

Adult

TÚSLA

An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

Child Abuse Substantiation Procedure (CASP)

**A leaflet for adults who
are alleged to have
abused a child**

We have written this leaflet to help you understand what we do and what you can expect when we assess child abuse allegations.

This leaflet will also tell you:

- About us – Tusla – The Child and Family Agency
- How Tusla assess disclosures (CASP)
- Where you can get support

About us – Tusla – Child and Family Agency

Tusla is the State agency responsible for protecting the welfare of children. We are also responsible for protecting children from risk of harm. Children's safety is our main concern. We also want to make sure that your right to fair procedure is respected. As such, we advise you to get legal advice if you can before you meet with us. We tell you more about this on page 5.

Tusla and An Garda Síochána (Irish police)

An Garda Síochána is also responsible for protecting children. They conduct any criminal investigations into child abuse. We must tell An Garda Síochána about any allegations of child abuse.

If An Garda Síochána is investigating an allegation of child abuse at the same time as we are carrying out our assessment of child abuse, we will work with An Garda Síochána and decide how to proceed. Our child abuse assessment is called a 'substantiation assessment.

What does 'making a disclosure' mean?

Making a disclosure of child abuse is when a person tells another person (for example, their therapist or teacher) that they were abused.

What happens when a person makes a disclosure of child abuse?

A child can contact us themselves to disclose child abuse. Child abuse may also be referred to us by adults. A child might tell an adult like parents, friends or teachers that they have been abused. The adults can then refer this information to us.

When we receive referrals of child abuse, we may use the Child Abuse Substantiation Procedure (CASP) to assess the allegations. If Tusla determines that a child is at immediate serious risk, then we will take action immediately to ensure that children are safe.

How Tusla assesses disclosures of child abuse – Child Abuse Substantiation Procedure (CASP)

The CASP is the process we may use when assessing allegations of child abuse. Our CASP process also helps us to identify any risk of harm to children that we need to bring to the attention of another person or organisation.

We aim to treat everyone affected by allegations of abuse with:

- fairness
- dignity
- respect.

We also need to make sure that we make decisions in line with:

- the law
- policy
- best practice.

Types of abuse

Allegations of child abuse can include:

- sexual abuse
- physical abuse
- emotional abuse
- neglect.

People involved in the CASP

Person Making a Disclosure – PMD: A Person Making a Disclosure is a person – either a child or an adult – who has made a disclosure of child abuse.

Person Subject of Abuse Allegations – PSAA: A Person Subject of Abuse Allegations is a person – either a child or an adult – who has had allegations of child abuse made against them.

A witness: A witness can be either an adult or a child who has information relevant to the disclosure. They may:

- have seen an event
- or
- know something about the disclosure

Legal advice

We recommend that you look for legal advice when you receive the communication from us telling you that an allegation has been made against you. We encourage you to bring your legal advisor to any meetings with Tusla.

If you do not have a legal advisor, then you may bring another support person with you to any meeting with Tusla.

We cannot make you take part in a substantiation assessment so any cooperation from you is voluntary. If you decide not to engage in the substantiation assessment, then we will reach an outcome on the allegations without your input.

The substantiation assessment

During the substantiation assessment we examine and evaluate if allegations of child abuse are:

1. **Founded:**

This means we have established, on the balance of probabilities, that child abuse did occur. (Balance of probabilities is complicated as it looks at many things and it is based on how likely or unlikely it is that child abuse happened.) If the allegation is founded the social worker decides if the PSAA poses a risk to children.

2. **Unfounded:**

This means we have not established, on the balance of probabilities, that child abuse has occurred.

This substantiation assessment process includes the following:

Screening

We review the referral of child abuse and decide if we will use our CASP process.

Preliminary enquiry

We find out the main facts and decide if we need to do more assessment.

Stage 1 – the Person Making a Disclosure (PMD)

We meet the PMD and any witnesses.

We decide if there are reasonable grounds for concern and if further assessment is required. If we decide there is reasonable grounds for concern we will put the allegations to you, the Person Subject of Abuse Allegations (PSAA).

Stage 2 – the Person Subject of Abuse Allegations

If we move to Stage 2, we will put the allegations to you and give you all relevant information in writing when we meet you.

We will carefully consider any response from you.

We will try to meet any witnesses you might identify.

Outcome

At the end of the substantiation assessment, we will reach one of two outcomes.

1. **Founded**

2. **Unfounded**

(We explained these earlier)

Provisional and final conclusion

When we have reached an outcome, we will give you a provisional conclusion.

- We will ask you to respond.

- If you respond, we will assess your response.

- We will then come to a final outcome on the child abuse allegations.

- Important: After the final conclusion, the PSAA may ask for a review

Review

If the final conclusion is founded, you may ask Tusla for a review within 14 days of that conclusion.

Two review panel members do this review. They are independent and from outside Tusla. That means they examine our work and the ‘founded outcome’ that we reached again to make sure we took all the steps we should have. They do not fully reassess the allegations. If there is a review, we will share all the relevant information, including details about you, with the review panel members.

Assessment of risk and informing relevant third parties

We will assess if there is a potential risk to children. If necessary, we will take immediate action to keep children safe.

We may need to tell other people about the risk to help us keep children safe. These other people are known as ‘relevant third parties’. We will give other people only the information needed to keep children safe. Other people may include:

- parents

- family members

- employers

- community organisations.

Supports to help you

There are many people and services available to help you.

HSE National Counselling Service

T: 1800 700 700, or you can visit:

<https://www.hse.ie/eng/services/list/4/mental-health-services/national-counselling-service/contact-us/>

One in Four aims to provide a safe place for men and women to explore the impact childhood sexual abuse has had on their lives.

T: 01 662 4070

Samaritans

T: 116 123

Further information

If you would like to view more information about the Tusla Child Abuse Substantiation Procedure, it is available at:

www.tusla.ie/CASP

The procedure is written for our trained staff, so it is very detailed and long. If you need help, one of our social workers will answer any questions you may have.

If you need any general information or wish to report child abuse, please contact your local Tusla Office. Contact numbers are also available at: www.tusla.ie.

Tusla will give you with a Data Protection Notice which will tell you how we will use your information.

Tusla feedback and complaints procedure

If you wish to give feedback or make a complaint you can contact:

E: tellus@tusla.ie

P: 01 771 8500 (Call 9am to 5pm Monday to Friday)

<https://portal.tusla.ie/feedback>

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