

**Courts Service Child Safeguarding Statement**

The Courts Service is committed to ensuring that the best interests of children and young people attending our services are of paramount importance. Our guiding principles and this guidance document are underpinned by national policy and legislation in Children First: National Guidance for the Protection and Welfare of Children 2017, and the requirements under The Children First Act 2015.

**What is the purpose of this statement?**

This Child Safeguarding Statement has been prepared in accordance with Section 11 of the Children First Act 2015 and the TÚSLA National Guidance for the Protection and Welfare of Children

**What does the Courts Service do?**

The Courts Service was established as an independent corporate organisation on

9th November 1999 following the enactment of the Courts Service Act 1998

Our functions are to:

* manage the courts
* provide support services for the judiciary
* provide information on the courts system to the public
* provide, manage and maintain court buildings
* provide facilities for users of the courts

**What relevant service does the Courts Service provide to children?**

The Courts Service provides limited services within the definition of “relevant services” in the Children First Act 2015. In the course of our work, there are a limited number of areas which involve direct engagement with children. These are:

1. Work experience by transition year students
2. Children giving evidence during Court cases
3. Provision of Information

Transition year students:

We provide a transition year work programme to second level students in various Courts Service Offices throughout the country. As part of this programme, students visit court offices and public court rooms.

Children giving evidence:

In the course of some Court cases, children may be required to provide evidence to Court. Evidence given by children is generally done via videolink technology where the child sits in a video booth with two-way video connection to the Court. This is to protect children for the trauma of giving evidence in an intimidating environment in open Court. A trained member of Courts Service staff will sit with the child before and during their evidence to help them through the process and also ensure that there is no external interference when evidence is being given.

Provision of Information:

Children may attend courthouses to participate in school tours or mock trials. The Courts Service facilitates these events, but it is always done with children attending with either a parent, guardian or teacher who are responsible for the care of the children.

The Comhrá (‘conversation’) programme is an outreach programme administered by staff in the Courts Service via the Office of the Chief Justice and operated in conjunction with the judges of the Supreme Court. It enables secondary school students to ask questions via live videolink to judges of the Supreme Court. The members of the Supreme Court and staff of the Courts Service may also attend some school sites on occasion. The arrangements for such visits are made directly with the relevant school and supervised by the school’s staff. There is no direct unsupervised contact with any children participating in the programme.

**Principles of Child Safeguarding**

* We are committed to the safeguarding of children and the creation of a culture of child safety
* We have established a Child Safety Committee to support, review and advise on child safety procedures
* We will implement measures to raise staff awareness of the key principles of child safeguarding
* We will follow best practice guidelines on reporting concerns taking account of any guidance issued by TÚSLA
* Relevant staff members will complete appropriate child safety training
* Designated Liaison Persons will be trained to support staff
* We will make our relevant policy and information, as listed below, available to any child and/or their parent/guardian engaging with us

**Risk Assessment**

We have assessed areas where potential harm could be caused to a child during their participation in an activity under the control of the Courts Service. We have identified the measures we will put in place to mitigate the risks identified.

Section 2 of the Children First Act 2015 defines “harm” in relation to a child as:

“(a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child’s health, development or welfare, or

(b) sexual abuse of the child,

whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise”.

“ill treatment” in relation to a child is defined as:

“to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated”

“neglect” in relation to child is defined as:

“to deprive the child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care”

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| **Risk** | **Existing Controls** |
| Student affected by information heard, or behaviour observed, at a public court hearing or in a public court office | * Guidelines are in place for offices that directly support the transition year programme * Care taken by Office Management to minimise exposure of TY students to troubling information |
| Student makes a disclosure to a staff member and that disclosure is not referred to TÚSLA | * Children First training will be provided to relevant staff in offices that directly support the transition year programme * Trained Designated Liaison Persons will be assigned * Escalation pathways is clearly defined and made known to all staff of the Courts Service |
| Student suffers an injury or other medical issue arises whilst participating in the programme | * Parents/guardians will be required to provide any relevant information relating to the health of the student prior to participation on the programme * Existing Courts Service health and safety documents will apply |
| Student harmed by a staff member while participating in our programme | * All staff are subject to standard Garda vetting procedures * All staff are required to adhere to relevant Courts Service and Civil Service guidance, codes and policies with regard to behaviour in the workplace. Non-compliance and failure to uphold the expected standards of behaviour may result in disciplinary action up to, and including, dismissal. |
| Child supervision services provided by video link assistants to child witness giving evidence by way of video link | * All staff are subject to enhanced Garda vetting * Bespoke training course developed with mandatory attendance required for videolink assistants |
| School Tours | * School tours organised in conjunction with School management and supervised by teachers * Courts Service staff only engage with Children in presence of teachers |
| Mock Courts | * Mock trials organised in conjunction with local schools & community groups and supervised by teachers/parents/guardians * Courts Service staff only engage with Children in presence of teachers/parents /guardians |
| Social Events held in Courts Service building attended by Children | * Children only attend social events when accompanied by parents/guardians |
| Comhrá programme | * Comhrá events organised in conjunction with local schools and supervised by teachers * Judiciary and Courts Service staff only engage with Children in presence of teachers. |

**General Procedures for Management of Any Risk**

* A relevant person has been nominated and appointed by the Senior Management Team for the purposes of the Children First Act 2015
* All staff are subject to Garda vetting procedures
* Trained Designated Liaison Officers are assigned
* Formal training is mandatory for Videolink Assistances including enhanced vetting
* The Courts Service has established a Child Safety Committee to review child safety matters and provide guidance as necessary
* We has formalised our transition year programme and all relevant procedures for offices directly supporting the programme:
  + We will provide clear information about the programme in advance to students and their parents/guardians
  + A staff member will be assigned as a contact person for the student during the programme
  + Prior to attendance on the programme, the consent of a parent/guardian of the student will be obtained
  + Parents/guardians will be required to provide any relevant information relating to the health of the student prior to participation on the programme
  + The Child Safeguarding Statement will be provided to students and their parents/guardians on request
  + Children First training will be provided to relevant staff in offices that directly support the transition year programme
  + Guidelines will be put in place for offices that directly support the transition year programme
  + Personal data of students will be retained and utilised in accordance with data protection regulations
  + Formal escalation pathways are in place to allow staff report issues of concern to DLOs and Relevant Persons.

**Relevant Policies and Information (All Available on Request)**

* Child Safeguarding Statement developed in accordance with the Children First Act 2015 and associated guidance
* The Courts Service’s Child Safeguarding Policy
* Civil Service Code of Standards and Behaviour
* Civil Service Disciplinary Code
* Courts Service Transition Year Programme Guidelines
* Courts Service Committee on Child Safety will review guidance and update policies as required
* Courts Service Corporate Policy Safety Statement

**Implementation and Review**

We recognise that implementation is an on-going process. Our service is committed to the implementation of this Child Safeguarding Statement and the procedures that support our intention to keep children safe from harm while availing of our services. Our Committee for Child Safety will review this Child Safeguarding Statement every 24 months, or as soon as is practicable after there has been a material change in any matter to which the statement refers and will make such amendments as may be required. A review of this Statement will take place on or before the 30th September 2025.

Signed: Shay Keary

(Relevant Person pursuant to Section 11 of the Children First Act 2015)

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Effective date: 1st October 2023

Review date: 30th September 2025

Signed & approved by:

Angela Denning,

Chief Executive Officer of the Courts Service