

Renée Hanley, BSW, NQSW, CORU

Independent Guardian ad Litem

R. Hanley Guardian and Child Assessments, Ltd.

Dear Ms. Burke,

Please see the following:

I am requesting further responses from the Department of Children and Youth Affairs following the Department's review and consideration of the feedback from myself and other submissions provided, including those submissions of the Irish Guardian ad Litem Association and for my ability for further consultation in this on-going process.

Consultation Questions for Reform of Guardian ad Litem Services:

1. The importance of the independence of the Guardian ad Litem is essential.
2. A child who is not able to express their specific views due to age or level of development, should also have access to a Guardian ad Litem, as providing opinion and recommendation for decisions in the child's best interest are also part of this role and the Guardian ad Litem provides a voice for these children.
3. **To answer this questions**, what is being proposed in respect of the change to legislation, specifically?
4. There should be a dedicated independent body, **But to answer this questions**, what are the details of what is being proposed in respect of how the three proposed possibilities and how it is envisaged these will be structured?
5. As numbers 4.
6. As number 4.
7. There should be a provision where a child can be represented by a Guardian ad Litem as well as be made party to a proceeding and have access to legal representation, as there are often cases where the child's wishes and the recommendation and opinion of the Guardian ad Litem and the best interest of a child may be in conflict and the child's best interest remains of paramount importance.
8. The appointment and termination/cease of Guardians ad Litem should remain with the Court. I would view that a party, ie. parent or CFA should be able to request the Court consider an appointment of a Guardian ad Litem. **However, again stress the independence of this role and further clarity needed as part of this consultation of the details of what is envisaged of a national service.** See number 4.
9. This is an acceptable description of the role.

14. The Guardian ad Litem having access to legal representation at all stages of proceedings and appointment, from the time of appointment to the conclusion of matters should remain, as this provides for fair procedures on behalf of the child(ren) subject of the matter at all times.

15. Professional qualifications of a person to be appointed to act as Guardian ad Litem, should include a person holding the Professional Qualification of Social Worker and minimum three years post graduate direct working experience in this role, with specific experience in working as a Professionally Qualified Social Worker and their working experience in the areas of child protection/child welfare, assessment of need and risk, experience, knowledge of child(ren) care planning, placement planning, support planning, child development, attachment needs. Third level qualification as a Professionally Qualified Social Worker and

third level qualification in Social Care should not be considered identical. A person acting as a Guardian ad Litem, must be able to work single handedly in their role, to retain their independence, but should engage with on-going professional consultation and guidance, but the opinion and recommendation should be that of the independent Guardian ad Litem based on their inquiries undertaken as in the description of their role. Should hold Garda vetting.

18. The Guardian should continue to have access to all relevant records and information and should ensure adherence to safe-keeping and proper management of all records and information. The Guardian ad Litem's identifying information should not be made public.

22. To answer this question, further details of what it is envisaged in respect of what system is envisaged.

23 & 24. Please see response to number 14.

Kind regards,

Renée Hanley, BSW, NQSW, CORU

Independent Guardian ad Litem

R. Hanley Guardian and Child Assessments, Ltd.

1 Allen Manor, Kilmeague, Naas, Co. Kildare

Tel. 087 778 6987

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