

TREOIR BULLETIN - February – April 2009

MEMBERS CORNER

Members Meeting on the Adoption Bill

Dolores Moran of the Department of Health gave a briefing on the Adoption Bill 2009 for members of Treoir in March. The Bill provides for the updating of the provisions of the Adoption Acts 1952-1998 and for the repeal of those Acts. It also gives force of law to the Hague Convention and makes provision for the making and recognition of intercountry adoptions in accordance with bilateral agreements. It also establishes the Adoption Authority of Ireland. The Bill if enacted would give very strong rights to unmarried fathers in relation to the adoption of their children irrespective of whether they had guardianship rights or not.

Members expressed concern that while there are many positives in the Bill it failed to address the issue of access to birth records, something Treoir has been advocating for many years.

Annual General Meeting

Treoir's AGM will be held on 4th June. Included in the business of the meeting will be the election of a new Chairperson of Treoir and two new council members. Detailed agenda will be forwarded to members.

Following the business meeting Mrs. Justice Catherine McGuinness will make a presentation on the social and legal position of non-marital families over the years. She will also identify some forthcoming challenges, some of which are being addressed by the Law Reform Commission. They include the extension of guardianship/parental responsibility rights to unmarried fathers, improving the rights of grandparents to their grandchildren, improving the constitutional position of non-marital families etc.

For further information contact Bella 01 6700 120.

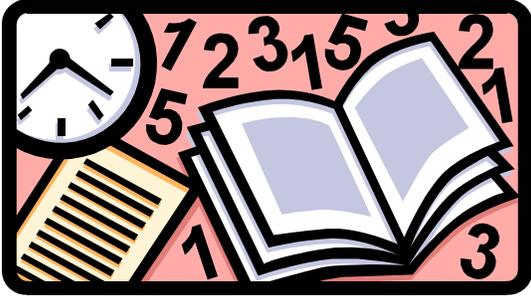
Intercountry Adoptions

Applications for adoptions from both Russia and Vietnam have ceased. In the case of Russia this is because of delays by the Irish authorities in returning required documentation. In the case of Vietnam adoptions have ceased until such time as a new bilateral agreement is agreed between the two countries. Statistics released from the Office of the Minister for Children by the Adoption Board show that between 1991 and 2008 a total of 1,230 Russian children were adopted by Irish people. This amounts to over 30% of the total number of inter country adoptions (3,964) by Irish people. The next two most popular countries for adoption of children by Irish people were Romania, which is now closed to Irish adoptions, and Vietnam. (Irish Examiner 21/4/2009)



Birth Registration

An article appearing in the Irish Independent on the 14th April suggested that Treoir was attempting to put the Government under pressure to introduce legislation which would 'force' single mothers to name the fathers of their children on their birth certificates. Under no circumstances would Treoir suggest that mothers be forced to name the fathers of their children but certainly we believe that mothers should, in the best interest of their child, be encouraged to name fathers. Currently in Ireland approximately 4,000 children are born every year without the name of their fathers being registered. We believe that there are a number of explanations for this such as mothers mistakenly believing that they may lose their social welfare payment and that naming the father on the child's birth certificate gives the father legal rights in respect of his child. In the case of welfare payments, a mother who satisfies the means test for One Parent Family Payment will always get the Payment but will be requested to seek maintenance from the father whether or not his name is on the child's Birth Certificate. In the case of father's rights, having the father's name on the birth certificate does not give the father any legal rights. It merely establishes the paternity of the child. It may also be the case that many of these mothers go on to enter the father's name at a later date. A mother is obliged to register the birth of her baby within the first three months. However, a re-registration to enter the father's details can take place at any time.



Central Statistics Office

There were 19,027 births registered in quarter 2 of 2008. Of these 6,171 births were registered as outside marriage, 54% by parents giving the same address. This accounted for 32.4% of births registered as outside of marriage in quarter 2 of 2008. This compares to 31.7% of births registered as outside marriage in quarter 2 of 2007. The highest percentage of births outside marriage occurred in Limerick City at 54%, while the lowest percentage was in Galway County at 20%. 9% of births registered as outside marriage in this quarter were to teenage mothers.



Kids' Turn

After more than a decade working in the Irish Courts, Noel Doherty, a teacher turned family law practitioner says the system is failing our children. Kids' Turn is an American child-centred programme created by a San Francisco family law judge in 1989 after she had spent years adjudicating messy separations. The programme was designed to address the lack of provisions for helping families in the courts to deal with relationship breakdown. Doherty says the six-week programme has helped more than 10,000 parents and children come to terms with, and de-stigmatise, separation. He has set up a steering group of 10, including psychologists, mediators, family law solicitors and several guardians ad litem, and hopes to launch a pilot programme in Cork in the summer of 2009. Ultimately his intention would be to roll out Kids' Turn nationally. The programme will involve both parents and children (4-18) from separated or separating families. Led by experts in marital breakdown children will be assigned age appropriate groups where they are provided a safe place in which they can learn to cope with changes in their families. Parents will be assigned into groups where they can develop parenting skills to support their

children through family reorganisation and where everyone learns communication and problem-solving skills to work through the experience. Doherty says that Irish judges have been supportive of this initiative because they see the limitations of the legal process in dealing with children in difficulty. However, he sees funding as a problem particularly in the current economic climate and hopes to recruit a major sponsor.

Parents, children or potential donors interested in getting involved with Kids' Turn can contact Noel Doherty by e-mailing noeldoherty@fitzols.com. See www.kidsturn.org

Counselling service for teens of separated parents.

Teen Between which is operated by the Marriage and Relationship Counselling Service (MCRS), provides advice and counselling for those affected by relationship difficulties. Francesca McGuinn of Teen Between said that many teenagers who contact the service feel they are caught in the middle of parental disputes and that many experience loyalty conflicts, or are forced to act as a messenger when their parents separate.

Contact Teen Between on ☎ 1800 303191 or visit teenbetween.ie.

Rethinking Family Life: exploring the role of grandparents and the wider family

Grandparents should be 'paid' tax credits for childcare and those in work given two weeks 'granny leave' to help care for newborn grandchildren according to a report published today in the UK by Grandparents Plus. The report argues that grandparents are playing an ever-increasing role in family life by supporting parents and caring for children and more should be done to recognise the role they play. The report shows that a quarter of families rely on grandparents for childcare and that proportion rises to half with single-parent families. The amount parents would have to spend on childcare if they didn't have granny or grandpa to help out is £50 billion. A third of grandparents now have a dependent child living with them and a half of all grandparents have a living parent of their own. See grandparentsplus.org.uk for full report.

Gingerbread

Single parents, equal families

Gingerbread UK

In 2007 the two UK organisations Gingerbread and the National Council for One Parent Families merged to form a new organization, One Parent Families/Gingerbread. The organisation has recently been relaunched as Gingerbread (single parents, equal families) with a new brand 'to ensure that single parents and their children get a stronger, campaigning voice and the fair

treatment and support they deserve'. Visit gingerbread.org.uk.

Court Recording

Digital Audio Recording (DAR) provides a record of what was actually said during the hearing of cases in the courtroom. Subsequently, a written transcript of the proceedings can be prepared, such as for an appeal to the Court of Criminal Appeal or where required for the information of the presiding judge. The audio can also be played to verify what was said.

Following a phase of pilot testing in mid 2008, DAR was subjected to extensive testing against set criteria and passed all tests. The first courts to use DAR on a live basis are the Circuit Criminal Court, the Central Criminal Court and High Court Family Law Courts which started in October 2008.

Mother sentenced to two months over custody battle

A young mother has been sentenced to two months in prison after she refused to comply with a court order granting her former partner access to their children.

The woman has been released on bail pending an appeal. Experts with knowledge of the issues surrounding this case have expressed concern that the woman could face jail and separation from her children. They stressed the importance for a child to have regular contact with both parents and highlighted the lack of child-centred facilities for separated parents to access their children in a "stress-free environment". (*Sunday Tribune 29/3/2009*)

Currently in Ireland there are only two (that we are aware of!) facilities providing some level of supervised access - one based in Dublin and the other in Galway. One Family is currently carrying out research on the need for Child & Family Contact Centres in Ireland and on how best this need can be met. This research has been funded by the Family Support Agency and is supported by the Department of Social and Family Affairs.

In the UK these 'Access Centres and Family & Child Contact Centres' are provided nationally. Such centres are described as:

- *neutral venues where children of separated parents can meet with their non-resident parent, and sometimes other family members, in a safe and comfortable environment when there is no viable alternative.*

The Children's Rights Council in the UK works to ensure that children enjoy frequent and continuing contact with both parents, as well as contact with extended family that the child would normally have under any successful, loving parental relationship.

Looking at the website of the Children's Rights Council in the UK these are some of the reasons why there is a need for such centres:

Family violence, substance abuse, fear of parental kidnapping, or re-entry of a parent into a child's life after a long absence. With supervised access a parent is

not allowed to leave the premises with the child, but the child and the parent spend valuable time with each other in a safe and supervised setting. To ensure a smooth and enjoyable experience for parents and children, a higher degree of security, greater resources, and staff training are dedicated to supervised access (visitation).

To find out more about what is offered at these centres in the UK visit the website of the Children's Rights Council on www.crckids.org

Independent Review of Maternity and Gynaecology Services in the Greater Dublin Area

A 'transformation' in services from mothers and babies in the greater Dublin area is promised in this new report. Statistics indicate that the current birth rate in the Dublin area is more than 26,000 a year and services must therefore adapt to meet demand and expectations says Fionnuala Duffy, assistant national director of the HSE National Hospital Office. "We are using this (report) as a blueprint." Services currently delivered at the Rotunda Hospital will be moved to the Mater site; services at the Coombe Women and Infants University Hospital are to be moved to the Adelaide and Meath Hospital in Tallaght; and services at the National Maternity Hospital in Holles Street are to be moved to St. Vincent's Hospital. This is to be implemented over the next five years. Duffy says that it is internationally recognised that the best outcomes are achieved when maternity services are located with adult acute services. (*Irish Times 24/2/2009*). To view report see www.hse.ie.

Child Protection Education

A research project conducted by NUI Galway, in conjunction with the HSE West and published by the multi-disciplinary Child Protection Education Group West, has revealed that many postgraduate students who will go on to be involved in child protection have very little knowledge of the processes to be adhered to when reporting and following up on child protection concerns.

The project explored knowledge of the existing processes in child protection services in Ireland among postgraduate students from various disciplines including general and mental health nursing, teaching and social work. Focus group interviews with participants revealed major inconsistencies between the disciplines in relation to knowledge of child protection issues and their respective roles.

Key conclusions to emerge from the study include:

- Those agencies that have the most frequent professional contact with children, such as teachers, nurses, social workers etc. are often not aware of each others professional responsibilities.

- Reporting concerns was deemed to be a convoluted process by postgraduate students.
- There is considerable ambiguity surrounding the identification of a first point of contact for professionals, with evidence of ad hoc approaches to reporting among students.
- Multi-disciplinary approaches to child protection is continuously being threatened in service provision across the disciplines.



Equality Authority

At the launch of its new three year plan Equality Authority chairwoman Angela Keirns dismissed reports that the authority was defunct. While launching the plan she referred to the 43% cut in the Authority's funds and said that "this may limit what we spend, but not what we can achieve". Included in its three year plan are some of the following:

- Men as carers - promoting the status of men as carers and advocating the sharing of caring responsibilities between men and women
- Lone parents - addressing accommodation issues for lone parents
- Gay rights - promoting partnership rights of gay and lesbian people as well as the issue of domestic partnership.

See www.equality.ie.



UNESCO chair for children, Galway

President Mary McAleese recently launched the State's first UNESCO chair for children, youth and civic engagement which will be hosted by Prof Pat Dolan of NUI Galway's child and family research centre. Mrs McAleese said that the UNESCO post was coming on stream at an important time and could play a crucial role in navigating a pathway of reassurance and hope for children and families. Accepting the post Prof Pat Dolan said much of the work of the centre will focus on the benefits of getting children of all backgrounds to become more civically engaged, whether through involvement in your clubs, sports, school or the community. Prof Dolan said that this would be particularly beneficial in the case of children from disadvantaged backgrounds and could lead to significant

improvements and help rebuild key relationships in their lives. (Irish Times 5/3/2009)

The Life Cycle Perspective on Social Inclusion in Ireland.

This report, by Prof. Christopher T. Whelan and Bertrand Maitre, was published on the 30th September by the ESRI. The report uses 11 different sets of “lenses” to view the impact of poverty based on information such as age, marital status and presence of children. It concludes that children experience the worst outcomes in relation to poverty and deprivation because lone-parent households and those with large numbers of children are the most vulnerable to becoming dependent on social welfare. The main objective of this study was to develop an understanding of the role that life-cycle factors play in shaping patterns of poverty and social exclusion in contemporary Irish society. *Irish Times 30/9/2008*
View publication on www.esri.ie

Waterford Mothers Open New Premises

The Independent Mothers Project (IMP) has moved to 42 Barrack Street, Waterford. The IMP works with mothers who are parenting alone and provides them with a safe environment to meet. The project provides support, encouragement, development opportunities, access to information and aims to empower women. For more information, contact Veronica or Amy
☎ 051-352866 improject@eircom.net

Scope of Care Pathway. Guidelines for Health Professionals working in maternity settings on the care of women with concealed pregnancy. Catherine Conlon is the author of this Crisis Pregnancy Agency publication.

www.positiveoptions.ie/aftercare, for information on free medical and counseling services for women who have had an abortion. These services are funded by the Crisis Pregnancy Agency. Freetext “aftercare” to 50444 to find locations of services.

www.Dad.ie, this website provides a male perspective on pregnancy and fatherhood coupled with upbeat advice on money, legal, lifestyle and health issues.



Budget April 2009

Christmas Bonus Payment

The Christmas Bonus which was paid to certain social welfare recipients including those receiving One Parent Family Payment will not be paid in 2009.

Rent Supplement / Mortgage Interest Supplement

Entitlement to Rent Supplement is being restricted to people who have been existing tenants for at least six months or have been placed on a local authority housing list following a full housing assessment.

The minimum contribution that recipients of Rent Supplement and Mortgage Interest Supplement make towards their rent or mortgage is being increased from €18 to **€24 per week** from the 1st June 2009.

The maximum rent limits that will apply to new Rent Supplement payments are being reduced to reflect reduction in private rent levels. Reductions will be 6% to 7% on average, ranging up to 10%, depending on the geographical area and household size.

The payments currently being made to tenants are being reduced by 8% in order to encourage landlords of existing rent supplement tenants to reduce their rents. While the Department of Social and Family Affairs acknowledges that tenants are contractually obliged to pay the rent agreed to in their lease, it is hoped that landlords will decrease the rent in recognition of the fact that rents have fallen generally and that there are now a large number of vacant rental properties nationally.

Early Childcare Supplement

The Early Childcare Supplement paid for children up to the age of five will be abolished at the end of 2009. From 1 May 2009 the payment will be halved to **€41.50** per child per month.

Early Childhood and Education Scheme

The Early Childcare Supplement will be replaced in January 2010 with a free pre-school Early Childhood and Education Scheme for all children between the ages of 3 years 3 months and 4 years 6 months. A capitation grant will be payable to service providers who provide free pre-school services.

Back to Work Allowance

The Back to Work Allowance will be closed to new applicants from 1st May 2009.

Back to Work Enterprise Allowance

Participation on the Back to Work Enterprise Allowance will be reduced from 4 years to 2 years from 1st May 2009.

Income Levy

The income levy rates will be doubled to 2%, 4% and 6% from 1May 2009.

The exemption threshold will be €15,028. The 4% rate will apply to income in excess of €75, 036 and the 6% rate to income in excess of €174, 980.

Health Levy

The health levy rates will double to 4% and 5% from 1st May 2009.

Mortgage Interest Relief

Mortgage interest relief will be discontinued for any mortgage over 7 years from 1 May 2009.