

Treoir Press Release (Tuesday 17th Feb 2015)

Nothing for non-cohabiting fathers in Children and Family Relationships Bill

Treoir, the National Specialist Information Service for Unmarried Parents, welcomes the passing by Cabinet of The Children and Family Relationships Bill 2015. This Bill will impact positively on many families and children in Ireland when enacted. *“Treoir supports the enactment of this legislation but it is calling for some specific amendments to ensure that inequalities relating to unmarried fathers and their children are finally tackled”* Margaret Dromey, CEO Treoir said.

Automatic Guardianship and Mandatory Information

This Bill does not improve the rights of unmarried fathers unless they have cohabited with the mother for the requisite time (12 months, minimum of 3 of which must be post birth). The unmarried father of a child will continue to have to resort to the courts if the mother does not agree to sign a statutory declaration for joint guardianship witnessed by a Peace Commissioner or a Commissioner for Oaths. The Children and Family Relationships Bill fails to address the current discriminatory situation of these unmarried fathers.

Dr. Ruth Barrington, Chair of Treoir stated that *“Treoir favours automatic rights for unmarried fathers in line with practice in other jurisdictions such as Northern Ireland, Britain, many European countries, Australia etc. We regret that this Bill does not provide for automatic rights for those unmarried fathers who are not cohabiting and yet are in a committed and caring relationship with their child. We recommend that at a minimum the legislation makes it mandatory to provide unmarried parents with information at the point of birth registration on their legal position in relation to their children and on the options open to them”*.

Margaret Dromey adds *“The provision of information is essential as it is our experience in Treoir that the majority of parents and professionals mistakenly*

*believe that having a father's name on a birth certificate of a child gives him guardianship rights. This misinformation can have major adverse consequences for children". **At the very least the Children and Family Relationships Bill should make mandatory the provision of information to all unmarried parents at the time of birth registration.** The information provided should state the legal position of unmarried families, in particular the lack of rights for unmarried fathers.*

Central Register for Joint Guardianship Agreements

Treoir is concerned that where a Statutory Declaration for Joint Guardianship is signed and subsequently is mislaid or destroyed, there is no evidence of the fact that the father has guardianship rights to his child. This can have dire consequences such as a father losing contact with his child (particularly where a mother changes country of residence) or not being able to consent to medical treatment for his child. **Treoir is requesting the Government to amend the Bill to include the establishment of a Central Register for Joint Guardianship Agreements to keep a record of Statutory Declarations agreeing guardianship rights.** The Oireachtas Committee on Justice, Defence and Equality and the Law Reform Commission have both recommended the initiation of such a Register and Treoir fails to understand the rationale for its exclusion.

For further information:

See Treoir's more detailed submission

<http://www.treoir.ie/cms-assets/documents/193487-683030.frbdec14.pdf>

Contact Treoir:

Margaret Dromey: Phone: 01 6700 120 Mobile: 087 2263 163

Beatrice Cronin : Phone 01 6700 120

Notes to the Editor

About Treoir

Treoir is a membership organisation that promotes the rights and best interests of unmarried parents and their children through providing specialist information and advocating for their rights.

Treoir believes that unmarried families should have the same right to respect, support, protection and recognition as families based on marriage.

Treoir, the national federation of services for unmarried parents and their children, is a company limited by guarantee not having a share capital, registered in Dublin, Ireland, registered company number 82321. It is also a charity with CHY number 8877

Statistics

There were 24,400 births registered as outside marriage in 2013

Births outside of marriage account for approximately 35% of all births

In excess of 55% of births outside of marriage are to couples who are living together (cohabiting).

104,665 children living with 60,269 unmarried couples cohabiting (vital stats 2013)

43,887 children living with 29,031 lone fathers (Census 2011)

Treoir

14 Gandon House,
IFSC, Dublin 1

T: 01 6700120

M : 087 2263 163

E: info@treoir.ie

W: www.treoir.ie

Follow us on [Facebook](#) and [Twitter](#)

LoCall: 1890 252 084