

Child Abuse Substantiation Procedure (CASP) and Practice

A Guide for Children who make complaints of Child Abuse

Tusla

This Tusla leaflet will tell you what we do when someone says they have been abused by another person.

Tusla the Child and Family Agency:

Tusla-Child and Family Agency is the Government organisation, along with the Gardaí, that makes sure children are protected and receive good care. Keeping children safe from harm is Tusla's number one goal.

When someone accuses another person of abuse, they can tell Tusla and the men and women working for Tusla look into all the facts, examine both sides of the story, and treat everyone fairly and with respect while making sure we follow the law and our own rules.

CASP

Tusla uses a plan called the Child Abuse Substantiation Procedure (CASP) to investigate complaints of child abuse.

In CASP, a person against whom an allegation is made is known as a Person Subject to Allegations of Abuse. A person, such as yourself, who makes a complaint about abuse is known as a Complainant.

What form can allegations of Child Abuse take?

Child abuse can be sexual, physical, emotional, or involve the neglect of someone else.

Allegations or complaints of child abuse can be different and can take place in different places and at different places, including the following:

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

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

Retrospective abuse: Abuse that an adult reveals now, but it occurred in their childhood when they were under 18-years-old.

What happens when you make a complaint?

You can contact Tusla directly to report a case of child abuse. Tusla will investigate such reports to find out if there are children who are still in danger, or if they could be in the future. You may have told your parents, friends or a teacher about what happened. Under the law people such as teachers, doctors, counsellors or teachers must report any concern or worry regarding child abuse to Tusla. This is known as mandatory reporting.

If a person is going to make a mandatory report about what happened to you, they should let you and your

parents know that they are going to do this, unless it may put you in danger. If you are in counselling and your counsellor has referred you to Tusla, then Tusla will make contact with your counsellor to make sure you have the best help.

What happens next?

The first thing Tusla does after it gets a report of child abuse is to find out if there are any children in danger of being harmed right now -and if there are, we take immediate action to protect any child in this situation. But we often try to get more information to help us decide if a child is at risk or not.

When we hear about child abuse we will explain the steps we plan to take to investigate your complaint. If you have said you want contact between Tusla and your counsellor, that is fine. You will then be asked to meet with Tusla to talk about what happened.

If you decide to meet with Tusla, you can do so with an adult you feel safe with. The Tusla social workers will write down what you tell them. They will let you see what they have written down after to see if it's all correct. Tusla will then say if there is enough concern for us to continue investigating. Tusla will always take steps to make sure that children are kept safe from any danger.

To be fair to everybody and to follow the law we may have to share any information you tell us or any documents we have with the person that you are accusing of doing wrong. We have to use your name and other details except in very few situations where there is real and serious risk to your safety.

If we are worried about your safety, Tusla takes this extremely seriously. With you and your parents'

agreement we will speak to other services for supports for you and we will talk with the Gardaí to make sure you are protected and safe, and are not afraid of what might happen to you.

A PSAA may wish to put questions to you in some form during the investigation or as part of a review. It is up to you and your parents if you wish to allow this happen or not. If you agree to be asked questions in some form, Tusla can arrange this in the best way possible

The final decision

At the end of the investigation Tusla staff will say what they have found out and give a result about the case. They will say your child abuse allegation was either a:

1. **Founded outcome:** In other words, it is decided, given all the information provided by everyone involved in the case, that more likely than not that child abuse happened.
2. **Unfounded outcome:** It is decided, given all the information provided by both sides, that more than likely child abuse didn't happen.

You will always be told of the result of the investigation, and a final report will be given to a Person Subject to Allegations of Abuse (PSAA) -the person you accuse - to be fair to them.

What is a review?

Once the results of the investigation have been decided, the PSAA may ask for another group of people to look at the case again to make sure it was fair. This is known as a review. You will be told about the results of this review.

Will the Gardaí be told?

If Tusla thinks a crime has been committed, it will tell An Garda Síochána. However, it is up to you and your parents to decide if you wish to make a statement to them. If you need support with this, Tusla will help and advise you and your parents.

If you make a statement to the Gardaí, they will investigate it, add up all the facts, and contact the Director of Public Prosecutions (DPP). The DPP then decides if the case should go to a court or not where a judge makes a decision about the case. If a statement is not given by you, the case will not go to court.

When there is both a Garda investigation and a Tusla investigation, Tusla will discuss the matter with the Gardaí to agree how the two investigations will be worked together.

What if I am not ready yet?

If you are not ready to speak with us we won't go ahead with an investigation at this time. We will ask you to contact us when you are ready. But if Tusla is concerned with what you have shared with us indicates a present risk to other children then Tusla has to act to protect these other children. We will try to tell you and your parents before doing anything else and we will write to you about it and discuss any concerns with you about your safety and any possible affect this action could have.

You may decide only to speak with the Gardaí. In this case the Gardaí may contact Tusla about worries it has, and we may need to take similar steps to those outlined above in the paragraph "What happens next". You are always welcome to seek advice from Tusla by contacting your local Duty Social Work Team.

Supports available for a Child who may have experienced child abuse:

There are a many people and services available to help you: Your local Tusla office will be able to advise you of specific services available near where you live.

- Tusla Child & Family Agency (numbers etc.)
- Rape Crisis Centre 1800 777888
- CARI 1890 9245
- HSE Psychology Services
www.hse.ie/eng/services/list/4/mental-health-services/national-counselling-service/

Further information:

- To view the Tusla Child Abuse Substantiation Procedure, it is available at:(embed link when available) ****
- 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 (Provide links to numbers or email address)
- If you wish to speak with Gardaí phone numbers for local stations are available here: