



## Prevention & Early Intervention Network

Promoting positive outcomes for children, families & communities

### **Submission to the Department of Children and Youth Affairs on the Child and Family Agency Bill 2013**

#### **Introduction**

The Prevention and Early Intervention Network is a network of twenty four evidence-based practice, advocacy and research organisations<sup>1</sup>, active in the field of prevention and early intervention, across the Republic of Ireland. Its members share a commitment to measurably improving outcomes for children, young people, and their communities. Funded through the Atlantic Philanthropies, the purpose of the Network is to share, develop and disseminate the learning created by its members; to support their work; and to influence policy and practice.

Members of the PEIN initiatives are leaders in the field of Prevention and Early Intervention in child and family services in Ireland, with in-depth experience of innovative practice characterised by a strong focus on research, evaluation and outcomes monitoring, which has generated significant learning and understanding of 'what works' to deliver positive outcomes. It is from this basis that the member organisations collectively make this submission to the Minister for Children and Youth Affairs to inform the development of legislation to establish the Child and Family Agency.

The PEI Network welcomes the publication of the Child and Family Agency Bill 2013 as an important step forward in the development of a new landscape for children's services in Ireland. However, it is a matter of acute concern that there is no reference in the legislation adopting the principle of Prevention and Early Intervention in the functions of the Agency. It is essential that this omission is rectified at the Committee Stage of the Bill's progression. This paper provides a rationale for this view and a proposed wording to be adopted.

#### **Prevention and Early Intervention**

Prevention and Early Intervention approaches proactively provide evidence-based, outcomes-focused supports to children, young people and families as early as possible in their lives. Core practice areas include: early attachment and bonding; social and emotional development from infancy and throughout childhood and adolescence; literacy and language development; mental health; crime and violence prevention; youth mentoring; and parenting support. Intervening early has been shown to help children become more resilient, and more likely to realise their rights and full potential. It can have lifelong effects on outcomes such as better physical and mental health, improved educational outcomes and improved employment prospects. There is also evidence that intervening early can be both more effective and less expensive than intervening later, preventing negative outcomes for children, young people, families and communities.

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<sup>1</sup> Archways; Barnardos; Centre for Effective Services; Child and Family Research Centre, NUIG; Childhood Development Initiative (CDI); Children's Rights Alliance; EPIC; Foróige; Headstrong; Inspire Ireland; Irish Penal Reform Trust; Irish Youth Foundation; ISPCC; Lifestart; Midlands Area Parenting Programme; MCI Ireland (Mayo Children's Initiative); National Women's Council of Ireland; National Early Years Access Initiative, Pobal; Preparing for Life, Northside Partnership; Rialto Youth Project; Spunout.ie; Start Strong; Supporting Social Inclusion and Regeneration in Limerick; youngballymun



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Prevention and Early Intervention is integrally linked with promoting child welfare and protection. Children have the greatest chance of achieving their full potential when their development is actively fostered by parents and professionals from across the health, community and education sectors. Insufficient support to families early in children's life can contribute to an accumulation of factors which may lead to children and young people being at risk. Infants and children grow up in many different circumstances, with varying early life opportunities and variable exposure to risk. Responses to risk by the implementation of Prevention and Early Intervention practice can prevent and address challenging and complex issues.

### **Child and Family Agency legislation**

The legislation to establish the Child and Family Agency presents a significant opportunity to radically rethink and revision the way we design, commission and deliver services for children, young people and families in Ireland. Most excitingly, it has the potential for the State to reconceptualise its role in the development of children, opening up the possibility for public services to be configured proactively to support children and their families by building protective factors through Prevention and Early Intervention practice. The presence of a number of individuals on the future Board of the Agency with strong credentials in Prevention and Early Intervention is greatly welcomed. However, for Prevention and Early Intervention to be fully embodied by the Agency, it is essential that it is specifically referenced in the legislation. This is particularly relevant in the context of the parallel DCYA initiative, the Area Based Response to Child Poverty, a national programme that clearly prioritises prevention and early intervention approaches.

As such, the PEIN urges the Department of Children and Youth Affairs in the drafting of this legislation to establish the Agency to undertake to do more than merely transfer functions from the HSE and other agencies. Based on the collective experience of members, the Network recommends that the DCYA use the legislation as an opportunity for fundamental reform, to take full account of Prevention and Early Intervention in its vision and functions to focus on achieving positive outcomes for all children.

### **Recommendations**

In the current draft of the legislation, the absence of Prevention and Early Intervention is most particularly apparent in Part 2, Section 8 outlining the Functions of the Agency.

The UN Committee on the Rights of the Child has emphasised that child protection must begin with proactive prevention<sup>2</sup>. Protection and prevention are not two separate endeavours; providing comprehensive prevention services should be an integral part of any system that seeks to protect children from harm. A rights-based approach to child protection starts with prevention.

The concept of Prevention and Early Intervention must be explicitly stated in the legislation. It is unsatisfactory to agree to the principle of prevention and early intervention, yet not follow through on it in the Agency's listed functions. Access to high quality health, education and community services is an essential aspect of prevention and early intervention and requires that existing services be effectively developed in this way. The provision of

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<sup>2</sup> UN Committee on the Rights of the Child (2011) *General Comment No.13: The right of the child to freedom from all forms of violence*, CRC/C/GC/13, I.3. (e) and (g); and also Recommendation 37(c) of the Committee on the Rights of the Child (2006) *Concluding Observations of the United Nations on Ireland*.



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additional supports and services commensurate with need should create a continuum of care and ensures that families receive the support they require, when they need it to maximise protective factors and positive outcomes for children.

It is essential that the legislation that establishes the new Agency should explicitly state that the functions of the new Agency include *fostering the achievement of positive outcomes for all children in Ireland*. Only if the stated functions of the Agency refer to *all* children will the Agency be able to act effectively through preventative services to foster positive outcomes and reduce risks for all children. The functions of the Agency must incorporate early intervention, targeted supports for children and families with additional needs, and the well-being of children taken into care, but it is essential that such supports are delivered on a basis of universal, preventative services, which need to have expression in the Agency's founding legislation. In particular, the current provision of the Childcare Act for the State "to promote the welfare of children in its area who are not receiving adequate care and protection" needs to be broadened considerably.

It is important therefore, in recognising the central role Prevention and Early Intervention has to play in maximising child protection and welfare, that the Agency is positioned as a driving force in Prevention and Early Intervention practice through the services and practice that it has responsibility for, both directly and indirectly. To this end, the PEIN strongly believes that the function of the Agency should include the concept of 'prevention and minimisation of risk/adversity/negative outcomes' through proactive practice.

Creating an environment where children's rights can be fully realised will be a key task of the Agency and the concept of prevention has legislative precedent in the Garda Síochána Act. Without an explicitly stated Prevention and Early Intervention function expressed in the legislation, the Agency and by extension the State, will be unable to respond to the complexity of need and the numbers of children requiring welfare and protection interventions, nor will there be the national spread of quality practice in children's services to make appropriate and effective responses to identified needs.

### **Proposed wording change to Section 8(1)(b)**

The functions of the Agency shall be to –

(b) support and promote the development, welfare and protection of **all children and provide proportionate and timely prevention and early intervention services to maximise the protection of children**

*The PEIN would welcome the opportunity to discuss any or all of the above in detail. Should you wish to discuss further, please contact us.*

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