



An Roinn Dlí agus Cirt,
Gnóthaí Baile agus Imirce
Department of Justice,
Home Affairs and Migration

Voice of the Child Report Guidelines and Templates



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Introduction

Article 42A of the Irish Constitution provides that every child has a right to have their views heard and given due weight in adoption, guardianship, custody, or access proceedings. Article 42A reflects Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) and Article 7 of United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) which also afford children and children with disabilities the right to have their views heard and given due weight in decision-making processes that affect their lives.

The Family Courts Act 2024, in its guiding principles (section 8), also recognises and establishes the right of a child to have their views ascertained and given due weight in proceedings in which the welfare of a child is involved or likely to be affected by the outcome. It also sets out a child's right to be informed, as appropriate to his or her age and capacity and the nature of the proceedings, of developments and progress in the proceedings and the outcome of the proceedings.

Including the voice of the child in decision-making is also part of an overall Government strategy to strengthen existing good practice and include more children and young people in decision-making, maximising opportunities for them to engage meaningfully with the issues relevant to them.

What a child has to say matters. The inclusion of a child's voice in family law proceedings and the obligation to give their views consideration and due weight gives them a say, ensures they are listened to and heard, and better informs the court to make practical decisions in the child's best interests.

While it is a child's right to have their views heard, it is also their right not to have their views heard. Children must be made aware that they do not have to express their views and they must not be pressured into doing so.

A child's voice needs to be heard in a safe and reliable manner. One method is a court-ordered Voice of the Child Report. A child's voice can also be heard directly by the judge, a child can give evidence, or there may be circumstances where a child may be made a party to proceedings. These guidelines and templates provide a framework for obtaining the views and preferences of children through a court-ordered Voice of the Child Report. The Irish Government has adopted the Lundy Model of participation as the national approach to hearing both the individual and collective voice of the child. These guidelines and templates were developed with that model of participation in mind and reference is made to it throughout the document.

This document has been developed by the Voice of the Child Working Group established by the Department of Justice, Home Affairs and Migration. The Department wishes to acknowledge and thank the members of the Group for their time and commitment to this important work. See Appendix Six for a list of the Working Group members.

A special thank you to all the children who participated in the consultations that informed the development of this document, and to Barnardos for facilitating those consultations. Their views, experiences, and suggestions played a vital role in shaping the document's content and direction. We greatly appreciate the time, thought, and enthusiasm each child brought to the process, and we have ensured that their voices are reflected throughout this work.

From this point forward, the terms "facilitator" and "expert" are used interchangeably in this document. While the term "expert" is used in the legislation, the Working Group decided that the term "facilitator" is more appropriate for the role.

Objectives of the Voice of the Child Report Guidelines and Templates



Increase the level of confidence the child, the court, parties and legal professionals have in the process and in the report.

Improve the child's experience of having their voice heard in family law proceedings.



Assist facilitators in providing reports that meet the requirements of the court and assist in the court's determination of the child's best interests through the court being aware of the child's views.



Increase understanding of the purpose and scope of a Voice of the Child Report for children, parents, facilitators, the court and legal professionals.



Promote consistent, reliable, ethical, and sound practice in preparing a Voice of the Child Report.



Part 1:

Voice of the Child Report Procedure



Part 1: Voice of the Child Report Procedure

1. Who is a Child?

A child is defined as a person under the age of 18 years.¹

2. Does the Voice of the Child Have to be Heard?

Yes. There is a Constitutional obligation under Article 42A and international obligations under Article 12 of the UNCRC and Article 7 of the UNCRPD to hear the voice of the child in guardianship, custody, access and adoption proceedings and to give their views due weight in decision-making processes that affect their lives. However, where a child does not want to express their views, they do not have to and must not be pressured into expressing a view.

3. How Can a Child's Voice be Heard in Guardianship, Custody, or Access Proceedings?

A child's voice can be heard:

- ✓ through a court ordered Voice of the Child Report²
- ✓ directly by the judge³

Children may also give evidence, either through a live television link, through an intermediary or by way of written statement where giving oral evidence would not be in the interest of the welfare of the child (subject to the interests of justice).⁴ There are also circumstances where a child is, or may be, made a party to the proceedings.⁵

4. What is a Voice of the Child Report?

A Voice of the Child Report presents information directly from the child, which may include information about the child's:

- ✓ views and preferences
- ✓ worries or concerns
- ✓ perceptions and experiences

A Voice of the Child Report should reiterate the child's voice verbatim, and the child's voice should not be summarised. The views of the child should not be interpreted or analysed and should instead be presented in the way in which they were expressed.

1. The Guardianship of Infants Act 1964 defines a "child" as a person who has not attained full age. The Interpretation Act 2005 defines "full age", in relation to a person, as the time when the person attains the age of 18 years or sooner marries, or any time after either event. Section 31 of the Family Law Act 1995 as amended by the Domestic Violence Act 2018 provides that marriage between persons either of whom is under the age of 18 years shall not be valid in law. A child is defined in the United Nations Convention on the Rights of a Child (UNCRC) as a person under the age of 18 years.

2. Section 32(1)(b) of the Guardianship of Infants Act 1964 or s. 27 of the Domestic Violence Act 2018.

3. Although there is no provision in the 1964 Act for a court to meet with a child, it is accepted that it is a long-established practice for a court to engage with a child to ascertain their views - D.K v P.I.K [2022] IECA 54, para.37 citing *In re Mary Elliott (an infant) (1893)* 23 Law Reports (Ireland) 504; *In re Story, Infants [1916]* IR 328; *In re Frost, Infants [1945]* IR 3).

4. Sections 21-23 of the Children Act 1997.

5. D.K. v. P.I.K. [2022] IECA 246, para. 140.

5. How is a Voice of the Child Report Ordered?

A Voice of the Child Report can be ordered by the court under s. 32(1)(b) of the Guardianship of Infants Act 1964 or s. 27 of the Domestic Violence Act 2018.

6. Why is a Voice of the Child Report Ordered?

Section 32(1)(b) of the Guardianship of Infants Act 1964

Section 32(1)(b) allows the court to order a report from an expert to determine and convey the child's views in any proceedings related to guardianship of, custody of or access to a child.

The sole purpose of the appointment of the expert under s.32(1)(b) is to ascertain the views of the child either generally or in respect of specific questions on which the court may seek the child's views.

It is geared toward putting the views of the child before the court, without the necessity for an in-depth analysis of other matters or general welfare concerns.



The sole purpose of the appointment of the expert under s.32(1)(b) is to ascertain the views of the child either generally or in respect of specific questions on which the court may seek the child's views.

Section 27 of the Domestic Violence Act 2018

Section 27 of the Domestic Violence Act 2018 provides that in civil proceedings under the Act, other than proceedings for the making of an interim barring order, an emergency barring order or a protection order, where an order is sought on behalf of a child, the court may, having regard to the age and maturity of that child, ascertain the views of the child prior to deciding whether or not to make the order in so far as that order relates to that child.

Voice of the Child Reports ordered under s.27 of the Domestic Violence Act 2018 are specifically directed towards establishing whether or not an order under domestic violence legislation should be made. They do not concern issues such as access between a child and the abusive parent.

7. Who Can Write a Voice of the Child Report?

The Guardianship of Infants Act 1964 (Child's Views Experts) Regulations 2018, as amended, set out who can be an expert for the purposes of s.32(1)(b) and s.27 reports, and the qualifications and experience they must have.

Regulation 3(1) states the following may be appointed to perform the functions of an expert for the purposes of s.32(1)(b) and s.27 reports:

- (1) Psychiatrists who have practised child and adolescent psychiatry;
- (2) Psychologists who have practised child and adolescent clinical psychology;
- (3) Social care workers who have provided social care services to children;

- (4) Social workers who have provided social work services to children;
- (5) Registered teachers who have taught children;
- (6) Occupational therapists who have provided occupational therapy services to children; and,
- (7) Speech and language therapists who have provided speech and language therapy services to children.

In order to qualify, these professionals are required to have worked in their area for at least three of the previous five years. They are also required to be registered with the relevant regulatory authorities (e.g. the specialist division of the list of medical practitioners for psychiatrists, the Teaching Council for teachers, CORU for social workers, social care workers, occupational therapists and speech and language therapists).

The regulations also require experts to have their own professional indemnity insurance.

8. What is the Role of the Facilitator?

The role of the facilitator is NOT:

- a. to be a finder of fact;
- b. to be a decision-maker;
- c. to advocate for any of the parties; or
- d. to be a therapist for any of the parties or the child/children concerned.

The facilitator should be mindful of the importance of fully, accurately and impartially presenting to the court the views of the child, always being alert to issues of influence and authenticity.

9. What Information Should be Available to the Facilitator Before Meeting the Child?

The court order should specify the following:

- ✓ Name, date of birth and address of the child
- ✓ Application type i.e. guardianship/custody/access (s.32(1)(b)), or safety order/barring order (s.27)
- ✓ Whether the Judge requests the views of the child generally or on specific questions, and a list of questions where specific questions requested
- ✓ Any communication/medical/support needs of the child and an explanation of same.

(See Appendix One for a draft court order).

10. Who Pays for a Voice of the Child Report?

The fees and expenses of a facilitator appointed under s.32(1)(b) or s.27 are paid by the parties to the proceedings in such proportions as the court determines.

The court should specify how the fees will be discharged in the court order (see Appendix One for a draft court order).

11. Who Gets a Copy of the Voice of the Child Report?

Any report prepared by the facilitator is a report for the court and the facilitator must submit any report prepared to the relevant court/court office only.

The facilitator must not release the report directly to the parties or their legal representatives. However, the facilitator must inform the parties or their legal advisers when the report has been lodged in court.

Any views or recommendations of the facilitator in respect of the release of the report to the parties by the court, should be clearly set out in the report (See Appendix Three - s.6 of the report template). However, the facilitator must be mindful that the release of any part or all of the report to the parties is solely a matter for the relevant court to determine in accordance with the applicable legislation.

12. Can the Court Call the Voice of the Child Report Facilitator as a Witness?

Yes, the court can call the facilitator to give evidence either at the request of the parties or of its own motion.

13. What are the Facilitator's Duties?

Section 32(6) of the Guardianship of Infants Act 1964, as amended and s.27(4) of the Domestic Violence Act 2018 set out that an expert shall:

- (a) ascertain the maturity of the child;
- (b) where so requested by the court, determine whether or not the child is capable of forming his or her own views on the matters which are the subject of the proceedings and report to the court on that determination; and,
- (c) where not so requested by the court under paragraph (b), or where so requested and the expert determines that the child is capable of forming his or her own views on the matters which are the subject of the proceedings—
 - (i) ascertain the views of the child either generally on those matters or on a specific question on which the court requests the child's views, and
 - (ii) furnish a report to the court setting out the views of the child.

14. What are the Minimum Standards That Apply to Facilitators?

Regulation 5 of the Guardianship of Infants Act 1964 (Child's Views Experts) Regulations 2018 sets out the minimum standards that shall apply to the performance by an expert of his or her functions: (*emphasis added*)

- (a) he or she shall act independently of the parties to the proceedings concerned and of any other persons involved in the proceedings;
- (b) he or she shall, subject to the terms of the order appointing him or her and other than where he or she is of the opinion that, having regard to the age and maturity of the child, it is not in the best interests of the child to do so, advise the child of the reason why the expert has been appointed, and the matters on which the child's views are being sought;
- (c) he or she shall facilitate the free expression by the child of his or her views;

- (d) without prejudice to the generality of paragraph (c), he or she shall ascertain whether the views expressed by the child are expressed as a result of undue influence on the part of another person and, if so, and where necessary and appropriate, shall facilitate the child in the expression of views that are not expressed as a result of such undue influence⁶;
- (e) he or she shall ensure that a report prepared by him or her accurately reflects the views expressed by the child in relation to the matters to which the proceedings relate⁷;
- (f) subject to his or her obligation to furnish information to the court, he or she shall maintain the confidentiality of any document or other information made available to him or her in the performance of his or her functions;
- (g) he or she shall maintain adequate knowledge of legislation and rules of court relevant to child guardianship, custody and access proceedings.

15. What Other Requirements are Facilitators Required to Follow?

- ▶ **Garda Vetting:** Facilitators should be Garda Vetted.
- ▶ **Child Safeguarding Obligations:** Facilitators must adhere to required child safeguarding measures and reporting measures under the Children First Guidelines and the Children First Act 2015. Facilitators should be aware of the statutory obligations for mandatory reporting for certain categories of professionals under the Act e.g. social workers, social care workers, psychologists. Facilitators should always inform Tusla if they have reasonable grounds for concern that a child may have been, is being, or is at risk of being harmed. Concerns can be reported via Tusla's online web portal, in person, by telephone or in writing – including by email – to the local social work duty service in the area where the child lives. Contact numbers for Tusla offices nationwide are available on the Tusla website (www.tusla.ie) or through the Tusla National Office (Tel. 01-7718500).⁸
- ▶ **Child Safeguarding Training and Policies:** Facilitators should ensure they have completed 'Introduction to Children First' training and should also undertake additional safeguarding training as available and required. Facilitators should have a Safeguarding Policy & annual Safeguarding Statement.
- ▶ **GDPR:** Facilitators should ensure (and should provide details if required) that all necessary steps are taken to protect the privacy of children and families and their data. Appropriate protocols and policies should be put in place by facilitators in relation to data safeguarding and in relation to data retention/destruction/extinction. See guidance from the Data Protection Commission here: <https://www.dataprotection.ie/en/dpc-guidance>
- ▶ **Continuing Professional Development:** Facilitators providing reports in family law proceedings should maintain up-to-date knowledge of relevant legislation, case law, and best practices in their field. This should include training on child safeguarding, participation methods, legal processes, report writing, domestic violence, coercive control, trauma-informed practice and other topics relevant to the role of Voice of Child facilitator. This training should be detailed in the facilitator's report to the court.

6. See Appendix Three for a report template. Facilitator's should set out their general impressions regarding the validity of the process, and any limitations on these impressions, in Section 5. Section 7 of the template provides space for the report writer to note if they feel an additional report is required from an expert or from Tusla (e.g. where the report writer feels that the child may be unduly influenced or where there are child welfare concerns).

7. This can be achieved by recording the actual words of the child verbatim and not a summary.

8. See: <https://www.tusla.ie/children-first/mandated-persons/how-do-i-report-a-concern-about-a-child/>

Part 2:

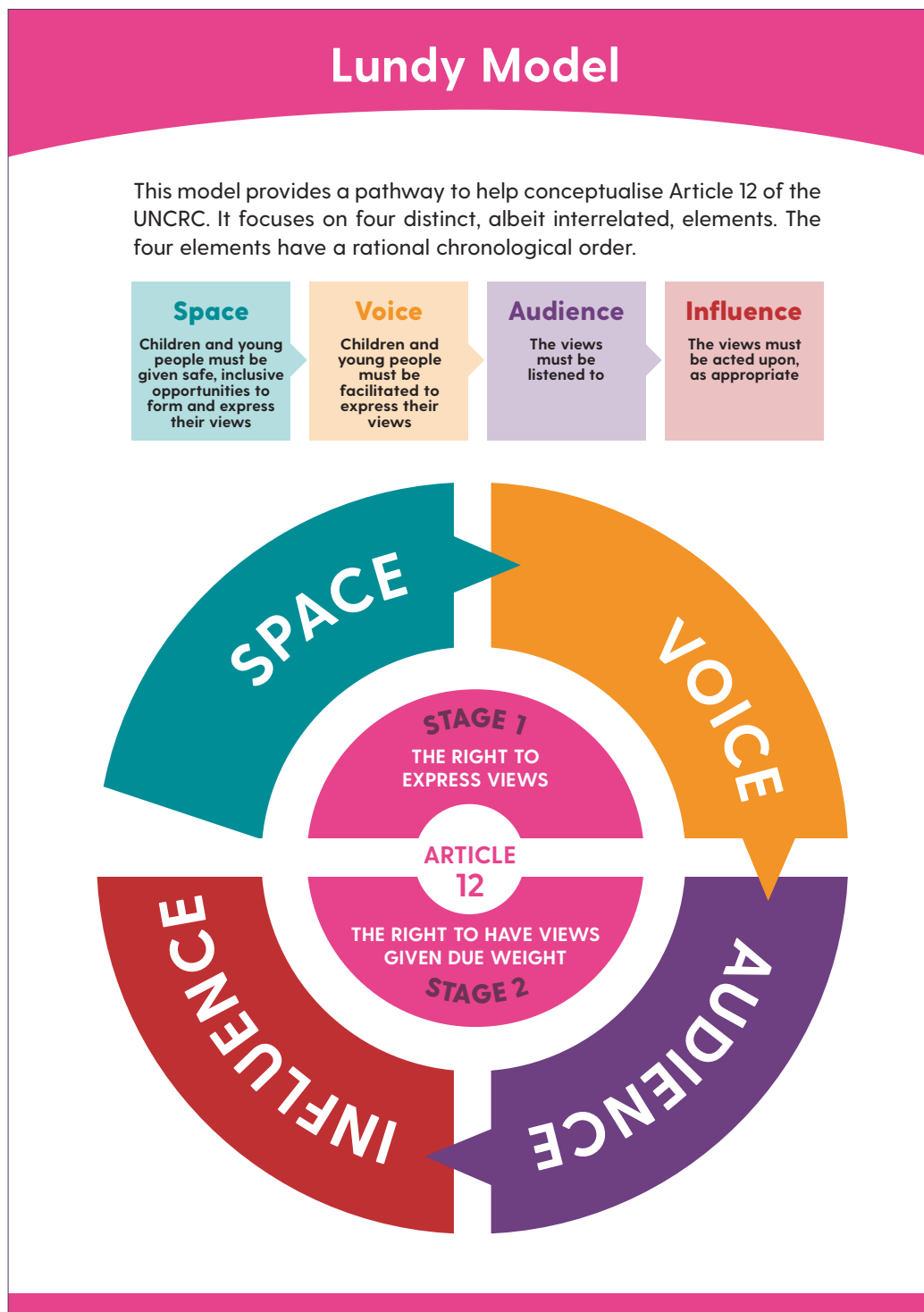
Voice of the Child Report Practice Guidelines



Part 2: Voice of the Child Report Practice Guidelines

16. The Lundy Model

These guidelines are based on a rights-based model as set out in the National Framework for Children and Young People's Participation in Decision-making.⁹



9. The [National Framework for Children and Young People's Participation in Decision-making](#) provides tools and guidance to government, state agencies, and non-governmental organisations to improve their practice in listening to children and young people and in giving them a voice in decision-making.

17. Pre-meeting Checklist for Facilitators

Space

- ☐ Children should be asked where they would prefer to meet with the facilitator and this should be facilitated where possible. It is best if the meeting can take place in a comfortable and familiar environment.
- ☐ Subject to suitability, meetings could occur in:
 - ✓ the facilitator's office (ensuring it is child-friendly)
 - ✓ a room in the child's home
 - ✓ at a private child-friendly place in the community
- ☐ Before the initial meeting with a child, the facilitator should consider how the child will be supported to feel safe and comfortable expressing themselves.
- ☐ A plan should be in place in the event that a child becomes anxious, upset or uncomfortable.

Voice

- ☐ The facilitator should consider whether the child has any additional communication, medical or other support needs. These needs should be noted in the court order, see Appendix One for a draft order.
- ☐ The facilitator should consider a number of methods (e.g. play, drawing, telling stories, writing) they can use to assist the child in expressing their views.
- ☐ The facilitator should be prepared to give the child a range of options on how to express themselves (e.g. through a letter, video or voice note).

Audience

- ☐ The facilitator should write an introductory letter to the child, through their parent or care giver, to explain their appointment and to set out their role. The letter should tell the child what to expect next and it should invite the child to participate in the process. The letter should also clearly outline the audience involved in the decision-making process i.e. the judge. See Appendix Two for introductory letter templates.

Influence

- ☐ The introductory letter should include the purpose of hearing the child's views and the scope they have to influence decision-making. The letter should note that the judge will think about what the child says when they make their decision. They will also think about what their parents or family members say and they will make a decision that they think it best for the child.
- ☐ The facilitator should consider how the child will be provided with feedback on how their views were considered.

18. Meeting Guidelines

Space

Children must be given safe, inclusive opportunities to form and express their views.

- 18.1. The number of meetings required should be led by the needs of the particular child, but it is expected that at least one meeting should occur. The facilitator should see the child alone on a sufficient number of occasions to ensure they have heard and understood the voice of the child.
- 18.2. Where reports are ordered for more than one child in the same family, the facilitator should have at least one one-to-one meeting with each child.
- 18.3. It is preferable for meetings to be held in person as electronic means do not provide the full range of information about child's reactions and behaviours, nor the means for the facilitator to fully engage with children. There are also risks with a lack of control by the facilitator over the meeting context, and the safety and security the child has in the meeting, unless the facilitator is present with the child. However, where it is deemed in the best interest of the child meetings can be held via video call or a video conferencing platform. Details of this assessment should be documented in the report to the court. See Appendix Five for guidelines on electronic meetings.
- 18.4. A parent may bring the child to the meeting but cannot be there during the meeting. Where required, a parent can be present for a preliminary or introductory meeting to build trust between the facilitator and the child but the parent should not be present for any meeting where the child's views are discussed.
- 18.5. Where appropriate and required, a court order may specify that an independent support person be present with the child during the meeting.¹⁰ For example, a child or young person with disabilities may communicate best with the support of a communication partner who may be knowledgeable in the child's communication preferences or alternative assisted communication technology.
- 18.6. Parents, guardians or other adults should not be interviewed for a Voice of the Child Report.

Voice

Children must be facilitated to express their views.

- 18.7. There should be a positive presumption of capacity of a child to form their own view. There is no age limit on the right of the child to express his or her view.
- 18.8. The facilitator must communicate with children in a way that reflects the right of the child to have their voice heard and takes into account the child's developmental age and their situation.
- 18.9. All children communicate in a myriad of ways and any engagement with children should be tailored and appropriate to each individual child and should respect non-verbal forms of communication including play, body language, facial expressions, and drawing and paintings.

10. An independent support person's role is to assist a child with communication difficulties to communicate more effectively. Communication difficulties may be on account of disability, age or other factors as determined by the Court. An independent support person may be someone who the child knows for example their key worker, support worker or teacher. It is important to be mindful of the child or young person's comfort level and to ensure that they have opportunities to engage in participation and decision-making without a communication partner if this is appropriate and meaningful to gaining the child or young person's views.

- 18.10. Facilitators should ensure that children are given a choice in how they wish to express themselves. Depending upon the age and developmental stage of the child, as well as taking into account their individual communication style, emotional literacy and any communication difficulties or disabilities, the child can be heard through different evidence-based methodologies including:

- ▶ engage in structured play
- ▶ draw pictures
- ▶ tell stories in order to talk about their feelings
- ▶ write a letter to the Judge
- ▶ record a video or voice note for the Judge¹¹

- 18.11. Facilitators should tailor their approaches to keep them relevant to the individual child. Age-appropriate approaches which suit the child's communication preferences and strengths should be used. Facilitators should have a back-up approach, as a planned approach may not always work.

- 18.12. Facilitators should use open questions where appropriate.

Children must have sufficient information to form and express a view.

- 18.13. The child should be provided with age-appropriate information on the process and the importance of their voice being heard by the judge.
- 18.14. Children should be informed on how their views will be communicated to the decision maker i.e. the judge.
- 18.15. Children must be made aware that they do not have to express their views and they must not be pressured into expressing a view.
- 18.16. Children must be informed that they can stop participating at any stage.
- 18.17. Children must be told about their right to express their views freely, their right to have their views given due weight, and how their participation will take place, its scope, purpose and potential impact.

Audience

The child's views must be listened to.

- 18.18. The facilitator must assist the child in giving their own views without undue adult influence.
- 18.19. Facilitators should avoid giving opinions or information that could influence a child's thinking.
- 18.20. The facilitator should listen carefully to the child's views and represent the authentic voice of the child.
- 18.21. The facilitator must not interpret what the child says in any way.

11. Note: Where a child chooses to record a video or voice note the facilitator should transcribe the content and include it in the report. Original recordings should be retained for reference as the Court may request a copy of the recording at any stage of the proceedings.

- 18.22. The facilitator should document the child's views in a way that avoids adult interpretation. This will likely be recording the actual words of the child and not the facilitator's summary.
- 18.23. Where a child uses drawing or painting, they should be asked what they have drawn or made to express their views and what they say should be recorded verbatim.
- 18.24. At the end of each meeting the facilitator should review the 'My Views' section of the report with the child to confirm accuracy and that they are happy with what is included (see Appendix Three - s.4(e) of the template).
- 18.25. Children should be facilitated to discuss their views as they would like. The issues on which children are asked to express their views should be those specified by the court. In addition, they should also be asked to address issues they themselves identify as relevant and important to their lives, enabling them to draw on their knowledge, skills and abilities.
- 18.26. It should be explained in child-friendly language what will happen with the report and who will see it. The child should be informed that their views are just one of the things the judge considers when making their decision. They should know that the judge makes their decision based on what they think is best for the child, which may be different to what the child wants.
- 18.27. It should be explained in child-friendly language that the information the child shares will not be kept confidential. It should be explained that their parents and the judge will see the report with their views. The child should also be informed that the facilitator may have to speak to other professionals if anybody's safety is at risk.

The Report.

- 18.28. Reports should be in the template provided in Appendix Three.
- 18.29. Reports should be written in plain English.
- 18.30. The facilitator shall provide the report directly to the court and not to the parties or their legal representatives.
- 18.31. The facilitator should address any concerns about the report being made available to the parties in the report. (See Appendix Three – s.6 of the template).

Influence

Feedback on how the child's views were transmitted to the decision-maker (the Judge).

- 18.32. The facilitator should write a goodbye letter to the child, providing a clear explanation of how their views have been transmitted and what will happen next. The child should be informed that their views are just one of the things the judge considers when making their decision and the judge makes their decision based on what they think is best for the child, which may be different to what the child wants. The letter should also signpost onward support services or phone support services so the child can access them if needed. See Appendix Four for closing letter templates.

Appendix 1:

Draft Court Orders



Appendix 1: Draft Court Orders¹²

Section 32(1)(b) Report

[Title to proceedings]

Guardianship of Infants Act 1964, section 32(1)(b)

[Order made by the court of its own motion directing a report under section 32(1)(b) of the Guardianship of Infants Act 1964]

OR

[Order directing report UPON APPLICATION made to the Court on this date by the above-named [applicant/respondent] of [insert address], [in the [insert jurisdictional details] court], for an order(s) under section 32(1)(b) of the Guardianship of Infants Act 1964

WHEREAS THE COURT having heard the parties considers it appropriate to do so under section 32(1)(b) of the Guardianship of Infants Act 1964 THE COURT having regard to:

- (a) the age and maturity of the child(ren) concerned
- (b) the nature of the issues in dispute in the proceedings
- (c) any previous report under section 32(1)(a) of the Guardianship of Infants Act 1964 on a question affecting the welfare of the said child(ren);
- (d) the best interests of the said child(ren);
- (e) whether the making of the order will assist the expression by the said child(ren) of [his/her/their] views in the proceedings;
- (f) the views expressed to it in relation to the matter by or on behalf of [the applicant/the respondent] [insert name] of [insert address], being a person to whom the proceedings relate

Hereby adjourns the proceedings to the Court sitting at [insert location] on the [insert date] day of [insert month] 20[insert year] and directs under section 32(1)(b) of the Guardianship of Infants Act 1964 the procurement of a report in writing on the child's views, namely [insert name of child(ren)] born on [insert date of birth of child(ren)], residing at [insert address of child(ren)];

on the within application for [guardianship/custody/access] by applicant who is the [insert relationship of applicant to the child] from [insert name of expert] of [insert expert's address] whom the Court considers a suitable expert under the Guardianship of Infants Act 1964 (Child's Views Expert) Regulations 2018, as amended.

The Court requests the expert to – [delete non applicable provisions]

(a) ascertain the maturity of the child,

[(b) ascertain whether or not the child is capable of forming his or her views on the matters that are the subject of the proceedings, and report to the court accordingly.]

¹² Draft Court Orders are subject to approval by the Rules Committee for the District Court. Court Orders for the Circuit and High Courts do not require Rules Committee approval.

[(c) where paragraph (b) does not apply, or where paragraph (b) applies and the expert ascertains that the child is capable of forming his or her own views on the matters that are the subject of the proceedings—

(i) ascertain the views of the child:

[generally/on specific questions on which the court may seek the child's views],

[Question(s) on which the court is seeking the child's views:-

1.

2.]

[The Court requests the expert to note the following [communication/medical/support] needs of [insert name of child(ren)]. [Insert explanation of additional needs].]

AND THE COURT FURTHER DIRECTS, for the purpose of procuring said report, that

(a) Insert manner of instruction of expert (joint letter; court order only; other)

(b) Directions in relation to the cost of the report and the discharge of such cost

(c) Directions as to when it is envisaged that the report should be completed and available to the Court

The report is to be [filed electronically/lodged/handed into Court] at [insert Court name] at [Court address] for the attention of [insert Judge's name] not later than [time] on the [date] day of [month] 20[year]. [Details of a for mention date to be inserted if applicable]

and may be received in evidence in the proceedings.

The report, upon completion, should be submitted by the expert to the Court ONLY. The expert should not release the report to the parties, the child(ren) or their legal representatives.

Liberty to re-enter on notice to the other party at a time and date assigned by the Court Office (together with such further directions in this regard as the Court considers appropriate).

[insert contact details of the parties, their solicitors (if applicable)]

Dated this [date] day of [month] 20[year]

Signed

Judge of the [insert] Court / District Court Clerk assigned to the said District Court area

[] - Delete inapplicable words

Section 27 Report

[Title to proceedings]

Domestic Violence Act 2018, section 27

Order made by the court of its own motion directing a report under section 27 of the Domestic Violence Act 2018

WHEREAS THE COURT considers it appropriate to do so under section 27 of the Domestic Violence Act 2018 THE COURT having regard to:

- (a) the age and maturity of the child;
- (b) any previous report under section 27 of the Domestic Violence Act 2018 in respect of the child;
- (c) whether the making of the order will assist the expression by the child of his or her views in the proceedings;
- (d) the best interests of the child.

Hereby adjourns the proceedings to the Court sitting at [insert location] on the [insert date] day of [insert month] 20[insert year] and directs under section 27 of the Domestic Violence Act 2018 the procurement of a report in writing on the child's views, namely [insert name of child] born on [insert date of birth of child], residing at [insert address of child];

on the within application for a [safety order/barring order] on behalf of the child from [insert name of expert] of [insert expert's address] whom the Court considers a suitable expert under the Guardianship of Infants Act 1964 (Child's Views Expert) Regulations 2018, as amended.

The Court requests the expert to – [delete non applicable provisions]

- (a) ascertain the maturity of the child,
- [(b) ascertain whether or not the child is capable of forming his or her views on the matters that are the subject of the proceedings, and report to the court accordingly,]
- [(c) where paragraph (b) does not apply, or where paragraph (b) applies and the expert ascertains that the child is capable of forming his or her own views on the matters that are the subject of the proceedings—

- (i) ascertain the views of the child:

[generally/on specific questions on which the court may seek the child's views],

[Question(s) on which the court is seeking the child's views:-

1.

2.]

- (ii) furnish a report to the court setting out the views of the child ascertained under *subparagraph (i)*.

[The Court requests the expert to note the following [communication/medical/support] needs of [insert name of child]. [Insert explanation of additional needs].]

AND THE COURT FURTHER DIRECTS, for the purpose of procuring said report, that

- (d) Insert manner of instruction of expert (joint letter; court order only; other)
- (e) Directions in relation to the cost of the report and the discharge of such cost
- (f) Directions as to when it is envisaged that the report should be completed and available to the Court

The report is to be [filed electronically/lodged/handed into Court] at [insert Court name] at [Court address] for the attention of [insert Judge's name] not later than [time] on the [date] day of [month] 20[year]. [Details of a for mention date to be inserted if applicable]

and may be received in evidence in the proceedings.

The report, upon completion, should be submitted by the expert to the Court ONLY. The expert should not release the report to the parties, the child(ren) or their legal representatives.

Liberty to re-enter on notice to the other party at a time and date assigned by the Court Office (together with such further directions in this regard as the Court considers appropriate).

[insert contact details of the parties, their solicitors (if applicable)]

Dated this [date] day of [month] 20[year]

Signed

Judge of the [insert] Court/ District Court Clerk

[] - Delete inapplicable words

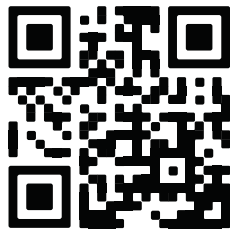
Appendix 2:

Introductory Letter Templates



Introductory Letter Template

Children aged 5-8



Scan here to download the
editable word document

Age ranges are suggested ranges only. The facilitator should use his/her discretion on which template to use given the maturity of the child.

Hi _____,

Who am I?

My name is _____ and I am a Voice of the Child Facilitator. My job is to meet children and talk to them and listen carefully to what they say.

Why do I want to talk to you?

Your *[parents/family members]* are trying to decide on things like *[where you live/who you spend time with/keep in touch with]*. They are getting help from someone called a Judge and the Judge wants to know what you think. Just so you know, I've talked to lots of other children about what they think about their family's important decisions too.



What is a Judge?

A Judge is someone who helps people by making decisions for them. The Judge has asked me to speak to you and see what you think about *[where you should live/who you should spend time with/keep in touch with]*.



Why does the Judge want to know what you think?



What you think is very important to the Judge.

The Judge will think about what you say and how you feel when they make their decision.

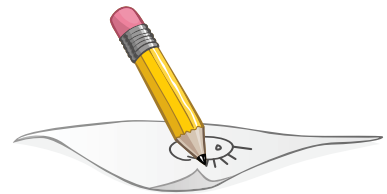
They will also think about what your *[parents/family members]* say. The Judge will make a decision that they think is best for you.

You don't have to make any decisions.

What will happen if we meet?

My job is to talk to you and I will listen carefully to what you want to say.

We can draw pictures, chat or play games.



I might ask you some questions about where you live and go to school, about your family and what you like to do.

I will write down what you say or we can fill out a report together.

Who will hear what you say?



I am going to tell the Judge what you think before they make a decision.

Your *[parents/family members]* might also be told about what you think. If you have any worries about your *[parents/family members]* being told about what you say, we can talk about it, don't be afraid to be honest.

Just so you know, what you say will not be shared with your teachers, friends or siblings.

You should know that I won't be able to keep the things you tell me a secret. If you or any other child is unsafe, then I have to tell other people even if you don't want me to because it's really important that everyone is safe.

Do you have to talk to me?

I want you to know that speaking to me is your choice and you don't have to speak to me if you don't want to.

You won't have to talk about anything you don't want to talk about, and you only have to tell me what you want to tell me.

Where can we meet?

If you decide that you'd like to meet, *[your parents/family members]* will let me know and *[I will come see you at your house/you'll come see me at my office]*.

How long will the meeting take?

We will spend about _____ *[minutes/hours]* together.

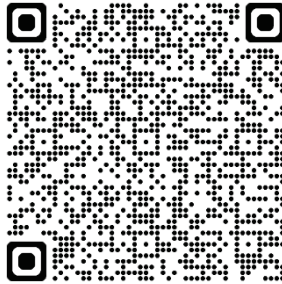
This letter is just to say hello, I can answer any questions you have when we meet.

I hope to see you soon

From *[insert name]*

More Information

Scan this QR code to check out some videos which have information on my role.



<https://www.gov.ie/FamilyChanges/>

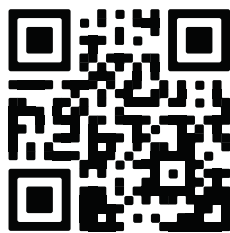
Getting Support

If you're feeling sad or lonely or scared it's important to talk about your feelings. You can talk to people you trust like your parents or your granny, grandad, aunt, uncle, or a teacher.



Introductory Letter Template

Children aged 9-12



Scan here to download the
editable word document

Age ranges are suggested ranges only. The facilitator should use his/her discretion on which template to use given the maturity of the child.

Hi _____,

Who am I?

My name is _____ and I am a Voice of the Child Facilitator. My job is to meet children, listen to them and report back to the Judge on what the children say.

Why do I want to talk to you?

Your *[parents/family members]* are trying to decide on things like *[where you should live/who you should spend time with/keep in touch with]*. They are getting help from someone called a Judge and the Judge wants to know what you think.



Just so you know, I've talked to lots of other children about what they think about their family's important decisions too.

What is a Judge?

A Judge is someone who helps people by making decisions for them. Lots of families get help from a Judge. The Judge has asked me to speak to you and see what you think about *[where you should live/who you should spend time with/keep in touch with]*.



Why does the Judge want to know what you think?

The Judge will think about what you say and how you feel when they make their decision.

They will also think about what your *[parents/family members]* say.

The Judge will make a decision that they think is best for you.

You don't have to make any decisions, and you will not be asked to choose between your *[parents/family members]*.

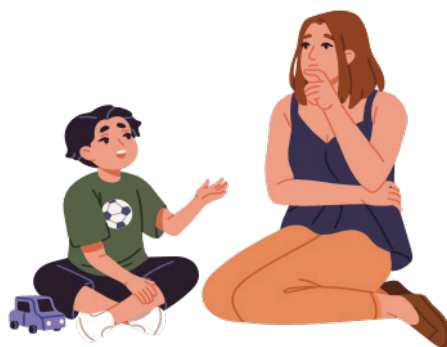


What will happen if we meet?

If you choose to meet me, we will have a chat or if you prefer, we can do some art or play some games.

I might ask you some questions about where you live and go to school, about your family and what you like to do.

I will write down what you say, or we can fill out a report together.



Who gets to know what you say?



I am going to tell the Judge what you think before they make a decision.

Your *[parents/family members]* might also be told about what you think. If you are worried what your *[parents/family members]* will think when they read the report you can tell me, and we can talk about it, don't be afraid to be honest.

Just so you know, what you say will not be shared with your teachers, friends or siblings.

You should know that I won't be able to keep the things you tell me a secret.

If you or any other child is unsafe, then I have to tell other people even if you don't want me to because it's really important that everyone is safe.

Do you have to talk to me?

I want you to know that speaking to me is your choice and you don't have to speak to me if you don't want to, but it's a good opportunity for you to tell me what you feel. I can then tell the Judge before they make their decision.

You won't have to talk about anything you don't want to talk about and how much you say to me is up to you, but it's okay to say what you think.

Lots of children worry that they will have to choose between their parents or have to talk about upsetting things. You don't have to say anything you don't want to – and you won't have to choose between your *[family members, parents, Mum and Dad]*.

Where can we meet?

If you decide that you'd like to meet, *[I will come see you at your house/you'll come see me at my office]* on *[insert date]* at *[insert time]*.

How long will the meeting take?

We will spend about _____ *[minutes/hours]* together.

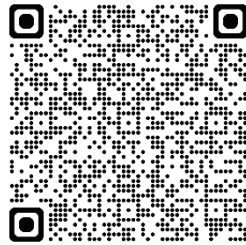
This letter is just to say hello, I can answer any questions you have when we meet.

I hope to see you soon

From *[insert name]*

Where can you get more information?

If you'd like to get more information on how a Judge makes their decisions you can find some information by scanning this QR code:



<https://www.gov.ie/FamilyChanges/>

Getting Support

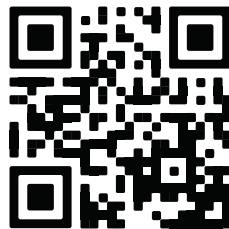
If you're feeling upset or lonely or scared it's important to know you're not alone. You might not think it does anything, but just talking about your feelings can help you feel so much better. You can talk to people you trust like your parents or other family members, your siblings or friends, even your teachers.

Don't forget, you're not alone and it's always ok to ask for help.



Introductory Letter Template

Children and young people aged 12+



Scan here to download the
editable word document

Age ranges are suggested ranges only. The facilitator should use his/her discretion on which template to use given the maturity of the child.

Dear *[insert name]*,

When parents separate they can't always agree on what the plan should be for their children.

If they can't agree, some parents come to the Court for help.

This means that a judge may need to make a decision for them.

The judge wants to know what YOU think.

Who am I and why do I want to talk to you?

My name is _____ and I'm a Voice of the Child facilitator which basically means I help children and young people to have their say in family law decisions like where they should live or who they spend time with or have contact with.

Just so you know, I've talked to lots of other children and young people about what they think about their family's important decisions too.



What will happen if we meet?

I will:

- Answer any questions you might have about the meeting or the Court process
- Talk with you or help you to share about your family in whatever way you feel comfortable, we could write, draw or paint
- Listen to your concerns, views and ideas

Do we have to meet?

I want you to know that meeting me is your choice and you don't have to meet me if you don't want to.

If you do decide to meet me you won't have to talk about anything you don't want to talk about, and how much you say to me is up to you, but it's okay to say what you think.

But remember this is your opportunity for your [*family members/parents*] and the judge to hear what you think.

Who gets to know what you say?

What you tell me is not private. The judge will hear about your views and your [*parents/family members*] might also be told about what you think. If you have any concerns about this you can discuss them with me, don't be afraid to be honest.

Just so you know, what you say will not be shared with your teachers, friends or siblings.

You should know that if you or any other child is at risk or unsafe, then I have to tell other people even if you don't want me to because it's really important that everyone is safe.

How do Judges make their decisions?

The Judge will think about what you say and how you feel when they make their decision. They will also think about what your [*parents/family members*] and others say. The Judge will make a decision that they think is best for you.



Will I get what I want?

The judge's job is to make decisions that are best for children and young people based on all of the information they have.

Sometimes this will be the same as what children want **BUT** sometimes it isn't.

The judge will learn a lot about your family — maybe even things you don't know.

Their job is to make a decision that is best for you in the long term.

Where can we meet?

If you decide that you'd like to meet, *[I will come see you at your house/you'll come see me at my office]* on *[insert date]* at *[insert time]*.

How long will the meeting take?

We will spend about _____ *[minutes/hours]* together.

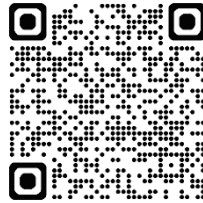
This letter is just to say hello, I can answer any questions you have when we meet.

I hope to see you soon.

From *[insert name]*

Where can you get more information?

If you'd like to get more information on how a Judge makes their decisions you can find some information here by scanning the QR code:



Getting Support

If you're feeling upset or lonely or scared it's important to know you're not alone. You might not think it does anything, but just talking about your feelings can help you feel so much better. You can talk to people you trust like your parents or other family members, even your teachers.

[Facilitator should include any other supports available for children/young people in the respective area].

If you don't feel safe talking to an adult around you, you can always talk to Childline. Childline is a free, private service you can use to talk to someone about anything you need to, just go to [childline.ie](https://www.childline.ie) or phone 1800 66 66 66.



Don't forget, you're not alone and it's always ok to ask for help.

Appendix 3:

Voice of the Child Report Template



Voice of the Child Report Template

Section 1: Report Cover Page

Include a covering page that contains the following information:

- a. court file number
- b. name and jurisdiction of referring court
- c. name of referring judge
- d. Act/section the report was ordered under (i.e. s.32(1)(b) or s.27)
- e. full names, dates of birth, and chronological age of the child or children whose views are sought
- f. particular issue(s) which the judge has asked for the child's views on
- g. full names of parties
- h. guardianship status of parties
- i. facilitator's name
- j. facilitator's professional address
- k. facilitator's professional qualification(s)
- l. details of registration with regulatory body
- m. particular training and skills acquired relevant to the report and/or issues for which the child's views are being sought

Section 2: Description of the Report Process Including Limitations of the Process

- a. Provide a description of the report process and methodology and the rationale for using the chosen process and methodology.
- b. Provide a list of the key questions asked and tools used.
- c. Include the limitations of the chosen process, methodology and tools.

Note: Facilitators should follow the Voice of the Child Report Guidelines when compiling a report.

Section 3: Summary of Information Received by the Facilitator

- a. A copy of the court order directing the report should be attached to the report as an appendix.
- b. Summary of contact with adult litigant, if applicable e.g. to arrange meeting with the child(ren)

- ▶ names, dates, and context of contact

Section 4: Child Meeting Details

a. Names of child(ren)

b. Meeting details:

- ▶ dates of meetings
- ▶ time spent with child
- ▶ where the writer met the child
- ▶ who brought the child to the meeting(s)
- ▶ what activity the child was engaged in directly before the meeting took place e.g. eating, sleeping, school, swimming, watching TV

c. Note limits of confidentiality and identify:

- ▶ steps undertaken to ensure privacy during the meeting(s)
- ▶ whether anyone was present during the meeting(s) and, if a joint meeting was held, why (note the guidelines specify that the parent should not be present for any meeting where the child's views are discussed)
- ▶ summary of the information provided to the child about the role of the facilitator and why their views are being sought
- ▶ summary of the assent process with the child

d. Detailed observations made of the child during the meeting

Provide details of observations made in relation to the child(ren).

Provide emotional and behavioural observations pertaining to the child's:

- ▶ maturity
- ▶ stage of development
- ▶ general appearance
- ▶ observable behaviour
- ▶ emotions, feelings, affect
- ▶ culture, speech, language
- ▶ relevant interaction with parent or caregiver

e. Ascertaining the child's views and preferences

This section contains information obtained from the child in the form of a statement/picture/letter/video/voice note or medium of the child's choice. Indicate whether the child does not wish to express a view or preference, has not expressed a view or preference, or has not formulated a view or preference.

List the tool or tools used to ascertain the voice of the child e.g. the Three Houses Tool.

Section 32(1)(b) reports

Ascertain the views of the child on a specific question(s) on which the court requests the child's views as noted in the court order and/or generally on the following matters:

- ▶ present living circumstances
- ▶ school, pre-school, etc.
- ▶ view of relationships with and between parents
- ▶ thoughts and feelings about transitions between homes
- ▶ feelings toward significant others, including other relatives, step-parents, siblings, etc.
- ▶ preferred parenting plan
- ▶ thoughts and feelings regarding their preferred parenting plan
- ▶ expressed anxieties and worries
- ▶ anything else the child thinks it's important for the judge to know

Section 27 reports

Ascertain the views of the child on a specific question on which the court requests the child's views.

Note: Reports ordered under s.27 of the Domestic Violence Act 2018 are specifically directed towards establishing whether or not an order under domestic violence legislation should be made. They do not concern issues such as access between a child and the abusive parent.

- f.** Declaration that the child has reviewed the statement

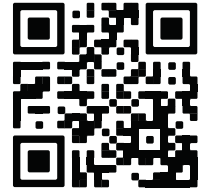
The facilitator should confirm that they have reviewed the statement with the child to confirm accuracy.

Where possible the child should sign or mark the report to indicate that they agree with the statement as presented in the report.

My Views

Name

Age



Scan here to
download the
editable word
document

Things I like (for example your favourite food or TV programme)

Things I don't like

Things I like to do in my spare time (for example a hobby)

Things I'm good at

Information

☐ I know why I am being asked to talk about my views

Agreement

☐ I want to talk to the facilitator about my views

OR

☐ I do not want to talk to the facilitator about my views

How I want to talk about and share my views¹³

- ☐ I want to tell stories and have the facilitator write down my views
- ☐ I want to write my views down myself using the template
- ☐ I want to write a letter or note
- ☐ I want to draw pictures and tell the facilitator about them
- ☐ I want to talk while playing and have the facilitator write down my views
- ☐ I want to record a video
- ☐ I want to record a voice note
- ☐ Other:

13. Where a child chooses to record a video or voice note the facilitator should transcribe the content and include it in the report. Original recordings should be retained for reference as the Court may request a copy of the recording at any stage of the proceedings.

Topics or questions

	[INSERT QUESTION OR TOPIC HERE] [Questions or topics should be as specified in the Court Order or general questions/topics such as the child's • present living circumstances • school, pre-school, etc. • view of relationships with and between parents • feelings toward significant others, including other relatives, step-parents, siblings, etc. • thoughts and feelings about transitions between homes • preferred parenting plan • thoughts and feelings regarding their preferred parenting plan • expressed anxieties and worries] [Children should also be asked to identify any topics they would like to speak about]
	[Insert answer here. Where the answer is in the form of a video or voice note transcribe answer here]

These are my views

My views on each *topic/question* are as they have been written down/as in the video/or voice note.

Name:

Date:

Section 5: General Impressions Regarding Validity of the Process

The facilitator's general impressions regarding the validity of the process, and any limitations on these impressions, should be set out here. Address the following and state the basis for your conclusion, taking into account whether

- ▶ the child was able to take part in the process
- ▶ the child's views and preferences were reliably ascertained
- ▶ there existed obvious evidence or concerns relating to or indicative of coaching and/or inappropriate influence

Section 6: Access to and Distribution of the Report

The facilitator shall provide the report directly to the court.

The facilitator should not provide the report to the parties or their legal representatives. The facilitator should address any concerns about the report being made available to the parties or the child in this section of the report.

Section 7: Further Intervention

A Voice of the Child Report does not contain recommendations. However, where the report writer feels that an additional report is required from an expert or from Tusla (e.g. where the report writer feels that the child may be unduly influenced or where there are child welfare concerns), this can be noted here.

If a facilitator has reported child protection concerns to Tusla this should also be noted here.

Section 8: Attachments

a. Facilitator's curriculum vitae

The facilitator must attach a curriculum vitae to the report. An abbreviated curriculum vitae may be submitted but must provide information about:

- ▶ the facilitator's academic and professional qualifications
- ▶ details of registration with professional regulatory body
- ▶ details of continuing professional development and training
- ▶ the type and number of Voice of the Child reports previously completed
- ▶ a list of any academic publications and presentations, where applicable

b. Court order

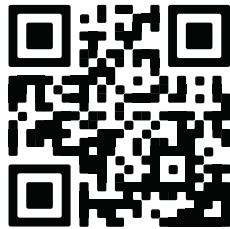
Appendix 4:

Closing Letter Templates



Closing Letter Template

Children aged 5-12



Scan here to download the
editable word document

Age ranges are suggested ranges only. The facilitator should use his/her discretion on which template to use given the maturity of the child.



Hi _____,

Thank you for meeting me and talking to me on *[insert date]* at *[place]*.

It was really nice to *[talk to you/play with you/get to know you]*.

Well done for being so brave.

I have now sent a report to the Judge. The report says how you feel about *[where you should live/who you should spend time with/keep in touch with]*.



It's the report we worked on together, so the Judge will know exactly what you want to say and how you feel.



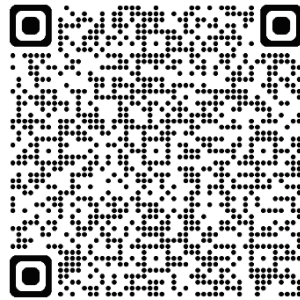
The Judge will now think about what you said and what *[your parents/your family members/others]* have said and they will make the decision on *[where you live/who you spend time with/keep in touch with]*.

Your *[parents/family members]* will tell you about what the Judge decides.

From *[insert name]*

More Information

If you'd like to get more information on how a Judge makes their decisions, you can find some information by scanning this QR code:

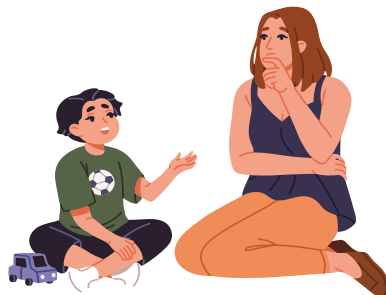


Or visit: <https://www.gov.ie/FamilyChanges/>

Getting Support

If you're feeling sad or lonely or scared it's important to know you're not alone.

You might not think it does anything, but just talking about your feelings can help you feel so much better. You can talk to people you trust like your parents or your granny, grandad, aunt, uncle, or a teacher.



If you don't feel safe talking to an adult around you, you can always talk to Childline. Childline is a free, private service you can use to talk to someone about anything you need to, just go to [childline.ie](https://www.childline.ie) or phone 1800 66 66 66.

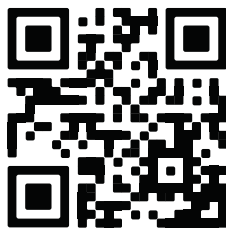


Don't forget, you're not alone and it's always ok to ask for help.



Closing Letter Template

Children and young people aged 12+



Scan here to download the
editable word document

Age ranges are suggested ranges only. The facilitator should use his/her discretion on which template to use given the maturity of the child.



Hi _____,

Thank you for meeting me and talking to me on *[insert date]* at *[place]*.

It was really nice to meet you and get to know you.

I have now sent a report to the Judge. The report says how you feel about *[where you live/who you spend time with/keep in touch with]*.

It's the report we worked on together, so the Judge will know exactly what you want to say and how you feel.



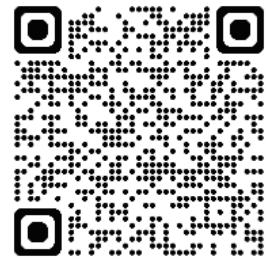
The Judge will now think about what you said and what your *[parents/family members/others]* have said and they will make the decision on *[where you should live/who you should spend time with/keep in touch with]*.

Your *[parents/family members]* will tell you about what the Judge decides.

From *[insert name]*

More Information

If you'd like to get more information on how a Judge makes their decisions you can find some information by scanning the QR code.



Getting Support

If you're feeling upset, lonely or scared it's important to know you're not alone. You might not think it does anything, but just talking about your feelings can help you feel so much better. You can talk to people you trust like your parents or other family members, even your teachers.

[Facilitator should include any other supports available for children/young people in the respective area.]

If you don't feel safe talking to an adult around you, you can also always talk to Childline. Childline is a free, private service you can use to talk to someone about anything you need to, just go to [childline.ie](https://www.childline.ie) or phone 1800 66 66 66.



Don't forget, you're not alone and it's always ok to ask for help.

Appendix 5:

Guidelines for Electronic Meetings



Guidelines for Electronic Meetings

1. When to use Electronic Meetings

It is preferable for meetings to be held in person as electronic means do not provide the full range of information about children's reactions and behaviours, nor the means for the facilitator to fully engage with children. There are also risks with a lack of control by the facilitator over the meeting context and the safety and security the child has in the meeting unless the facilitator is present with the child. However, where it is deemed in the best interest of the child meetings can be held via video call or a video conferencing platform. Details of this assessment should be documented in the report to the court.

The facilitator will need to make the same pre-meeting preparations as they would for an in person meeting. See the pre-meeting checklist on p.12. Additional logistical planning for an electronic meeting such as who the meeting link is sent to, how the child will log into the meeting, internet connectivity and location will need to be discussed prior to the meeting taking place.

2. Choosing a Video Call or Conferencing Platform

When choosing the video call or conferencing platform, it is important to consider the appropriateness of the platform from a safeguarding point of view.

In particular, it is important to consider whether use of the platform complies with the General Data Protection Regulation (GDPR). As images and video of people is considered personal data, any platform used is processing data and is therefore a Third Party Data Processor. Facilitators should carefully consider the Terms and Conditions when opening an account and exercise reasonable care to ensure that the Third Party Data Processor carries out the processing in compliance with the GDPR.

3. Managing Video Meetings

Whatever platform you decide to use, the following is recommended:

- ▶ Do not require the child to have an account to participate, instead invite the child by sending a link to the meeting.
- ▶ Meetings should be hosted from an account held and managed by the facilitator for their business. Facilitators should not use the free versions of the platforms as they do not include the security measures that the subscription versions do.
- ▶ Ensure that meetings are password protected and can only be joined by invitees.
- ▶ Create a new password for every meeting, and send details securely to the child or young person.
- ▶ Enable the 'waiting room' feature, where available, which allows the host discretion to allow invitees into the meeting. This will help to prevent anyone who should not be on the call from joining.
- ▶ The facilitator and the child's camera and microphone should be turned on at all times by default. The child and facilitator should discuss in advance what to do if for any reason their camera and/or microphone goes off.
- ▶ Make yourself familiar with the features of the chosen platform in advance, and provide clear guidance for the child on safe use of the platform prior to working online.

4. Prepare Your Setup

Device and connection

- ▶ Use a laptop or desktop where possible.
- ▶ Test your internet in advance. A wired or strong Wi-Fi connection works best.
- ▶ Close other applications and mute notifications.
- ▶ Join 10 minutes early to test your audio and video.
- ▶ Use your full name.

Sound and video

- ▶ Use headphones with a microphone if you can, to reduce echo.
- ▶ Check your camera and microphone in the platform's test area if provided.

5. Environment

- ▶ Video calls or conferencing should take place in a quiet environment, free from other distractions such as mobile phones or electronic devices or noise.
- ▶ Your background should be plain and without distractions. Consider what might be in view on the walls or on your desk. Identifying images should not be visible.
- ▶ Sit where you have enough natural light so you don't appear as a shadow. If you need to use lights, position them above or in front of you, not behind.
- ▶ Your camera should be as close to eye level as possible with shoulders and head centred.

6. Time Limits and Planning Breaks

- ▶ Time-limit meetings. Concentration span for online meetings can be less than that in a face-to-face meeting. Consider sessions of between 30 minutes and a maximum of one hour.
- ▶ Plan ahead and include breaks.
- ▶ Ensure the child or young person knows that they can take a break or stop the meeting at any time.

7. During the meeting

- ▶ Check with the child that they are comfortable with using the platform and whether they are experiencing any barriers to participation (e.g. no broadband access or access to equipment; a disability that impacts their ability to interact via screen such as visual impairment etc.). Make accommodations as appropriate.
- ▶ Technology and virtual connections can create lag, so ensure you pause after each statement or question to give the child a chance to respond.
- ▶ Do not record the meeting and do not take any photos, screenshots or recordings. Let the child know that the meeting is not being recorded and you will not take any photos, screenshots or recordings. Ensure that the child knows that they cannot record the meeting or take any photos, screenshots or recordings.
- ▶ AI meeting assistants and transcript tools should not be used for the meeting and the child should be told that they are not being used. Ensure that the child knows that they cannot use AI meeting assistants or transcript tools.
- ▶ If for any reason a meeting is infiltrated from the outside, that is, if somebody not invited to the meeting appears, the meeting should be terminated immediately. The breach should be reported to the platform provider.

8. Child Safeguarding Obligations

- ▶ The criteria for mandated Child Protection reporting remains the same as if the meeting was in person.
- ▶ All provisions relating to the child's data remains the same under GDPR procedures and guidelines.
- ▶ Children should be in a living area and not in a bedroom for the video or conferencing call.
- ▶ Ask the child or young person to confirm that they are participating on their own, without the possibility of being over-heard or recorded.

Appendix 6:

Voice of the Child Working Group Membership



Department of Justice, Home Affairs and Migration

- ▶ Andrew Munro – Assistant Secretary General, Civil Justice, Policy and Legislation (Chair)
- ▶ Deirdre McCaughey – Principal Officer, Access to Justice and Family Justice Policy (Vice Chair)
- ▶ Neasa Peters – Assistant Principal Officer, Access to Justice and Family Justice Policy (Secretary)
- ▶ Cathal Rowe – Administrative Officer, Access to Justice and Family Justice Policy (Secretary)

Courts Service

- ▶ Emer Darcy – Assistant Secretary General, Head of Strategy & Reform Directorate
- ▶ Jennifer Clancy – Principal Officer, Head of Family Law Reform, Strategy & Reform Directorate

Judiciary

- ▶ Her Honour Judge Elizabeth Maguire – Circuit Court
- ▶ Judge Catherine Ghent – District Court

CUAN

- ▶ Marissa Ryan – Principal Officer, Strategic Engagement

Department of Children, Disability and Equality

- ▶ Margot Loughman – Principal Officer, Child Protection and Legislation Unit

Clinical Assessors in Family Law Ireland

- ▶ Joan Long - Chartered Psychologist/Psychotherapist

Family Lawyers Association

- ▶ Helen Murray – Barrister-at-Law

Children's Rights Alliance

- ▶ Lianne Murphy – Senior Equality Officer

Legal Aid Board

- ▶ Catherine Fahy – Regional Manager, Civil Operations
- ▶ David Gray – Family Mediation Service, Managing Mediator

Barnardos

- ▶ Monica Hynds – Interim Director of Innovation, Development and Guardian ad Litem Service

With special thanks to former members of the Working Group

- ▶ Liam Coen – Principal Officer, Department of Justice, Home Affairs and Migration
- ▶ Olive McGovern – Assistant Secretary General, Department of Children, Disability and Equality
- ▶ Stephanie Whyte – Director of Services, Barnardos
- ▶ Julie Ahern – Director of Legal, Policy and Services, Children's Rights Alliance

Notes

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