



***Meeting of
Children Acts Advisory Board
Tuesday 16th December 2008
Phoenix House***

Minutes

- Present:** Michael Donnellan (Acting Chair)
Cathleen Callanan, Nuala Doherty, Cathal Flynn,
Phil Hanna, Roger Killeen, Dermot Stokes, Gerry O' Neill
- Apologies:** Jacinta Stewart, Charlie Hardy, Finbarr Murphy,
Robert Murphy,
- In Attendance:** Aidan Browne, Finbarr O'Leary, Jane Craig,
Clodagh Thorne,

Declaration of Interest in agenda items, by Board Members

- No conflict of interests declared.

1) Minutes

- Jacinta Stewart is likely to be absent for a short period of time, it was agreed that Mr. Michael Donnellan was requested to act as chair.
- The minutes from the previous meeting were adopted and subsequently signed by acting Chair, Michael Donnellan.

2) Matters Arising

- The Guardian *ad litem* document and advice note has been submitted to the Minister as agreed at the October Board meeting.

3) Chief Executive Report

The Chief Executive reported on the following topics:

- **Government Decision**

The government decision to subsume CAAB into the OMCYA was briefly discussed. There have been no recent developments and at a meeting with the OMCYA on 3rd December it was indicated that CAAB should continue its

business as usual until the time came to be subsumed and legislation is enacted to effect the Board's dissolution.

The Chief Executive informed the board that he has been advised that the 2009 allocation is likely to be at the same level as of the adjusted allocation for 2008.

- **Evidence to Practice Seminar**
- **Rates Appeal update**

Following the decision at the October Board meeting legal advice has been obtained which states that the CAAB would be unlikely to succeed in their appeal. It was mentioned that should the CAAB be successful in their appeal the valuation office would be likely to appeal to the High Court and this would incur substantial legal costs should CAAB lose the case.

Based on this information the Board decided to withdraw from the appeal process, it was noted that should the CAAB withdraw at this stage the valuation office would be likely to seek costs, however the earlier a withdraw was made the less costs would be incurred. This was proposed by Roger Killeen, seconded by Phil Hanna and subsequently agreed by the Board.

- **"Different" Response Model**
- **Court Reporting**

The Courts Service have agreed on request, to include selected reports on child care proceedings in Dublin Court 20 for publication in the Winter 2009 edition of Family Law Reports. In addition, Gerry Durkan S.C. has been formally invited by the CAAB to prepare an overview article on special care for the same article. A response from Gerry Durkan, S.C. is awaited.

- **Special Care Discharge Working Group**
- **Special Care Research Implementation Group**
- **Children's Services Awards**

34 nominations have been received covering the five categories. The category judges made their final decision based on the applications and formal presentations. A final selection committee has been nominated to decide on the overall winner based on the applications of the category winners and viewing of the presentations in Croke Park on 19th February 2009. Minister Andrews has agreed to present the winners with their awards.

- **Capacity in CDS & SCU**

A letter and template for reporting has been forwarded to the National Director, IYJS and the National Manager, Special Care for comment.

- **Correspondence**

A letter was received from the Pension Policy Unit of the Department of Health and Children informing CAAB that they have been designated as an approved organisation under Section 4 of the Superannuation and Pensions Act of 1963. This means that reckonable service can be transferred between organisations in the Network on a knock-for-knock basis.

4) Subcommittee Reports

a) Finance

The finance report was circulated and it was noted that CAAB are on target to spend the 2008 allocation. The full adjusted allocation for 2008 has been requested for drawdown.

b) Audit

A review of all Internal Audit reviews to date was undertaken and it was noted that strategies have been put in place to deal with all recommendations made, except those that would no longer be viable or cost effective because of the rationalisation decision.

The risk register was reviewed for 2008. All risks are now in the low range as policies and procedures have been put in place to mitigate any previous medium risks.

The Board noted that the risk register and the systems of internal financial control have been reviewed by the Audit Committee, and that adequate controls appeared to be in place.

5) Business Plan 2009

The Business Plan for 2009 was circulated, discussed and the following points were noted:

- The draft business plan has been finalised for 2009 and a query arose as to whether the Minister has asked for a copy. It was noted that the Minister has not asked but the Board would be happy to submit a copy at any time.
- With regard to research findings and recommendations it was mentioned that there is a need for somebody to review and consolidate on findings and recommendations that have already been completed, this will be done with the view that CAAB will consult with the relevant sectors to prioritize recommendations. It was decided to take the newly published '*Young People on Remand*' from the National Children's Strategy Research Series for analysis at the February Board Meeting. Following this decision it was decided to invite Sinead Hanafin from the OMCYA to join the March Board meeting for discussion.
- A meeting is scheduled for early 2009 between the CAAB and the Research Unit of OMCYA.
- It was mentioned that CAAB would continue its business as a going concern for the foreseeable future.
- With regard to the Corporate Affairs section of the Business Plan it was mentioned that a lot of work is being done with regard to the planning and preparation for moving to OMCYA.

6) Quarterly Stats on Special Care

The quarterly stats on Special Care were circulated and the following specific points were noted during discussion:

- Some causes of the reduction in applications to special care were considered including an intolerance of the judiciary to requests for a third placement and also reluctance to place young girls in special care for "moral reasons".
- It was noted that 35% of children are now returning to the family home when leaving special care. Concern was expressed at the pressure this places on local services to provide appropriate intensive support as in many cases the behaviour may not have changed significantly. A question was raised as to whether interventions were put in place for these children in between leaving special care and being returned to their family environment.
- Concern was raised over the matter of a 17 year old boy not being granted a 3rd placement in special care as the courts considered this child too old to be placed. It was pointed out that a lot of these children had a mental age of a much younger child and were therefore not capable of looking after themselves and could be in danger.
- It was noted that previously there was emphasis to ensure special care units were full with all beds occupied but now the emphasis is to ensure that appropriate referrals based on identified needs are made.
- The Board was advised by Mr. Gerry O'Neill that the HSE were currently preparing a strategic plan which would see resources currently assigned to special care being more allocated to support children in more appropriate processes and environments.

- The Laxton Report on high support was due to be signed-off – currently with the HSE National Director, PCCC.

7) AOB

- The schedule of board meetings for 2009 was circulated to and it was agreed that meetings would now take place at 6 weekly intervals as discussed at the October board meeting.
- Board Members were reminded to return their statement of interest/Nil interest forms before 31st December 2008 as a matter of priority.

The next Board Meeting will take place in CAAB Offices on 10th February 2009 at 2pm