Invisible from View: Leaving and Aftercare Provision in the Republic Of Ireland

Nicola Carr*
School of Sociology, Social Policy and Social Work, Queen’s University Belfast, Belfast, UK

Abstract
The adequacy of provisions for young people leaving care and in aftercare in the Republic of Ireland has been the subject of recent policy attention. A landmark report, the Ryan Report (2009), into historic abuse in state institutions recommended strengthening provisions in this area. However, the legislative basis for aftercare remains relatively weak and services for young people leaving care remain ad hoc and regionally variable. This article outlines the current context of leaving and aftercare provision in the Republic of Ireland and traces some of the recent policy debates and recommendations in this area. A genealogical analysis of leaving care and aftercare provision highlights that this issue has historically only emerged as a concern in the context in which young people leaving the care system are perceived as a “threat” to social order. It is argued that the failure to adequately reform leaving and aftercare provision is reflective of wider social inequality and of a context in which young people in care are largely invisible from view.

Keywords: Out-of-home; Care; Social Policy; Child and Family Welfare

The inadequacy of provisions for young people leaving the care system in the Republic of Ireland has been raised in a number of quarters in recent years. Most prominently, the Ryan Report (Government of Ireland, 2009), a landmark inquiry into historic child abuse in state institutions for children, made a recommendation that aftercare provision for young people leaving state care should be strengthened. Four years after the publication of the Ryan Report (Government of Ireland, 2009), reform in this area has been minimal. Critics of the current state of affairs have argued for the need to strengthen the legislative basis for aftercare provision (Daly, 2012a, 2012b; Doyle, Mayock, & Burns, 2012). However, beyond the development of a national policy, which aims to standardise service provision nationally, leaving and aftercare provision in the Republic of Ireland remains discretionary, ad hoc, and inadequate.

*Correspondence to: Dr Nicola Carr, Lecturer, School of Sociology, Social Policy and Social Work, Queen’s University Belfast, 6 College Park, Belfast BT71LP, UK. Email: n.carr@qub.ac.uk
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The article begins by setting out the context of the current care system and aftercare provisions. The lack of adequate data on outcomes for young people leaving care and the limited empirical research on the care-leaving experience is highlighted. The emergence of the current system is set in the context of its historic antecedents—the Industrial and Reformatory School system. Through a genealogical analysis (Foucault, 1977/1991) of previous inquiries into the system over the last century, the framing of calls to strengthen aftercare provisions is analysed. The question of why there has been an overall failure to reform this area is one that this article aims to critically address. This discussion is situated at the meso level of analysis—that is, in the wider context of the political culture and social welfare provision (Munro, Stein, & Ward, 2005; Pinkerton, 2008, 2011). It is argued that in order to understand the lack of visibility and the policy torpor that has characterised this area it is necessary to place the situation of care leavers in present-day Ireland in historical context by tracing the “genealogy” of this issue. Critically, it is also argued that the context of leaving care and aftercare provision cannot be understood without reference to the wider social policy and cultural frames.

The Irish Care System

The care system in Ireland is similar to many Western countries. The majority of children in care (approximately 90%) live in foster care or kinship care. Residential care provision largely comprises of small group homes and specialist units accommodating children with more complex needs. There are also three secure residential units in the Republic of Ireland, with a total capacity of 22. In 2011 there were 6,160 children in care, a rate of 5.4 per 1,000 children compared with a rate of 3.9 in 1999 (Department of Health and Children [DoHC], 2000; Health Service Executive [HSE], 2012a). Data on numbers of children in care in the Republic of Ireland show that there has been a steady, year-by-year increase in the number of young people in care. Between 1989 and 1999 the number of children in care rose by 53% from fewer than 2,500 to 4,216 (DoHC, 2000). The current rate of children in care brings the Republic of Ireland broadly in line with neighbouring comparators (Northern Ireland, 5.8; England, 5.9), but is significantly lower than rates for Wales (8.7) and Scotland (10.2) (Department of Children and Youth Affairs, 2013).

However, the current trend of increased numbers of young people in care should be placed within the wider historical context. The framework of the “modern” care system began to emerge in the 1970s alongside broader developments including the establishment of statutory social work services (Skehill, 2003, 2004) and the disestablishment of the institutional framework of the Industrial and Reformatory School system. These schools, the precursors to the current child “welfare” and “youth justice” systems were established in Ireland in the mid-nineteenth century and were operated largely by Catholic religious orders, such as the Christian Brothers and the Sisters of Mercy, and funded by the state (Barnes, 1989; O’Sullivan, 2009). In the late nineteenth century there were 71 industrial schools in Ireland, detaining 8,000
children on any one day. By the 1950s, the system held 6,000 children per day (Raftery & O’Sullivan, 1999).

The publication of an inquiry report (the Kennedy Report) into the Reformatory and Industrial School system in 1970 is commonly cited as a key landmark in the development of a contemporary care system, recommending as it did the disestablishment of institutional provision (Keenan, 1997). However, by this time the institutional system was well in decline, with the number of schools and the population of children significantly lower than 20 years previously—by 1969 there were 2,000 children contained in 31 institutions (Government of Ireland, 1970). Following the publication of the Kennedy Report (1970), the government established a Task Force on Child Care Services, one of the primary functions of which was to develop legislation for a contemporary care system. However, because of a range of difficulties, including disagreements over departmental demarcations, new legislation governing child protection and welfare was not introduced until the early 1990s.

Aftercare Provision

The Child Care Act (1991) is the main statute for child protection and welfare in Ireland. It provides the legal mechanisms for the placement of children in alternative care under a range of care orders. Legislative provision for aftercare is also set out in the Act. Section 45 outlines that social services may provide assistance to a young person for as long as the authorities are satisfied that a young person requires assistance up until the age of 21. This upper age limit can be extended if the young person is in education and until such a course of education is complete. A basic outline of the form and nature of aftercare is set out in legislation—aftercare can comprise of visiting or assisting a young person, maintaining him in education, placing him in a trade, and arranging hostel or other forms of accommodation (the male preposition is used throughout the legislation).

Critics of the current law have highlighted the discretionary nature of aftercare provision and have argued for the replacement of the word “may” with “should” in Section 45. Indeed, this was one of the central calls of the Saving Childhood Ryan Group, a lobbying platform comprising seven organisations working with children and young people and adult survivors of abuse established in 2009 following the publication of the Ryan Report. Beyond calls for legislative reform the available evidence highlights that the nature and form of leaving care and aftercare arrangements in the Republic of Ireland are ad hoc and regionally variable. For example, some social service areas employ specific aftercare workers, but others do not, and the criteria for accessing services where they are available varies from area to area (Daly, 2012a; Doyle et al., 2012).

Overall data on the care population and those transitioning from care are also lacking. This has been most starkly highlighted recently in the context of an independent inquiry report into the deaths of children who were known to child protection services or in receipt of care and aftercare (Shannon & Gibbons, 2012),
where the relevant authorities struggled to quantify the numbers of children who had died in state care over the preceding 10-year period. In response to a parliamentary question in November 2011, the Minister for Children and Youth Affairs stated that the relevant authorities did not routinely collect data on young people leaving care and those in receipt of aftercare (Fitzgerald, 2011). However, citing a recently commissioned consultancy report, the minister pointed out that in March 2011 a total of 1,051 young people were in receipt of aftercare nationally. The precise nature of this aftercare provision is unclear. Available data from advocacy services for young people in care highlights the regional variability of service provision, and the fact that in some instances “aftercare” comprises minimal levels of telephone contact with a worker (Daly, 2012a; Doyle et al., 2012).

The limited amount of empirical research in this area highlights similar themes (Gilligan, 2008). The small number of studies dating from the mid-1990s focusing specifically on aftercare (e.g., Kelleher & Kelleher, 1998), or capturing data on young people who have exited the care system, such as those who have entered into homelessness (e.g. Mayock & Carr, 2008; Mayock, O'Sullivan, & Corr, 2011), consistently pointed to a high level of unmet need. It is true that this body of research is likely to be capturing the population of young people who in Stein’s (2006, 2012) typology would be characterised as “strugglers”—that is, those with difficult care experiences and higher levels of need. However, a more recent empirical study on young people’s experience of aftercare in one geographical area (Dublin North-east) points to inadequate preparation for young people leaving care, limited social supports, and gaps in service provision. Perhaps most dispiritingly, this study was conducted in an area where aftercare supports are said to be in place (Daly, 2012a).

However, overall it is true to say that we have very limited knowledge of what happens to young people leaving care in the Republic of Ireland. Aside from the small number of studies cited above, there has been very little analysis of the leaving or aftercare experience, or indeed of outcomes for young people who have left the care system. This in itself suggests the lack of visibility of this population, who, to coin Kelleher & Kelleher’s (1998) apt phrase, are “left out on their own”. However, the profile of this issue has been raised in recent years in the context of historic inquiries into child abuse in institutions.

The Ryan Report: Recommendations and Aftermath

A Commission to Inquire into Child Abuse was established by the Irish government in 2000. The decision to establish the Commission followed from a number of high profile exposés of abuses perpetrated against children and young people in Industrial and Reformatory Schools over the preceding decades. The Commission’s functions, set out on a statutory basis, were to inquire into the historic abuse of children in institutions; to provide a forum for the persons who suffered abuse to recount the abuse and make submissions; and to publish a report setting out its findings and recommendations, including the steps to be taken to deal with the continuing effects
of the abuse and to protect children in similar situations in the present and in the future. In a related but separate development, the Irish government also established a redress mechanism, the Residential Institutions Redress Board, to enable financial compensation for the victims of abuse (Brennan, 2007).

The subsequent report of the Commission, commonly referred to as the Ryan Report, was published in April 2009, 10 years after the initial decision was made to form the Commission. The report is voluminous, comprising 5 volumes and running to over 2,500 pages. The publication of the report received wide media attention, both nationally and internationally, and was viewed as a watershed moment in relation to confronting the past and setting out aspirations for the future (Flannery, 2009; Powell, Geoghegan, Scanlon, & Swirak, 2013). The recommendations made in the report (20 in total) were broadly in two categories—those relating to redress for past victims of abuse and those oriented towards preventing such abuses taking place in the future. One of the recommendations specifically referred to aftercare, in recognition of the deficits in this area. Here the Commission recommended:

Children who have been in State care should have access to support services. Aftercare services should be provided to give young adults a proper support structure they can rely on. In a similar way to families, childcare services should continue contact with young people after they have left care as minors. (Government of Ireland, 2009, Vol. IV, p. 464)

In response to the report’s publication the Irish government issued an Implementation Plan (2009) setting out how it would address each of the Commission’s recommendations, and here the Minister for Children, Barry Andrews, noted:

The need to support children when leaving care was highlighted by several submissions made to me and is referenced in the Commission’s Report. The normal transition for young adults leaving the home is gradual and is supported. This is not the case for many children leaving care. This plan will strengthen the provision of aftercare. In addition, children on leaving care will be asked to share their ongoing experiences as they make their way through life. (Office of the Minister for Children and Youth Affairs [OMCYA], 2009, p. xii)

The government’s response acknowledged the fact that aftercare services “are not standardised nationally”, were variable across the country, and in some cases nonexistent. In response to this situation, the government committed the Health Service Executive (the authority responsible for child protection and welfare services and care provision) to “ensure the provision of aftercare services for children leaving care in all instances where the professional judgment of the allocated social worker determines it is required” (OMCYA, 2009, p. 49).

However, the recourse to individual social workers as arbiters of service provision was criticised by those campaigning for more robust reforms, the most obvious difficulty being that aftercare is not viewed as an entitlement or a right for young people leaving the care system. This discretionary element of aftercare provision is one of the reasons
that various advocates have been campaigning for legislative change. Making the social worker the arbiter of service provision based on “professional judgment” may be congruent with existing legislation, but it falls short of an aspiration to address the needs of, and provide supports for, young people making the transition from care. Furthermore, the government’s Implementation Plan refers to an “allocated” social worker making the necessary judgment as to whether aftercare provision is required. Another significant barrier in this process is the fact that not all children and young people in care in the Republic of Ireland have an allocated social worker, a point highlighted by recent inspectorate reports. The Health Information and Quality Authority (HIQUA) carries out inspections of health and social care services in the Republic of Ireland and routinely inspects children’s residential centres, children detention schools, and foster care services. A number of inspections carried out in 2013 identified that not all young people in foster care had an allocated social worker (HIQUA, 2013a, 2013b, 2013c). For example, in one area (Dublin South/Dun Laoghaire), just 62% of children in foster care had an allocated social worker (HIQUA, 2013c).

A further report examining more recent practice in the child care system again brought the question of leaving care provision sharply to the fore. The Report of the Independent Child Death Review Group, an independent inquiry report examining existing information in respect of deaths of children who were known to child protection services, in care or in receipt of aftercare over a 10-year period, included in its recommendations a call for strengthening leaving and aftercare provision in the Republic of Ireland:

The statutory provision for aftercare should be strengthened by placing a mandatory statutory responsibility on the HSE/Child and Family Support Services Agency to ensure adequate supports are in place for vulnerable young people leaving the care system. (Shannon & Gibbons, 2012, p. xvii)

However, the campaign to amend legislation making leaving care provision mandatory, and spearheaded by the Saving Childhood Ryan Group, ultimately failed in effecting legislative change. Also, to date the national authority in charge of child protection and welfare services (the Health Service Executive) has developed a National Policy and Procedure Document on Leaving Care and Aftercare (2012b) but this has yet to be fully implemented. In any event the national policy reflects the legislative position, so the position of young people leaving care in the Republic of Ireland remains precarious, despite the attention that this issue has garnered in recent years as described here. However, the question of the position and status of care leavers is not a new phenomenon, and it is instructive to look back at how this issue has been framed over time and to explore why this policy neglect lingers.

A Brief Genealogy: From Behind the Walls of the Institution

The question of the adequacy of leaving and aftercare provision is not a new concern, and in fact the genealogy of this issue can be traced to the precursor of the current
child care framework—the Industrial and Reformatory School system. The tendency of Irish society to hide “social problems” behind institutional walls was noted in the Kennedy Report, one of the landmark inquiries into the system, in 1970: “Our whole approach to every aspect of Child Care must be based on the fact that we, the community, can no longer hide our social problems behind institutional walls—we must all play our part in solving them” (Government of Ireland, 1970, p. 59).

The question of what happened to young people when they emerged from behind the walls of the institution is the context in which the first discussions around “aftercare” were framed. An earlier report published in 1936 (the Cussen Report), and the first official inquiry report into the Industrial and Reformatory School System, explicitly considered the question of aftercare and noted the following:

The early association in the public mind of the Industrial Schools with the Prison system was undoubtedly responsible for a misconception that persists even to the present day regarding these institutions and the children trained in them. The grounds, if any ever existed, for such a misconception have long since disappeared and we draw attention to this aspect of the matter, not only because the misconception is now altogether unjustifiable, but also because it affects adversely Institutions which have been remarkably successful in carrying out their self-imposed task and moreover, prejudices very seriously the prospects of the children in after-life. (Government of Ireland, 1936, p. 10)

In what was invariably a product of its time and now reads as relatively uncritical, the report nonetheless noted the cultural stigma attached to young people who had been detained in these institutions. Echoing themes that would today be framed in the context of education and employment provision, the 1936 report noted the inadequacy of training received by young people in institutions to prepare them for future employment. Given the specific context of 1930s Ireland with an agrarian-based economy, particular reference was made to the training received in farming:

The majority of boys discharged are sent to employment in farming and allied occupations and even a large number of those trained at and discharged to trades are forced after a while to abandon such employment and to find work on farms or as general labourers … In this connection it will be noted from the reports furnished by the Technical Inspectors of the Department that the training in farming in schools is unsatisfactory, the boys apparently being regarded merely as juvenile labourers. (Government of Ireland, 1936, p. 30)

Identifying that the “aftercare” of young people discharged from institutions was deficient, the Commission recommended a more co-ordinated response, including the appointment of specific staff to carry out an aftercare role and liaise with “charitable organisations” in the community to support young people following their discharge from the school. However, it is noteworthy that the surveillance of young
people following their discharge from institutions was also foregrounded alongside putative concerns regarding the provision of support:

The priest of the parish to which a child is sent to employment should invariably be informed of the place of residence and the name of the employer. We are aware that even this elementary precaution is not always taken. (Government of Ireland, 1936, p. 34)

A subsequent interdepartmental committee established by the Minister for Justice in 1962 also explored the question of the aftercare of young people discharged from Industrial and Reformatory Schools. Although the Report of Committee for 1962 was never published, the 2006 Commission to Inquire into Child Abuse in the course of its public hearings heard evidence from Department of Justice officials about the impetus for looking at this area at this time:

I think the idea was that children who came out of industrial or reformatory schools … rather than just being put out on the street[,] that there should be a support structure there … I think the Department was trying to encourage [the Department of] Education and the institutions … [to] make arrangements for when their charges were finished in their term [sic] [and] that there was some mechanism to get them into jobs and into a settled structured lifestyle. (Evidence of Mr James Martin, Department of Justice before Mr Justice Seán Ryan at a public hearing of the Commission to Inquire into Child Abuse, June 19, 2006)

Part of the concern at the time, as evidenced in questions raised in the Dáil (Irish parliament), was the destination of young people when they left state institutions. Information provided in response to a parliamentary question on the topic in 1962 outlined that the greatest proportion of young people left institutions to “return to parents or friends” (in 1961 almost two-thirds), and that a fifth of the 947 young people discharged from institutions in 1961 were placed in some form of employment (typically menial work such as domestic labour for females or farm work for males), with another fifth entered under a “miscellaneous category”, which included emigration (Dáil Questions: Written Answers: Industrial and Reformatory Schools, December 6, 1962, Dáil Éireann Debate, Vol. 198 No. 6).

It is interesting to note that the motivation for the Department of Justice’s involvement in the Industrial and Reformatory School system, or at least its discharged subjects, was a concern around future criminality, again underlining the view that young people who passed through the institutions were viewed as “dangerous subjects”. This is the rationale provided in the Department of Justice’s official evidence to the Commission to Inquire into Child Abuse:

The Department [of Justice] obviously would be very conscious that people who aren’t going [to] turn out to be structured members of a structured society … tend to end up in jail. So it has always been the view of the Department of
Justice that if you are going to try to stop people from turning into criminals you want to get them at the youngest possible age, so we would have a general interest in what’s happening there [referring to Industrial School]. (Evidence of Mr James Martin, Department of Justice before Mr Justice Seán Ryan at a public hearing of the Commission to Inquire into Child Abuse, June 19, 2006)

However, the recommendations that the Department of Education, which had departmental responsibility for the Industrial and Reformatory Schools, should develop better support structures for young people exiting institutions does not appear to have been taken any further and in 1967 the government established a further Committee to Inquire into the Reformatory and Industrial School System.

The subsequent report of the Committee to Inquire into the Reformatory and Industrial School System, commonly known as the Kennedy Report (1970), recommended a preventative model of child protection and welfare that would focus on supporting families rather than a recourse to placement in institutions. It called for the abolition of the current institutional framework, the closure of large-scale institutions, and a move towards a locally delivered “group-home” model of care. Critically, the report also addressed the area of “aftercare”, echoing the concerns raised in previous reports in 1936 and 1962:

We are aware that in many cases School Managers endeavour to keep in touch with children who leave their care and encourage them to return for visits or holidays. This, however, is not aftercare as it is recognised by modern thinking in child care. In practice there is no aftercare machinery and there is no specialist personnel to do this work. (Government of Ireland, 1970, p. 56)

Here too the purpose of care, and by extension the role of aftercare, is the production of the “good citizen”. In fact, this is explicitly stated within the report as a rationale for the establishment of an “aftercare machinery”:

With this in mind his education should be directed towards making him a good citizen, and there should be close cooperation between those responsible for helping the child plan his education and choose a career, and those involved directly in aftercare. (Government of Ireland, 1970, p. 56)

The report continued:

With the closing of a number of Industrial Schools in recent times it was necessary to release numbers of children from those schools and we feel that not all the releases were purely in the best interests of the children concerned. The temptation to give precedence to the solving of an administrative difficulty over the welfare of the child must at all times be avoided. In order to avoid such dangers it is essential that every Residential Home should have an aftercare agent, who should coordinate the work of paving the way for a child’s release into everyday life. (Government of Ireland, 1970, p. 57)
Linking the Past to the Present

The current system of provision for child protection and welfare, including alternative care, began to emerge from 1970 onwards. This year marked the publication of the aforementioned Kennedy Report, which, as outlined, recommended family support as an alternative to removal of children from parental care. For children who did require a care placement the report recommended a move towards smaller group-based homes. While the 1970s and 1980s witnessed the closure of many institutions and the establishment of what we would now recognise as the “modern” system for children in care, it took some considerable time before legislative reform was enacted in this area. It was not until the early 1990s with the introduction of the Child Care Act (1991) that the current statutory framework for child protection and welfare was established. The slow pace of reform in this area has been the subject of some criticism. For example, Gilligan (2009) contrasted the range of legislation introduced to support adoption (the private sphere), with the relative neglect of what he termed the “public child”, whom he defined as “a child whose private world has in some sense become public business, attracting attention because concern has been aroused for his or her care or safety” (Gilligan, 2009, p. 265).

Another factor is relevant here, and that is the legacy of cultural stigma attached to children in care. Ferguson (2007) argued that part of the disavowal of responsibility for children in care by wider society is due to their construction as “other”. In his historical analysis of the role of the Irish Society for the Prevention of Cruelty to Children (ISPCC), and the placement and treatment of children in institutions, he argued that these children were conceived as morally culpable, and those characterisations, albeit modified in form, still persist. So what does this mean for the current state of inaction in regard to leaving and aftercare provision? Reflecting on the wider social policy sphere, various analyses of the Irish context have noted high levels of social inequality (Adshead, Kirby, & Millar, 2008). Some scholars have called for closer attention to be paid to the influence of culture on social policy (van Oorschot, 2007). Here two points are put forward: first, that it is important to situate aftercare provision within the wider social policy frame; and second, that social policy in this area is profoundly influenced by cultural attitudes (which are also informed by the historical context).

Up until the 1960s most social welfare-type services, as they existed (including the Industrial and Reformatory Schools), were operated, managed, and delivered by the Catholic Church, with some state support in the form of capitation funding. In essence, the state adopted a laissez-faire approach and the Catholic Church held responsibility in this area. In the period between the 1960s and 1970s the state began to expand its role in the social sphere, evidenced by the passage of the Health Act, 1970, and the roll-out of free second-level education. In the 1980s there was a retraction of social welfare services in the context of a recession. The remarkable economic growth experienced in the Republic of Ireland in the 1990s—the so-called
“Celtic Tiger”— led to some optimism that the spoils would be shared among all sections of society (Boucher & Collins, 2003).

However, as Adshead et al. (2008) noted even before the rather dramatic reversal of fortunes caused by the economic downturn and precipitated by a banking crisis that led in 2008 to European and International Monetary Fund intervention, the “glaring weaknesses” of the Irish state were evident. A report by the National Economic and Social Council (NESC) published in 2005 highlighted that the Republic of Ireland had the second highest child poverty rate in the European Union and an 18% rate of early school leaving, and while state expenditure increased in real terms in the 1990s, it fell as a proportion of GDP (gross domestic product). Indeed, it has frequently been commented that Ireland’s system of social welfare provision is more “Boston than Berlin”—that is, closer to the neo-liberal US model than to European associated welfarist models (Boucher & Collins, 2003; Millar, 2008).

If, as Millar cogently argued, “the state represents the general will of Irish society towards social inclusion” (2008, p. 102), then it can reasonably be stated that the general public does not “will” very much in this respect. Therefore, the reality is that proposed changes to welfare entitlements, which a strengthening of leaving care and aftercare provision would entail, have not received much wider cultural purchase or support. This is reflected by the fact that children and young people in this position are not viewed as a particularly powerful lobby group; nor are their parents (Gilligan, 2009). They are paradoxically “public” yet strangely “invisible”. Where events such as the publication of the Ryan Report (2009) cause attention to be focused on the care system, it is typically through the prism of the past and the situation of children in the current care system is not brought fully into view.

Conclusion

Despite a range of calls made over recent years to strengthen leaving and aftercare provision in the Republic of Ireland, the Irish government has failed to strengthen legislation in this area. Unlike its nearest UK neighbours (Northern Ireland, England, and Wales), there is no separate legislation for care leavers setting out the statutory entitlements, and the existing legislation (Child Care Act, 1991) provides a weak basis for this area. In essence, access to aftercare remains discretionary, based on a social worker’s assessment of a young person’s need, which is in itself highly problematic, given that recent inspection reports have highlighted the fact that not all young people in the care system have an allocated social worker (HIQUA, 2013c).

Alongside weak legislative provision there is a limited knowledge base on the actual numbers leaving care, the process of care leaving, and the experience of life after care. Here it is argued that this in itself speaks to the lack of public visibility afforded to young people in care and those transitioning from the system. Any analysis of the care system in Ireland has to be placed in the context of the historical patterning of wide-scale institutionalisation and the tendency of Irish society to hide its problems behind institutional walls. The genealogical analysis of leaving and aftercare presented
in this article also supports the view that this issue has historically only emerged as concerns in the context in which young people leaving the care system are perceived as a “threat” to social order: for example, in their emergence from behind the walls of the institution and into the public view.

The fact that the provision of adequate leaving and aftercare services should be viewed as a “good” for young people themselves is an argument that has been made more recently, but the reality is that there have been limited improvements to service provision for young people leaving care. Here the wider social policy context is also important, and in a country with high levels of social inequality the needs of young people exiting care are low down the policy agenda. The emergence of a rights-based discourse towards child protection and welfare—evidenced by the fact that the Republic of Ireland ratified the United Conventions on the Rights of the Child (UNCRC) in 1992—and the articulation of rights-based language in the Child Care Act, 1991 could give some reason for optimism (Munro et al., 2011). However, the translation of rights beyond the text and into practice remains a perennial struggle. In November 2012, a historic referendum was held to insert a clause into the Irish Constitution specifically recognising children’s rights. The need for a constitutional amendment had been the subject of debate from the early 1990s, as children were not recognised as independent rights-bearers in the Constitution. Yet, only a third of the electorate turned out to vote through this historic amendment (Children’s referendum passed amid low turnout, 2012)

The argument put forward in this article is that cultural attitudes towards children and young people, and specifically towards young people in the care system, have played a role in the policy stasis in this area. A real strengthening of the area of leaving and aftercare provision in the Republic of Ireland will require reference to wider social inequalities and a focus on bringing the experiences, needs, and aspirations of young people in care and those leaving care more into the public view.

References

Adshead, M., Kirby, P., & Millar, M. (2008). Contesting the state. Lessons from the Irish case. Manchester: Manchester University Press.

Barnes, J. (1989). Irish industrial schools 1868–1908. Origins and development. Dublin: Irish Academic Press.

Boucher, G., & Collins, G. (2003). Having one’s cake and being eaten too: Irish neo-liberal corporatism. Review of Social Economy, 61, 295–316. doi:10.1080/0034676032000115796

Brennan, C. (2007). Facing what cannot be changed: The Irish experience of confronting institutional child abuse. Journal of Social Welfare and Family Law, 29, 245–263. doi:10.1080/09649060701752265

Children’s referendum passed amid low turnout. (2012, November 11). The Irish Times. Retrieved from http://www.irishtimes.com/newspaper/breaking/2012/1111/breaking1.html

Daly, F. (2012a). My voice has to be heard. Research on outcomes for young people leaving care in North Dublin. Dublin: EPIC.
Daly, F. (2012b). What do young people need when they leave care? Views of care-leavers and aftercare workers in North Dublin. *Child Care in Practice, 18*, 309–324. doi:10.1080/13575279.2012.713852

Department of Children and Youth Affairs. (2013). *Children in care*. Retrieved May 7, 2013, from http://www.dcy.gov.ie/viewdoc.asp?DocID=2585&ad=1

Department of Health and Children (DoHC). (2000). *Preliminary analysis of childcare interim dataset*. Dublin: Author.

Doyle, A., Mayock, P., & Burns, K. (2012). Aftercare not afterthought: Supporting children in care’s transition to adulthood. In K. Burns & D. Lynch (Eds.), *Children’s rights and child protection: Critical times, critical issues in Ireland* (pp. 202–222). Manchester: Manchester University Press.

Ferguson, H. (2007). Abused and looked after children as “moral dirt”: Child abuse and institutional care in historical perspective. *Journal of Social Policy, 36*, 123–139. doi:10.1017/S0047279406000407

Fitzgerald, F. (2011). *Dáil questions: Children in care, November 3, 2011, Vol. 745, No. 3*. Retrieved May 7, 2013, from http://debates.oireachtas.ie/dail/2011/11/03/00012.asp

Flannery, T. (Ed.). (2009). *Responding to the Ryan report*. Dublin: The Columba Press.

Foucault, M. (1977/1991). *Discipline and punish. The birth of the prison*. London: Penguin.

Gilligan, R. (2008). Ireland. In M. Stein & E. R. Munro (Eds.), *Young people’s transitions from care to adulthood* (pp. 90–102). London: Jessica Kingsley.

Gilligan, R. (2009). The “public child” and the reluctant state? *Éire-Ireland, 44*(1&2), 265–290. doi:10.1353/eir.0.0031

Government of Ireland. (1936). *Commission of inquiry into the reformatory and industrial school system 1934–1936* (Cussen Report). Dublin: The Stationery Office.

Government of Ireland. (1970). *Report of the committee of inquiry into reformatory and industrial school systems* (Kennedy Report). Dublin: Stationery Office.

Government of Ireland. (2009). *Commission to inquire into child abuse (CICA) (Vols I–V)* (Ryan Report). Dublin: Stationary Office.

Health Service Executive (HSE). (2012a). *Review of adequacy for HSE children and family services*. Dublin: Author.

Health Service Executive (HSE). (2012b). *Leaving and aftercare services, national policy and procedures Document*. Dublin: Author.

HIQUA (Health Information and Quality Authority). (2013a). *Inspection of the HSE Laois Offaly local health area fostering service in the Dublin mid-Leinster integrated service area*. Dublin: Author.

HIQUA (Health Information and Quality Authority). (2013b). *Inspection of the HSE Wexford local health area fostering service in the Waterford/Wexford integrated service area*. Dublin: Author.

HIQUA (Health Information and Quality Authority). (2013c). *Inspection of the HSE Dublin South/ Dún Laoighre local health area fostering service in the Dublin South/East Wicklow integrated service area*. Dublin: HIQUA.

Keenan, O. (1997). Child welfare. In J. Robins (Ed.), *Reflections on health: Commemorating fifty years of the Department of Health, 1947–1997* (pp. 65–66). Dublin: Institute of Public Administration.

Kelleher, P., & Kelleher, C. (1998). *Out on their own: Young people leaving care in Ireland*. Dublin: Focus Point.

Martin, J. (2006). Evidence of Mr James Martin, Department of Justice before Mr Justice Sean Ryan at a public hearing of the Commission to Inquire into Child Abuse, June 19, 2006. Retrieved May 7, 2013, from http://www.childabusecommission.ie/about/documents/public_transcript_day227a_martin.PDF
Mayock, P., & Carr, N. (2008). Not just homelessness…a study of “out of home” young people in Cork city. Cork: Health Service Executive.

Mayock, P., O’Sullivan, E., & Corr, M. L. (2011). Young people exiting homelessness: An exploration of process, meaning and definition. Housing Studies, 26, 803–826. doi:10.1080/02673037.2011.593131

Millar, M. (2008). Social inclusion and the welfare state: Who cares? In M. Adshead, P. Kirby, & M. Millar (Eds.), Contesting the state. Lessons from the Irish case (pp. 50–73). Manchester: Manchester University Press.

Munro, E. R., Pinkerton, J., Mendes, P., Hyde-Dryden, G., Herczog, M., & Benbenishty, R. (2011). The contribution of the United Nations Convention on the Rights of the Child to understanding and promoting the interests of young people making the transition from care to adulthood. Children and Youth Services Review, 33, 2417–2423. doi:10.1016/j.childyouth.2011.08.025

Munro, E. R., Stein, M., & Ward, H. (2005). Comparing how different social, political and legal frameworks support or inhibit transitions from public care to independence in Europe, Israel, Canada and the United States. International Journal of Child and Family Welfare, 8, 191–202.

National Economic Social Council (NESC). (2005). The developmental welfare state. Dublin: Author.

Office of the Minister for Children and Youth Affairs. (2009). Report of the commission to inquire into child abuse implementation plan. Dublin: Author.

O’Sullivan, E. (2009). Residential child welfare in Ireland, 1965–2008. Commission to inquire into child abuse (Vol. IV). Dublin: Stationary Office.

Pinkerton, J. (2008). States of care leaving: Towards international exchange as a global resource. In M. Stein & E. R. Munro (Eds.), Young people’s transitions from care to adulthood (pp. 241–258). London: Jessica Kingsley.

Pinkerton, J. (2011). Constructing a global understanding of the social ecology of leaving out of home care. Children and Youth Services Review, 33, 2412–2416. doi:10.1016/j.childyouth.2011.08.020

Powell, F., Geoghegan, M., Scanlon, M., & Swirak, K. (2013). The Irish charity myth, child abuse and human rights: Contextualising the Ryan Report into care institutions. British Journal of Social Work, 43(1), 7–23. doi:10.1093/bjsw/bcr182

Raftery, M., & O’Sullivan, E. (1999). Suffer the little children: The inside story of Ireland’s industrial schools. Dublin: New Island Books

Shannon, G., & Gibbons, N. (2012). Report of the independent child death review group. Dublin: Government.

Skehill, C. (2003). Social work in the republic of Ireland. A history of the present. Journal of Social Work, 3, 141–151. doi:10.1177/1468017303003002

Skehill, C. (2004). History of the present of child protection and welfare social work in Ireland. Lampeter: Edwin Mellen.

Stein, M. (2006). Research review: Young people leaving care. Child and Family Social Work, 11, 422–435.

Stein, M. (2012). Young people leaving care. Supporting pathways to adulthood. London: Jessica Kingsley.

van Oorschot, W. (2007). Culture and social policy: A developing field of study. International Journal of Social Welfare, 16, 129–139. doi:10.1111/j.1468-2397.2006.00451.x