



# Cúram

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IRISH ASSOCIATION  
OF SOCIAL CARE  
WORKERS

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*A child forsaken, waking suddenly,  
Whose gaze affeard on all things round doth rove,  
And seeth only that it cannot see  
The meeting eyes of love.*

George Eliot  
1819 – 1890



Orchard  
Children's  
Services Ltd.

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Letters, views, comments, articles on social care issues always welcome to above or [nh99@eircom.net](mailto:nh99@eircom.net)

### *IASCW National Executive*

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• Noel Howard	Coordinator/CURAM Editor

### *Cover*

The editorial refers to an edition of CURAM from ten years ago. That edition's front cover with George Eliot's quote is reproduced as the cover for this edition. Its relevance today is no less obvious that it was ten years ago. The artist is Niall Lennon, a former member of the association, who worked in day and residential assessment of troubled children. The back cover is also one of Niall's productions and we appreciate his insightful art contributions over the years.

## Editorial

### Stigma

Not only in Ireland, but around the world, The Commission to Inquire into Child Abuse Report (Ryan Report) has caused outrage. One thing is certain - the Ryan Report will not gather dust on some departmental shelf as so many other reports of relative importance for children have. One of the report's recommendations is that a suitable memorial be erected to ensure that victims are not forgotten. Perhaps, the report itself is the real memorial.

Commentators have searched for words to describe what was really going on in "Ireland of the Welcomes" and "The Island of Saints and Scholars." No doubt many of the victims did not have the facility with language that our media does. However, when one reads through the report or sections of it, the victims of abuse did not need a thesaurus to describe the savagery to which they were subjected on a daily basis.

Ten years ago in the 1999 autumn edition of CURAM the introductory paragraph of the editorial read as follows: *(Social) Care workers will not have been surprised in the recent past at the level of media attention which the RTE series "States of Fear" engendered. If "Dear Daughter," screened a few years ago was the tip of the iceberg then "States of Fear" has really opened up so many hidden layers that only time will tell where it will take us.*

As it transpires, time has told us. Ten years on, the sordid collusion of church, state and many of the public who were aware of what was happening emerges from the pages of the report. Those contacting the media have reflected disbelief, anger, helplessness and indignation at what one paper described as "the savage reality of our darkest days." Some of us old enough to remember being threatened by parents, priest or teacher, even for minor misdemeanors, with being sent to the nearest industrial school now know what we were fortunate enough to escape.

All kinds of suggestions have been made as to what should now be done to ensure that nothing similar to what the report tells us ever happens again. Apart from some specific recommendations made in the report the majority will come as no surprise to social care workers. They have all been made before where investigations have taken place into other episodes of our shameful past. The IASCW has previously drawn attention to the similarity in recommendations regularly made in previous reports. After all, there is only so much that can be said when it comes to recommending what keeps children safe and we are all pretty much in agreement about that. Implementing what's recommended is where the problem lies.

Since the report's publication it is safe to assume that the fallout has had some effect on children currently in care, their parents or guardians and the staff. It cannot have been an easy time for the children when even many adults struggled to come to terms with what was revealed. The unrelenting media attention certainly left no stone unturned in elaborating on the report. The stigma that will forever now attach to residential care in the past cannot be allowed to continue into the future and hamper the progress that has been made to ensure that residential care is safe for children. Were that to happen would be a most unfortunate result of the report.

One other very important and indeed vital aspect for social care workers in residential and community care needs to be kept firmly in focus. This is where real professionalism will be called for and is an area all too familiar to those who work closely with children.

What cannot be allowed happen is that, because of the need for vigilance, social care workers may withdraw more and more from the normal, spontaneous, real caring attitude so needed by children. To get that balance right in an atmosphere where one suspects even their most innocuous actions may be open to misrepresentation is a real test for today's worker. Remember, even though minuscule in relation to the whole report, 11 pages were given over to positive experiences and 284 former residents recounted kindnesses experienced from individual religious or lay staff with those discharged since the mid 70s more frequently commenting on positive experiences.

The report notes that humanity and kindness would have gone a long way toward making life bearable for the children. If today those who work with children in care allow the concept of care to be diluted and stunted because of the microscope under which they work then the children they care for will be further marginalized. This will be care at arms' length, delivered according to the book with mountains of written material attesting to what was done but little of the real care delivered.

There is a concept that all of us - managers, staff, inspectors, monitors- need to be wary of and it's this. We cannot become victims of what might be the greatest contradictory concept of all... if it's not written down it's not happening. That is a real danger. Those who work with children cannot be told, ad nauseam, that it's relationships that matter if the regulatory bodies, in doing their job as they see it, see boxes ticked and written material produced as alone the indicator that all is well.

## *Social Care & The University Sector*

Cúram readers may have noticed the recent advert by the Department of Health Promotion of NUI- Galway for a University Teacher in Social Care. This development is part of NUI-Galway's decision to start teaching a level 8 BA honours degree course in Social Care in 2008. This move represents an important advance for Social Care which has to date been taught at degree level exclusively within the Institute of Technology (IoT) sector in Ireland.

Although University and IoT degree courses are of an equal standard, with both sectors ultimately overseen by HETAC (Higher Education & Training Accreditation Council), there are still some students who assume that a university degree is of a higher status than an Institute of Technology degree. The initiation of a honours degree level Social Care course within the university sector therefore will undoubtedly help to bolster the status of Social Care as a discipline. It should be remembered that of all the disciplines covered by the Health & Social Care Professionals Bill only Social Care has to date been taught at honours degree level exclusively in the IoT sector.

By most acknowledged criteria Social Care in Ireland has not yet achieved the status of a profession. Standard assessments of professional status include such issues as: Expert knowledge; Autonomy; Governance; Service to society; and Occupational Closure. It is interesting to note that Share & McElwee (2005: 53) explicitly mention the importance of this status differential between the University and the IoT sector in the context of the professionalisation of social care in Ireland. The professionalisation of social care is however an ongoing project and can only be helped by developments such as those in NUI-Galway. It remains to be seen if any other universities will follow suit in offering similar outreach or in-house courses.

It should be noted that it is not the aim of the authors to diminish the valuable work that has been carried out by many individuals and organisations in building social care work practice in Ireland. Nor is it the intention of the authors to lend credence to the commonly held perception of a status differential between universities and IoTs. Our aim is merely to acknowledge its existence and demonstrate how recent developments can be to the advantage of Social Care in Ireland.

**Dr. Frank Houghton & Lisa Scott**

**Department of Humanities, Limerick Institute of Technology**

Share, P. & McElwee, N. (2005) 'The Professionalisation of Social Care in Ireland?', in P. Share & N. McElwee *Applied Social Care*, pp. 42-59. Dublin: Gill & Macmillan.

See article by Dr. Martin Power on the next page.

## *HETAC National Standards Process*

HETAC (Higher Education Training Awards Council) recently brought together a representative group to draw up a set of national standards that will apply to social care degree courses. HETAC, as a quality assurance body, has a statutory function to ensure that academic awards meet a rigorous standard. It should be noted that HETAC's standards are extremely important in terms of social care registration

The group had an initial meeting on May 14th . Lorraine Ryan represented the IASCW and the RMA and David Power (IASCW Vice President) represented the Health & Social Care Professional Council. The following were also included in the group which was facilitated by Peter Cullen, HETAC Head of Function: Pat McGarty (Chair) and Kevin Lalor IASCE; John Fox, HSE; Karen Finnerty, Open Training College; Judy Doyle DIT; Margaret Gilmore, Sligo IT; Mark Smith, Edinburgh University and Reidar Osterhaug, Stavanger University Norway.

A draft document was drawn up for circulation to members of the group for further consideration and the plan is to put an agreed document out for public consultation over a period of eight weeks, hopefully in the autumn. This process has moved very quickly in relative terms and HETAC is to be complemented on the sense of purpose being brought to this important area which will have implications for the training standards that will apply for social care workers into the future.

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"Yeats wrote about a childish day being turned to tragedy. How many childish days were turned to tragedy in those years?"

*Maureen O'Sullivan, newly elected Independent TD in Dail debate on Ryan Report.*

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## *Social Care at National University of Ireland Galway*

*by Dr. Martin Power, 3rd year Social Care Coordinator NUIG*

In recent years change has become a defining characteristic of Ireland's social care landscape. The shift to a social model of care, increased European integration, an emphasis on life-long learning, changing population demographics and calls for greater user involvement, to name but a few, all played a part. Nevertheless, few would disagree that the introduction of the Health and Social Care professionals Act (2005) represented a watershed. Accelerating change, professionalisation has raised the profile of social care and encouraged a ratcheting upwards of qualifications.

Against this backdrop the social care programme at the National University of Ireland, Galway (NUIG) has developed and expanded. Established in the early 1990s, NUIG's social care programme has gone from strength to strength and, in November 2008 the B.A. in Social Care was launched. Accredited by the National University of Ireland, the Social Care B.A. is a level 8 honours degree within the National Qualifications Framework. A 4 year part-time blended learning programme, it is delivered through Health Promotion, part of the School of Health Sciences at NUIG.

The programme, specifically designed to meet the needs of adult learners returning to education, aims to build upon and enhance the existing knowledge and skills of carers. Delivered on a modular basis, the programme combines open learning through distance education with workshops, seminars and work-placements. The programme runs throughout the academic year from September to May, with years one and two delivered by locally based tutors at a number of locations across the country, while years three and four are delivered at NUIG. The programme has a number of exit points, with a Certificate awarded upon successful completion of year one, a Diploma after year two and the degree on completion of year four. An open access ethos informs entry to the programme and there are no specific educational entry requirements. However, learners are expected to have good reading and writing skills, as well as experience of care work, gained in either a formal or informal capacity.

Since the programme's establishment over 1,700 participants have received a social care award from NUIG and, the course remains immensely popular among both carers and service providers. Indeed, a recent NUIG survey of currently enrolled participants found that, almost 50% had enrolled for career advancement purposes, almost half had heard about the programme through word of mouth and 65% of learners are funding the course themselves. Though the high percentage of self-funding participants is indicative of the programme's appeal and standing, it can also, in part, be attributed to confusion among some service providers around third level accreditation arrangements, such as which organisation(s) are responsible for accrediting social care programmes.

As with Ireland's other universities NUIG has the authority to accredit programmes, a situation that differs from the norm within the Institute of Technology (IoT) sector, where most IoT social care programmes are accredited by the Higher Education and Training Awards Council (H.E.T.A.C.). A lack of understanding about these separate accreditation arrangements has meant that some service providers will not fund staff participation on the NUIG programme because they mistakenly believe that all social care courses must be H.E.T.A.C. accredited. Thus, it has not been uncommon for two members of the same organisation to find themselves in vastly different situations; one self-funded – one employer funded. While ongoing mergers and modifications of the oversight structures governing third level education and the establishment of a social care register should reduce, if not eliminate, this confusion, it is likely that given the current economic crisis these developments may yet be some way off.

In contrast to the uncertainty that current events has prompted, the social care team at NUIG has a clear vision for the future. This vision includes linking with the European Care Certificate programme, which is being promoted as a common European entry level requirement for carers, the development of post-graduate streams offering a choice of both taught (Masters) and research (Masters/PhD) strands, as well as a menu of post-graduate modules to meet the demand for Continued Professional Development (CPD) that professionalisation will bring. Complimenting these developments is an ambitious research agenda, with research exploring self-efficacy among carers and service user participation in residential care already underway.

*Further information about NUIG's Social Care Programme  
can be obtained from any of the sources below:*

[www.nuigalway.ie](http://www.nuigalway.ie) • [www.nuigalway.ie/adulteducation](http://www.nuigalway.ie/adulteducation) • [www.nuigalway.ie/hpr](http://www.nuigalway.ie/hpr)

Yvonne Forde  
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Email: [Yvonne.forde@nuigalway.ie](mailto:Yvonne.forde@nuigalway.ie)

## HIQA Advisory Group

### *Development of National Quality Standards for Services for Children*

Under the 2007 Health Act the Social Services Inspectorate within HIQA is responsible for the registration and inspection of 'designated centres' which includes residential care for children. The SSI is also responsible for the inspection of other services for children such as foster care services and children detention school that do not require to be registered. Towards this end the HIQA intends to develop a core set of standards that will apply to all the services mentioned and a supplementary service specific standards that will apply to particular services.

In a circular to the IASCW it is indicated, that in drawing up new standards, account will be taken of recent legislative changes and experience gained from previous inspections. The Advisory Group will have a number of meetings in the coming months and the plan is to have the standards completed and published by early 2010.

The group will have the following terms of reference;

- To advise the authority in drawing up a set of national quality standards for regulated services for children.
- To ensure such standards **a)** provide a reference point for the development and improvement of all services for children; **b)** are fit for the purposes of registration and inspection of designated centres and for the inspection of non registered services; **c)** take account of relevant legislation and regulations.
- To advise on an appropriate consultation process.
- To use the feedback from the consultation process to inform the future development of the draft standards
- To advise on the final standards, in preparation for approval by the Board of the Authority, submission to the Minister for Health & Children and their subsequent publication.

IASCW members will be aware of the importance of this process, its effect on future services and the position social care workers will find themselves in attempting to deliver that service. The executive of the association has selected Lorraine Ryan to represent it on the advisory group. It is up to social care workers to contact Lorraine with their views to ensure that the practitioners' angle is represented to the fullest.

## *IASCW joins Children's Rights Alliance*

The IASCW recently made a submission seeking membership the Children's Rights Alliance. That request was granted and the association is pleased to join nearly a hundred organisations around the country that make up the alliance.

The Alliance is a coalition of non-governmental organisations (NGOs) working to secure the rights and needs of children in Ireland by campaigning for the full implementation of the UN Convention on the Rights of the Child. It aims to improve the lives of all children under 18 through securing the necessary changes in Ireland's laws, policies and services.

The CRA was set up in 1993 following Ireland's ratification of the UN Convention on the Rights of the Child. It is funded by the Department of Community, Rural and Gaeltacht Affairs, the Atlantic Philantropies and the ONE foundation.

The Alliance's vision is Ireland will be one of the best places in the world to be a child.

The IASCW looks forward to working toward that vision as an alliance member.

To contact the **Children's Rights Alliance** use the information below:

4 Upper Mount Street, Dublin 2

**Phone:** 01-6629400

**Email:** info@childrensrights.ie

**Website:** www.childrensrights.ie.

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"If we could give to the born the level of care and concern rightly shown in some quarters to the unborn, we would serve this country better."

*Minister for Health & Children, Mary Harney in Dail Debate on Ryan Report*

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## Book Review

by Karen Sugrue, Lecturer in Sociology, Limerick IT

### *NOBODY HEARD ME CRY - John Devane; Hachette Ireland Publishers*

“Abuse has a smell. It is foul and, once you’ve picked up on it, it stays with you. Abuse hurts, terrifies, shames and destroys. It creates memories that can never be eradicated”. John Devane has written a book about the horrific abuse of a child in Limerick in the 1970s that puts a human face on the reports of abuse that hit the headlines with devastating regularity in Ireland and provides some insight into the broader family and social factors that allowed such abuse to occur and continue unnoticed and unpunished.

There are a number of concurrent themes to John Devane’s story and he weaves an insightful tapestry of mitigating factors - poverty, the death of his father, the death of his brother, his brother’s cancer and his mother’s resulting descent into depression and then alcoholism. This then was the family system into which John was born and raised. A family struggling with poverty, with trauma and then with illness and addiction. Where it might have been tempting to demonise his mother, Devane situates his childhood carefully within these elements, showing clearly how these intense pressures worked together to create a violent mother who was unable to give him the time, love and attention that is needed to make a child happy and secure.

He was first abused by a neighbour who spotted his vulnerability and used this to harass, bully, assault and the repeatedly rape him and terrorise and threaten him into silence. When the abuse became too much to bear and John tried to tell first his mother and then a family friend, his attempts were met with disbelief and violence. The portrait that John paints of the loneliness and terror of the child who is being hunted by a predatory adult but has no where to turn is as vivid as it is chilling, the menace often palpable as John describes the dread at seeing his abuser’s car follow him home from school. In this context other abusers preyed on this vulnerable boy and he gets pulled into a pedophile ring operating from the city centre. John gives a devastating insight into the manipulations used by predatory adults to ‘groom’ their young victims, using their shame and guilt as well as their desperate need for attention and acceptance to force them to do their will. When John’s mother takes in boarders who drag him into the world of prostitution it is possible to see how the path that starts at poverty and neglect can lead to the violence and degradations that John describes.

He paints a heartbreaking picture of the vulnerability of the young boy and the horrifying impact that the abuse had on his peace of mind, his self esteem and his view of the world. This story shows the danger that poverty and a traumatised family unit can put young people in because their vulnerability becomes apparent to the world and in particular those who would take advantage of it. And this is what happened to John. With no-one able to look after him he became subject to the most vile and violent abuse and in a society in which sexual oppression was vehemently imposed, no-one would listen to the cries of the vulnerable and lonely child and later to the attention seeking behaviour of the traumatised teenager.

A second, larger theme is that of Irish society’s understanding of abuse. He says “these days, words like ‘abuse’, ‘pedophile’ and ‘victim’ are common place... and I wanted to describe the real-life experience that lay behind such words”. This story has greater than ever resonance in 2009 as Ireland once again reels under the impact of the Ryan Report’s latest litany of horror that occurred in the Industrial Schools at the hands of the religious orders and John himself notes that he felt “driven to bear witness to the suffering of countless anonymous young people, who in the past were terrified to stand up for themselves. Who were afraid to run forward in case they ran towards death. Who were afraid to speak up because they had no language”. One of the greatest impacts of abuse in Ireland has been the silencing of so many children, the making unspeakable of the horrors perpetrated on them by adults and people in positions of power and status. The history of the Irish State both inside the industrial schools and out has been a history marked by abuse and the terrible silence that descended on the victims, making them feel a guilt and shame that was not theirs to feel; A shame that should have been felt by the adults and the society in whom their welfare had been entrusted and should today be felt by all Irish people that such atrocities occurred at any time in this country.

John Devane’s book is a story of triumph over incredible adversity, a story of the destructiveness of some people and the power and strength of others and John’s personal journey through it all, but it is also a story of abuse in Ireland and the very real way in which social factors can manifest in the most appalling abuses of power and position and gives a horrifying insight into the extent of the blind eye that Ireland has been willing to turn. As more and more stories of abuse come out, one hopes that the eyes of the Irish people will never again be blinded to the plight of small, frightened and vulnerable children.

John Devane is now a practising solicitor in Limerick.

## *Church, State and Child Care... 30 Years Ago*

**Given the revelations in the Ryan Report, what follows is an interesting historical perspective on events as the Department of Health saw them exactly 30 years ago, July 1979. What follows is the opening speech given by the future Taoiseach and then Minister for Health & Social Welfare, Charles Haughey, at the International Year of the Child conference organised by the forerunner of the IASCW, the AWCC (Association of Workers with Children in Care). Mr. Haughey's reference, inter alia, to "the dedication and endeavour of the Religious" making "easy the task of the State in discharging its constitutional responsibility" is, unwittingly, quite a loaded one, given what we now know. Mr Haughey had this to say.**

I am very pleased to be with you this morning and to be associated with this important conference. I wish you every success in your deliberations and I extend a warm welcome to those of you who have come from abroad to participate. I hope their stay with us will be both fruitful and enjoyable.

You come from many different backgrounds and cultures. You share, however, in the common task of caring for troubled, sometimes troublesome, handicapped, dependent and often forgotten children. I know how important it is for you to have the opportunity of a conference like this to share hopes and exchange experiences.

Children and child care are a particular focus for public attention in this, the International Year of the Child. This conference is being held at a time when we are about to make significant changes in the law and the organisation of services for children, particularly deprived children, and it provides an opportunity for the fruitful interchange of ideas between workers from this country and their colleagues from abroad on these changes. This interchange can help us clarify our own thoughts at this particularly challenging time. We hope to avail of the opportunity to keep up to date on current thinking around the world on child care.

The International Year of the Child has firmly directed our attention to the need to reflect on and reiterate the United Nations' Declaration of the Rights of the Child, agreed unanimously by the member nations twenty years ago. Today, the message enshrined in the statement of rights rings loud and clear, and the validity of the Declaration remains.

In my view, the primary right of the child is to affection, love and understanding. These are things which even the natural family cannot always guarantee. How much greater then is the responsibility placed on those who work with children and seek to give them these basic requirements.

The International Year of the Child is a useful reminder that we need to review our policies and programmes in relation to children not every ten or twenty years but every year. In this country, the Year provides us with an ideal opportunity to plan for the future after nearly a decade of development in our community care services. Our planning will have to take account of the fact that we face into another decade during the course of which we will see half of all our population in the under 25 years age group.

We have been giving increasing attention to all aspects of child care during recent years. Indeed, the very extensive programme which has been carried out in relation to the provision of better services for the mentally handicapped has resulted in the provision of a service which, in its range and quality, compares favourably with most.

Much yet remains to be done. Apart from problems which are by now fairly well charted, we all need to be conscious of opportunities. One might well ask, in relation to child services, if sufficient thought is given to the development potential of children and the long term benefits which would inevitably flow from a more positive policy. In the individual, the family, in the group home, in the larger institution, there are vast reserves of talent which can and should be developed.

Pressing and immediate problems must be dealt with but we must always accept, as in so many other fields, that the urgent take precedence over the important.

In helping children who are in need of care and support, every country has two major resources, even if they are not always well used. These are the competence, commitment and dedication of the staff and the goodwill and involvement of the community.

As the recent report on the welfare of children, prepared by the Western Health Board in this country, pointed out, efforts to improve children's welfare have little hope of being fully effective if the responsibility rests only with State agencies and personnel.

Community involvement is needed which cannot readily or effectively be provided by the State and, secondly, to create that climate of opinion in the community which is necessary for success.

An important question is the extent to which children in care are looked upon by the community. A long tradition of institutionalisation in child care has tended to make such children the subject of only a mild passing interest. Although the settings for care, both in institutions, have greatly changed, it is doubtful if the knowledge and attitudes of the population at large have kept pace. Perhaps this an issue on which you will reflect during the next few days and compare experiences from your many backgrounds.

You, the people who work with and for children, are a most important resource. There are many indications that you will become even more important, as the stress of modern living takes its toll on families, particularly in large urban areas.

There will continue to be a need for skilled, dedicated and committed people. What will change, as is already happening, are the particular demands made on people working with children. You will, as you well know yourselves, be expected to be flexible, adaptable and always available.

I do not think that you should in any way be disconcerted by this. In this country, those involved with children have coped with great change, sometimes in very difficult conditions, over the last ten years. Ministers concerned with the family and children must understand the importance of creating an appreciative environment throughout the community and within the service, if people are expected to adapt regularly to such change.

I should perhaps explain to our visitors that high, very high in the list of advantages we have in Ireland is the remarkable contribution made by our religious orders to the welfare of our children. We are very fortunate that this well established tradition continues and I am greatly encouraged by the number of orders who are positively reviewing their role so as to better equip themselves to undertake the tasks that constantly emerge from a changing society.

For years, the dedication and endeavour of the religious has made easy the task of the State in discharging its constitutional responsibility. I would like to assure the religious orders that whatever statutory help can be given in helping them continue their work and open up new fields in the future will be readily and appreciatively made available.

I would now like to reflect very briefly on some of the themes you will consider during the conference.

I am very pleased to note that even in the titles of two of the major papers, you have firmly linked the child with the family, whether inside or outside it. I was also particularly pleased that you are devoting a session to forgotten children.

I am sure that during the course of the conference, reference will be made to the need for the greatest possible liaison and understanding between the different kinds of services. I do not think that this point can be over-emphasised.

I sometimes get the feeling that people working in residential care feel isolated from other workers and are not always sure that their role is sufficiently appreciated. If this conference does no more than help to eliminate such a feeling, it will have been a worthwhile venture.

If, as well, it emphasises the need for an extension into the community of the work of those catering for children in residential care, so much the better. In this country, most of the experience and knowledge of child care resides with those in residential care. If we are to successfully develop strategies for the family and in the community, we need that experience; we need the confidence and maturity that can only come from years of experience.

Your agenda reflects the continuity and unity of approach throughout Europe in seeking to develop an overall philosophy for the future environment in which our children live. I would hope that the consensus which emerges from your deliberations will radiate optimism, place the right emphasis on flexibility and that it will clearly recognise that our children represent a limitless ocean of potential talent.

I would like, before formally opening the conference, to say a special word of thanks to the organising committee which has been responsible for the conference. I know that they have overcome many difficulties and I would like to express my appreciation of their efforts.

I would now like to wish you very success in your deliberations, which I and representatives of my Department will follow with great interest.

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“I cannot speak with the conviction, truth of recollection or vividness of the nightmare through which so many young children went to grow into adulthood.”

*Fine Gael Leader, Enda Kenny in Dail debate on Ryan Report.*

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## *A Very Different View*

### *'We've more Pressing Matters at hand than a Children's Referendum'*

*Kevin Myers*

We're used to some people taking it upon themselves to represent strangers they've never met. Pavee Point, for example, represents Travellers, though it probably has fewer of them about the place than does a Buckingham Palace investiture. The National Council for the Unemployed has no unemployed in its ranks. Indeed, being employed in the civil service is a sine qua non of membership. This is rather like the US National Council of Space-Walkers consisting solely of gardeners at NASA.

But surely the most ambitious act of unsolicited representation is that now being offered by Children's Voice Eire, which says of itself: "Children's Voice Eire represents Irish children under three." This is not a statement of benign aspiration or intent. It is a statement of fact, whether the little blighters like it or not. It continues: "In today's society, because of various pressures that parents are under, the vital attachment needs of some toddlers are not being met."

Here, you. Less of the toddler stuff. The National Council for the Old certainly doesn't refer to wobblers or hobblers. It is locomotionist at its most depraved to reduce the under-threes to mere perambulatory stereotypes. Speaking with some authority on the subject -- for I too was once under three, and a damned fetching little fellow I was, to boot -- I declare that I was bestriding the Earth like a colossus at the age of two years and nine months, a veritable Michael Flatley of the nursery.

So how did Children's Voice Eire come to represent the under-threes of Ireland? Was it like one of those dreams that Moses or Joseph Smith had, from which they woke with a rather worrying look in the eye, and a determination to change the world? So, did the founder of Children's Voice arise from his slumber with a mission: to speak for those hundreds of thousands without a voice? (Actually, they do have a voice; it goes YYYYAAAARRRRGGH!!!!, nightly, from 11pm to 7am).

Or did the under-threes have a convention in the RDS, to choose who to represent them? Did delegates arrive by pram and buggy and were there caucuses, factions, lobbies and lobbyists, with heated divisions in the babbling ranks of the hall? Finally, a Children's Voice Eire delegate rose modestly and declared: "Babies, if they could express themselves, would demand 'continuity of care.'"

Bedlam! Uproar! Dummies tossed into the air! Rattlers rattled! Saliva gurgled! Nappies filled with exultantly solid approval! And thus it was that Children's Voice Eire came to represent children under three. But who will represent children aged three years and one month, or four years, or even five? Are they disenfranchised because of their age? Must they wander the Earth like the Lost Tribes of Israel, without a voice, victims of the heartless ageism of the modern world?

No doubt this is just one reason why we are going to have a constitutional referendum on the rights of children. This is certainly a subject which will be dear to the self-appointed ones, who will assure us all that they have the children's interests at heart. They will no doubt find ample inspiration from the UN Committee on the Rights of the Child, which declared (among many other things) that there should be "An express recognition of the right of the child's voice to be heard in all matters affecting the child in accordance with age and maturity".

Oh, I recognise the sentiment behind these words all right. For they were not written by a beleaguered teacher in a sink housing estate, or a warden in a young offenders' unit, or a police officer trying to cope with a bunch of foul-mouthed 14-year-olds outside a disco. No. They were mellifluously uttered in uptown Manhattan by a bunch of human rights specialists, who have as much personal experience of controlling a classroom of mutinous Irish teenagers -- ones who know their bleedin' rights, mind -- as they have of performing foreplay on a Kodiak she-bear while she's breast-feeding her cubs.

Throughout the English-speaking world especially, children have become thoroughly conversant with their 'rights': however, they tend to be a little hazier when it comes to their responsibilities. Moreover, when I see such children's 'rights' being openly prescribed and guaranteed by the UN ("in all matters") and then limited ("in accordance with age and maturity") in the self-same, sinister sentence, my heart plummets like a depleted-uranium tank-round through a soufflé. For one word then comes to mind, the most terrifying word in the entire English language.

Lawyers.

For the outcome will be lawyers' law, a legal Plasticine for them to play with indefinitely in the playpen of the courts. No good can come of it, only tears. Yet a referendum for children is the latest chapter of constitutional nonsense that the Oireachtas is now walking us into, and not for want of proper law, but merely for lack of proper application (mostly by social workers) of existing laws. And who else will be in the forefront of all future discussions on this subject? Why, our self-appointed children's lobbyists.

I'm rather inclined to think that we have somewhat more pressing matters on our hands.

*This article was first printed in The Irish Independent and is reprinted in Cúram with the author's permission.*

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"How did the State in whose name and through whose courts, police and laws, children were consigned were confined to institutions which were funded, regulated and inspected by the State, preside over such conditions for so many decades?"  
*Taoiseach Brian Cowen in special Dail debate on Ryan Report, June 12th 2009.*

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*An Obituary printed in The London Times...*  
*Interesting and sadly rather true*

Today we mourn the passing of a beloved old friend, Common Sense, who has been with us for many years. No one knows for sure how old he was, since his birth records were long ago lost in bureaucratic red tape. He will be remembered as having cultivated such valuable lessons as: Knowing when to come in out of the rain; Why the early bird gets the worm; Life isn't always fair; and maybe it was my fault.

Common Sense lived by simple, sound financial policies (don't spend more than you can earn) and reliable strategies (adults, not children, are in charge).

His health began to deteriorate rapidly when well-intentioned but overbearing regulations were set in place. Reports of a 6-year-old boy charged with sexual harassment for kissing a classmate; teens suspended from school for using mouthwash after lunch; and a teacher fired for reprimanding an unruly student, only worsened his condition.

Common Sense lost ground when parents attacked teachers for doing the job that they themselves had failed to do in disciplining their unruly children.

It declined even further when schools were required to get parental consent to administer sun lotion or an Aspirin to a student; but could not inform parents when a student became pregnant and wanted to have an abortion.

Common Sense lost the will to live as the churches became businesses; and criminals received better treatment than their victims.

Common Sense took a beating when you couldn't defend yourself from a burglar in your own home and the burglar could sue you for assault.

Common Sense finally gave up the will to live, after a woman failed to realize that a steaming cup of coffee was hot. She spilled a little in her lap, and was promptly awarded a huge settlement.

Common Sense was preceded in death, by his parents, Truth and Trust, by his wife, Discretion, by his daughter, Responsibility, and by his son, Reason.

He is survived by his 4 stepbrothers;  
I Know My Rights  
I Want It Now  
Someone Else Is To Blame  
I'm A Victim

Not many attended his funeral because so few realized he was gone. If you still remember him, pass this on. If not, join the majority and do nothing.

## *Ryan Report Recommendations*

### **7.01 Arising from the findings of its investigations and the conclusions that were reached, the Commission was required to make recommendations under two headings:**

- (i) To alleviate or otherwise address the effects of the abuse on those who suffered
- (ii) To prevent where possible and reduce the incidence of abuse of children in institutions and to protect children from such abuse

#### *(i) To alleviate or otherwise address the effects of the abuse on those who suffered*

### **7.02 A memorial should be erected**

The following words of the special statement made by the Taoiseach in May 1999 should be inscribed on a memorial to victims of abuse in institutions as a permanent public acknowledgement of their experiences. It is important for the alleviation of the effects of childhood abuse that the State's formal recognition of the abuse that occurred and the suffering of the victims should be preserved in a permanent place:

On behalf of the State and of all citizens of the State, the Government wishes to make a sincere and long overdue apology to the victims of childhood abuse, for our collective failure to intervene, to detect their pain, to come to their rescue.

### **7.03 The lessons of the past should be learned**

For the State, it is important to admit that abuse of children occurred because of failures of systems and policy, of management and administration, as well as of senior personnel who were concerned with Industrial and Reformatory Schools. This admission is, however, the beginning of a process. Further steps require internal departmental analysis and understanding of how these failures came about so that steps can be taken to reduce the risk of repeating them.

The Congregations need to examine how their ideals became debased by systemic abuse. They must ask themselves how they came to tolerate breaches of their own rules and, when sexual and physical abuse was discovered, how they responded to it, and to those who perpetrated it. They must examine their attitude to neglect and emotional abuse and, more generally, how the interests of the institutions and the Congregations came to be placed ahead of those of the children who were in their care.

An important aspect of this process of exploration, acceptance and understanding by the State and the Congregations is the acknowledgement of the fact that the system failed the children, not just that children were abused because occasional individual lapses occurred.

### **7.04 Counselling and educational services should be available**

Counselling and mental health services have a significant role in alleviating the effects of childhood abuse and its legacy on following generations. These services should continue to be provided to ex-residents and their families. Educational services to help alleviate the disadvantages experienced by children in care are also essential.

### **7.05 Family tracing services should be continued**

Family tracing services to assist individuals who were deprived of their family identities in the process of being placed in care should be continued. The right of access to personal documents and information must be recognised and afforded to ex-residents of institutions.

#### *(ii) To prevent where possible and reduce the incidence of abuse of children in institutions and to protect children from such abuse*

### **7.06 Childcare policy should be child-centred. The needs of the child should be paramount.**

The overall policy of childcare should respect the rights and dignity of the child and have as its primary focus their safe care and welfare. Services should be tailored to the developmental, educational and health needs of the particular child. Adults entrusted with the care of children must prioritise the well-being and protection of those children above personal, professional or institutional loyalty.

### **7.07 National childcare policy should be clearly articulated and reviewed on a regular basis.**

It is essential that the aims and objectives of national childcare policy and planning should be stated as clearly and simply as possible. The State and Congregations lost sight of the purpose for which the institutions were established, which was to provide children with a safe and secure environment and an opportunity of acquiring education and training. In the absence of an articulated, coherent policy, organisational interests became prioritised over those of the children in care. In order to prevent this happening again childcare services must have focused objectives that are centred on the needs of the child rather than the systems or organisations providing those services.

### **7.08 A method of evaluating the extent to which services meet the aims and objectives of the national childcare policy should be devised.**

Evaluating the success or failure of childcare services in the context of a clearly articulated national childcare policy will ensure that the evolving needs of children will remain the focus of service providers.

### **7.09 The provision of childcare services should be reviewed on a regular basis.**

Out-of-home care services should be reviewed on a regular basis with reference to best international practice and evidence-based research. This review should be the responsibility of the Department of Health and Children and should be co-ordinated to ensure that consistent standards are maintained nationally. The Department should also maintain a central database containing information relevant to childcare in the State while protecting anonymity. Included in such a database should be the social and demographic profile of children in care, their health and educational needs, the range of preventative services available and interventions used. In addition, there should be a record of what happens to children when they leave care in order to inform future policy and planning of services. A review of legislation, policies and programmes relating to children in care should be carried out at regular intervals.

### **7.10 It is important that rules and regulations be enforced, breaches be reported and sanctions applied.**

The failures that occurred in all the schools cannot be explained by the absence of rules or any difficulty in interpreting what they meant. The problem lay in the implementation of the regulatory framework. The rules were ignored and treated as though they set some aspirational and unachievable standard that had no application to the particular circumstances of running the institution. Not only did the individual carers disregard the rules and precepts about punishment, but their superiors did not enforce the rules or impose any disciplinary measures for breaches. Neither did the Department of Education

### **7.11 A culture of respecting and implementing rules and regulations and of observing codes of conduct should be developed**

Managers and those supervising and inspecting the services must ensure regularly that standards are observed.

### **7.12 Independent inspections are essential**

All services for children should be subject to regular inspections in respect of all aspects of their care. The requirements of a system of inspection include the following:

- There is a sufficient number of inspectors.
- The inspectors must be independent.
- The inspectors should talk with and listen to the children.
- There should be objective national standards for inspection of all settings where children are placed.
- Unannounced inspection should take place.
- Complaints to an inspector should be recorded and followed up.
- Inspectors should have power to ensure that inadequate standards are addressed without delay.

### **7.13 Management at all levels should be accountable for the quality of services and care**

Performance should be assessed by the quality of care delivered. The manager of an institution should be responsible for:

- Making the best use of the available resources
- Vetting of staff and volunteers
- Ensuring that staff are well trained, matched to the nature of the work to be undertaken and progressively trained so as to be kept up to date
- Ensuring on-going supervision, support and advice for all staff
- Regularly reviewing the system to identify problem areas for both staff and children
- Ensuring rules and regulations are adhered to
- Establishing whether system failures caused or contributed to instances of abuse
- Putting procedures in place to enable staff and others to make complaints and raise matters of concern without fear of adverse consequences.

### **7.14 Children in care should be able to communicate concerns without fear**

Children in care are often isolated with their concerns, without an adult to whom they can talk. Children communicate best when they feel they have a protective figure in whom they can confide. The Department of Health and Children must examine international best practice to establish the most appropriate method of giving effect to this recommendation.

### **7.15 Childcare services depend on good communication**

Every childcare facility depends for its efficient functioning on good communication between all the departments and agencies responsible. It requires more than meetings and case conferences. It should involve professionals and others communicating concerns and suspicions so that they can act in the best interests of the child. Overall responsibility for this process should rest with a designated official.

### **7.16 Children in care need a consistent care figure**

Continuity of care should be an objective wherever possible. Children in care should have a consistent professional figure with overall responsibility.

The supervising social worker should have a detailed care plan the implementation of which should be regularly reviewed, and there should be the power to direct that changes be made to ensure standards are met. The child, and where possible the family, should be involved in developing and reviewing the care plan.

### **7.17 Children who have been in State care should have access to support services**

Aftercare services should be provided to give young adults a support structure they can rely on. In a similar way to families, childcare services should continue contact with young people after they have left care as minors.

### **7.18 Children who have been in childcare facilities are in a good position to identify failings and deficiencies in the system, and should be consulted.**

Continued contact makes it possible to evaluate whether the needs of children are being met and to identify positive and negative aspects of experience of care.

### **7.19 Children in care should not, save in exceptional circumstances, be cut off from their families.**

Priority should be given to supporting ongoing contact with family members for the benefit of the child.

### **7.20 The full personal records of children in care must be maintained.**

Reports, files and records essential to validate the child's identity and their social, family and educational history must be retained. These records need to be kept secure and up to date. Details should be kept of all children who go missing from care. The privacy of such records must be respected.

### **7.21 'Children First: The National Guidelines for the Protection and Welfare of Children' should be uniformly and consistently implemented throughout the State in dealing with allegations of abuse.**

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“This system could not have grown, could not have flourished, could not have survived without the acquiescence of the general public.”

*Green Party Leader, John Gormley in Dail debate on Ryan Report.*

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## Snippets...

### *Disability Sector Standards*

On May 11th HIQA launched the National Standards which will apply to Residential Services for people with Disabilities. These standards are welcome but the government was quickly off the mark to say that no funds exist at present for the implementation of the standards on a statutory basis despite the sector receiving over €1 billion a year in state funding. According to the government it would cost in the region of €50 billion to provide for 50 inspectorate staff and implement the standards on a statutory basis.

### *Homelessness*

Following is an extract from a letter in the national press last December from Alice Leahy, Director of TRUST, a frontline service for homeless people for over 30 years:

“How did we get into this appalling situation in Dublin, with major questions about the way in which increasingly scarce resources appear to be wasted? Over the last few years, as the service became professionalised people in frontline caring roles have seen their status and influence decline as that of the increasing numbers of professional managers increased. The final straw came for us recently when one very well known manager visited us in TRUST. When I introduced him to someone who was homeless he confessed it was the first time he had actually met a homeless person.”

### *Age of Criminal Responsibility in NI*

The Northern Ireland Commissioner for Children and Young People recently called for the age of criminal responsibility there to be raised from 10 years as it is currently. The Commissioner made no recommendation as to what that might be but contrasted the current age with that of 12 in Greece and Netherlands, 13 in France, 14 in Austria, Germany and Italy, 15 in the Scandinavian countries, 16 in Portugal and Spain and 18 in Belgium and Luxembourg.

### *UNESCO Chair for Children*

In the last edition of CURAM we profiled Professor Pat Dolan (former IASCW President) who had just been appointed as UNESCO Chair in Children, Youth and Civic Engagement. At the official launch of the chair President McAleese said that the post was coming on stream at an important time and could play a crucial role in navigating a pathway of reassurance and hope for children and families. Accepting the post, Pat Dolan said that children have a proven capacity to be civically active in communities which improves their self esteem, self efficacy and wellbeing.

### *“Out of Hours” Service for Children at Risk*

Minister for Children / Youth Affairs, Barry Andrews told the Association of Garda Sergeants & Inspectors in April that families were being recruited to look after children found to be at risk outside of office hours. He said the anticipation was such families would begin offering this service in June 2009. A degree of scepticism surrounds the provision of this specialised service particularly where it may be needed and the level of support available for fostering families who take on this very onerous task. This issue of out of hours provision was further highlighted with the publication of the Monageer Report into the tragic deaths of the Dunne family. In radio and TV interviews following the report’s publication the minister again returned to this promise in response to questions as to the lack in provision of a round the clock service for children. It is estimated that a round the clock service would cost in the region of €15 billion and the minister stated that the actual number of children needing such a service is relatively small.

### *Missing Child Alert System*

Kathleen O’Toole, Chief Inspector of the Garda Síochána’s Inspectorate, gave details recently of a new system based on Amber Alert in the USA to find missing or abducted children. The American system, according to the US Justice Department has helped save the lives of over 400 children. More than 90% of the rescues have occurred since 2002 when the programme became a national one. Amber alert began in Dallas-Fort Worth in 1996 when police and broadcasters joined forces to develop an early warning system. Amber stands for America’s Response: Broadcast Emergency Response but is also associated with Amber Hagerman who was kidnapped and murdered when she was just nine years old.

It will be interesting to see how effective the system will be here. Certainly, in respect of the large number of children who have gone missing from HSE care in recent years, any system that can help is to be welcomed. Strict guidelines apply in other countries where the system operates. For example, the abducted child must be in imminent danger of serious injury or death.

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“But we can honour them (survivors), their bravery, and their legacy by ensuring that we will never, ever be silent about the needs of vulnerable children again.”

*Labour Party Leader, Eamon Gilmore, in Dail Debate on Ryan Report.*

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### *Referendum or Legislation?*

Confusion still appears to surround the issue of an amendment to ensure that children's rights are enshrined in the constitution. From the very moment that such a suggestion was made there was a growing perception that framing amendments to the Constitution where children's rights are concerned is extremely complex, some would say well nigh impossible. Legislation appeared to be one way to attempt to ensure maximum, effective rights for children and there appeared to be differences of opinion among members of the all party Dail committee looking at the issue. The constitutional amendment idea appeared to resurface in the wake of the Ryan Report and there was talk of the Lisbon Treaty polling date in the autumn as a date for a referendum on the rights of the child. It was anticipated that members of the all party group would report on the up to date situation at the Children's Rights Alliance AGM on June 9th. However, the Dail debate on a no confidence motion in the government took precedence that day and it is hoped a date in September can be arranged for feedback to the CRA. For a very different view on this issue, see Kevin Myer's article elsewhere on this issue.

### *"The Dismal World of Daingean"*

"Exactly thirty years ago a commission of inquiry into industrial schools and reformatory schools made recommendations for reform. Some of them were adopted, but many others, even more essential to the welfare of the children, were neglected."

Michael Viney, under above headline, in The Irish Times on May 4th 1966

### *Baby P*

Baby P, aged 17 months, died with more than 50 injuries in August 2007, despite being on the Haringey's (North London) child protection register. The Head of Haringey's children's services unit was dismissed and this has been followed by the sacking of a social worker and three managers. In the wake of the death Lord Laming carried out a nationwide review of child welfare services. His report attacked public bodies for not implementing recommendations made six years earlier.

### *"DOUBT"*

Now available on DVD this timely story, nominated for 5 Oscars in March sees Meryl Streep and Philip Seymour Hoffman star in a tough, uncompromising look at religion, morality and power where suspected abuse of a child is at issue. The viewer is drawn to take sides as the story unfolds but that's just the beginning. At the end, interesting, thoughtful and provocative questions remain.

## *Guardians Ad Litem*



The CAAB (Children Acts Advisory Board) has just published guidance on the role, criteria for appointment, qualifications and training of Guardians Ad Litem for children under the Child care Act 1991.

Unlike some reports this is a document of less than 30 pages and covers standards, operational guidance and practice guidance in this most important area. Jim McGuirk, CAAB Advisory Officer, was responsible for much of the work in bringing this timely piece to fruition.

Available from CAAB:

Telephone: 01-6724100

Email: [info@caab.ie](mailto:info@caab.ie)

28 Conyngham Rd. Dublin 8.

*Photo:*

*Mayor of Sligo, Veronica Cawley with David Divine at the conclusion of his keynote address at the IASCW /IASCE annual conference in Sligo in February. Photo courtesy of eddivineoptix@gmail.com*

## *Date for Your Diary*

### **ANNUAL CONFERENCE 2010**

*The RMA (Resident Managers Association) and IASCE (Irish Association of Social Care Educators) will join with the IASCW in hosting the 2010 Annual Conference.*

**Venue: Athlone**

**Date: February 24th /25th 2010**

*Conference theme, call for papers and other details will be in your next edition of The Link due out in October.*



*All that is necessary for the triumph of evil  
is that good men do nothing*

*Edmund Burke*

1729 - 1797