

Catherine Ryan, Solicitor (submitted in personal capacity)

## Reform of Guardian Ad Litem

I would like to make the following comments to the proposals set out in the consultation paper as follows:

- Question 3

Amendment of Sec 26 of the Child Care Act would need to be done cohesively i.e. to include a revised definition of “a child” and to include aftercare and the need for the GAL to be present up to a reasonable period after reaching majority.

- Question 7

Preferable for the court to appoint either a GAL and/or separate representation. There are occasions where the child’s wishes are at variance with the views of the GAL.

- Question 9

The other area to consider appointing a GAL is where a parent is a minor and/or where a parent has cognitive impairments to such an extent that any consents/objections in the context of childcare proceedings would require full guidance and explanation by a suitably qualified person and or a person to assist

- Question 12

The role of the GAL should be independent and should be presented by social work team to the GAL in a neutral way without any inference that would lead a GAL as to any conclusions or undue influence.

- Question 13

Copies of the Guardian ad Litem report should not be made available to a child but should be made available to the parents as they are the only respondents in the proceedings.

- Question 20

A record of outcomes should be provided and a record of the number and types of separate applications that the GAL has brought in the context of the proceedings.

- Question 22

The payment of the GAL by the CFA should also include any expanded definition of a GAL appointed in any child care proceedings.

- Question 23

GAL should not need representation in court, they are not party to the proceedings and such representation can distance the GAL from the parties to the proceedings as it adds another layer of communication in the proceedings.