

Know Your Rights

Your rights as a child
or young person

CHILDREN'S
RIGHTS

ALLIANCE

Uniting Voices For Children



This publication has been developed by the Children's Rights Alliance in association with the Irish Council for Civil Liberties. It is the second in a series of Know Your Rights guides for children and young people.

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About this guide

This guide has been written by the team in the Children's Rights Alliance, and it tells you about your rights as a child or a young person.

We wrote the guide mainly for 12-18-year olds, but you may find that some areas are more difficult to understand, and we suggest reading them with an adult. It is also quite long, but you can use the Contents page at the front to just read the sections that are relevant for you, and the Index to useful organisations and bodies, in chapter 10 of this guide which starts on page 154, to help you get around.

Your rights are based on national, European and international law and on the Constitution of Ireland.

Normally your parent or guardian looks after some of your rights on your behalf. If you don't have a parent or guardian to help, you might have another adult acting in the place of a parent. This guide also answers questions they may have about protecting your rights. These sections are shaded in different colours.

The guide covers nine areas:

- Equal treatment
- Education
- Health
- Protection from harm
- Rights in the family
- Immigration
- Rights in dealing with criminal law and the Gardaí (Irish police)
- Online rights
- Right to shelter.

The guide tells you where you can find more information, help or support. There are many sources of good advice and help for children and young people. A list of these is in chapter 10 of this guide which starts on page 154. If you need more detailed advice about your rights, you may have to talk to a solicitor.

In the [Children's Rights Alliance](#) we can give you legal information and advice that can help you. We provide free information over the phone and we can organise an appointment for you with our solicitor who will give you free legal advice about your rights.

Contact us

You can contact us in the Children's Rights Alliance on:

- phone, [01-902 0494](tel:01-902 0494)
- email, help@childrensrights.ie

This guide uses some words which you may not know. We have explained these words on the next page.

The information in this guide covers legal developments up to October 2019.

Disclaimer

In this guide, we aim to give general information about your rights. We have done our best to make sure the information is accurate and up to date, but it is not legal advice.

Key words explained

(in alphabetical order)

Access

This term is used when talking about having contact with your parents and other family members:

- when you are in care
- when your parents do not live together.

Adopted Children Register

If you are adopted, your adoption is entered onto the Adopted Children Register (list). This Register has details about your adoptive family.

Adoptive family

An adoptive family contains at least one adopted child and at least one parent who has adopted a child.

Asylum seeker

Someone who has left their home country to look for protection in another country.

Birth certificate

A birth certificate shows:

- the date and place of your birth
- your name
- the name of one or both of your parents.



Board of Management (in a school)

The group of people that manages a school. It normally includes:

- parents
- people who represent the teachers
- the owners of the school.

The school principal reports to the Board of Management.



Care order

This is a court order placing you as a child or young person in the care of Tusla (the Child and Family Agency).

If you are in care, you will usually live with a foster family or in a children's residential centre.



Caution

A warning from the Gardaí. Gardaí may issue a caution when a young person accepts responsibility for an offence. There are formal and informal cautions.



Child and Family Agency (Tusla)

This is the State agency responsible for improving wellbeing and outcomes for children. It provides service in the following areas:

- Child protection and welfare services
- Educational welfare services
- Psychological services
- Alternative care
- Family and locally-based community supports
- Early years services
- Domestic, sexual and gender-based violence services.



Custody

A term used to describe a parent's right, or the right of another adult acting in place of a parent (known as a person in *loco parentis*) to the physical care and control of a child.

Deportation order

An order requiring a person who is not an Irish citizen to leave the country because it has been decided that they do not have the right to stay in Ireland.

Detention

Detention is when someone must stay in a particular setting – usually for a specific period of time. This may be:

- in school during lunchtime as a means of discipline
- in a detention school as punishment for a crime
- in a hospital to allow for treatment for mental health illnesses.

Direct provision

This is the Government's system for providing accommodation and food to people while they wait for a decision on their application for protection in Ireland.

Educational Welfare Officer

Someone who works with schools, teachers and parents to encourage children to attend school.

European Union (EU)

The EU is a political, social and economic union of 28 countries. Each Member State remains an independent country but agrees to follow some common laws and policies.



Garda National Immigration Bureau (GNIB)

The Garda (police) agency in charge of policing Ireland's immigration rules. It:

- monitors borders
- investigates illegal immigration and human trafficking
- carries out deportations.

Guardian

Someone who has legal responsibility for you as a child. It is usually one or both of your parents. However, this role can also be carried out by:

- another relative
- a foster carer
- a social worker.



Guardian *ad Litem* (GAL)

Someone appointed by the court in child protection or care cases to:

- make sure that the judge hears your views
- advise the court on what is in your best interest.

Health Service Executive (HSE)

The State body responsible for delivering health and personal social services through:

- medical professionals
- hospitals
- community health centres.



Immigration

This is the movement of people into Ireland to study, work or to seek asylum.

Irish Naturalisation and Immigration Service (INIS)

The Department of Justice and Equality body responsible for:

- asylum
 - immigration
 - citizenship
 - visas.
-



Juvenile Liaison Officer (JLO)

A Garda who deals with young people in the Garda Youth Diversion Programme. This is a programme of activities to help children behave so they stay out of trouble with the law.

Migrant

Someone who moves to a new country or region.

This may be for:

- work
- education
- family unity
- safety
- better opportunities
- a better standard of living.



Probation

This is an option that a court may give to a person found guilty of an offence. If you are 'on probation' you must promise to behave well and avoid getting involved in crime during the probation period.

Reception and Integration Agency (RIA)

The Department of Justice and Equality body responsible for providing asylum seekers and others seeking protection in the State with a place to live. The RIA:

- houses asylum seekers in special accommodation centres
- organises health and education services for them
- helps destitute (very poor) EU nationals to return home.

Refugee

Someone who has left their home country because of a fear of being persecuted due to their:

- race
- religion
- nationality
- membership of a particular social group
- because they have a particular political opinion.

The Minister for Justice and Equality may recognise them as a refugee.

Restorative justice

This is a way to rehabilitate offenders through 'reconciling' with victims and the community. Examples of 'restorative justice' would be where you:

- apologise to your victim
 - do community work.
-

Search warrant

This is a legal order, usually from the court, which allows the Gardaí to search a building or home when they are investigating a crime.

Separated child

See definition of 'unaccompanied minor'.

Sexual orientation

This refers to the gender to which a person identifies as and is sexually attracted. It includes being heterosexual (straight), gay, lesbian, bisexual or intersex.

Social worker

Social workers help and support children and young people considered to be at risk or who are not safe. Tusla (the Child and Family Agency) employs social workers to work with children and families.

Solicitor

A type of lawyer who can give you legal advice or help you and your family prepare for a case before the courts.



Special care order

A court order placing a young person in a Special Care Unit, usually for a short period of time.

Special Care Unit

A secure locked residential (live-in) unit. The High Court places children or young people aged 11 to 17 years here when they are considered to be a risk to their own health or safety.

Special Needs Assistant (SNA)

Someone employed by a school to help meet the needs of students with disabilities in the classroom.



Subsidiary protection

This is protection granted by the State. It is for people who are at risk of harm if they are sent back to their home country, but who do not fit into the strict criteria needed to get refugee status.

Supported lodgings

A scheme for young people aged 15 and over that gives them accommodation in a family environment. This scheme supports young people before they have to live on their own.

Tusla

Tusla is the name of the Government's Child and Family Agency. It provides a range of supports to children and their families.

See 'Child and Family Agency'.

Unaccompanied minor

If you are under 18 and arrive in Ireland on your own, or if the adult who comes with you leaves you once you enter the country, you will be known as an 'unaccompanied minor'.



United Nations (UN)



The United Nations (UN) is an international organisation which aims to maintain peace and security between countries.

Introduction



What do we mean by rights?

Human rights are legal rules outlining how the State interacts with you.

These rights should be available to everyone, whatever their:

- gender
- race
- religion
- marital or family status
- sexual orientation
- age
- disability
- status as a member of the Traveller community.

The Irish Government has committed, under both national and international law, to make sure that it respects, protects and meets the rights of everyone living in the State.

What rights do I have?

For the most part, children and young people have the same rights as adults, except in certain areas like voting. You also have specific, additional rights like the right to be adopted. This is because children and young people have different needs from adults.

Who makes sure my rights are respected?

The State of Ireland, through the Government, must make sure that your rights are respected. This duty is set down in law by:

- the Constitution of Ireland (in Irish called Bunreacht na hÉireann)
- the European Convention on Human Rights (ECHR)
- the United Nations (UN) Convention on the Rights of the Child (CRC).

Do I have a right to have my voice heard or to express myself?

Yes, you have a right to have your voice heard when people are making decisions about you or about something that will affect you. If you have not had a chance to have your voice heard, then you can ask how you can do this.

Even small children and children who do not speak can make their views known through art and creative play.

Adults should take your views into account when they make decisions about you.



Am I a child in the eyes of the law?

Legally, you are a 'child' if you are under 18 years old and you are not married. This gives you certain protections under the law. However, it can also mean that you cannot do certain things that adults can do, like vote or earn the minimum wage.

References to 'young people' in this guide refer to people aged 13-17 years of age.

What is a guardian?

A guardian is someone who can make decisions for you. Usually, it is one or both of your parents. This role may also be carried out by:

- another adult
- a relative
- a foster carer
- a social worker.

How do I use my rights?

You can use some of your rights on your own. However, sometimes you need your parent or guardian to help you.

If you have questions about your rights and how you can use them, you can:

- phone the [Children's Rights Alliance](#) information line on [01-902 0494](tel:01-902-0494)
- email help@childrensrights.ie.

Children and young people often rely on adults to uphold their rights for them. Your parent or guardian has a duty to help you to achieve your rights. For example, they must give you food, shelter and medical care, and protect you from harm.

Your parent or guardian also has a legal right to make decisions that affect you like:

- what type of school you will attend
- what type of medical treatment you may receive.

Your parent or guardian may also have to give their permission for you to do certain things, like:

- get a passport
- join a club
- go on school trips.

In some legal proceedings, like child protection, family law and adoption cases, a child has a legal right to have their views heard and considered. This is because important decisions are being made that will affect their life.

How do I make a complaint or raise an issue?

If you feel that you have been treated unfairly by any organisation or somebody, you can complain. As you go through this guide you will see examples of how to do this. While the organisation or person you complain to will be different based on what you are complaining about, there are a few handy tips that you can use no matter who you are complaining to.

1

Step one: write down the details of the issue

Write down the details of what happened. It is a good idea to write down the date, time and place of what happened. You should also make a note of the name of the person involved.

2

Step two: talk to the service concerned

You can talk to the person you were dealing with or ask to see the manager. You should keep a note of who you spoke to and how they answered you.

3

Step three: make a formal complaint

- Complain in writing and keep a copy so you have a record
- Briefly explain what happened
- Keep it as short and clear as possible
- Focus on the main issues

You should also set out what you want the person to do to deal with your complaint. You should keep a copy of any letters you send and make sure that you put the date on them.

4

Step four: complain to the relevant body

If the relevant person or group does not resolve your complaint, you can complain to the relevant statutory body, if there is one for your type of complaint. For example, the Ombudsman for Children or the Irish Human Rights and Equality Commission.

If you look to the relevant section of the guide you will see who you can complain to.

If you need any help or guidance you can contact the [Children's Rights Alliance](#) on our legal information line:

- phone, [01-902 0494](tel:01-902 0494)
- email, help@childrensrights.ie.

How do I access free legal advice?

People in Ireland can access legal aid through the legal aid board. You can only access civil legal aid through a parent or guardian. In certain circumstances the Legal Aid Board will accept an application from a child if they think you have a sufficient level of maturity.

In the **Children's Rights Alliance** we can give you legal information and advice that can help you. We provide free legal information over the phone and we can organise an appointment for you with our solicitor who will give you free legal advice about your rights.

Contact us

You can contact us in the Children's Rights Alliance on:

- phone, [01-902 0494](tel:01-902 0494)
- email, help@childrensrights.ie



**My right to be
treated equally,
be included and
make my own
decisions**



Chapter 1



As a child or young person, you have a right to equal treatment. Depending on your age and some legal restrictions, you also have the right to take part in the life of your community, in employment, and to make independent choices about things that concern you.

In this section, we explain some of these rights. We also give a table showing some of the things you can do at different ages.

1.1 Equal treatment

What is equality or equal treatment?

Equal treatment is about recognising that everyone has the same worth and should be treated with dignity.

Discrimination happens when you are treated differently or less favourably than someone else in the same situation because of:

Your gender: if, for example, you identify yourself as a boy or a girl.

Discrimination can be based on your gender identity which is your deeply felt internal identity as female, male, or another identity such as non-binary. It can also be based on your gender expression which is how you show your gender through clothes, hair or voice.

Your marital or civil status: whether or not you are married or in a civil partnership.

Your family status: if for example you are:

- pregnant
- a parent of a child
- the carer for someone with a disability
- someone without a family.

Your sexual orientation: whether or not, for example, you are heterosexual (straight), gay, lesbian or bisexual.

Your religion, or lack of religious beliefs.

Your age (this generally only applies to those 18 years or older).

Your disability – if you have a disability, you should receive equal treatment.

Your race, ethnic background, nationality or colour.

Whether or not you are a member of the Traveller community.

These personal characteristics are known as 'discrimination grounds'. You also have a right to be protected from harassment. Harassment includes things like offensive comments and text messages or physical things like pushing or hitting people.

Indirect discrimination is when someone is treated less well than other people because there are requirements which they would find harder than others to fulfil.

You have the right to be protected from discrimination when you:

- are at school
- buy or sell something
- use a service like the bus
- attend a youth or sports group
- are in employment.

Sometimes discrimination happens because of:

- negative attitudes
- stereotypes
- beliefs, like racism.

What can I do if I feel I have been discriminated against?

Workplace Relations Commission

If you feel you have been discriminated against based on the areas above when trying to access goods and services or in education or employment, you can complain to the Workplace Relations Commission (WRC).

To complain to the WRC you must first notify the person or company that you wish to complain about. You must do this within two months of the event. The WRC has more information about how to make a complaint on its [website](#), see page 157 in chapter 10 'where can I go for help' for more details. The WRC will issue a legally binding decision that will try to fix your situation. In some cases, you may get compensation.

Irish Human Rights and Equality Commission

You can contact the [Irish Human Rights and Equality Commission](#) (IHREC) for information and guidance (see page 159 in chapter 10 'where can I go for help' for contact details).

Parent, guardian or support organisation

You should also look for support from your parent or guardian or from the support organisations listed at the end of this guide.

Ombudsman

You also may be able to complain to the [Ombudsman for Children](#), see page 159 in chapter 10 'where can I go for help' for more details.

What if I feel I have been a victim of harassment based on race, sexual orientation, gender or religion?

You have a right to be protected against threatening, abusive and insulting words and behaviour carried out:

- to your face or online
- in publications
- on displays
- in other materials.

If you think you have been a victim of this type of treatment, you can contact the Gardaí on 112 or 999 and report it as a crime.

It is a criminal offence for anyone to:

- physically threaten you
- harass you persistently
- assault you
- cause you serious harm for any reason.

It is also an offence for someone to damage or threaten to damage your property. Again, you can report this to the Gardaí.



1.2 Community participation

At what age can I vote?

You have the right to vote from the age of 18. If you are 18 or over and an Irish citizen, you can vote in all elections and referenda. If you live in Ireland, but are not an Irish citizen, you have the right to vote in some elections. To vote, you must make sure that your name is on the Electoral Register (list of people who can vote). You can get an application form to have your name placed on the Electoral Register from:

- all local authorities
- post offices
- public libraries
- www.checktheregister.ie.

You must return your completed form to your local authority.

If I am under 18, can I get involved in decision-making?

Comhairle na nÓg

You can get involved in decision-making in your community. For example, Comhairle na nÓg has local youth councils that meet in every local authority area of the country. They give children and young people a chance to be involved in decision-making in matters that affect them.

To find out how to get involved, see the [Comhairle website](#).

Every two years, each [Comhairle na nÓg](#) sends representatives to Dáil na nÓg, the national parliament for children aged 12 to 18 years. This is a great opportunity to bring your concerns to politicians and other decision-makers.

EU Youth Dialogue

The EU Youth Dialogue aims to bring the youth voice to EU policy-making. In Ireland the EU Youth Dialogue is delivered by the National Youth Council of Ireland (NYCI) through the Young Voices programme. For more information, see the [NYCI website](#).

National Strategy

The 'National Strategy on Children and Young People's Participation in Decision-Making 2015-2020' aims to make sure that children and young people have a voice in their everyday lives. It focuses on the places where children and

young people are entitled to have a voice in decisions that affect their lives. This includes settings in relation to:

- community
- education
- health and well-being
- legal settings.

However, it is up to the different government departments and agencies to put it in place.

Hub na nÓg

The Department of Children and Youth Affairs has a Young People's Participation Support Team. They have set up 'Hub na nÓg' (Youth Hub) in partnership with Foróige and Youth Work Ireland. It aims to give children and young people a voice in decision-making and has a number of resources which you may find helpful.

You can also join local child and youth organisations to get involved in activities and make a difference in your local community. See the list of organisations at the end of this guide.

Am I allowed to hang around in my neighbourhood?

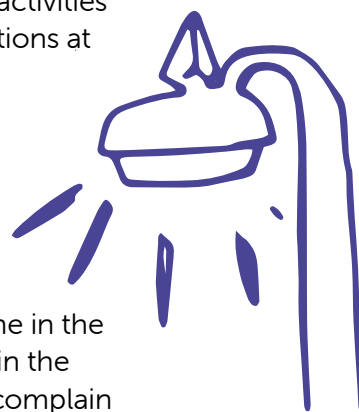
You have a right to hang out and use your community facilities. Everyone in the community, including adults, children and young people must act within the law. If people's behaviour in the community is disruptive then you can complain about it. Similarly, other people have the right to complain if they find your behaviour disruptive.

If the Gardaí are called, they can ask you to move on. You have the right to be treated with respect by the Gardaí. If you are treated badly by the Gardaí, you can complain to the [Garda Síochána Ombudsman Commission](#). See page 157 in chapter 10 'where can I go for help' more information.

Do I have a right to enter leisure facilities, shops and shopping centres?

Yes, you have the same right as an adult to enter shops, shopping centres, leisure facilities or any other public place. The owner or manager has the right to refuse to let you enter if they are concerned about your behaviour in the same way they can for adults. However, they cannot refuse to let you in on any of the discrimination grounds (these grounds are listed on page 17).

You can be refused entry to a pub based on your age. If you are under the age of 15 you will need to have a parent or guardian with you. If you are over 15 you don't need a parent or guardian with you but you can only stay until 9pm. It is illegal to buy alcohol under the age of 18.



1.3 Making choices: substances

If you want to talk about taking substances or want support, there are a number of groups that provide non-judgemental help and support around the country. Getting help can feel difficult but there are people who can support you through the process. You can find information in chapter 10 'where can I go for help'.

Do I have a right to buy alcohol?

No. It is illegal for anyone under 18 to buy or possess alcohol.



Do I have a right to buy cigarettes?

No. It is illegal for a shop to sell tobacco products to anyone under the age of 18, even if they are for someone else.

Do I have a right to take illegal drugs?

No one may take illegal drugs in Ireland.

Illegal drugs include (but are not limited to) cannabis, heroin, ecstasy and cocaine. If you are taking drugs, you can get support and help. Visit [Drugs.ie](https://www.drugs.ie) for more information and support.

In certain limited circumstances, people can apply to access medical cannabis to treat specific medical conditions. For more on this contact your GP (doctor).

1.4 Making choices: sex

Where can I get information on sex and relationships?

It is important that you have access to information and education on sex and relationships so that when you are making a choice you have full information. This is called making an 'informed choice'. This information should be accurate, independent and based on scientific evidence.

You can find impartial and factual information on relationships and sex at:

- [B4UDecide](#)
- [SpunOut.ie](#)
- [BeLonGTo In The Know Course](#)

See chapter 10 'where can I go for help'.

What is consent to sex?

Consent is when people agree together that they definitely want to have sex, or do any sexual act. This includes kissing and sexual touching.

You can say no at any time

It is only consent if you give it freely and you are not pressured into saying yes. It is really important to know that even if you initially consent to having sex or engaging in a sexual act, you are absolutely free to change your mind before you start or at any time before it ends. If someone hasn't said 'no' or hasn't resisted a sexual act, it does not mean that they have given consent.



There are some circumstances where a person cannot give free and voluntary consent. These include:

a) When force is used

A person cannot give consent if they:

- are forced to take part in sexual activity
- are threatened with force to themselves or to someone else unless they submit to sexual activity
- have good reason to fear that force may be used against themselves or another person if they do not submit to sexual activity.

b) Asleep or unconscious

A person cannot give consent to any sexual activity if they are asleep or unconscious.

c) Under influence of alcohol or drugs

A person may not be able to give consent to sexual activity because of the effects of alcohol or another drug that they have taken.

d) Unable to agree

A person may not be able to consent to sexual activity due to a physical disability that prevents them from communicating whether or not they agree.

e) Unable to understand

A person is not able to give free and voluntary consent to sexual activity if they do not understand the nature and purpose of the act.

f) Mistaken identity

A person is not giving consent to sexual activity if they mistake the identity of another person involved in the act (that is if they believe the other person taking part to be a different person).

g) Another person says so

A person cannot give free or voluntary consent to sexual activity if the only form of consent comes from someone else (one person says that another person consents).

h) Cannot leave

A person cannot give free and voluntary consent to sexual activity if they are being prevented from leaving against their will for no good reason.

Other reasons

There may be other situations where free and voluntary consent to sexual activity cannot be given but these are some of the most common.

At what age can I consent to have sex?

Legally, you can consent to sex at 17. This is the same no matter what your sexual orientation or which gender or genders you are sexually active with.

The law also recognises a difference if younger people engage in sexual activity with each other and has introduced a 'proximity of age' defence. This means that if a person has been charged with an offence of engaging in a sexual act with a person between the ages of 15 and 17 years, they can put forward the 'proximity of age' defence but only if:

- the age difference between the two people is two years or fewer
- agreement was given freely and voluntarily
- neither person felt exploited or intimidated
- neither person is in a position of authority.



At what age can I consent to sexual health treatment?

You can consent to medical treatment if you are over 16, this includes any tests or treatments that you may need for your sexual health, like an STI (sexually transmitted infection) test or the morning-after pill.

If you need information and advice on sexual health, see chapter 3 on the 'Right to Health'.

1.5 Gender identity

What is gender identity?

Gender identity refers to a person's deeply felt internal identity as female, male, or another identity such as non-binary. This may or may not be the same as the sex they were said to be at birth.

What does Transgender or Trans mean?

Transgender or Trans is an umbrella term for people whose gender identity or gender expression is different from the sex they were said to be at birth.

What is gender expression?

Gender expression refers to how people show their gender through clothes, hair, voice and so on.

Why is gender recognition important?

Gender recognition is important because it allows a person to be fully and legally recognised in their correct gender.

Do I have a right to have my gender identity recognised?

You can identify your gender at any age. However, to have your gender legally recognised people over the age of 18 can declare their own gender identity but 16- and 17-year olds have to go through a different process. The law does not cover children under the age of 16.

For a young person to have their gender identity legally recognised, they must apply to the Circuit Family Court for a Gender Recognition Certificate. The court will hear this matter in private. This is a free service. If your parent or guardian consents to the application, the court will grant the application. The court can also grant the application without the consent of your parent or guardian if:

- your parent or guardian cannot be identified
- your parent or guardian is failing to respond to the request for consent
- it would not be in your interests to ask them because it puts your safety or welfare at risk.

You will need to get certificates from medical professionals to apply.

Where can I get help, advice and support?

If you need advice and support, you can contact [BeLonG To Youth Service](#), [TENI](#), the [Transgender Equality Network](#), or [LGBT Ireland](#) see chapter 10 'where can I go for help' for details.



1.6 Work

At what age can I work?

You can work part-time from the age of 14. You can work full-time from the age of 16. However, while you are under 18, there are limits to the amount of time you can work and the type of work you can do.

The rules are different if you work in your family's business or if you work at sea. For more information about working under the age of 18, contact the [Citizens Information](#) or the [Workplace Relations Customer Services](#) (see chapter 10 'where can I go for help' for details).

How many hours a week can I work?



At age 14...

You can work outside the school term but not during it. You can work 35 hours a week during Christmas, Easter and summer school holidays and up to 40 hours a week if you are on approved work experience.

At 15 years of age...

You can work eight hours a week during the school term. You can work 35 hours a week during Christmas, Easter and summer school holidays and up to 40 hours a week if you are on approved work experience.

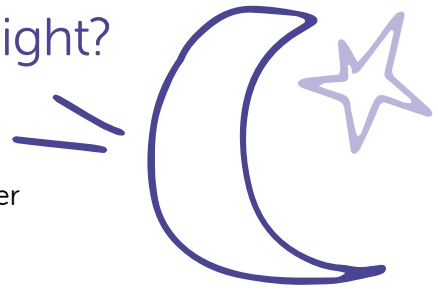
If you are 16 or 17...

You can work up to 40 hours a week, but you cannot work more than eight hours each day.



Can I work in the evenings or at night?

If you are 14 or 15, you can only work between 8am and 8pm. You have the right to 14 hours off between shifts and two days off each week. Your two days off should be together where possible.



If you are 16 or 17, you can only work between 6am and 10pm. If you work in a pub or other licensed premises, you can work until 11pm if the next day is not a school day. You have the right to 12 hours off between shifts and two days off each week. Your two days off should be together where possible.

Do I have a right to equal pay?

No, young people are not entitled to equal pay with adults for the work they do.

Under the age of 18 years, you are entitled to at least €6.69 an hour, but your employer can choose to pay you more. Depending on the practice in your workplace, you may be allowed to keep tips, or they may be shared among all staff. There is no law to say that you have the right to keep them or that you have to give them to your employer.

Will I have to pay tax?

Yes, everyone has to pay tax. The amount you pay will depend on the amount you earn.

Does my employer have any responsibilities to me as a young person in work?

Yes, your employer must act within the terms set out in law. Your employer must give you:

- a summary of your rights under the law
- details of your terms of employment within one month of you starting the job
- a payslip.

Your employer must see a copy of your birth certificate or other proof of age before they employ you. If you are under 16, your employer must get your parent or guardian's permission in writing.

Can I claim unemployment payments?

No. You can start paying social insurance from the age of 16, but you cannot claim unemployment payments until you are 18 years of age.

Can I complain if I feel that my employer is not treating me fairly or discriminating against me?

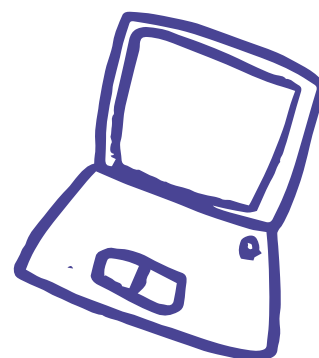
Yes, you can complain confidentially to the Workplace Relations Customer Services. For more information and services available, see the [Workplace Relations website](#), see chapter 10 'where can I go for help' for details.

What age can I volunteer?

There is no specific age at which you can volunteer, however the types of roles that might be available and the times of volunteering may be different based on your age. For more information see the [Volunteer Ireland website](#).

Where can I find more information and advice on jobs?

You can find more information and advice on jobs, CVs, apprenticeships on the [SpunOut Employment Hub](#).



1.7 At what age can I do various things?



Be recognised as a child

You are recognised as being a child while you are under 18 unless you are or have been married.

Get involved

Join Comhairle/Dail na nOg.	Age 12.
Vote.	Age 18.
Stand for general or local election.	Age 18.
Sit on a jury.	Age 18.
Join a social networking site or access other services online.	<ul style="list-style-type: none"> • Age 16 without parental consent. • Age at least 13 with parental consent for most social networking sites.

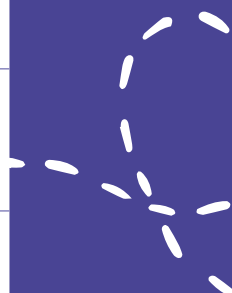
Be independent

Change my name.	<ul style="list-style-type: none"> • Age under 14 parent may do it on your behalf. • If you are aged 14-18 you will need parental consent.
Leave home.	<ul style="list-style-type: none"> • Age 16 with parental consent. • Age 18 without parental consent.
Have my own passport.	No minimum age but parental consent needed until 18.
Sign a lease to rent accommodation.	Age 18.
Leave state care.	Age 18.
Get married.	Age 18.
Make a will.	Age 18, unless you are or have been married.





Finish school	
Join Youthreach.	Age 15.
Leave school.	Age 16, or until you have completed three years of secondary school – whichever occurs later.
Get an apprenticeship.	Age 16, if your parent or guardian agrees.
Work	
Get a part-time job.	Age 14. You may only work during school holidays and for a limited number of hours each week.
Get a full-time job.	Age 16.
Make health decisions	
Receive private medical advice from a doctor.	Age 16, but the doctor may share information with your parent or guardian until you are 18.
Get medical treatment (other than mental health) without your parent's or guardian's permission.	Age 16.
Get mental health treatment without your parent's or guardian's permission.	Age 18.
Refuse medical treatment without your parent's or guardian's permission.	Age 18.
Give blood.	Age 18.
Be sexually active	
Consent to sex.	Age 17.
Drive	
Drive a motorcycle, moped or tractor.	Age 16.
Drive a car.	Age 17.
Get a pilot's licence.	Age 16.



Join the Army/Gardaí

Join the Reserve Defence forces. Age 18.

Join An Garda Síochána or permanent Defence Forces. Age 18.

Be responsible for a crime

Be arrested on suspicion of committing a crime and brought to court. Age 12 (or 10 for serious crimes).

Be sent to a children's detention school. Age 10 to 17.

Be sent to prison. Age 18 and over.

Buy certain things

Own a dog. Age 16.

Buy a lottery ticket or place a bet. Age 18.

Buy cigarettes. Age 18.

Buy alcohol. Age 18.

Be in a pub.

- Under 15 – only in the company of a parent or guardian and between 10.30am (12.30pm on a Sunday) and 9.00pm.
- 15 to 18 – between 10.30am (12.30pm on Sundays) and 9.00pm.

Access my records

Access education and health records. Age 18. While under 18, your parent or guardian may access your records on your behalf.

Apply for gender recognition certificate

You can apply for a gender recognition certificate at age 16.

Travel without a car seat (child restraint system)

You must use a car seat suitable for your child's height and weight until they reach 150cm in height or 36kg in weight.

1.8 No minimum age

For some things, there is no minimum age limit set out in law.

These include:

- signing a petition
- taking a taxi
- getting a tattoo or piercing (most places set their own age requirement)
- staying home alone
- babysitting
- owning a pet other than a dog (like a fish, cat or guinea pig).

Can my parents leave me at home alone?

The law does not state at what age your parent can leave you at home alone. It is up to your parent or guardian to decide. The amount of supervision you may need depends on:

- your age, maturity and ability to look after yourself
- whether or not there are other adults nearby
- how often and for how long you are left alone.

Other laws or best practice guidelines apply in the case of young children and vulnerable young people. For example, a parent could be prosecuted for child neglect if they left a young child at home alone or put a child into a situation that placed their health or safety at risk.

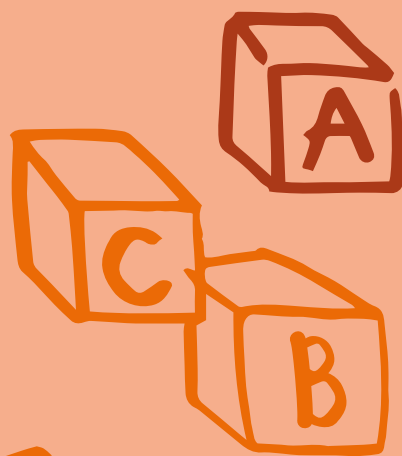
At what age can I babysit?

That's up to your parent or guardian to decide. You must be mature enough to meet the needs of small children and be able to respond in the right way if there was an unexpected incident at the house. For example, if there was a fire or a stranger called to the door. In the UK, the National Society for the Prevention of Cruelty to Children (NSPCC) recommends that babysitters should be at least 16 years of age.



My right to education

Chapter 2



2.1 General

Do I have a right to education?

Yes. All children and young people in Ireland have the right to access free primary education. This right is protected under the Irish Constitution and Irish law.

The Government is required to make sure that everyone living in Ireland is guaranteed a certain standard and level of education that meets their needs and abilities. This right is generally defined as covering primary and second-level education.



2.2 Early learning and care, and school-aged childcare

What early learning and childcare is available for children before starting primary school?

A large number of early learning and care services operate across the country. These include care provided outside anyone's home like crèches and preschools; or home-based childminders.

Early learning and childcare services may be run privately for profit; while community-based ones are run not for profit.

All early learning and care services provided outside a home must register with the Early Years Inspectorate of Tusla. Childminders minding four or more pre-school aged children must also register with Tusla. Childminders minding three or fewer children do not have to register.

See [Tusla's website](#) for the list of registered services.

The main types of childcare service provided outside a home are:

- full-time – more than five hours per day
- part-time – more than 3.5 hours but less than five hours per day
- sessional – 3.5 hours per day at the most.

Not all services offer all three types of care. Childminders, who provide a childcare service from their own home for payment, can do so:

- full-time
- part-time
- for times and hours agreed with parents.

If you would like more information or help to find a centre or childminder close to you, you can contact your local [City or County Childcare Committee](#), see chapter 10 'where can I go for help' for details.

You can also find information from [Barnardos](#) on how to choose an early education and care setting that is right for your child, see chapter 10 'where can I go for help' for details.

What is the Early Childhood Care and Education Programme (ECCE) – ‘Free preschool’?

The Early Childhood Care and Education (ECCE) programme is also known as ‘Free preschool’. It provides pre-school places to all children:

- aged between two years and eight months and until they start primary school, or
- not older than five years and six months.

It is free of charge to parents.

Entry to preschool is based on your child’s date of birth in relation to the programme year. The year is from September to June. The age your child is in September determines whether or not they can go to preschool. To find out if and when your child is eligible you can go to the [Department of Children and Youth Affairs Online Calculator](#).

The scheme allows your child to attend, for free, a preschool that is taking part in the Tusla-registered preschool service. They may go for three hours a day, five days a week, for 38 weeks of the year.

If your child attends the childcare service for extra hours, you will have to pay for these extra hours in the normal way. Providers can also ask for a refundable deposit to keep an ECCE Programme place for a child.

If you would like more information about how to access the programme, you can contact your local [City or County Childcare Committee](#), see chapter 10 ‘where can I go for help’ for details.

What childcare is available for children after starting primary school?

Regulated school-age childcare is provided in varied places:

- childcare centres can cater for children from birth to 15 years
- a childminder’s home
- some childcare services cater only for school-age children.

Centre-based services may be on or off school premises. A school-age childcare service is expected to meet children’s need for rest, relaxation and recreation after school and in non-term time.

Childcare services for school-age children may be run privately for-profit or are community-based and are run for no profit. Some centres will pick children up after school and bring them to the childcare centre. For information on what services are available you should check with your service provider.

If you would like more information or help to find a school-aged childcare service, you can contact your local [City or County Childcare Committee](#).

What financial supports can I access to help with the fees charged by my child's early childhood education and care or school-age childcare service?

The ECCE (preschool) scheme is free. Parents do not have to make any contribution to this unless they need extra additional hours.

National childcare subsidies are available to help parents pay for their child to take part in early learning and care and school-age childcare services that are registered with Tusla (see below).

Childcare subsidies

Until October 2019, the following childcare subsidies are available to parents.

- All parents are entitled to a non-means tested subsidy for children aged from 24 weeks until they are first eligible for the ECCE (preschool) programme.
- Parents who receive certain State supports (for example, a medical card or a social welfare payment) may be entitled to other childcare subsidies. See the [Department of Youth and Child Affairs \(DCYA\) website](#) for further details.

For more information, see the [National Childcare Scheme website](#).

From October 2019, parents will have a statutory (legal) entitlement to a:

- non-means tested subsidy for all children aged between six months and three years attending registered childcare, or an
- income-assessed subsidy towards the cost of registered childcare for a child from age six months to 15 years of age.

You will need to apply online and to have a verified MyGovID to apply.

MyGovID is a single account that lets you use services from many government departments in Ireland, you can find out how to get a MyGovID on the [MyGovID website](#). There will be a paper based application process in operation also.

For more information, see the [National Childcare Scheme website](#).

The subsidy is always paid directly to childcare providers and subtracted from the fee for parents.

If you would like more information on the different subsidies and to get support to access them, contact your local [City or County Childcare Committee](#).

What extra supports are available if my child has a disability?

The Access and Inclusion Model (AIM) provides supports designed to enable children with disabilities to:

- access the Early Childhood Care and Education Programme (ECCE) in mainstream pre-school settings.
- take part fully alongside other children.

The AIM model offers tailored, practical supports based on a child's need and does not require a formal diagnosis of disability.

You can apply for AIM supports through your pre-school provider. They can apply, in partnership with you, for targeted AIM supports for a child.

Information and guidance on AIM is available from your local City and County Childcare Committee and from the [AIM website](#).

There are two additional supports for a child with autism:

- 'early intervention' classes around the country for children with autism from three years of age
- access to home tuition for children with autism from two and a half years of age and up until they start school, ECCE or early intervention class.

Where can I go if I have a concern or complaint about the early childhood care and education or school-age childcare services that my child receives?

The childcare service provider must manage and examine complaints. Wherever possible you should bring your complaint directly to them.

Your early learning and care provider must have a comprehensive complaints policy in place. This policy will outline how your concern will be managed. If you have a complaint, you should:

- ask for a copy of the complaints policy
- put your concerns in writing to the childcare provider
- ask that the childcare provider deals with your concerns as detailed in that policy.

You may be unhappy with their response or feel you cannot bring the matter to your provider directly. If so, you can contact the Early Years Inspectorate in Tusla by phone or by filling out the form on the [Tusla website](#).

Tusla's Early Years Inspectorate will let you know they have received your complaint and if they have accepted your concern or not. The Inspectorate does not investigate individual concerns or complaints so you will not receive an outcome or a decision on your particular issue. The information that you send to the Inspectorate will help them when they inspect services and evaluate if the service is being operated according to regulations.

Where can I go if I am concerned about the protection and welfare of a child in early childhood education and care, or school-age childcare services?

See section 4 'my right to protection from harm' for more details.

2.3 School attendance

Do I have to go to school?

Yes. You must go to school from the age of six until you are 16 years old, or until you have finished three years of secondary school, whichever occurs later. The only exception is if you are being educated at home. You must be at least four years of age at the start of the school year to begin school.

Do I have a right to be taught at home?

Your parent or guardian can choose to educate you at home. To do this, they must register you with Tusla's Alternative Education Assessment and Registration Service. The service will work with your parent or guardian to make sure that your education meets the required standard. You can find more information about this on the [Tusla website](#).

Do I have to go to school every day?

Yes. Your parent or guardian must make sure that you go to school every day. They must tell the school and give a reason if they know you are going to be absent or when you come back from being absent.

What happens if I am sick or have other reasons for not going to school?

If you are unable to attend school, your parent or guardian should contact the school, preferably in writing, to explain why. All schools have an attendance strategy. If your school is concerned about your attendance, they will follow the steps laid out in the strategy. If necessary they will refer your non-attendance to Tusla's Educational Welfare Services.

If you miss 20 or more days in a school year or if your school is concerned that you are missing too many days, the school must tell Tusla's Educational Welfare Services. If there is no clear reason for your absence, the agency may send someone to visit your parent or guardian to work out how to improve your school attendance.



2.4 Choosing a school and school admission

Can I choose which school I want to attend?

You do not have the right to choose which school you attend. Your parent or guardian will usually decide which school to apply to.

Does a school have to take me?

You have no absolute right to attend the school of your parents' choice, but the State must provide you with a school near your home that meets your parents' or guardian's religious or beliefs. Schools do not have to admit a child if there are no places available. Schools must follow the school's admissions policy when allocating places.

What rules must the school follow when enrolling students?

Each school must have an admissions policy, which is available to the public. In general, schools cannot refuse to admit you based on any of the following equality grounds:

- gender
- marital or civil status of your parent
- family status, for example if you are part of a one parent family
- sexual orientation
- religion
- disability
- race
- membership of the Traveller community.

There are some exceptions. For example, girls' schools are entitled to admit only girls. The same applies to boys' schools. Schools can no longer use religion as a selection criterion in school admissions, even when they are oversubscribed, except in the case of schools that provide religious instruction for minority faiths like Church of Ireland, Jewish or Muslim schools as it would be difficult for them to access a school that offered this instruction.

How do I apply to enrol my child in school?

You can apply for school places any time during the school year. You should always apply in writing to the Secretary of the Board of Management. If the school has an application form, you should apply using this form – it may be an online form. You should always date the letter of application and keep a copy of the application and any documents you submit.

Do I have a right to complain if my child is refused admission to a school?

Yes. A school can only refuse admission to a child, in accordance with the school's published Admissions Policy. A school cannot refuse to enrol a child based on the equality grounds mentioned above.

If a school refuses to enrol your child, you may appeal the decision to the school's Board of Management. If this is unsuccessful, you can appeal to the Secretary General of the Department of Education and Skills.

The Child and Family Education Welfare Service is available to advise any parent or guardian wishing to make an appeal. You can also ask for help from the Irish Human Rights and Equality Commission to complain to the [Work Place Relations Commission](#) or the [Ombudsman for Children](#). For more information, see the [Department of Education and Skills website](#).

2.5 School curriculum and exams

Who decides what I learn at school?

The Minister for Education and Skills sets the curriculum (the subjects to be taught). They take into account the advice of the National Council for Curriculum and Assessment. Your school and teachers decide what you will learn from that curriculum every day at school. Curriculum arising from the characteristic spirit of the school must be taught for 30 minutes each day at primary level, for example religion. The patron, the body who establishes the school, decides what type of content this should be.

Do I have a right to choose my own subjects at school?



For your first eight years in school (from junior infants to sixth class), you will study the set curriculum.

In secondary school you will be able to choose certain subjects within the curriculum. However, you must study English, Mathematics and Irish. You can get an exemption from studying Irish in certain circumstances. For more information go to the [Curriculum Online website](#), see chapter 10 'where can I go for help' for details.

Do I have to study religion at school?

No, but you must study religion unless your parent or guardian says you do not have to. If you are over the age of 18 you can decide for yourself. If you do not share the religion of your school, or do not have a religion, you do not have to attend religious instruction. Your parent or guardian can ask that you do not take part in this class and the school must agree to this.

If you belong to a different religion from that of your school, the school does not have to provide you with instruction in your own religion.

For those who do not want religious instruction, Community Post Primary Schools and Education and Training Board (ETB) post primary schools must offer an alternative subject or subjects. The school must let parents know that such alternative tuition is available. You and your parents must be asked to choose between religious instruction and the alternative subject or subjects offered by your school.

Do I have to do homework?

Yes. Each school sets its own rules and policies for homework and as a pupil you must follow the rules and policies of your school.

Do I have to do tests and exams?

You must follow school rules or policy and this may include sitting tests and exams. Pupils in primary schools will do standardised tests in reading and maths in 2nd, 4th and 6th classes. The law does not say that you must sit the Junior Certificate and Leaving Certificate exams. However, the Leaving Certificate is the most common way into third-level education (universities and third-level colleges).

There are also other education options like:

- the Leaving Certificate Applied
- Quality and Qualifications Ireland (QQI) Awards
- other courses and access programmes.

If you are home-schooled you do not have to take the formal exams like the Junior or Leaving Certificate, but you can ask your parent or guardian to arrange for you to do so. You can get more information on the website of the [State Examinations Commission](#), see chapter 10 'where can I go for help' for details.

Can I appeal results of my Junior or Leaving Certificate exams if I think they are unfair?

Yes. To appeal a result in a Junior Certificate subject, talk to your school who will apply to the State Examinations Commission for you. To appeal a result in a Leaving Certificate subject you must:

- fill in an appeal form which you can get from your school
- send the form to the State Examinations Commission.

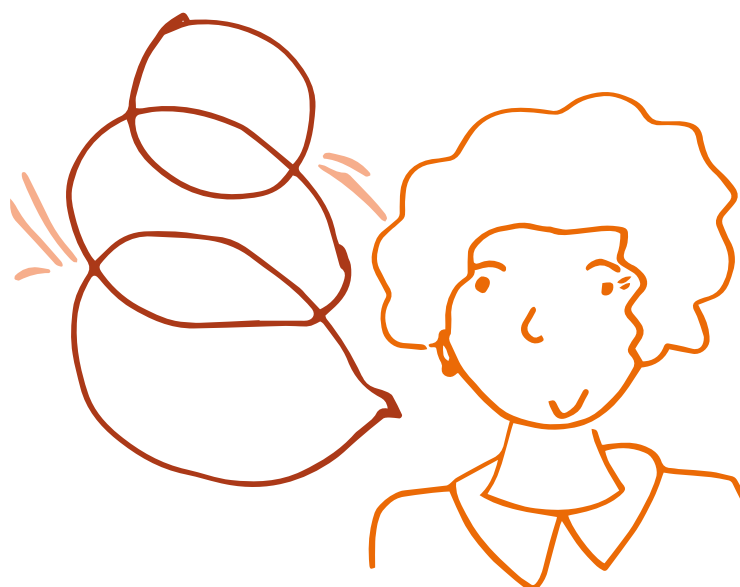
For both exams there is a fee for each subject you wish to appeal.

2.6 Student councils

Student councils allow second-level students to work with school management, staff and parents for the benefit of the school and its students.

Can I set up a student council in my school?

Yes. Students in post-primary schools have the right to set up a student council and to get help from the school to do this. The [Department of Children and Youth Affairs website](#) has a resource pack on student councils which you might find useful.



2.7 School discipline

What happens if I get into trouble at school?

If you get into trouble at school your school must have a system that it follows. When students are disruptive in class or break rules, the system must deal with them fairly. The Board of Management of every school must have a student code of behaviour. The code of behaviour explains the rules you must follow when you are in school. It will also say what will happen if you do not follow the school's rules.

Your school will give you and your parents or guardian a copy of the code of behaviour when you enrol. The school may ask your parents or guardian to confirm in writing that they agree with the code and that they will do all they can to help you obey the rules.

If you cause trouble in school, the school may consider a number of options like:

- **detention** – you must stay in school during lunchtime or after school for an hour or so
- **confiscation** – the school may take away something, like your mobile phone
- **temporarily excluding you from class** – you are sent to the principal's office.

If your behaviour is more serious, the school can suspend you or even expel you. However, the school must act fairly and give you a chance to have your say.

What happens if I am suspended from school?

Being suspended means you are not allowed to attend school for a set number of days. A school may suspend you if you have seriously misbehaved. The school's decision must be reasonable and reflect the seriousness of what you have done. Schools must have procedures in place that show the steps they must take before they can suspend you. If a school suspends you but does not follow the procedures you can appeal their decision.

What happens if I am expelled from school?

Being expelled means you cannot attend the school again. By law, schools must have procedures in place which outline the steps they must take before they can expel you. For instance, the school's Board of Management must tell the Educational Welfare Service that the school intends to expel you.

The school must then wait at least 20 days before it can expel you. In certain circumstances a school might suspend you until the expulsion has taken place. The Educational Welfare Service will try to find a way to prevent the expulsion and make sure that you still get an education, perhaps in another school.

Can I appeal my suspension or expulsion?

Yes, but you cannot appeal it yourself, your parent or guardian can appeal it for you. They must first appeal to the school's Board of Management. If this is not successful, they can appeal to the Department of Education and Skills.

An appeals committee will hear the appeal and make recommendations to the Secretary General of the Department on the action to take. The Secretary General will then write to your parents or guardian and to the school's Board of Management with the decision and reasons for the decision.

The Secretary General may also tell the Board of Management how to resolve the issue. If you need information and support you can contact the Children's Rights Alliance:

- phone, [01-902 0494](tel:01-902 0494)
- email, help@childrensrights.ie.

What do I do if a teacher hits me at school?

No-one is allowed to hit you or be physically abusive to you in any way. If you have been physically abused at school by a teacher or anyone else, you should tell your parents or guardian, or an adult you trust. You, or your parent or guardian acting on your behalf, can complain to the Gardaí. Your parent or guardian may also complain to the school on your behalf. You can also complain to the [Teaching Council of Ireland](#).

What can I do if I think my teacher is treating me unfairly?

You cannot make a complaint directly, but your parent or guardian can complain on your behalf directly to the teacher. If you are not happy with the teacher's response, your parents or guardian can complain to the school principal. If the issue is not resolved, your parent or guardian can make a formal complaint to the school's Board of Management.

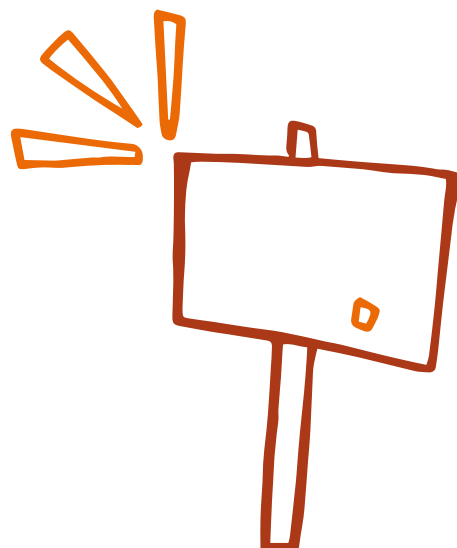
Finally, if you feel that the way your complaint was handled by the school was unfair, you can complain to the [Ombudsman for Children's Office](#), for more information see page 159 in see chapter 10 'where can I go for help'.

If the complaint is about discrimination, your parent or guardian may complain to the Workplace Relations Commission. For more see chapter 1 on 'my right to be treated equally, be included and make decisions'. To do this, within two months of the last act of discrimination, you must first notify the school you are making the complaint. If you are dissatisfied with how the school responds, or it has failed to respond within one month, you can complain to the Workplace Relations Commission. You must do this within six months of the last act of discrimination.

If the complaint is about a data protection issue, you can complain to the Data Protection Commissioner.

Can I hold a protest in school?

A school is private property. If you want to hold a protest on private property you should ask for permission from the managers and owners, in this case the principal and the Board of Management. You have a right to hold a peaceful protest in a public place. You should contact the Gardaí (Irish police) to let them know that you are planning to do so. This way they can redirect traffic and allow your protest to pass through safely.



How do I make a complaint to my child's school?

If you want to complain about your child's education or treatment, you should follow these steps.

1. Speak directly to your child's teacher, following the method set out in the school's policies.
2. If the matter remains unresolved, speak to the school principal.
3. If necessary, and if the complaint concerns a teacher, write to the school principal.
4. If the principal fails to resolve the complaint, write to the chairperson of the Board of Management of the school. The chairperson will refer the complaint to a sub-committee which will investigate and reply to you.
5. If you do not agree with the outcome of the investigation, write to the chairperson appealing the decision.
6. If you are dissatisfied with the response of the chairperson, you can complain to the **Ombudsman for Children**. See page 159 in chapter 10 'where can I go for help' for details.
7. You can also get legal advice to see if you have grounds to make a legal complaint. You can access free legal advice from the **Children's Rights Alliance** or the **Free Legal Advice Centres**.

The Department of Education and Skills has no role in a school complaint. If you need information and support, you can contact the **Children's Rights Alliance**:

- phone, **01-902 0494**
- email **help@childrensrights.ie**.

2.8 Bullying

What is bullying?

Bullying is harmful behaviour by a person or group against a person which is repeated over time. Bullying can be verbal, psychological or physical and can take place:

- to your face
- by phone
- online.

Being bullied can have serious emotional and psychological effects on a person. Bullying behaviour can take many forms including:

- deliberately excluding you from a group or activity
- nasty gossip about you.

Bullying can also include placing an offensive or hurtful message where it can be viewed or repeated by other people, for example, an image or statement on:

- a social network site
- other public forum
- website.

You can also be bullied based on your identity. This is bullying because you are:

- gay or transgender
- of a different race
- a Traveller
- have a disability
- have special educational needs.

If you are being bullied, you have a right to be protected. No one should bully you for any reason.

What should the school do if I am being bullied or if my friend is being bullied?

First, you should tell your teacher, school principal or other trusted adult about the bullying. Schools must have a policy for dealing with bullying. This should state clearly that bullying is unacceptable.

The school should have:

- procedures (instructions) for investigating and dealing with bullying
- procedures to help those affected by bullying
- strategies to prevent bullying happening in the first place
- a record of what they do to tackle bullying.

How can I make sure that I respect others?

It is important that you respect other people's boundaries, both their physical self and their stuff. This includes someone's:

- body
- phone
- backpack
- items on their desk at school.

Sometimes your behaviour could be misunderstood, and someone could think you are bullying them. To avoid someone thinking this there are some things you can do.

Control your own behaviour

When someone asks you to stop, you should listen and stop what you are doing.

Don't join in bullying

Don't be involved in excluding others or purposely making others feel bad.

Know the expectations of different settings

The rules may be different in different places like:

- at home
- at school
- in a sports club
- in different cultures.

What is acceptable in one place may be unacceptable somewhere else. If you are unsure what is appropriate, then ask the other person what is acceptable.

2.9 Privacy in school

Do I have a right to privacy in school?

Privacy in school means attending school without any interference by the school in:

- your private life
- your personal space
- your body
- your belongings.

There are some situations where a school can interfere with your privacy. For example, a teacher can search your bag if they believe that you are carrying illegal substances or alcohol. However, both you and your parent or guardian must agree to this.

Your parent or guardian must also be present if a teacher wants to search you, for example, to check what is in your pockets.

Your locker is school property, but you are entitled to privacy while the locker is assigned to you during the school year. A teacher may search your locker, but only if they have a good reason for doing so. The teacher should tell you why they are searching your locker.

Does my parent have a right to know how I am doing at school?

Yes, your parents or guardian have a right to be kept informed about your education and behaviour in school. This is usually done through school reports, which parents receive once a year, and through parent-teacher meetings or through online systems where parents can log on and see how their child is doing.

Do I have a right to see my school records?

Not until you reach 18 years of age. This is when the school has to make school records available to you if you ask for them. If you are under 18, your parent or guardian can access school records on your behalf.

Can my teacher look through my phone?

Your school's code of behaviour will state if you are allowed a mobile phone in school and what will happen if you have one with you. If it is against the school rules to use a phone in school, teachers will often be permitted to confiscate it. Your teacher should not look through your phone without you and your parent or guardian's permission.

2.10 Cost of school

Can I get financial assistance to help pay for the costs of my child going to school?

There are a number of grants available. These grants are based on your income and to qualify you must meet a number of conditions.

The types of financial assistance include:

- the Back to School Clothing and Footwear Allowance
- the School Books Grant scheme.

In addition, if you have a medical card you may not have to pay exam fees.

You can find out more on the website of the [Department of Employment Affairs and Social Protection](#) see page 166 in chapter 10 'where can I go for help' for details.

Some schools have their own schemes to help parents with costs. To find out if your child's school has a scheme, contact the school.

2.11 Additional educational needs

If you have special educational needs, you have the right to education that suits your needs.

Do I have a right to be treated equally to other students?

Yes, you have a right to be treated equally to other students in school. You should not be treated less favourably than other students in the same situation based on your disability. For more on this see chapter 1 'my right to be treated equally, be involved and make decisions'.

Where can I go to school if I have special educational needs?

You can be educated in:

- a mainstream class in a mainstream primary or post-primary school
- a special class in a mainstream primary or post-primary school that has fewer students than other classes
- a special school for students with special educational needs.

The law says that children with special educational needs should, where possible, be educated in a mainstream school with children who do not have special needs. This should happen unless it would not be the best thing for you or would not be good for the other children in the school.

Will I get additional supports if I go to a mainstream primary school?

A learning support or a special education teacher may give you additional teaching support. You may also be given access to a Special Needs Assistant (SNA) if you have significant care needs. The SNA will help you with practical tasks, like getting around the school.

All primary schools have a number of special education teachers or learning support staff. The number of special education teachers allocated to a school is determined by the size of the school and its educational profile. Schools then decide how to allocate teachers based on the need of pupils in the school.

The school provides support taking into account your learning needs. You do not need to have a diagnosis of a particular disability. The additional teaching may be provided in the classroom or in small separate groups.

A school can also apply to the National Council for Special Education (NCSE) for additional teaching support or access to SNA support if you have:

- a significant medical need for care assistance
- a significant impairment of physical or sensory function such as a physical or intellectual disability
- where your behaviour is such that you are a danger to yourself or other pupils.

You will need to be formally assessed to access this support and the support of an SNA.

Can I make a complaint if I feel I am not getting the supports I need?

If you feel you have not been given the support you need, your parent can ask the local Special Education Needs Organiser (SENO) to explain why you have not received them.

You can ask the school to appeal the decision if you feel that some of the information you gave was not taken into account or if you feel that proper school or Department of Education policy was not considered. As all resources, such as SNAs or learning support teachers, are allocated to the school, they must forward any appeals.

If you feel the appeals process didn't work properly, you can ask to have the decision referred to the Appeals Advisory Committee. For more information see the [NCSE website](#), see page 182 in chapter 10 'where can I go for help' for details.

If I had extra supports in primary school, will I get them at post-primary level?

You will not automatically get additional supports like extra teaching support or a Special Needs Assistant when you go to post-primary school. Parents or guardians can check to make sure that your primary school sends all reports on to the post-primary school before you arrive.

If you need continuous support, the school may provide you with some extra learning support from its learning support team. Alternatively, it may apply to the National Council for Special Education for additional resources. This means that your parent or guardian would have to submit medical reports about your specific needs so the Council could assess whether or not to give you additional supports. This includes SNA support if you continue to need it. For more see

the [National Council for Special Education website](#), see page 182 in chapter 10 'where can I go for help' for details.

How can I access reasonable conditions for exams?

If you are in secondary school and have special needs, your school may make special arrangements for you while you are sitting State examinations like the Leaving Certificate and Junior Certificate. If you have a disability, for example a visual impairment, you can apply through your school for reasonable services during examinations such as a scribe or a reader.

If you are not satisfied with the arrangements made, you may appeal to an independent appeals forum.

For more information speak to your school or see the [State Examinations Commission website](#).

2.12 School transport

Bus Éireann runs a school transport scheme for the Department of Education and Skills. It provides transport to and from school for children who do not live near their school or need transport because they have a disability that has been diagnosed by a health professional.

For parents and guardians

Is my child eligible for school transport?

If your child is in primary school, they may be eligible for school transport if they live more than 3.2 km from the nearest suitable national school. To be eligible for school transport at second-level, your child must live more than 4.8 km from the nearest suitable post-primary school. And your child must attend that school (the nearest suitable one).

If your child has a special educational need due to a diagnosed disability, they may be eligible for transport under a special scheme. You can find out if your child is eligible for this by consulting with the National Council for Special Education through the local Special Education Needs Organiser (SENO).

They will decide based on the circumstances when your child first enrolled, if they will continue to provide transport for as long as they are enrolled in the class or school. If your child transfers to a different school, you will need to apply for new school transport for them.

To find out more see the [Department of Education and Skill's website](#), under 'school transport'.

If I am unhappy about a school transport decision affecting my child, can I appeal it?

Yes, you may appeal some decisions under the School Transport Scheme to the School Transport Appeals Board. There is no charge for making an appeal. You must make your appeal within 28 days of being notified of the decision. You can find more information and submit your complaint online on the [School Transport Appeals website](#).



My right to health

Chapter 3



3.1 Healthcare

Do I have a right to healthcare?

In the case of medical emergencies, anybody in Ireland has the right to attend their local hospital accident and emergency department. There may be a cost for this unless you have been referred by your family doctor (GP) or you hold a medical card.

Some health services are free. These include:

- maternity and infant care
- health services for pre-school children
- school health services
- vaccinations
- immunisation services.

Do I have a right to free immunisation?

Yes, you are entitled to free immunisation. You need your parent's consent if you are under 16 years of age. For more information see the [National Immunisation Office section of the HSE website](#).



What free postnatal healthcare will my child receive?

Under the National Healthy Childhood Programme, which is free to all children, Public Health Nurses and Community Health Doctors deliver 'Child Health Screening and Development Surveillance' to children from birth to their first year in second-level school (school immunisations).

Under the Maternity and Infant Care Scheme, your GP will examine your baby at two weeks and you and your baby six weeks after the baby was born.

Different vaccinations are provided for your child at two months, four months, six months and one year.

To find out more about these and other postnatal health information see the [My Child website](#).

What free healthcare will my child get in school?

Every child is entitled to school health services. Children under six or who attend a national school, will get free health examinations. These usually include:

- immunisations against particular infectious diseases
- developmental checks
- visits by public health nurses
- child welfare clinics
- school health examinations.

Private primary schools may ask for the service and the Health Service Executive can decide whether or not to extend the service to these schools.

If any problems are found with your child's teeth, sight or hearing during the school health check, they will be treated free of charge. Your child also has an entitlement to free dental services up to the age of 15 years, if they are attending school.

Does my child have an entitlement to a medical card?

A child may be entitled to a medical card based on their parents' or guardian's income. If your child is in State care or Direct Provision, they will get a medical card. A medical card entitles them to free:

- hospital care
- doctor visits
- medical appliances
- dental, eyesight and hearing services.

You may still have to pay prescription charges even if your child has a medical card.

If a child lives at home and their parent or guardian has a medical card, they will be covered by this card. If a child is between 16 and 25 years of age and is financially dependent on a parent or guardian, they are entitled to a medical card if the parent or guardian has one. If the State pays State Domiciliary Care Allowance for a child, that child is entitled to a medical card.

Does my child have an entitlement to a free GP Visit Card?

All children under the age of six living in Ireland are entitled to receive a free GP Visit Card. This is due to expand to all children under the age of eight in September 2020.

With the free GP Visit Card your child is entitled to:

- free GP visits
- assessments at age two and age five
- GP home visits
- out-of-hours urgent GP care
- care for asthma.

The card does not cover hospital charges or medication costs. You can apply for the card online or by post. For more information see the [HSE website](#).

For children over the age of six, if their parent or guardian does not qualify for a medical card, they may get a GP Visit Card depending on their circumstances. This will cover the child and let them visit the doctor for free. If a child is over 16, they may qualify for a GP Visit Card in their own name.

3.2 Consent

At what age can I give my consent to medical treatment?

Giving consent to medical treatment means giving permission for surgical, medical or dental treatment. If you are under 16 years, your parent or guardian must consent to any surgical, medical or dental treatment you receive. However, you should be told about the treatment and your views or concerns should be listened to and taken into account.

If you are over 16, you can consent to surgical, medical or dental treatment, including any treatment or tests needed to find out what is making you feel unwell. However, doctors and hospitals will usually also look for the consent of your parent or guardian before they carry out any tests or treatment.

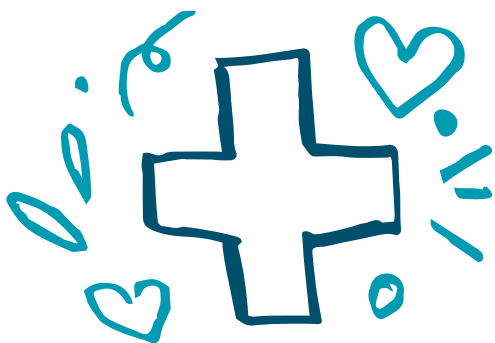
You must be 18 to consent to mental health treatment.

Can I refuse to give consent to medical treatment?

The law is not clear on whether you can refuse medical treatment when you are under the age of 18. If you are under the age of 18, you will not usually be allowed to refuse treatment if your doctor believes it is the best thing for you and your parent or guardian agrees. The doctor should help you to understand the importance of having the treatment.

Do I have a right to see my health records?

You can see your health records when you are 18 years of age. If you are under 18, your parent or guardian can access them on your behalf. In some cases, you or your parent or guardian may not get access to your health records if a doctor or hospital thinks it is not the best thing or could be damaging for you.



3.3 Confidentiality

Can I visit the doctor on my own without my parent or guardian?

Yes. But while you are under the age of 18 years the doctor cannot promise that they will not tell your parent or guardian about your treatment.

Do I have a right to confidentiality with my doctor?

No. If you are under 16, your doctor must inform your parent or guardian about your visit except in very rare cases. Even if you are over the age of 16, the doctor cannot give you a guarantee of confidentiality as your parent or guardian has a right to ask for access to your medical records until you are 18. But if your doctor thinks that it would be better for you if your parent did not know about your visit, they may decide to keep the information from them.

If a doctor or nurse is concerned that you or another child is being harmed in any way or at risk of being harmed, the law says they must report their concern to Tusla, the Child and Family Agency.

3.4 Children with disabilities

For information on educational rights for children with disabilities see chapter 2, 'my right to education'.

Am I entitled to support for my disability?

If you have a disability that affects your ability to move, communicate or learn, you may be entitled to get help from the disability support services. Depending on the type of disability you have, you and your parent or guardian may also be eligible for financial supports. These include the Domiciliary Care Allowance (DCA) and the Disability Allowance Payment.

Domiciliary Care Allowance (DCA)

Your parent or guardian may get the DCA if you are under 16 years of age and have a severe disability that has continued or is expected to last for at least a year, and which means that you need substantially more care than another child of your age.

Your parent or guardian must meet a number of conditions to qualify for this payment (including residency [living] requirements). For instance, you must be living at home and in continuous care.

If you are in residential care but return home two or more days a week, your parent or guardian may qualify for a reduced rate of payment.

Any parent who receives DCA will automatically qualify for the Carer's Support Grant paid annually. If the parent is working, they may in certain circumstances qualify for the incapacitated child tax credit.

You can find out more about these on the [Department of Employment Affairs and Social Protection website](#).

Disability Allowance Payment

You may be eligible for this payment if you are over 16 years of age and have an injury, disease or physical or mental disability that has continued or is expected to last for at least a year. This payment is means-tested, which means your income must be below a certain level for you to get the payment.

Do I have a right to medical care?

If you receive Domiciliary Care Allowance, you are entitled to a medical card. You can sign the register for the medical card on the online portal on the [HSE website](#). If you do not receive Domiciliary Care Allowance, you may still be entitled to a medical card if your family satisfies the means-test. Certain disabilities will qualify for the long-term illness scheme. This covers all medical expenses related to the condition in question. For more see the [HSE website](#).

Can my family get help to adapt my house to make it more accessible for me?

If you have a disability that is recognised by the Health Service Executive (HSE), your parent or guardian may be eligible for a grant to help pay for the cost of adapting your home. You can find out more about these grants and supports from the [Citizens Information Service](#) or from the housing department of your [local authority](#).

Is my child entitled to have their needs assessed?

Any child born after 1 June 2002 is entitled to a free assessment of their health and educational needs carried out by an assessment officer from the HSE Disability Services. You can apply for an assessment of need using the online application form on the HSE website. Unless there are exceptional circumstances, the HSE must:

- acknowledge your application within 14 days
- begin the assessment within three months
- complete the assessment within a further three months.

If there are delays in completing your assessment, you must be told the reasons and given a timescale for when it will be completed.

After the assessment, you will receive an assessment report. This will outline:

- if your child has a disability
- the type of disability and how severe it is
- the health and educational needs arising from the disability
- the services considered best to meet those needs and when your child will receive them
- when the HSE should review the assessment.

You will also get a document called a 'service statement'. It sets out the health and education services that your child needs. This takes account of:

- the assessment report
- whether or not your child is eligible for services
- relevant standards and codes of practice
- the practicality of providing the service
- the financial resources available.

To apply for an assessment for your child, contact the assessment officer at your Local Health Office. You can complain to the HSE if:

- you are not satisfied with the assessment
- you are not satisfied with how the assessment was carried out
- the assessment has not been carried out within the six-month time frame.

You can appeal the HSE's finding to the independent Office of the Disability Appeals Officer (see contact details on page 179 in chapter 10 'where can I go for help').

3.5 Mental health

Why is looking after mental health important?

Looking after your mental health is as important as looking after your physical health.

At different times in your life your mental health may be affected by what is going on around you. Many everyday things can affect your mental health or sometimes a big event, like the death of someone you love or living in poverty, can affect you.

You can also have an ongoing mental health condition, and your mental health can suffer, even if other parts of your life are going well.



Where can I get help?

If you feel you may need help, remember that you are not alone, even if it may seem that way. It is important to open up about how you are feeling to someone you trust. There are many online supports and phone helplines that you can use.

If you are worried about yourself or a friend, talk to your family or look for help from youth mental health organisations and groups.

There are several online and phone resources for young people which give information on different areas of mental health. These include:

- yourmentalhealth.ie
- [Let Someone Know](#)
- [Reachout](#)
- [Jigsaw](#)
- [Pieta House](#).

You can find further details of these in chapter 10 'where can I go for help'.

You could also talk to a friend, or ask for support through your school.

A first step may be to talk to your doctor about what help you may need. Your doctor can address most mental health issues directly or with the help of therapy that may be available in your community. Sometimes, as part of the treatment, you may need:

- medicines
- to see a counsellor

- to see a specialist mental health doctor
- to stay in a hospital.

The doctor will be able to talk to you about the type of treatment they would recommend for you.

At what age can I give permission to receive mental health treatment?

Any decision about your mental health or treatment for a problem that you are experiencing should take your best interests into account. Until you are 18, your parents give or refuse permission for you to receive treatment. Once you are 18 years old you can give or refuse permission to be treated for mental health. This includes consenting to being admitted to hospital for mental health treatment and care.

If I am in hospital, how long will I have to stay?

The length of stay in hospital is different for everyone. Most young people are admitted to hospital voluntarily. This means that you, your parent or guardian and the doctors have made the decision together for you to go into hospital.

The doctors will aim to keep you in hospital until you are better. Your parent has the right to take you home at any time, when you are in hospital on a voluntary basis. If your parent feels that you should be in hospital and you do not wish to be there, you can ask your treatment team to review the decision.

What is 'involuntary detention'?

'Involuntary detention' is when the doctors in charge of your care ask the District Court for permission to admit you to hospital or keep you in hospital when your parent or guardian does not want you to stay. This can happen if the doctor feels you might be a risk to yourself or others. It can also happen if your parent or guardian decides to take you out of hospital and the doctors think you are not ready or well enough to leave.

The court can order that you be kept in hospital for up to 21 days. This order can be renewed for periods of three or six months. Your doctors will continually review your mental health. You and your parent or guardian may be asked for your views. When your doctors feel that you are well enough, they will ask the court to withdraw the involuntary detention order.

Who has the right to information about my mental health treatment?

People involved in your mental health care and treatment will have access to information about your mental health. Normally your information will be shared with your parent or guardian also. Your information will not be shared with anyone else unless:

- you want it to be
- you are in danger of harm
- it could be used as evidence of a crime.

What does the Mental Health Commission do?

The Mental Health Commission is an independent organisation set up in 2002. It carries out a number of activities including keeping a register of approved inpatient mental health centres, preparing codes of practice and guidelines for people working in mental health services. It also appoints an Inspector of Mental Health Services who annually inspects mental health services, including centres where young people are being treated. It does not investigate individual cases but if you contact them with a concern about a specific service they can refer you to the Inspector of Mental Health Services. The Inspector logs all concerns that relate to mental health services and these are taken into account on inspection of services.



3.6 Sexual health

Why is it important to know my rights and look after my sexual health?

Deciding to have sex is a very personal decision and should be decided first by your own beliefs around relationships and sex and also how comfortable you feel around the other person. When you are making the decision about whether you are ready to have sex think about it seriously as it is a big deal. You should feel ready to have sex and not feel pressured by friends or a partner. You should always feel confident and comfortable about your choices and never allow someone to pressure or bully you into an uncomfortable situation. Trust your instinct and gut feeling and if you are not sure what to do talk to a friend or someone you trust.

Foróige run a programme called REAL U for young people aged 12- 18 years old. **REAL U** can help you to express and explore our own, and others, views on issues that affect us all around Relationships and Sexuality.

You should be able to enjoy a safe happy and healthy sexual relationship free from abuse and harm. It is important that you know your rights around sex and how to practise safer sex.

It is also important to know how to look after your sexual health. If you decide to have sex, you need to know how to protect yourself against:

- sexually transmitted infections (STIs)
- an unplanned pregnancy.



Where can I get more information about sexual health and STIs?

There are a number of sexual health clinics around Ireland. They are also known as STI (sexually transmitted infections) clinics or Genito-Urinary Medicine (GUM) clinics. They will give you support whatever your age, gender or sexual orientation.

You can find impartial and factual information on relationships and sex at:

- [B4UDecide](#)
- [SpunOut.ie](#)
- [BeLonGTo In The Know Course](#)

What is consent to sex?

Consent is when people agree together that they definitely want to have sex, or do any sexual act. This includes kissing and sexual touching. The rules around consent apply no matter your sexual orientation or what gender your sexual partner or partners are.

You can say no at any time

It is only consent if you give it freely and you are not pressured into saying yes. It is really important to know that even if you initially consent to having sex or engaging in a sexual act, you are absolutely free to change your mind before you start or at any time before it ends. If someone hasn't said 'no' or hasn't resisted a sexual act, it does not mean that they have given consent.

There are some circumstances where a person cannot give free and voluntary consent. These include:

a) When force is used

A person cannot give consent if they:

- are forced to take part in sexual activity
- are threatened with force to themselves or to someone else unless they submit to sexual activity
- have good reason to fear that force may be used against themselves or another person if they do not submit to sexual activity.

b) Asleep or unconscious

A person cannot give consent to any sexual activity if they are asleep or unconscious.

c) Under influence of alcohol or drugs

A person may not be able to give consent to sexual activity because of the effects of alcohol or another drug that they have taken.

d) Unable to agree

A person may not be able to consent to sexual activity due to a physical disability that prevents them from communicating whether or not they agree.

e) Unable to understand

A person is not able to give free and voluntary consent to sexual activity if they do not understand the nature and purpose of the act.

f) Mistaken identity

A person is not giving consent to sexual activity if they mistake the identity of another person involved in the act (that is if they believe the other person taking part to be a different person).

g) Another person says so

A person cannot give free or voluntary consent to sexual activity if the only form of consent comes from someone else (one person says that another person consents).

h) Cannot leave

A person cannot give free and voluntary consent to sexual activity if they are being prevented from leaving against their will for no good reason.

Other reasons

There may be other situations where free and voluntary consent to sexual activity cannot be given but these are some of the most common.

At what age can I consent to have sex?

Legally, you can consent to sex at 17. This is the same no matter your sexual orientation or what gender your sexual partner or partners are.

The law also recognises a difference if young people engage in sexual activity with each other. There is a 'proximity of age' defence. This means that if a person has been charged with an offence of engaging in a sexual act with a person between the ages of 15 and 17 years, they can offer the defence 'proximity of age'. However, all the following conditions must apply:



- the age difference between the two people must be two years or less
- the people involved must have agreed to the sexual activity freely and voluntarily
- neither person must have felt exploited or intimidated
- neither person may have been in a position of authority.

At what age can I consent to sexual health treatment?

You can consent to medical treatment if you are over 16, this includes any tests or treatments that you may need for your sexual health. If you are engaged in sexual activity under the age of 16 you can still access any test or treatments that you may need for your sexual health in [STI or GUM clinic \(sexual health clinic\)](#).

At what age can I buy condoms?

Any age. There is no age restriction on buying condoms.

At what age can I get other forms of contraception?

If you are under 17, the law is unclear as to your right to be prescribed contraception. Some doctors will prescribe contraceptives to young people under 17, but others will refuse.

You can access all forms of contraception at 17, which is the legal age of consent to have sex. For some forms of contraception, like the contraceptive pill, you will need a prescription from a doctor and you will have to pay for it.

If you are over the age of 16, you can get emergency contraception (known as the 'morning-after pill') from a pharmacist without the consent of your parent or guardian. If you are under 16, the pharmacist will usually look for the consent of your parent or guardian.

Does the doctor have to tell my parent or guardian if I ask for contraception?

If you are 16 or over, you can discuss contraception with your doctor without your parent's or guardian's consent or knowledge. If you are under 16, while your doctor may or may not contact or inform your parent or guardian, they have a right to know if you have been given medical treatment, including a prescription for the pill or any other form of contraception.

If you are concerned about giving information to the doctor, you should clarify this with the doctor at the beginning of the consultation.

Will I be reported to social services or the Gardaí if I am sexually active or pregnant under 17?

The law states that 17 years is the age of consent to sex whatever your gender or sexual orientation. Generally, it is an offence to have sex with anyone under the age of 17 years. See the section on consent above for more information. For information on online sexual activity see the section on my rights online below.

You can find contact details for organisations providing information and resources on sexual health in chapter 10 'where can I go for help'.

Where can I go if I have been the victim of a sexual assault?

The **Dublin Rape Crisis Centre** operates a national 24-hour helpline on 1800 77 8888. This helpline provides confidential listening and support to women and men who have been raped, sexually abused or sexually assaulted.

CARI provides specialist support services that include:

- counselling
- going with you to the Gardaí or court
- general support for children under 18 who are victims of sexual violence.

The Rape Crisis Centres across the country will see anyone over age 14, and one centre (Rape Crisis North East) will see anyone over 12.



3.7 Pregnancy

Where can I get advice and support if I think I might be pregnant?

You can visit your GP (family doctor) or local health centre for advice and support.

There are free, non-judgemental crisis pregnancy counselling services all around Ireland. For a list of these, visit the [MyOptions website](#) or text the word 'LIST' for free to 50444.

You can also find information on the [sexualwellbeing](#) and [mychild](#) websites.

Can I go for counselling for a crisis pregnancy without my parent or guardian knowing?

You can contact the [HSE My Options service](#) on 1800 82 8010 or see the [MyOptions](#) or [Sexualwellbeing](#) websites.

If you ring a counselling service, you can ask over the phone about their policy on seeing someone under 18 without the consent of a parent or guardian. Some services will talk to you about how to tell your parent or guardian, and they will support you in doing that.

Other services will only see you if your parent or guardian comes with you.

Is there any special support service for teenage or young parents?

Some parts of the country have a Teen Pregnancy Support Programme (TPSP) for young parents under 19 years of age until their child reaches two years of age. The TPSP is a community-based service which gives free, confidential information and advice to young parents and other family members like grandparents.

The TPSP will tell you about your rights, entitlements and responsibilities as a young parent. They can also give you information about services available to you including:

- welfare
- accommodation
- education
- training
- childcare.

For more information on this service, see [Teen Pregnancy Support Programme website](#) or see page 189 in chapter 10 'where can I go for help'.

Can I get free medical care while pregnant?

Yes, you are entitled to free pregnancy care under the Maternity and Infant Care Scheme until your baby is six weeks old. This covers:

- doctor visits
- ante-natal clinics
- the maternity hospital when your baby is born
- two check-ups after the birth.

Contact your GP (doctor) or your local health centre for more information. You can also get more information on the scheme on the [MyChild](#) website.

Can I still go to school if I am pregnant?

Yes, you are entitled to continue your education if you are pregnant.

You may be entitled to financial assistance for schooling at home under the Home Tuition Grant Scheme. This scheme pays for nine hours of schooling a week for 10 weeks. It is usually given to students who need to be absent from school in the later stages of pregnancy or immediately following the birth of the baby. To access this scheme, contact the Special Needs and Tuition Grants section of [the Department of Education and Skills website](#).

Can I get an abortion?

An unplanned pregnancy may leave you feeling worried and confused. Deciding whether or not to continue with a pregnancy is a personal decision. You should not feel forced by anyone to have an abortion.

You can have an abortion if you are no more than 12 weeks pregnant which means it has been 84 days since the first day of your last period. After 12 weeks, you can only have an abortion in certain circumstances. You can visit your GP or local health centre for advice and support.

You can also contact My Options which is a HSE Freephone line that provides free and confidential information and counselling to people experiencing an unplanned pregnancy. If you choose to continue with your pregnancy, they can support you with this option. If you decide that you want to have an abortion, they can also provide you with information on abortion services as well as post-abortion support. They can also explain to you about consent, confidentiality and involving your parent, guardian or another supportive adult.

You can contact them from 9am to 9pm on Monday to Friday and 10am to 2pm on Saturdays at 1800 828 010 or see the [My Options](#) website.

My right to protection from harm

Chapter 4



4.1 Adequate care and protection

Do I have a right to be protected from abuse?

Yes. No matter what age you are, you have the right to be protected from all forms of abuse, violence and exploitation. It can be hard to recognise some types of abuse. It can be difficult but talking to someone about what is going on is a good first step.

The State has a legal duty to look after your safety and welfare. There are laws and organisations in Ireland that work to protect children from abuse, exploitation and to investigate and punish abusers. The Gardaí and Director of Public Prosecutions may have a role to play in prosecuting people that cause harm to children and young people.

What is abuse?

There are four types of child abuse:

- neglect
- emotional
- physical
- sexual.

You may experience one or more forms of abuse at any given time.

Neglect is when an adult fails to take care of you, and this causes you significant harm or stops you developing properly. Neglect may include:

- not being properly fed, kept warm or clothed
- not being kept safe
- not getting attention and affection from adults
- not bringing you to school
- not getting medical care for you, if you need it.

Neglect is something that happens over time and not just at one specific point.

Emotional abuse

Emotional abuse usually happens when an adult:

- is not affectionate or does not support you
- acts in a controlling way to you
- frequently speaks to you in a way that is not respectful
- is critical of you
- frequently makes you feel unsafe.

This form of abuse is more about the kind of relationship you have with an adult rather than particular incidents that take place. It can result in you feeling insecure, unhappy, having low self-esteem and underachieving in school or in other aspects of your life.

Physical abuse

Physical abuse happens when an adult causes you harm through physical punishment or by failing to take action to stop you from being physically hurt when it is possible to do so.

This type of abuse includes severe physical punishment or deliberately hurting you. It can include, but is not limited to:

- slapping
- hitting
- pinching
- watching someone else hurt you and not stopping it
- terrorising you with threats.

Sexual abuse

Sexual abuse or exploitation happens when an adult uses you for sexual purposes. This may include:

- touching you in a wrong way
- having sex with you
- forcing you to watch an adult engage in a sexual act
- showing you material of a sexual nature
- wrongful sexual relationships between you and an adult
- trafficking and being exploited for prostitution.



What should I do if I feel that I am being treated badly, do not feel safe or have been abused?

You have a right to be protected from all forms of abuse. The most important thing, if you experience any kind of abuse at home, school or anywhere else, is that you tell an adult that you trust so they can help and support you.

Then you or an adult you trust should contact your local social worker in Tusla. To find out their contact details see the [Tusla website](#).

If you need help in an emergency or outside office hours (9am to 5pm Monday to Friday), you, or an adult you trust can contact your nearest Garda station or ring the emergency phone line, either 999 or 112.

If you are worried about yourself, a person you know or a friend, you can talk to Childline. You can talk to Childline for free by calling 1800 66 66 66, texting 50101 or chatting online at www.childline.ie. You can also call the Rape Crisis Helpline on 1800 77 8888. See chapter 10 'where can I go for help' for other support organisations.

Will the person I tell be able to keep it confidential?

Certain professionals like counsellors, teachers and doctors by law have to tell Tusla if you tell them that you have been harmed or are at risk of being harmed. If you would like to talk more about this, you can talk to Childline for free:

- phone 1800 66 66 66
- text 50101
- chat online at www.childline.ie



What is Tusla?

The Child and Family Agency, also known as Tusla, is the national organisation that is responsible for the safety and welfare of children in Ireland. If you cannot live with your family, Tusla is responsible for making sure you have a place to live and adults to look after you.

What is the role of a social worker?

Social workers are part of a service that is provided by Tusla. They help and support children who may be at risk of harm or who are not safe. It is the job of social workers to protect and support you if you are feeling unsafe at home or in your life.

How do I contact a social worker?

Social workers are available from 9am to 5pm, Monday to Friday. There are social workers across Ireland. To contact a social worker in your area, you will need to contact your local Tusla social work duty service. You can do this by phone, email or by calling into the office.

You can get contact details for social workers by ringing your local social work office (the number is on the [Tusla website](#)).

What is the role of An Garda Síochána?

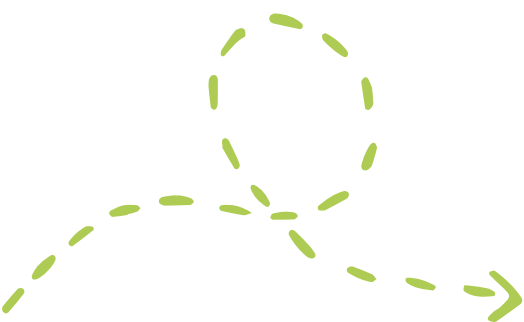
An Garda Síochána is the national police service in Ireland. It is their job to make sure you are safe and do not come to any harm. There are local Garda stations across Ireland. The free, emergency Garda phone numbers are 999 or 112. The Gardaí are available 24 hours a day.

What kind of family supports are available to help me and my family?

Family support services are available to help you and your family deal with difficult situations like:

- conflict in the family
- access to education
- separation
- the death of someone close to you
- addictions.

These supports may include counselling, support groups, social worker visits or working with family support workers. The support services will do all they can to make sure that you can stay with your family, if they think that is the best thing for you. You can get more information on these supports through Tusla. For more information see their website.



What should I do if I suspect a child is getting inadequate care, protection or being abused?

Contact the social worker on duty in Tusla in the child's local area (see previous pages for how to contact a social worker). If it is outside office hours, and you feel the child is in immediate danger, you should contact the Gardaí on 999 or 112.

You can find out more information about child abuse and how to respond to it by reading the Children First National Guidance for the Protection and Welfare of Children, available on [Tusla's website](#).

What can I do to protect my child from harm within the home?

You can apply to the court for an order to protect you and your child from domestic violence. A court can make a Protection Order, which prevents someone from threatening to use violence or fear against you and your family.

If a person lives with you, the Protection Order prevents them from:

- the use of violence, or threats to use violence against the applicant/dependent, or
- molesting or putting the applicant/dependent in fear.

If the person does not live with you, the Protection Order prevents them from:

- hanging around
- watching your house
- following or communicating (including by electronic means) with you and your family.

A Protection Order lasts until you get a full court hearing. At this stage the court can decide to grant:

- a Safety Order – this is a longer-term order that does the same things as a Protection Order, or
- a Barring Order – this is an order to prevent the violent person from being in the home.

In certain circumstances, Tusla can also apply for the order on your behalf.

There are many services which offer short and longer-term refuge for those seeking to escape domestic violence. There are a number of organisations that can help you if you or someone in your home is currently experiencing domestic violence. These organisations can help you access:

- a refuge
- legal advice
- emotional support
- advice on available services.

Please go to chapter 10 'where can I go for help' for details..

You can also call the Women's Aid National Freephone Helpline on 1800 341 900 for advice and help.



4.2 Children in the care of the State

What does it mean to be in the care of the State?

Tusla (Child and Family Agency) gets involved in your care if it decides that you are not being properly cared for at home – this is called state care. If you are taken into care you will either live in a foster family (which may be with your relatives) or in a residential care home.

How could I be taken into care?

There are different ways that children and young people can be taken into care.

If your parent and Tusla both agree that it would be better for you not to live at home, your parent can agree to you being taken into care (this is called voluntary care).

If your parent does not agree that you should go into state care but Tusla thinks there is good reason to remove you from your home, it must go to court and ask a judge to order that you be taken into care (under a care order). If the judge agrees, they will grant a care order for a short time.

The social workers must assess your situation before a long-term plan for your care is agreed. You will be asked for your views on this.

If the court makes a care order and you are taken into state care against your parents' wishes, they may appeal the order to the court.

Supervision order: this allows Tusla to monitor a child it considers to be at risk. You are not removed from your home. A supervision order may last up to 12 months. When the original order ends, Tusla can apply again to extend the order.

Voluntary care: your parent can arrange with the social worker for you to go into state care without going to court.

Interim care order: this order can be made while waiting for a decision on a full care order. You will be placed in the care of Tusla for up to 29 days although the District Court can extend this time.

Care order: this order allows you to be removed from the care of your parent and placed in the care of Tusla. A care order can continue until you reach 18 years.

Emergency care order: this order places you in the care of Tusla for up to eight days in an emergency situation.

What are my rights if I am taken into care?

You have a number of rights if you are taken into care. Tusla has to make sure that any decisions about your care are made in a way that will benefit you most. Your social worker should tell you what is happening but what you are told will depend on your age and maturity. You have a right to have your views heard when decisions about your care are being made. Your wishes should be taken into account, as far as possible.

If a care order is sought in the court, the judge must take your wishes into account if they feel you are mature enough to understand what is happening.

What supports are available to me if I am in care?

Empowering People In Care (EPIC) provides independent advocacy support for children:

- being taken into care
- who are already in care
- going through care proceedings.

EPIC can help support a young person to have a say on what they want. For more information, see [EPIC's website](#), see page 185 in chapter 10 'where can I go for help' for details.

You can also contact the Children's Rights Alliance helpline if you would like more information on your rights:

- phone, 01-902 0494
- email, help@childrensrights.ie.

Who is responsible for me while I am in care?

Usually, Tusla (through your social worker) will make all the important decisions about your care like the kind of care you need and where you should live.

If you are in foster care or residential care, your foster carers or the carers in the residential centre will be in charge of the day-to-day decisions affecting your life.

If your parent has agreed that you should go into care (voluntary care), they still have the right to take part in all decisions affecting your life.

If an interim care order is granted, your parent must still be consulted about most things in your life.

Can I choose where I live when I am in care?

As far as possible, you will stay living in your community. You cannot decide for yourself where you will live. Your social worker and Tusla will decide for you but your social worker should listen and take into consideration your views.

In most cases, children will live with a foster family or with relatives (these are known as relative foster carers) especially if you are under the age of 12.

Some children may live in a children's residential centre.

Do I have a right to have access to a social worker?

Yes, every child in care has a right to a social worker. The social worker is employed by Tusla. They will meet you to support you and give you whatever information or advice you need. You should be given a phone number of your social worker so you can contact them if you need to.

It is your social worker's job to draw up a care plan for you and to put it into action.

If I don't have a social worker who should I contact?

If you do not have a social worker, you should contact your local social work office and ask for one. You may also contact EPIC which provides independent advocacy support for children being taken into care, in care, or going through care proceedings. EPIC can help support you to have a say on what you want. For more information, see [EPIC's website](#).



What is a care plan?

Before you are placed in care (either in foster care or residential care), a social worker must prepare a care plan for you. Your care plan must state the following.

1. The aims of your care placement.
2. The support Tusla will give:
 - you
 - your foster carers
 - the residential centre
 - in some cases, your parent.
3. The access arrangements made between you and your parent, relative or anyone else who has the right to have contact with you.
4. When your care plan will be reviewed.

You can ask to give your input into your care plan. If you were placed in care in an emergency situation, Tusla must prepare your care plan as soon as possible after the emergency placement.

When will my care arrangements be reviewed?

A meeting called a 'child in care review' should take place two months after you first enter care. This should review how you are getting on. The review should be repeated every six months for the first two years of your placement in care. After this, your care plan should be reviewed at least once a year.

Can I go to the 'child in care' review?

Yes, your social worker should tell you when the review meetings will take place. You have a right to attend these meetings and to give your views. You may also bring someone to support and accompany you like an **EPIC advocate**.

Other people like your parent, teachers, counsellors, foster carers or other people working with you may also be at these meetings.

You have the right to be told about any decisions that are made as a result of these care plan reviews.

Do I have a right to know what is in my care plan?

Yes, you should know and understand the key points in your care plan. At any time, you can ask your social worker or a residential care staff member to explain to you what is in your care plan. You should also get a copy of your care plan from your social worker.

Do I have a right to have my views heard in court when decisions are made about my care?

Yes, but the court has different ways of hearing your views. This depends on your age and level of maturity, and on the wishes of the judge. Your social worker will be in court and will tell the judge about your needs.

In some cases, the judge might appoint a Guardian *ad Litem* for you. This is someone who:

- makes sure that the judge hears your views
- advises the judge on what is best for you.

The judge may want to speak to you directly or have an expert speak with you. You can ask to attend court, or you can write a letter to the judge. While the judge might listen to what you want, they may ultimately make a decision that does not follow your views. The Guardian *ad Litem* may also have a different view from you about what they think is best for you.

You can also ask to be made a party to the case which means that you would be represented in court by your own lawyer. This is done by what is known as a section 25 application. If you would like more information on this you can contact the [Children's Rights Alliance helpline](#).

EPIC can support and accompany you to court or meetings, for more information see their [website](#).

Do I have a right to be present in court when my case is being heard?

You do not have an automatic right to be present when your case is being heard. However, if you ask to be present for the hearing or any particular part of the hearing the judge should say yes to your request unless they think it would be better for you to avoid being there.

Do I have a right to have my privacy protected in court?

Yes. When your case is being heard in court, only certain people will be allowed to be present and to report on the case. They are not allowed to share any information that would identify you in public – like in the newspapers or online. Your name, address and image cannot be made public. This is called the *in camera* rule.

Do I have a right to leave care and go home?

No, you cannot decide to leave care until you are 18.

If you are in care under a voluntary arrangement, your parent may withdraw their consent for you to be in care and take you home. If this happens and your social worker is not happy that your needs will be met by going home, the social worker may ask for a care order from the court to keep you in care.

If you are in care under a care order, a court may decide that the reasons you were taken into care in the first place have changed and it has no further concerns about your safety or welfare. If this happens, you can go home. You have a right to have your views heard in this decision.

Do I have a right to contact with my family while in care?

Yes. While you are in foster care or residential care, Tusla must make sure that you have reasonable contact with, and access to, your parent or guardian and other relatives unless the judge thinks it is not safe or the best thing for you. This contact can take the form of visits, phone calls or letters or emails. Tusla should also make sure that you have contact with anyone else who has an interest in your care like a grandparent, aunt, uncle or family friend. You can ask your social worker if you would like to see your family more or less often.

Have I a right to practise my religion (if any) in care?

Yes. You have the right to practise your religion, if you have one, while in care. Tusla must do what it can to enable you to practise your religion. Tusla must also take your religion and the wishes of your parents into account when placing you with a foster family.

Can I tell people I am in care?

You can tell people in your life that you are in care. However, you should be careful when posting information about your care status online or in any publication. No one else is allowed to identify you to the public on broadcast media or a written publication as a child who has been or is in care.



What are my rights if I am not happy in care?

You have the right to ask to see your social worker at any time while you are in care. Someone from Tusla should visit you during your first month in care, then every three months during the first two years that you are in care and every six months after that. If there is a problem with your care, Tusla must make sure that your welfare is protected. If you are not happy with your care, you have the right to:

- complain to Tusla
- know and understand the complaints procedure (someone must explain it to you)
- be supported in making your complaint, for example, by a parent or an independent advocate (someone acting on your behalf)
- know the outcome (result) of your complaint
- get a written copy of any decisions made about you.

If you are not happy with the complaints process, you have the right to complain to the **Ombudsman for Children**. You may also contact **EPIC**, which provides a range of services for children in care and leaving care. See chapter 10 'where can I go for help' for contact details for these organisations.

For parents and guardians

Can I ask Tusla to review the placement of a child in care?

Yes. If you have a link to the welfare of a child in care, you write to Tusla to ask them to carry out a special review of the child's placement. If Tusla decides not to do so, they must tell you in writing and give reasons for their decision.



What happens when I turn 18?

Before you leave care, Tusla should carry out an assessment of what you may need once you turn 18 and leave the care system – this is known as ‘aftercare’. This assessment of your needs should be recorded in writing.

If you have been in care for 12 months or more between the ages of 13 and 18 you are entitled to an aftercare plan setting out how your needs could be met.

While you have a right to an aftercare plan, you do not have an automatic right to access the services contained in the plan. For more information on aftercare, contact **EPIC**.

Aftercare support might mean that you get help with:

- paying for school
- third level or other fees and costs
- getting an apprenticeship
- finding a place to live.

Tusla can support you until you reach 21 unless you are in education, in which case they can support you to complete your education until the age of 23.

What is a Special Care Unit and could I be sent to one?

The behaviour of some children and young people can place their welfare, health, safety or development in danger. In these rare situations, a social worker may ask the court for a child or young person to be detained for their own welfare or protection in a Special Care Unit in Ireland or abroad.

A Special Care Unit is secure accommodation with locked doors and windows where the High Court places children or young people aged 11 to 17 years when they are considered a risk to their own health or safety. Compared with other care settings, Special Care Units have more staff. They also have educational, therapeutic and specialised supports to help the child or young person overcome behavioural difficulties or other problems. The aim is to provide intense, short-term care to help the young person become more stable so they can return to regular care as soon as possible.

What supports are available to me in Special Care?

EPIC provides independent advocacy support for children:

- being taken into care
- in care
- going through care proceedings.

They can help support a young person to have a say on what they want. For more information, see [EPIC's website](#). EPIC provides a visiting advocacy service to Special Care Units in Ireland.

If you would like more information on your rights, you can also contact the Children's Rights Alliance helpline by phoning 01-902 0494 or by email help@childrensrights.ie.

What are my rights if I am placed in a Special Care Unit?

Only a High Court judge can order that you be placed in a Special Care Unit. Your social worker and possibly a Guardian *ad Litem* will give the judge your views and their professional assessment of your best interests, but you are not entitled to a solicitor. A placement can be for three to six months. After this time, the court must review the placement. The court itself can decide to change the order placing you in a Special Care Unit or Tusla can ask it to do so.



My rights in the family



Chapter 5

5.1 General

Do I have a right to live with my family?

Yes, you have a right to live with your family if this is the best thing for you.

What is guardianship?

Guardianship is the word given to the rights and duties of parents in relation to the upbringing of their children. Your guardians have a right to make all major decisions about your life. This includes decisions like:

- what school you go to
- any medical treatment you receive
- where you live
- applying for passports
- choice of religion (if any)
- decisions about leaving the country.

Your guardian is the person who has 'guardianship rights' – legal responsibility – for you. This is usually your mother and father but can also be another relative or person.

Who is my guardian?

If your parents were married to each other when you were born, they are automatically your guardians.

If your mother was not married when you were born, she is automatically your guardian, but your unmarried father is not automatically considered your guardian even if his name is on your birth certificate. He can become your guardian in a number of ways:

- by marrying your mother
- by making a joint agreement with your mother
- if your parents have lived together for 12 consecutive months after 18 January 2016 including at least three months with you and your mother following your birth
- by applying to a court.

If your parents are a female same-sex couple, your biological mother will be your automatic guardian. If your parents are a male same-sex couple, your biological

father can seek guardianship. In both cases, your non-biological parent can apply to the court to be made a guardian if:

- they have been married to or living with your biological parent for over three years
- have looked after you for more than two years.

If you have a step-parent they can apply to the court to be made a guardian if:

- they have been married to or living with your biological parent for over three years
- have looked after you for more than two years.

If you have no parent or guardian or your parent or guardian cannot carry out their role, another adult in your life who has looked after your day-to-day care for a continuous period of more than 12 months can also apply to become a guardian.

If one of my parents enters a relationship, is their new partner automatically my guardian?

No. If your mother or father's partner is not your biological parent then they do not automatically become your guardian. However, they can become your guardian by applying to the court if:

- they have married your parent
- have been living with your parent for over three years, and
- have looked after your day-to-day care for more than two years.

If one of your parents marries their new partner, the new partner can formally adopt you with the consent of your other biological parent (the parent who is not part of the marriage).

Do my relatives have the right to make decisions about me?

Not usually. However, if your parents were unable to look after you because of an illness or if, for example, they died, a relative could apply to the court to become your guardian. They would then have the right to take legal decisions about you and to exercise your rights on your behalf. This often happens when your parents cannot look after you and you are in the care of your relatives or grandparents. Your parents could also nominate someone to take on this role in their will in case they died.

What supports are available for families?

Family support services are available for families and individuals who need help. Life events like birth, death, depression, separation, illness, abuse or financial problems can put stress and strain on family life and relationships. There are family resource centres across the country and other family support services available through Tusla. You can find more information on the [Tusla website](#).

Can I see both of my parents if they do not live together?

If your parents do not live together (this could be if they split up or if they have never lived together) they will decide between them how often you can see each parent and for how long. This is called 'access'.

If they cannot decide, they can get help from a judge in the court.

Your grandparents, aunts, uncles, and your sisters and brothers (if they are over 18) can also apply to the court for access, which is the right to spend time with you.

How will a judge make a decision in court?

In making a decision about access, the most important thing the judge must consider is what is the best thing for you.

In deciding what is best for you, there is a number of things they consider including:

- the history of your care
- the benefit to you of having a relationship with both of your parents
- any harm you may have suffered
- your opinions.

A judge may also order reports to be completed to help them make a decision. Sometimes a judge may appoint a Guardian *ad Litem* who can report to the court what would be best for you and what your views are.

Do I have a right to have my views heard?

Yes. You have a right to have your opinion heard when a judge is making a decision about:

- guardianship
- who you live with
- access.

Sometimes a judge might decide to talk to you directly. Otherwise the judge

might decide to have an expert talk to you who will then write up a report to the court that will include your opinion on what should happen. Your parents will have to pay for the expert to do this work.

It is important to note that while a judge or expert will listen to your views, they may ultimately make a decision that is not in line with your views. This is because your views are only one part of what the judge has to look at when deciding what would be best for you overall.

If the judge does not hear your opinion you can get legal advice. You can get free legal advice from the [Children's Rights Alliance](#) or the [Free Legal Advice Centre](#).

Can I be in the court when the judge makes the decision about my care?

If you want to be in the court for your case, you can ask the judge if you can be there for all or part of the case. The judge should allow you to be in the court unless they think it would not be suitable or useful for you. In deciding if it is in your best interests to be there, judges will often look at your age, maturity and understanding of what is happening.

What happens to me if one or both of my parents die?

Having one or both of your parents die is a hard time in your life. If you need to talk or get support, there are many places that can help you. You can talk to Childline, a confidential and free service for children. You can contact Childline by phone on 1800 66 66 66. You can also text 'Talk' to 50101 or you can chat with someone online on the [Childline website](#).

Barnardos operates a children's bereavement helpline service for people looking for information and support on dealing with a child's bereavement. You can contact them on 01-473 2110 from 10am to 12pm Monday to Thursday.

If one of your parents died and the other parent was your guardian, they would be able to make decisions about your life, for example where you lived and where you went to school.

Your parents can appoint another adult or family member in your life to look after you through their will in the unlikely event that they died. If you have any questions about this, you can get more information from the Children's Rights Alliance Information Line on 01-902 0494.

At what age can I move out of home?

You can leave home at 16 if your parent or guardian agrees. You can leave without consent when you reach 18 years of age.

5.2 Changes in my family situation

What happens to me if my parents split up?

Your parents will decide:

- how they will share the day-to-day responsibilities of taking care of you
- where you will live
- if you will live with one of them or share your time with both
- how often you will see each parent and for how long
- how much each of them will pay towards running the home.

If your parents cannot agree on these issues, someone else will have to get involved to help your parents to decide. This could be a mediator, lawyer or a judge.

What happens if my parents do not agree?

If your parents cannot agree on what happens to you if they split up, they might go to court to have a judge decide.

If a judge is deciding what happens to you if your parents split up, the most important thing they must consider is what your best interests are.

In deciding what is best for you overall there are a number of things a judge must consider, including:

- the history of your care
- the benefit to you of having a relationship with both of your parents
- any harm you may have suffered
- your opinions.

Can I have a say in decisions about my care?

You do not have a right to have a say in decisions your parents are making about your care, however, they may ask you for your opinion if they wish.

If your parents are getting help from the Family Mediation Service, you may be invited to attend a session with your parents to discuss the arrangements they have made.

If a judge is making a decision about guardianship, who you live with and access, you have a right to have your opinion heard. There are many ways a judge can hear your opinion. Sometimes a judge might decide to talk to you directly. Otherwise the judge might decide to have an expert talk to you who will then write a report to the court that will include your opinion on what should happen. Your parents will have to pay for this report to be carried out unless they qualify for Legal Aid.

It is important to note that while a judge or expert will listen to your views, they may not ultimately make a decision in line with your views. This is because your views are only one part of what the judge has to look at when deciding what is best for you overall.

Do I have a right to see my relatives if my parents split up?

Yes, in most situations. Arrangements will usually be made for you but step-parents, grandparents, aunts, uncles, sisters and brothers may also apply to the court for the right to see you. The court will allow this if it is best for you overall.

Is there anything I can do if I am unhappy about the time I get to spend with my parents?

If you are unhappy with the amount of time you spend with either parent, try to explain your point of view to them. You might want to get help from organisations that work with children and young people like Teen Between. See chapter 10 'where can I go for help' for details.

Do I have a right to financial support from my parent?

Your parent has a duty to support you financially until you are 18. If your parents separate or divorce, they must both provide for you. If they cannot agree, the court will decide, based on your parents' income and other family responsibilities. A step-parent who is not your legal guardian does not have to financially support you.



5.3 Young parents (under 18)

Where can I access information and support?

There are many organisations that can provide you with information and support. If you are under 18 and having a baby, you can contact the organisations below.

- [The Teen Parent Support Programme](#)
- [Treoir](#)
- [One Family](#)



Can I go to school after my child is born?

Yes, by law, you must be in school until you are 16 years of age. You may miss some time at school during your pregnancy or after your baby is born so it is a good idea to talk to a teacher or the school principal about making up for lost time. Otherwise you can join the Home Tuition Scheme which lets you learn from home.

If you are due to have your baby around the time of your Junior Certificate or Leaving Certificate exams, you should ask your school to make arrangements for you to do your exams separately and in more comfort.

How will I pay for all the things my baby needs?

There are a range of supports available to you from the Department of Employment Affairs and Social Protection including Child Benefit payments to help you pay for the baby's needs. Your parent or guardian may be able to help you apply for these payments. You could also contact the Department or your local Citizens Information Centre yourself.

There are special guides like the Young Parents Survival Guide from the [Teen Parents Support Programme](#). See also the [Treoir website](#), or [Department of Employment Affairs and Social Protection website](#), see chapter 10 'where can I go for help' for details.

Do I have guardianship rights as an unmarried mother?

Yes. You are automatically the child's legal guardian from birth and have full custody of your child.

Do I have to register the name of my child's father at birth?

You must register the birth of your child within three months of the birth. You do not currently have to record the details of the child's father if you are single. A new law will change this rule soon, but at the time of going to print the procedures for this have not been finalised.

Many people assume that having the father's name on the child's birth certificate gives the father legal guardianship rights – but this is not correct. If there is no father's name on the birth certificate it does not affect a single mother's entitlement to One-Parent Family Payment.

You can find out more about registering the baby's birth from the General Registrar's Office on 1890 25 20 76. There is more information on the [Citizens Information website](#), see page 164 in chapter 10 'where can I go for help' for details.

Do I have rights as a single father?

You have no automatic rights if you are an unmarried father. However, if you have been living with the mother of your child for 12 months after the 18 January 2016 including at least three months after your child's birth, you are entitled to automatic guardianship.

If you do not qualify for automatic guardianship, you can apply for guardianship if the mother agrees. You do this by signing a guardianship form in front of a peace commissioner or commissioner for oaths. If the mother does not agree, you can apply for guardianship through the local district courts. The court may refuse to appoint a father as a guardian if it believed this would not be best for the child. If the biological father and mother marry, the father will automatically become the child's guardian.

You can get information on how to apply for guardianship, seek custody of your child or get access rights from [Treoir](#). You may also need to get legal advice. You can find out how to get civil legal aid by visiting the [Legal Aid Board's website](#), see chapter 10 'where can I go for help' for details.

If you are a young father or a young father-to-be, you can also contact the Teen Parents Support Programme. See the [Teen Parents Support Programme website](#) to find out what parenting supports are available to you, see page 189 in chapter 10 'where can I go for help' for details.

5.4 Assisted human reproduction

Have I a right to know who my biological parents are if I was born using assisted human reproduction?

Sometimes the people who are your parents and looking after you day-to-day are not the same people as your biological parents. This can be for a number of reasons including if you were born using sperm or egg from a donor.

Currently you have no right to know who your biological parents are in this situation. However, there are laws that are due to come into force that will allow you to know who your biological parents are after you turn 18 from a donor conceived register..

5.5 Adopted children

What is adoption?

Adoption is a legal process where a child becomes a member of a new family. It creates a permanent legal relationship between the adoptive parents and the child.

In an adoption, the legal relationship between the child and the birth parents no longer exists and the adoptive parents have the same rights and duties as if the child was born into their family.

For parents and guardians

How can I place my child for adoption?

All children can be placed for adoption in Ireland, including children who have been previously adopted.

For more information, contact:

- the social work team at your maternity hospital
- your local Child and Family Agency adoption team
- an adoption agency
- the Adoption Authority
- a pregnancy counselling service like **My Options**.

You can contact these agencies at any stage of a pregnancy or after the birth of your child. You can change your mind about the adoption at any time up to the point that an Adoption Order is made.

Treoir along with the Crisis Pregnancy Programme has produced an information booklet on the adoption process for parents thinking of placing their child for adoption. See the **Treoir website** for information or contact details to speak to someone about your situation.

What are the different types of adoption?

Step-parent adoption

This is when your step-parent applies to adopt you. They will then legally become your parent alongside your other parent. You must have lived with your parent and step-parent together for a minimum of two years for this to happen.

Extended family adoption

This is when a member of your family or a relative adopts you after you have been placed with them by Tusla or by your mother.

Domestic infant adoption

Domestic infant adoption is where a child is placed with a new set of parents. The child may only be placed with the couple by the Tusla adoption service or an accredited adoption agency. The Adoption Authority of Ireland must approve the placement before it takes place.

Inter-country adoption

Inter-country adoption is where people who live in Ireland decide to adopt a child who is resident in a country other than Ireland.

Long-term foster care adoption

Foster care adoption occurs when you are adopted by your foster carers.

For parents and guardians

As a child's father do I have a right to be consulted before my child is placed for adoption?

Yes. As the child's father, you have the right to be consulted before your child can be placed for adoption by the mother, even if you do not have joint guardianship. If you have joint guardianship of the child, your consent is required before the adoption can go ahead. If you cannot be contacted, an order from the High Court is needed before the adoption can go ahead.

When can a child be adopted?

You can be adopted once you are under the age of 18, but the adoption process can take a long time so the application should be made before you turn 17 at the very latest. When making a decision on adoption, the Adoption Authority's main consideration is what is in your best interests. The Adoption Authority must hear your views on being adopted before they make the Adoption Order.

If I am adopted, do I get a new birth certificate?

If you have been adopted, you do not get a new birth certificate. An adoption certificate will be issued for you by the General Register Office in the name of your adoptive parents and your name will be entered into the Adopted Children Register. This happens after what is known as an adoption hearing with the Adoption Authority of Ireland.

For more information on what happens at the hearing, see the [Adoption Authority guides](#) for young people.

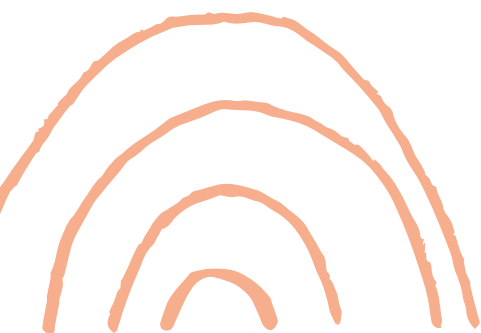
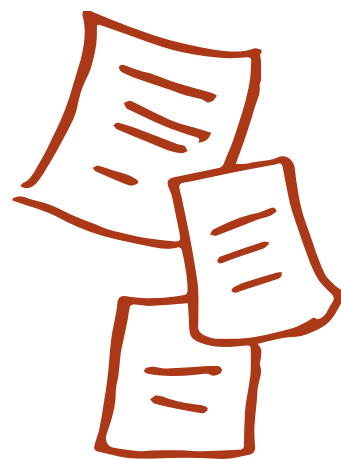
Do I have a right to see my original birth certificate?

No. There is no automatic right to see or get a copy of your original birth certificate, but you can apply to the Adoption Authority asking them if you can see it. Details on how to apply can be found on the [Adoption Authority website](#).

If you already know your full birth name and date of birth you can apply directly to the General Registrar's Office for it.

Do I have a right to see my adoption records?

No, you do not have a right to your adoption records in Ireland. You can apply to the Adoption Authority of Ireland for details of your birth parents. However, the Adoption Authority has a duty to protect your birth mother's privacy unless she decides to give her consent to the release of records. If your birth mother does not give her consent, the Adoption Authority undertakes a balancing exercise when arriving at its decision. If the Adoption Authority refuses your request, you can ask the High Court to review the decision.



Do I have a right to have contact with my birth parents?

No. However, the Adoption Authority operates a National Adoption Contact Preference Register to make it easier for adopted people and their birth families to contact each other if they both wish to do so. It is up to you to decide if you want to put your name on the Register, but you must be over 18 to do so. You and your birth family will only be put in contact with each other if you have both registered.

The Register lets you choose what level of contact you wish to have. This can range from meeting your birth family to phone calls, emails, letters or no contact at all.

If you are under 18 and would like to see if you can contact your birth parents, siblings or grandparents you should contact Tusla as they are often able to help people contact their relations.

For more information see the [Adoption Authority of Ireland website](#).

Who can I talk to about being adopted?

If you want to talk to someone about your adoption, Barnardos runs a confidential phone helpline on 01- 454 6388. You can also contact the [Adoption Authority of Ireland](#), [Tusla](#) or [Childline](#) if you have concerns – see chapter 10 'where can I go for help' for details.



My rights as a migrant or refugee

Chapter 6



6.1 General

Do migrant children have the same rights as other children in Ireland?

If you or your parents have come to Ireland from another country, you may be known as migrants. Migrant children or children of migrants have different rights and entitlements that depend on their:

- own citizenship, or
- parent's citizenship, or
- immigration status.

The Government of Ireland has set out rules about who can come here to:

- live
- work
- study
- visit as a tourist
- apply for asylum
- start a business.

These are known as immigration rules.

If you were born in Ireland but your parents are not Irish citizens or have no legal right to reside (live) in Ireland, different immigration rules may apply to you.

What is 'immigration status'?

Immigration status refers to the rules that apply to a person living in Ireland who is not an Irish citizen. Examples of status include:

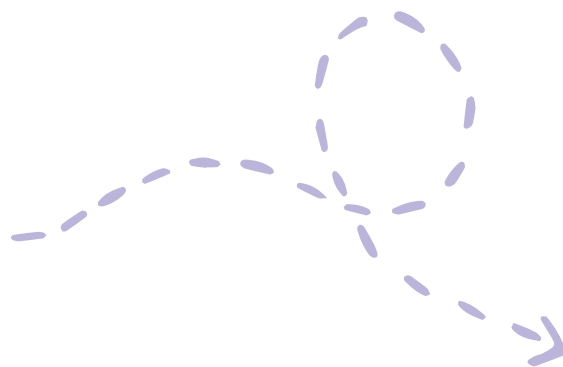
- an EU citizen
- an asylum seeker
- a person who holds an immigration permission with an Irish residence permit.

An EU citizen can move freely throughout the EU.

Why is it important to know my status?

It is important to know your status as this tells you what rights you have while living in Ireland. Each type of status has different rights and conditions. For example, your status can impact:

- how long you can stay in the country
- your social welfare entitlements
- access to third level education
- access to social housing
- access to healthcare
- your right to work.



When do I have to register with immigration authorities?

If you are aged 15 or under you do not need to register

Children aged 15 years or younger do not need to register but they must do so as soon as they turn 16. Until you turn 16 the State assumes your immigration status is the same as your parents' status. There are plans to change this to require all children under the age of 16 to register with the authorities, but this has not been introduced yet.

If you are 16 or over, you must register

If you are 16 years old or more and are not an EU citizen or a citizen of Iceland, Liechtenstein, Norway or Switzerland, you must register that you are in Ireland with the Immigration Authorities.

If you live outside Dublin, you should contact your nearest Garda Immigration Officer and normally you will have to attend a local registration office. You can find a list of these on the [INIS website](#).

If you live in Dublin, you should make an appointment online on the [INIS Website](#) to register. They will give you an appointment that you must attend at Burgh Quay in Dublin. They will give you a registration certificate that is known as an Irish Residence permit. You must carry this with you at all times. Your residence permit will tell you what kind of status you have.

If you are under 18 at the time of registration, you do not have to pay the registration fee. You can find more information about the registration process in the [Immigrant Council of Ireland Guide](#) or on the [Department of Justice and Equality website](#).

If you are over the age of 16 and have been living in Ireland without registering you can seek information and advice about how best to register from the [Immigrant Council of Ireland](#), see page 191 in chapter 10 'where can I go for help' for details..

If your parents do not have permission to live in Ireland, you should seek advice from a specialist immigration solicitor, or the Immigrant Council of Ireland, before your 16th birthday. They will advise you about possible applications to regularise your immigration status.

What do I do if I am not sure what my status is, or I do not have status?

If you are unsure about your status or if you do not have status it is very important that you get information and advice about what to do from a legal professional. You can contact the Immigrant Council of Ireland Information line on 01-674 0200 or call the Children's Rights Alliance Information line on 01-902 0494.

What do I do if I am undocumented?

If you are undocumented (do not have status) it is very important that you get information and advice about what to do from a legal professional. You can contact the [Migrants Rights Centre Ireland](#) or the [Children's Rights Alliance](#).

What rights do citizens have?

If you have Irish citizenship, you can enjoy rights, entitlements and supports in the same way as all other Irish people. As an Irish citizen you can:

- apply for an Irish passport
- vote in all elections if you are over the age of 18
- access all state services.

Am I automatically an Irish citizen if I am born in Ireland?

No. If you were born in Ireland after 1 January 2005, you are an Irish citizen only if:

- one or both of your parents is Irish or British, or
- one of your parents:
 - was legally living (resident) in Ireland or Northern Ireland
 - has a genuine link to Ireland, and
 - has lived in Ireland for at least three out of the four years immediately before you were born.

You will not qualify for Irish citizenship based on your birth in Ireland if your parents were:

- living in Ireland on a student visa, or
- waiting for a decision on a claim for asylum or 'leave to remain', or
- entitled to diplomatic immunity (this could relate to either of your parents).

How can I become an Irish citizen if I am not an Irish citizen through birth?

If you are not entitled to Irish citizenship through birth, you may still be able to apply for Irish citizenship through a process called naturalisation. There is no automatic right to citizenship and decisions are made by the Minister for Justice and Equality.

You must be 18 years of age before you can apply for naturalisation in your own right. If you are under 18 you will need your parent or guardian to apply on your behalf. They can do so:

- after they have become Irish citizens, or
- if you have Irish associations (meaning related by blood, affinity or adoption to a person who is an Irish citizen) or
- if you were born in Ireland, or
- If you were born in Ireland and have been legally resident as part of a family unit for five years.

In addition, if you were born in Ireland after 1 January 2005, or one of your parents has become an Irish citizen, your parent or guardian can apply for citizenship on your behalf before you turn 18. You will need to meet certain conditions to qualify for citizenship.

There are a few other ways you could qualify to become an Irish citizen either as a child or an adult. You can qualify through:

- **descent** – if you were born outside Ireland but are the child or grandchild of an Irish citizen, you are entitled to Irish citizenship provided your birth is registered in the Foreign Births Register
- **adoption** – if you are adopted by an Irish citizen or a couple where one spouse is an Irish citizen.

For more information about becoming an Irish citizen, visit the [Citizens Information website](#) or the [INIS website](#), see chapter 10 'where can I go for help' for details.



Can I complain to the Ombudsman for Children as a migrant or refugee?

As a migrant, asylum seeker or refugee you can complain to the Ombudsman for Children (OCO) about how public bodies or their representatives in Ireland treat you. This includes:

- schools
- hospitals
- all government departments
- some state-funded services like Direct Provision accommodation.

However, you cannot complain to the OCO about how your immigration status is being processed. You can only use the court system to challenge this.

Do I have the same right to access primary or secondary education as an Irish citizen?

Almost all migrant and refugee children have the same right to access primary and secondary education as Irish children even if you are undocumented.

The only exception is the children of international students from outside the European Union. If your parents are in Ireland to study, they may have to prove that they have enough money to provide for you. They will have to get permission from the Department of Education and Skills before you can attend a non-fee-paying school. They may also have to pay an immigration levy (a special tax) for you to attend a non-fee-paying school.

The Department of Education and Skills has not finalised the rules on this or decided the amount of the levy.

Can I access the Free Fees Scheme for third-level education in the same way as an Irish citizen?

To be eligible for the [Free Fees Scheme](#) or to apply for a [Student Universal Support Ireland](#) grant, you must have spent three out of the last five years living in:

- the EU
- Iceland
- Liechtenstein
- Norway or
- Switzerland.

You must **also** be an EU citizen or a citizen of:

- Iceland, Liechtenstein, Norway or Switzerland
- have refugee status
- be a family member of a recognised refugee or
- have been granted leave to remain.

If you become an EU citizen during your time studying, you will not have to pay third-level fees for the remaining time you are studying.

If you are not an EU citizen, you may have to pay international student fee rates to access third level education. These rates are significantly higher than those for EU citizens. This will depend on what type of immigration status you have. If you are in the asylum process you must pay the international student fee rate. However, there are a number of schemes that might be able to help you cover the cost of attending third-level education like the [Universities of Sanctuary](#).

For more information and advice on how to access these schemes contact the Irish Refugee Council.

You can check with the institution where you wish to study to find out if you are entitled to the Free Fees Scheme. Information is also available on the [Student Finance website](#).

Do I have the same right to access healthcare services?

Every child has the same right to access healthcare. However, if you are over the age of six your right to a medical card for free healthcare will depend on the immigration status of your parent or parents. If you are under the age of six you will qualify for a GP Card. This allows you to visit the GP (family doctor) for free. In order to get a GP Card you will need to have a PPS number. For more information on this see Section 3, My right to health.

Your parents must be EU citizens for you to get a medical card. They may need to have private health insurance. However, your parents may be entitled to a medical card for you if you or your parents have applied for asylum or been granted:

- refugee status (see page 121)
- subsidiary protection (see page 121)
- permission to stay in Ireland.

There are special rules and income limits for this. For more information contact your local Citizens Information Centre.

How to get a PPS Number?

Your Personal Public Service (PPS) number is a unique reference number that helps you access social welfare benefits, public services and information in Ireland. If you are under the age of 16 you are considered to be a child for getting a PPS number.

If you are under 16 your parent, foster parent or guardian should attend a PPS Number Allocation Centre with you. If you are over 16 you can attend on your own. To find out how to make an appointment and what you need to bring with you see the [Department of Employment Affairs and Social Protection website](#).



6.2 Separated children

What will happen to me if I arrive in Ireland on my own?

If you arrive in Ireland on your own, or without an adult who is responsible for your care, you will be dealt with as an 'unaccompanied minor'. You may also be described as a 'separated child'.

Tusla, the Child and Family Agency, will look into your situation and decide what is best for you. If they think it is the best thing for you overall, Tusla may decide to apply for International Protection for you.

For more information on how the International Protection Process works for an unaccompanied minor you can see the information guide on the [Department of Justice and Equality website](#).

Who will look after me if I am a separated child?

The Separated Children's Team in Tusla are responsible for the care and welfare of separated children. For more information see the [Tusla website](#).

A social worker will talk to you about your needs and then develop a care plan for you. The social worker may place you with a foster family or in residential care. Alternatively, they may place you in 'supported lodgings' which will prepare you for independent living at 18.



Where can I get more information and support?

If you want more information and support about your rights as an unaccompanied minor or separated child, you can contact the Children's Rights Alliance information line on 01-902 0494 or help@childrensrights.ie.

6.3 International Protection

What is International Protection?

The term International Protection means the protection given by a government to someone who has left another country to escape being harmed. It includes two specific types of protection that can be applied for in Ireland:

- refugee status
- subsidiary protection.

Refugee status is a form of legal protection that the State gives to people escaping persecution on the basis of:

- race
- religion
- nationality
- membership of a particular social group
- political opinion in their own country.

Subsidiary protection is a form of protection given to people fleeing:

- torture
- a death sentence
- a serious risk of violence during war.

If someone is recognised as being a refugee or has subsidiary protection status in Ireland, they can live in Ireland and enjoy many rights here.

An asylum seeker is someone who has applied for International Protection.

When you apply for International Protection, you are asking the Minister for Justice and Equality to consider whether or not you qualify for a:

- refugee declaration, or
- subsidiary protection declaration.

You apply for both of these in the same way, but if you are granted status it will be for one or other of them.

How do I apply for International Protection?

You will be included on your parents' application for International Protection if:

- you are under the age of 18 and living with your parents, and
- you are not an Irish citizen.

Your parents should apply for International Protection as soon as possible. They can do this either:

- at the airport or seaport where you arrived in Ireland, or
- after entry into the state at the International Protection Office in Dublin.

Your parents should bring you with them when they are applying for International Protection.

You can find out more about the asylum application process at the [International Protection Office website](#).

What are my rights if I apply for International Protection?

If you are with your family, you will get accommodation and food through a system called Direct Provision. Your family will also get a medical card so you will be able to get free healthcare. The Reception and Integration Agency (RIA) runs the Direct Provision accommodation system and decides where you will live. RIA may also transfer you and your family to a different accommodation centre while you are in the Direct Provision system.

While in Direct Provision, your parent or parents will get a weekly payment of €38.80 each and €29.80 each for you and any sisters or brothers you may have. You may also get money for clothes, usually twice a year, but you do not have an automatic right to this. Your parents cannot receive Child Benefit or other social welfare payments for you. They may be entitled to some payments if they are working and meet the requirements.

You can go to primary and post-primary school on the same basis as an Irish citizen child.

You have a right to access legal representation through the Refugee Legal Service (RLS), a section of the Legal Aid Board. These services are based in Dublin, Cork and Galway.

The [Irish Refugee Council](#) also provides legal services see their website, see page 192 in chapter 10 'where can I go for help' for details.

Do I have a right to work if I am seeking International Protection?

If you are waiting for a decision on your first application for International Protection for more than nine months, you can apply for permission to access the labour market.

As a young person under the age of 18 you can also apply for permission to work. If your permission is granted you will have the same restriction on hours and minimum wage entitlements as other young people as set out in section 1.5. If you apply for the right to work it also gives you the right to access vocational training.

You can find more information on the process on the [INIS website](#).

What will happen if my application for International Protection is refused?

If your application for International Protection is refused, you, or your parents on your behalf, may appeal a refusal of refugee status or subsidiary protection to the International Protection Appeals Tribunal. When you are sent the decision on your International Protection application, you will be given a copy of the appeal form that you need to complete.

If your family does not have a legal representative you can contact the [Legal Aid Board](#), see page 161 in chapter 10 'where can I go for help' for details.

Can I apply for any other permission if my application for International Protection is refused?

If you are not eligible for refugee status or subsidiary protection the Minister for Justice and Equality will consider if there are any reasons why you should be given permission to stay in the State ('leave to remain').

Can I appeal if I am refused leave to remain?

If your application for leave to remain is refused, you cannot appeal and a deportation order will be made against you. This will require you to leave the State, and if you do not, the State may try to remove or deport you. If you or your parents or guardian are advised that a legal mistake was made in coming to this decision, you may still ask the High Court to prevent this from happening, and to have them examine the decision again.

If I have International Protection can my family outside Ireland join me here?

This depends on why you are living in Ireland and whether or not you have any rights under Irish or EU law.

If you are an Irish citizen or an EU citizen, your family members may have a right to live with you in Ireland.

You have some rights if you are under 18 years and have been granted International Protection. International Protection in these circumstances, means you can apply for what is known as Family Reunification – permission for your family members to join you in Ireland. Family members in this context means, your parents, and brothers and sisters who are under the age of 18.

You have 12 months to apply for Family Reunification. This time starts when you receive your letter confirming that you have International Protection. If you are a resettled refugee, you have 12 months from your date of arrival in Ireland to apply for Family Reunification. Family Reunification is the name of the process for applying to have your family join you in Ireland when you have been granted International Protection.



6.4 Refugee or subsidiary protection status

If you or your family's application for International Protection is successful, you will be granted refugee status or subsidiary protection status. This means you can stay in Ireland and you have more rights. The two forms of status have almost the same rights but there are a few small differences.

What are my rights as a refugee?

As a refugee, you will have the same rights in Ireland as an Irish citizen. This means you have a right to:

- look for work
- get a job
- access education
- get training
- receive medical care
- social protections and services.

As a refugee, you are entitled to be issued with an Irish travel document, to leave Ireland and to re-enter the country. However, you could lose your refugee status if you returned to the country from which you have fled, and you may need visas to enter other countries. You can apply for citizenship through naturalisation (being made a citizen of the country you now live in) after three years. Time you spent waiting for a decision is not counted towards this time.

What are my rights if I have subsidiary protection status?

If you or your family's application for subsidiary protection is successful, you will have the same rights and entitlements as a refugee but there are some small differences. In particular, it may be more difficult for you to obtain a travel document and you will have to wait five years rather than three before you can apply for citizenship.

My rights in dealing with criminal law and the Gardai



Chapter 7



7.1 Victim of a crime

Who is a victim?

A victim of crime is a person who has suffered physical, mental or emotional harm or economic loss which was directly caused by a criminal offence. Family members are also victims if the death of their loved one was directly caused by a criminal offence.

Who can I contact for support?

If you have been the victim of a crime you can contact the Crime Victims Helpline by:

- calling 116006
- texting on 085 133 7711.

They can provide you with information and support.

What are my rights if I have been the victim of a crime?

If you are the victim of a crime you have the right to get information that you can understand. If you need assistance, like an interpreter, you should be provided with this.

You also should report that crime to the Gardaí (the Irish police) on 999 or 112. When you report a crime to the Gardaí you have an entitlement to receive a formal written acknowledgement of what you have reported. You usually have an entitlement to a copy of any statement you make to the Gardaí.

You are entitled to be told by An Garda Síochána (the police force) about any victim support services, including specialist services, which may be able to help you. If you wish, the Gardaí can also refer you to these services.

Usually, you also have the right to be accompanied by a person of your choice and your lawyer, if you wish, whenever you:

- approach the Gardaí for the first time to tell them about the crime
- complain to the Gardaí that a crime has been committed against you.

If for whatever reason your parent or guardian can't come with you, an 'appropriate person' like another suitable adult, can be asked to come instead.

As a person under the age of 18 you are automatically presumed to need special protections as a victim of a crime. This includes having any interviews carried out by a person who has specialised training.

Your interview may be recorded on DVD, and that recording may be played back in court.

The Gardaí must consider your best interests and your views when carrying out an assessment of what special protection measures you need.

It is up to the Gardaí and the Director of Public Prosecutions (DPP) to decide whether or not to investigate a crime and bring it to court. Where a decision is made not to prosecute, you have the right to ask for a summary of the reasons for this decision.

Will I have to speak in court about what happened to me?

As the victim of the crime, you may be asked to appear in court as a witness to the crime if the accused person does not plead guilty.

If you are under the age of 18 you are automatically presumed to need special protections. These special protections include the right to avoid contact with the offender. This can mean testifying:

- from a different room, using a video link
- from behind a screen.

It can also mean that you will not be questioned by the accused person themselves. Neither can you be questioned by a lawyer for the accused person on parts of your private life that are unrelated to the offence.

Finally, it can mean that the court is closed to the general public. This means the news media reporters must not report anything that could lead to a child being identified.

A victim can also prepare a victim impact statement. If the accused is found guilty, when it comes to sentencing this statement may be read by the judge or by the victim themselves to the court.



7.2 Exploitation

What is trafficking?

Human trafficking is the moving of people from one place to another to be used and exploited. Victims are trafficked into various types of work, including farm work or domestic work or may be forced into prostitution.

In the case of children, it is still trafficking even if there is no violence, deception or threats.

Where can I go for help?

If you or someone you know is being exploited, you can contact your local Gardaí. If you want to report it anonymously, you can contact Crime Stoppers on 1825 0022. You can also send an email, anonymously and with strict confidentiality, to blueblindfold@garda.ie.

You can find information about support services on the national anti-human-trafficking website www.blueblindfold.gov.ie.

What should I do if I am being forced to commit a crime?

If someone you know is forcing you to carry out an illegal activity like carrying drugs, you should talk to an adult you trust about what is happening to you. You can also contact your local Gardaí. If you want to report it anonymously, you can contact Crime Stoppers on 1800 250 025.



7.3 Witness to a crime

Should I tell the Gardaí if I have seen a crime take place?

You should report all crimes to the Gardaí. For some serious offences, like a sexual offence against another child or a vulnerable adult, it is a crime not to tell the Gardaí what you know.

Will I have to go to court if I am a witness to a crime?

You might. It depends on what you saw or heard and whether or not the State wants you to be a witness in the case. If you are asked to tell the court what you saw, you can avoid being in the same room as the accused person. You may be able to do this by giving your evidence during the trial:

- from behind a screen, or
- by a live video link from a different room in the courthouse.

Will the alleged criminals know it was me who reported them?

The alleged criminals will not necessarily be told who reported the crime. However, if a young person provides a formal written statement of complaint to Gardaí and the Director of Public Prosecutions decides the case should proceed to trial, that statement will be shared with the accused before the trial. Anyone accused of a crime has a right to hear the evidence against them, and so they will be able to see and hear what you say to the court.

Is there support available to me if I am a witness to a crime?

Yes, there are a number of supports available to you like:

- the Court Support Service, phone 01-872 6785 or 087 288 552
- Childline, phone 1800 66 66 66
- Crime Victims Helpline, Freephone 116006, text 085 1337711.



7.4 Suspected or accused of a crime

What is the age of criminal responsibility?

In Ireland the age of criminal responsibility is 12 years of age. This means that children who have not reached the age of 12 years cannot be charged with an offence. However, there is an exception for children aged 10 or 11 who can be charged with murder, manslaughter, rape or aggravated sexual assault.

If you are under age of 12 and the Gardaí have reasonable grounds to believe that you have committed an offence they must take you to your parent or guardian.

Can I be searched without a warrant or without my consent?

If a Garda has good reason to think you have committed an offence, they can search you without your consent, This applies to everyone under the age of 18.

The Garda does not need the consent of your parent or guardian. The Garda should tell you why you are being searched.

Gardaí usually need a search warrant to search a house or other premises. A court, or sometimes a senior Garda, can issue a search warrant. If a search requires anything more than searching your pockets it should be carried out by a member of the same sex.

Can a Garda search my car?

A Garda can search your car if they have good reason to think that:

- you have committed or are about to commit an offence under the Offences Against the State Acts, like a homicide or other specific offence, or
- you have a controlled drug like cannabis or heroin or others specified under the Misuse of Drugs Acts.

A Garda can also search your car under various other powers.



When can a Garda enter my home?

Generally, a Garda cannot enter your home without your consent. However, there are some exceptions. The most common is if the Garda has a valid search warrant or is chasing a suspect.

Does a Garda need a warrant to search my home?

A Garda needs a warrant for most entries and searches of property, but not for all. For example, a Garda can enter your home if they believe someone is committing a crime within it.

Are shop security guards or other people allowed to search me?

Security guards and other people do not have any power to search you without your permission. They may only keep you against your wishes if they believe you have committed an offence and are attempting to avoid arrest by the Gardaí. If a security guard or another person does arrest you, they must transfer you to Gardaí as soon as possible. The Gardaí may search you if necessary.

Can the Gardaí arrest me if I am under 18?

The Gardaí have the same powers whether they are dealing with a child, a young person or an adult. But, if you are under 18, the Gardaí must take more account of your age and your level of maturity.

Will the Gardaí tell my parents if I am arrested and brought to a Garda station?

The Garda in charge of the Garda station must tell your parents or guardian that you are in custody, why you are there and that you have the right to a solicitor. This Garda must ask your parents or guardian to come to the station as soon as possible.

Can the Gardaí question me on my own?

No, you have the right to have a solicitor with you during questioning. You may be able to access free legal advice under the Garda Station Legal Advice scheme, for more see the [Legal Aid Board website](#). If not, you or your parent or guardian will have to pay to have a solicitor with you during questioning.

In addition, if you are under the age of 18, the Gardaí are not allowed to question

you or ask you to make a written statement without your parent or guardian present, except if:

- they cannot get in touch with your parent or guardian
- your parent or guardian has been told but has not come to the Garda station within a reasonable time
- the Gardaí believe that people or property might be at risk of harm if questioning is delayed.

The Gardaí can refuse to let your parent or guardian sit in on the interview. They can do this if they believe that your parent or guardian could have been involved in the suspected offence or that their presence might cause an obstruction of justice. This might happen, for example, if the Gardaí thought your parent might interfere with the interview process.

However, if the Gardaí want to question you without one parent or guardian present, they must try and arrange for your other parent, another relative or some other responsible adult to be present at the interview.

Where will I be held in the Garda station?

The Garda in charge of the Garda station must make sure that you are not detained with adults unless there is no other secure accommodation available.

Do I have the right to know the reason for my arrest?

Yes. You have the right to be told in clear, easy to-understand language that you are under arrest and the reason why.

Where can I find out about my rights when dealing with the Gardaí?

See the 'Child and Young Person' section of the Irish Council for Civil Liberties Know Your Rights guide on criminal justice and Garda powers. You can find this on the [Know Your Rights website](#).

The guide will tell you about your rights when dealing with the Gardaí, and about:

- Garda search powers
- Garda powers of arrest
- Garda public order powers.

7.5 Diversion programme

What is the Diversion Programme?

A child suspected of breaking the law is generally referred to the Diversion Programme by the Gardaí. If you accept responsibility for breaking the law you can be considered for the Programme. The exception is when the Gardaí believe this would not be in the interest of society.

The programme aims to divert children from committing further offences by giving the child a warning known as a 'caution'. You may be included in this programme if you:

- accept responsibility for breaking the law (also known as 'committing an offence')
- consent to be cautioned
- are aged between 12 and 18.

However, this depends on the severity of the offence or your previous record of offending.

You may also be supervised by a Juvenile Liaison Officer (JLO). You have the right to talk to your parent or guardian and a solicitor before you make this decision.

How does the Diversion Programme work?

The Diversion Programme aims to prevent any child who has committed an offence from entering the full criminal justice system – it offers them a second chance.

There will be a meeting to discuss and highlight the seriousness of your offence and its effect on the victim or victims attended by:

- you
- your parents or guardian
- your Juvenile Liaison Officer (JLO)
- possibly another member of the Gardaí
- the victim.

To be included in the Diversion Programme and possibly receive a caution you must accept responsibility for your criminal behaviour and agree to engage with your JLO.

You must take steps to make sure you don't do anything again that is against the law. You may be required to stay in school or say sorry to the victim. You may also be supervised by a JLO for up to 12 months.

What are Garda Youth Diversion Projects (GYDPs)?

The Diversion Programme is supported by a network of Garda Youth Diversion Projects (GYDPs). GYDPs are community based and supported youth development projects that seek to divert young people from becoming involved (or further involved) in anti-social or criminal behaviour. There are currently 106 GYDPs state-wide and 10 projects with a special focus (for example more challenging children or family support.) The Diversion projects are operated by organisations like [Foróige](#) and [Youth Work Ireland](#).

Each young person involved in a Garda Youth Diversion Project goes through an assessment process to identify their individual needs and strengths. This allows the project to tailor a programme of activities specifically to meet the needs of the young person.

Will anyone know that I am involved with the programme?

No, your involvement in the Diversion Programme is confidential. A judge will be told of previous inclusion in the Diversion Programme if you are convicted in court of offences after you were in the Diversion Programme.



7.6 Before the courts as the accused

What is the Children's Court?

If you are considered unsuitable for the Diversion Programme, you may face prosecution and have to go to court. In these circumstances, you will go to the Children's Court.

This Children's Court hears cases involving children and young people under the age of 18. There is a Children's Court building in Dublin. Outside Dublin, the Children's Court is usually held in a District Court building on a different day to the court hearings for adults.

The Children's Court can deal with most criminal cases that involve a young person under 18 and young adults who were children at the time of the offence.

It does not deal with serious offences like manslaughter. Serious offences are sent forward from the Children's Court to the Central Criminal Court.

Sometimes a young person charged with a serious offence can choose to go before the Judge of the Children's Court or be tried in an adult court by a jury.

You may have a solicitor who you have met in their office. Sometimes this solicitor will represent you in court. Sometimes the solicitor will instruct a barrister to represent you instead on his or her behalf.

What should I expect in the Children's Court?

The courtroom is a formal place and you are expected to behave in a formal way. Ask your solicitor or barrister before your hearing to explain:

- what the courtroom looks like
- who will be attending your hearing
- where everyone will sit.

If you don't understand what is happening during the hearing, ask your solicitor or barrister to explain the hearing to you.

If you come before the Children's Court, it is important that you continue going to school or attend education or training and do not commit any crimes. The judge may take this into consideration when they are deciding on your case and looking at whether or not you have tried to improve your behaviour.

What are my rights if my case goes to court?

If you have committed a more serious crime, you will go either to the Circuit Court or the Central Criminal Court.

You will have the right to have your parent or guardian with you for the hearing.

Will my case be heard differently from an adult case?

Yes. In the Children's Court, your hearing will be at a different time, on a different day or in a different courtroom than regular adult court hearings. That means you won't be in the same place as adults who are facing criminal charges.

The judge should also run the trial so that you understand what is happening.

Will my identity be made public?

It depends on which court you attend. In general, if you are under 18, the court will sit in private with those present only:

- court staff
- solicitors
- barristers
- your parents or guardians
- the Gardaí.

Your name should not appear in the media or online. If someone tells your identity to the public, they can be fined or sent to prison.

In the Children's Court, names are called by initials. When you are waiting for your case to be called, you will be sitting with other children and their parents or guardians and solicitors. Your case might be reported in the newspaper but your name, or any other identifying features, like your school, will not appear.

Will a solicitor (a type of lawyer) represent me in court?

Yes. The type of solicitor will depend on the nature of the charges against you, and your family's ability to pay for one. If your family cannot afford a solicitor, you may qualify for legal aid (a free lawyer). Before you are appointed a solicitor, the Director of Public Prosecutions must decide if you will go before the Children's Court or the Central Criminal Court for a jury trial.

Your solicitor will tell you what will happen at the conference and in court. You should always ask your solicitor if you are unsure about what is happening in court or what will happen afterwards.

What could happen when my case comes before the court?

One of three things could happen, the judge may:

- hear your case
- adjourn your case
- 'strike out your charge'.

Your case is heard

If the judge decides to hear your case, they may:

- put off making a decision on the charge and send you to the Young Persons' Probation Service for a meeting called a family conference, or
- order a probation report – this means that a probation officer will be asked to examine your case and your personal circumstances, or
- convict you of the charge and sentence you.

The judge may adjourn your case

This means that the case will be postponed and heard on another day.

If this happens, the judge might decide to keep you in custody. This means sending you to a detention centre until your case is heard – this will only happen if the charge is very serious or if you are continually breaking the law. This is known as being held 'on remand'. If you are held in a detention centre on remand you have the right to be held separately from other young people who have been convicted.

The other option is that the judge may grant you bail. This means that your parent or guardian will have to pay money or promise to pay money to keep you out of detention. If the judge grants you bail, it will probably include strict conditions like:

- a curfew (where you **have to** stay in at certain times)
- staying away from certain people or places
- not drinking alcohol
- not taking illegal drugs
- going to school.

If you break these conditions you may be placed in detention. If bail is refused by the Children's Court, an application for High Court Bail can be made by your solicitor.

Strike out your case

The judge may decide to 'strike out' your charge. This means that nothing further will happen in your case, but you could be charged again depending on the circumstances.

What happens if the judge sends me for a family conference?

A family conference is a meeting between you, your family and a probation officer. At this meeting you will work with these people to work out a plan for you to follow instead of you being convicted and sentenced. The aim of the plan is to stop you offending.

What happens if I am found guilty of an offence and convicted?

If you are found guilty of an offence and convicted, the judge will sentence you to either a community sanction or detention. This will depend on:

- the crime you committed
- how serious it was
- your personal circumstances as assessed by a probation officer.

The court order you to:

- pay a fine
- receive probation bond which is when you are required to behave within the law and may also have conditions attached to it such as living in a particular place or staying out of a certain area.
- be detained (if the offence is very serious).

Probation and detention are explained in the next sections.



7.7 Probation

What is probation?

Probation is a formal warning that the judge may give you instead of sending you to detention. The court may order you to stop the offending behaviour and may set down certain conditions for your behaviour for a specific length of time. You will be given a probation officer whose job it is to make sure that you follow the conditions of the court order. Conditions may include:

- continuing with education or training
- doing a drug or alcohol course
- engaging with Le Chéile Mentoring, a one to one programme that will be able to offer some support and general guidance for you.

What happens if I don't follow my probation conditions?

You can be brought back before the court. The court may direct you to comply with the condition or cancel the order and replace it with another community sanction.

Is there a special probation service for young people?

The Young Persons' Probation (YPP) Service is a special division of the Probation Service which works with young people aged 12 to 18 who come before the courts. The YPP promotes community-based sanctions (such as a community service order or a fine) and restorative justice (this is where victims are given the opportunity to meet or communicate with the offender to describe and explain exactly how the crime has affected them) to reduce re-offending.



7.8 Detention

Can I be sent to prison?

No. Young people under the age of 18 cannot be sent to prison. However, the judge may decide that a young person is to be removed from the community, either:

- while the judge is deciding what to do, or
- because the judge has decided to send a young person to detention.

If the judge decides a young person is to be removed from the community, they send the young person to Oberstown Children Detention Campus in Dublin. The Campus aims to provide appropriate educational and training programmes. It provides care, education and training, but it is a secure facility which means you are not free to come and go. Though the Campus aims to maintain and encourage family relationships, if you are in detention, it may affect how much contact you have with the outside world.

What will happen when I am in Oberstown?

Oberstown's objective is to provide safe, secure and appropriate care so you can meet your health and education needs. Oberstown will help you to address your offending behaviour and prepare you for your return to your families and communities after you are released from detention.

For more information on what will happen see the [Oberstown Information Guide](#) for young people.

What are my rights while I am in detention?

You have a right to have your health, safety and welfare looked after. You should be provided with education. You can do Junior and Leaving Cert subjects and exams or QQI (Quality and Qualifications Ireland) modules. Classes run for 45 minutes each. You will have three or four classes each day.

- You should receive proper care and be able to maintain and develop relationships with your family.
- Your personal, cultural and linguistic needs should be recognised.
- You must be treated with respect and protected from discrimination and harm, including bullying.

If you require medical treatment that cannot properly be provided for on the Campus, the Director of the Campus should make arrangements for you to be admitted into a hospital. All decisions should be made in your best interests and you have a right to have your voice heard while in Oberstown. You can take part in a range of meetings including meetings about your care and unit meetings.

Can I complain about my treatment in detention?

Yes, you can complain about your treatment to your key worker who is a member of the Oberstown staff. You can also speak to the management at Oberstown.

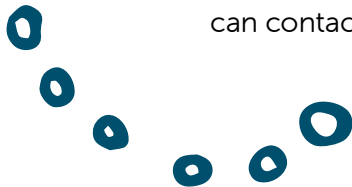
- The complaints system should be fair and easy for you to access.
- You should also be provided with clear information and support on how to complain.
- Your key worker can explain the complaints process to you.
- You should receive feedback on any complaint made.

Empowering People In Care (EPIC) also provides a monthly visiting service to help you understand your rights. If you want to make a complaint while you are in detention, EPIC will help you to do so. You can contact EPIC directly on (01) 872 7661.

If you are not happy with the response to your complaint, you can appeal to the Director of Oberstown. If you are not happy with the outcome (result) of the appeal, you can complain to the Ombudsman for Children.

You can also complain to the Health Information and Quality Authority who carry out inspections of Oberstown and publish inspection reports. They will not publish details of your complaint, but it may affect their next inspection.

If you would like information about how to navigate the complaints process you can contact the **Children's Rights Alliance** Information Line on 01-902 0494.



Do I have to tell people that I have a conviction?

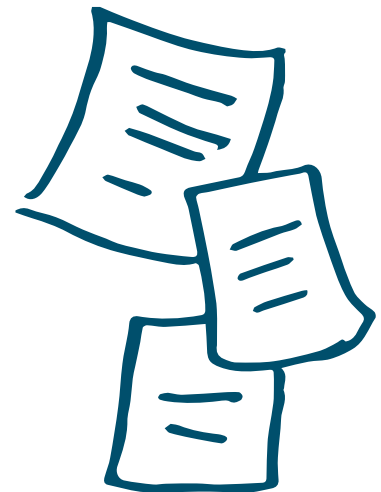
This depends. If your offence was less serious, you can have your conviction removed from your record providing you do not offend again for three years after you turn 18. If this happens, you do not have to tell anybody about the offence. Your inclusion in the Diversion Programme may be disclosed (shared) if you are undergoing Garda Vetting depending on the circumstances.

Some convictions cannot be removed from your record, for instance if you were convicted in the Central Criminal Court or if your offence came under the Sex Offenders Act 2001. For more information, contact the Children's Rights Alliance Information Line on 01-902 0494.

Different countries may still require you to tell them about your convictions if you are looking for a visa to travel or emigrate there. This includes the USA and Australia. A conviction might prevent you getting a visa or being allowed to emigrate there. For more information on this you should contact the embassy of the country you are looking to travel to.

How do I get eligible convictions removed from my record?

Eligible convictions should be removed from your record automatically. If you think convictions that should have been removed still appear on your record, you should contact the [National Vetting Bureau](#) and ask them about it.



My rights online



Chapter 8



At what age can I legally access services online, like join a social media platform or use connected toys?

For most services, such as Google, there is no law on what age you can access them.

Social media platforms have to be careful about how they handle your data because you are a child.

Many services have a user age of 16 but it is up to your parent or guardian to make sure you are not underage.

In special circumstances a service may need to obtain your parents or guardian's consent before you sign up. By social media platforms, we mean apps like Snapchat, YouTube, Instagram and TikTok. By connected toys, we mean toys that you can interact with directly or through an app.

What is my personal data?

Your personal data is information that relates to you and makes you identifiable. Personal data includes your name, address, date of birth, your medical information, your personal email address, your location data, your mobile or device's IP address (this is a unique and identifiable code for your device that allows it to operate on the internet).

Why do companies want my personal information?

When you sign up to an online service such as a messaging or gaming app or connect a toy to an app, you must first provide the service with personal information and agree to the terms of service of the app. Apps, particularly those that are free to use, often make money by using your personal information to target you with advertising or sell your information to other companies to do the same.



How can I protect my privacy and personal data online?

There are a number of steps you can take to protect your privacy online including:

- if you are a child you have special protections online to benefit these give your true age when asked by an app
- checking the privacy steps on the apps you are using to make sure that your profile is not publicly visible
- using complex passwords on your online accounts
- look up the privacy information on an app and if you do not undertaken it tell the company who run the app by sending an email
- switching off the location sharing settings on your device and apps.

For more information, visit [SpunOut.ie](https://www.spunout.ie).

How can I keep myself safe online?

Protecting your privacy online is an important part of keeping yourself safe. Remember that not everyone is who they say they are online and you can't be sure of their identity. You don't have to do anything you don't feel comfortable with. You can mute, block and report people who are being abusive.

You can find more information on [Webwise](https://www.webwise.ie), the Irish Internet Safety Awareness Centre. It has tools and tips to help parents, teachers and young people with internet safety. It also provides information about different apps, games and social networks. [Cybersafe Ireland](https://www.cybersafeireland.ie) has useful resources on their website on safe internet use.

The [Irish Internet Hotline](https://www.irishinternet.org) allows anyone to confidentially report distressing or troubling content that they come across online. It also has advice and information for parents, guardians and young people about internet use.

Is it legal for me to share intimate photos of myself online or through a messaging app?

If you are under 18 and you send a sexual image of yourself, it is considered child exploitation material under the law. This means that you and the person you send it to could be in very serious trouble. This is because possessing or distributing explicit images of a young person under 18 is illegal and can lead to criminal prosecution.

Penalties can include jail time, a fine and being placed on the sex offenders' register. If you find yourself in this situation you can seek help from a social worker or Gardaí who might be able to help contain the image or video.

Is it legal for me to share intimate photos online of someone else who is under the age of 18?

No. It is not legal to share intimate photos of someone else who is under the age of 18. The law views posting or spreading pictures like these as distributing child sexual abuse material often referred to as child pornography.

Possession of these types of photos is also illegal, even if you have not posted them anywhere else or shown them to anyone.

What should I do if someone under 18 shares an intimate photo of themselves with me?



Creating, distributing or even possessing any explicit image of someone under 18 is a potentially criminal act and should be reported to An Garda Síochána.

What should I do if I see something that troubles me online?

Most websites have a system where you can report a post or picture that you find distressing or troubling. If you come across something more serious that you suspect to be illegal like child sexual abuse material, you can report it anonymously in a secure and confidential way on www.hotline.ie.

You should also talk to a trusted adult about what you have seen and discuss how it made you feel.

If I am being bullied online what should I do and who can I complain to?

Bullying happens online as well as offline. For more information on bullying generally, see page 53 of this guide. Online bullying or cyberbullying is like offline bullying but happens through technology. It can take the form of unwanted messages, videos, audio or pictures that are harmful or abusive.

If you feel that you are being bullied, there are a number of things you can do.

Tell an adult

If you are being bullied, it is important to tell an adult you feel you can trust like a parent, teacher or guidance counsellor.

If there is nobody around, you can call Childline on 1800 66 66 66 to talk to someone supportive or Teenline on 1800 833 634.

If the bullying is focusing on you being gay, lesbian, bisexual or transgender, you can contact a support organisation like [BeLonG To](#).

Don't reply

Don't reply to bullying texts, emails or abusive postings on social media websites. Replying can often make the situation worse.

Keep a record

If possible, keep a record of the upsetting or hurtful messages (you don't have to read them). If they are text messages, save them. If there are online postings or messages, take a screen shot or email them on to an adult you trust.

Tell your mobile operator

If the bullying is taking place over a mobile phone, tell your mobile operator, change your phone number by getting a new sim card and keep your details private.

Check your privacy settings

If someone bullies you online, you can use the privacy settings to make sure the bully cannot see your information or write comments to you.

Remove hurtful comments

If someone leaves a hurtful comment, you can either remove it yourself or contact the site administrators and ask them to take it down immediately.

Tell Gardaí

If the bullying is persistent or someone makes racist or inappropriate sexual comments to you online, you can report this to the Gardaí or to www.hotline.ie.

What to do if someone confides in you

If someone you know tells you that they are being bullied online, it is important to tell an adult or someone you trust so that the bullying can be dealt with. You should also encourage them to talk to a trusted adult.

What to do if an image or video of my child is shared online?

If images or videos of your child have been used for a purpose for which you did not consent, you can contact the person who used them and ask them to take them down.

You can also contact the person who holds the copyright for the image (for example if you consented to the school taking the photo for a particular purpose) and let them know it is being used for something for which you did not give permission. The copyright holder can then ask an online platform to take the image down.

You can also contact the [Data Protection Commissioner](#) to make a complaint.

What should I do if an intimate image or video of my child is shared online?

If your child is under the age of 18, any intimate photos involving them could be considered child sexual abuse material. It is illegal for anyone to share these images or possess them.

You should report this to the Gardaí and keep any evidence of where the material has been shared and who shared it. If you know who has shared or posted the images it may be a good idea to check to see if they have shared the images with anyone else.

My right to shelter

Chapter 9



What supports am I entitled to if I am homeless without my family?

If you are homeless and without your parent or guardian, or if you are in crisis and need emergency care, you can contact your local social worker in **Tusla** (the Child and Family Agency).

If it is after 5pm or the weekend and the office is closed, contact your local Garda station where a member of the Gardai will contact a social worker for you.

The social worker will assess your needs and try to find accommodation or care for you. The social worker may contact your family if it is appropriate to do so. Or, the social worker may place you in emergency homeless accommodation.

Emergency and homeless services are provided through the Crisis Intervention Service in Dublin, Kildare and Wicklow and through the Emergency Place of Safety Service in the rest of the country.

There are also a number of organisations, like **Focus Ireland**, who work with young people who find themselves homeless. See page 186 in chapter 10 'where can I go for help' for details..

What supports are available if I am homeless with my family?

During working hours (normally 9am -5pm, Monday to Friday) your family should go to the local authority which has a general responsibility to provide housing to adults who cannot provide it for themselves, along with those who normally live with them. They can help with accommodation by providing housing directly (social housing) or through arrangements with voluntary housing organisations and other voluntary bodies. In crisis situations, they may provide emergency accommodation, such as hotel rooms or family hubs or they may agree to pay for accommodation in a hotel or Bed and Breakfast. Outside working hours in Dublin, you can contact Dublin Regional Homeless Executive Freephone at 1800 707 707.

If you need information about available services, contact Focus Ireland on 01-671 2555 or Facebook [@focusirelandcharity](#).



Can I choose where I am placed – can I be placed near my school, my old home or my friends?

No, unfortunately you and your family will have limited control over where you are placed. It depends where there is available accommodation. You may have to move away from your local community and go to a different school.

Can I get help with the cost of travel?

If your family are homeless in Dublin for at least one month and are living in emergency accommodation, you can access LEAP cards to cover the cost of travel to and from school. The LEAP cards are distributed by the Focus Ireland Family Home Action team, **OR** you can get it from the organisation running a family hub if you are in its family hub. Each card is loaded with €150 of credit. Cards are not reloaded with credit but are replaced with new cards with new credit.

There is no LEAP card programme outside of the Dublin region. If you and your family require additional support in order to fund travel to school from emergency homeless accommodation, you can apply to the Community Welfare Service for an Exceptional Needs Payment.

Do I have to tell my school that I am homeless?

No, you do not have to tell the school that you are homeless, but your parents or guardian may want to inform them that you have changed address so that they can receive documents or letters. Sometimes it can help to talk to a teacher or let others in school know what you are going through, but that is your choice.

Does my school have to make allowances for me if I am homeless?

There is no official guidance for schools on how to deal with children who are experiencing homelessness. Many schools try to make allowances if they know you are homeless. They might:

- look at how they can support you with homework
- allow you to leave books in the school rather than carry them back to your accommodation
- allow you to catch up on missed sleep
- support you with school supplies.

This depends on the school and the resources that they have.

Are there school supports I can access if I am homeless?

If you go to a school that is in the Delivering Equality of Opportunity in Schools (DEIS) programme, you can ask about accessing supports like the Home School Community Liaison Officers. Some schools may also have funding to help with school costs.

Some schools run breakfast clubs, or they are part of the School Meals Programme so might have lunches. This might be helpful if you have to leave your emergency accommodation before you have a chance to eat breakfast.



What supports can I access if I want to talk about my situation?

Childline offer a wide range of support and are available at any time to contact by:

- free phone 1800 66 66 66
- free texting 50101
- live messaging them on their [website](#).

Chapter 3 gives advice on where children can access support and information about their mental health.

For parents and guardians

Can I get extra help with childcare?

Parents who are homeless and have children under the age of five can get free childcare for 25 hours a week. This includes 15 hours of free pre-school where children are eligible. It also includes a daily meal.

Parents should not be asked to pay any top-up or co-payment for these part-time hours. For more information, contact your local [city or county childcare committee](#).

Chapter 10

Where can I
go for help?



There are a number of organisations and bodies that are mentioned in this guide. They are grouped together by theme and listed here in alphabetical order along with a short description of what they do and how they can help you. You can complain to some of the organisations and bodies directly, but with others you may have to get your parent or guardian or trusted adult to find out information for you to make a complaint on your behalf.

Index to useful organisations and bodies

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1. Complaint and redress bodies (redress means remedy)

If you wish to make a complaint, you should first raise the issue with the organisation or person that you feel has breached your rights to give them a chance to fix the problem. You can do this informally. Use their complaints form if they have one or put your complaint in writing including details of times, dates, why you are unhappy and what the organisation or person could do to make things better. If you are dissatisfied with the response or you feel that the matter has not been resolved, one of the following bodies may be able to help you.

Competition and Consumer Protection Commission



This agency can provide you with information on consumer rights, how to manage your money and on product safety. If you think a business has breached your consumer rights, you can report the business to the National Consumer Agency.

Competition and Consumer Protection Commission
Bloom House
Railway Street
Dublin 1
D01-C576

Consumer Helpline on Lo-call 1890 432 432 or
01 402 5555 (open 9am to 6pm Monday to Friday)

www.ccpc.ie/consumers/

Data Protection Commissioner



The Data Protection Commissioner investigates complaints by individuals if they feel their personal data has not been protected.

The Commissioner's website has a plain English guide on your rights under data protection law, as well as a chart for young people outlining their data protection rights and responsibilities. They also have a template for you to use if you are looking to make a data access request to an organisation on www.dataprotection.ie

Data Protection Commission
21 Fitzwilliam Square South
Dublin 2,
D02 RD28

Opening hours 9.15am to 5.30pm (5.15pm Friday)
Phone: 0 578 684 800
0 761 104 800

www.dataprotection.ie/

Webforms: forms.dataprotection.ie/contact

GSOC (Garda Síochána Ombudsman Commission)

You can complain to the Garda Síochána Ombudsman (GSOC) about the behaviour of a Garda if:

- 1) it has affected you directly,
- 2) you were a witness to the behaviour, or
- 3) you want to do so on behalf of someone else and you have their permission.

You must complain within six months of the incident taking place, unless you have a good reason for the delay. Your parent or guardian can also complain on your behalf. The GSO will decide if they can consider your complaint (if it is 'admissible'). If it is admissible, the Ombudsman may refer the complaint for mediation, or the Garda Commissioner may investigate your complaint. If the complaint is upheld, disciplinary measures may be taken against the Garda in question or it may, if more serious, be referred on for criminal prosecution.

Garda Síochána Ombudsman
150 Upper Abbey Street
Dublin 1
D01 FT73

Email: info@gsoc.ie
Phone: 1890 600 800
www.gardaombudsman.ie



Irish Human Rights and Equality Commission

The Irish Human Rights and Equality Commission (IHREC) works to protect and promote human rights. It also makes sure that discrimination does not occur in relation to any of the nine areas outlined in equality legislation: gender, marital status, family status, age, disability, race, sexual orientation, religious belief or membership of the Traveller community.



Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas
Irish Human Rights and Equality Commission

You can complain to IHREC if you feel that you have been discriminated against or your rights have not been respected. IHREC can provide you with information on equality law and human rights.. It may provide legal assistance if you have been unlawfully discriminated against in accessing a service like school, employment or public transport. However, you cannot complain of discrimination based on your age. You can also ask IHREC to carry out an enquiry or to give you legal advice or assistance to take a case if you feel that your human rights have been breached or ignored. However, it will only consider your request for an enquiry or take a legal case where there is no other more appropriate body to deal with your complaint.

The Irish Human Rights and Equality Commission
16-22 Green Street
Dublin 7,
D07 CR20

Phone: 01 858 9601
LoCall: 1890 245545
Email: info@ihrec.ie
www.ihrec.ie

Office of the Ombudsman

The Ombudsman's role is to examine complaints from members of the public who believe that they have been unfairly treated by certain public service providers. These include:

- Government departments
- local authorities
- the Health Service Executive (HSE)
- agencies, like charities and voluntary bodies, that deliver health and social services on behalf of the HSE
- public hospitals
- publicly funded third-level education bodies
- public and private nursing homes

The Ombudsman also examines complaints about failures by public bodies to provide accessible buildings, services and information, as required under Part 3 of the Disability Act 2005. For these types of complaints, the term '**public body**' includes government departments, local authorities, the HSE and semi-state bodies, as well as most other state organisations.

Office of the Ombudsman
18 Lower Leeson Street
Dublin 2,
D02 HE97

Phone: 01 639 5600
Lo-call: 1890 22 30 30 (charges may vary)
Email: info@ombudsman.ie
www.ombudsman.ie/



Office of the Information Commissioner

If you are under 18 your parents can apply for any records or documents that a public body holds about you under Freedom of Information (FOI) legislation. The Information Commissioner's Office carries out independent reviews of decisions taken by public bodies on FOI requests.

If the FOI request is refused, then you or your parents may appeal this decision to the Information Commissioner. You must have asked the public body to review its original decision before you can ask for a review by the Information Commissioner. The review is free if it relates to personal records.

Open between 9.15am to 5pm Monday to Friday.

Office of the Information Commissioner
18 Lower Leeson Street
Dublin 2,
D02 HE97

Tel 01 639 5689
Email: info@oic.ie
www.oic.ie/



Office of the Ombudsman for Children

This Office advises the Government on young people and children's matters. It also handles complaints. If you are under 18 and have been negatively affected by a decision made by a State or public body, you can complain to the OCO. The Ombudsman looks at complaints against a wide range of bodies including government departments, certain schools, hospitals, public bodies or organisations providing services on behalf of the State. You can complain directly if you are under 18 or your parents can complain on your behalf.



Ombudsman for Children
Millennium House
52-56 Great Strand Street
Dublin 1,
D01 F5P8

Phone: 01 865 6800
Freefone: 1800 20 20 40
Email: oco@oco.ie
www.oco.ie, www.itsyourright.ie

Social Welfare Appeals Office

The Social Welfare Appeals Office operates independently of the Department of Employment Affairs and Social Protection. It aims to provide an independent, accessible and fair appeals service with regard to entitlement to social welfare payments and to deliver that service in a prompt and courteous manner. You can find details of how to complain on their website.



Social Welfare Appeals Office
D'Olier House,
D'Olier Street
Dublin 2,
D02 XY31

Monday–Friday, 10am–12.30pm and 2.30pm–4pm

Email: swappeals@welfare.ie
Locall 1890 74 74 3401
01 6732800
www.socialwelfareappeals.ie/

Workplace Relations Commission

The Workplace Relations Commission (WRC) is an independent, statutory body. The Commission's core services include the inspection of employment rights compliance, the provision of information, the processing of employment agency and protection of young persons (employment) licences and the provision of mediation, conciliation, facilitation and advisory services. The WRC also provides redress for breaches of the Equal Status Acts for more see their [website www.workplacerelations.ie](http://www.workplacerelations.ie).



Information & Customer Service

Lo-call: 1890 80 80 90

Phone: 059 9178990

(9.30am – 5pm)

www.workplacerelations.ie

2. Legal organisations

You can seek advice from a solicitor if you have a legal query, need legal guidance or representation in legal proceedings or you need help to understand or draft legal documents. You might need to get legal assistance for such matters as employment law, immigration status or any legal matter.

You have a right to a lawyer if you are brought to court by the Gardaí. If you cannot afford a lawyer, the judge will order that you are provided with one free of charge. If you need a lawyer for some other reason, another adult like your parent or guardian can make contact with one on your behalf. Below are some contact details for legal services that deal with issues other than criminal matters.

Statutory bodies

Legal Aid Board

The Legal Aid Board is responsible for legal aid if you can't afford to pay for legal assistance. It provides legal aid in relation to civil matters – for example, family law, childcare proceedings, personal injuries or applications for asylum. You have to meet a means-test meaning your income falls below a certain amount and a 'merits' test meaning that your case must have a chance of success.



You cannot apply for criminal legal aid through the Legal Aid Board, instead you apply directly to the judge in your case.

Head Office
Quay Street
Cahirciveen
Co. Kerry

Phone: 066 947 1000

Dublin Office
48-49 North Brunswick Street
Georges Lane
Smithfield
Dublin 7,
D07 PEOC

Phone: 01 646 9600 LoCall: 1890 615 200

Email: info@legalaidboard.ie

www.legalaidboard.ie

Non- statutory bodies

The Bar of Ireland

This is the representative and regulatory body for barristers, who are a type of lawyer. If you are looking for a barrister or have a complaint about your barrister, you can contact the Bar Council.

Bar Council Administration Office
Four Courts
Dublin 7
D07 WDX8

Phone: 01 817 5000
Email: thebarofireland@lawlibrary.ie
www.lawlibrary.ie



THE BAR
OF IRELAND
The Law Library

Law Society of Ireland

This is the representative and regulatory body for solicitors. If you are looking for a solicitor or have a complaint about your solicitor, you can contact the Law Society.

Law Society
Blackhall Place
Dublin 7
D07 VY24

Phone: 01 672 4800
Email: general@lawsociety.ie
www.lawsociety.ie



Children's Rights Alliance Legal Information and Advice Service

The Children's Rights Alliance provides free legal information and advice on children's rights for children, young people, families and those working with them.

Children's Rights Alliance
7 Red Cow Lane
Smithfield
Dublin 7
D07 XN29

Helpline: 01 9020494
Email: help@childrensrights.ie
www.childrensrights.ie

Open Monday 10am–2pm and Wednesday 2pm–7pm



Free Legal Advice Centres (FLAC)

This non-governmental organisation works towards achieving access to justice. The organisation works across a range of issues and provides some basic, free legal services to the public through a telephone line and legal clinics nationwide. They also offer some specialised services in family, employment and immigration law. Some services are offered in Irish Sign Language and Irish language.



Free Legal Advice Centres
85/86 Dorset Street Upper
Dublin 1
D01 P9Y3

Information and Referral Line: 1890 350 250
Phone: 01 8873600
www.flac.ie

Mercy Law Resource Centre (MLRC)

Mercy Law Resource Centre (MLRC) is an independent law centre, registered charity and company limited by guarantee which provides free legal advice and representation to people who are homeless or at risk of becoming homeless in the areas of social housing and related social welfare law. The Centre also seeks to advocate change in laws, policies and attitudes which unduly and adversely impact its client group.



Mercy Law Resource Centre
25 Cork St
Dublin 8
D08 YD91

Phone: 01 453 7459
Email: info@mercyllaw.ie
www.mercyllaw.ie

3. Information on Public Services

Citizens Information Board

The Citizens Information Board is a public information service that provides detailed information about your rights to healthcare, housing, social welfare and education. The Board provides information through a network of over 250 Citizens Information Centres (CICs) around the country and through their website.

CICs can provide you with information or direct you to another appropriate body or mechanism which may be able to help you. You should call the helpline or visit their website to find the closest centre to you.

George's Quay House
43 Townsend Street
Dublin 2
D02 VK65

Phone: 0761 07 4000

www.citizensinformation.ie



Children and Young People's Services Committees (CYPSC)

Children and Young People's Services Committees (CYPSC) plan and co-ordinate services for children and young people in every county in Ireland. The overall purpose is to improve outcomes for children and young people.

CYPSC are county-level committees that bring together the main statutory, community and voluntary providers of services to children and young people. They provide a forum for joint planning and co-ordination of activity to ensure that children, young people and their families

For more information see their website www.cypsc.ie



4. Government Agencies and Departments

Department of Children and Youth Affairs

This government department is responsible for policies and services for children and young people in Ireland from their early years to becoming young adults. It also responsible for Tusla, the Adoption Authority of Ireland and the Office of the Ombudsman for Children.



An Roinn Leanaí
agus Gnóthaí Óige
Department of Children
and Youth Affairs

Block 1
Miesian Plaza
50-58 Baggot Street Lower
Dublin 2
D02 XW14

Email: contact@dcya.gov.ie
www.dcya.gov.ie
Freepost F5055
Phone: 01 647 3000

Department of Education and Skills

This is the government department responsible for education and training. They have oversight of education policy. They have a wide remit starting in children's early years right through to third level education and beyond. They are also responsible for school buildings, school transport and special educational needs education and supports.



An Roinn Oideachais
agus Scileanna
Department of
Education and Skills

Department of Education and Skills
Marlborough Street
Dublin 1
D01 RC96
Phone: 01 889 6400

Cornamaddy,
Athlone,
Co Westmeath
N37 x659
Phone: 090 648 3600

Portlaoise Road,
Tullamore,
Co Offaly
R35 Y2N5
Phone: 057 932 4300

www.education.ie

Department of Employment Affairs and Social Protection



An Roinn Gnóthaí Fostaíochta
agus Coimirce Sóisialaí
Department of Employment Affairs
and Social Protection

This is the government department that provides income supports, benefits, employment services, and advice to members of the public. The department's website contains information about available benefits and supports, and how to access them. It also has information on the location of your nearest social welfare office. www.welfare.ie

Gardaí

An Garda Síochána is the name of the Irish police service. Their functions include investigating crimes, carrying out crime prevention work and working with victims.



An Garda Síochána
Ireland's National Police and Security Service

Garda HQ
Phoenix Park
Dublin 8

Phone: 01-666 0000
Garda Confidential Helpline: 1800 666 111
Emergencies: 999
www.garda.ie

Health Service Executive National Information Line

The HSE provides all of Ireland's public health and personal social services, in hospitals and communities across the country. Ring this number for help finding the service you need.



Contact the HSE infoline from 8am to 8pm, Monday to Saturday.

Callsave: 1850 24 1850 or 041 6850300
Email: infoline1@hse.ie
www.hse.ie

Tusla, Child and Family Agency

The Child and Family Agency (Tusla) is the State agency responsible for improving well-being and outcomes (results) for children. The Tusla website contains information on child protection services, childcare, welfare, education, psychological services, and services that deal with different kinds of violence including sexual violence. It also helps you to contact a social worker in your area.



The Brunel Building
Heuston South Quarter
Saint John's Road West
Dublin 8
D08 X01F

Phone: 01-771 8500
Email: info@tusla.ie
www.tusla.ie
Feedback and complaints: www.tusla.ie/get-in-touch/feedback-and-complaints1/

5. Children's Organisations

Barnardos

Barnardos is an independent charity that works directly with children and families in need, providing services and support in 40 centres around the country. It also campaigns for children's rights in Ireland and provides training and resources to childcare professionals.

Barnardos
Christchurch Square
Dublin 8
D08 DT63

Phone: 01 453 0355

Callsave: 1850 222 300

Email: info@barnardos.ie

www.barnardos.ie



ISPCC

Irish Society for the Prevention of Cruelty to Children (ISPCC)
The ISPCC is a children's charity which advocates on behalf of all children in Ireland. It provides a range of independent services which are preventative and empowering in nature.

ISPCC
29 Lower Baggot Street
Dublin 2
D02 XT93

Phone: 01 676 7960

Email: info@ispcc.ie

www.ispcc.ie



6. Youth Organisations

Comhairle na nÓg

Comhairle na nÓg are child and youth councils operating in every local authority in Ireland. They give young people a voice on the services, policies and issues that affect them in their local area. You can find your nearest Comhairle na nÓg on their website.

Administrator direct line: 01 858 4520
Email: citizenparticipation@dcya.gov.ie
www.comhairlenanog.ie



Foróige

Foróige, the National Youth Development Organisation, is a leading youth organisation working with 56,000 young people aged 10-18 each year through volunteer-led clubs and staff-led youth projects. Find your nearest Foróige club on their website.

Foróige
Block 12D,
Joyce Way
Park West,
Dublin 12
D12 YOA6

Phone: 01 630 1560
Email: info@foroige.ie
www.foroige.ie



National Youth Council of Ireland (NYCI)

The National Youth Council of Ireland is the representative body for around 50 voluntary youth organisations in Ireland. It uses these organisations' experience to act on issues that affect young people.

NYCI
3 Montague Street,
Dublin 2
D02 V327

Phone: 01 478 4122
Email: info@nyci.ie
www.nyci.ie



SpunOut.ie

SpunOut.ie is a website created by young people for young people. It promotes general wellbeing and healthy living. The website provides easy access to relevant, reliable, and non-judgmental advice to help young people between the ages of 16 and 25 to make sound life decisions.

Supunout.ie
48 Fleet Street, Temple Bar
Dublin 2
D02 T883

Phone: 01 675 3554
Email: info@spunout.ie
www.spunout.ie



Youth Work Ireland (YWI)

Youth Work Ireland is a federation of 22 Local Member Youth Services and a national office. Youth Work Ireland combines and operates an Integrated Youth Services Model which delivers a range of targeted projects, services, youth clubs and programmes to young people.

Youth Work Ireland
20 Lower Dominick Street
Dublin 1
D01 YP97

Phone: 01 858 4500
Email: info@youthworkireland.ie
www.youthworkireland.ie



Youth Advocate Programme (YAP)

YAP provides support programmes for young people and families in Ireland. Young people and their families work with an advocate (a specially trained person to help improve links between you, your family and your community) for 6 months.

YAP
3rd Floor Park House
191-193a North Circular Road
Dublin 7
D07 ENV4

Phone: 01 868 9180
Email: info@yapireland.ie
www.yapireland.ie



LGBTI+ Young People

BeLonGTo

BeLonGTo is a national youth service for lesbian, gay, bisexual and transgender (LGBT) young people in Ireland. It provides direct services to LGBT young people in Dublin and supports LGBT youth groups around the country.



BeLonGTo
Parliament House
13 Parliament Street
Dublin 2
D02 P658

Phone: 01 670 6223

www.belongto.org

TENI

Transgender Equality Network Ireland (TENI) seeks to improve conditions and advance the rights and equality of Trans people and their families.



TENI

Phone: (01) 873 3575

Email: office@teni.ie

www.teni.ie/

Traveller and Roma Young People

Irish Traveller Movement (ITM)

The Irish Traveller Movement is a national network of groups and individuals that work within the Traveller community. Its regional networks aim to increase Traveller participation and provide support to Travellers at local level. Its National Working Groups address policy issues concerning Travellers, including those affecting young Travellers.



ITM

4-5 Eustace Street,
Dublin 2
D02 XN59

Phone: 01 679 6577

Email: itm@itmtrav.com

www.itmtrav.com

Pavee Point Traveller and Roma Centre

The aim of Pavee Point is to contribute to improvement in the quality of life and living circumstances of Irish Travellers and Roma by working for social justice, solidarity and human rights.

Pavee Point undertakes specific programmes with a number of key targets, including health, youth, community development, education, violence against women, communications, drug and alcohol and Roma.



Pavee Point

46 North Great Charles Street
Dublin 1
D01 AD92

Phone: 01 878 0255

Email: info@pavee.ie

www.paveepoint.ie

7. Hotlines

Childline

Childline is provided by the Irish Society for the Prevention of Cruelty to Children (ISPCC) to help and support children and young people. You can contact Childline in different ways:

24 Hour Hotline: 1800 666 666

Text 'Talk' to 50101 – and receive a text back

Leave a public or a private message on the Childline website www.childline.ie

Childline.ie
Call . Chat . Text

Dublin Rape Crisis Centre National Helpline

This is a free, confidential, listening and support service for people who have been raped, sexually assaulted, sexually harassed or sexually abused at any time in their lives. It is open 24 hours a day, 365 days a year.

Phone: 1800 77 8888

Email: counselling@rcc.ie

www.rcc.ie



Samaritans

Samaritans provide a telephone service that operates day and night if you are in distress. Volunteers help you talk through whatever is troubling you, find the answers that are right for you, and offer support. The service is free and confidential, and you don't have to give your real name or any personal information if you don't want to.

Samaritans

4-5 Usher's Court Usher's Quay

Dublin 8

Free 24-Hour line: 116 123

Email: jo@samaritans.ie

www.samaritans.org



Teenline

Teenline Ireland is a confidential and free phone service open every day of the week from 8 pm to 11 pm and on Wednesdays from 4 pm to 11 pm, for young people who need someone to talk to.

Phone: 1800 833 634

Email: info@teenline.ie



Women's Aid Helpline

This freephone helpline offers confidential information, support and understanding to women in the Republic of Ireland, who are being physically, emotionally, financially and sexually abused by their boyfriends, husbands and partners. Open 7 days a week from 10 am to 10 pm (except Christmas Day).

Freephone: 1800 341 900



WOMEN'S AID

Listening. Believing. Supporting.

Parentline

We offer support, guidance and information on all aspects of being a parent and the reassurance that, whatever the problem, you're not the first parent to face it. Sometimes, all you could need is a listening ear.

Parentline's lines are open:

Monday–Thursday, 10am–9.30pm and Friday 10am–4.30pm

LoCall: 1890 927277 or 01-873 3500

Email: info@parentline.ie



My Options

My Options is a HSE freephone line that provides free and confidential information and counselling to people experiencing an unplanned pregnancy.

It is open to people of all ages including people under the age of 18.

Unplanned pregnancy counselling can support you to cope with your unplanned pregnancy. It can help to talk to someone who can help support you to find the answers to your questions.

Information and counselling:

Monday to Friday: 9am to 9pm

Saturday: 10am to 2pm

Medical advice:

24 hours a day, 7 days a week

Freephone: 1800 828 010

Outside of the Republic of Ireland: 01 687 7044

www.myoptions.ie



One Family

Askonefamily is the helpline for people parenting alone, sharing parenting, separating, or experiencing a crisis pregnancy. They provide information on social welfare entitlements and issues, family law issues, housing, education, finances, childcare, parenting and community supports. They also offer support for those experiencing an unplanned pregnancy.

Phone: Talk to a trained askonefamily team member on 01-662 9212

Email: info@onefamily.ie

www.onefamily.ie



On the web

Cybersafe Ireland

CyberSafe Ireland works to empower children, parents and teachers to navigate the online world in a safe and responsible manner.



You can find articles, tips and answers to typical questions on lots of different topics on their website www.cybersafeireland.org

Irish Internet Hotline



The Irish Internet Hotline provides you with a way to securely and confidentially report child sexual abuse material also known as child pornography and other forms of illegal online content and activity.

You can make a report by email, post, telephone or by using an app (available on their website).

Irish Internet Hotline
Unit 25 Sandyford Office Park
Blackthorn Avenue
Dublin 18
D18 HX62

Phone: 1890 610 710
Email: info@hotline.ie
www.hotline.ie

Think Before You Click

Think Before You Click is a set of class plans, information resources, advice flyers and action project materials for young people and their teachers who wish to explore the issue of online privacy in the context of online rights and responsibilities.

www.thinkb4uclick.ie

Watch Your Space

Watch Your Space is an awareness raising initiative of Webwise. It promotes safe, effective use of the internet among young people through awareness raising, resources and campaigns. The Watch Your Space website contains useful resources, advice and campaign materials on issues like online bullying and safe internet use.

www.watchyourspace.ie

Webwise

Webwise is the Irish Internet Safety Awareness Centre. Webwise works with the Office for Internet Safety to develop national initiatives and education programmes promoting the safer use of the internet by children and vulnerable people.



Email: internetsafety@pdst.ie
www.webwise.ie

8. Health (general and children)

B4Udecide

Funded by the HSE Crisis Pregnancy Programme, B4Udecide is a website that provides non-judgmental information to young people and their parents, carers and teachers about relationships and sex.

Phone: 076 695 9130

Email: info@crisispregnancy.ie

www.b4udecide.ie



Bodywhys

Bodywhys, the Eating Disorder Association of Ireland, is the national voluntary organisation and support service for people affected by eating disorders. It also campaigns for the provision of better treatment services.

Bodywhys
PO Box 105
Blackrock
Co Dublin

Phone: 01 283 4963

Helpline: 01 210 7906

Email: info@bodywhys.ie

www.bodywhys.ie



CARI

CARI is the leading voluntary organisation that provides child-centred specialised therapy and support to children and families groups by child sexual abuse.

CARI
110 Lower Drumcondra Rd
Dublin 9
D09 N8E4

Phone: 1890 92 4567

Email: helpline@cari.ie

www.cari.ie



Children in Hospital Ireland

Children in Hospital Ireland is a voluntary organisation committed to promoting and ensuring the welfare of all children in hospital and their families.

Children in Hospital Ireland
Carmichael Centre
Coleraine House
Coleraine Street
Dublin
D07 RHA8

Phone: 01-290 3510

Email: info@childreninhospital.ie

www.childreninhospital.ie



Drugs.ie – Drug and Alcohol Information and Support

Drugs.ie is an independent website managed by The Ana Liffey Drug Project. The website aims to help individuals, families and communities prevent and / or deal with problems related to drug and alcohol use. It provides information on support, training, counselling, rehabilitation and treatment.

HSE Drug and Alcohol Helpline: 1800 459 459

Email: info@drugs.ie

www.drugs.ie



My Options

(see section on hotlines above)

Health Service Executive National Information Line

(see above, statutory agencies)

My Child

My Child website provides a guide to pregnancy, baby and toddler health with trusted information from experts. It also offers health services and supports.

Phone: 1850 24 1850



9. Health (Mental health)

Let Someone Know

A website run by the HSE that provides information on mental health, and on how to seek help.

www.letsomeoneknow.ie

Reachout

An independent website that aims to tell young people about the types of help and support services available in relation to mental health.

Phone: 01 764 5666

Email: info@inspireireland.ie

www.reachout.com



National Office for Suicide Prevention

This section of the Health Service Executive (HSE) is responsible for the National Strategy for Action on Suicide Prevention. It also co-ordinates suicide prevention efforts around the country. Stewart's Hospital

Phone: 01 620 1672

Email: info@nosp.ie

www.nosp.ie



Jigsaw

Jigsaw is The National Centre for Youth Mental Health. They aim to ensure that no young person feels alone, isolated and disconnected from others around them. They provide vital supports to young people with their mental health by working closely with communities across Ireland.

16 Westland Square

Pearse Street, Dublin 2

Phone: 01 472 7010.

www.jigsawonline.ie



Pieta House

Pieta House is a service aiming to help people in suicidal distress or engaging in self harm. Its services are free of charge and their staff are fully qualified and provide a professional one-to-one therapeutic service for people who are experiencing suicidal ideation, people who have attempted suicide and people who are engaging in self harm.

They offer a Freecall 24/7 suicide helpline

Phone: 1800 24 7247

www.pieta.ie



10. Disability

AsIAm

AsIAm.ie aims to provide a one-stop shop for the Autism community in Ireland. They provide the public and those with the condition to a portal of information about Autism, serve as a platform for people affected by Autism to share their stories and views and provide a strong voice for the concerns of the community.

AsIAm
Rock House
Main Street, Blackrock
Co Dublin, A94 V9P1

www.asiam.ie



Disability Federation of Ireland

The Disability Federation of Ireland (DFI) is a national support organisation for over 130 voluntary disability organisations in Ireland who provide services to people with disabilities. The DFI provides a range of services, including information, training, research and advocacy.

Disability Federation of Ireland
Fumbally Court
Fumbally Lane
Dublin 8
D08 TX48

Phone: 01 454 7978
Email: info@disability-federation.ie
www.disability-federation.ie



Enable Ireland

Enable Ireland provides free services to children and adults with disabilities and their families from 40 locations in 14 counties.

Enable Ireland
32F Rosemount Park Drive
Rosemount Business Park
Ballycoolin Road
Dublin 11
D11 VX82

Phone: 01 872 7155
Email: communications@enableireland.ie
www.enableireland.ie



HSE Disability Services

The Health Service Executive (HSE) provides a range of services for people with intellectual, physical and sensory disabilities or autism. These services include basic health services as well as assessment, rehabilitation, income maintenance, community care and residential care. Some services are provided directly by the HSE.

Information on disability services in your county is available on the HSE website – just search for ‘disability services’.

www.hse.ie



Inclusion Ireland

Inclusion Ireland represents over 160 organisations and campaigns for changes in services and legislation that will improve the quality of life and participation of people with an intellectual disability in Irish society.

Inclusion Ireland
Unit C2, The Steelworks
Foley Street
Dublin 1
D01 HV25

Phone: 01 855 9891

Email: info@inclusionireland.ie

www.inclusionireland.ie



Office of the Disability Appeals Officer

The Disability Appeals Officer is an independent officer appointed by the Minister for Health. The Officer provides an appeals service to people who are not satisfied with the outcome of appeals against HSE disability needs assessments.



Office of the Disability Appeals Officer
Block 1, Miesian Plaza
50 – 58 Lower Baggot Street
Dublin
D02 XW14

LoCall: 1850 211583

Email: appeal@odao.ie

www.odao.ie

Special Needs Parents Association

The Special Needs Parents Association exists to support all parents with special needs by promoting improved treatment, education, welfare and acceptance. It also runs local support groups.

Phone: 087 774 1917

Email: info@specialneedsparents.ie

www.specialneedsparents.ie



Department of Education and Skills (DES)

The special needs and tuition grants section of DES is a financial payment section with responsibility for the processing of various grants to all primary schools and to parents with children with special needs. They also issue payments to various organisations, projects, companies and individuals on behalf of other sections within the department.



An Roinn Oideachais
agus Scileanna
Department of
Education and Skills

Department of Education and Skills
Special Needs and Tuition Grants Unit
Cornamaddy
Athlone
Co Westmeath
N37 X659

Phone: 090 6483750/ 3748/ 3927

Email: sntg@education.gov.ie

Aim website

The Access and Inclusion Model (AIM) is a model of supports designed to ensure that children with disabilities can access the Early Childhood Care and Education (ECCE) Programme. Its goal is to empower pre-school providers to deliver an inclusive pre-school experience, ensuring that every eligible child can meaningfully participate in the ECCE Programme and reap the benefits of quality early years care and education.



Advice and support from the early years specialist service can be accessed by

Phone: 01 511 7222 or

Email: onlinesupport@pobal.ie

www.aim.gov.ie

11. Education

Child and Family Agency – Preschool Inspection Services



The Child and Family Agency (Tusla) inspects pre-schools, play groups, nurseries, crèches, day-care and similar services which cater for children aged 0-6.

www.tusla.ie/services

Irish Second-Level Students' Union (ISSU)



Irish Second-Level Students' Union is the national body for school Student Councils. It aims to represent and connect Irish second-level students around Ireland. It also aims to make the voice of Irish second-level students heard within the education system.

ISSU

9th Floor,
Liberty Hall,
Dublin 1
D01 X0T0

Phone: 01 443 4461

Email: studentvoice@issu.ie

www.issu.ie

National Council for Curriculum and Assessment (NCCA)

This is a body that conducts research and advises the Minister for Education and Skills on curriculum and assessment from early childhood to the end of second level education. It works with learners, teachers, practitioners, parents and others to support innovation in schools and other educational settings.



NCCA

35 Fitzwilliam Square
Dublin 2
D02 Kh36

Phone: 01-661 7177

Email: info@ncca.ie

www.ncca.ie

www.curriculumonline.ie

National Council for Special Education

The National Council for Special Education (NCSE) is an independent statutory body working to improve the delivery of education services to people with special educational needs. It has a national network of Special Educational Needs Organisers (SENOs) who work with parents, schools and the HSE to provide resources to support children with special educational needs. You can find out about their services in your locality by calling them at the below number.

Phone: 046 948 6432

www.ncse.ie



State Examinations Commission

This Commission is responsible for the development, assessment, accreditation and certification of the Junior Certificate and the Leaving Certificate exams. It operates under the Department of Education and Skills. Its website contains a range of useful information on these exams, including sample papers, exam timetables and marking schemes.

State Examinations Commission

Cornamaddy, Athlone

Co Westmeath

Phone: 090 644 2700

www.examinations.ie



National Parents Council Primary

National Parents Council Primary (NPC) represents parents of children in primary and early education. It works for the rights of children and promotes partnership between home and school. It raises issues of concern about the primary education system.

NPC

12 Marlborough Court

Marlborough Street

Dublin 1

Phone: 01 887 4034

Helpline: 01 887 4477

Email: info@npc.ie

www.npcp.ie



National Parents Council Post-Primary

The National Parents Council Post-Primary represents the parents of students in post-primary education. It promotes issues of concern to parents and works with the post-primary formal education sector to develop policies.



NPCPP

Unit 5, Glasnevin Business Centre
Ballyboggan Road
Glasnevin,
Dublin 11

Phone: 01 830 2740 / 01 830 2747

LoCall: 1890 672770

Email: npcpp@eircom.ie

www.npcpp.ie

12. Early learning and care

City and County Childcare Committees

City/County Childcare Committees are a Department of Children and Youth Affairs-funded support, established in 2001. They support and assist families and childcare providers with childcare matters at local county level. The 30 CCCs, which are located nationwide, coordinate the implementation of the national childcare policy and programmes at a local level on behalf of the Department of Children and Youth Affairs. A key role of the CCCs is to facilitate and support the development of quality, accessible childcare services for the overall benefit of children and their parents by taking a child-centred and partnership approach.

www.myccc.ie/

Aim

The Access and Inclusion Model (AIM) is a model of supports designed to ensure that children with disabilities can access the Early Childhood Care and Education (ECCE) Programme. Its goal is to empower pre-school providers to deliver an inclusive pre-school experience, ensuring that every eligible child can meaningfully participate in the ECCE Programme and reap the benefits of quality early years care and education. Advice and support from the early year's specialist service can be accessed by:



Phone: 01-511 7222

Email: onlinesupport@pobal.ie

www.aim.gov.ie

13. Children in Care

EPIC (Empowering Young People in Care)

EPIC is an independent association that works with and for children and young people in Ireland who are living in care or who have had an experience of living in care. This includes those in residential care, foster care, hostel, high support and special care. EPIC also works with young people preparing to leave care and in aftercare.

EPIC

7 Red Cow Lane

Smithfield

Dublin 7

D07 KX52

Phone: 01 872 7661

Text: 087 903 6598

Email: info@epiconline.ie

www.epiconline.ie



14. Homelessness

Dublin Regional Homeless Executive

The Dublin Region Homeless Executive is provided by Dublin City Council as the lead statutory local authority in the response to homelessness in Dublin.



Dublin City Council Homeless Services
Public Office
Parkgate Hall,
6-9 Conyngham Road
Islandbridge
Dublin 8
D08 PW40

Phone: 01 7036100 for the following services:

- Dublin City Council Central Placement Service (for Emergency Accommodation)
- Focus Ireland Family Homeless Action Team/Family Intake Team
- Dublin City Council Homeless Prevention Team
- Health Service Executive ACCES Community Mental Health Team for the Homeless
- Health Service Executive Multi-Disciplinary Health Link Team for the Homeless

Focus Ireland

Focus Ireland works with people who are homeless or are at risk of losing their homes. It offers advice, support, education and housing to help people to have and keep a home. Focus Ireland has offices in Dublin, Waterford, Limerick, Kilkenny, Cork and Sligo. For a full list of their offices, and to make contact, visit the Focus Ireland website.



Focus Ireland
9-12 High Street
Christchurch
Dublin 8
D08 E108

Phone: 01 881 5900

Email: help@focusireland.ie

www.focusireland.ie

HSE Out-of-Hours Crisis Services

The Crisis Intervention Service provides an 'out-of-hours' emergency social work service to children under 18 years who are in crisis outside normal working hours where regular services may not be available. The service operates across the greater Dublin area. If you live outside of the Dublin area, Tusla operates an Emergency Place of Safety Service for children found to be at risk out-of-hours.

To access these services, you must contact your local Garda station. See also www.dcy.gov.ie



Peter McVerry Trust

Peter McVerry Trust offers a range of services to address homelessness. Services include drop-in centres in the Dublin area for young homeless people, drug treatment, temporary accommodation and housing.

Peter McVerry Trust
29 Mountjoy Square
Dublin 1
D01 C2N4

Phone: 01 823 0776

Email: info@pmvtrust.ie

www.pmvtrust.ie



Simon Communities in Ireland

The Simon Communities work throughout Ireland to provide care, accommodation and support for people experiencing homelessness and those at risk. To find the nearest Simon office to you, please go their website.

National Office:
St Andrews House
28/30 Exchequer St
Dublin 2
D02 R721

Phone: 01 671 1606

Email: info@simoncommunity.com

www.simon.ie



15. Family matters and support

Adoption Authority of Ireland

The Adoption Authority of Ireland is an independent statutory body appointed by Government which regulates adoption in Ireland. The Adoption Authority of Ireland is responsible for deciding on all adoptions in Ireland and for making adoption orders.



ÚDARÁS UCHTÁLA na hÉIREANN
THE ADOPTION AUTHORITY of IRELAND

Adoption Authority of Ireland
Shelbourne House
Shelbourne Road
Dublin 4
D04 H6F6

Phone: 01 230 9300
Email: corporate@aai.gov.ie
www.aai.gov.ie

Barnardos Post-Adoption Services

This service is an independent and confidential service to adopted people, birth parents and adoptive parents. It provides support and advice to parents who have adopted from abroad, as well as a direct service to children. It also offers individual support to birth mothers and adopted people who are considering contact with birth relatives. 2



Barnardos Post Adoption Service
3/24 Buckingham Street
Dublin 1

Phone: 01 813 4100
Helpline: 01 454 6388
Email: adoption@barnardos.ie
www.barnardos.ie/adoption

General Register Office

The Office is where records of births, deaths, marriages, civil partnerships and adoptions are kept. You can register the birth of a child and get a birth certificate through this office.

General Register Office
Government Offices Convent Road
Roscommon
F42 VX53

Phone: 090 663 2900
LoCall: 1890 252076
Email: gro@groireland.ie
www.certificates.ie, www.groireland.ie

Teen Parents Support Programme

Run by Treoir, the Teen Parents Support Programme (TPSP) is a support service for young mothers, young fathers and their families from pregnancy until the baby is 2 years of age. The TPSP offers support and information in all areas of a young parent's life including health, relationships, parenting, child care, social welfare entitlements, education, training and anything else about which the mother or father is concerned.



Teen Parents Support Programme

Treoir

28 N Great George's St

Rotunda

Dublin 1

D01 HY46

Phone: 01 6700 120

Email: tpsp@treoir.ie

www.tpsp.ie

Treoir

Treoir is a free, confidential, information service for unmarried parents, living together or apart, as well as for their extended families and those working with them. It provides information provision, an advice helpline and workshops.



Treoir

28 N Great George's St

Rotunda

Dublin 1

D01 HY46

Phone: 01 6700 120

LoCall: 1890 252 084

Email: info@treoir.ie

www.treoir.ie

Tusla Adoption Services

Tusla - Child and Family Agency, the National Adoption Service, is responsible for:



- Placing children for adoption when requested by a birth parent;
- Assessing and vetting prospective adoptive parent/s;
- Providing information and tracing services to those who have been adopted, boarded out or placed in other care arrangements.

To contact your local adoption service see www.tusla.ie.

One Family

(see the section on hotlines above)

Youth Advocate Programmes Ireland

(see the section on youth organisations above)

Parentline

(see the hotlines section above)

16. Immigration and asylum

Non-governmental

Doras Luimni

Doras Luimni works to improve the outcomes for migrants in Limerick and the Mid-West region through our direct support services which assist migrants in accessing their rights and entitlements. Their direct support services are available to all migrants no matter what their status or situation.



Doras Luimni
Central Buildings
51a O'Connell Street
Limerick
V9Y 268W

Phone: 061 310328
Email: info@doras.org
www.doras.org

Immigrant Council of Ireland (ICI)

This non-governmental organisation promotes the rights of migrants through information, legal advice, advocacy, lobbying, research and training. The Council is also an independent law centre.



Immigrant Council of Ireland
2 St Andrew Street
Dublin 2
D02 PD30

Phone: 01 674 0200
Email: admin@immigrantcouncil.ie
www.immigrantcouncil.ie

Their helpline is open from 10am-1pm, Monday, Tuesday, Thursday and Friday.

Irish Refugee Council (IRC)

This non-governmental organisation advocates on behalf of refugees and asylum seekers. It runs a Drop-In Centre for those who need help or guidance about the asylum process. It also runs a Law Centre.



Irish Refugee Council
37 Killarney Street
Mountjoy
Dublin 1
D01 NX74

Phone: 01 764 5854

Email: info@irishrefugeecouncil.ie

www.irishrefugeecouncil.ie

NASC

Nasc works with migrants and refugees to advocate and lead for change within Ireland's immigration and protection systems, to ensure fairness, access to justice and the protection of human rights. Their goal is to realise the rights of all migrants and refugees within Irish society.



NASC
34 Paul Street
Cork
T12 W14H

Phone: 021 427 3594

Email: reception@nascireland.org

www.nascireland.org

Statutory bodies

Irish Naturalisation and Immigration Service

This is a 'one stop shop' for matters relating to asylum, immigration, citizenship and visas.

Irish Naturalisation and Immigration Service
13-14 Burgh Quay
Dublin 2
D02 XK70

Phone: 01 616 7700
LoCall: 1890 551 500
www.inis.gov.ie



An Roinn Dlí agus Cirt
agus Comhionannais
Department of Justice
and Equality

International Protection Office

The International Protection Office is an office within the Irish Naturalisation and Immigration Service responsible for processing applications for International Protection under the International Protection Act 2015. It also considers, as part of a single procedure process, whether applicants should be given permission to remain. Phone: 01-602 8000 Email: International Protection Office

International Protection Office
Irish Naturalisation and Immigration Service
79-83 Lower Mount St
Dublin 2
D02ND99

Phone: 01 602 8000
Email: info@ipo.gov.ie
www.ipo.gov.ie/en/IPO/Pages/home



An Oifig um Chosaint
Idirnáisiúnta
International Protection
Office

Refugee Legal Service

These services provide confidential and independent legal services to people applying for asylum, and on immigration and deportation matters. They work directly with unaccompanied minors and victims of trafficking. The services are part of the Legal Aid Board.



Dublin:

48/49 North Brunswick Street George's Lane
Dublin 7
D07 PE0C

Freephone: 1800 23 83 43

Phone: 01 646 9600

Email: dublinrls@legalaidboard.ie

Cork:

North Quay House,
Popes Quay
Cork
T23 HV26

Freephone: 1800 202420

Phone: 021 455 4634

Email: rlscork@legalaidboard.ie

Galway:

Seville House
New Dock Street
Galway
H91 CKVO

Freephone: 1800 502400

Phone: 091 562480

Email: rlsgalway@legalaidboard.ie

UNHCR Ireland



UNHCR, the UN's refugee agency, is an international organisation responsible for protecting the rights of refugees and stateless people. In Ireland it doesn't have a direct role in the asylum application process, but the protection unit sometimes assists individuals where asylum seekers, refugees and stateless people are in need of assistance, support or advice. Such assistance is not intended to replace legal advice or interfere with the relationship between an asylum seeker and their legal adviser.

102 Pembroke Road
Ballsbridge
Dublin 4
D04 E7N6

Phone: 01 631 4510

Email: iredu@unhcr.org

www.unhcr.ie

17. The Justice System

Courts Service

The Courts Service manages the courts in Ireland. It provides information on the courts system to the public.

The Courts Service
15–24 Phoenix Street North Smithfield
Dublin 7
D07 XQ28

Phone: 01 888 6000

www.courts.ie



Crime Victims' Helpline

The Crime Victims Helpline supports and helps victims of crime and all those affected by crime. It provides information about the criminal justice system and referrals to other resources that may help.

Freephone: 116 006

Email: info@crimevictimshelpline.ie

Text: 085 133 7711

www.crimevictimshelpline.ie



Director of Public Prosecutions

Director of Public Prosecutions (DPP) The DPP is in charge of prosecutions on behalf of the State and the people of Ireland.

DPP

14-16 Merrion Street
Dublin 2

Phone: 01-678 9222

www.dpp.ie



Irish Penal Reform Trust (IPRT)

IPRT campaigns for the rights of people in prison and the progressive reform of Irish penal policy. IPRT is committed to reducing imprisonment, respecting the rights of everyone in the penal system, and progressive reform of the penal system based on evidence-led policies. In operational terms this means our focus is on: the use of imprisonment, including sentencing; alternatives to custody and diversion; and the treatment of those in detention.

IPRT

1 Green St,
Rotunda,
Dublin,
D07 X6NR

Phone: 01 874 1400

Email: info@iprt.ie

www.iprt.ie



Irish Council for Civil Liberties

The Irish Council for Civil Liberties is committed to an Ireland that is more just, more free, and where human rights and civil liberties are enjoyed by everyone. Fully independent of government and fearless in their advocacy for human rights, they have been at the forefront of all key human rights campaigns in Irish society, making a significant impact on law, policy and public opinion. These have included the campaigns for legal divorce, decriminalisation of homosexuality and for marriage equality; working for equality legislation and institutions; resistance to emergency legislation and the removal of constitutional due process protections; and consistent advocacy for women's rights, including reproductive rights.



Irish Council for Civil Liberties,
Unit 11, First Floor, 34, Usher's Quay,
Dublin 8
D08 DCW9

Phone: 01 912 1640
Email: info@iccl.ie
www.iccl.ie

Irish Youth Justice Service

The Irish Youth Justice Service is responsible for improving the youth justice system. The service has staff from the Department of Children and Youth Affairs and the Department of Justice and Equality. It is responsible for the youth justice strategy and the Garda diversion programmes.



Irish Youth Justice Service
50-58 Baggot Street Lower
Dublin 2
D02 XW14

Phone: 01-647 3000
Email: iyjs@justice.ie

Young Persons' Probation Service

The YPP is a special part of the Probation Service. It works with children and young people aged 12-18 years who come before the courts or who are in Oberstown Children Detention Campus. The YPP promotes the use of community-based sanctions and restorative justice to reduce re-offending. There are 17 community-based organisations which deliver services on behalf of the YPP. It works closely with the Irish Youth Justice Service.



Young Persons' Probation Service
Haymarket
Smithfield
Dublin 7

Phone: 01 817 3600
www.probation.ie

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CHILDREN'S RIGHTS ALLIANCE

Uniting Voices For Children

Children's Rights Alliance
7 Red Cow Lane
Smithfield
Dublin 7
Ireland
Ph: +353 1 662 9400
www.childrensrights.ie

Registered Number: 316758
Charity Number: CHY 11541
Charity Registration Number: 20031909

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Republic of Ireland Limited

ISBN 978-1-9161457-2-6

The **One** Foundation

Tomar Trust

National influence, Local implementation



Rialtas na hÉireann
Government of Ireland



Irish Council for
Civil Liberties



pobal
supporting communities



THE BAR
OF IRELAND
The Law Library

Plain
English
Approved by NALA