



Clár Sláinte Náisiúnta do Mhná & do Naíonáin
Feidhmeannacht na Seirbhíse Sláinte, Aonad 7A, Áras
Dargan, An Ceantar Theas, Baile Átha Cliath 8
T: 076 695 9991

National Women and Infants Health Programme
Health Service Executive, Unit 7A, The Dargan Building,
Heuston South Quarter, Dublin 8
T: 076 695 9991

29th June 2022

Deputy Toibin
Dáil Éireann,
Leinster House
Dublin 2

PQ Ref 31854/22: To ask the Minister for Health the protocols that in place in instances in which an underage person presents to a hospital or HSE run facility pregnant; if a referral is made to Tusla in such a circumstance; and if he will make a statement on the matter.

Dear Deputy Toibin.

The Health Service Executive has been requested to reply directly to you in the context of the above Parliamentary Question, which you submitted to the Minister for Health for response. I have examined the matter and the following outlines the position.

As per section 14 subsection 3 of the Children First Act 2015, a mandated person is not automatically required to make referral to Tusla for a child who is aged 15 years or more but less than 17 years that has engaged in sexual activity, rather at the booking in visit the midwife would make an assessments on the person's capacity for consent, as well as taking into consideration a number of factors. If any concerns were noted by the midwife, a referral would be made to the medical social work service who would make any onward referral to Tusla deemed appropriate.

If a child under the age of 15 presented to a maternity unit pregnant, an automatic referral would be made to Tusla.

I trust this clarifies the matter.

Yours sincerely,

Mary-Jo Biggs, General Manager, National Women and Infants Health Programme