Changes to Legislation: as of 3 November 2026, this Act is up to date with all changes known to be in force.

Number 36 *of* 2015

CHILDREN FIRST ACT 2015

REVISED

Updated to 23 June 2026

This Revised Act is an administrative consolidation of the *Children First Act 2015*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including *Air Pollution (Amendment) Act 2026* (14/2026), enacted 18 June 2026 and all statutory instruments up to and including *Child Care Act 1991 (Section 35L (3)) (Prescribed Classes) Regulations 2026* (S.I. No. 288 of 2026), made 23 June 2026, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

Number 36 *of* 2015

Children First Act 2015

REVISED

Updated to 23 June 2026

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Number 36 *of* 2015

CHILDREN FIRST ACT 2015

REVISED

Updated to 23 June 2026

An Act for the purposes of making further and better provision for the care and protection of children and for those purposes to require the preparation, by certain providers of services to children, of child safeguarding statements; to require certain persons to make reports to the Child and Family Agency in respect of children in certain circumstances; to require certain persons to assist the Child and Family Agency in certain circumstances; to provide for the establishment of the Children First Inter-Departmental Implementation Group; to make provision for the preparation of sectoral implementation plans by Departments of State; to provide for the abolition of the common law defence of reasonable chastisement and, for that purpose, to amend the Non-Fatal Offences Against the Person Act 1997; and to provide for related matters.

[19 *th November*, 2015]

Be it enacted by the Oireachtas as follows:

Annotations

Modifications (not altering text):

C1 Application of Act extended (30.06.2018) by *European Communities (Reception Conditions) Regulations 2018* (S.I. No. 230 of 2018), reg. 10(3), in operation as per reg. 1(2).

Unaccompanied minors

10. ...

(3) The Child Care Act 1991 as amended, the Child and Family Agency Act 2013, the Children First Act 2015 and other enactments relating to the care and welfare of persons who have not attained the age of 18 years shall apply to unaccompanied minors.

...

PART 1

PRELIMINARY AND GENERAL

Short title and commencement

1. (1) This Act may be cited as the Children First Act 2015.

(2) This Act shall come into operation on such day or days as the Minister may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or provisions.

Annotations

Editorial Notes:

E1 Power pursuant to section exercised (11.12.2017) by *Children First Act 2015 (Commencement) Order 2017* (S.I. No. 470 of 2017).

2. The 11th day of December 2017 is appointed as the day on which the Children First Act 2015 (No. 36 of 2015), insofar as it is not already in operation, shall come into operation.

E2 Power pursuant to subs. (2) exercised (1.05.2016) by *Children First Act 2015 (Commencement) Order 2016* (S.I. No. 211 of 2016).

2. The 1st day of May 2016 is appointed as the day on which—

(*a*) section 18, and

(*b*) sections 20 to 26,

of the Children First Act 2015 (No. 36 of 2015) shall come into operation.

E3 Power pursuant to subs. (2) exercised (11.12.2015) by *Children First Act 2015 (Commencement) Order 2015* (S.I. No. 555 of 2015).

2. The 11th day of December 2015 is appointed as the day on which—

(*a*) sections 1 to 5, and

(*b*) section 28,

of the Children First Act 2015 (No. 36 of 2015) shall come into operation.

Definitions

2. In this Act—

"Agency" means the Child and Family Agency;

"authorised person" has the meaning assigned to it by *section 15(1)*;

"child" has the same meaning it has in section 2 of the Child Care Act 1991;

"child safeguarding statement" has the meaning assigned to it by *section 11(1)*;

"enactment" means a statute or an instrument made under a power conferred by statute;

"harm" means, in relation to a child—

(a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development or welfare, or

(b) sexual abuse of the child,

whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise;

"Implementation Group" has the meaning assigned to it by *section 20*;

"ill-treatment" means, in relation to a child, to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated;

"mandated person" means a person who is a person specified in *Schedule 2*;

"mandated report form" has the meaning assigned to it by *section 14(6)*;

"Minister" means the Minister for Children and Youth Affairs;

"neglect" means, in relation to a child, to deprive the child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care;

"prescribed" means prescribed by regulations made by the Minister under *section 3*;

"relevant service" means any work or activity specified in *Schedule 1*;

"sectoral implementation plan" has the meaning assigned to it by *section 27(1)*;

"sexual abuse" means, in relation to a child—

(a) an offence against the child, specified in *Schedule 3*,

(b) F1**[**...**]**

(c) F1**[**...**]**

"welfare" includes, in relation to a child, the moral, intellectual, physical, emotional and social welfare of the child.

Annotations

Amendments:

F1 Deleted (27.03.2017) by *Criminal Law (Sexual Offences) Act 2017* (2/2017), s. 55(a), S.I. No. 112 of 2017.

Regulations

3. (1) The Minister may by regulations provide for any matter referred to in this Act as prescribed or to be prescribed.

(2) Regulations under this Act may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary or expedient for the purposes of the regulations.

(3) Every regulation under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within 21 days on which that House sits after the regulation is laid before it, the regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

Service of notices

4. (1) A notice that is required to be served on a person under this Act shall be addressed to the person by name and may be so served in one of the following ways:

(a) by delivering it to the person;

(b) by leaving it at the address at which the person ordinarily resides or, in a case in which an address for service has been furnished, at that address;

(c) by sending it by post in a pre-paid registered letter to the address at which the person ordinarily resides or, in a case in which an address for service has been furnished, to that address.

(2) For the purposes of this section, a company within the meaning of the Companies Acts shall be deemed to be ordinarily resident at its registered office, and every other body corporate and every unincorporated body of persons, shall be deemed to be ordinarily resident at its principal office or place of business.

Expenses

5. The expenses incurred by the Minister or any other Minister of the Government in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Public Expenditure and Reform, be paid out of moneys provided by the Oireachtas.

Guidelines

6. (1) The Minister may issue guidelines for the purpose of providing practical guidance to persons in respect of the protection and welfare of children.

(2) The Minister shall publish guidelines issued under *subsection (1)* in such manner (including on the internet) as he or she considers appropriate.

(3) Any guidelines that have been issued by the Minister before the commencement of this subsection for the purpose of providing practical guidance in respect of the protection and welfare of children, and that are in force immediately before that commencement, shall, on such commencement, be deemed to be guidelines issued under *subsection (1)*.

Best interests of child

7. The Agency shall, in performing a function under this Act, regard the best interests of the child as the paramount consideration.

PART 2

Child Safeguarding Statements

Definitions for purposes of *Part 2*

8. In this Part—

"advance notice" shall be construed in accordance with *section 12(2)*;

"contract of employment" means—

(a) a contract of service or apprenticeship, or

(b) any other contract whereby an individual agrees with another person, who is carrying on the business of an employment agency within the meaning of the Employment Agency Act 1971, and is acting in the course of that business, to do or perform personally any work or service for a third person (whether or not the third person is a party to the contract),

whether the contract is express or implied and, if express, whether it is oral or in writing;

"non-compliance notice" means a notice served by the Agency under *section 12(6)*;

"personal relationship" has the same meaning as it has in section 3 of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012;

"provider" means, in relation to a relevant service, a person—

(a) who provides a relevant service, and

(b) who, in respect of the provision of such relevant service—

(i) employs (whether under contract of employment or otherwise) one or more than one other person to undertake any work or activity that constitutes a relevant service,

(ii) enters into a contract for services with one or more than one other person for the provision by the person of a relevant service, or

(iii) permits one or more than one other person (whether or not for commercial or other consideration and whether or not as part of a course of education or training, including an internship scheme) to undertake any work or activity, on behalf of the person, that constitutes a relevant service;

"register of non-compliance" shall be construed in accordance with *section 13(1)*;

"relevant person" means a person who is appointed by a provider of a relevant service to be the first point of contact in respect of the provider's child safeguarding statement.

Application of Part

9. A person who would but for this section be regarded as a provider of a relevant service shall not be a provider for the purposes of this Part if the relevant service being provided by the person concerned is—

(a) undertaken in the course of a family relationship, where the work or activity is undertaken solely for the benefit of a child or other family member of the person,

(b) undertaken in the course of a personal relationship for no commercial consideration, or

(c) undertaken on an occasional basis only for no consideration at a school, sports or community event or activity.

Child safeguarding

10. A provider of a relevant service shall ensure, as far as practicable, that each child availing of the service from the provider is safe from harm while availing of that service.

Risk assessment and child safeguarding statements, etc.

11. (1) Where a person proposes to operate as a provider of a relevant service, he or she shall, within 3 months from the date on which he or she commences as such a provider—

(a) undertake an assessment of any potential for harm to a child while availing of the service (in this section referred to as a "risk"),

(b) prepare, in accordance with *subsection (3)*, a written statement (in this Act referred to as a "child safeguarding statement") specifying the service being provided and the principles and procedures to be observed to ensure as far as practicable, that a child, while availing of the service, is safe from harm, and

(c) appoint a relevant person for the purposes of this Part.

(2) A person who, immediately before the commencement of this section, was operating as a provider of a relevant service shall, not later than 3 months from the date of such commencement—

(a) undertake an assessment of any risk,

(b) prepare, in accordance with *subsection (3)*, a child safeguarding statement, and

(c) appoint a relevant person for the purposes of this Part.

(3) A child safeguarding statement shall include a written assessment of the risk and, in that regard, specify the procedures that are in place—

(a) to manage any risk identified,

(b) in respect of any member of staff who is the subject of any investigation (howsoever described) in respect of any act, omission or circumstance in respect of a child availing of the relevant service,

(c) for the selection or recruitment of any person as a member of staff of the provider with regard to that person's suitability to work with children,

(d) for the provision of information and, where necessary, instruction and training, to members of staff of the provider in relation to the identification of the occurrence of harm,

(e) for reporting to the Agency by the provider or a member of staff of the provider (whether a mandated person or otherwise) in accordance with this Act or the guidelines issued by the Minister under *section 6*,

(f) for maintaining a list of the persons (if any) in the relevant service who are mandated persons, and

(g) for appointing a relevant person for the purposes of this Part.

(4) A provider of a relevant service shall ensure that the child safeguarding statement being prepared by the provider has due regard to, and is in accordance with, any guidelines issued by—

(a) the Minister under *section 6*, and

(b) the Agency concerning child safeguarding statements.

(5) A provider of a relevant service shall furnish a copy of the provider's child safeguarding statement—

(a) to members of staff of the provider, and

(b) on request—

(i) to a parent or guardian, as the case may be, of a child availing of the relevant services,

(ii) to the Agency, or

(iii) to members of the public.

(6) As soon as may be after the preparation of a child safeguarding statement or any review of it, the provider shall display the statement in a prominent place where the relevant service concerned relates or is provided, or both, as may be appropriate.

(7) Subject to *subsection (8)*, a provider of a relevant service shall, at intervals of not more than 24 months, undertake a review of the provider's child safeguarding statement and the first such review shall be undertaken not more than 24 months from the date on which the first child safeguarding statement was prepared under *subsection (1)* or *(2)*, as the case may be, and displayed under *subsection (6)*, and any subsequent review shall be undertaken not more than 24 months from the date when the last review was undertaken.

(8) A provider of a relevant service shall review a child safeguarding statement prepared under this section as soon as practicable after there has been a material change in any matter to which the statement refers.

(9) Any of the following matters may be prescribed:

(a) the form of a child safeguarding statement;

(b) the matters to be included in a child safeguarding statement;

(c) the procedures to be followed by a provider of a relevant service in respect of a review, by the provider, of a child safeguarding statement.

(10) In this section "member of staff" means, in relation to a provider, a person referred to in sub *paragraph (i)*, *(ii)* or *(iii)* of *paragraph (b)* of the definition of "provider" as set out in *section 8*.

Non-compliance with request to furnish child safeguarding statement

12. (1) Where, pursuant to a request made by the Agency under *section 11(5)(b)(ii)*, a provider of a relevant service fails to furnish the Agency with a copy of the provider's child safeguarding statement, the Agency may, by notice in writing served on the provider—

(a) inform the provider of such failure,

(b) require the provider, within such period as may be specified in the notice, to furnish the Agency with a copy of the provider's child safeguarding statement, and

(c) inform the provider that failure to furnish the Agency with the child safeguarding statement within the time specified in the notice may result in the provider being served with a non-compliance notice.

(2) Where a provider of a relevant service fails to comply with a requirement made by the Agency under *subsection (1)(b)*, the Agency shall, by notice in writing served on the provider (in this section referred to as an "advance notice") inform the provider that it is proposing to serve a non-compliance notice on the provider.

(3) The advance notice shall—

(a) inform the provider of the failure to furnish the child safeguarding statement concerned to which the notice relates,

(b) specify the period within which the child safeguarding statement shall be furnished by the provider,

(c) inform the provider that failure to furnish the child safeguarding statement within the period specified may, subject to *subsection (5)*, result in the provider being served with a non-compliance notice, and

(d) inform the provider that he or she may make representations to the Agency in accordance with *subsection (4)*.

(4) A provider who is served with an advance notice may, within 14 days of the receipt of the notice, make representations in writing to the Agency in respect of the proposed non-compliance notice.

(5) The Agency shall have regard to any representations made to it under *subsection (4)* in assessing whether to proceed with the service of the non-compliance notice.

(6) The Agency shall, subject to *subsection (5)*, serve a non-compliance notice on a provider of a relevant service who fails to furnish the Agency with a child safeguarding statement within the period specified in the advance notice and the notice shall inform the provider concerned of the matters specified in *subsections (7)* and *(8)*.

(7) A non-compliance notice shall come into effect 21 days from the date of service of the notice unless an appeal is brought by the provider under *subsection (8)* .

(8) A provider who is served with a non-compliance notice may, within 21 days of the date of service of the notice, appeal the non-compliance notice to the District Court.

(9) The jurisdiction conferred on the District Court under this section shall be exercised by a judge of that court for the time being assigned to the District Court district in which the person on whom the non-compliance notice is served ordinarily resides or carries on any profession, business or occupation.

Register of non-compliance

13. (1) The Agency shall establish and maintain a register of non-compliance notices (in this Act referred to as the "register of non-compliance").

(2) As soon as may be after a non-compliance notice comes into effect pursuant to *section 12*, the Agency shall enter the particulars of the non-compliance notice on the register of non-compliance.

(3) Subject to *subsection (4)*, an entry made in respect of a non-compliance notice shall be removed from the register of non-compliance upon receipt by the Agency of the child safeguarding statement to which the entry relates or upon being satisfied that a child safeguarding statement is no longer required, as may be appropriate, whichever is the earlier.

(4) A person who is the subject of a non-compliance notice may at any time apply to the Agency to have the entry concerned removed from the register of non-compliance and the Agency may, if it considers it appropriate to do so, remove the entry.

(5) The register of non-compliance shall be made available for inspection by members of the public at all reasonable times at the principal office of the Agency.

PART 3

REPORTING

Mandated persons

14. (1) Subject to *subsections (3)*, *(4)*, *(5)*, *(6)* and *(7)*, where a mandated person knows, believes or has reasonable grounds to suspect, on the basis of information that he or she has received, acquired or becomes aware of in the course of his or her employment or profession as such a mandated person, that a child—

(a) has been harmed,

(b) is being harmed, or

(c) is at risk of being harmed,

he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be, to the Agency.

(2) Where a child believes that he or she—

(a) has been harmed,

(b) is being harmed, or

(c) is at risk of being harmed,

and discloses that belief to a mandated person in the course of the mandated person's employment or profession as such a person, the mandated person shall, subject to *subsections (5)*, *(6)* and *(7)*, as soon as practicable, report that disclosure to the Agency.

(3) A mandated person shall not be required to make a report to the Agency under *subsection (1)* where—

(a) he or she knows or believes that—

(i) a child who is aged 15 years or more but less than 17 years is engaged in sexual activity, and

(ii) the other party to the sexual activity concerned is not more than 2 years older than the child concerned,

(b) he or she knows or believes that—

(i) there is no material difference in capacity or maturity between the parties engaged in the sexual activity concerned, and

(ii) the relationship between the parties engaged in the sexual activity concerned is not intimidatory or exploitative of either party,

(c) he or she is satisfied that *subsection (2)* does not apply, and

(d) the child concerned has made known to the mandated person his or her view that the activity, or information relating to it, should not be disclosed to the Agency and the mandated person relied upon that view.

(4) A mandated person shall not be required to make a report to the Agency under *subsection (1)* where the sole basis for the mandated person's knowledge, belief or suspicion is as a result of information he or she has acquired, received or become aware of—

(a) from—

(i) another mandated person, or

(ii) a person, other than a mandated person, who has reported jointly with a mandated person pursuant to *subsection (6)(b)*,

that a report has been made to the Agency in respect of the child concerned by that other person,

(b) pursuant to his or her role, as a member of staff of the Agency, in carrying out an assessment as to whether a child who is the subject of a report or any other child has been, is being or is at risk of being harmed, or

(c) pursuant to his or her role in assisting the Agency with an assessment as to whether a child who is the subject of a report or any other child has been, is being or is at risk of being harmed.

(5) *Subsections (1)* and *(2)* apply only to information that a mandated person acquires, receives or becomes aware of after the commencement of this section irrespective of whether the harm concerned occurred before or after that commencement.

(6) Subject to *subsection (7)*, a report under *subsection (1)* or *(2)* shall be made by the completion of such form as shall be specified for that purpose by the Agency (in this Act referred to as a "mandated report form") and may be made by the mandated person—

(a) himself or herself, or

(b) jointly with one or more than one other person, irrespective of whether or not the other person is a mandated person.

(7) Where a mandated person acting in the course of his or her employment or profession knows, believes or has reasonable grounds to suspect that a child may be at risk of immediate harm and should be removed to a place of safety, he or she may make a report to the Agency under *subsection (1)* or *(2)* other than by means of a mandated report form.

(8) Where a mandated person makes a report under *subsection (7)*, he or she shall in addition, complete a mandated report form as soon as may be but in any event not later than 3 days after the making of the first-mentioned report.

(9) Any of the following matters may be prescribed:

(a) the procedures that are to apply to a mandated person making a report under this section;

(b) the making of a report by a mandated person jointly with one or more than one other person under this section.

(10) The Agency shall make a mandated report form available in such form and manner (including on the internet) as the Agency considers appropriate.

(11) The obligations imposed on a mandated person under this section are in addition to, and not in substitution for, any other obligation that the person has to disclose information to the Agency (whether or not in his or her capacity as a mandated person), but, subject to *subsection (8)*, this section shall not require the mandated person to disclose that information to the Agency more than once.

(12) Nothing in this section shall operate to affect any other obligation that a person has to disclose information to a member of An Garda Síochána under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 or to any other person by or under any other enactment or rule of law.

Authorised persons

15. (1) The chief executive officer of the Agency shall authorise in writing such member or members of staff of the Agency as he or she considers appropriate for the purposes of receiving reports under *section 14*and such person or persons shall, in this Act, be referred to as an authorised person or authorised persons.

(2) An authorised person shall be deemed to be duly appointed to be a designated officer within the meaning of the Protections for Persons Reporting Child Abuse Act 1998 and the provisions of that Act apply to the authorised person in his or her capacity as such a designated officer accordingly.

(3) Where an authorised person receives a report under *section 14*, he or she shall forward, or cause to be forwarded, an acknowledgement in writing stating the date of receipt of the report to the mandated person or persons who made the report.

Agency may request mandated persons to assist with assessments

16. (1) Where the Agency receives a report from a mandated person or persons under *section 14*, the Agency may, for the purposes of assessing whether a child who is the subject of that report or any other child—

(a) has been harmed,

(b) is being harmed, or

(c) is at risk of being harmed,

take such steps as it considers requisite and such steps may include a request to any mandated person whom it reasonably believes may be in a position to assist the Agency for those purposes, to give to the Agency such information and assistance as it may reasonably require and is, in the opinion of the Agency, necessary and proportionate in all of the circumstances of the case.

(2) Where the Agency makes a request of a mandated person under *subsection (1)*, the mandated person shall, as soon as practicable, comply with the request.

(3) If a mandated person furnishes any information (including a report), document or thing to the Agency pursuant to a request made under *subsection (1)*, the furnishing of that information, document or thing shall not give rise to any civil liability in contract, tort or otherwise and nor shall the information, document or thing be admissible as evidence against that person in any civil or criminal proceedings.

(4) The Agency may share information concerning a child who is the subject of a report under *section 14* with a mandated person who is assisting the Agency with the assessment concerned, however, the sharing of such information shall be limited to such information as is, in the opinion of the Agency, necessary and proportionate in all the circumstances of the case.

(5) Subject to the provisions of this Act and the Child Care Act 1991, the procedures for carrying out an assessment arising from a report under *section 14* shall be such as the Agency considers appropriate in all the circumstances of the case.

(6) For the purposes of performing its functions under this Part, the Agency shall have the same powers as it has under the Child Care Act 1991 or any other enactment in respect of children who are not receiving adequate care and protection.

(7) The powers conferred on the Agency by this Part in respect of reports under *section 14* are without prejudice to the powers conferred on it under the Child Care Act 1991 or any other enactment in respect of reports received by it, otherwise than under *section 14*, concerning a child who is not receiving adequate care and protection.

(8) In this section "assistance", includes, in relation to a request under *subsection (1)* —

(a) the provision of verbal or written information or reports,

(b) attendance at any meeting arranged by the Agency in connection with its assessment under *subsection (1)*, and

(c) the production to the Agency of any document or thing.

Information obtained by Agency or other persons pursuant to Act

17. (1) Subject to the provisions of this Act, information shared by the Agency with another person (in this subsection referred to as a "relevant person") in the course of carrying out an assessment arising from a report under *section 14* shall not be disclosed to a third party by the relevant person, save in accordance with law or under and in accordance with an authorisation under *subsection (2)*.

(2) The Agency may authorise in writing the disclosure of information referred to in *subsection (1)* subject to such conditions (if any) as the Agency considers appropriate and specifies in the authorisation.

(3) A person who fails to comply with *subsection (1)* shall be guilty of an offence and shall be liable on summary conviction to a class A fine or imprisonment for a term not exceeding 6 months or both.

(4) Where an offence under this section is committed by a body corporate and it is proved that the offence was committed with the consent or connivance, or was attributable to any wilful neglect, of a person who was a director, manager, secretary or other officer of the body corporate, or a person purporting to act in that capacity, that person, as well as the body corporate, shall be guilty of an offence and may be proceeded against and punished as if he or she were guilty of the first-mentioned offence.

(5) Where the affairs of a body corporate are managed by its members,*subsection (4)* applies in relation to the acts and defaults of a member in connection with his or her functions of management as if he or she were a director or manager of the body corporate.

(6) Summary proceedings for an offence under this section may be brought and prosecuted by the Agency.

(7) Notwithstanding section 10(4) of the Petty Sessions (Ireland) Act 1851, proceedings for an offence under this section may be instituted at any time within 12 months from the date of the offence.

Agency is specified body for purposes of National Vetting Bureau (Children and Vulnerable Persons) Act 2012

18. The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 is amended, in Schedule 2, by the insertion of the following paragraph after paragraph 11:

"12. The Child and Family Agency.".

Views of child - amendment of Child and Family Agency Act 2013

19. The Child and Family Agency Act 2013 is amended, in section 9(4), by the substitution of "the Adoption Act 2010, the Children First Act 2015 or" for "the Adoption Act 2010 or".

PART 4

Children First Inter-Departmental Implementation Group and Sectoral Implementation Plans

Children First Inter-Departmental Implementation Group

20. As soon as may be after the commencement of this section, the Minister shall establish a group to be known as the Children First Inter-Departmental Implementation Group, and in this Act referred to as the "Implementation Group", to perform the functions assigned to it by this Act.

Membership of Implementation Group

21. (1) The Implementation Group shall consist of—

(a) a chairperson, and

(b) not less than 18 ordinary members,

each of whom shall be appointed by the Minister to be a member of the Implementation Group.

(2) The Minister shall appoint an officer of the Minister to be the chairperson of the Implementation Group.

(3) The ordinary members of the Implementation Group shall be comprised as follows:

(a) an officer of each Minister of the Government nominated by the Minister of the Government having charge of the Department of State concerned;

(b) a member of An Garda Síochána nominated by the Commissioner of An Garda Síochána;

(c) an employee of the Agency nominated by the chief executive officer of the Agency;

(d) an employee of the Health Service Executive nominated by the F2**[**chief executive officer**]** of the Health Service Executive.

(4) The Minister may at any time dissolve the Implementation Group.

Annotations

Amendments:

F2 Substituted (28.06.2019) by *Health Service Executive (Governance) Act 2019* (17/2019), s. 35(a), S.I. No. 283 of 2019.

Functions of Implementation Group

22. The functions of the Implementation Group shall be to—

(a) promote compliance by Departments of State with their obligations under this Act,

(b) monitor the implementation by Departments of State of the guidelines issued by the Minister under *section 6*,

(c) provide support to Departments of State in respect of the preparation and publication of sectoral implementation plans,

(d) promote a consistent approach by Departments of State in respect of the preparation and publication of sectoral implementation plans,

(e) report to the Minister, when requested, on the implementation of this Act and of the guidelines issued by the Minister under *section 6*,and

(f) provide information or advice, or make proposals, to the Minister on matters relating to the functions of the Implementation Group referred to in *paragraphs (a)*, *(b)*, *(c)*, *(d)* and *(e)*.

Directions of Minister

23. (1) The Minister may give a direction in writing to the Implementation Group in relation to the performance by the Implementation Group of its functions under this Act, requiring it to comply with such policies of the Government as are specified in the direction.

(2) The Minister may, by direction in writing, amend or revoke a direction under this section (including a direction under this subsection).

(3) The Implementation Group shall comply with a direction given to it under this section.

Conditions and cessation of membership

24. (1) An appointment made under *section 21(1)*shall, subject to the provisions of this Part, be on such terms and conditions as may be determined by the Minister.

(2) Without prejudice to the generality of *subsection (1)*, a person appointed by the Minister under *section 21(1)* shall cease to be a member of the Implementation Group—

(a) where appointed under *subsection (3)(a)* of that section—

(i) if he or she ceases to be an officer of the Minister of the Government concerned, or

(ii) at the request of that Minister of the Government,

(b) where appointed under *subsection (3)(b)* of that section—

(i) if he or she ceases to be a member of An Garda Síochána, or

(ii) at the request of the Garda Commissioner,

(c) where appointed under *subsection (3)(c)* of that section—

(i) if he or she ceases to be an employee of the Agency, or

(ii) at the request of the chief executive officer of the Agency,

or

(d) where appointed under *subsection (3)(d)* of that section—

(i) if he or she ceases to be an employee of the Health Service Executive, or

(ii) at the request of the F3**[**chief executive officer**]** of the Health Service Executive.

(3) If a member of the Implementation Group dies or ceases to be a member of the Group, the Minister may appoint a person to be a member of the Implementation Group to fill the vacancy so occasioned in the same manner as the member of the Implementation Group who occasioned the vacancy was appointed.

Annotations

Amendments:

F3 Substituted (28.06.2019) by *Health Service Executive (Governance) Act 2019* (17/2019), s. 35(b), S.I. No. 283 of 2019.

Meetings and procedures

25. (1) The Implementation Group shall hold such and so many meetings as may be necessary for the performance of its functions and may, subject to the provisions of this Part, make such arrangements for the conduct of its meetings and business as it considers appropriate.

(2) The quorum for a meeting of the Implementation Group shall be 8.

(3) Subject to *subsection (2)*, the Implementation Group may act notwithstanding one or more than one vacancy among its membership.

(4) At a meeting of the Implementation Group—

(a) the chairperson of the Implementation Group shall, if present, be the chairperson of the meeting, or

(b) if and so long as the chairperson of the Implementation Group is not present, or if that office is vacant, the members of the Implementation Group who are present shall choose one of their number to be the chairperson of the meeting.

Reports

26. (1) The Implementation Group shall, not later than 30 June of each calendar year, prepare and submit to the Minister a report on the performance of its functions and activities during the preceding year or, in the case of the first such report, its functions and activities since the date it was established up to and including 31 December of the preceding year.

(2) The Minister shall, as soon as may be after receiving the report under *subsection (1)*, cause a copy of it to be laid before each House of the Oireachtas.

(3) A report under *subsection (1)* shall be in such form as the Minister may approve and shall include information in such form and regarding such matters as the Minister may from time to time direct.

(4) The Implementation Group shall supply, when required by the Minister to do so, a report on any matter connected with the functions of the Implementation Group as may be specified by the Minister.

(5) A report under *subsection (4)* shall be in such form and shall be made within such period as the Minister may specify.

Sectoral implementation plans

27. (1) Each Minister of the Government shall, as soon as may be after the commencement of this section, prepare and publish a plan (in this Act referred to as a "sectoral implementation plan") in relation to the matters referred to in *subsection (2)* outlining the programme of measures taken or proposed to be taken by or on behalf of the Minister concerned to ensure that—

(a) the Department of State concerned, and

(b) any body that provides a relevant service and receives funding from the Department concerned in that regard,

complies with the provisions of this Act and of the guidelines issued by the Minister under *section 6*.

(2) A sectoral implementation plan shall contain information concerning—

(a) relevant services provided by or on behalf of the Department of State concerned,

(b) measures taken or proposed to be taken to promote, review and report on compliance with the provisions of this Act and of the guidelines issued by the Minister under *section 6*,

(c) monitoring and review procedures in relation to the subject matter of the plan, and

(d) such other matters (if any) as the Minister of the Government concerned considers appropriate.

(3) Any plan that has been published by a Minister of the Government before the commencement of this section and in relation to the matters referred to in *subsection (2)* that is in force immediately before such commencement, shall be deemed, on such commencement, to be a sectoral implementation plan prepared and published by that Minister under *subsection (1)*.

(4) As soon as may be after the preparation of a sectoral implementation plan or, in the case of a sectoral implementation plan to which *subsection (3)* applies, as soon as may be after the commencement of this section, the Minister of the Government concerned shall cause copies of the plan to be laid before each House of the Oireachtas.

(5) Each Minister of the Government shall review and, if appropriate, revise a sectoral implementation plan and publish a sectoral implementation plan as revised—

(a) not later than 3 years, or such other period as may be determined by the Minister, from the date of publication of that plan in accordance with this section or, in the case of a sectoral implementation plan to which *subsection (3)* applies, the date of the commencement of this section, and

(b) not later than 3 years, or such other period as may be determined by the Minister, from the date of the last review of that plan under this section.

(6) A sectoral implementation plan prepared by a Minister of the Government under *subsection (1)* may be amended by another sectoral implementation plan prepared by that Minister.

PART 5

MISCELLANEOUS

Abolition of defence of reasonable chastisement

28. The Non-Fatal Offences Against the Person Act 1997 is amended by the insertion of the following section after section 24:

"24A. (1) The common law defence of reasonable chastisement is abolished.

(2) Subsection (1) shall not apply in respect of proceedings brought against a person for an offence consisting in whole or in part of any act done by the person before the commencement of *section 28* of the *Children First Act 2015*, whether those proceedings were brought before, on or after such commencement.

(3) This section shall not affect the operation of section 24.".

SCHEDULE 1

Relevant Services

Section 2

1. Any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children in—

   (a) an establishment which provides early years services within the meaning of Part VIIA of the Child Care Act 1991,

   (b) a school or centre of education, both within the meaning of the Education Act 1998,

   (c) any hospital, hospice, health care centre or other centre which receives, treats or otherwise provides physical or mental health services to children,

   (d) a designated centre within the meaning of section 2 of the Health Act 2007, in so far as it relates to an institution at which residential services are provided in accordance with the Child Care Act 1991 or to children with disabilities in relation to their disabilities,

   (e) a special care unit provided and maintained in accordance with section 23K of the Child Care Act 1991,

   (f) a children detention school within the meaning of section 3 of the Children Act 2001,

   F4**[**(g) an accommodation centre within the meaning of Part 4 of the International Protection Act 2026 or a designated centre within the meaning of Chapter 2 of Part 11 of that Act, or**]**

   (h) a centre which provides residential accommodation services to victims of domestic violence where children may be accommodated.

2. Any work or activity which consists of the inspection of a service provided to a child under the Child Care Act 1991, the Education Act 1998, the Children Act 2001 or the Health Act 2007.

3. Any work or activity which consists of the inspection, examination or investigation by the Office of the Ombudsman for Children under the Ombudsman for Children Act 2002.

4. Any work or activity which consists of treatment (including assessment which may lead to treatment), therapy or counselling provided to a child.

5. Any work or activity which consists of the provision of—

   (a) educational, research, training, cultural, recreational, leisure, social or physical activities to children,

   (b) care or supervision of children, or

   (c) formal consultation with, or formal participation by, a child in respect of matters that affect his or her life,

   whether or not for commercial or any other consideration.

6. Any work or activity which consists of the provision of advice or guidance services (including by means of electronic interactive communications), a necessary and regular part of which consists, mainly, of the person having access to, or contact with, children.

7. Any work or activity as a minister or priest or any other person engaged in the advancement of any religious beliefs which would or could bring

that minister, priest or other person, as the case may be, into contact with a child.

8. Any work or activity as a driver of, or as an assistant to the driver, or as a conductor, or as a supervisor of children using a vehicle which is being hired or used only for the purpose of conveying children who are unaccompanied by a parent or guardian.

9. Any work or activity which is carried out by a member of An Garda Síochána, a necessary and regular part of which consists mainly of the person having access to, or contact with, children.

F5**[**10. Any work or activity which is carried out in relation to an unaccompanied minor, within the meaning of the International Protection Act 2026, by—

(a) a provisional representative person or a representative person in accordance with Chapter 2 of Part 3 of that Act, or

(b) an international protection guardian in accordance with section 202(1)(e) of that Act.**]**

Annotations

Amendments:

F4 Substituted (12.06.2026) by *International Protection Act 2026* (9/2026), s. 307(a)(i), S.I. No. 244 of 2026.

F5 Inserted (12.06.2026) by *International Protection Act 2026* (9/2026), s. 307(a)(ii), S.I. No. 244 of 2026.

SCHEDULE 2

Mandated Persons

Section 2

The following classes of persons are specified as mandated persons for the purposes of this Act:

1. Registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007.

2. Registered nurse or registered midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.

3. Physiotherapist registered in the register of members of that profession.

4. Speech and language therapist registered in the register of members of that profession.

5. Occupational therapist registered in the register of members of that profession.

6. Registered dentist within the meaning of section 2 of the Dentists Act 1985.

7. Psychologist who practises as such and who is eligible for registration in the register (if any) of members of that profession.

8. Social care worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register of that profession.

9. Social worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register (if any) of that profession.

10. Emergency medical technician, paramedic and advanced paramedic registered with the Pre-Hospital Emergency Care Council under the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000).

11. Probation officer within the meaning of section 1 of the Criminal Justice (Community Service) Act 1983.

12. Teacher registered with the Teaching Council.

13. Member of An Garda Síochána.

14. Guardian ad litem appointed F6**[**under section 35C(1)**]** of the Child Care Act 1991.

15. Person employed in any of the following capacities:

(a) manager of domestic violence shelter;

(b) manager of homeless provision or emergency accommodation facility;

F7**[**(c) manager of an accommodation centre within the meaning of Part 4 of the International Protection Act 2026 or a designated centre within the meaning of Chapter 2 of Part 11 of that Act;**]**

(d) addiction counsellor employed by a body funded, wholly or partly, out of moneys provided by the Oireachtas;

(e) psychotherapist or a person providing counselling who is registered with one of the voluntary professional bodies;

(f) manager of a language school or other recreational school where children reside away from home;

(g) member of the clergy (howsoever described) or pastoral care worker (howsoever described) of a church or other religious community;

(h) director of any institution where a child is detained by an order of a court;

(i) safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children;

(j) child care staff member employed in F8**[**an early years service**]** within the meaning of Part VIIA of the Child Care Act 1991;

(k) person responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001.

16. Youth worker who—

(a) holds a professional qualification that is recognised by the National Qualifications Authority in youth work within the meaning of section 3 of the Youth Work Act 2001 or a related discipline, and

(b) is employed in a youth work service within the meaning of section 2 of the Youth Work Act 2001.

17. Foster carer registered with the Agency.

18. A person carrying on F8**[**an early years service**]** within the meaning of Part VIIA of the Child Care Act 1991.

F9**[**19. Person who assists, represents or acts for an unaccompanied minor, within the meaning of the International Protection Act 2026, as a provisional representative person, a representative person or an international protection guardian, each within the meaning of section 2(1) of that Act.**]**

Annotations

Amendments:

F6 Substituted (23.06.2026) by *Child Care (Amendment) Act 2022* (21/2022), s. 12, S.I. No. 208 of 2026.

F7 Substituted (12.06.2026) by *International Protection Act 2026* (9/2026), s. 307(b)(i), S.I. No. 244 of 2026.

F8 Substituted (30.09.2024) by *Child Care (Amendment) Act 2024* (19/2024), ss. 20(a), (b), S.I. No. 495 of 2024, art. 3(l).

F9 Inserted (12.06.2026) by *International Protection Act 2026* (9/2026), s. 307(b)(ii), S.I. No. 244 of 2026.

SCHEDULE 3

Offences for Purposes of Paragraph (a) of Definition of "Sexual Abuse" in *Section 2*

Section 2

1. Rape.

2. Rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990.

3. Sexual assault.

4. Aggravated sexual assault within the meaning of section 3 of the Criminal Law (Rape) (Amendment) Act 1990.

5. An offence under section 1 of the Punishment of Incest Act 1908 (incest by males).

6. An offence under section 2 of the Punishment of Incest Act 1908 (incest by females of or over 17 years of age).

7. An offence under section 6(1) of the Criminal Law (Sexual Offences) Act 1993 (soliciting or importuning for purposes of commission of sexual offence).

8. An offence under section 2 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 15 years of age).

9. An offence under section 3 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 17 years).

F10**[**9A. An offence under section 3A of the Criminal Law (Sexual Offences) Act 2006 (offence by person in authority).**]**

10. An offence under either of the following provisions of the Child Trafficking and Pornography Act 1998:

(a) section 3 (child trafficking and taking, etc., child for sexual exploitation);

F11**[**(b) section 4 (allowing child to be used for child pornography);

(c) section 4A (organising etc. child prostitution or production of child pornography);

(d) section 5A (participation of child in pornographic performance).**]**

11. An offence under section 5 of the Criminal Law (Human Trafficking) Act 2008 in so far as it relates to a child who has been trafficked for the purpose of his or her exploitation (soliciting or importuning for purposes of prostitution of trafficked person).

12. An offence under section 176 of the Criminal Justice Act 2006 (reckless endangerment of children).

13. An offence under section 249 of the Children Act 2001 (causing or encouraging sexual offence upon a child).

F12**[**14. An offence under any of the following provisions of the Criminal Law (Sexual Offences) Act 2017:

(a) section 4 (invitation etc. to sexual touching);

(b) section 5 (sexual activity in presence of child);

(c) section 6 (causing child to watch sexual activity);

(d) section 8 (use of information and communication technology to facilitate sexual exploitation of child).**]**

Annotations

Amendments:

F10 Inserted (27.03.2017) by *Criminal Law (Sexual Offences) Act 2017* (2/2017), s. 55(b)(i), S.I. No. 112 of 2017.

F11 Substituted (27.03.2017) by *Criminal Law (Sexual Offences) Act 2017* (2/2017), s. 55(b)(ii), S.I. No. 112 of 2017.

F12 Inserted (27.03.2017) by *Criminal Law (Sexual Offences) Act 2017* (2/2017), s. 55(b)(iii), S.I. No. 112 of 2017.

Number 36 *of* 2015

CHILDREN FIRST ACT 2015

REVISED

Updated to 23 June 2026

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

This Act is not collectively cited with any other Act.

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

- *International Protection Act 2026* (9/2026)
- *Child Care (Amendment) Act 2024* (19/2024)
- *Child Care (Amendment) Act 2022* (21/2022)
- *Health Service Executive (Governance) Act 2019* (17/2019)
- *Criminal Law (Sexual Offences) Act 2017* (2/2017)

All Acts up to and including *Air Pollution (Amendment) Act 2026* (14/2026), enacted 18 June 2026 were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *European Communities (Reception Conditions) Regulations 2018* (S.I. No. 230 of 2018)
- *Children First Act 2015 (Commencement) Order 2017* (S.I. No. 470 of 2017)
- *Children First Act 2015 (Commencement) Order 2016* (S.I. No. 211 of 2016)
- *Children First Act 2015 (Commencement) Order 2015* (S.I. No. 555 of 2015)

All statutory instruments up to and including *Child Care Act 1991 (Section 35L (3)) (Prescribed Classes) Regulations 2026* (S.I. No. 288 of 2026), made 23 June 2026 were considered in the preparation of this revision.