



**Review undertaken in respect of a death experienced by a young
person known to the child protection system**

Con

Executive Summary

June 2018

Introduction and background

This desktop review concerns a young person, here called by the pseudonym of Con, who died as a result of suicide when he was 15 years of age. Con's family had been known to the SWD for five years prior to his death. Initial reports about the family were made by Con's grandmother, here called Maeve, who had been concerned about the care that the children were receiving from their mother. The social work department initially had difficulty in locating the children's mother at home and following several other reports from their grandmother and other sources, eventually met their mother two years later following an allegation of physical abuse by her against the children. In the meantime, Con and his brother had moved between their mother and father, and ultimately Con moved back to his mother and his sibling remained with his grandmother.

The social worker carried out a very thorough initial assessment, speaking to all involved professionals, during which she learned that Con had been recently implicated in two separate child sexual abuse allegations and was under investigation by the Gardaí. Con's mother said that he was worried about repercussions from these incidents and had missed a lot of school for that reason. The social worker met Con on his own to discuss the allegation that his mother had physically abused him, which he denied. During her interview with him, the social worker did not mention the alleged child sexual abuse allegations. It had been decided by the SWD, in line with their current policy, to focus only on the physical abuse allegations at that time, and to assess the sexual abuse allegations at a later stage as the assessments of the alleged victims were on-going. There is no notification on file from the Gardaí to the SWD regarding Con as an underage alleged perpetrator of child sexual abuse (as per Children First), and no formal discussion took place between the two organisations regarding Con's welfare and vulnerability. The social worker was satisfied with Con's denial that he was physically abused by his mother. The outcome of the initial assessment was that while family relationships continued to be difficult, and on-going matters to do with sexual assault allegations against Con were unresolved, the SWD did not consider him to be at risk while living with his mother. Sadly, he committed suicide shortly afterwards. There had been no prior indication of his intention to take his life.

Findings

The review found that the response to the first report about Con and his sibling's welfare had been let drift, but that the response to the later allegations of physical abuse was prompt and thorough.

The review has noted that the impending sexual assault charges were causing Con to worry, as well as the fact that his mother had linked the allegations with his absenteeism from school and his anxiety about local repercussions. There was a ten week gap between the time the SWD became aware of the allegations against Con and his death. The SWD had delayed addressing the CSA allegation with Con as they were in the process of interviewing the other persons involved. While the reviewers acknowledge that Tusla policy was being followed, it is suggested that the impact of the investigation on Con, and the implications of his sexual behaviour for his own wellbeing and the wellbeing and safety of his peers should have expedited their assessment of him in that regard.

Conclusions

The review team has reached the following conclusions:

- There were no prior indications that Con had been contemplating suicide and there is no evidence that any action or inaction on the part of the social work services was linked with his very sad death.
- The review has found that while the initial assessment conducted in response to allegations of physical abuse in respect of Con's brother was thorough and well documented in respect of the primary concern, the decision to take no further action depicts a narrow perspective, given the family difficulties that the assessment revealed. In particular it did not recommend any action being taken in respect of Con's schooling. It is noted that the matter of whether or not to address the allegations pending against Con was given consideration as a later assessment was due to take place. However, no time line was given for the further assessment and it appeared to be dependent on the outcome of an ongoing investigation that could have taken several months. In the meantime, the impact of the investigation on Con and the anxiety it was causing him, as well as its links with his school absenteeism were not addressed.
- Although there was some telephone discussion between the Gardaí and the SWD in respect of at least one allegation against Con, no formal notification was made by them regarding Con as a vulnerable child, which is a requirement of Children First. The absence of collaboration, at the very least a joint consultation between the SWD and the Gardaí, meant that an opportunity to respond to Con was missed.

Key Learning Points

- The assessment in respect of the physical abuse allegations made by Con's brother was thorough in ascertaining the extent of any physical altercation between his mother and himself, as well as Con. It did, however, reveal a number of stressors being experienced by the family which did not reach what was regarded as a threshold for child protection intervention. While the assessment noted that information was provided to them about a family centre, the question could be asked whether more active follow up should be provided to families whose difficulties fall below the threshold for child protection but are potentially damaging.
- The allegations of sexual assault against Con were neither fully investigated nor proven up to the time of his death, but there were indications that that he was involved in sexual activity with other young teenagers that was inappropriate for his age and level of maturity and which, in the context of pending charges, could potentially be seen as harmful. Evidence from a UK parliamentary inquiry into support and sanctions for children who display harmful sexual behaviour¹ indicates that children involved in it may suffer from depression, suicidal thoughts and also indicates that their attendance at education may be affected. The inquiry further commented that children who find themselves embroiled with the justice system as a result of making mistakes as they start to understand their sexuality and experiment with it may feel stigmatised and struggle to regain a normal life. It is recommended that they receive specialist support in a timely manner. A case such as this where a child presents with needs and is at the same time the subject of a police investigation should be discussed at an early meeting between the Gardaí and the SWD to work out the best way to proceed.
- Con's school absenteeism, which appears to have been related to his pending charges, meant that he was missing out not only on his education but on other opportunities for social and psychological development. His planned early school leaving would have further disadvantaged him. Irish research indicates that a young person leaving school without skills is likely to be unemployed for long periods and more likely to struggle with poverty and social exclusion². Alternative educational programmes such as Youthreach or the School

¹ https://www.barnardos.org.uk/now_i_know_it_was_wrong.pdf

² O'Connell, M. and Freney, Y. (2011) *The intention to leave school early among Irish Junior Certificate Students: Variation by school*, Irish Educational Studies: 30: 305-321

Completion programme have a good understanding of the sort of difficulties that commonly lead to early school leaving and could potentially have made a positive contribution in this case.

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