

With extreme precision, this Government set up Nama – so why do they care so little for the lives of children?



by Alan Shatter TD

FINE GAEIL SPOKESMAN FOR CHILDREN

THE death of Daniel McAnaspie at the hands of unknown assailants is yet another tragic death of a young person supposedly in the care of the State.

Neither the State nor the HSE can be held directly responsible for the events which immediately resulted in his death and which are now the subject of a Garda investigation. However, serious

issues must be addressed as to the nature of the care afforded to this tragic young man.

What is required is an independent inquiry with a complete examination of all HSE records and interviewing of those with whom he came into contact within the care system and with family members.

Daniel's family members who spoke out yesterday clearly feel he was neglected by those responsible for his protection and their views must be listened to now, even if they weren't during his tragically brief life.

The commencement of such

an inquiry should not be delayed by the Garda investigation or any possible prosecution and ultimately a full report ensuring both transparency and accountability must be published. We know that at least 24 young people have died whilst in the care of the State in the past decade.

This Thursday is the first anniversary of the publication of the Ryan Commission report.

Despite publication by the Government last July of an implementation plan to implement the Ryan Commission recommendations, the past 12 months have continued to see a litany of child protection failures and very little in real terms has changed.

Failure

Nine findings made by the Children's Ombudsman of 'unsound administration' against the HSE and two such findings in respect of the Office of the



Minister for Children, in her report published last week, starkly illustrate the failure both of Government and the HSE to afford to children the protection to which they are entitled.

Had *Fine Gael* not published in March the report into the tragic death of Tracey Fay, the true story of the scandalous failure of the State to address the needs of this young girl would never have been told.

Astonishingly, some six weeks later the HSE saw fit to publish a censored version of the same report that gave little true insight into the background events and failures. The full 65-page report into the death of another young man, David Foley, also remains unpublished, the HSE only publishing a censored version that also fails to fully explain what happened.

Fine Gael was also responsible for publishing *Putting Children First And Meaning It*, a PA Consulting report, completed in October 2009 and commissioned by the HSE itself.

This addresses in detail the failed management structure of the HSE and proposes substantial structural reform, yet without *Fine Gael's* intervention the content of that important report would remain secret.

The PA Consulting report and the recent Ombudsman for Children's report each document the total failure of Government over a decade to take the action necessary to ensure uniform application of the 1999 Child Protection Guidelines, *Children First*, throughout the State.

It wasn't until publication of the Ombudsman's report that we learned for the first time that, along parts of the east coast, part of the reason for a failure by social workers to apply in full the *Children First* guidelines was the existence of an industrial dispute.

This dispute involving the Impact trade union and the Eastern Regional Health Authority, subsequently the HSE, com-

menced in 2002. To this day, it has not been resolved. Astonishingly both the Government

and the HSE, as well as the union, kept secret the existence of this dispute.

It is not that we lack prescriptions as to the actions that are required here. It is simply that successive Ministers for Children and the Government have paid lip service to child protection, whilst they have utterly failed to prioritise the action necessary to ensure we have a properly functioning, well co-ordinated child protection service.

For example a 2008 report, like the reports of 2009 and 2010, documented the absence of a uniform computerised information system accessible by child care workers throughout the State. Despite the recognition of the need for such a system in 2008, the Department of Finance has still failed to sanction the funding necessary for it to be put in place.

The Joint Oireachtas Committee on Children published, in September 2008, proposals for legislation for the use of soft information for vetting by the gardai of those working with children, either professionally or in voluntary capacities.

This cross-party committee unanimously asked that the legislation be published by December 2008. Not only has it not been published, but it is not

even prioritised in the Government's current legislative programme and it has little chance of becoming law before the middle of 2011.

In the meantime, the dedicated people working in the Garda vetting bureau in Thurles are overwhelmed by work and there is currently a 12-14 week delayed response to vetting requests.

Fault

In December 2009 new child protection guidelines were published on the website of Minister Barry Andrews' Department. No announcement was made of their existence. Copies were not furnished to frontline social workers and to date no training of any description has been put in place to ensure their application.

Just a week ago, five months after their publication, Minister Andrews announced that printed copies of the guidelines would shortly become available.

Despite the central statutory role conferred on the Children's Ombudsman, it seems that the new guidelines were not submitted to her for comment before publication. In her report published last week Emily Logan details amendments identified as necessary to the guidelines.

The extent to which the right hand does not co-ordinate with the left hand in the child protec-

tion area, the fault for which lies firmly at door of the Government and the HSE, is truly astounding.

What is required is a radical change of ethos and approach. We are drowning in reports and soft public relations commentary from Minister Andrews. What is needed is action. If, within a short period of time, legislation as complex as that applicable to *Nama* can be published and enacted, we need to ask why simpler legislation on vetting to provide protection for children at risk is given no priority by Government at all and why legislation to give statutory force to the *Children First* guidelines will not be published before the end of this year.

Additionally, there should be an immediate increase in the staff working in the Garda vetting bureau.

As part of the reforms necessary, serious questions must now be addressed as to whether it is appropriate at all that the HSE continues to retain primary responsibility for our childcare services, or whether this responsibility should be independent of the HSE and made truly transparent and accountable.

As this week marks the anniversary of the Ryan Commission Report, the Government should stop prevaricating and finally announce its acceptance for the wording for a Referendum on Children's Rights, as published three months ago by the Joint Oireachtas Committee on Children, and commit to the holding of that referendum no later than October this year.

The children of this nation deserve no less a commitment.

