

# TREOIR Bulletin: July - October 2011

## Treoir Publication – *Being there for them*

The Lord Mayor of Dublin, Andrew Montague recently launched the 2<sup>nd</sup> edition of [Being there for them](#) – a booklet for grandparents of children whose parents are not married to each other. It is particularly for grandparents who:

- have their adult children and their grandchildren living with them
- are grandparents of children whose parents are in their teens
- are providing full-time care to their grandchildren
- are grandparents who are not in touch with their grandchildren

'*Being there for them*' is funded by the HSE Crisis Pregnancy Programme. Contact us on 01-6700120 or [info@treoir.ie](mailto:info@treoir.ie) to request a free copy.

## Treoir Strategic Plan

Treoir is in the process of developing its strategic plan for 2012 – 2017. To assist us in the process, we will be contacting members, funders and a selection of users for their assistance in examining our work and to inform us of their experiences of working with Treoir. If you have not been contacted and would like to be consulted please contact Treoir on 01-6700120 or [info@treoir.ie](mailto:info@treoir.ie).

## Treoir promoting the rights and best interests of unmarried parents

Treoir is committed to promoting the rights and best interests of unmarried parents and their children in Ireland and makes representations and submissions to government and other relevant bodies to promote change. To this end Treoir made a number of recent submissions to government departments, as follows:

**1. Pre-Budget Submission** made to the Department Of Social Protection. In its submission Treoir focused on two recommendations rather than reiterating recommendations it has made over many years. Firstly, that the basic social welfare rate is not cut in Budget 2012 and secondly that affordable, flexible, quality childcare is the single most crucial issue for unmarried parents in accessing education or the workforce, where there is one resident parent. The implementation of both of these recommendations would go some way towards achieving Treoir's aim of promoting equity for unmarried parents and their children in Ireland.

**2.** A submission to the **Advisory Group on Tax and Social Welfare** at the Department of Social Protection. In its summary Treoir states that *it supports an approach which places Child Income Support within a broader strategy which aims to reduce poverty for all, and which focuses on coordinated policy development and implementation designed to achieve positive outcomes for children and their families.*

View Treoir's submissions [here](#).

## Treoir Workshops

Treoir will be hosting four workshops over the next six months in the HSE North-East Area. These workshops will consist of information sessions in relation to the new legal rights and obligations of cohabitants arising from the enactment of The Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010, which came into effect on 1<sup>st</sup> January 2011. The information sessions will also deal with legal rights for unmarried parents in relation to maintenance, guardianship and custody/access issues. If you are working with unmarried parents in Cavan, Monaghan, Louth, Meath or Dublin and would like to either attend or host one of these workshops please contact us on 01-6700120 or [veronica@treoir.ie](mailto:veronica@treoir.ie)

## **CSO figures for the First Quarter 2011**

There were 19,950 births registered in quarter 1 of 2011. This is the highest number of births registered in a quarter since the CSO office first started compiling quarterly figures in 1960. There were 6,768 births registered as outside marriage in this quarter. This accounted for 33.9% of all births, a decrease of 0.1% on quarter 1 of 2010 and an increase of 1.3% on quarter 1 2006. The highest percentage of births outside marriage was in Limerick City at 52%, while the lowest percentage of births outside marriage was in Leitrim at 21%. Over half of births outside marriage were registered by both parents giving the same address.

The average age of mother at maternity outside of marriage was 28.5 years. 6% of births registered as outside of marriage were to teen parents.

## **Changes to the Domestic Violence Act 1996**

The recently (partly) enacted Civil Law Miscellaneous Provisions Act, 2011 has amended the Domestic Violence Act 1996 and extended eligibility requirements for domestic violence orders as follows:

- Parents with a child in common are now eligible to apply for Safety Orders without any cohabitation requirements
- Cohabiting partners are now eligible to apply for Safety orders without any specific duration of cohabitation required
- Eligibility criteria for Domestic Violence Orders are now the same for same sex cohabitants as for their opposite sex counterparts.

## **EC (Mediation) Regulations 2011 (the “Regulations”)**

EC Directive 2008/52/EC (the “Directive”) introducing new procedural rules to promote the use of mediation and other forms of Alternative Dispute Resolution has now been transposed into Irish law in the form of the EC (Mediation) Regulations 2011 (the “Regulations”). Under these Regulations, a court may, on application or by its own motion, adjourn proceedings and invite the parties to use mediation as a means of settling their dispute. However, the Regulations are confined to cross border disputes to which the Directive applies. The Minister did not exercise his discretion to extend the scope of the Regulations to cover domestic disputes, as had been recommended by the Law Reform Commission’s recently published report on Alternative Dispute Resolution.

*For Directive see:*

[http://eurlex.europa.eu/Result.do?arg0=Directive+2008%2F52%2FEC+&arg1=&arg2=&titre=titre&chlang=en&RechType=RECH\\_mot&Submit=Search](http://eurlex.europa.eu/Result.do?arg0=Directive+2008%2F52%2FEC+&arg1=&arg2=&titre=titre&chlang=en&RechType=RECH_mot&Submit=Search)

*For Regulations see:* <http://www.irishstatutebook.ie/2011/en/si/0209.html>

## **Maintenance payments**

New legislation on cross-border payments of maintenance for children came into effect on 18 June 2011. Decisions on maintenance payments made in one EU member state are now enforceable in the other states without any special procedures being required. Every member state must have a central authority to facilitate the operation of the regulation and to help individuals use the processes.

The regulation has been brought into effect in Ireland by the European Communities (Maintenance) Regulations 2011 (SI 274/2011). The central authority for Ireland is the Department of Justice and Equality and can be contacted at [mainrecov@justice.ie](mailto:mainrecov@justice.ie).

The 2007 Hague Maintenance Convention sets up a worldwide system for recovering child support and other family maintenance payments. The EU signed the Convention on 6 April 2011. This applies to cases of maintenance orders made outside the EU and their enforcement within the EU.

*(Citizens Information Board, EU Supplement - July 2011)*

## **NEW Child Contact Centre Service**

The Barnardos & One Family Child Contact Centre is a new service that will operate on a two year pilot basis in three locations in Dublin: Ballymun, Clondalkin and Tallaght. The Child Contact Centre offers a safe, friendly and neutral place where children can spend time with the parent/s they do not live with. A wide range of family supports are offered to help families move on to self arranged contact in the future. Supports include - working with parents individually and jointly, parenting supports and counselling.

For further information you can contact the Service on 01 4032085/89/80 or email [childcontact@barnardos.ie](mailto:childcontact@barnardos.ie).

## **The National Longitudinal Study of Children - Growing Up in Ireland**

The National Longitudinal Study of Ireland has launched new findings from its research which was officially launched by the Minister for Children and Youth Affairs, Frances Fitzgerald T.D on 22<sup>nd</sup> September 2011. The research captures the experiences and perceptions of children on a range of issues including their family life, their health and wellbeing and expectations for the future.

This latest research from *Growing Up in Ireland* draws on in-depth *qualitative* interviews conducted with 120 nine-year-old children and their parents as part of the GUI Qualitative study. These families are participating in and were selected from the larger GUI Quantitative study which is tracking the lives of 8,500 nine-year-old children. These children and their families are currently taking part in a follow-up interview now that the children have turned 13 years of age.

A series of three Key Findings documents as well as a full research report are available to download at <http://www.growingup.ie/index.php?id=62>

Included in the Key Findings are the following:

- Relationships between children and their parents were broadly positive. Children reported spending more time with their mothers. Time spent with fathers was frequently activity based.
- Children commented on how they felt less close to parents who worked long hours and were less available.
- Parental separation had a considerable impact on children's routines and made for relationships with non-resident parents that were challenging to sustain though still valued.

## **Courts Service Annual Report 2010**

There was an increase in applications relating to guardianship of children, custody and access in 2010, the vast majority of which were granted or withdrawn, normally following agreement. The maintenance and guardianship figures below are in relation to applications made by unmarried parents.

**MAINTENANCE (unmarried parents)**

	<b>2010</b>	<b>2009</b>
Granted	2413	2205
Refused	73	97
Withdrawn/Struck Out	655	645
<b>TOTAL</b>	<b>3141</b>	<b>2947</b>

**GUARDIANSHIP (unmarried parents)**

	<b>2010</b>	<b>2009</b>
Granted	2072	1861
Refused	68	81
Withdrawn/Struck Out	643	521
<b>TOTAL</b>	<b>2783</b>	<b>2463</b>

Applications for guardianship by unmarried fathers increased by 13% in 2010.

**DOMESTIC VIOLENCE****BARRING ORDERS: applicants**

	<b>2010</b>	<b>2009</b>
Spouse	1515	1594
Common law partner	842	861
Parent	360	392
Health Service Exec.	5	6
Other	4	2
<b>TOTAL Orders Granted</b>	<b>1064</b>	<b>1106</b>

**PROTECTION ORDERS: applicants**

	<b>2010</b>	<b>2009</b>
Spouse	1552	1247
Common law partner	1004	1584
Parent	321	262
Health Service Exec.	45	4
Other	4	37
<b>TOTAL Orders Granted</b>	<b>2672</b>	<b>2867</b>

**SAFETY ORDERS: applicants**

	<b>2010</b>	<b>2009</b>
Spouse	1836	1776
Common law partner	1195	1037
Parent	460	436
Health Service Exec.	39	70
Other	1	3
<b>TOTAL Orders Granted</b>	<b>1457</b>	<b>1339</b>

## Household Benefits Package

As of September 2011 changes were made to the value of the Household Benefits Package.

- The Electricity Allowance has been reduced from 2,400 units a year to 1,800 units
- The Natural Gas Allowance has been reduced from €52 every two months in the summer to €42 and from €111 every two months in winter (November – June) to €89.
- Telephone Allowance reduced from €21.41 plus VAT each month to €18.36 plus VAT each month.

Further information is available from [www.welfare.ie](http://www.welfare.ie)

## Medical Cards

Since 1<sup>st</sup> July 2011 all new Medical Card applications and reviews are being processed centrally. An online application service is now available at [www.medicalcard.ie](http://www.medicalcard.ie). You can follow the progress of your application online. If you qualify for a medical card you should receive your card within 15 days. If you are over the income guidelines you may still be eligible for a Medical Card, or a GP Visit Card, on a discretionary basis. If you believe that your circumstances may entitle you to Medical Card services on a discretionary basis you should contact your local health office.

The **National Minimum Wage**... which was cut by €1 a week on 1 February 2011 has been reversed and is now €8.65 per hour.

**healthcomplaints.ie** is a new website that has been developed to provide information on appeals mechanisms. It provides information on how to make a complaint or give feedback about health and social care services.

## Guide to Social Welfare Appeals

The Free Legal Advice Centre (FLAC) has produced this guide to explain the social welfare appeals process for claimants who wish to appeal a decision on a social welfare payment. The Guide also includes information on making a Freedom of Information request. Available to download at [www.flac.ie/download/pdf/april\\_2011\\_guide\\_to\\_sw\\_appeals\\_process\\_final.pdf](http://www.flac.ie/download/pdf/april_2011_guide_to_sw_appeals_process_final.pdf)

## ‘Working for Work’

The 18<sup>th</sup> annual ‘Working for Work’ booklet published by the Irish National Organisation for the Unemployed (INOUE) was launched in July by the Minister for Social Protection, Joan Burton, TD.

The Working for Work booklet is a comprehensive publication bringing together a wide range of information and supports available for unemployed people who are trying to return to work, education or training. It outlines individuals’ right and entitlement with regard to social welfare payments as well as providing valuable information and advice on the options and opportunities available to those seeking to enter the labour market or to pursue further education and training.

### **Barnardos Knows Campaign**

*Over 90,000 children in Ireland are already living in consistent poverty. 2011 has been a tough year for many families and children are already suffering as a result of the recession. There are real fears that further cuts to welfare, health and education in Budget 2010 will push more children deeper into*

*deprivation and disadvantage*. Barnardos are asking you to promote their Barnardos Knows Campaign by signing their online petition, available on their home page - [www.barnardos.ie](http://www.barnardos.ie), before November 30<sup>th</sup>.

### **Immigrant Council of Ireland (the Council) - Irish Times 3/8/2011**

The Council's confidential helpline received almost 5,000 calls in the first six months of the year. The most common inquiry (791) related to the residence rights for the parents of Irish citizen children. This follows a landmark judgment in the European Court of Justice in which the court found that a non-EU national parent of an EU citizen child has the right to reside within an EU member state and to be granted a work permit. To find out more about this judgment you can view Treoir's January-March 2011 Bulletin and a video that describes the situation of non-Irish parents of children born in Ireland who are Irish citizen children (available from the publications section) on our website.

Among other issues cited by callers were:

- Leave to remain as a family member of an Irish national (214)
- Family reunification (204)
- Visit visas (148)

### **Equality Authority Annual Report 2010**

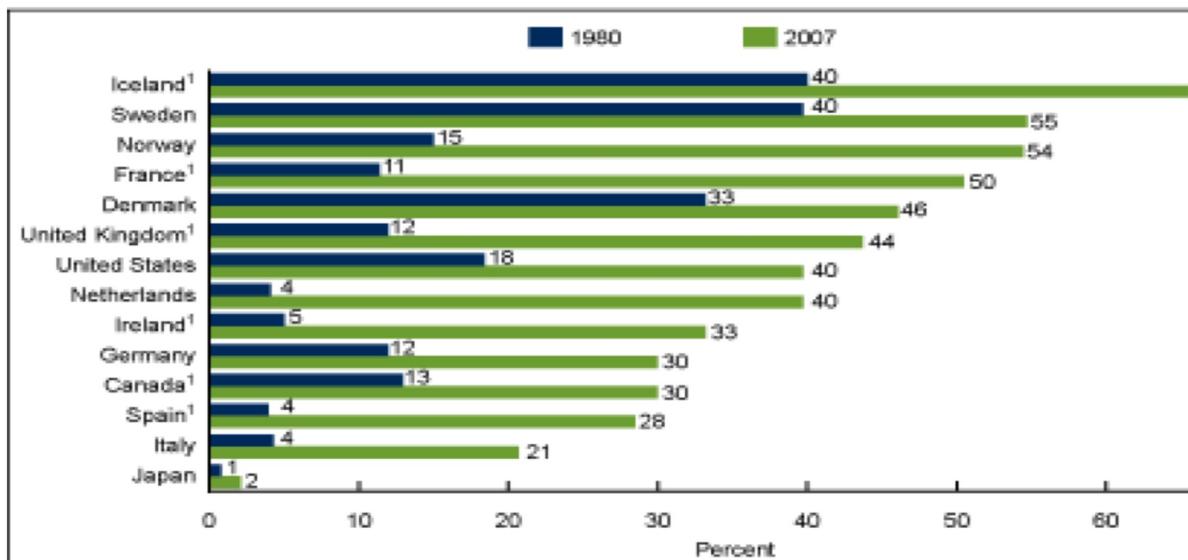
The Annual Report shows that there was a substantial increase in enquiries under the equality legislation. The Equality Authority provides information on equality legislation and a range of family leaves (Maternity, Parental and Adoptive). Speaking at the launch, the Chairperson of the Equality Authority Angela Kerins said that "the make-up of families in Ireland has transformed in the last number of decades. It is important that our legislation keeps up with these changes. The best interests of children require that the diversity of parenting and family arrangements be acknowledged in family law, so that the rights and responsibilities of both the father and the mother and all those in a parenting role are appropriately recognised."

See Annual Report at <http://www.equality.ie/index.asp?locID=136&docID=980> or e-mail [info@equality.ie](mailto:info@equality.ie).

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**Percentage of births to unmarried women, selected countries, 1980 and 2007 - Compiled by USA Department of Health and Human Services**

Figure 6. Percentage of births to unmarried women, selected countries, 1980 and 2007



<sup>1</sup> Latest data are for 2006.  
 SOURCE: CDC/NCHS, National Vital Statistics System; Stat Canada; Population Statistics of Japan; European Commission. Eurostat. Accessed 3/11

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