

Unmarried Parents - The Story So Far

The treatment of unmarried mothers and their children in Mother and Baby homes, while hugely disturbing, cannot be blamed solely on those running the homes. Institutions provided refuge, albeit in a harsh environment, while families, politicians, the church and society as a whole failed these mothers and their children.

In 1976 when Treoir, formerly the Federation of Services for Unmarried Parents and their Children, was founded, the legal status of children born outside of marriage was “illegitimate” and unmarried fathers did not have any legal recognition except for the purpose of “affiliation and maintenance”.

In the early days of the organisation the Information Service was used extensively by single pregnant women who were desperately in need of accommodation during their pregnancy as they could not remain at home. Often they did not have the means to support themselves in rented accommodation and generally could not cope with the stigma of being single and pregnant or an unmarried mother. Mother and Baby Homes, Family Placement and travelling to England to give birth were the options for these mothers.

The vast majority of children born outside of marriage were placed for adoption. There was no maternity protection or anti-discrimination legislation. Pregnancy outside of marriage was a cause of great shame in the family. Indeed it was seen as a social problem to be solved.

Comparing the contents of the Treoir flagship publication “*Information Pack for Unmarried Parents 2014*” and the “*Directory of Service in Ireland for Unmarried Parents and their Children 1977*” it is evident that some dramatic changes have occurred over the years.

It is no longer necessary to include a chapter on accommodation listing Mother and Baby Homes, Hostels and Family Placement, as gone are the days when unmarried women had to hide from families and society during pregnancy.

The 1977 edition of the Directory listed twenty adoption societies whereas in the 2014 edition adoption is only mentioned in the context of family adoption, that is where the mother and her husband adopt the mother’s child.

In the recent controversy about Mother and Baby Homes the question has been asked many times “where were the fathers?” The 1977 Directory stated that “the father is not a legal guardian of a child born outside of wedlock. He has no automatic right to custody of the child. He has no legal right to decide or be consulted, on matters relating to the child’s upbringing. He has no automatic right

to access to his child, and no right even to be given information concerning e.g. the whereabouts or the state of health of his child". Fathers were written out of the script, they did not exist legally.

Unmarried fathers were given a right to apply for access, custody and joint guardianship as late as 1987 under the Status of Children Act. This Act also removed the concept of illegitimacy from the statute books. The Children Act 1997 enabled fathers to acquire guardianship rights by signing a statutory declaration for joint guardianship with the mother, removing the necessity of going to court to acquire guardianship rights where parents are in agreement.

However, that is not to say that all is well with unmarried parents. Treoir research published in 2013 (using the Growing Up in Ireland data) shows that solo parents were ten times more likely to be welfare dependent and nine times more likely to be on Rent Supplement than their married parents. They fared worse on every measure of deprivation as compared to married parents. The study confirmed much of what we knew already about many solo parents – that they had low levels of education, were poor and were less likely to be in employment. Indeed nearly 36% of solo parents had never worked before the birth of the child. As expected, solo parents experience significant difficulties in accessing affordable, quality childcare.

While in the main nowadays children are raised by one, or both of their biological parents there is still much to be done to ensure the best possible outcomes for all children, irrespective of marital and family status of their parents.