

NOTICE OF LIABILITY

From (Name and Address):

Date:

To (Name of Library):

As a library authority within the meaning and for the purposes of the provisions of the Public Libraries Act 1901 as amended by the 1947 Act, I hereby put you on notice that your actions in exposing children to inappropriate reading material are in contravention to Section 10 of the Children First Act in 2015 ('2015 Act'), Article 3 of the UN Convention on the Rights of the Child 1989 ('1989 Act') and Article 24 (1) of the Charter of Fundamental Rights of the European Union ('the Charter').

INAPPROPRIATE MATERIAL

The inappropriate material that you are currently displaying in your library in the child section aged 12 - 17 years is as follows:

We will include extracts from these books by email to highlight the sexually explicit material that exposes children to harm due to its content. Indeed, we refer you to the Child and Family Agency's website and definitions of abuse which state that: "... Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse..."

The fact that such sexually explicit material centred around gender identity ideology is currently being promoted for children raises significant concerns surrounding compliance with the statutory provisions of the 2015 Act.

CHILDREN FIRST ACT 2015

No doubt you will be aware of your legal obligations, as a provider of a relevant service, to ensure, as far as practicable, that each child availing of the library service is safe from harm while availing of that service.

Schedule 1, Section 5 (a) of the 2015 Act defines a relevant service as providing any work or activity which consists of the provisions of:

'...educational, research, training, cultural, recreational, leisure, social or physical activities to children...'

In accordance with Section 10 of the 2015 Act, any 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. The definition of “welfare” includes, in relation to a child, the moral, intellectual, physical, emotional and social welfare of the child. We trust that you are fully cognisant of your statutory obligations to undertake a Risk Assessment and Child Safeguarding Statement before displaying any written material in the children section of your library that is of such content that it may place them at risk of exposure to harm. Under Section 11 (3) a child safeguarding statement shall include a written assessment of the risk and, in that regard, specify the procedures that are in place. As the Child and Family Agency itself refers to exposure of sexually explicit material to children as demonstrative of an example of sexual abuse, it is our submission that it is irrefutable that the library had a statutory obligation to conduct a Risk Assessment and Child Safeguarding Statement PRIOR to displaying the books in question in the children’s section.

We would therefore request that you confirm if you conducted a Risk Assessment and Child Safeguarding Statement in relation to books in issue BY RETURN.

No doubt you will agree that any breach of child protection legislation warrants immediate action to prevent any further exposure of harm to children. It is imperative that the books are removed from the shelves with immediate effect whilst this matter is under investigation. The library as a relevant service provider is clearly under a duty to take swift action to protect the welfare of children and ensure that they are not exposed to ongoing abuse.

UNITED CONVENTION ON THE RIGHTS OF THE CHILD 1989

It is our submission that the library has also contravened Article 3 (1) of the 1989 Act which stipulates: “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration”.

CHARTER OF THE FUNDAMENTAL RIGHTS OF THE EU

Article 24 (1) of the Charter contains the right of a child to be provided with care and protection necessary for his or her well-being. This reflects Article 3(2) of the United Convention on the Rights of the Child. The right of a child under Article 24 (1) must be respected and protected by EU bodies and by Member States.

Exposing children to such sexually explicit material centred is not in their best interests. A child’s welfare is paramount, and the library has sacrificed the welfare and best interests of children to promote gender identity ideology. In doing so the library has exposed children to the risk of grave harm.

The library is a publicly funded service and is paid by taxpayer's earned income and yet as a relevant service provider you have demonstrated a blatant disregard and dangerous lack of compliance with the Children's First Act (2015). As a parent it is my moral, ethical and legal duty to safeguard my children's interests if publicly funded statutory bodies are failing in their duties. If immediate action is not taken to remove the books in issue from the library shelves further action will be issued including, but not limited to proceedings for injunctive relief, to protect ALL Irish children.

I expect an immediate response.

Yours Sincerely,