of shy or afraid of criticism given that we brought in someone like Ian Elliott to do specific work for us and to take on projects and specific jobs. Mr. Elliot would not leave any stone unturned as he has proved time and again. He does not have to prove or justify that in the scouting context. It was well established before that.

There have been things in the years since Mr. Elliot came in that have not been easy listening and not stuff that the organisation as a whole wanted to hear. However, we did hear it and we acted on it. We adopted Mr. Elliot’s recommendations and teachings on that. Because we have come through such a process in recent years and been under the spotlight, in the past year in particular, when this letter came out we had to respond. We had to reassure the parents of children involved in scouting. We had to reassure our volunteers who will be taking charge of other people’s children in the dens, halls, events and all the rest of it. Our volunteers deserve that. The young people and their parents deserve that.

When we did that, it was not in conflict but one where we were trying to understand. I will be like a broken record today. I appreciate I have said it again and again. We are not in conflict with Tusla, but we will be robust in ensuring that what we do is right for Scouting Ireland and that we are fully compliant with what is required of us.

Dr. John Lawlor: On the issue of practice and the progress we look forward to making with Tusla tomorrow and in the weeks ahead, it is important to understand we are not coming from

a standing start with, for instance, safeguarding training. The leaders in Scouting Ireland - we call them scouters - make an enormous commitment to training. Before any adult commences working with young people, he or she is obliged to attend a residential course of training involving 24 hours, which has a full four-hour module of safeguarding training. The requirement in the sector is for an online course, but Scouting Ireland for great length has been beyond that. We are building on something that is already there.

If I take the issue of vetting, for instance, Scouting Ireland has implemented a policy of re-vetting every three years. It is not a requirement in the sector. It is now a requirement in Scouting Ireland. We are building on what has been there and we are also with Tusla to see how. I want to give the sense that we are not coming from a standing start here.

On reporting, Scouting Ireland has a rock solid record of recording, going back to the foundation of Scouting Ireland. That is to the statutory agencies, An Garda Síochána, Tusla, the Police Service of Northern Ireland and Gateway, as required. All those records are there and can be accessed by the statutory agencies. That has been done and has been maintained. We want to continue to improve that. Since Mr. Elliot has arrived, we have improved how our files are, we have improved our recording, and we have benefited from his professional supervision and oversight. He often complains, when he gives out to me about stuff, that I talked him into a job in the Europa Hotel in the summer of 2017 that was supposed to be a handy six weeks' piece of work, but went far beyond that. When he joined us, he got steadily more involved in guiding us in how our teams worked, how we should amend our policies and how we should implement best practice.

The requirements of Children First, as our colleagues in Tusla have laid out, are an enormous challenge for the sector. That was obvious from the Tusla presentation. In this sector, certainly Scouting Ireland has provided best practice up to now. I know it might be hard to credit that given the recent controversies. For instance, our code of conduct document for leaders has been used as a template by many organisations. We now know that needs to be updated for Children First and it will be. I believe it will go on to be a template for other organisations in the future.

I am trying to give the sense that we are building on a solid tradition of working with statutory agencies to ensure best practice safeguarding. Tomorrow will represent another step in that process. We look forward to working with Tusla in doing that.

Deputy Tom Neville: I am hearing the witnesses talking about continual process improvement which is ongoing. I thank them for answering my questions. Obviously it is important for us to address the issues before us. We should also recognise the volunteers involved in the organisation who have done wonderful work down through the years.

Senator Fintan Warfield: I thank the witnesses for appearing before the committee. At a previous meeting we spoke about the traffic light system that has been in place since 2012. I think a handful of cases were flagged as red around that time. We can then fast-forward to an investigation by Mr. Ian Elliott when about 300 cases were flagged as red. How did that dramatic change come about?

Mr. Adrian Tennant: I thank the Senator for his question. That is one of those issues that has caused a bit of confusion. We are delighted to be able to respond to that today and provide some clarity. The 2012 review was set up for a very specific reason. I will ask the CEO to go through that in a moment. The Senator said that some of the cases were flagged as red in the

traffic light system at the time. There was no red at the time. I want to clarify that. I will ask Dr. Lawlor to give a more comprehensive answer.

Dr. John Lawlor: The 2012 review was prompted by an issue that arose where almost accidentally we came upon an issue. An individual who had been removed from one of the - forgive me for calling it this - legacy organisations in 1972 had been found in late 2011 to be active in scouting. When that was discovered he was immediately removed and the learnings from that had to be taken on board. At the time we had inherited almost 300 files from the two legacy organisations, the Catholic Boy Scouts of Ireland or Scouting Ireland CSI, and Scouting Ireland SAI. Both files had essentially remained untouched and in filing cabinets in Larch Hill. Our immediate concern was that no person who had been removed from the legacy organisations had gained access to Scouting Ireland, either through the movement from the legacy organisations to the new organisation or in the move from essentially a paper-based record system to a database of membership.

We felt we had to check that and we put a team together to do it. We brought back staff who had some understanding of the files. Over a six week period, the files were analysed. Anywhere we had a doubt, it was reported. We found that no other person surfaced who had gained access to Scouting Ireland. We thought that was important to give us that sense of confidence. We had seven files the reporting status of which we were unsure and they were reported to both Tusla and the Garda at the time. All that recording was done. We fully reported on those cases.

What I will say in relation to that is that this was essentially a desktop piece of work. It did not involve investigation. It fulfilled what we believed was our obligation in reporting what we knew. That was quite a different situation from that that arose when the recent project to deal with safeguarding legacy in the scouting organisations. Of course, the attendant publicity assisted in bringing in so many of the calls, about which we talked earlier, to our helpline and it opened up a whole avenue of information that never previously existed or was not in the files. In all these situations, all reporting was made to the statutory agencies. I have said that Scouting Ireland has a good record of reporting. That is absolutely true. Of course, statutory reporting did not come in until 2017, as members will be aware, but Scouting Ireland was reporting solidly from the foundation of the organisation in 2003 and, indeed, in at least one of the legacy organisations, pretty well before that.

Mr. Adrian Tennant: Dr. Lawlor referred to it a few times and I am glad Senator Warfield raised the question because one of the misnomers is that there was some sort of review or process in 2012 and then nothing until 2018, or until more recent times. The point should not be lost that all those cases that were identified as amber were reported at the time. We have heard talk that after that review these cases were put away, locked up and never seen again. They were all reported at that time and that can be confirmed by both statutory agencies.

Dr. John Lawlor: I can confirm that, in fact, some of those files were accessed by An Garda Síochána in relation to investigations and at least one prosecution relied upon information taken from the scout files.

Mr. Ian Elliott: It is important to recognise that the events that took place last year, particularly in November, gave rise to a flow of information that was unprecedented in our experience and a lot of new information came to light. Individuals came forward who had not previously spoken of the abuse that they were subjected to and that we had no knowledge of. New victims came forward in regard to people of whom we had a knowledge. There was a significant amount of information. That primarily came to us and to the statutory agencies through the

provision of a helpline, which we set up and ran. It is a fact and it is important to recognise that.

What I said, and have said previously, is that Scouting Ireland has to be responsible for all the information that is known within the organisation, not only that held at Larch Hill. Personal memory and recollection is also important and we have to tap that. We have to ensure that we have looked at all that and that we understand fully the extent to which children had been hurt in the past, and that is what we are seeking today.

Senator Fintan Warfield: I asked Tusla this question and understandably its representative said that it was not in a position to dictate Scouting Ireland's appointments. It is not to suggest that Scouting Ireland is incompetent. I do not have an opinion either way on the answer to this question. Was it considered that the safeguarding roles that would be appointed would be external?

Mr. Ian Elliott: The safeguarding manager who has been recruited is not someone from within the organisation. I am happy to say it is a strong candidate. It is someone who has an interest, who is not a scout and who was never a scout, but has a good safeguarding track record. It is external.

Deputy Sean Sherlock: Is it Mr. Elliott?

Mr. Ian Elliott: No, it is not. The recruitment process is competence based. Anyone can apply. If someone meets the profile of the job, that person can put his or her hat in the ring. However, we choose and select the best candidate. If the person is internal, that is fine. On this occasion, the person was not. The person was an external candidate. I look forward to that announcement being made in due course.

Mr. Adrian Tennant: To clarify, when we went to fill the position of safeguarding manager, we went external. It was an open competition. We had a lot of good capable candidates. A comment was made earlier as to whether it was difficult to get someone in the current climate. We had 11 candidates, which was really good. I am a HR consultant but I had nothing to do with the process of evaluating and choosing the successful candidate, save for the final interview. The process that was put in place was second to none. It covered everything from desktop exercises, presentations in front of a different panel from us and then culminating in a regular form of interview which took place recently. I challenge any organisation to go through such a good robust process in moving from 11 to the five who we interviewed. We got a successful candidate out of that. That was very much an open competition.

Chairman: On the suggestion made by Tusla that individuals within Scouting Ireland were "compromised", I think the representatives of Scouting Ireland will agree is quite a significant charge, primarily because we are talking about individuals' professional ethics, etc. Tusla stated that "key personnel ... in safeguarding [positions] may have been compromised and further consideration may have to be given to this." Those questions were asked of Tusla and I put them to Mr. Tennant.

Mr. Adrian Tennant: With the Chairman's permission, I will pass the question on to Mr. Elliott because he would be better able to respond to it.

Mr. Ian Elliott: I said in response to a number of aspects of that letter that I am really shocked by it but that I also need help in trying to understand it. It is one of the areas on which I need help in trying to understand. We had a meeting with Tusla on Thursday of last week and one of the questions I raised was what was the basis for saying that if one applies the same ap-

proach to the other helplines that were provided. Essentially, it is difficult for me to answer that question because I do not understand why it said so.

To the best of my knowledge, it is based on a belief that if one is a member of an organisation and someone telephones that organisation to make a complaint, the organisation is compromised in receiving that complaint. I do not fully accept that and I am surprised by it. First, the helpline for Scouting Ireland did not exist in isolation. People who chose to telephone it did so because they knew that they would be talking to someone from Scouting Ireland. They could have spoken to the Garda or to Tusla. People were making a definitive choice. If it was the only helpline that existed, then that would be a different matter.

I supervised and scrutinised the practice of the individuals who were involved in manning that helpline. I stand over that. I do not believe any of them were compromised in terms of their responses. In fact, I feel gratified and appreciative of what they did and how they did it. It was outstanding.

Chairman: Will Mr. Tennant confirm the figure of 180 individuals who have been in contact?

Mr. Adrian Tennant: That is correct. I am the volunteer on this panel, which is in front of the committee. My role and the role of our board of directors is to speak on behalf of the volunteers and ensure Scouting Ireland is being run appropriately and is fit for purpose. One of the key things the last year has shown and the reason we were taken aback by the commentary about the helpline is that Scouting Ireland has what I would call an appropriate reliance on our professional staff. What the hell does that mean? What I mean by that is that there is no doubt in our minds, as volunteers, that Scouting Ireland could not run without the 14,000 of us. We have more volunteers than An Garda Síochána and Óglaigh na hÉireann combined. That army of volunteers serves this country well in providing a really good, safe, solid programme throughout the island, North and South. We cannot do that on our own, however. In this regard, I must refer to our small cohort of professional staff, despite everything that has gone on in the past few years. I do not wish to single out any group but the safeguarding team, in particular, has come under an awful lot of scrutiny. I want the members to hear from me, as a volunteer in the 13th Wexford scout group in Wexford town rather than as a chairman, that the organisation is being served well and is totally indebted to and reliant on the goodwill and professionalism of our staff team. This is not said enough. It is not said enough in any place of employment, probably. If it were, I probably would not have a job. With regard to Scouting Ireland, it is not said enough. The vast majority of our volunteers, to a man and woman, really appreciate what our professional staff do. I am referring to group support, provincial support, administrative staff and our management team, but particularly our safeguarding team. Considering the reason we are sitting here, the members might be surprised by the language I am using now but we are trying to have a service centre of excellence for how we manage safeguarding in Scouting Ireland and to be a bastion for other organisations. We can do that as volunteers but we cannot do it without our safeguarding team.

Chairman: I made the point to Mr. Smyth that Scouting Ireland has been under extraordinary scrutiny. This committee has been involved for over a year, Mr. Elliott for longer and Dr. Lawlor for longer again. We all have various roles to play but I am referring to what we are trying to achieve collectively by way of service improvements, including the latest iteration in this regard, which is the service improvement plan. From Tusla's perspective, I am sure that will be broadened out. There is a commitment from Tusla to provide it to us in some form at a later stage.

There is just one aspect of the helpline that I wanted to address. I asked a question and received the answer that there was a single complaint made. We do not know the nature of the complaint or at least I do not know. It was obviously sufficiently serious for Tusla to include a reference to it in its recommendations. The staff of the helpline are effectively being vetted by way of a review of their qualifications, etc. I assume Mr. Elliott will be involved in that. What will the outcome of that be and what will be the position on confidence in the service? Perhaps I should have asked Tusla.

Mr. Ian Elliott: May I add to my previous remarks on the helpline? It is a simple issue but nonetheless important. If the concern is about Scouting Ireland staff being compromised in answering, that is a structural issue in terms of the organisation of the helpline. It was present on day one. The helpline was in operation from 22 November. If there were concerns about it, one would have expected them to have been voiced in November or December. It was not February. That is a simple point. A number of meetings have taken place in the time and nothing has ever been said. It is important to point that out. It is also important that we be precise in what we are agreeing and committing to. It is, of course, a matter of practice for us to evaluate regularly everything we do. That is how we operate. If we are involved in a practice, we evaluate what happens in terms of safeguarding and the provision of effective supervision. All members of the safeguarding team are subject to this. We used this as a basis for improving our practice. That is exactly what we are talking about in relation to the helpline. The helpline is not something we normally provide in Scouting Ireland; it is exceptional. It has proved from our side to be extremely effective and successful. It is important, therefore, that we learn and understand as much as we possibly can from the experience so we can apply it to any of our future developments.

There are ethical issues that are very much present in any evaluation of the process. From my perspective, I feel it has to be focused on the experience and performance of the staff and the written record. Every single call we receive is recorded. A record is available and used as a basis for ongoing transmission to An Garda Síochána, Tusla or whichever statutory agency is concerned. That is the basis on which we work. There are ethical issues with regard to any attempt to engage the service user in what has happened. I do not know the detail of the complaint that Tusla received and I have not been able to match up that complaint with anything we have on record from the helpline. That is an issue and a concern.

Chairman: Given that Mr. Elliott has been providing information to the statutory authorities, namely, the Garda and Tusla, does it include names?

Mr. Ian Elliott: Yes.

Chairman: Given that Mr. Elliott has been keeping comprehensive notes and providing them to the statutory authorities, did Tusla confirm to him that the person who contacted it with the complaint was one of the individuals named? Did it not provide him with that information?

Mr. Ian Elliott: No. There is no process of verification. There has been no process of verification. Tusla has said the person reported to it that he or she was a caller to our helpline. We have no way of confirming that or anything else.

Dr. John Lawlor: It is really important to reflect on the output. There is a much deeper and broader understanding of the truth of the hurt and abuse caused to young people over decades in scouting. That is a very painful thing for me to say, as somebody who has been in the scouts since I was a kid. I believe, however, that what our helpline and staff did has resulted in the

truth being evidenced. The truth is now available. It is a very painful and difficult truth but it is the truth that had to be told some day. A great service has been given by those who served on the helplines to the victims who carried hurt for many years. That needed to be done and was done very effectively, openly and compassionately. That had to happen. Those who abused children in their care over all the decades in scouting betrayed the vast majority of volunteers, who served young people so well over the time. That is a deep hurt in scouting. It is hard for us to credit that it could happen but it did. A tiny minority was involved but they had a devastating impact on the young people concerned. That truth had to be revealed. Our staff, under the direction of Mr. Elliott, did a great service to Ireland in revealing that truth.

Chairman: My second last question relates to the establishment of facts when dealing with an allegation that might be made, be it in respect of a den, an overnight trip or another activity. Tusla has made a significant observation and contribution on the subject of interviewing or the verification of what constitutes an interview and what is simply establishing facts in order to make progress on an issue and take it seriously. I am not a trained safeguarding expert by any manner or means but I am trying to understand how Tusla could make an observation that is so significant to what might be deemed best practice in the context of verifying facts about an allegation. I clearly do not mean an incident involving an adult and child but an incident involving two children. How is that verified if not through an interview?

Mr. Ian Elliott: Terminology is very important. The way we would describe the process is that we make ourselves available to children and young people to listen to them, to record accurately what they say and, if appropriate, to pass it on to the necessary statutory agencies. We do this almost exclusively in the presence of their parents or their carers. Where they are not available, for example if somebody has an issue at a jamboree, it would be in the presence of a scout leader who is in *loco parentis* to the young person. We do not interrogate and we do not interview them in the sense it has been described and how I have heard it described in the media. We listen to them. We have to make ourselves available to listen to them because we have no other way of gathering the information. The vast majority of the contacts that take place do so at the request of the young person. They ask to speak to us. We make ourselves available and we listen to them. We always do so and pass on the information to the appropriate parties.

Chairman: I have to go back to my initial comment on the publication of the letter from Tusla and the fact it contains very specific information. I queried - cautioned perhaps is a better description - the terminology used. Unfortunately, I must refer to the fact there is an allegation using specific terminology with regard to conduct. I do not want the witnesses to answer. I simply make the observation that it may be the case there is a fundamental misunderstanding of terminology between the two organisations. While Mr. Tennant has said repeatedly the organisations are not in conflict, which I accept, I would have thought a basic understanding of terminology between two organisations would be important. Dare I say that perhaps it should go into the six point plan that has been put forward?

Earlier, I mentioned to Tusla the principal documents on the child safeguarding statement and the practices being in position at corporate, board and voluntary organisational level but when it comes to individual dens the inference is that perhaps there was a disparity between one and the other. Clearly this is something the new board will have to address. I want to afford the witnesses the opportunity to address it because it is there in black and white.

Mr. Adrian Tennant: The three of us might have different contributions on this. From the volunteer perspective, and from my professional background, earlier the example was given that a health and safety statement on a wall does not mean accidents will not happen-----

Chairman: Of course.

Mr. Adrian Tennant: -----or that safe practices are in place. We are not defined by policies only; we are defined by our practices. We cannot rest on our hunkers knowing a particular safeguarding statement is signed off and ratified and we have it in our halls and bring it to our camps. I was camping this weekend and on the shelter of our tent was pinned the safeguarding statement. Even when we are out in the field the safeguarding statement is there and that is normal practice.

What defines us, and it is something of which we are very proud, is that we are always changing because we must appreciate safeguarding is not a standstill topic. The same evening I was on “Prime Time”, the programme had other stories about social media concerns for young people. It is always evolving. The threats to children and the dangers to which children are exposed nowadays change all the time. We have to stay on top of this and we do so very simply when we train our adult scouters. As an aside, we do not call ourselves leaders any more because we are very much led by our youth members who decide the programme. This is something we know but people outside do not know. Our adult volunteers are our scouters and they facilitate the programme for the young people that they themselves develop.

It is not a right for anybody to become a volunteer in Scouting Ireland, it is a privilege. To access that privilege people must go through a number of steps before even getting to the residential course about which Dr. Lawlor spoke. During all of this time we spot whether there are issues. It starts with the group leader bringing in a person. On the residential course there is a four hour block dedicated to safeguarding but safeguarding is there throughout the entire weekend. Every three years, because it is not a topic that stands still, we retrain our adult volunteers and they are fully co-operative with it. There is no push back. They have a yearning to know what are the latest things they need to watch out for when looking after young people. This is an onerous task for the organisation from a practical training point of view but it is something we have been doing and we continue to do. It is not just about the thing that is on the wall or pinned to the tent, it is about our people. Our people are constantly trained and updated as new things come in.

Dr. John Lawlor: Organisations on the scale of ours must always be mindful of the challenges that arise. We did some calculations to give some sense of the level of activity as against what will arise. We estimate that we did in excess of 220,000 young people overnights last year, if that makes sense. If we multiply the number of young people by the sections by the weekends it certainly is in excess of 220,000. That simply could not work if we did not have a robust educational method that worked. We could not take that many young people away and not have untold disasters unless we knew what we were doing, and our volunteers know what they are doing. They operate through an educational method that is well established and has served scouting and Ireland for more than 100 years. It is well acknowledged internationally as the finest non-formal educational method on the planet. It is within the context of this method that we work with young people. We build an environment of trust, kindness and responsibility. This is inherent in the scout programme. It is the basis on which they work with us and with the adults who work with them.

Of course, incidents will arise and we have to deal with them properly. We have to be open to learning. Children First is a huge opportunity for us to establish a new benchmark in safeguarding for Scouting Ireland and for the sector. We have to see that an organisation such as ours will always have incidents that will need to be reported. We will need to take learnings from them and ensure in what we do going forward, if we can, that the same problem cannot

arise again. Young people are developed in scouting to care for each other and work with adults in a team-based environment. This is the essence of the model. In essence, this is at the heart of keeping young people safe. Young people are safest when they are secure in a peer learning environment where they can trust the peers they are with.

Mr. Ian Elliott: To add to what has already been said, it is important to say Scouting Ireland has a robust and comprehensive policy framework. To illustrate this, we have 17 different policy documents that relate to overnight trips. Policy is important but the purpose of policy is to shape the behaviour of those involved in the organisation. It is the practice on the ground that really matters. Policies are in place and if people have identified gaps in those policies I ask them to please share them with us. We are always keen to learn and to address them. It is ensuring that the practice, which is what matters to the young people, is up to standard. What is now clear within the organisation is that any policy document that exists represents a clear expectation on the part of the organisation that this is what will happen and if it does not happen there will be consequences. They cannot just be put to one side and they must be complied with. This culture, which is a safeguarding culture, is now pervading the organisation. That is a great encouragement to me and a tribute to those who are directly involved in scouting, not just the 14,000 adults but also the young people.

Deputy Anne Rabbitte: I thank the witnesses for attending. The backdrop of this is the Topical Issue matter that Deputy Sherlock and I tabled. We tabled that in good faith to get an update on where we were after last November. I had a concern last November following the question I asked about how many files had gone to the Director of Public Prosecutions, DPP, from Scouting Ireland. With the height of respect, we knew the scope of work which Mr. Elliott was doing, which really related to retrospective cases, of which I have significant understanding. I also wanted to know about the current cases. I understand that the information that I requested on that day has still not been laid before the committee. Not only was it on that day, but there was a follow-up letter to Scouting Ireland and the board. There was a subsequent letter about it on 11 January. That is an outstanding matter that I am not comfortable or happy about.

Who sent or leaked which letter? We will probably never find out how that got into the public domain but it was there due to a genuine concern about something highlighted by Tusla. I felt from reading that letter and listening to the Minister's communication that there was a lack of dialogue between Scouting Ireland and Tusla. That was one reason the Minister felt obliged to do what she did on the floor of the Dáil and release that letter. If I was in her position, I would probably have done the same thing myself to encourage communication.

There are current and retrospective cases and we should not merge them because they are different things. I am trying to come up to date with matters and I appreciate all the good work that Mr. Elliott is doing. Mr. Tennant referred to there being 300 files in 2012 and he talked about the flow of information. I want to understand that flow of information with those 300 files that were in Larch Hill. Did we have a child protection officer in place at that time? When was the last time that a governance position was filled in Scouting Ireland that oversaw this? Why could we do a telephone line in 2018 when we did not in 2012? I think that is a good question. If Tusla and An Garda Síochána were not able to get the traction and Scouting Ireland got very good traction and involvement from this, why did we not do it in 2012?

Mr. Adrian Tennant: I will ask Dr. Lawlor to address the detail of the 2012 review. It was for a very specific purpose. As Dr. Lawlor stated, it was noted that a person who had been removed from one of the legacy organisations had found his or her way back in. That was from a specific point of view. Not all of those 300 files related to child sex abuse. It is important to

state that it was a much smaller number than that.

Deputy Anne Rabbitte: I never mentioned child sex abuse with regard to those files, so we are clear.

Mr. Adrian Tennant: I appreciate that, but in the ether, the idea is that that is what they all were. That is not the case. The ones that were of concern at that time were reported to both Tusla and An Garda Síochána. If it is all right, I will pass the Deputy on to Dr. Lawlor to address the detail of it.

Dr. John Lawlor: If the Deputy does not mind, I will take the issue of the information she requested regarding prosecutions-----

Deputy Anne Rabbitte: Not prosecutions but files that went to the DPP.

Dr. John Lawlor: Files that go to the DPP come from An Garda Síochána. Our responsibility is to report to An Garda Síochána and Tusla, which we have done. We have provided the committee with a detailed breakdown of all of the numbers that we have received and their categorisation. I thought that had fulfilled that action but I am happy to work with the Chair and secretariat if they need more information on that. We have provided that documentation to the committee before. There is far more detail in the breakdown than the committee requested. If that has not got to the committee, we are happy to fix that.

Chairman: In fairness, Dr. Lawlor, I do not think that we have received that.

Mr. Adrian Tennant: We will remedy that.

Dr. John Lawlor: That was certainly my understanding. I apologise.

Mr. Adrian Tennant: Cases that go to the DPP come from An Garda Síochána, not directly from us or anybody else. This can be tested and asked of An Garda Síochána. We have been working closely with An Garda Síochána with regard to live cases and investigations that it has, so much so that it asked us and we co-operated with the seeking of information from members on specific cases. We fully co-operate with the Garda in that regard and note on our website and in mail that we support the Garda in gathering information for possible prosecutions. We have been fully compliant in that regard. I appreciate that the Chair is looking quizzically at us about the breakdown of the numbers. They are available and I will take action to make sure that they get to the committee.

Chairman: The only information that the committee has is a breakdown of the victims who have been in contact with Scouting Ireland's helpline, which I put in the correspondence.

Mr. Adrian Tennant: That is correct.

Chairman: Aside from that, the information that the Deputy is seeking is completely different. If it was submitted but did not get to us, we hope the witnesses can figure that out.

Mr. Adrian Tennant: We will look at that, Chairman, and if it is not what the committee has, we apologise and will make sure that does not happen again. If it is what the committee has, that is what we have.

Chairman: In fairness, it is Deputy Rabbitte's question.

Mr. Adrian Tennant: The cases that have gone to the DPP will be a matter for An Garda

Síochána.

Deputy Anne Rabbitte: My question last November was about how many calls were made to Scouting Ireland for An Garda Síochána or Tusla to investigate and whether they ended up with the DPP. How much communication has there been since 2012 that is current? My understanding is that Scouting Ireland’s work goes up to a certain point. What has happened since the end of those files in 2012? Do the witnesses understand why I ask why we could have a telephone line in 2018 but not in 2012?

Mr. Adrian Tennant: The 2012 review was to do a specific job. Those cases that were reviewed at a time were traffic-lighted, being either red, amber or green. There were only seven ambers out of all the files and all of those were reported. We had no reds at that stage. Of the files, we just did not know about seven and they were reported.

Deputy Anne Rabbitte: Mr. Elliott was then hired and we now know that what he identified as eight reds is more than eight. There are 324 situations, are there not?

Mr. Ian Elliott: It is not all the same material. Victim disclosures which came to us also have to be taken into account. An area that is worth looking at is the distinction the Deputy has made between what she describes as the past, historical cases and what is happening currently. I do not see a great distinction between those two from our point of view. I say that because every case that has taken place that we are aware of represents a source of learning for us. Terminology is very important and people often dismiss what has gone before, saying that it is in the past. That is not my approach. My approach is that we need to learn from that, to understand what happened, and what and who was involved. Those individuals may be in the organisation or in other organisations today. There may well be a victim or victims who need help or to be reached out to. All of them represent a source of learning and all of them go through a process of assessment, adjudication and reflection within the organisation. I am not comfortable with trying to divide out the pieces of work and saying that that was then and this is now. It is not as clear as that. It is a matter for critically assessing and looking at all of the practices of the organisation, including the legacy organisations, and ensuring that what happened then can never happen again.

Deputy Anne Rabbitte: I hope Mr. Elliott does not mind me asking this question, and correct me if I am wrong, but is the fact that there was not a designated safeguarding officer in place from 2017 the reason a spotlight of concern has been shone from the Department of Children and Youth Affairs, DCYA, which is a main funder, and Tusla?

Mr. Adrian Tennant: The term “safeguarding manager” is what we refer to it as now. It is not that we did not have someone in that position or in a similar position. In the past, we would have called it a child protection officer. I will pass over to Dr. Lawlor who will give more detail on the answer.

Dr. John Lawlor: I thank the Deputy. I am grateful for her question because this matter does need to be cleared up. In terms of the terminology, and Mr. Elliott referred to the importance of terminology, child protection was the common term, probably up until we started to see the emergence of discussions around Children First. We had somebody employed directly as a professional in that area up to the summer of 2017. We then engaged Mr. Elliott immediately for the purpose of overseeing what we did and to provide the interim cover as the interim safeguarding manager, as he has been referred to. He has provided professional guidance and support to our team since then.

In regard to our team, they are trained. They are vastly experienced. They have dealt with very many cases in their time and they have done so with the benefit of Mr. Elliott's guidance and supervision since the summer of 2017. There was no gap in trained people to deal with this. It was quite obvious to us that the model of having a single child protection officer in an organisation of our scale was inappropriate given the scale and the complexity of the work that was involved. We realised we needed to move to a new model and Mr. Elliott has been hugely helpful in framing what that would look like.

Of course, we have the challenge of funding, which has been alluded to a number of times in the meeting, but notwithstanding that we have retained a professional team managed by the finest safeguarding expert, if he does not mind me saying so, in these islands who has had oversight of all cases since and has overseen the practice of our professional team. Our professional team are qualified and trained in the sector.

Deputy Anne Rabbitte: If you do not mind-----

Chairman: Before Deputy Rabbitte continues, I bring to everybody's attention that there is another meeting booked for this room and we must vacate it by approximately 3 p.m. There is plenty of time. I have the three remaining members offering on the list but I am just bringing that to the attention of members.

Deputy Anne Rabbitte: For the benefit of all the viewers watching this meeting, when I ask these questions it is not a criticism of any of the scouters or the people working on the ground who do remarkable work. It is important that is said repeatedly but we have to tease out the reason there is a spotlight on Scouting Ireland, which does amazing work as do its leaders throughout the country, and try to prevent future spotlights on this area. In terms of the reason I ask these questions, it is my understanding, and Dr. Lawlor can correct me if I am wrong, that there was a gap. Whether it is called a child protection officer or a safeguarding manager my understanding is that there was a gap in child protection at the highest level at some level along the line. Dr. Lawlor might clarify that for me. Was there a gap in child protection? Mr. Tennant said he was out last weekend and he was looking at the tent, and that the policies and procedures are in place, but when an audit is conducted it is not sent out to every one of the 200 tents that were put up in the past number of years. They are auditing headquarters. Were there gaps in terms of the child protection officer, manager or whatever one wants to call it in the past two or three years in Scouting Ireland?

Mr. Adrian Tennant: Before I refer the Deputy to Dr. Lawlor to deal with the employment of the child protection officer, following which Mr. Elliott can come in, in terms of the audit going out to the dens, the tents and so on, an audit has to do that. Some of the issues we have had regarding the Tusla letter were about the lack of evidence that was presented to us or that we could understand might have led to some of the statements in it. In terms of some of the things that were stated about the overnights or the levels of supervision for our young people, we did not know where that came from. I was asked in various interviews the reason they would say that and I did not know why they said it. I do not want to but I disagree with the Deputy somewhat in that the spotlight is not just on the headquarters. It is very much a spotlight on the entire organisation. Our entire organisation can stand up and show that it is not just about the policy on the wall; it is about the practice that is carried out in scout halls and in camps North and South of this island. We will quite happily stand up and demonstrate that. When we talk about audits in regard to our practice, the practice happens on the ground and we can stand over that. The practice does not just happen in headquarters. Mr. Elliott is correct. When we talk about the review for the helpline we have to be very careful about the terms of reference because we

want to get learning out of this and ensure that if there are issues we need to deal with, we deal with them, and they cannot all be captured by desktop exercises.

Deputy Anne Rabbitte: With the height of respect to Mr. Tennant, I have just listened to his commentary and, to be honest, it seems to me that he has thrown every scouter throughout the country under the bus. When the Tusla representatives were here earlier they did not talk about events on the ground. They talked about governance and compliance. Mr. Brian Lee spoke about governance and compliance in respect of the safeguarding statement. The safeguarding statement, which is the mission statement for Scouting Ireland, comes from Scouting Ireland headquarters, which is delivered to every unit throughout the country. Is that correct or not?

Mr. Adrian Tennant: I absolutely agree with that.

Deputy Anne Rabbitte: Thank you.

Chairman: Dr. Lawlor.

Dr. John Lawlor: Deputy Rabbitte asked me a specific question. There was no gap. I know it has been put about that there was but there was no gap. At all times we had a professional team in place. What became obvious in 2017, and in 2016, was that the idea of vesting all responsibility for everybody - the Deputy referred to child protection - in one person was too much of a burden and was an inappropriate structure. We knew we needed a restructuring, and Children First uses the language of safeguarding, and that we needed to move to something different. When we had a change of personnel in the summer of 2017, contiguous to that we employed Mr. Elliott. He was able to guide us and provide supervision at the same time over that period, and he has done so since. There has been no gap whatsoever. Allied to that, the professional staff at national office are well qualified and experienced in this area and have proven their worth in recent months.

Chairman: I thank Dr. Lawlor.

Mr. Adrian Tennant: If I might make one more point-----

Chairman: Please do.

Mr. Adrian Tennant: I apologise if I came across incorrectly but the point I was making was in regard to our practice, about which I am passionate, and it probably came across as something different. I am very passionate about the practice that we, as volunteers, do the length and breadth of this country. I fully agree with the Deputy's point of clarification on what was said by the Tusla representatives and getting our mission statement right in respect of child safeguarding statement. That is extremely important. It is the foundation for everything else we do. My point, as a volunteer supporting my fellow volunteers, is that we operate under our current guidelines in Scouting Ireland and we do that to a T. We are called volunteers but I have to say we do it to a very professional level. It was not an attempt to throw my fellow volunteers under the bus. It was my attempt at protecting our volunteers and letting this committee and everyone else know that what we do is done with the best of intentions and always putting the child at the heart of everything.

Deputy Anne Rabbitte: I asked those questions because I was a volunteer up to three years ago.

Mr. Adrian Tennant: I appreciate that.

Senator Joan Freeman: I do not know if this question is for Dr. Lawlor or another witness. Mr. Tennant referred to the 50 million fellow scouts around the world. Did any scouting organisation in any other country experience child abuse issues? If so, how did it handle it? Will Scouting Ireland be a beacon now of how to handle and safeguard children for the rest of the community around the world, or how will it work out?

Mr. Adrian Tennant: That is a good question. As unfortunate and terrible as the situation is, and all three of us have set out for the committee how saddened we are that we must deal with the situation, the fact is that it exists and we will look after the victims. We do not have to reinvent the wheel. Other national scouting organisations around the world have experienced similar circumstances, some to a greater extent and some lesser, and there have been different methods of trying to deal with that in different jurisdictions around the world. In the formulation of how we will deal with it through our victim support programme and so on, we have learned lessons from other places. I will pass to Dr. Lawlor to comment further in a moment. We received a great deal of support from other national scouting organisations and we have the support of the World Organization of the Scout Movement, WOSM, which is the overall body for scouting around the world. In fairness to us, WOSM recognises that we are not the first to face such tragic circumstances. It has rowed in and been supportive of us in our efforts and the manner in which we are dealing with the situation.

Dr. John Lawlor: I am glad the Senator asked the question. We are part of a worldwide movement of 170 national scouting organisations. The issue and problem has arisen elsewhere and it has tended to be dealt with in the northern part of the globe - Canada, the United States and the UK - as well as in Australia. We have learned some lessons from their experience. Scouting organisations are not unique among youth organisations and, in fact, anywhere where there are children it is likely that this has happened. As one goes south towards the Mediterranean, one tends to hear that the organisations do not have that problem. We know, however, that is probably a case of a see-no-evil monkey.

Nevertheless, we have had the benefit of other scouting organisations and I pay particular tribute to the Scout Association in the UK, which is approximately ten times our size and which has been generous to us in facilitating expert training courses for our staff, continuing professional development and engagement with the UK police because it tends to see trends before we do, particularly in the case of youth-on-youth incidents or the difficulties with social media, impersonation and so on. The Scout Association has been helpful to us and we are lucky to have on our board a member of the Scout Association, whom committee members may have met at the previous meeting, who taught us a lot and is part of our safeguarding oversight at board level. We have learned a lot from our colleagues overseas, where they have had to address similar difficulties. We received a message of support from the secretary general of the WOSM, Ahmad Alhendawi, at the weekend for the work that Scouting Ireland does in this area. I expect Scouting Ireland to be of global significance as an exemplar of how to deal with these issues. We have learned from others. The Canadians made a public apology in respect of the matter, while the Boy Scouts of America have particular issues they, too, must address. There are lessons to be learned.

Deputy Anne Rabbitte took the Chair.

Deputy Sean Sherlock: There is much to try to internalise and understand from the contributions. My earlier intervention was based on the idea that there needs to be progress while

we are all moving forward, which means the State agencies, the statutory bodies, Scouting Ireland, as a voluntary organisation, and we, as Members of the Oireachtas, are all on a journey to ensure that an organisation that is cherished within Irish society emerges stronger as a result of what has happened. While we are on that journey, there remain questions to be teased out. If we have concerns, no matter how seemingly ill founded they might be, they are nonetheless concerns. It is important that we reserve the right to ask questions, and so doing should not be taken as having a particular view on an organisation or individuals within it.

As Deputy Rabbitte noted, she and I raised the Topical Issue matter but if we had not, we would arguably not be having this discussion. The motive for raising the matter was predicated on the concerns we had that information was entering the public domain via *The Irish Times* and we read the information but there was no mechanism where the Minister would report to us in the committee or to the Oireachtas in respect of the process. We merely wanted to establish the facts of the process for the historical cases. I understand the point Mr. Elliott made about historical cases but given that the numbers were in the public domain, we felt that it was necessary to interrogate the process. It was at that juncture that the Minister put the Tusla letter on the record of the House.

That leads me to my first question. The Child and Family Agency, Tusla, has stated on the record that the letter of 18 February was not copied or issued to any person outside of Scouting Ireland or Tusla. On Wednesday, 27 February 2019, Tusla received a request from the Department to provide a copy of the letter dated 18 February 2019. The Department had received direct communication from Scouting Ireland's interim safeguarding manager, Mr. Ian Elliott, on Tuesday, 26 February 2019 in connection with Tusla's letter. That letter was provided to the Department, and the Minister read its recommendations into the Dáil record and later published the letter on the Department's website. Will Mr. Elliott confirm his version of events *vis-à-vis* Tusla's interpretation of events? The letter exists - that is a statement of fact - and it was sent to Tusla. How did the letter then return to the Department? Did Mr. Elliot furnish that letter to the Department?

Mr. Ian Elliott: No, I did not. I was approached to supply the Department with a copy of the letter-----

Deputy Sean Sherlock: By whom?

Mr. Ian Elliott: Clare McNamara and Michelle Shannon were the two individuals from the Department with whom I had contact.

Deputy Sean Sherlock: From the Department.

Mr. Ian Elliott: From the Department. We did not feel it was appropriate for that to happen. I corresponded by email with Clare McNamara at 9.57 a.m. on 26 February, in which I set out my concerns.

Deputy Sean Sherlock: Mr. Elliott did not send a copy of the letter.

Deputy Alan Farrell resumed the Chair.

Mr. Ian Elliott: No, absolutely not. One must remember, as was noted earlier, that Scouting Ireland has recently been under intense scrutiny. We had an active collaborative working relationship with the Department, Tusla and so on. Once we had received a letter of that nature, we had no option but to inform the Department of the fact that we had received it and that we

wanted to engage with it, take it seriously, address it-----

Deputy Sean Sherlock: It is important to make the distinction that Scouting Ireland emailed the Department-----

Mr. Ian Elliott: Yes.

Deputy Sean Sherlock: -----but the letter was sought by the Department and Scouting Ireland did not furnish it with same.

Mr. Ian Elliott: No, we specifically refused to do so.

Deputy Sean Sherlock: Did the two officials which Mr. Elliott named say why they wanted the letter?

Mr. Ian Elliott: No.

Deputy Sean Sherlock: The email was sent on 26 February, which coincides with the raising of the Topical Issue matter in the Dáil.

Mr. Ian Elliott: I have a copy of the email to hand. My email contact with the Department was on the morning of 26 February. This was happening because I had chaired a meeting the previous afternoon with two members of Tusla and two senior members of the Garda. This was the interagency meeting. I used that opportunity as a means of confirming with them whether either agency had concerns about our practices and so on.

Deputy Sean Sherlock: I am conscious of time.

Mr. Ian Elliott: The point is they said that they did not.

Deputy Sean Sherlock: Mr. Elliott has proof through the correspondence, a log of the call and so on that it was the departmental officials who contacted Scouting Ireland. They wanted a copy of the letter. Did they say why?

Mr. Ian Elliott: No. I said why I would not give it.

Deputy Sean Sherlock: How did they know that the letter existed?

Mr. Ian Elliott: I cannot say for certain, as I am answering on their behalf and it would be wrong for me to do so, but I had made them aware of the existence of the letter by a telephone call.

Deputy Sean Sherlock: Without furnishing them with the letter.

Mr. Ian Elliott: Yes.

Deputy Sean Sherlock: A question mark now hangs over this process. We may need to contact the Department and the Minister about this issue, given that she has now arguably been put into this process. She stood before the Dáil and said clearly that she was in receipt of the letter. I do not have the transcript before me, but she certainly said that she had received the letter. Tusla says that it-----

Chairman: Only hours before, I believe she said.

Deputy Sean Sherlock: She had received the letter only a matter of hours before. I will

park that for the time being, as it is pertinent to the issue and there is now a question mark over the nature of the Minister or her Department's involvement in this process.

The interagency meeting was held on 25 February.

Mr. Ian Elliott: Yes.

Deputy Sean Sherlock: What transpired at that meeting?

Mr. Ian Elliott: The meeting was initiated by us at the start of this process in November. It was an attempt on our part to bring An Garda Síochána and Tusla together with us so that we could actively review practices, co-operation and collaboration while also providing those agencies with an opportunity to tell us directly whether they needed something more from us or for us to do something differently, with us engaging on that. We got the letter on Friday, 22 February, and had the meeting on Monday, the next working day. I took the opportunity at that meeting of asking those present whether they had concerns, problems or difficulties with what we were doing and how we were doing it. In particular, I asked whether they had concerns regarding the quality of the response that was being made by Scouting Ireland's staff to those who had been contacting us.

Deputy Sean Sherlock: Regarding the timeline, 18 February was the date of the letter and 25 February was the date of the interagency meeting.

Mr. Ian Elliott: Yes.

Deputy Sean Sherlock: Was the 18 February letter discussed at that 25 February meeting? Mr. Elliott did not receive it until 22 February, but the letter was dated 18 February.

Mr. Ian Elliott: Yes.

Deputy Sean Sherlock: Were the issues contained in the letter addressed at the interagency meeting on 25 February?

Mr. Ian Elliott: I raised it by means of two questions, which were answered by the two agencies. In their answer, Tusla's representatives made reference to the letter. I knew that the two senior managers present had been copied into the letter and, as such, had been in receipt of it. I did not permit much discussion about the content of the letter as a whole, as the Garda was present and I did not feel it would have been appropriate.

Deputy Sean Sherlock: Mr. Elliott felt that, in line with his obligations *vis-à-vis* his interaction with Tusla and given the confidentiality of these matters, there should have been a clear-----

Mr. Ian Elliott: It shocked me. We had received this letter on the one hand and, on the other, when speaking to individuals who had been copied into it directly, they said that everything was fine and they had no concerns, problems or difficulties with what we were doing or how we were doing it.

Deputy Sean Sherlock: The Minister came into the House on 27 February, put the letter of 18 February into the public domain and the bombshell was dropped in respect of the weekends and overnights, but that issue had been addressed prior to 27 February in the interagency meeting.

Mr. Ian Elliott: Yes. That is why the meeting was set up. I had discussions with An Garda Síochána following the meeting and asked the Garda whether I was confused, but it confirmed to me that there was an understanding of what we had discussed.

Deputy Sean Sherlock: What was the nature of the discussions with the Garda?

Mr. Ian Elliott: To confirm. I went to a very senior level in the Garda. It was absolutely satisfied with what we were doing, how we were doing it and the quality of information going to the Garda. I was assured that that was the case.

Deputy Sean Sherlock: Mr. Elliott got that assurance from the Garda.

Mr. Ian Elliott: Yes. My difficulty, which I believe is shared by many of my colleagues, is in trying to understand what happened. When I say “I am shocked,” I mean it. I do not understand what has happened. I will mention something important. If one is going to criticise the practice of an individual in safeguarding, one needs to have solid evidence and to have examined either the case record or talked to the people involved in the practice so that one has all of the information or can provide supervision, but none of that happened in this case. All of the criticism relating to practice appears to be based on the content of the referral forms that were sent to the statutory agencies. No case record has been examined and no member of staff has been interviewed. I certainly have not been spoken to.

Deputy Sean Sherlock: Will Mr. Elliot explain that? No case record has been examined.

Mr. Ian Elliott: Not by Tusla.

Deputy Sean Sherlock: No staff member has been interviewed.

Mr. Ian Elliott: No.

Deputy Sean Sherlock: This has opened up a whole new can of worms. Tusla appeared before us earlier and gave a version of events, and we now have Scouting Ireland’s interpretation of events. It throws up a set of new questions.

I wish to discuss the letter of 18 February again. Arising from the evidence we have just heard, there are questions to be asked of the departmental officials and the Minister in respect of this matter. Regarding the helpline, I will ask Mr. Elliott to put himself in the politician’s position for a second. The Minister appeared before the House and put the key points of the Tusla letter on the record. When an Oireachtas Member hears the words, “Scouting Ireland should consider the viability of continuing with overnight trips”, the natural and immediate reaction is to wonder whether something explosive that we did not know about had happened and to take the Minister in good faith. Having parsed this situation out a little further and consulted people on the ground regarding their obligations in respect of safeguarding, and given that overnight camps took place at the weekend, there is public confidence in matters at ground level.

Notwithstanding all of that, legitimate issues were raised in the letter of 18 February regarding the three cases at hand. They should not be glossed over, and I am not saying anyone has. It is not that the incidents did not take place. There was arguably a response at the time by the designated liaison officers. One could safely conclude that. If there was not, the cases would not have been highlighted in the way they have been. I am not happy at the manner in which professional staff responded. For me, the issue is the manner in which Scouting Ireland responds to matters. I make no apology in that regard. In two of the cases Tusla highlights

that the intervention and interrogation of children were inappropriate. That is where the failing was. We all appreciate and understand risk is inherent in any voluntary organisation, but in this instance the manner in which the eight professional staff responded was inappropriate. That is the issue for Tusla. It was mentioned that it had been raised at the inter-agency meeting on 25 February. What was the response of Tusla to Scouting Ireland in raising it, or did it raise in the manner I have just articulated it?

Mr. Ian Elliott: As I said, the letter from Tusla was copied to two individuals. Therefore, I did not think it was appropriate to raise the specifics of the cases and I do not think it is appropriate to do so in this sense either. We actively address and engage on all concerns and comments made about a practice. When somebody has a concern, we sit down with him or her to talk it through and answer his or her questions. We will also learn from comments made. The committee can take it from what I am saying that in the cases referred to into which I will not go in detail, I do not agree with the assessment made by the individuals.

Deputy Sean Sherlock: In the three cases.

Mr. Ian Elliott: There are more than three cases.

Deputy Sean Sherlock: We have the sample cases to go on.

Mr. Ian Elliott: The comments made are practical. I made a point about practice. If I want to criticise it and inform myself as fully as I possibly can on what actually took place, I cannot be present when the process is taking place, but I can look at the written record and talk to the individuals who were present. That is critical in terms of the way one approaches the issue of supervision.

Chairman: I call Dr. Lawlor who will be followed by Deputy Mitchell.

Deputy Sean Sherlock: I would like to ask one more question because new information has come to light that is explosive.

Chairman: I appreciate that, but out of respect for others and taking into account the fact that there are only 17 minutes remaining, we have to move on.

Deputy Sean Sherlock: I hope we will have an opportunity to discuss this issue again. What is so injurious in the letter from Tusla in respect of the helpline that Scouting Ireland is seeking to refute it? The letter states further concerns arise about the management of a recent situation and that confidential information was shared with a Children First information and advice officer, CFIAO, etc. My impression from earlier interventions by Mr. Elliott is that it is injurious to Scouting Ireland.

Mr. Ian Elliott: What I am asking for is help in understanding how comments of that nature can be made. In other words, what I am looking for is the evidence. I am asking if the evidence can be shared with me. I know there is “a” complainant but nothing else.

Deputy Sean Sherlock: We are all trying to understand the issue. I am not a child protection expert, but Mr. Elliott is saying that, in respect of case A and case B, Tusla’s interpretation of the course of events is incorrect? In other words, there are question marks over Tusla’s interpretation of events in regard to the interventions made by eight professional safeguarding officers for Scouting Ireland.

Mr. Ian Elliott: It has arisen from the fact that the records Tusla has viewed are incomplete.

Therefore-----

Deputy Sean Sherlock: What does that mean?

Mr. Ian Elliott: It means that what Tusla has read is a referral form, a referral form which it designed and is limited in terms of what is provided. It is a written record of what occurred. The case file is full and added to by the experiences of the individuals involved.

Chairman: At this point I ask Dr. Lawlor to respond. I will then call Mr. Tennant who will be followed by Deputy Mitchell.

Dr. John Lawlor: By way of a general observation on these matters, one of the things that guides us on the safety of children and safeguarding is respect for their dignity and privacy and confidentiality in cases. What shocked us is, however it happened - it is a fact that it happened - that those matters got into the public domain, which we think was extremely regrettable. It should not have happened. We do not want to put any further information on these cases into the public domain, regardless of whether in so doing it would be helpful in defending Scouting Ireland, in the interests of protecting the young people concerned. We are open to reviewing the cases with the statutory agencies, but we do not believe what happened was appropriate. It is unfortunate that it did happen, but it does not reflect how we believe cases involving young people should be aired.

Mr. Adrian Tennant: I thank Deputies Rabbitte and Sherlock for correctly separating out historical matters, with which we are in middle of dealing, from the particular live issues. It is important, particularly for the people who are listening in, that they be seen as two separate issues.

In regard to cases A, B and C, as set out in the letter, I draw the attention of the committee to the action plan Scouting Ireland has agreed with Tusla. Much of the discussion thus far has been on Tusla. I want to bring it back to the action plan as it is the way forward. One of the key actions in the plan is that Scouting Ireland work with An Garda Síochána and Tusla on these cases.

Deputy Sean Sherlock: Mr. Tennant read his interpretation of the barrister's report, about which I have a number of questions, but we do not have time to deal with them today. We need a further iteration in that regard.

Chairman: Yes.

Deputy Denise Mitchell: I will be brief as much of what I wanted to say has been said.

To be honest, when I first read the letter, I was horrified. When I read what had happened in cases A, B and C, it scared me. I have no doubt that the parents and scout leaders who read it were disgusted. However, I will focus on the here and now. According to the evidence presented, cases A, B and C of 2018 are live. For the benefit of viewers, will the delegates outline how the process will work in dealing with allegations about, say, an incident which occurred on a camping trip organised by Scouting Ireland?

Mr. Adrian Tennant: It is important to address that question at this juncture and Mr. Elliott, our interim safeguarding manager, will respond to it.

To respond to the Deputy's comments on her shock and concern, scouters had the same reaction. Those of us who are parents and have children involved in scouting had the same

reaction, as did those for whom in other situations we look after children. We are at one with the Deputy in that reaction. It is a good time in the proceedings to demonstrate how the process will operate into the future from our point of view.

Mr. Ian Elliott: It is important to realise an allegation is not always clear-cut. It could be an expression of concern. We try to respond to it quickly by making two members of the safeguarding team available to the young person concerned in order that we can get some sense of his or her concern and what is worrying him or her if an incident has occurred. We try to do that in the company of their parents or if the parents are not there, they do so with the scout leader. As soon as we have gathered that information and looked at it, we pass it on to the appropriate statutory authorities. It is a simple, straightforward process from our point of view. We gather the information and we make ourselves available to the young people. It may well be that what we are dealing with is something which has been observed by an adult, and we respond to it in the same way. We have a process of very quick response. It is a child-focused process and one which meets the statutory obligations, of which we are very conscious. It is also one we regularly review with the statutory agencies - the people we are referring to - as to whether we are doing what they want us to do and doing it in the way they want us to do it, and so on. It is not a fixed process where we just decide. The idea that we interrogate children is alien from what is the reality on the ground.

Deputy Denise Mitchell: On a camping trip, for instance, if something was observed, two leaders are involved straightaway, parents are notified and the relevant agencies are contacted.

Mr. Ian Elliott: There are two different parts to that. One is the major event, like the jamboree, where there are perhaps 6,000 young people involved on a particular site. If a jamboree is taking place, we will staff that jamboree, so we will have members of the safeguarding team who are available all of the time and who are advertised as being available to the young people on-site. That is a resource which is there. Where a large number of camps and trips are taking place, we obviously cannot do that, but they will all be accompanied by leaders who are all aware of how to contact us and speak to us. They will contact us and speak to us, and they will say, "This has happened. What do I do?", and so on. That is the way we work. It depends on what the camping trip actually is.

Chairman: As it is almost 3 p.m., this is almost our fifth hour of meetings and I am very conscious the members of Scouting Ireland who are before us as witnesses and in the Visitors Gallery have been here since we started at 10 a.m. I thank all of them for their participation, as I thank the members for their diligence and attendance this morning and this afternoon.

There are a great many positive aspects to be highlighted in any such environment, particularly this one, as to the efforts of Scouting Ireland. In the context of why we are here, it is even more important that we get to grips with some of the detail. To echo some of the comments of Deputy Mitchell, from a personal perspective, not just scouters and legislators but parents were rightly horrified by some of the examples and these elicited an emotional response. As a parent, an emotional response when it comes to the protection of one's children manifests itself in various ways. For some parents, the decision they might make with regard to future or continued involvement with Scouting Ireland, or whatever the decision might be as a parent, is clearly justified in the context of that emotional response.

It is very clear to the members and those who have been observing these proceedings for the past five hours that there are questions relating to what has been put into the public domain by the Minister and there are responses that will have to be provided by Scouting Ireland in

conjunction with Tusla. However, personally speaking, I am very pleased to hear it reiterated over and over that Scouting Ireland is not in conflict with Tusla and is working with it. That provides the opportunity to restore the trust that, in fairness, and I am not alone in saying this, Scouting Ireland has been working steadfastly to rebuild following the announcement in January or February of 2018 that there were historical case files that were throwing up difficulties for the movement in this country.

From my own perspective, I thank the witnesses for coming before us and, if not presenting their side, presenting a robust response to the position they find themselves in. I thank the members for their engagement, the Scouting Ireland representatives for making themselves available at short notice previously and this afternoon and the Tusla representatives who came before us and provided us with a great deal of information. As Deputy Sherlock illustrated, there are a series of questions, some of which perhaps came to light a little earlier in the process but were not put into the public domain in regard to the information we all came to find. We need to look at that. I asked Tusla what I feel is a legitimate question, namely, whether the children of Ireland were served by this document finding its way into the public domain. If the members of this committee had been presented with such an incendiary document, would we have made a decision to put it into the public domain or would we have carefully considered how best to respond to it, to engage with Scouting Ireland either publicly or privately, and to engage with Tusla either publicly or privately? I am not 100% convinced, as Tusla alluded to, that the best thing in this case is what has occurred. I do not need to dwell on it for longer than that as I have made my point clear from the start of these proceedings five hours ago.

On behalf of the committee, I thank the witnesses for their attendance, participation and responses and, indeed, for their volunteer spirit in everything they do. The committee will adjourn until 10 a.m. on Wednesday, 27 March 2019, when it will meet representatives of the Irish Foster Care Association and the Irish Association of Social Workers to continue its consideration of the topic of recruitment and retention of social workers.

The joint committee adjourned at 2.57 p.m. until 10 a.m. on Wednesday, 27 March 2019.