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Conseil de l'Europe
Mai - Novembre 2022



**Hear Our Voices: The Rights and Determination of the Best interests of the Child in Parental
Separation and in Care Proceedings**

3 October 2022 - Farmleigh House Dublin

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08:00- 09:00	Registration in Farmleigh House
	Conference MC – Tanya Ward, CEO Children’s Rights Alliance



[Tanya Ward - Conference MC](#)

Tanya Ward is the Chief Executive of the Children’s Rights Alliance since 2012. Previously, she was the Deputy Director at the Irish Council for Civil Liberties (ICCL) and has worked with the Irish Centre for Migration Studies, the Irish Refugee Council, the Curriculum Development Unit and the City of Dublin VEC.

Tanya has a LLM in Human Rights from Queen University Belfast and has lectured on human rights for the MPhil in Ethnic and Racial Studies (TCD) and Masters in Equality Studies (UCD). She has served on the Boards of Stand Up for Children, Mental Health Reform, the Law Centre for Children and Young People and the Advisory Board for the Child Law Reporting Project. Tanya is currently Chair of the National Advisory Council for Children and Young People, Vice President of Eurochild and a member of the Programme Board on Ending Direct Provision.

09:00-09:30	Opening address by Minister Roderic O’Gorman TD, Minister for Children, Equality, Disability, Integration and Youth
	Address by Christophe Poirel, Director, Human Rights Directorate, Council of Europe



[Minister Roderic O’Gorman T.D.](#)

Roderic O’Gorman TD is the Minister for Children, Equality, Disability, Integration and Youth. He was appointed to this role in June 2020, having been elected as a member of the Dáil in February 2020 in the Dublin West constituency.

He was previously a county councillor on Fingal County Council between 2014 – 2020. He is a member of the Green Party/Comhaontas Glas and served as Chairperson of the Party between 2011-2019.

Prior to being elected to the Dail, Roderic was a lecturer in the School of Law & Government in Dublin City University. His research focus was in the areas of European Union Law, comparative Constitutional Law and the law surrounding Climate Policy in Ireland and the EU. He lives with his partner Ray in Blanchardstown.



[Christophe Poirel](#)

Christophe Poirel is Director of the Human Rights Directorate of the Council of Europe since July 2018. He is responsible for the departments in charge of supervising the execution of judgments of the European Court of Human Rights, social rights and the implementation of the European Social Charter, intergovernmental co-operation in the fields of human rights and bioethics as well as Council of Europe’s activities concerning the independence and functioning of judicial systems.

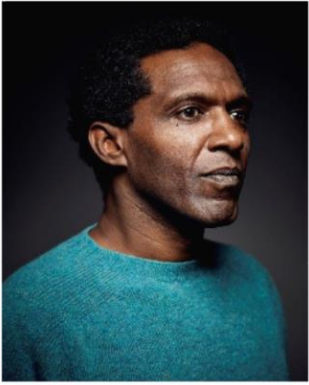
He has previously served as Deputy Secretary of the Committee of Ministers of the Council of Europe between 2010 and 2018, with particular responsibility for political and human rights issues, having held various positions in the human rights field since 1989.

09:30-

Hear my Voice

10:30

Keynote address by Lemn Sissay OBE
Fireside Chat with young people



[Lemn Sissay OBE](#)

Lemn Sissay OBE is a British author, playwright, memoirist performer and broadcaster. In 2021, Lemn was given an OBE for services to Literature and Charity. He was the official poet of the 2012 London Olympic Games and he was made Honorary Professor at the University of Manchester in 2021. He has read on stage throughout the world. Lemn was awarded The Pen Pinter Prize in 2019 when his memoir 'My name Is Why' reached number one in The Sunday Times bestseller list. This memoir reflects on a childhood in care, self-expression and Britishness, and in doing so exploring the institutional care system, race, family and the meaning of home.

Fireside Conversation with Youth Speakers

Arsen Martina

Arsen is 20 years old and spent 7 years in foster care. Arsen is currently a second year college student of Social Care. Arsen has a strong belief in the importance of children's views and opinions being heard. Arsen works as Participation Ambassador with Fostering First Ireland where his role is to support the development of the service provided to children and young people by creating opportunities for their participation that leads to change. Arsen is now in aftercare and continues to live with his foster carers.

Jamie Adams

Jamie is 23 years old and is currently completing an FAI course after completing a Gym Instructing Award and a UEFA D license. Jamie is father of one and aspires to return to college to complete his studies in Social Care to become a support worker for people in care who may be facing homelessness.

Jamie spent 14 years in foster care, during which time he had five different foster placements, and five years in after care.

Having experienced homelessness as a young care leaver, which contributed to issues with substance abuse and more serious mental health issues, Jamie feels that there are extremely limited supports for children and young people in care once they hit 18. The biggest failure, in his opinion, is that "after growing up in the care of the state, it seems as though they don't care for you."

Jamie joined the EPIC Youth Council as he is passionate and dedicated about working tirelessly to transform the care system. He believes there are multiple faults in the system that need to be addressed urgently.

Lauren O'Toole

Lauren is 21 years old and is currently working full-time with Glenisk Foods.

Lauren was taken into foster care at the age of two, where she remained throughout her care placement and while in aftercare. Lauren has been a member of the EPIC Youth Council for the past seven years.

Lauren is committed to always doing her best to fight for those going through the care system as she believes there is so much to be changed and fixed. She believes the system must improve, if not for her generation, then for children and young people in the future.

Alan Fay

Alan is 25 years old and currently lives with his nanna and granddad who became Alan and his sister's fulltime carers when they were aged 14 and 10.

Alan was born with Cerebral Palsy, but his condition does not define him. Alan considers himself to be a very happy, socially well-connected individual who really enjoys life. He is actively involved in both the EPIC Youth Council and the Irish Wheelchair Association. Alan recently wrote a chapter for the book *Empowering ABILITIES* and has made several media contributions as both a care-experienced and disability activist. Alan hopes to go to university to continue his studies and that that Government will invest in services to support Alan and others like him to achieve their educational goals.

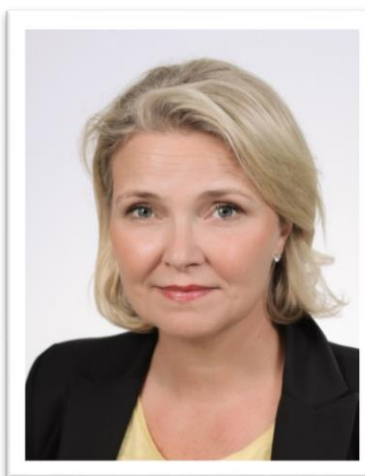
Alan has been on the EPIC Youth Council for four years. He was introduced to EPIC through his Aftercare Worker as he wanted to use his voice to empower other children and young people in care with disabilities. He enjoys being around like-minded people, with diverse care-experiences, all pushing together for positive changes and working to platform the voices of people who have lived experience of care.



Michael O'Flaherty

Michael O'Flaherty is Director of the European Union Agency for Fundamental Rights since 2015. He is a former Professor of Human Rights at the University of Nottingham and the National University of Ireland, Galway. From 2004 to 2012 he was a member of the United Nations Human Rights Committee, latterly as Vice-Chair. O'Flaherty has held a variety of other positions at the United Nations, both at headquarters and in the field, in which connection he witnessed, reported on, and sought to mitigate human rights abuses in such places as Bosnia and Herzegovina and Sierra Leone.

He has also served as Chief Commissioner of the Northern Ireland Human Rights Commission, as Chairperson of the Irish Penal Reform Trust, and as Vice-Chair of the Universal Rights Group. A solicitor of the Irish Courts, O'Flaherty received the Higher Doctorate of Laws from the National University of Ireland and also holds degrees in international relations, philosophy, and theology.



Regína Jensdóttir

Regína Jensdóttir holds a law degree from the University of Iceland and a post graduate degree (D.E.A.) from the University of Strasbourg in international public law.

Since 1998 she has been working for the Council of Europe and since 2010 she is the Council of Europe Co-ordinator for the rights of the child and heads the organizations' Children's Rights Division.

In these capacities she follows the Council of Europe Steering Committee for the Rights of the Child, the implementation of the Council of Europe Strategy for the Rights of the Child (2022 to 2027), and of the Council of Europe Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse (the Lanzarote Convention) and its monitoring committee which follows how states put the Lanzarote Convention into practice.

She has also led the development of the work on children's rights in a number of areas such as violence against children, equal opportunities, child participation, child friendly justice and children's rights in the digital environment.

[Dr Carol Coulter](#)



Dr Carol Coulter is currently Executive Director of the Child Law Project, a legal analysis and court reporting project which promotes transparency, accountability and reform in the child protection system in Ireland.

Carol Coulter is a former journalist, having worked with the Irish Times for 28 years, including as acting Belfast and London editor and as Deputy News Editor. For her last twelve years in the Irish Times she was its Legal Affairs Correspondent and Legal Affairs Editor. During her career she won a number of journalism awards, including Campaigning Journalist of the Year, Newspaper Legal Journalist of the Year and Overall Legal Journalist of the Year.

In 2007-2008 she ran a pilot project on reporting private family law proceedings for the Courts Service while on leave of absence from The Irish Times. In 2012 she left journalism to establish and direct the Child Law Project, reporting on and analysing child care proceedings in the Irish courts, and publishing both accounts of individual cases and analytical reports on the totality of the cases seen. In 2016 she was appointed Adjunct Professor of Law in NUI Galway.

She is a member of the Advisory Panel of the (Re)productive Rights study in NUIG, examining the issues faced by parents with physical and cognitive disabilities, and of the Professional and Academic panel of the Department of Justice's Family Justice Oversight Group, examining the provision of a comprehensive family justice system in the context of the planned Family Courts Bill.

She holds BA (Mod) and Ph D degrees in English from Trinity College Dublin, and a Legal Diploma and M Phil degree in law (specifically family law) from Dublin Institute of Technology. She is also the author of a number of books and essays on social, cultural and feminist issues.

[Benoit Van Keirsbilck](#)



Benoit Van Keirsbilck is the Director of the Belgian section of Defence for Children – International (DCI). He is Chief Editor of the Journal of Children's Law (Belgium) and member of the Advisory board of the UN Global Study on children deprived of liberty. He has been elected as a member of the UN Committee on the Rights of the Child (2021-2024).

12:00-13:20

High-level plenary session 1 –

Assessing the rights and best interests of the child in the context of care proceedings



[Sinéad Gibney - Chair of High Level Plenary Session 1](#)

Chief Commissioner Sinéad Gibney leads the Irish Human Rights and Equality Commission, having been appointed by President Michael D. Higgins in July 2020. Sinéad was the inaugural Director of the Commission between 2014 and 2016. Prior to this she built and led Google Ireland’s corporate social responsibility function, Social Action. Sinéad has also worked for herself for a number of years, providing training, consultancy and media production to a range of organisations in the civil society and public sectors.

Sinéad is a lifelong learner with an undergraduate degree in History from University of Ulster and four postgraduate qualifications in the topics of IT& Education, Cyberpsychology, Equality Studies and Human Rights Law. She is currently studying German. She is a former chair of the board of One Family and has served on a number of other boards, including Digital Charity Lab, Victims’ Rights Alliance, and the EU’s Responsible Research & Innovation industry advisory group.



[Diego Gallagher](#)

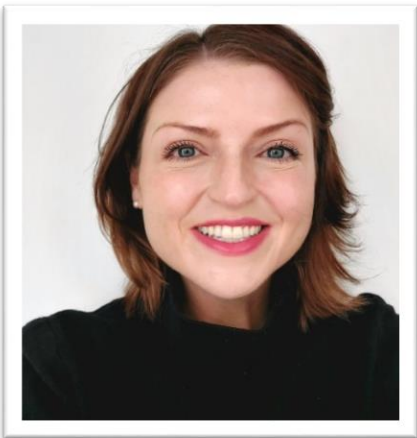
Diego Gallagher is a Senior Solicitor at the Child and Family Agency (Tusla) and has worked in the area of Child Law since qualifying as a solicitor in 2005.

Diego joined Tusla in 2020 having spent 15 years as a solicitor and Partner in the Health and Social Care Department of Byrne Wallace Solicitors. Diego has extensive experience representing Tusla in Courts such as the Chancery Child Care District Courts, High Court Wardship List, High Court Minors/Special Care list and the juvenile criminal courts. Diego is the current President of the Dublin Solicitors’ Bar Association (DSBA) and is a member of the DSBA Family and Child Law Committee. Diego is also a member of the DSBA working group tasked with the progression of the recommendations contained in the Law Society Dignity Matters Report on Bullying, Harassment and Sexual Harassment in the Legal Profession. Diego is a former member of the Council of the Law Society (2018-2020) and is a current member of the Law Society Human Rights Committee.



[Dr Maria Corbett](#)

Dr Maria Corbett is the Chief Executive of the Child Law Project. Established in 2012, the Child Law Project attends and reports on child protection judicial proceedings, while protecting the anonymity of the children and their families. The aim of its work is to inform the public on the operation of child law in Ireland and promote debate on reforms to support better outcomes for children and their families. The Child Law Project uses information from the cases it attends to identify emerging trends and conducts research on related topics. Maria began working with the Child Law Project in 2016 while undertaking doctoral research in this field and was appointed CEO in 2022. Previously, Maria was Deputy Chief Executive and Legal and Policy Director with the Children’s Rights Alliance.



[Marissa Ryan](#)

Marissa Ryan is the CEO of EPIC, Empowering People in Care, a national organisation providing independent advocacy directly to children and young people in the care and system after care. Marissa has many years’ experience working on human rights, equality and child protection in both governmental and non-governmental capacities in Ireland and internationally. Marissa joined EPIC in December 2020 from Brussels where she was based as Oxfam International’s Global Deputy Director of Advocacy and Campaigns, leading the organisation’s multilateral policy and advocacy with the European Union, the United Nations, the International Financial Institutions and the OECD. Previously, Marissa worked with Concern Worldwide, BeLonG To and the Irish Department of Foreign Affairs. Marissa also spent a number of years in East Africa working with the UN Office of the High Commissioner for Human Rights and the Kenya National Commission on Human Rights, among others. Marissa has a Master’s Degree in Human Rights from University College Dublin, and has served on the Board of the European Peacebuilding Liaison Office.



Judge Paul Kelly

Judge Paul Kelly is the President of the District Court. He qualified as a solicitor in 1979. Judge Kelly worked as solicitor for Arthur Cox 1979-1980. In 1980 he became principal solicitor for Paul Kelly & Co, solicitors, Leixlip, Co. Kildare until 2010 when he was appointed Judge of the District Court, and assigned to District 1 Donegal from 2011-2021.

In March 2021, Judge Kelly was appointed President of the District Court. His qualifications include: BCL (NUI) 1978; Solicitor 1979; Diploma in Employment Law 2008; Certificate in Trial Advocacy 2009; LLM, Advanced Legal Practice (Northumbria University 2018).



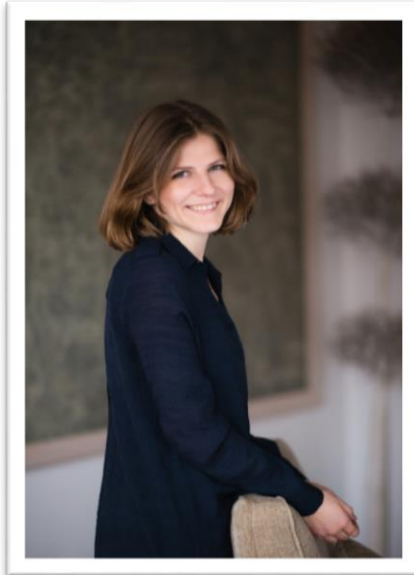
Gerard Brophy

Gerard Brophy has spent over 20 years as a qualified social worker since starting out working in child and family services. Over these years he has represented social work in a number of roles including as chair of the vocational group in Forsa and has published in a peer reviewed journal Research in Social Work Practice. Ger continues work as a social worker in the post of Chief Social Worker since May 2018 working on strengthening the Tusla vision for social work practice as a participatory, relationship based and safety building embedded in the values of respect and empowerment. Ger is managing the National Child Care Information System and the development of practice initiatives including the Empowering

Practitioners in Practice Initiative, Barnahus and a range of other initiatives in Tusla related to practice for workers.

14:50-15:20

Children's view in developing future standards on child's rights in family proceedings



[Barbara Nemeth](#)

Psychologist, working for children's rights in Hungary since 2012. After graduating in International Relations in 2010, she obtained an LLM from University of Warwick in 2012, and completed an MA in Psychology at Eötvös Loránd University in 2019.

Currently, she is a PhD student there, at the Doctoral School of Psychology, researching children's decision-making involvement and parent-child partnership. Since 2016, she has been the head of the Child Participation Program at Hıntalovon Child Rights Foundation.

She has facilitated children's participation in research, awareness-raising campaigns and child rights monitoring mechanisms. She has worked for UNICEF Hungary and many international organizations as a consultant or researcher.



[Dr Geoffrey Shannon SC](#)

Dr Geoffrey Shannon SC is a solicitor and senior lecturer in Child Law and Family Law.

Dr Shannon was Chairperson of the Adoption Authority of Ireland from 2007 to 2020. He held the role of Special Rapporteur on Child Protection from 2006 to July 2019.

Dr Shannon is currently concluding a major independent review into abuse allegations within St John Ambulance Ireland. Dr Shannon has also written or co-written 30 books, 36 articles in refereed journals and 42 articles in professional magazines in the area of child law and family law.

Dr Shannon is the recipient of several awards for his work in the area of national and international family law. These awards include the 2005 JCI Outstanding Person of the Year Award, the 2006 Canon Maurice Handy Award and the 2013 Irish Law Award. On 23 June 2017, Mr Justice Peter Kelly, President of the Irish High Court presented Dr Shannon with the Dublin Solicitors Bar Association Award for outstanding contribution to legal scholarship for his entire work to date.

16:15-17:30	High-level plenary session 2 – The rights and best interests of the child in the context of parental separation and in family law
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[Dr Niall Muldoon - Chair of High Level Plenary Session 2](#)

Dr Niall Muldoon is Ireland’s second Ombudsman for Children. Niall, who is a Counselling and Clinical Psychologist and was appointed, for a second 6-year term, by President Michael D Higgins In February 2021. As Ombudsman for Children Niall has focused on generating an Ireland where children and young people are actively heard, particularly those who are most vulnerable.

During his tenure, the Office has sought to give voice to those children who are often not listened to. In that time the Office has consulted with young people availing of Ireland’s Children and Adolescent Mental Health Services (CAMHS), Direct Provision, those in children’s hospitals, young people living in Family Hubs and young people have produced a report for the UN Committee on the Rights of the Child.

The OCO has also published a range of special reports on topics such as Assessment of Needs, Scoliosis Treatment and School Places for Children with Special Educational Needs, as well as investigations highlighting cases where children’s rights were not respected in the provision of disability supports, in the care system and in housing.

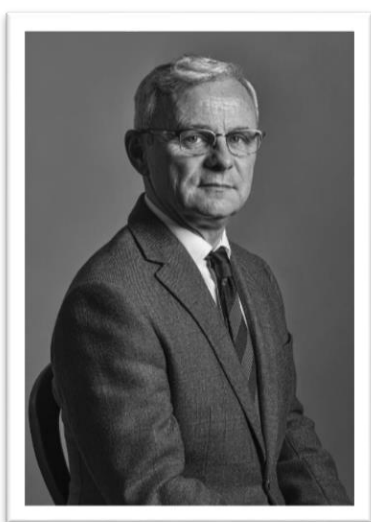
The OCO has also created “Beyond Limits: Empowering young people with disabilities” an event bringing together approximately 2,000 people in Croke Park (2019), Sligo and Limerick (2022) for speakers, demonstrations, information and activities – all focused on children with disabilities. Working with others, Niall has contributed to i) the introduction of the ‘Barnahus, Onehouse Galway’ model to ease trauma for children who have been sexually abused and ii) bringing an end to young people being held in adult prisons.

He has also contributed internationally as a member of the European Network of Ombudspersons for Children (ENOC) where he held the role of Secretary on the Bureau for 4 years.



Catherine Ghent

Catherine is a solicitor specialising in children's law and representation of vulnerable adults. Catherine has extensive experience acting in both public and private family law proceedings, wardship and criminal law.



Judge Colin Daly

His Honour Judge Colin Daly. Colin qualified as a solicitor in 1997. He was the Managing Solicitor at Northside Community Law Centre (now Community Law & Mediation) from 2001 to 2012. During this time he developed the service into a thriving centre for public interest law. His areas of expertise were child & family law and consumer debt. He was the solicitor in *McCann v The Judge of the Monaghan District Court & Ors [2009]* where debt enforcement legislation was found to breach fair procedures and which resulted in a change in the law to provide for legal aid for persons facing enforcement proceedings.

During his stewardship the law centre also represented litigants in the seminal cases of *Humphries v Westwood Fitness Club[2004]* (*Reasonable Accommodation case*) and *Pullen v Dublin City Council [2009]* (*Housing case*). Colin was appointed to be a judge of the District Court in 2012. He was appointed as President of the District Court in 2019 and was elevated to the Circuit Court in 2021. He is currently an unassigned judge of the Circuit Court dealing with family law, civil law and criminal trials.



[Fiona McAuslan](#)

Fiona. A. McAuslan is the current Director of the Legal Aid Board's Family Mediation Service. She has over 20 years experience as a mediator, her case work including separation and divorce, court referred cases where children are in care of the state, child abduction cases, bully and harassment cases, church and inter-congregational disputes, multiparty workplace disputes in small and large organisations and mediation in schools.

She is currently the Ethics and Standards Chair of the Mediators Institute of Ireland (Mii), where she has contributed to the development of mediation in Ireland. This has included developing the Mii Code of Ethics and Practice under the Mediation Act 2017.



[Prof. Ksenija Turković](#)

Ksenija Turković is a professor of criminal law, international criminal law, health law and human rights at University of Zagreb, Law School. She was a judge (2013-2021) and Vice-president of the European Court of Human Rights (2020-2021). She graduated from the Faculty of Law in Zagreb (1987), holds an LL.M. and a J.S.D. from Yale Law School. She worked as Legal Counsel for Hunton & Williams (New York) representing before the International Court for Former Yugoslavia (ICTY) and was an Associate in General Corporate Practice Sullivan

& Cromwell (New York).

She was Vice-Dean for Faculty Affairs at the Zagreb Law School (2005-2007) and Vice-Rector for International and Legal Affairs at Zagreb University (2008-2012). She was head of an expert team drafting the new Croatian Criminal Code (2009-2012), as well as Vice-president of the Committee of Experts on the Protection of Children against Sexual Exploitation and Abuse (2006-2007) and Vice-president of the Group of Specialists on Child Friendly Justice at the Council of Europe (2009-2010). She has published books and papers in the areas of criminal law, medical law and ethics, criminology, victimology and human rights.



[Minister Helen McEntee T.D.](#)

Helen McEntee TD is the Minister for Justice. She was appointed to this role in June 2020.

Helen was elected to Dáil Éireann in a By-Election in March 2013, and re-elected in the February 2016 general election. Deputy McEntee was appointed by the Taoiseach Enda Kenny TD to be Minister for Mental Health and Older People at the Department of Health in May 2016 as part of the new Partnership Government.

In June 2017, as part of a government reshuffle by newly appointed Taoiseach, Leo Varadkar TD, Minister McEntee was promoted to the position of Minister of State for EU Affairs.

She previously served on the Oireachtas Committee on Transport and Communications, and was also a member of the Oireachtas Committee on Environment, Culture and the Gaeltacht.