



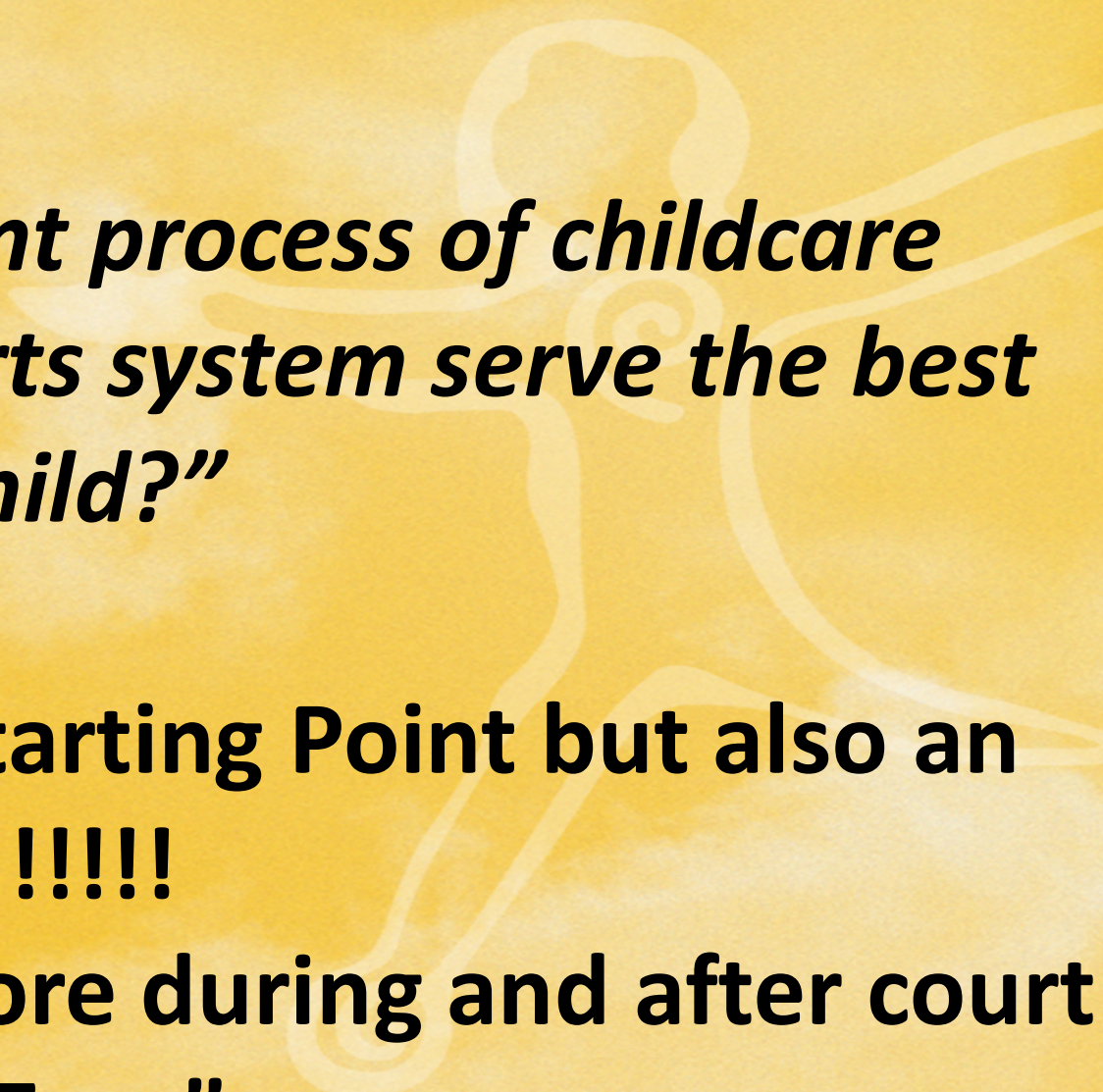
United Nations
Educational, Scientific and
Cultural Organization



- UNESCO Chair in
- Children, Youth and Civic Engagement
- Ireland
- **CHILD AND FAMILY RESEARCH CENTRE**

**Legal Aid Board – Family Law Conference 2013
Perspectives and Possible Solutions!
Prof Pat Dolan**

**UNESCO Child and Family Research Centre,
National University of Ireland, Galway
June 20th 2013**



“Does the present process of childcare cases in the courts system serve the best interest of the child?”

An interesting Starting Point but also an end destination!!!!!!

The journey before during and after court!

“ A CIE Mystery Tour”

Some Realities

- 20 Years this month from the Kilkenny Incest Inquiry Report – What have we learned?
- Some Harsh realities! –

Things have to Change!


- Challenges for the New Child and Family Agency – Challenges for us!

Some Realities

- An Emergent serious issue New 'Food' Poverty in Ireland
- Church St Day Centre -1600 food parcels in one day last week!
- A Risk of a Redundant Referendum! From a child rights perspective

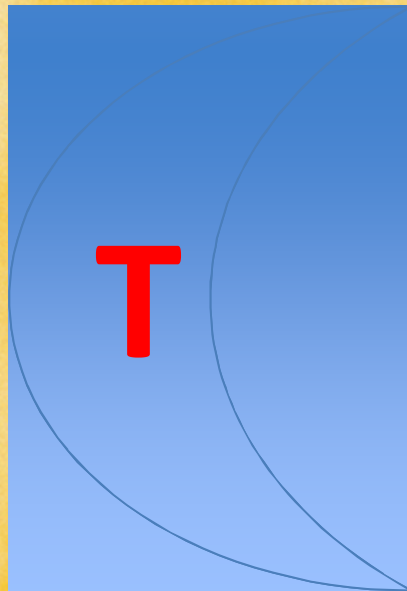




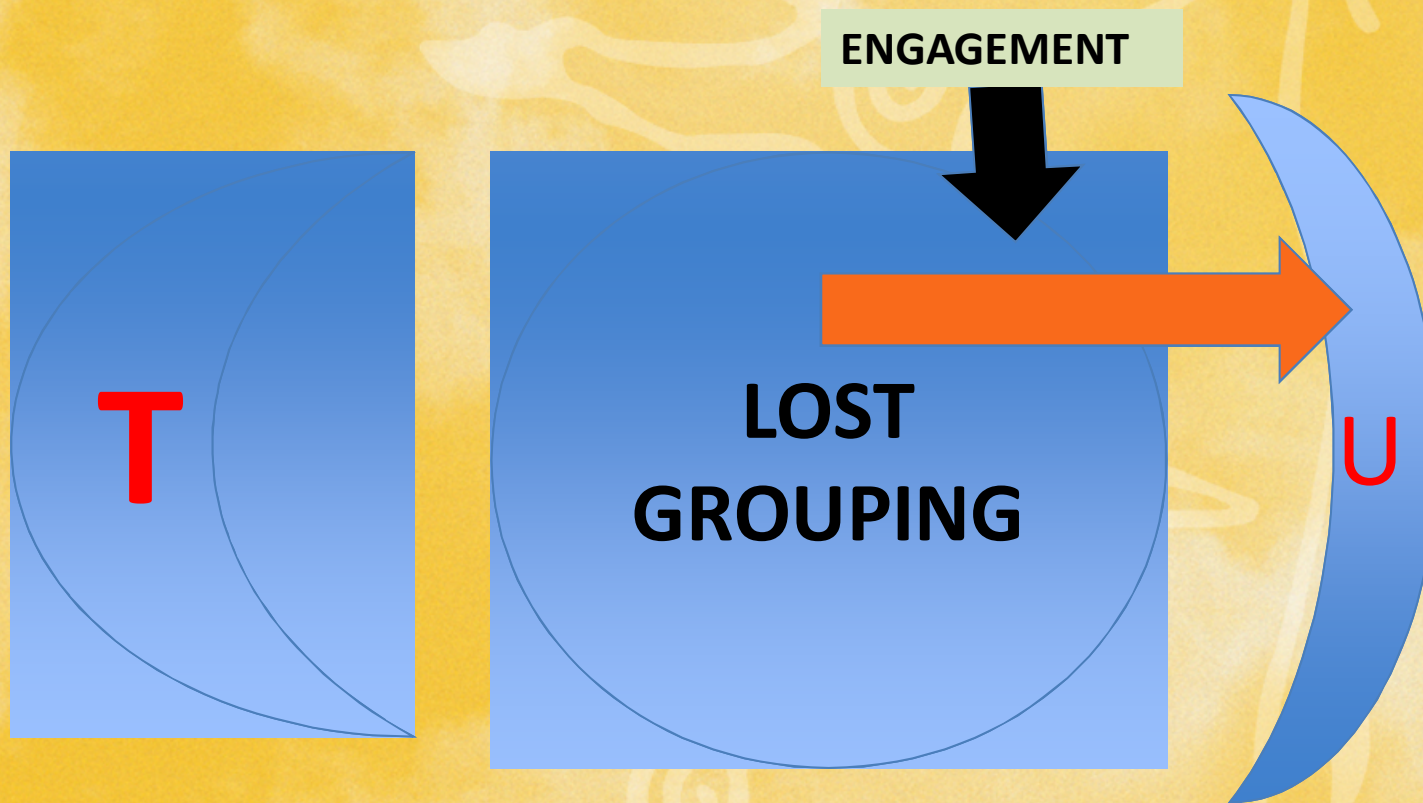


**How Far are we from
Tangible Helping
My Washing Machine Experience!!!!**

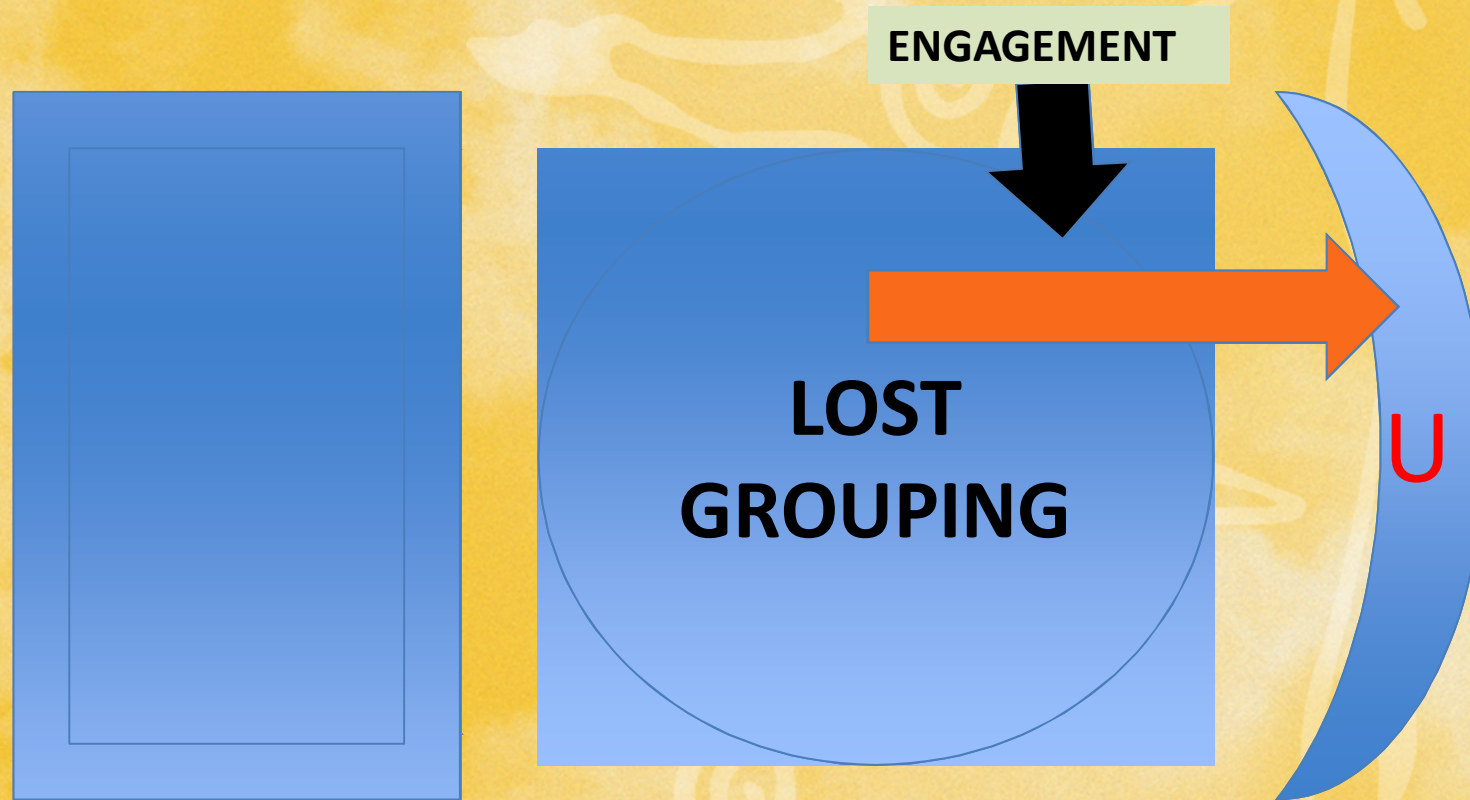
Assumptions need Challenging



Focus needs Challenging or New Version of Joe Robins (1980) – ‘Lost Children’



Judicial System



From 'Wine to Ring' 1988 – 20th June 2013

- Criminalisation of Young people – court system in part a contributing factor?
- Swinging Doors!!!!
- Mad Bad or Sad! – position Hoghuchi (2006)

According to repeated nationwide surveys,

More Doctors Smoke **CAMELS** than any other cigarette!

Doctors in every
branch of medicine
were asked, "What
cigarette do you smoke?"
The brand named most
was Camel!

You'll enjoy Camels for the same reason
so many doctors prefer them. Camels have
a rich, mild, satisfying taste, plus they pack
a flavor unmatched by any other cigarette.
Make this available now. Smoke only
Camels for 30 days and you'll see! Camels
please your taste, last longer they will
live longer in your daily smoke. You'll
see how enjoyable a cigarette can be!

THE DOCTORS' CHOICE IS AMERICA'S CHOICE!



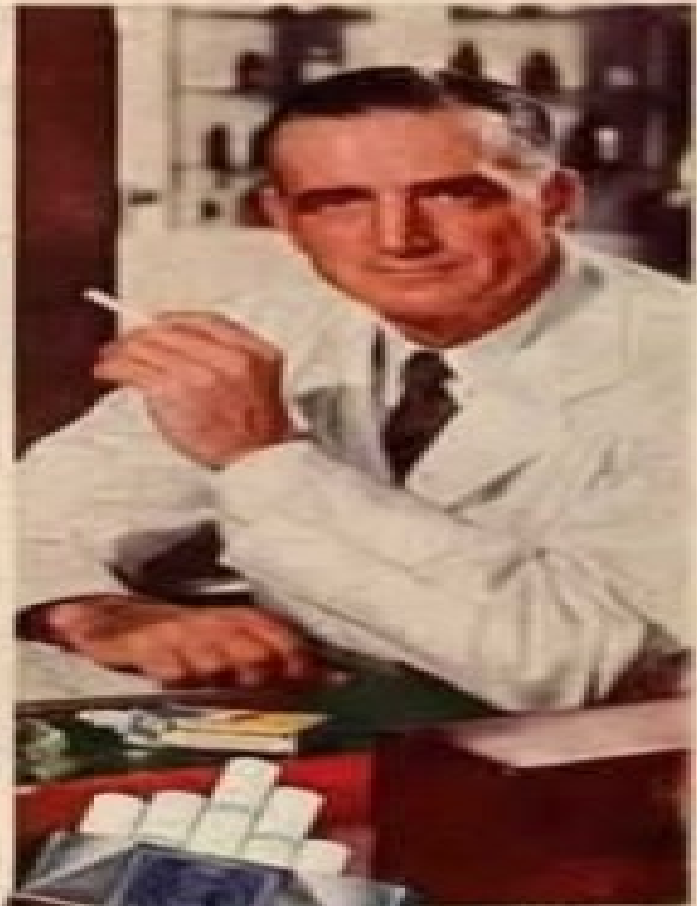
DR. MARY M. SMITH, M.D.,
New York, N.Y. "I smoke Camels
because they are so good."



DR. JOHN W. SMITH, M.D.,
New York, N.Y. "I smoke Camels
because they are so good."



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New York, N.Y. "I smoke Camels
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For 30 days, test Camels in your "T-Zone" (T for Throat, T for Taste).



Think of interventions in courts with Children as a 'Civic Engagement' Issue

- Political – Fair Attention
- Social – Forms with sibling ext family community involvement – retaining a connection
- Economic – Cost Effective
- Moral – A Right

(from Shaw et al 2012)

“We don’t reflect on simple things - only things with no immediate solution” – Moon 2006

- REAL Value of a ‘week in week out’ Youth Club! V Programmes that may not be scalable implementable or affordable – Dawes 2012)
- REAL Value of a ‘week in week out’ family school and community involvement For children in care system– informal social support – court function?

€?



Child Protection as Civic Engagement

- Community action to support and protect local children Communities That Care (Hawkins 2009) – implementable actions
- Treat the witnessing of physical emotional abuse willful neglect on a par with injury in a traffic accident
- UNESCO Learning from Zambia - leadership for girls at risk! (McArdle 2012 – Redmond et al in paper)
- Requires a partnership between services and communities – heretofore not tried!!! A preventive role for family courts? – supervision orders used in an innovative way?

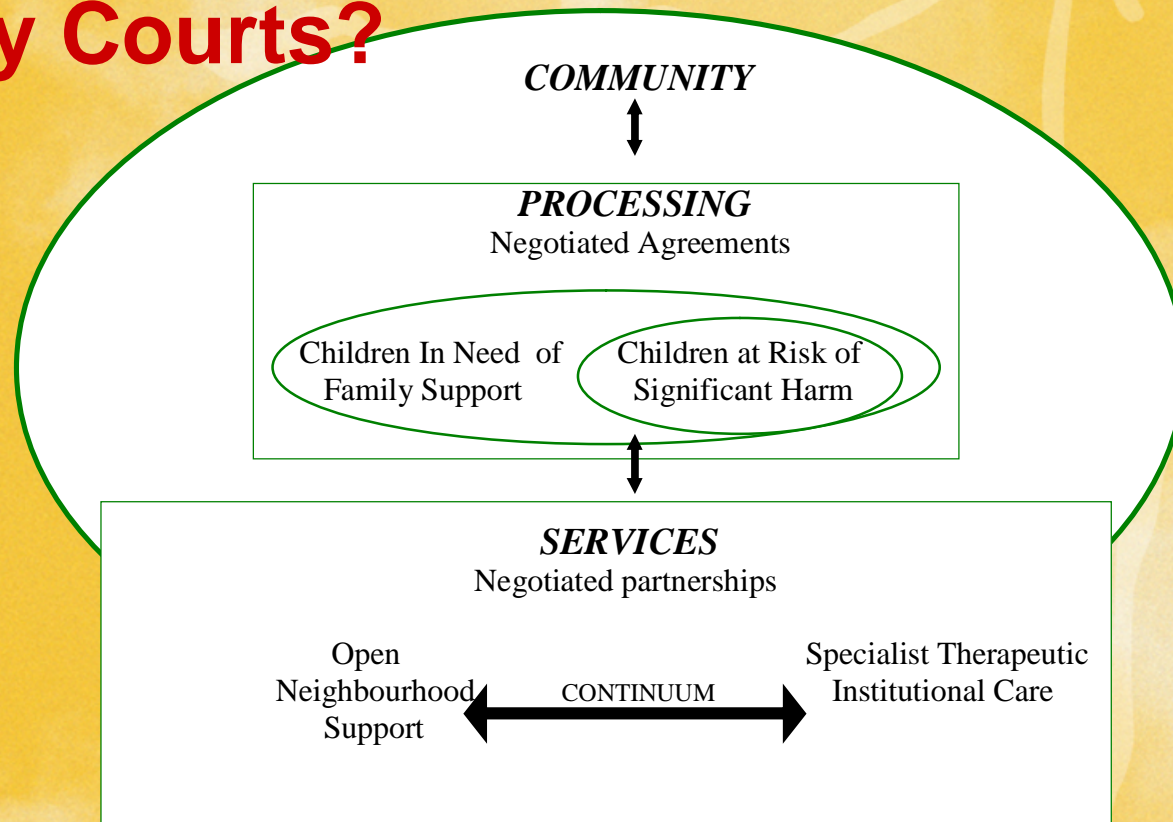
Core to Family Success for Children

- Consistent parents and family (or replacement)
- Predictable life!
- Warmth in relationships
- Ample Resources
- Access to Education and Welfare services if needed
- 'Outcomes' for wellbeing

Innovative methods by court system

- Consultation with Children/families
- E.G. Family Group Conference - a potential not fully exploited (Connolly, 2009)
- Home care sharing placement options – at home during week in care at weekends
- One day a week rule!
- Supervision orders
- Giving the Family 25% of the costs to state – Italy Trial
- Use of Family Mediation at an earlier point
- Unsatisfied – Dissatisfied issue (Gardner 2006)

Features of Emerging Child Welfare System - integrated view by Courts?



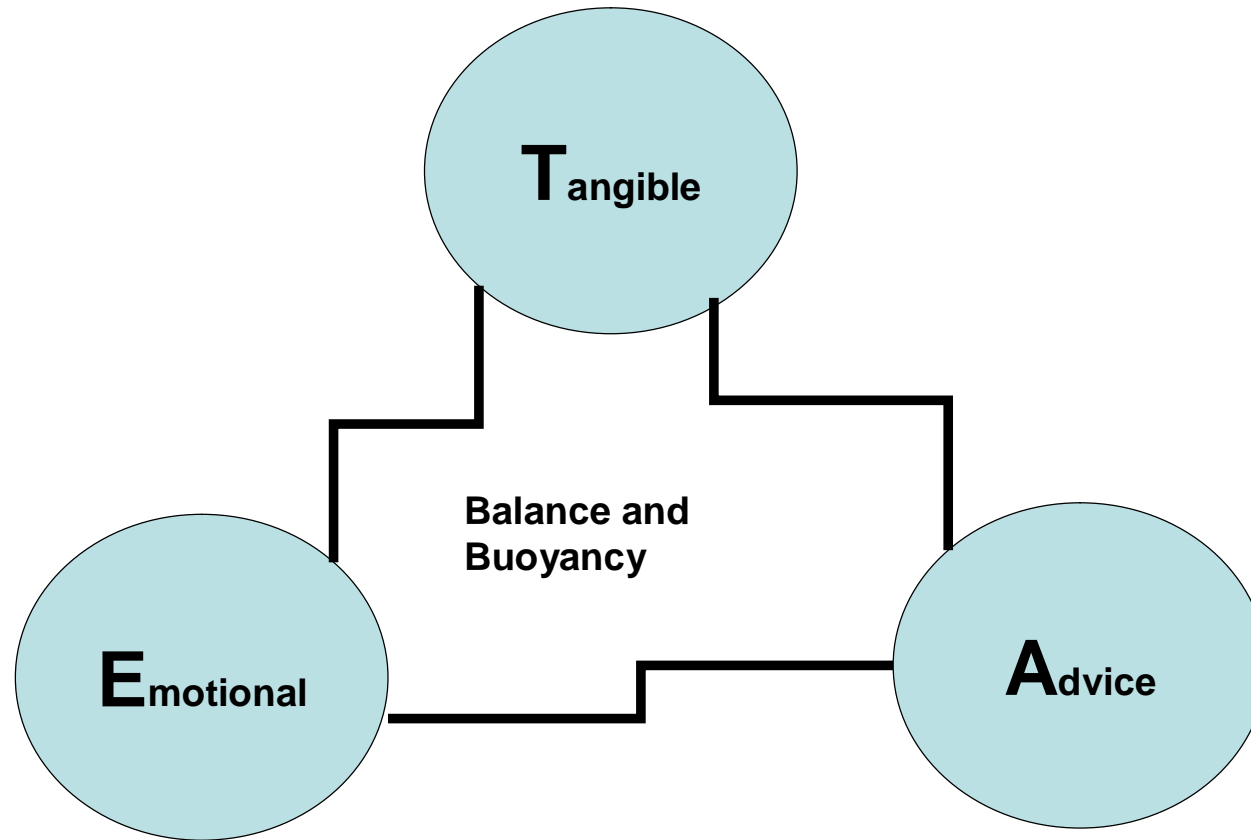
Pinkerton and Dolan 2013

Outcomes for Children in Care Systems

- **Placement is a beginning not an end!**
- Homelessness Rates
- Mental Health Impact
- Education Outcomes
- Domestic Violence (Stein et al 2012)

But there are success stories as well!!!!!!

TEA



**Dolan and Brady
2012**

A Cupped Model for Understanding Family Support

Task Force Report on Child and
Family Support Agency (2012)

Child

ACHIEVING RIGHTS / MEETING NEEDS

Nuclear Family



Other Family / Friends

School / Community / Leisure Interests



Semi Formal / Formal Family Support Practitioners



Community / Voluntary / Statutory

Agencies / Services / Organisations



National Policy / Legislation



1. Issue of child's stage of development
- Why children do not cope
2. Issue of 'Asking' as well as 'listening' to the voice of children ahead of parents
3. Roscommon case



Voice Issue

Issue in Community
Services including CP
(Buckley et al 2004)

Issue in Court System
(Coulter 2012)

Issue in Care System
(Stein 2009)



Some Key Issues?

- Interventions traceable
- Capacity to Simulate risk methodology
- Accountable Governance those with knowledge
“have voice and act on it”
- Evidence **Case of “John”**
- Full Implementation by HSE and Agency
- Professionals and ‘Relationships’ needed to aid detection
- Major Question around Case management v direct work – **common sense to act now!**

Big Brothers Programme

Wizard of Words

Proven cost effective EGs

**Family Group
Conference**

Strengthening Families

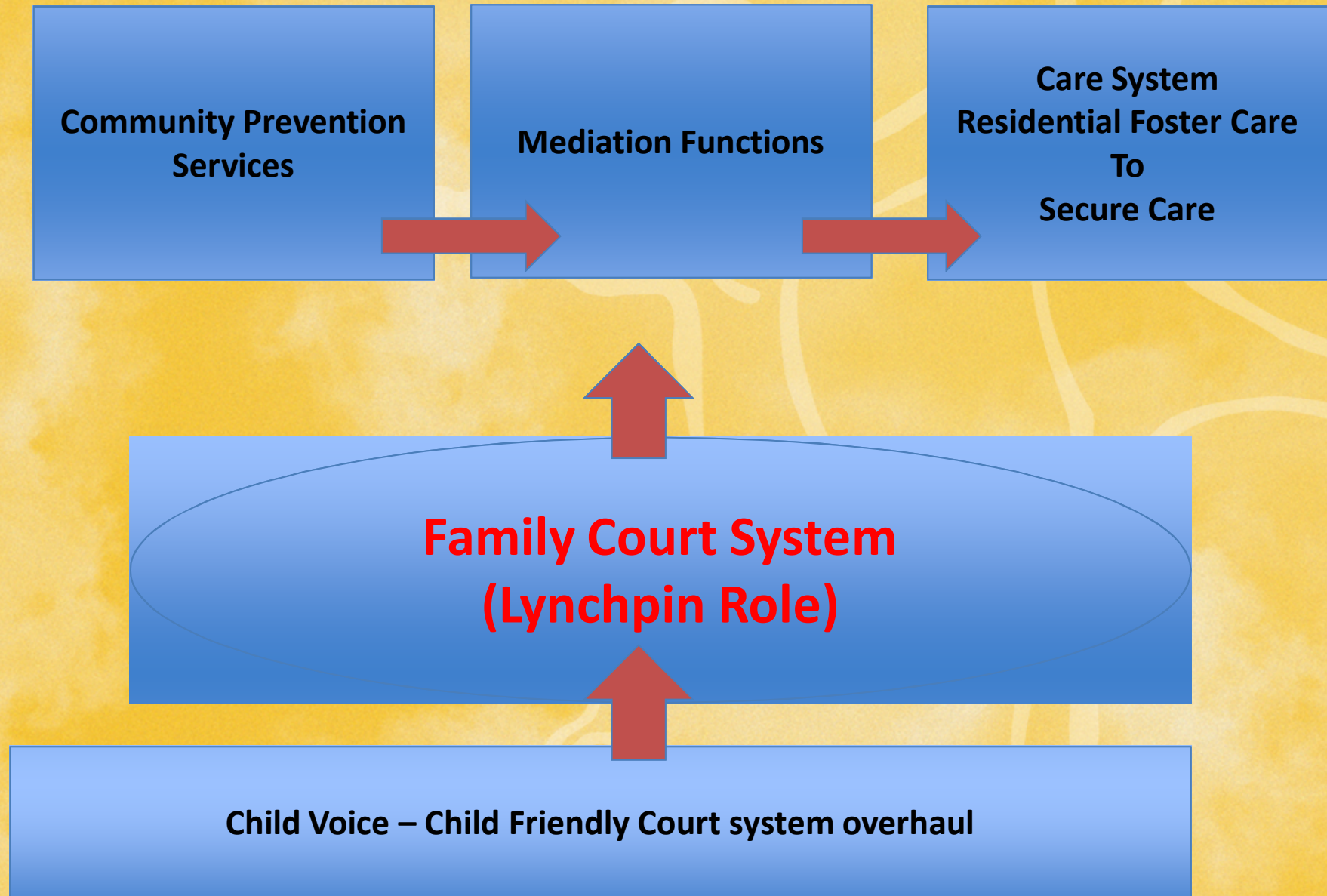
**Community Prevention
Services**

Mediation Functions

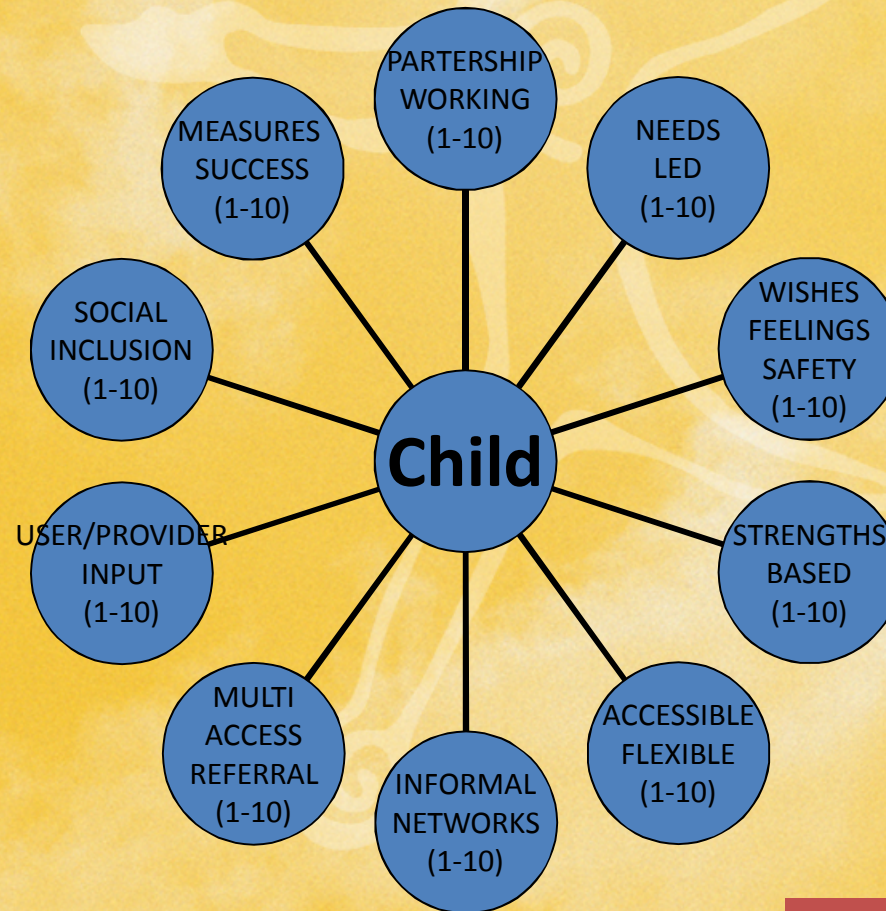
**Care System
Residential Foster Care
To
Secure Care**

**Family Court System
(Lynchpin Role)**

Child Voice – Child Friendly Court system overhaul



DEVELOPING A Checklist for Judges as part of their Training!



Dolan and McTiernan
in paper

**A person who never
makes a mistake
means that they are
doing nothing!
Einstein to his Barber!**

