

Press Release

16th February 2010

At last, children may get an Article in Bunreacht na hÉireann specifically for them

Treoir, the national federation of services for unmarried parents and their children expressed their delight at the proposed visibility of children in the Irish Constitution. In responding to the third report of the Joint Committee on the Constitutional Amendment on Children Treoir stated that they had long been lobbying for such a change.

Margot Doherty, Assistant Chief Executive of Treoir, stated

The Committee's emphasis on striving for equality between children of married and unmarried families has produced proposals which would create equality between all children under the Irish Constitution. This has been an aspiration of Treoir since its inception in 1975.

In particular, the right of children to have their welfare regarded as a primary consideration and that their best interest shall be the first and paramount consideration in disputes about guardianship, adoption, custody, care or upbringing of a child, puts children firmly at the heart of the Articles concerning the family in the Constitution. It is hoped that the interpretation of the proposed wording is not negated by the decision of the Committee to retain Article 41.1 of the Constitution which states the family is recognised as the natural primary and fundamental unit group of society, and as a moral institution possesses inalienable and imprescriptible rights, antecedent and superior to all positive law.

It is hoped that the Committee's focus on equality for all children is the first step in equalising the rights of all families in the Constitution whether based on marriage or not.

This report reflects the common vision of the Committee in achieving their aim of equalising the rights of all children in the Irish Constitution and. It is disappointing that this common vision did not extend to the second report of the Committee where consensus could not be reached with regard to the age of consent to sexual activity and the issue of consensual activity between minors.

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Treoir is the national federation of services for unmarried parents and their children. It operates a National Information Service for parents and those involved with them. See www.treoir.ie