



# Submission to the Department of Children and Youth Affairs – Review of the Child Care Act 1991

**11 September 2020**



St. Patrick's Mental Health Services (SPMHS) is Ireland's largest independent, not-for-profit mental health service provider. St. Patrick's Mental Health Services' vision is a society where all citizens are empowered to live mentally healthy lives. SPMHS works to provide the highest quality mental healthcare, to promote mental wellbeing and mental health awareness, and to advocate for the rights of those experiencing mental health difficulties. SPMHS achieves this through a human rights-based approach, through the enhancement of evidence-based knowledge, and by striving to be at the cutting edge of new initiatives and advances in the field. SPMHS is committed to furthering the development of the competencies of those choosing to work in mental health and of the organisations providing mental health care services, and to enhancing partnership with service users. Our strategic plan for 2018-2022 – [‘Changing Minds. Changing Lives’](#), is firmly rooted in these principles and commitments.

SPMHS welcomes the opportunity to contribute to this consultation on the review of the Child Care Act 1991. This brief submission focusses on the area of potential mental health needs of children to whom this legislation concerns.

- **Reference to mental health**

The consultation paper does not explicitly mention emotional or psychological abuse nor the relevance to a child's mental health, where ill-treatment or abuse are referenced – “where the child's health development or welfare had been, is being or is likely to be avoidable impaired or neglected”<sup>1</sup>. It is suggested that mental health be included explicitly here.

- **Access to services**

It is important that the obligation of the State to ensure access to mental health care, and or other disability services, that may be required by a child who is subject to provisions of the Child Care Act, is acknowledged within the legislation. This may be best placed as one of the explicit guiding principles underpinning the Act. This is essential to the Act's aim of ‘promoting the welfare of children who may not receive adequate care and protection’, and is also pertinent as regards a subsection of Part II – Interagency agency coordination and collaboration.

**END**

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<sup>1</sup> Department of Children and Youth Affairs (2020) *Review of the Child Care Act 1991, July 2020 Consultation Paper* (p.21)