

CASP

Child Abuse Substantiation Procedure and Practice

A Guide for Adult Witnesses

This Tusla leaflet will tell you what we do when someone says they have been abused by another person. It will inform you of the steps we take when we investigate allegations, or complaints, of child abuse and your role as a witness.

If this leaflet has been sent to you by Tusla it means that either a complainant, or a Person Subject to Allegations of Abuse (PSAA), has suggested you are a witness in an investigation.

A witness is a person who saw or heard an event take place or who may have important information about the event or the people involved in the event.

In our CASP policy, a person against whom an allegation or complaint is made is known as a PSAA, a Person Subject to Allegations of Abuse. A person making a complaint is known as a Complainant and can be an adult or a child.

Tusla – Child and Family Agency:

The Child & Family Agency and An Garda Síochána are the State agencies with responsibility for the protection and welfare of children. Tusla has the additional responsibility of safeguarding children from the potential risk of harm and Tusla has children's safety as its primary goal.

Tusla seeks to work with everyone affected by allegations of abuse with fairness, compassion, dignity, and respect while ensuring our

decisions are made in line with the law, policy, and best practice.

CASP

The Child Abuse Substantiation Procedure (CASP) is the process and steps involved in Tusla's investigation of child abuse allegations, where Tusla may need to tell a third party of a potential risk to children. Examples of third parties include parents, family members, employers and community organisations.

What form can allegations of abuse take?

Allegations of abuse - sexual abuse, physical abuse, emotional abuse and neglect can take several forms:

Retrospective abuse: Child abuse that an adult reveals which occurred in their childhood, when they were under 18-years-old.

Intra-familial abuse: Child abuse that a child makes against a member of their own family.

Extra-familial abuse: Child Abuse that a child makes against a person who is not a member of their own immediate family.

What happens when Tusla receives a report of child abuse?

Tusla initially considers the allegations and come to a decision on whether the allegations are entirely possible, which means the allegation could reasonably be true. This process is known as screening.

If Tusla considers them to be have possibly taken place, we then investigate the

allegations made by a person making a complaint (the complainant) by interviewing the complainant and any witnesses they name. We then decide if there are reasonable grounds for concern in the allegations. This is known as Stage 1 of the process.

If we think that there are reasonable grounds for concern, we will put them to the Person Subject to Allegations of Abuse (PSAA) and listen carefully to their response to the allegations. We will also contact any witnesses that the PSAA names in their response. This is known as Stage 2 of the substantiation process.

Tusla does not have the authority to force a witness to cooperate with an investigation and any cooperation is totally voluntary.

As a witness your name and any information you provide to a social worker which is deemed relevant to the substantiation investigation or a subsequent review will be provided to the PSAA in writing.

If there are any safety concerns for you as a witness Tusla will speak with An Garda Síochána about the need for a safety plan to be put in place to address any identified worries.

The PSAA has the right to request to put questions to a witness forwarded by the complainant. This request will then be considered by the social worker.

If you are such a witness it is a matter for you to decide if you wish to be party to such questioning. Tusla does not have the authority to compel a witness to agree to such questioning.

Outcome of the investigation process

At the end of an investigation Tusla will reach one of two results:

Founded –it is established on the balance of probabilities, more likely than not, that child abuse has occurred.

Unfounded –It is not established on the balance of probabilities that child abuse has occurred.

What is a review?

Once an outcome has been reached and if the PSAA is not satisfied with a “founded” outcome they can ask that it is looked at by another group of people known as the Review Panel.

Supports available for adults who have witnessed child abuse

- If you would like to view the Tusla Child Abuse Substantiation Procedure, it is available at: ****
- General information about Tusla is available at www.tusla.ie
- If you require any advice or wish to make a report of child abuse, please contact your local Tusla Office. Contact

numbers are also available at www.tusla.ie