

The Children's Court Advocate Service

Helping children have their voice heard when decisions are being made about their lives.



The Children's Court Advocate Service provides a FREE, safe, structured and independent process through which children can express their views, wishes and experiences.

This ensures their voice can be heard and considered when decisions affecting their lives are being made in guardianship, custody and access court proceedings.

Origin of the Service:

In private family law proceedings, there has traditionally been no consistent mechanism for independently hearing and communicating a child's views to the court. The Children's Court Advocate Service is a new service being piloted to hear the voice of the child in Clonmel and Waterford. This service is Free of charge for children.

This pilot is developed and funded by the Department of Justice, Home Affairs and Migration and managed by Childhood Matters. It is a structured, right's-based participation service for family law proceedings. It provides children with dedicated, independent information and support to ensure their voice is heard by the Court and given due weight in a safe, developmentally appropriate and reliable way. The service is grounded in the Lundy Model of Participation and is aligned with Article 42A of the Irish Constitution and Article 12 of the UN Convention on the Rights of the Child.

The pilot also supports:

- Ireland's broader move towards a more child-centred family justice system.
- Greater participation by children in decisions that affect their lives.
- Trauma-informed and child-centred approaches to family law proceedings.



Who the Service is for:

- Children and young people aged 5–18 years in the pilot areas of Waterford and Clonmel Courts.
- Children involved in private family law proceedings relating to:
 - ◊ Guardianship.
 - ◊ Custody.
 - ◊ Access.

Who Can Refer:

Referrals can be initiated by parties involved in family law proceedings, including:

- Applicants.
- Respondents.
- Legal representatives acting on their behalf.
- Parents.
- Grandparents.
- Other family members or guardians.

Essentially, referrals can arise from anyone involved in court proceedings relating to guardianship, custody or access arrangements.

What Does the Advocate Actually Do?

The Advocate:

- ✓ Meets with the child.
- ✓ Explains the process.
- ✓ Builds rapport.
- ✓ Supports the child to express their views.
- ✓ Prepares a report for the court that outlines the child's views and wishes.
- ✓ Gives the Child information on the court process.

The Advocate does not:

- × Conduct a best interests assessment.
- × Undertake family investigations.
- × Make recommendations to the court.
- × Represent any party.
- × Have a long-term therapeutic relationship with the child.

Key Features

1. Relationship-Based Engagement

- Providing a safe independent relationship for a child to express their views.
- Advocates are qualified professionals in line with the Guardianship of Infants Act 1964.
- The child is afforded time to express their views.

2. Clinically Informed Practice

- Developmentally attuned communication.
- Trauma-informed approach.
- Informed by evidenced based practice.

3. Operationalising the Lundy Model

- **Space:** Safe, inclusive opportunities to form and express their views.
- **Voice:** Facilitated to express their views by having sufficient information.
- **Audience:** Their views are communicated to the Judge.
- **Influence:** Their views are considered by the Judge, and the child is provided with feedback explaining their reasons for the decisions made.

4. Independence and Neutrality

- No alignment with any party.
- Maintains objectivity.
- Focused solely on the child's perspective.

Why Refer:

Benefits for Families

- Children have a structured and supportive opportunity to express their views.
- Children receive age-appropriate information.
- Families gain confidence that the child's perspective has been independently heard.
- The process may reduce misunderstanding about children's views and wishes.

System Value

- Contributes to improved quality of judicial decision-making.
- Reduces the risk of misinterpretation of the child's views.
- Enhances procedural fairness.
- Increase child engagement in proceedings.

What is the Referral Process:

1. Referral received.
2. Screening and allocation.
3. Consent of parents/guardians.
4. Information gathering.
5. Child Engagement.
6. Report preparation.
7. Report submitted to court.
..... In some cases, additional steps may be considered to further support a child's participation in the process.
8. Opportunities for the child to meet with the Judge.
9. Opportunities for the Advocate to give the child feedback about the outcome of proceedings, where appropriate.



Childhood Matters

About Childhood Matters:

Childhood Matters provides integrated, clinically informed support for children, young people and families, helping them feel heard, understood and supported through times of challenge, transition and vulnerability.

- **30+ years** supporting children and families.
- Specialists in **trauma-informed and child-centred practice**.
- Expertise spanning **infant mental health, family support, therapeutic services and advocacy**.
- Trusted partner to organisations across the **health, education and justice sectors**.

Helping children feel heard when it matters most.

Children's Court Advocate Pilot Service is a Department of Justice, Home Affairs and Migration initiative delivered by Childhood Matters.



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



Childhood Matters Children's Court Advocate Pilot Service

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